



**AGENDA FOR
WORK SESSION - 6:00 PM
REGULAR CITY COUNCIL MEETING – 6:30 PM
MONDAY, JUNE 23, 2025
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 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 the Film Friendly Texas (FFTX) community certification requirements and benefits to the City of Kaufman as outlined by the Texas Film Commission.
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 - Kaufman Family Dentistry

CONSENT AGENDA

4. Consider and take appropriate action on the minutes from the May 14, 2025, Special City Council meeting.
5. Consider and take appropriate action on the minutes from the May 19, 2025, Work Session and Regular City Council meeting.
6. Consider and take appropriate action on the minutes from the June 16, 2025, Special City Council meeting.
7. Consider and take appropriate action on Resolution R-17-25, a resolution of the City Council of the City of Kaufman, Texas, authorizing the award for engineering services provider for the 2022 Texas Hazard Mitigation Assistance Grant application and project implementation; and providing an effective date.

END OF CONSENT AGENDA

PUBLIC HEARING

8. Second Reading: Conduct a public hearing, consider and take appropriate action on Ordinance O-06-25, an ordinance of the City Council of the City of Kaufman, Texas, granting to Oncor Electric Delivery Company LLC, its successors and assigns, a non-exclusive electric power franchise to use the present and future streets, alleys, highways, public utility easements, public ways and other public property of the City of Kaufman, Texas; providing conditions of franchise authority; providing for indemnification by the company; providing for compensation therefor; providing for an effective date and a term of said franchise; providing for the repeal of all existing franchise ordinances to Oncor Electric Delivery Company LLC, its predecessors and assigns; providing a severability clause; providing for written acceptance of this franchise; and finding that the meeting at which this ordinance is passed is open to the public.
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance O-06-25
9. Conduct a public hearing, consider and take appropriate action on Ordinance O-16-25, an ordinance of the City Council of the City of Kaufman, Texas, amending the Zoning Ordinance to provide a request for a **Specific Use Permit (SUP-59)** for alcoholic beverage sales in conjunction with a restaurant (Morita's Brunch) on approximately **0.5142 acres of land**, located at 300 East Cherry Street, Suite A, being Lot 1, Block 39 of the Fantasy Plaza Addition, City of Kaufman, Kaufman County, Texas (Parcel ID 177708). (Case No. Z-07-25)
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance O-16-25

10. Conduct a public hearing, consider, and take appropriate action to on Ordinance O-17-25, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance O-15-17 for **Planned Development-15 Highway Commercial (PD-15 HC)**, an amendment to the Zoning Ordinance of the City, by adding a 15-foot side yard setback requirement to Tract 6 and amending Exhibit G. The subject property is located south of E. U.S. Highway 175 between Old Kemp Highway (C.R. 151) and the Highway 34 Bypass on land out of the D. Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas. (Case No. Z-05-25)
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance O-17-25

DISCUSSION/ACTION ITEMS

11. Consider and take appropriate action on a **Site Plan for Brakes Plus**, being a portion of Lot 2, Block F of Kings Fort Addition, situated on .845 acres of land (Property ID 202753) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located in the 900 Block of Kings Fort (Case No. SP-02-25).
12. Consider and take appropriate action on a **Replat for Kings Fort Addition, Block F, Lots 4R & 5R (Brakes Plus)**, being a replat of a portion of Lot 2, Block F of Kings Fort Addition, situated on 3.845 acres of land (Property ID 202753) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located in the 900 Block of Kings Fort Parkway. (Case No. R-01-25)
13. Consider and take appropriate action on a **Site Plan for Tabor Plaza**, Block A, Lot 3, situated on 2.145 acres of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No. SP-04-25)
14. Consider and take appropriate action on a **Final Plat for Tabor Plaza, Block A, Lots 1, 2, 3, and 4** situated on 4.792 acres of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No. FP-04-25)
15. Consider and take appropriate action on Ordinance O-15-25, an ordinance of the City Council of the City of Kaufman, Texas, providing for the sale and issuance of the City of Kaufman, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2025 in the amount of \$5,000,000 for improvements to the Wastewater Treatment Plant, extension of a water line of Highway 34 adjacent to the Agile development, and several water and sewer repairs throughout the City; and ordaining other matters relating to the subject.
16. Consider and take appropriate action on Resolution R-18-25, a resolution of the City Council of the City of Kaufman, setting a public hearing for July 28, 2025, to receive public input on the advisability of the adoption of Land Use Assumptions and a Capital Improvements Plan under which wastewater impact fees may be imposed.

17. Consider and take appropriate action on Resolution R-19-25, a resolution of the City Council of the City of Kaufman, Texas, approving the submission to the Economic Development Administration's Fiscal Year 2025 Disaster Supplemental Grant; and providing an effective date.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

18. Receive an update and discussion regarding the following:
 - a. Kaufman Police Association Fishing Tournament - June 28
 - b. Kaufman Red, White & BOOM Event - July 5
 - c. Budget Work Session Meetings - August 4 & August 11 (if needed)
 - d. Special City Council Meeting - September 8
 - e. 2025 TML Conference - Fort Worth - October 29-31, 2025
 - f. Discussion Items Report (DIR)
 - g. STAR Transit Ridership Report - May 2025
 - h. Careflite Compliance Report - May 2025
 - i. Fire Department Monthly Report - May 2025
 - j. Police Department Monthly Report - May 2025
 - k. Development Services Monthly Report - May 2025
 - l. Monthly Calendars Attached

EXECUTIVE SESSION

19. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
 - a. Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING. (1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1): Project AC/DC and Project Jersey

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

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

ADJOURNMENT

I, JESSIE HANKS, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 5:00 P.M. ON FRIDAY, JUNE 20, 2025, 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: 6/23/2025

Date: 06/10/2025

Item #: 4.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the May 14, 2025, Special City Council meeting.

BACKGROUND:

See the attached minutes from the May 14, 2025, Special City Council meeting.

Author:

Jessie Hanks, City Secretary

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the minutes from the May 14, 2025, Special City Council meeting.

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



**MINUTES OF THE
SPECIAL CITY COUNCIL MEETING
WEDNESDAY, MAY 14, 2025 – 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

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 Special City Council meeting to order at 6:00 p.m. Councilmembers present were Jeff Jordan, Matt Phillips, Ashlea Longenecker, Jason Nelson, Quattro Borders, and Lisa Parker. Councilmember Charles Gillenwater was absent. Mayor Jordan declared a quorum present. Also, present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, City Secretary Jessie Hanks, and Police Chief Les Edwards.

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.

PROCLAMATION

1. National Police Week- May 11-17

Mayor Jordan read and proclaimed the week of May 11, 2025, through May 17, 2025, as National Police Week.

CANVASS SPECIAL ELECTION RETURNS

2. Consider and take appropriate action on Ordinance O-13-25, an Ordinance of the City Council of the City of Kaufman, Texas, canvassing returns and declaring results of the Joint General Election between the City of Kaufman ("City") and Kaufman County ("County") held on May 3, 2025, as such returns relate to a General Election to elect a mayor and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years; providing for the incorporation of premises; providing for the confirmation of vote tabulations for the General Election; identifying the officials elected and terms of office; authorizing the issuance of certificates of election; authorizing the issuance of the canvass of the General Election; and providing an effective date.

5/14/2025

Councilmember Borders made a motion to approve Ordinance O-13-25, an Ordinance of the City Council of the City of Kaufman, Texas, canvassing returns and declaring results of the General Election held on May 3, 2025, as such returns relate to a General Election to elect a mayor and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years as presented. The motion was seconded by Councilmember Parker and passed 6/0.

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 Nelson made a motion to appoint Matt Phillips as Mayor Pro-Tem. The motion was seconded by Councilmember Longenecker and passed 6/0.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 6:13 p.m.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**



Meeting
Date: 6/23/2025

Date: 06/10/2025

Item #: 5.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the May 19, 2025, Work Session and Regular City Council meeting.

BACKGROUND:

See the attached minutes from the May 19, 2025, Work Session and Regular City Council meeting.

Author:

Jessie Hanks, City Secretary

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the minutes from the May 19, 2025, Work Session and Regular City Council meeting.

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



**MINUTES OF THE
WORK SESSION – 6:00 P.M.
REGULAR CITY COUNCIL MEETING – 6:30 P.M.
MONDAY, MAY 19, 2025
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 6:00 p.m. Councilmembers present were Jeff Jordan, Matt Phillips, Lisa Parker, Charles Gillenwater, Quattro Borders, Ashlea Longenecker, and Jason Nelson. Mayor Jordan declared a quorum present. Also present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, City Attorney Ann Montgomery, City Secretary Jessie Hanks, Economic Development Director Stewart McGregor, Public Works Director Tim Hopwood, Utilities Superintendent Jordan Elder, Streets Superintendent Cris Murry, Utilities Crew Lead Brandon Parson, Utilities Maintenance Technician James Berryhill, Fire Chief Ronnie Davis, Police Captain Colter Leftwich, Police Chief Les Edwards, Officer Ryan Reed, and Officer Adam Wall.

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 legislative update on the 89th Texas Legislative Session.

Mr. McGregor gave the Council a legislative update on the 89th Texas Legislative Session. He informed the Council about various important dates through the legislative process. He reviewed the state's priorities, bills sent to the governor, and those that would not proceed. He discussed bills that would have a municipal impact, including taxation, development regulations, public safety, and economic development. Mayor Jordan encouraged the Council to be involved in the legislative process, including communicating their stance on specific bills to the state.

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

There was no discussion on items on the Regular Session Agenda.

WORK SESSION ADJOURNMENT

There being no further business, Mayor Jordan adjourned the work session at 6:28 p.m.

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 6:31 p.m. Councilmembers present were Jeff Jordan, Matt Phillips, Lisa Parker, Charles Gillenwater, Quattro Borders, Ashlea Longenecker, and Jason Nelson. Mayor Jordan declared a quorum present. Also, present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, City Attorney Ann Montgomery, City Secretary Jessie Hanks, Economic Development Director Stewart McGregor, Development Services Director Johnny Bray, Senior Planner, Martin Mares, Public Works Director Tim Hopwood, Utilities Superintendent Jordan Elder, Streets Superintendent Cris Murry, Utilities Crew Lead Brandon Parson, Utilities Maintenance Technician James Berryhill, Police Captain Colter Leftwich, Police Chief Les Edwards, Officer Ryan Reed, Officer Adam Wall, Fire Chief Ronnie Davis, Fire Lieutenant Wade Ballard, Firefighter Francious Welch, Firefighter Rusty Bateman, and Firefighter Brandon Kelsey.

6. Business of the Month - Brinson Chevrolet

Mayor Jordan, Mr. McGregor, and Anne Glasscock, Chief Executive Officer of the Kaufman Chamber of Commerce, presented Brinson Chevrolet as the May 2025 Business of the Month recognition.

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.

PROCLAMATION

3. Public Works Week - May 18 through May 23

Mayor Jordan proclaimed May 18, 2025, through May 23, 2025, as Public Works Week in the City of Kaufman.

RECOGNITION

4. Superior Water Designation

Mayor Jordan recognized the Kaufman Public Works Department for obtaining Superior Water Designation.

5. Life-Saving Award and Commendation - Public Safety

Chief Edwards, Captain Leftwich, and Chief Davis briefed the Council about the incident involving Officer Reed, Sergeant Turner, Fire Lieutenant Wade Ballard, Firefighter Rusty Bateman, Firefighter

Francious Welch, and Firefighter Brandon Kelsey, which warranted their recognition with the Life-Saving Award.

CONSENT AGENDA

7. Consider and take appropriate action on the minutes from the April 28, 2025, Work Session and Regular City Council meeting.
8. Consider and take appropriate action on Resolution R-12-25, a resolution of the City Council of the City of Kaufman, amending an emergency purchase order from No-Digtec, LLC for a sewer line repair on N. Washington St. between E. 1st North St. and E. Elmo St. for an amount not to exceed \$75,000.00; and authorize the City Manager to execute necessary documents.
9. Consider and take appropriate action on Resolution R-13-25, a resolution of the City Council of the City of Kaufman, Texas, repealing Resolution R-10-24, providing a list of approved Cooperative Purchasing Programs for City participation, and adopting an updated list of Cooperative Purchasing Programs for City use.
10. Consider and take appropriate action on an interlocal cooperative purchasing agreement between the City of Hurst and the City of Kaufman for mutual participation in various contracts for the purchase of various goods and services.
11. Consider and take appropriate action on Resolution R-14-25, a resolution of the City Council of the City of Kaufman, Texas, approving authorized signatories in matters pertaining to the Texas General Land Office and the City for the Community Development Block Grant – Disaster Recovery Program Grant No. 23-160-093-F090.

Councilmember Nelson made a motion to approve Consent Agenda items 7 -11 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

END OF CONSENT AGENDA

DISCUSSION/ACTION ITEMS

12. Consider and take appropriate action on a **Site Plan for Kings Fort Retail Site** situated on **13.5068 acres** of land (Property ID 2252) out of the Kings Fort Addition, Block A, Lots 3 & 4, City of Kaufman, Kaufman County, Texas, said property being generally located in the 400 Block of Kings Fort Parkway. (Case No: SP-05-25)

Ms. Balthrop Mendoza presented the proposed site plan for a property located in Kings Fort.

Councilmember Gillenwater made a motion to approve the **Site Plan for Kings Fort Retail Site** situated on **13.5068 acres** of land (Property ID 2252) out of the Kings Fort Addition, Block A, Lots 3 & 4, City of Kaufman, Kaufman County, Texas. The motion was seconded by Councilmember Nelson and passed 7/0.

13. Consider and take appropriate action on a **Preliminary Plat for Tabor Plaza**, situated on **4.792 acres** of land (Property ID 190309) out of the D. Falcon Survey A-151, City of

Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No: PP-01-25)

Ms. Balthrop Mendoza presented the Preliminary Plat for the Tabor Plaza. She reviewed the proposed division of the property and potential uses.

Councilmember Longenecker made a motion to approve the **Preliminary Plat for Tabor Plaza**, situated on **4.792 acres** of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas with the following condition: revise lots 3 and 4's building setbacks, on the east side, from 60' to 72', and provide a diagram showing the fire hose coverage. The motion was seconded by Councilmember Nelson and passed 7/0.

14. Consider and take appropriate action regarding Ordinance O-14-25, an ordinance of the City Council of the City of Kaufman, amending Ordinance No. O-18-24, adopting the 2024-2025 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Mr. McGregor outlined his proposed budget amendments for the KEDC FY 2025 budget.

Councilmember Nelson made a motion to approve Ordinance O-14-25, an ordinance of the City Council of the City of Kaufman, amending Ordinance No. O-18-24, adopting the 2024-2025 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date. The motion was seconded by Councilmember Gillenwater and passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

15. Receive an update and discussion regarding the following:
 - a. Discussion Items Report (DIR)
 - b. STAR Transit Ridership Report - April 2025
 - c. Careflite Compliance Report - April 2025
 - d. Fire Department Monthly Report - April 2025
 - e. Police Department Monthly Report - April 2025
 - f. Development Services Monthly Report - April 2025
 - g. Monthly Calendars Attached

Mr. Holder updated the Council on the above-stated items.

EXECUTIVE SESSION

Mayor Jordan recessed into executive session at 6:57 p.m.

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 the 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 the Council to seek the advice of its attorney about pending or contemplated litigation: Oncor Franchise/ Contractual obligations
 - b. Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY. To deliberate the purchase, exchange, lease, or value of real property regarding: Project Pie
 - c. Sec. 551.074. PERSONNEL MATTERS. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager's Duties

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 7:20 p.m.

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

There were no actions on matters discussed in Executive Session.

PUBLIC HEARING

18. First Reading: Conduct a public hearing, consider and take appropriate action on Ordinance O-06-25, an ordinance of the City Council of the City of Kaufman, Texas, granting to Oncor Electric Delivery Company LLC, its successors and assigns, a non-exclusive electric power franchise to use the present and future streets, alleys, highways, public utility easements, public ways and other public property of the City of Kaufman, Texas; providing conditions of franchise authority; providing for indemnification by the company; providing for compensation therefor; providing for an effective date and a term of said franchise; providing for the repeal of all existing franchise ordinances to Oncor Electric Delivery Company LLC, its predecessors and assigns; providing a severability clause; providing for written acceptance of this franchise; and finding that the meeting at which this ordinance is passed is open to the public.

- a. Presentation

There was no presentation for this item.

- b. Public Hearing

Mayor Jordan opened the public hearing at 7:20 p.m.

The Council inquired about the beautification clause of the franchise agreement. Brad Davis, Area Representative for Oncor Electric, outlined the purpose of the clause and the way it would impact their rates if amended.

There being no other speakers present, Mayor Jordan closed the public hearing at 7:30 p.m.

- c. Consider and take appropriate action on Ordinance O-06-25

Councilmember Borders made a motion to approve the first reading of Ordinance O-06-25 as presented. The motion was seconded by Councilmember Gillenwater and passed 7/0.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:31 p.m.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY



Meeting
Date: 6/23/2025

Date: 06/18/2025

Item #: 6.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the June 16, 2025, Special City Council meeting.

BACKGROUND:

See the attached minutes from the June 16, 2025, Special City Council Meeting.

Author:

Jessie Hanks, City Secretary

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the minutes from the June 16, 2025, Special City Council Meeting.

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



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, JUNE 16, 2025 – 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

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 Special City Council meeting to order at 6:01 p.m. Councilmembers present were Jeff Jordan, Lisa Parker, Charles Gillenwater, and Jason Nelson. Mayor Pro-Tem Matt Phillips joined the meeting at 6:04 p.m. Councilmembers Ashlea Longenecker and Quattro Borders were absent. Mayor Jordan declared a quorum present. Also, present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, and City Secretary Jessie Hanks.

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.

DISCUSSION/ACTION ITEMS

1. Consider and take appropriate action on Resolution R-15-25, a resolution of the City Council of the City of Kaufman, authorize the application to the Texas Department of Transportation's 2025 Transportation Alternatives Set-aside (TA) call for projects for the O.P. Norman Junior High School and Rand Road trail project to construct a multi-use trail for the City of Kaufman's Hike & Bike Trail Master Plan; and providing an effective date.

Mayor Jordan opened items 1 and 2 up for discussion. Mr. Holder informed the Council about the grant opportunity to assist the city in building the portions of the Hike and Bike Trail Master Plan located in front of the O.P. Norman Junior High School, Rand Road, and City Lakes Park from Highland Meadows.

Councilmember Nelson made a motion to approve Resolution R-15-25 to authorize the application to the Texas Department of Transportation's 2025 Transportation Alternatives Set-aside (TA) call for projects for the O.P. Norman Junior High School and Rand Road trail project to construct a multi-use trail for the City of Kaufman's Hike & Bike Trail Master Plan. The motion was seconded by Councilmember Parker and passed 5/0.

2. Consider and take appropriate action on Resolution R-16-25, a resolution of the City Council of the City of Kaufman, authorize the application to the Texas Department of Transportation's

2025 Transportation Alternatives Set-aside (TA) call for projects for the Kaufman City Lakes trail project to construct a multi-use trail for the City of Kaufman's Hike & Bike Trail Master Plan; and providing an effective date.

Councilmember Gillenwater made a motion to approve Resolution R-16-25 to authorize the application to the Texas Department of Transportation's 2025 Transportation Alternatives Set-aside (TA) call for projects for the Kaufman City Lakes trail project to construct a multi-use trail for the City of Kaufman's Hike & Bike Trail Master Plan. The motion was seconded by Councilmember Nelson and passed 5/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

3. Receive an update and discussion regarding the following:
 - a. S & P Rating Update

Mr. Holder updated the Council on the above-stated items.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 6:08 p.m.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**



Meeting
Date: 6/23/2025

Date: 06/10/2025

Item #: 7.

Dept.: Administration

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-17-25, a resolution of the City Council of the City of Kaufman, Texas, authorizing the award for engineering services provider for the 2022 Texas Hazard Mitigation Assistance Grant application and project implementation; and providing an effective date.

BACKGROUND:

The Texas Division of Emergency Management, Texas Water Development Board and other sources have grant funding available for Hazard Mitigation Assistance. In order to identify qualified and responsive providers for these services, a Request for Qualification(RFQ) process for engineering services has been completed in accordance with Texas HMA requirements. Staff received and reviewed 2 proposals and recommends SPI be selected to provide Texas HMA project-related engineering services for the Harzard Mitigation Assistance Grant project.

Author:
Rachel Balthrop Mendoza, Assistant City
Manager

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Resolution R-17-25 as presented.

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

RESOLUTION R-17-25

A RESOLUTION OF THE CITY OF KAUFMAN, TEXAS, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE PROVIDER CONTRACT FOR THE TEXAS HAZARD MITIGATION ASSISTANCE (“HMA”) PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (“TDEM”) AND/OR TEXAS WATER DEVELOPMENT BOARD (“TWDB”); PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Kaufman seeks assistance in pre-award and post-award engineering services, if awarded a Hazard Assistance Mitigation (“HMA”) Grant (“HMA Grant”) through the Texas Division of Emergency Management (“TDEM”); and

WHEREAS, in order to identify qualified and responsive providers for the services needed for the HMA Grant, a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with Texas HMA requirements; and

WHEREAS, the proposals to the RFP received by the due date have been reviewed to determine the most qualified and responsive provider for professional services; and

WHEREAS, Staff has reviewed the proposals and identified the proposal that will best serve the needs of the City and has requested Council approval;

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

Section 1. That Schaumburg & Polk, Inc. be awarded a contract to provide Texas HMA Application and project-related professional engineering services for the Hazard Mitigation Assistant Grant project, and that the City Manager be authorized to execute necessary documents.

Section 2. That any and all contracts or commitments made with the above-named service provider are dependent on the successful negotiation of a contract with the service provider, as well as City approval and execution of such contracts.

Section 3. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, on this 23rd day of June, 2025.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

M. ANN MONTGOMERY
CITY ATTORNEY

Engineering/Architectural Rating Sheet

Grant Recipient: _____ Program: _____ HMA

Name of Respondent SPI

Evaluator's Name: Jordan Elder Date of Rating: 10/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	10
3.	References from current/past clients	15	15
4.	FEMA Benefit Cost Analysis Development	15	15
	Subtotal, Experience	60	55
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	10 5	10
2.	Capacity to complete number and quality maps	10 5	5
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5 5	5
	Subtotal, Work Performance	25 15	20
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	5
2.	Experienced GIS staff within the organization	5	5
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	15
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	55
☐	Work Performance	25	20
☐	Capacity to Perform	15	15
	Total Score	100	90

initials: JE

Engineering/Architectural Rating Sheet

Grant Recipient: _____ Program: HMA

Name of Respondent GLS

Evaluator's Name: Jordan Elder Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	10
2.	Related Experience / Background with specific project type	15	10
3.	References from current/past clients	15	15
4.	FEMA Benefit Cost Analysis Development	15	10
	Subtotal, Experience	60	45
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	10	10
2.	Capacity to complete number and quality maps	10	10
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	
	Subtotal, Work Performance	25	25
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	5
2.	Experienced GIS staff within the organization	5	5
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	15
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	45
☐	Work Performance	25	25
☐	Capacity to Perform	15	15
	Total Score	100	85

initials: JE

Engineering/Architectural Rating Sheet

Grant Recipient: City of Kaufman Program: HMA

Name of Respondent SPI

Evaluator's Name: Tim Hopwood Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	13
3.	References from current/past clients	15	12
4.	FEMA Benefit Cost Analysis Development	15	10
	Subtotal, Experience	60	50
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	10	10
2.	Capacity to complete number and quality maps	10	8
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	5
	Subtotal, Work Performance	25	23
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	4
2.	Experienced GIS staff within the organization	5	5
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	14
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	50
☐	Work Performance	25	23
☐	Capacity to Perform	15	14
	Total Score	100	87

initials: TH

Engineering/Architectural Rating Sheet

Grant Recipient: City of Kaufman Program: HMA

Name of Respondent GLS

Evaluator's Name: Tim Hopwood Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	12
3.	References from current/past clients	15	12
4.	FEMA Benefit Cost Analysis Development	15	10
	Subtotal, Experience	60	49
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	10.5	10
2.	Capacity to complete number and quality maps	10.5	8
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	3
	Subtotal, Work Performance	25.5	21
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	5
2.	Experienced GIS staff within the organization	5	5
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	15
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	49
☐	Work Performance	25	21
☐	Capacity to Perform	15	15
	Total Score	100	85

initials: A

Engineering/Architectural Rating Sheet

Grant Recipient: Kautman Program: HMA

Name of Respondent: ELS

Evaluator's Name: ELS Rachel Mendoza Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	15
3.	References from current/past clients	15	15
4.	FEMA Benefit Cost Analysis Development	15	10
	Subtotal, Experience	60	55
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	5/10	5
2.	Capacity to complete number and quality maps	5/10	5
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	2
	Subtotal, Work Performance	15	12
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	3
2.	Experienced GIS staff within the organization	5	3
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	3
	Subtotal, Capacity to Perform	15	9
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	55
☐	Work Performance	25	12
☐	Capacity to Perform	15	9
	Total Score	100	76

initials: RBM

Engineering/Architectural Rating Sheet

Grant Recipient: Kandana Program: HMA

Name of Respondent: SPT

Evaluator's Name: Rachel Mendez Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	15
3.	References from current/past clients	15	15
4.	FEMA Benefit Cost Analysis Development	15	15
	Subtotal, Experience	60	60
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	5	5
2.	Capacity to complete number and quality maps	5	5
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	5
	Subtotal, Work Performance	15	15
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	3
2.	Experienced GIS staff within the organization	5	3
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	11
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	60
☐	Work Performance	25	15
☐	Capacity to Perform	15	11
	Total Score	100	86

initials RBM

Engineering/Architectural Rating Sheet

Grant Recipient: _____ Program: _____ HMA

Name of Respondent SPI

Evaluator's Name: Jessie Hanks Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	15
3.	References from current/past clients	15	15
4.	FEMA Benefit Cost Analysis Development	15	15
	Subtotal, Experience	60	60
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	10	10
2.	Capacity to complete number and quality maps	10	10
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	5
	Subtotal, Work Performance	25	25
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	5
2.	Experienced GIS staff within the organization	5	5
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	15
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	60
☐	Work Performance	25	25
☐	Capacity to Perform	15	15
	Total Score	100	100

initials:

JH

Engineering/Architectural Rating Sheet

Grant Recipient: _____ Program: _____ HMA

Name of Respondent GLS

Evaluator's Name: Jessie Hanks Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.	Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15	15
2.	Related Experience / Background with specific project type	15	10
3.	References from current/past clients	15	15
4.	FEMA Benefit Cost Analysis Development	15	10
	Subtotal, Experience	60	50
	Comments:		

Work Performance

	Factors	Max.Pts.	Score
1.	Facilitates completion of activities on schedule	10	10
2.	Capacity to complete number and quality maps	10	10
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5	5
	Subtotal, Work Performance	25	25
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.		
	Comments:		

Capacity to Perform

	Factors	Max.Pts.	Score
1.	Experienced Engineering/Architectural staff within the organization	5	5
2.	Experienced GIS staff within the organization	5	5
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5	5
	Subtotal, Capacity to Perform	15	15
	Comments:		

TOTAL SCORE

	Factors	Max.Pts.	Score
☐	Experience	60	50
☐	Work Performance	25	25
☐	Capacity to Perform	15	15
	Total Score	100	90

initials: 

Engineering/Architectural Rating Sheet

Grant Recipient: _____ Program: _____ HMA

Name of Respondent SPI

Evaluator's Name: M Holder Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.		Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15		
2.	Related Experience / Background with specific project type	15		
3.	References from current/past clients	15		
4.	FEMA Benefit Cost Analysis Development	15		
	Subtotal, Experience	60		60
	Comments:			

Work Performance

	Factors	Max.Pts.		Score
1.	Facilitates completion of activities on schedule	10 5		
2.	Capacity to complete number and quality maps	10 5		
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5 5		
	Subtotal, Work Performance	25 15		25
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.			
	Comments:			

Capacity to Perform

	Factors	Max.Pts.		Score
1.	Experienced Engineering/Architectural staff within the organization	5		
2.	Experienced GIS staff within the organization	5		
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5		
	Subtotal, Capacity to Perform	15		15
	Comments:			

TOTAL SCORE

	Factors	Max.Pts.		Score
☐	Experience	60		60
☐	Work Performance	25		25
☐	Capacity to Perform	15		15
	Total Score	100		100

initials: MH

Engineering/Architectural Rating Sheet

Grant Recipient: _____ Program: _____ HMA

Name of Respondent GLS

Evaluator's Name: m Holden Date of Rating: 6/12/25

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

Experience

	Factors	Max.Pts.		Score
1.	Related Experience / Background with FEMA and other federally funded programs/projects	15		
2.	Related Experience / Background with specific project type	15		
3.	References from current/past clients	15		
4.	FEMA Benefit Cost Analysis Development	15		
	Subtotal, Experience	60		55
	Comments:			

Work Performance

	Factors	Max.Pts.		Score
1.	Facilitates completion of activities on schedule	10 5		
2.	Capacity to complete number and quality maps	10 5		
3.	Capacity to schedule, coordinate and facilitate workshop meetings	5		
	Subtotal, Work Performance	25		15
	NOTE: Information necessary to assess the offeror on this criterion should be gathered by contacting past and current clients.			
	Comments:			

Capacity to Perform

	Factors	Max.Pts.		Score
1.	Experienced Engineering/Architectural staff within the organization	5		
2.	Experienced GIS staff within the organization	5		
3.	Experienced Benefit Cost Analysis Specialist or Access to BCA Specialist	5		
	Subtotal, Capacity to Perform	15		15
	Comments:			

TOTAL SCORE

	Factors	Max.Pts.		Score
☐	Experience	60		55
☐	Work Performance	25		15
☐	Capacity to Perform	15		15
	Total Score	100		85

initials: mH



Meeting
Date: 6/23/2025

Date: 06/10/2025

Item #: 8.

Dept.: Administration

Ordinance

SUBJECT:

Second Reading: Conduct a public hearing, consider and take appropriate action on Ordinance O-06-25, an ordinance of the City Council of the City of Kaufman, Texas, granting to Oncor Electric Delivery Company LLC, its successors and assigns, a non-exclusive electric power franchise to use the present and future streets, alleys, highways, public utility easements, public ways and other public property of the City of Kaufman, Texas; providing conditions of franchise authority; providing for indemnification by the company; providing for compensation therefor; providing for an effective date and a term of said franchise; providing for the repeal of all existing franchise ordinances to Oncor Electric Delivery Company LLC, its predecessors and assigns; providing a severability clause; providing for written acceptance of this franchise; and finding that the meeting at which this ordinance is passed is open to the public.

BACKGROUND:

The City's current franchise agreement with Oncor Electric expires in June 2025. In accordance with the City Charter, any franchise ordinance must be read twice by the City Council, with a public notice posted within 15 days following the first reading. The proposed agreement with Oncor reflects no substantial changes from the existing terms and primarily renews the City's long-standing partnership with the utility provider.

Author:
Mike Holder, City Manager

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the first reading of Ordinance O-06-25 as presented.

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

ORDINANCE NO. O-06-25

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND OTHER PUBLIC PROPERTY OF THE CITY OF KAUFMAN, TEXAS TO CONSTRUCT, MAINTAIN, AND OPERATE ELECTRIC DISTRIBUTION AND TRANSMISSION FACILITIES; PROVIDING CONDITIONS OF FRANCHISE AUTHORITY; PROVIDING FOR INDEMNIFICATION BY THE COMPANY AND INSURANCE; PROVIDING FOR COMPENSATION THEREFOR; PROVIDING FOR A 20 YEAR TERM OF SAID FRANCHISE; PROVIDING CITY ACCESS TO RECORDS AND ACCOUNTS FOR AUDIT PURPOSES; PROVIDING FOR DEFAULT, REMEDIES, AND TERMINATION; PROVIDING FOR NOTICES; INCORPORATING RECITALS; PROVIDING THIS ORDINANCE SUPERSEDES OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS; PROVIDING A SEVERABILITY CLAUSE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE.

WHEREAS, the City of Kaufman, Texas ("the City") is a home rule municipality pursuant to Section 5, Article XI of the Texas Constitution and exercises powers granted by the Texas Constitution and the City's Charter; and

WHEREAS, pursuant to Section 33.008(a) of the Texas Utilities Code or the Public Utilities Regulatory Act ("PURA"), the City may impose on a transmission and distribution utility that provides distribution service within the City limits a reasonable charge for the use of the streets, alleys, or public ways to deliver electricity to a retail customer; and

WHEREAS, to impose such reasonable charges and conditions on the use of the Public Rights-of-Way, the City may enter into non-exclusive franchise agreements with a transmission and distribution utility by ordinance; and

WHEREAS, Oncor Electric Delivery Company LLC ("Company"), is now and has been engaged in the business of electric utility delivery in the State of Texas and, in furtherance thereof, has erected and maintained electric distribution and transmission facilities in the City, pursuant to such rights as may have been granted it by and under the laws of the State of Texas, and subject to the reasonable exercise of the police powers granted by and under the said laws to the City; and

WHEREAS, it is hereby found and determined by the City Council of the City that it is in the best interest of the City that a franchise be granted to Company setting forth the agreement between Company and the City under which the Company may use the streets, alleys, highways, and other Public Rights-of-Way to maintain and construct its Facilities (as defined in Section 1 herein) in the City limits; and

WHEREAS, the City Council deems it appropriate and in the best interest of the City and its citizens that a franchise be granted to Company under the terms of this Ordinance;

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

Section 1. GRANT OF AUTHORITY

That there is hereby granted to Company, its successors and assigns, the non-exclusive right, privilege and franchise to construct, extend, maintain and operate in, along, under and across the present and future streets, alleys, highways, easements held by the City to which the City holds the property rights in regard to use for utilities, public ways and other public property ("Public Rights- of-Way" or "Rights-of-Way") of the City electric power lines, with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires, transmission lines, telephone and communication lines, and other structures for Company's own use), (the "Facilities") for the purpose of delivering electricity to the City, the inhabitants thereof, and persons, firms and corporations beyond the corporate limits thereof, for the 20 year term in Section 7 (the "Franchise").

Section 2. LOCATION OF FACILITIES

Company shall install, maintain, construct, operate and replace its Facilities in accordance with any applicable federal, state and local laws, rules, and regulations. Facilities shall be so erected as not to unreasonably interfere with traffic over streets, alleys, and highways or with the existing facilities of other authorized users of the Public Rights-of-Way. In determining the location of Company's facilities within the City, Company shall not interfere with then existing or planned (assuming City notifies Company in writing of the planned structures prior to Company installing its facilities in the applicable area) above-ground and underground structures, equipment and facilities of the City, other utility franchisees (which have received a franchise from the City) and other persons (whether a natural person or business entity of any kind) who have received the City's consent to place and locate equipment or facilities within the Public Rights-of-Way.

Section 3. CONDITIONS OF FRANCHISE AUTHORITY

The City reserves the right to lay, and permit to be laid, storm, sewer, gas, water, wastewater and other pipe lines, cables, and conduits, or other improvements and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Rights- of-Way occupied by Company. The City also reserves the right to change in any manner any curb, sidewalk, highway, alley, public way, street, utility lines (or in the case of utility line owned by Company, to require that change by Company), storm sewers, drainage basins, drainage ditches, and the like. The City shall provide Company with at least thirty (30) days' notice when requesting Company to relocate facilities at Company's expense, and shall specify a new location for such facilities along the Public Rights-of-Way, in accordance with Section 37.101(c) of PURA, which statutory provision currently states, the governing body of a municipality may require an electric utility to relocate the utility's facility at the utility's expense to permit the widening or straightening of a street. City and Company further agree that widening and straightening of a street includes the addition of any acceleration, deceleration, center or side turn lanes, and

sidewalks (meaning sidewalks done in conjunction with widening or straightening of a street and including modifications to sidewalks required by the Americans with Disabilities Act for wheelchair ramps).

Work done in connection with the construction, reconstruction, maintenance, repair or operation of Company's Facilities shall be subject to and governed by all valid and enforceable ordinances, laws, rules, and regulations of the City and the State of Texas and the federal government. Company shall, except in cases of emergency conditions or work incidental in nature, obtain a permit, if required by City ordinance, prior to performing work in the Public Rights-of-Way, except in no instance shall Company be required to pay fees or bonds related to its use of the Public Rights-of-Way, despite the City's enactment of any ordinance providing the contrary. City-requested relocations of Company facilities in the Public Rights-of-Way shall be at the Company's expense; provided however, if the City is the end use Retail Customer (customer who purchases electric power or energy and ultimately consumes it) requesting the removal or relocation of Company Facilities for its own benefit, or the project requiring the relocation is solely aesthetic and beautification in nature, it will be at the total expense of the City. Provided further, if the relocation request includes, or is for, Company to relocate existing above-ground facilities to an underground location, the City shall be fully responsible for the additional cost of placing the facilities underground.

Company shall cooperate with the City by providing complete information regarding the location of current and future overhead and underground wires and poles within the Public Rights-of-Way of the City. Reproducible copies of available maps showing the location of all overhead and underground wires and poles within the Public Rights-of-Way shall be furnished to the City upon request. The maps shall be provided in electronic digital format, if available.

If any other corporation or person (other than City) requests Company to relocate Company facilities located in the Rights-of-Ways, Company shall not be bound to make such changes until such other corporation or person shall have undertaken, with good and sufficient bond, to reimburse the Company for any costs, loss, or expense which will be caused by, or arises out of such change, alteration, or relocation of Company's Facilities. The City may not request Company to pay for any relocation that has already been requested, and paid for, by any entity other than City.

If the City abandons any Public Rights-of-Way in which Company has its Facilities, such abandonment shall be conditioned on Company's right to maintain its use of the former Public Rights-of-Way and on the obligation of the party to whom the Public Rights-of-Way is abandoned to reimburse Company for all removal or relocation expenses if Company agrees to the removal or relocation of its Facilities following abandonment of the Public Rights-of-Way. If the party to whom the Public Rights-of-Way is abandoned requests Company to remove or relocate its facilities and Company agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Rights-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

Company shall restore at Company's expense, all work within the Public Rights-of-Way, to a condition equally as good as it was immediately prior to being disturbed by Company's construction, excavation, repair or removal or to a condition agreed upon by City

and Company. If the City or Company believe that there are extenuating circumstances that do not allow for restoration of all work within the Rights-of-Way to a condition equally as good as it was immediately prior to being disturbed by Company, the City and Company will negotiate an alternative restoration plan (in writing) to remedy the situation. Absent an agreement to an alternative restoration plan, either party has a right to request review of the matter by any court or regulatory agency having jurisdiction.

Section 4. INDEMNIFICATION AND INSURANCE

- A. In consideration of the granting of this Franchise, Company shall, at its sole cost and expense, indemnify and hold the City, and its past and present officers, agents and employees harmless against any and all liability arising from suits, actions or claims regarding injury or death to any person or persons, or damages to any property arising out of or occasioned by the intentional and/or negligent acts or omissions of Company or any of its officers, agents, or employees in connection with Company's construction, maintenance and operation of Company's Facilities in the City Public Rights-of-Way, including any court costs, reasonable expenses and reasonable defenses thereof.
- B. This indemnity shall only apply to the extent that the loss, damage, death or injury is attributable to the negligence or wrongful act or omission of the Company or its officers, agents or employees, and does not apply to the extent such loss, damage, death or injury is attributable to the negligence or wrongful act or omission of the City or the City's officers, agents, or employees or any other person or entity. This provision is not intended to create a cause of action or liability for the benefit of third parties but is solely for the benefit of Company and the City.
- C. In the event of joint and concurrent negligence or fault of both Company and the City, responsibility and indemnity, if any, shall be apportioned comparatively between the City and Company in accordance with the laws of the State of Texas without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. Further, in the event of joint and concurrent negligence or fault of both Company and the City, responsibility for all costs of defense shall be apportioned between the City and Company based upon the comparative fault of each.
- D. In fulfilling its obligation to defend and indemnify the City, Company shall have the right to select defense counsel, subject to the City's approval, which will not be unreasonably withheld. Company shall retain defense counsel within seven (7) business days of the City's written notice that the City is invoking its right to indemnification under this franchise. If Company fails to retain counsel within such time period, the City shall have the right to retain defense counsel on its own behalf, and Company shall be liable for all reasonable defense costs incurred by the City, except as otherwise provided in section 4.B. and 4.C.
- E. Company shall, at its sole cost and expense, obtain, maintain, or cause to be maintained and provide throughout the term of this Franchise, insurance in the amounts, types and coverages in accordance with the following requirements. Such insurance coverages may be in the form of a self-insurance plan to the extent permitted by law or by obtaining insurance which meets the following:

1. Commercial General or excess liability on an occurrence or claims made form with minimum limits of five million dollars (\$5,000,000) per occurrence and ten million dollars (\$10,000,000) aggregate. This coverage shall include the following:
 - (a) Products/completed operations to be maintained for the warranty period.
 - (b) Personal and advertising injury.
 - (c) Contractual liability.
 - (d) Explosion, collapse, or underground (XCU) hazards.
2. Automobile liability coverage with a minimum policy limit of one million dollars (\$1,000,000) combined single limit each accident. This coverage shall include all owned, hired and non-owned automobiles.
3. Workers compensation and employers liability coverage. Statutory coverage limits for Coverage A and five hundred thousand dollars (\$500,000) bodily injury each accident, five hundred thousand dollars (\$500,000) each employee bodily injury by disease, and five hundred thousand dollars (\$500,000) policy limit bodily injury by disease Coverage B employers' liability are required. Company must provide the City with a waiver of subrogation for worker's compensation claims.
4. Company must name the City, which includes all authorities, commissions, divisions and departments, as well as elected and appointed officials, agents, and volunteers, as an additional insureds under the coverage required herein, except Worker's Compensation Coverage. The certificate of insurance must state that the City is an additional insured.
5. Company will require its contractors and subcontractors to maintain, at their sole cost and expense, a minimum of three million dollars (\$3,000,000) each occurrence or each accident general liability and automobile liability throughout the course of work performed. Also, contractors and subcontractors will be required to maintain statutory workers' compensation benefits in accordance with the regulations of the State of Texas or state of jurisdiction as applicable. The minimum limits for employers' liability insurance will be five hundred thousand dollars (\$500,000) bodily injury each accident, five hundred thousand dollars (\$500,000) each employee bodily injury by disease, five hundred thousand dollars (\$500,000) policy limit bodily injury by disease.
6. Company shall provide the City with proof of its insurance in accordance with this Franchise within thirty (30) days of the effective date of this franchise ordinance, and annually thereafter. Company will not be required to furnish separate proof when applying for permits.

Section 5. NON-EXCLUSIVE GRANT

This Franchise is not exclusive, and nothing herein contained shall be construed so as to prevent the City from granting other like or similar rights, privileges and franchises to any other person, firm, or corporation. Any Franchise granted by the City to any other person, firm, or corporation shall not unreasonably interfere with this Franchise.

Section 6. COMPENSATION

In consideration of the grant of said right, privilege and Franchise by the City and as full payment for the right, privilege and Franchise of using and occupying the said Public Rights-of-Way, and in lieu of any and all occupation taxes, assessments, municipal charges, fees, easement taxes, franchise taxes, license, permit and inspection fees or charges, street taxes, bonds, street or alley rentals, and all other taxes, charges, levies, fees and rentals of whatsoever kind and character which the City may impose or hereafter be authorized or empowered to levy and collect, excepting only the usual general or special ad valorem taxes which the City is authorized to levy and impose upon real and personal property, sales and use taxes, and special assessments for public improvements, Company shall pay to the City the following:

- A. A final quarterly payment will be made on or before April 1, 2025 for the basis period of July 1, 2024 through September 30, 2024 and the privilege period of January 1, 2025 through March 31, 2025 in accordance with the provisions in the previous franchise.
- B. As authorized by Section 33.008(b) of PURA, the original franchise fee factor calculated for the City in 2002 was 0.003029 (the "Base Factor"), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries for determining franchise payments going forward.

Due to a 2010 agreement between Company and the City the franchise fee factor was increased to a franchise fee factor of 0.003180 (the "Current Factor"), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries on a quarterly basis.

However, consistent with the 2010 agreement, should the Public Utility Commission of Texas at any time disallow Company's recovery through rates of the higher franchise payments made under the Current Factor as compared to the Base Factor, then the franchise fee factor shall immediately revert to the Base Factor of 0.003029 and all future payments, irrespective of the time period that is covered by the payment, will be made using the Base Factor.

Company shall make quarterly payments to the City as follows:

<u>Payment Due Date</u>	<u>Basis Period</u>	<u>Privilege Period</u>
July 1	Oct. 1 - Dec. 31	Apr. 1 - Jun. 30
October 1	Jan. 1 - Mar. 31	Jul. 1 - Sept. 30
January 1	Apr. 1 - Jun. 30	Oct. 1 - Dec. 31
April 1	Jul. 1 - Sept. 30	Jan. 1 - Mar. 31

1. The first payment hereunder shall be due and payable on or before July 1, 2025, and will cover the basis period of October 1, 2024 through December 31, 2024,

and the privilege period of April 1, 2025 through June 30, 2025. If this Franchise is not effective prior to the first quarterly payment date, Company will pay any payments due within 30 days of the effective date of this agreement. The final payment under this Franchise is due on or before July 1, 2045, and covers the basis period of October 1, 2044 through December 31, 2044, and the privilege period of April 1, 2045 through June 30, 2045; and

2. After the final payment date of July 1, 2045, Company may continue to make additional quarterly payments in accordance with the above schedule. The City acknowledges that such continued payments will correspond to privilege periods that extend beyond the term of this Franchise and that such continued payments will be recognized in any subsequent franchise as full payment for the relevant quarterly periods.
- C. A sum equal to four percent (4%) of gross revenues received by Company from services identified as DD1 through DD24 in Section 6.1.2 "Discretionary Service Charges," in Oncor's Tariff for Retail Delivery Service (Tariff), effective 1/1/2002, that are for the account and benefit of an end-use retail electric consumer. Company will, upon request by City, provide a cross reference to Discretionary Service Charge numbering changes that are contained in Company's current approved Tariff.
1. The franchise fee amounts based on "Discretionary Service Charges" shall be calculated on an annual calendar year basis, i.e., from January 1 through December 31 of each calendar year.
 2. The franchise fee amounts that are due based on "Discretionary Service Charges" shall be paid at least once annually to the City on or before April 30 each year based on the total "Discretionary Service Charges," as set out in Section 6.C., received during the preceding calendar year. The initial Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2026, and will be based on the calendar year January 1 through December 31, 2025. The final Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2046, and will be based on the calendar months of January 1, 2045 through June 30, 2045.
 3. Company may file a tariff or tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges.
 4. The City agrees (i) to the extent the City acts as regulatory authority, to adopt and approve that portion of any tariff which provides for 100% recovery of the franchise fee on Discretionary Service Charges; (ii) in the event the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of the franchise fees on such Discretionary Service Charges is an issue, the City will take an affirmative position supporting the 100% recovery of such franchise fees by Company and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Company.

5. The City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Company.
6. In the event of a regulatory disallowance of the recovery of the franchise fees on the Discretionary Service Charges, Company will not be required to continue payment of such franchise fees.

Section 7. TERM

The right, privilege and Franchise granted hereby shall expire in twenty (20) years or on June 30, 2045; provided that, unless written notice of cancelation is given by either party hereto to the other not less than sixty (60) days before the expiration of this franchise agreement, it shall be automatically renewed for an additional period of six (6) months from such expiration date and shall be automatically renewed thereafter for like periods until canceled by written notice given not less than sixty (60) days before the expiration of any such renewal period.

Section 8. RECORDS AND ACCOUNTS

- A. Company shall keep accurate books of account at its principal office for the purpose of determining the amount due to the City under this Franchise.
- B. Pursuant to Section 33.008(e) of PURA, the City may conduct an audit or other inquiry in relation to a payment made by Company less than two (2) years before the commencement of such audit or inquiry. The City may, if it sees fit, and upon reasonable notice to the Company, have the books and records of the Company examined by a representative of the City to ascertain the correctness of the reports agreed to be filed herein.
- C. Company shall make available to the auditor during Company's regular business hours and upon reasonable notice, such personnel and records as the City may, in its reasonable discretion, request in order to complete such audit, and shall make no charge to the City therefore.
- D. If Company provides confidential or proprietary information to the City, Company shall be solely responsible for identifying such information with markings calculated to bring the City's attention to the proprietary or confidential nature of the information. The City agrees to maintain the confidentiality of any non-public information obtained from Company so designated to the extent allowed by law. The City shall not be liable to Company for the release of any information the City is required to release by law. The City shall provide notice to Company of any request for release of information marked by Company as proprietary or confidential prior to releasing the information so as to allow Company adequate time to pursue available remedies for protection. If the City receives a request under the Texas Public Information Act that includes Company's proprietary or confidential information, the City will notify the Texas Attorney General of the proprietary or confidential nature of the document(s). The City also will provide Company with a copy of this notification, and thereafter Company is responsible for establishing that an exception under the Texas Public Information Act allows the City to withhold the information.

Section 9. DEFAULT, REMEDIES, AND TERMINATION.

- A. Events of Default. The occurrence, at any time during the term of the Franchise Agreement, of any one or more of the following events, shall constitute an “Event of Default” by Company under this Franchise:
1. The failure of Company to pay the Franchise fee to the City on or before the due dates specified herein.
 2. Company's material breach or material violation of any of terms, covenants, representations or warranties contained herein or Company's failure to perform any material obligation contained herein.
- B. Uncured Events of Default.
1. Upon the occurrence of an Event of Default which can be cured by the immediate payment of money to City, Company shall have thirty (30) calendar days from receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies provided for in this Section.
 2. Upon the occurrence of an Event of Default by Company which cannot be cured by the immediate payment of money to City or a third party, Company shall have sixty (60) calendar days (or such additional time as may be agreed to by the City) from receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies provided for in this Section.
 3. If the Event of Default is not cured within the time period allowed for curing the Event of Default as provided for herein, such Event of Default shall, without additional notice, become an Uncured Event of Default, which shall entitle City to exercise the remedies provided for in this Section.
- C. Remedies. The City shall notify the Company in writing of an alleged Uncured Event of Default as described in this Section, which notice shall specify the alleged failure with reasonable particularity. Company shall, within thirty (30) calendar days after receipt of such notice or such longer period of time as the City may specify in such notice, either cure such alleged failure or in a written response to the City either present facts and arguments in refuting or defending such alleged failure or state that such alleged failure will be cured and set forth the method and time schedule for accomplishing such cure. In the event that such cure is not forthcoming, the City shall be entitled to exercise any and all of the following cumulative remedies:
1. The commencement of an action against Company at law for monetary damages.
 2. The commencement of an action in equity seeking injunctive relief or the specific performance of any of the provisions that as a matter of equity, are specifically enforceable.
 3. The termination of this Franchise.
- D. The rights and remedies of the City and Company set forth in this Franchise shall be in addition to, and not in limitation of, any other rights and remedies provided by law or in equity. The City and Company understand and intend that such remedies shall be cumulative to the maximum extent permitted by law and the exercise by the City of any one or more of such remedies shall not preclude the exercise by the City, at the

same or different times, of any other such remedies for the same failure to cure. Company retains all of its lawful authority and rights under the PURA and any other applicable laws, rules, or regulations.

- E. Termination. In accordance with the provisions of this Section, this Franchise may be terminated upon thirty (30) business day's prior written notice to Company. The City shall notify Company in writing at least fifteen (15) business days in advance of the City Council meeting at which the question of forfeiture or termination shall be considered, and Company shall have the right to appear before the City Council in person or by counsel and raise any objections or defenses Company may have that are relevant to the proposed forfeiture or termination. This Franchise will not be terminated if Company commences work or other efforts to cure such violations and completes such curative work according to a plan and timeline mutually agreed upon by Company and City. The final decision of the City Council may be appealed to any court or regulatory authority having jurisdiction. Upon timely appeal by Company of the City Council's decision terminating the Franchise, the effective date of such termination shall be either when such appeal is withdrawn or an order upholding the termination becomes final and unappealable. Until the termination becomes effective the provisions of this Franchise shall remain in effect for all purposes. The City recognizes Company's right and obligation to provide service in accordance with the Certificate of Convenience and Necessity authorized by the Public Utility Commission of Texas in accordance with the Texas Utilities Code.
- F. The failure of either party to insist in any one or more instances upon the strict performance of any one or more of the terms or provisions of this Franchise shall not be construed as a waiver or relinquishment for the future of any such term or provision, and the same shall continue in full force and effect, subject to applicable statute of limitations. No waiver or relinquishment shall be deemed to have been made by either party unless said waiver or relinquishment is in writing and signed by that party.

Section 10. NOTICES

Notices, reports, or demands required to be given under this Franchise shall be deemed to be given when delivered in writing, personally to the person designated below, or when five days have passed after it is deposited in the United States mail with registered and certified mail postage prepaid to the person designated below:

If to the City: City of Kaufman
 Attn: City Manger
 209 S. Washington Street
 P.O. Box 1168
 Kaufman, Texas 75142

With copy to: Kaufman City Attorney
 Messer Fort, PLLC
 6371 Preston Road, Suite 200
 Frisco, Texas 75034

If to Company: Oncor Electric Delivery Company LLC

Attn: Regulatory Affairs
1616 Woodall Rodgers Fwy. 6th floor
Dallas, TX 75202-1234

Section 11. INCORPORATION OF RECITALS

The recitals set forth above are incorporated into the body of the Ordinance as if fully set forth herein.

Section 12. SUPERSEDES PREVIOUS FRANCHISE WITH COMPANY

When this Franchise becomes effective, this Ordinance shall supersede any and all other franchises granted by the City to Company, its predecessors and assigns.

Section 13. SEVERABILITY CLAUSE

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any portion of this Ordinance is declared illegal or unconstitutional by the valid final non-appealable judgment or decree of any court of competent jurisdiction, such illegality or unconstitutionality shall not affect the legality and enforceability of any of the remaining portions of this Ordinance.

Section 14. COMPLIANCE WITH OPEN MEETINGS LAW

It is hereby officially found that the meeting at which this Ordinance is passed is open to the public and that due notice of this meeting was posted by City, all as required by law.

Section 15. EFFECTIVE DATE

This Ordinance shall become effective upon Company's written acceptance hereof, said written acceptance to be filed by Company with the City within sixty (60) days after final passage and approval hereof by City.

Section 16. ACCEPTANCE OF FRANCHISE BY COMPANY

In order to accept this Franchise, Company must file with the City Secretary its written acceptance of this franchise ordinance within sixty (60) days after its final passage and approval by City.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, on the 1st reading at a regular meeting of the City Council of Kaufman, Texas, on this the 19th day of May, 2025.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, on the 2nd and final reading at a regular meeting of the City Council of Kaufman, Texas, on this the 23rd day of June, 2025.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

M. ANN MONTGOMERY
CITY ATTORNEY



Meeting
Date: 6/23/2025

Date: 06/09/2025

Item #: 9.

Dept.: Development
Services

PZ Item

SUBJECT:

Conduct a public hearing, consider and take appropriate action on Ordinance O-16-25, an ordinance of the City Council of the City of Kaufman, Texas, amending the Zoning Ordinance to provide a request for a **Specific Use Permit (SUP-59)** for alcoholic beverage sales in conjunction with a restaurant (Morita's Brunch) on approximately **0.5142 acres of land**, located at 300 East Cherry Street, Suite A, being Lot 1, Block 39 of the Fantasy Plaza Addition, City of Kaufman, Kaufman County, Texas (Parcel ID 177708). (Case No. Z-07-25)

BACKGROUND:

See the attached June 12, 2025, Planning and Zoning Commission Report and attachments.

Author:
Martin Mares, Senior Planner

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Z-07-25 for Specific Use Permit-59 (SUP-59) for alcoholic beverage sales in conjunction with a restaurant at 300 East Cherry Street, Suite A with the following conditions:

1. The Property, including all buildings, premise, or land used pursuant to this SUP-59 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 (Floor Plan) unless an amendment to SUP-59 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. The Owner and/or Operator of the Property shall possess and continuously maintain a current Texas Alcoholic Beverage Commission (TABC) Private Club license for the continued operation of the property for Commercial District with Specific Use Permit-59 zoning designation.
3. The Owner and/or Operator of the Property shall possess and continuously maintain a current City of Kaufman Alcohol Permit for the Property.
4. All sales of alcoholic beverages shall be allowed for on-premise consumption only.
5. Fifty percent (50%) or more of sales transacted upon the Property shall be from food



Planning and Zoning Commission Report

Meeting Date: June 12, 2025

SUBJECT: Conduct a public hearing and make a recommendation to City Council on a request for a **Specific Use Permit (SUP-59)** for alcoholic beverage sales in conjunction with a restaurant (Morita's Brunch) on approximately 0.5142 acres of land, located at 300 East Cherry Street, Suite A, being Lot 1, Block 39 of the Fantasy Plaza Addition, City of Kaufman, Kaufman County, Texas (Parcel ID 177708). (Case No. Z-07-25)

BACKGROUND/SUMMARY:

The applicant has submitted a Specific Use Permit (SUP) application for alcoholic beverage sales in conjunction with a restaurant (Morita's Brunch), located at 300 East Cherry Street. The property is zoned Commercial District (C). The restaurant received its Certificate of Occupancy (CO) in December 2024.

Morita's Brunch is a tenant within the Fantasy Plaza Center, which includes other commercial tenants. The approved site plan, dated April 2006, shows a total of 32 shared parking spaces. The suite occupied by Morita's Brunch contains approximately 1,600 square feet of space. The addition of alcoholic beverage sales would complement their existing restaurant operations.

A floor plan has been provided. There are two main entrances to the dining area, located on the northern and eastern sides of the building. The dining area and restrooms are situated in these same sections. The kitchen, food preparation area, and office are located in the southern and western portions of the suite. Additionally, there is a staff entrance on the west side of the building. While the floor plan shows a general seating arrangement, the restaurant will provide seating for 40 customers.

Chapter 5 of the Business Regulations outlines standards regarding the required distance from churches, hospitals, and educational institutions. Alcoholic beverage sales are prohibited within 300 feet of any church, public hospital, public school, or other educational institution. This distance is measured in a straight line across intersections, from the front door of the businesses property line to the property line of the protected use. Staff has determined that the business is not located within 300 feet of any church, hospital, or educational institution.

The applicant has noted the maximum regular business hours of operation (6:00am – 9:00pm, 7 days a week), has indicated that there will not be any future changes to the exterior of the building.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	Commercial	Car Wash & Tire Repair Shop
South:	Residential	Residential Homes
East:	Commercial Residential	Retail suites on the same lot Residential Homes
West:	Residential	Residential Homes



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 Commercial (C), which allows for a mix of retail, restaurant, office, and commercial service uses. Alcoholic beverage sales in conjunction with a restaurant require a Specific Use Permit. Staff finds the proposed use 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 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 33 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: 33

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-07-25 for Specific Use Permit-59 (SUP-59) for alcoholic beverage sales in conjunction with a restaurant at 300 East Cherry Street, Suite A with the following conditions:

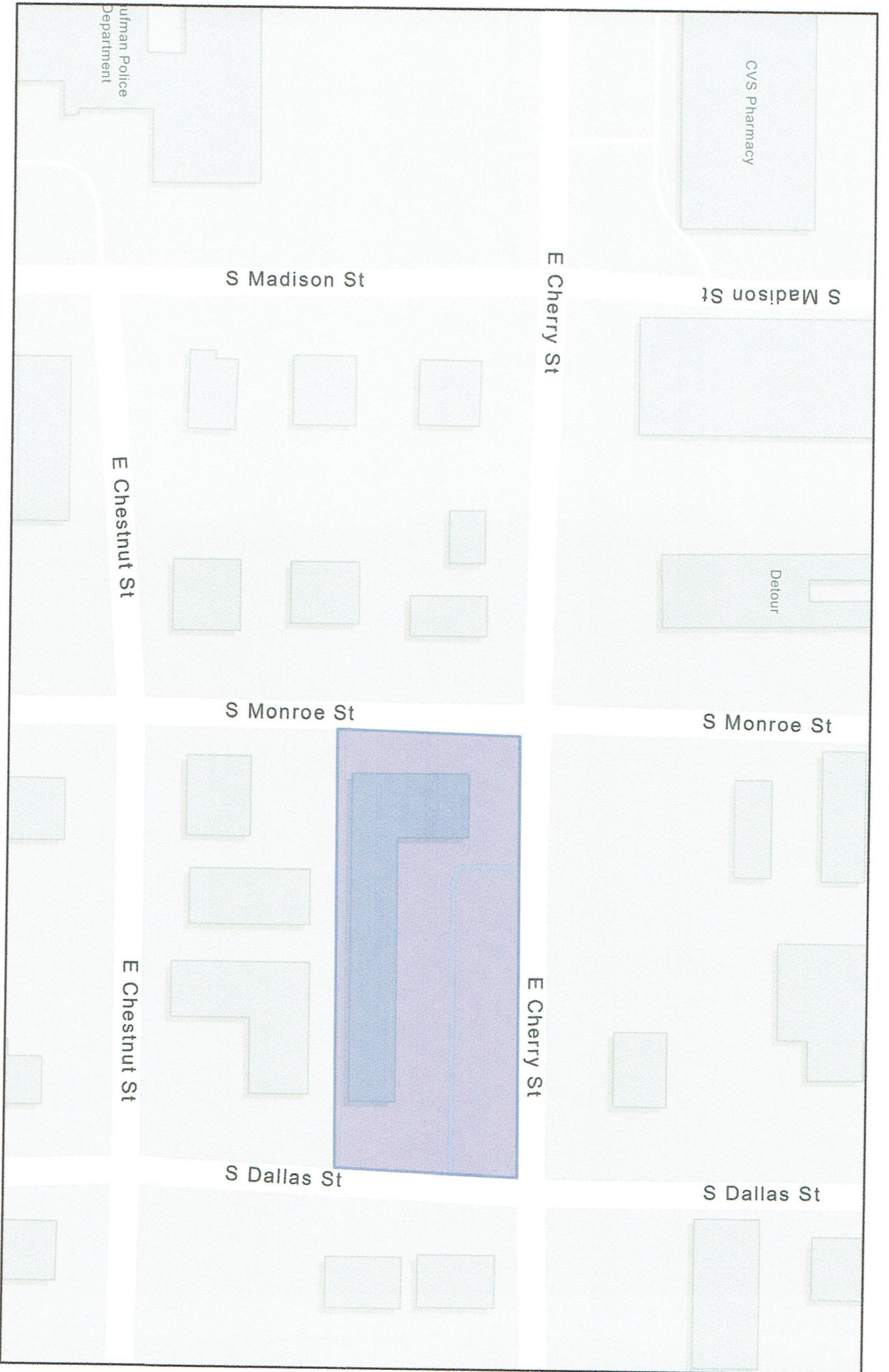
1. The Property, including all buildings, premise, or land used pursuant to this SUP-59 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits (Floor Plan) unless an amendment to SUP-59 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. The Owner and/or Operator of the Property shall possess and continuously maintain a current Texas Alcoholic Beverage Commission (TABC) Private Club license for the continued operation of the property for Commercial District with Specific Use Permit-59 zoning designation.
3. The Owner and/or Operator of the Property shall possess and continuously maintain a current City of Kaufman Alcohol Permit for the Property.
4. All sales of alcoholic beverages shall be allowed for on-premise consumption only.
5. Fifty percent (50%) or more of sales transacted upon the Property shall be from food.

ATTACHMENTS:

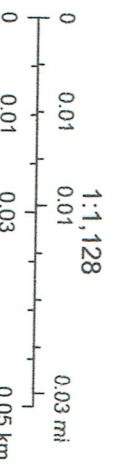
Location Map
Floor Plan
Exterior Pictures
Approved Site Plan for 04-2006

Martin Mares
Senior Planner
972-932-2216 ext. 117
MMares@kaufmantx.org

Location Map



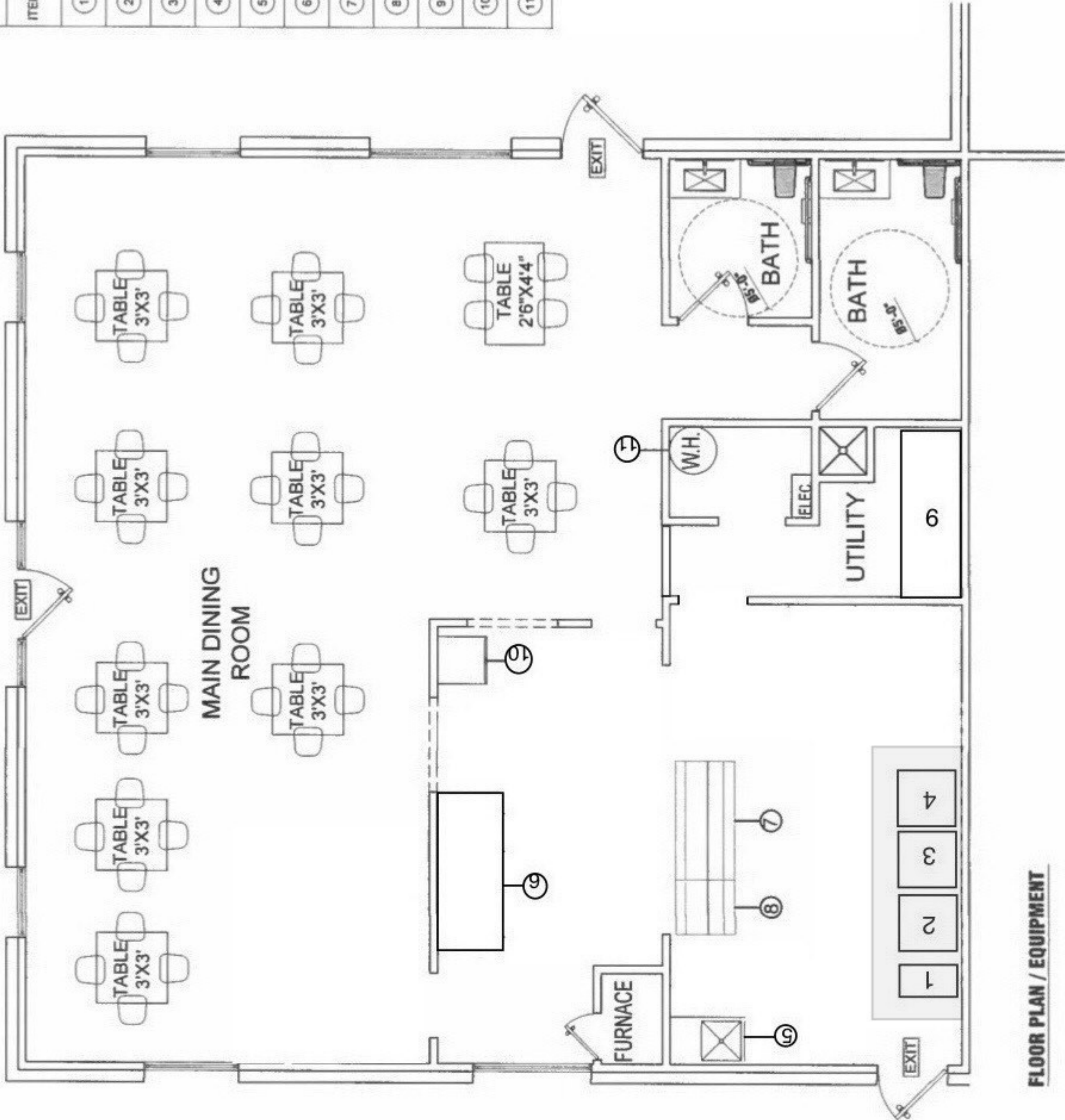
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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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.

EQUIPMENT SCHEDULE						
ITEM #	QT.	DESCRIPTION	DIMENSIONS			BRAND / MODEL
			W	D	H	
①	1	Fryer	15"	30"	34"	Pitco 35C+
②	1	Griddle	30"	24"	38"	Dukers DCGM24
③	1	Char broiler	30"	24"	38"	Dukers DCGM24
④	1	Stove	30"	36"	37"	Dukers DCHPA36
⑤	1	Hand sink	17"	15"	43"	
⑥	1	Reach in refrigerator	82"	34"	80"	Dukers DB3R
⑦	1	Food warmer with sectional thermostatic control	60"	30"	32"	Klinger's Trading INC SW4H120V
⑧	1	Assembly refrigerator	27"	31"	44"	Randell 9401-7
⑨	1	Three compartment sink	93"	24"	43"	
⑩	1	Drink refrigerator	25"	23"	64"	IMBERA VR12 R2
⑪	1	Water heater	21"	21"	48"	Richmond 6EM40-2



FLOOR PLAN / EQUIPMENT

A photograph of a brick sign for Fantasy Plaza. The sign is arched and features the name 'FANTASY PLAZA' in large red letters. Below the name, the address '300 E. CHERRY' is written in smaller black letters. The sign is surrounded by greenery, including trees and bushes. A white car is partially visible in the bottom right corner.

FANTASY PLAZA

300 E. CHERRY

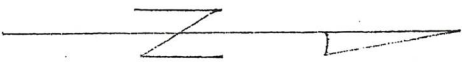
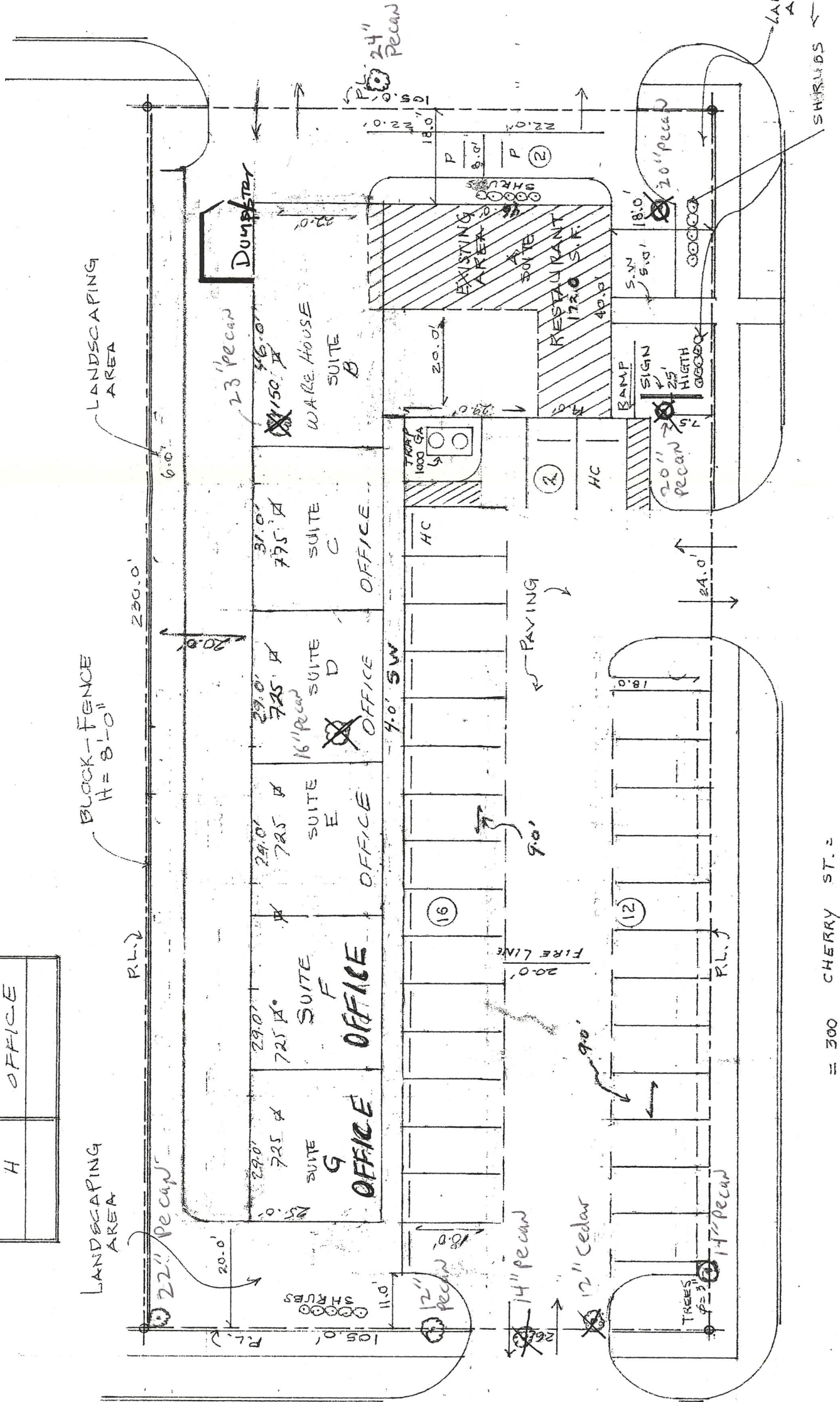






SUITES	USES
A	RESTAURANT
B	WAREHOUSE
C	OFFICE
D	OFFICE
E	OFFICE
F	OFFICE
G	OFFICE
H	OFFICE

RESIDENTIAL AREA



LAND =
AREA = 24150 S.F.
AREA = .554 ACRES

LANDSCAPING - PLAN =
SCALE: 1/16" = 1'-0"
17.27 %

BUILDING - AREA
6548 S.F.

EXISTING TREES
DOWN
To Keep

LANDSCAPING - AREA
4171 = 0.1727 = 17.27 %

SITE - PLAN =
SCALE: 1/16" = 1'-0"

214 / 608-4466

MS. ZITA HERRERA

SCALE: 1/16" = 1'-0"	DRAWN BY: ZAPICD
DATE: 02-08-2006	REVISED:
300 CHERRY ST. (214)	
796-9636	

RECEIVED APR 25 2006

ORDINANCE O-16-25

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING CHAPTER 9A, "ZONING ORDINANCE", OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, TEXAS, AND THE OFFICIAL ZONING MAP OF THE CITY, TO APPROVE SPECIFIC USE PERMIT NO. FIFTY-NINE, ("SUP-59"), ADOPTING SUP-59 AND ITS FLOOR PLAN AS SET FORTH HEREIN, TO PERMIT ALCOHOLIC BEVERAGE SALES IN CONJUNCTION WITH A RESTAURANT, SUBJECT TO CONDITIONS, ON AN APPROXIMATE 0.5142 ACRE TRACT OF LAND (PROPERTY ID 177708) ZONED "C" COMMERCIAL DISTRICT, SUCH PROPERTY BEING GENERALLY LOCATED AT 300 EAST CHERRY STREET, SUITE A, BEING LOT 1, BLOCK 39 OF THE FANTASY PLAZA, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS THAT IMPOSE CONDITIONS UPON THE SUP FOR THE PROPERTY, INCLUDING A REQUIREMENT FOR TABC LICENSING AND FOR A CITY ALCOHOL PERMIT, RESTRICTING SALES OF ALCOHOLIC BEVERAGES TO SALES FOR ON-PREMISE CONSUMPTION ONLY, WITH A REQUIREMENT THAT FIFTY PERCENT (50%) OR MORE OF SALES TRANSACTED UPON THE PROPERTY SHALL BE FROM FOOD OR NON-ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A RESTAURANT USE, AND RESTRICTIONS ON USE OR BUILDING EXPANSION OR MODIFICATION; PROVIDING A ZONING MAP AMENDMENT AND PROVIDING APPROVAL OF A FLOOR 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, the City of Kaufman, Texas (hereinafter referred to as "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council of the City (the "City Council"), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, a Site Plan for the Property was previously approved by the City in 2006, and this request has not caused a change to the Site Plan; however, the Planning

Director has requested the submission of the floor plan as authorized by Chapter 30 and Chapter 39 of the Zoning Ordinance; and

WHEREAS, at its regular meeting held on the 12th day of June, 2025, the Planning and Zoning Commission, after holding a public hearing, did consider and make a recommendation to City Council for approval of SUP-59, and its Floor Plan (Z-07-25), to allow alcoholic beverage sales in conjunction with a restaurant with the conditions listed in Section 2 of this Ordinance on an approximate 0. 5142-acre tract of land, Kaufman CAD Property ID 177708, zoned Commercial District “C”, generally located at 300 East Cherry Street, Suite A, being Lot 1, Block 39 of the Fantasy Plaza Addition, City of Kaufman, Kaufman, 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 23rd day of June, 2025, the City Council held a public hearing to consider approving SUP-59, and its Floor Plan (**Exhibit “B”**) 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-59 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 approving SUP-59 and Floor 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 Chapter 9A, “Zoning Ordinance”, of the Code of Ordinances of the City of Kaufman, and the Official Zoning Map”, are hereby amended to reflect a change in zoning to the Property, described and depicted in **Exhibit “A”**, attached hereto and incorporated herein, from Commercial District to Commercial District with Specific Use Permit-59 (“SUP-59”).

Pursuant to the zoning designation of Commercial District with SUP-59, the Property shall only be used as allowed by the Commercial District zoning district of the City of Kaufman, as amended by SUP-59 which hereby authorizes alcoholic beverage sales

in conjunction with a restaurant use subject to the following conditions, each of which shall also be included on the Floor Plan for SUP-59:

- a. The Owner and/or Operator of the Property shall possess and continuously maintain a current Texas Alcoholic Beverage Commission (TABC) Private Club license for the continued operation of the Property for Commercial District with Specific Use Permit-59 (SUP-59) zoning designation.
- b. The Owner and/or Operator of the Property shall possess and continuously maintain a current City of Kaufman Alcohol Permit for the Property.
- c. All sales of alcoholic beverages shall be allowed for on-premise consumption only in conjunction with a restaurant use.
- d. Fifty-percent (50%) or more of sales transacted upon the Property shall be from food or non-alcoholic beverages to satisfy the restriction that alcoholic beverage sales be allowed only in conjunction with a restaurant use.
- e. The Property, including all buildings, premises, or land used pursuant to this SUP-59 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Floor Plan and associated exhibits, described and depicted in **Exhibit "B"** hereto, unless an amendment to SUP-59 and the Floor Plan, are first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Floor Plan, or associated exhibits.

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 to Commercial with Specific Use Permit-59 ("SUP-59"), thereon and the updated map shall be on file with the Office of the City Secretary.

SECTION 4. FLOOR PLAN. The Floor Plan for SUP-59 attached hereto and incorporated as if set forth fully herein as **Exhibit "B"**, is hereby approved by the City Council. The approved Floor Plan meeting the requirements of this Section shall be adhered to in its entirety for the duration of the uses authorized by SUP-59 for the Property.

SECTION 5. ASSIGNABILITY; TERMINATION/RECISSION. SUP-59 is non-transferrable. SUP-59 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-59.

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.

[The remainder of this page intentionally left blank]

PASSED AND APPROVED this 23rd day of June, 2025.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

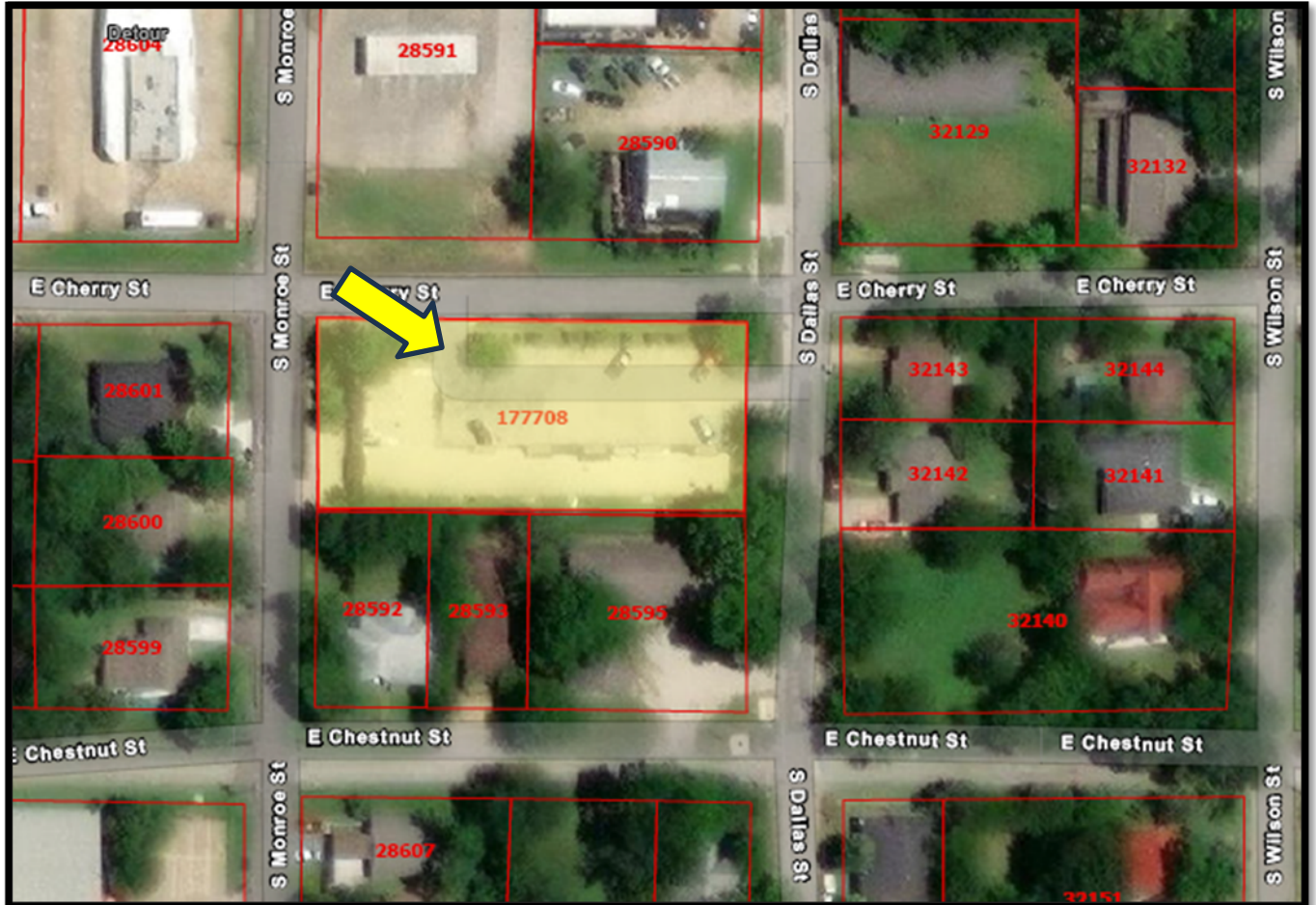
APPROVED AS TO FORM:

M. ANN MONTGOMERY
CITY ATTORNEY

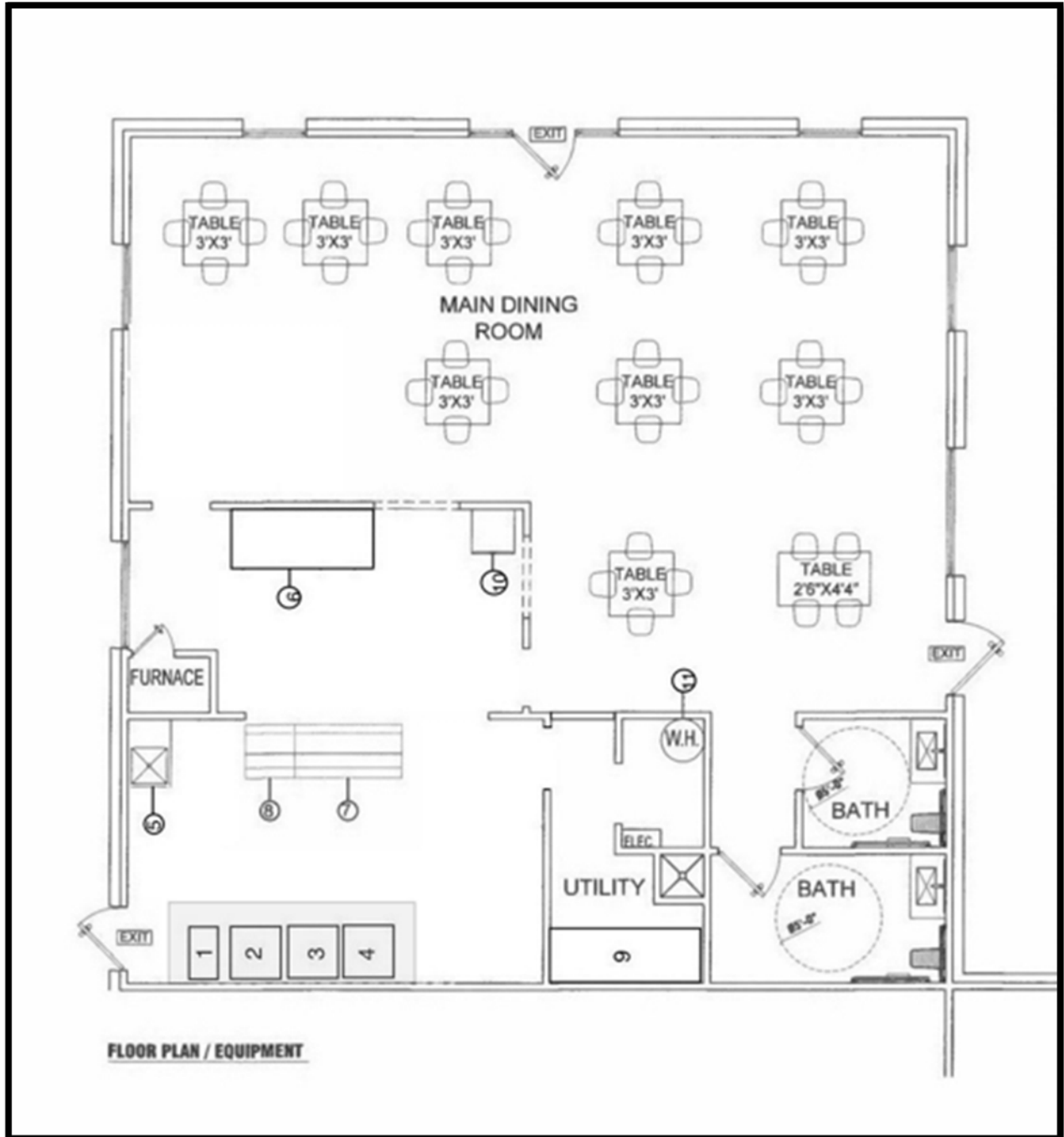
"EXHIBIT A" Legal Description

Z-07-25

**300 East Cherry Street–
Kaufman CAD Property ID 177708**



"EXHIBIT B" Floor Plan





Meeting
Date: 6/23/2025

Date: 06/09/2025

Item #: 10.

Dept.: Development
Services

Ordinance

SUBJECT:

Conduct a public hearing, consider, and take appropriate action to on Ordinance O-17-25, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance O-15-17 for **Planned Development-15 Highway Commercial (PD-15 HC)**, an amendment to the Zoning Ordinance of the City, by adding a 15-foot side yard setback requirement to Tract 6 and amending Exhibit G. The subject property is located south of E. U.S. Highway 175 between Old Kemp Highway (C.R. 151) and the Highway 34 Bypass on land out of the D. Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas. (Case No. Z-05-25)

BACKGROUND:

See the attached June 12, 2025, Planning and Zoning Commission report and attachments.

Author:
Martin Mares, Senior Planner

Reviewed:
Mike Holder, City Manager

Cost: **Funds Available:** **Source:**

Recommendation: Staff recommends approval of the Amendment to O-15-17 for Planned Development-15 Highway Commercial (PD-15 HC).



Planning and Zoning Commission Report

Meeting Date: June 12, 2025

SUBJECT: Conduct a public hearing and make a recommendation to City Council to **Amend O-15-17 for Planned Development-15 Highway Commercial (PD-15 HC)** by adding a 15-foot side yard setback requirement to Exhibit G. The subject property is located south of E. U.S. Highway 175 between Old Kemp Highway (C.R. 151) and the Highway 34 Bypass on land out of the D. Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas. (Case No. Z-05-25)

SUMMARY:

The applicant is requesting approval of an amendment to Ordinance O-15-17 for Planned Development-15 Highway Commercial (PD-15 HC), specifically related to Tract 6 of Exhibit G. The subject properties are zoned PD-15 for Highway Commercial uses.

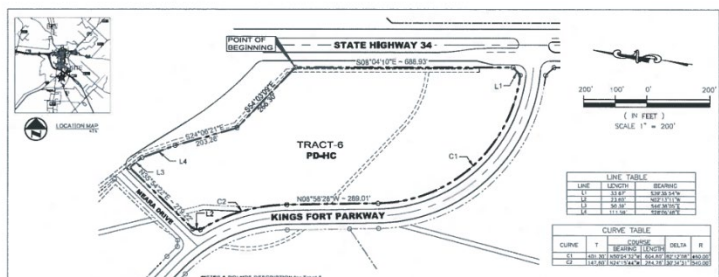
Development standards for the site are outlined in Exhibit G of the Planned Development ordinance. Any standards not specifically addressed in Exhibit G default to the Highway Commercial regulations in the Kaufman Zoning Ordinance. This amendment was initiated during the review of the proposed Brakes Plus project. Due to the site layout, the building is situated approximately 17 feet from the adjacent lot, whereas the Kaufman Zoning Ordinance requires a 25-foot side yard setback.

The applicant received approval of the civil plans. In conjunction with this proposed amendment to the Planned Development, a Site Plan and Final Plat are also being considered for Brakes Plus.

Typically, if this were a property under straight zoning rather than a Planned Development, such a request would go before the Zoning Board of Adjustment (ZBA). However, Section 9.5, *Limitations on Authority of Board*, states that the Board of Adjustment does not have the authority to grant or modify Specific Use Permits (Section 30) or the conditions of a Planned Development (Section 29). Therefore, the appropriate next step is to seek an amendment to the Planned Development for consideration of this request.

Development Standards Modification to Exhibit G.

The request pertains specifically to Exhibit G of the Planned Development ordinance. The proposed language to be added is as follows: "Side Setbacks for Tract 6 – Minimum side yard shall be 15 feet (15')." This amendment would apply only to Tract 6 and not to the entire Planned Development. Tract 6, as shown



in the provided exhibits, includes the area along Meara Drive, Kings Fort Parkway, and State Highway 34.

The only existing development within this tract is the QuickTrip, with Brakes Plus proposed adjacent to it. There are two additional lots within Tract 6 that do not currently have proposed developments. However, all these lots will have cross-access connectivity.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	Planned Development	Kaufman Business Park (across SH 175)
East:	Planned Development	Quiktrip & Numo Manufacturing (across SH 34)
South:	Planned Development	Vacant land
West:	Planned Development	Lone Star Credit Union & 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 uses. The property is zoned "PD-15 Highway Commercial", which allows for commercial uses listed in the Kaufman Zoning Ordinance. The proposed use is in conformance with the 2014 Future Land Use Plan and the Commercial zoning regulations.

THOROUGHFARE PLAN:

The Thoroughfare Plan designates SH 34 as a major regional arterial (Type AA; 6 lanes), with a right-of-way width of 120 feet. Kings Fort Parkway is designated as a major collector (Type C; 4 lanes), with a right-of-way width of 80'. The necessary right-of-way for both thoroughfares already exists at this location.

RECOMMENDATION:

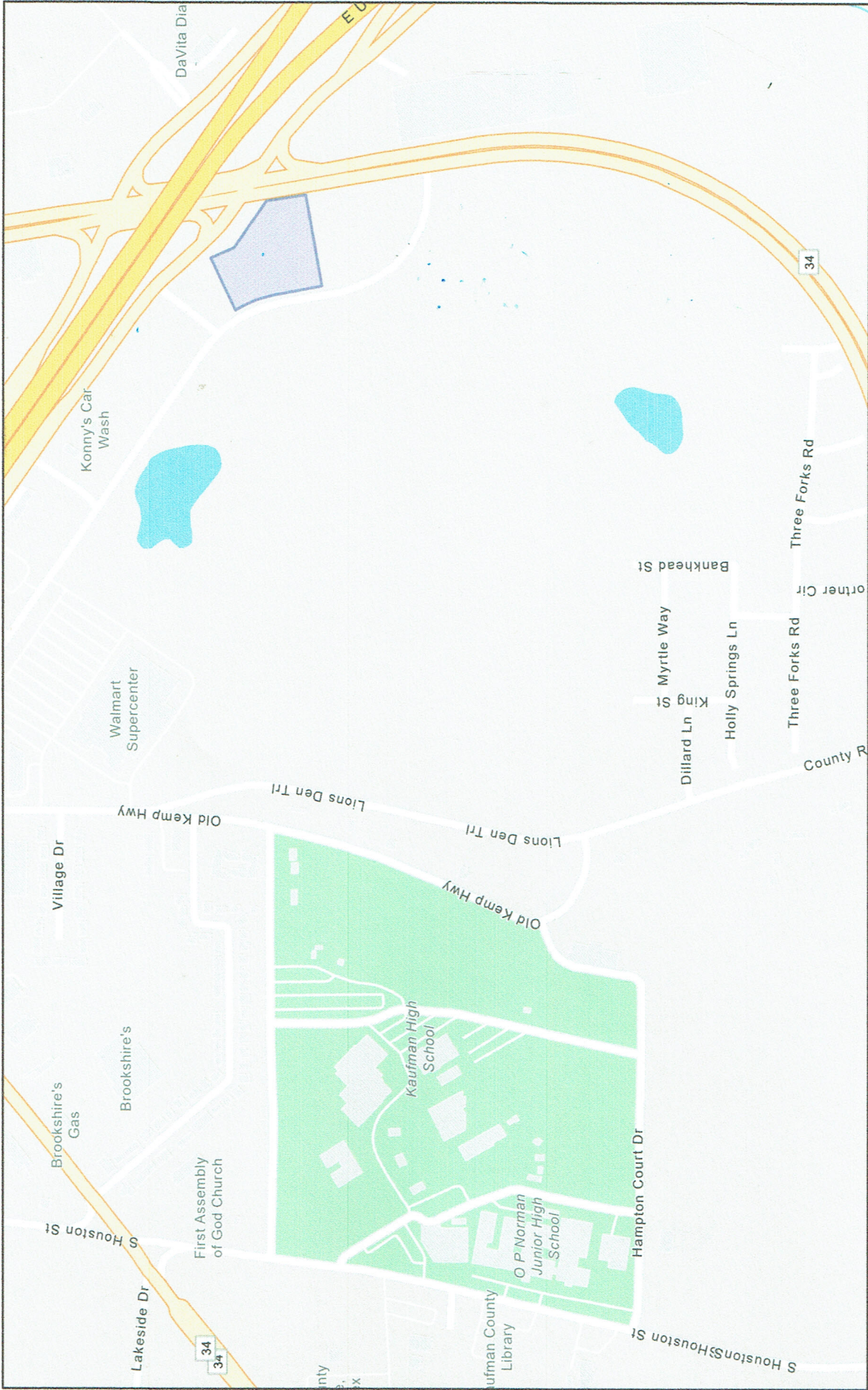
Staff recommends approval of the Amendment to O-15-17 for Planned Development-15 Highway Commercial (PD-15 HC).

ATTACHMENTS:

- Location Map
- PD-15 Highway Commercial Ordinance
- Exhibit G of the PD Ordinance

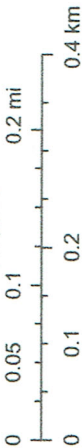
Martin Mares
Senior Planner
972-932-2216 ext. 117
mmares@kaufmantx.org

Location Map



5/14/2025, 3:32:48 PM

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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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.

PLANNED DEVELOPMENT - 15 for HIGHWAY COMMERCIAL (PD-HC)

18.25 acres of 199.76 Kings Fort Addition

A. GENERAL PURPOSE, INTENT AND DESCRIPTION:

The Planned Development — Highway Commercial (PD-HC) district is intended to establish a multi-use commercial development area that is compatible with Highway Commercial (HC) zoning but allows for uses as noted in Section B(3). Unless otherwise stated herein, or otherwise indicated on the Final Site Plan approved by the City of Kaufman, development standards for the property shall be in accordance with the Highway Commercial (HC) requirements of the City of Kaufman Zoning Ordinance No.O-02-07 and other applicable portions of the City's Code of Ordinances, as amended.

B. PERMITTED USES:

- (1) Uses permitted in the Highway Commercial (HC) zoning district, as provided in the Kaufman Zoning Ordinance O-02-07, as amended.
- (2) Outside Storage, Outside Sales, and Outside Display, for seasonal uses as defined in the Kaufman Zoning Ordinance 0-02-07.
- (3) Other uses as noted following:
 - a. Automotive gasoline or motor fuel service station
 - b. Tire dealership
 - c. New auto sales
 - d. Auto repair, minor (oil and lube store)
 - e. Check cashing service
 - f. Garden shop
 - g. Greenhouse or plant nursery w/outside display of plants

C. AREA AND OTHER REGULATIONS:

(1) Parking and Loading Requirements:

- a. Outside Storage, Outside Sales and Outside Display shall require additional parking at a ratio of one (1) per two (2) required spaces used for these uses.
- b. Stacking of cars, at uses requiring stacking, shall be as provided on the detailed Site Plan.
- c. On parking lots larger than fifty (50) parking spaces serving a shopping center, a maximum of ten percent (10%) of the required parking may be for compact car parking and shall be clearly marked as such.

(2) Landscaping Requirements:

City required landscaping within the interior of the parking lot may be placed around the perimeter of the parking lot, including but not limited to, landscaping at the terminus of parking rows and street yard landscaping. A reduction in the required landscape area or the number of trees below what is required by the Kaufman Zoning Ordinance is not allowed; however, the required landscape area and trees may be placed at the perimeter of the lot rather than within the parking field.

(3) Masonry Requirements:

All buildings and walls shall have eighty percent (80%) masonry exterior sheathing, exclusive of windows and doors. Glass block, stucco, split block, tilt wall and other products of the same type may be counted as masonry. A forty percent (40%) portion of the eighty percent (80%) requirement may be met with EFIS or Hardy Plank eight feet (8') feet above the ground or higher.

(4) Lighting Requirements:

- a. Allowable lighting shall include 1000-watt metal halide fixtures with sag lenses. Additionally, direct illumination as needed to light the front facade of a building shall be allowed. Other allowable lighting shall meet the lighting standards in the Kaufman Zoning Ordinance.
- b. Mounting Height: Maximum mounting height of site lighting shall not exceed thirty-five feet (35').
- c. Intensity: Illumination shall be as necessary to maintain a safe environment in the site parking and maneuvering areas. In setting lighting levels, consideration should be given to each individual user in their development program. For example, a common standard for minimum lighting level of 1.8-foot candles in parking areas and one foot (1') candle around perimeter drives. Illumination shall not be discernable more than 0.25-foot candles of light upon any adjacent residentially zoned area

(5) Screening:

- a. The owner of a tract zoned PD-HC, when sharing a common boundary with a single-family use, shall construct and maintain a masonry screening wall of not less than six feet (6') nor more than twelve feet (12') in height, as required by Section 38 of the Kaufman Zoning Ordinance.
- b. Outside Storage, Outside Sales, and Outside Display shall be screened from public streets and shall be limited to the height of the screening device.
- c. Loading docks and refuse storage areas which are not within a screened rear service area and which are visible from a public right-of-way shall be visually screened by a minimum six foot (6') high masonry wall on three (3) sides. The fourth side, used for access, may include a screening gate.

(6) Signage:

- a. Developer shall be allowed one (1) common sign with a height not to exceed thirty-five feet (35') and not to exceed four hundred (400) square feet, per sign face. This common sign shall be used to advertise multiple businesses within a shopping center development that may or may not have separate lots.
- b. Each platted lot shall be allowed one (1) special pylon sign not to exceed a height of seventy-five feet (75') and two hundred (200) square feet of sign per sign face. Each lot shall be allowed one (1) additional pylon sign per frontage not to exceed thirty-five feet (35') in height and one hundred-fifty (150) square feet in sign area per sign face so long as there is a minimum of eight hundred (800') of separation between signs.
- c. All signs twenty-five feet (25') or higher shall be set back a minimum distance of twenty-five feet (25') from the front property line and ten feet (10') from all other property lines.
- d. All monuments signs shall be in accordance with Section 44, Sign Regulations of the Kaufman Zoning Ordinance 0-02-07 as amended.
- e. Building signage shall not exceed thirty percent (30%) of the front building facade, excluding windows, door, and glass store fronts.
- f. All other signage not expressly regulated by this ordinance shall be regulated in accordance with Section 44, Sign Regulations of the Kaufman Zoning Ordinance 0-02-07 as amended.

(7) Side Setbacks for Tract 6

- a. Side Yard – Minimum side yard shall be 15 feet (15').

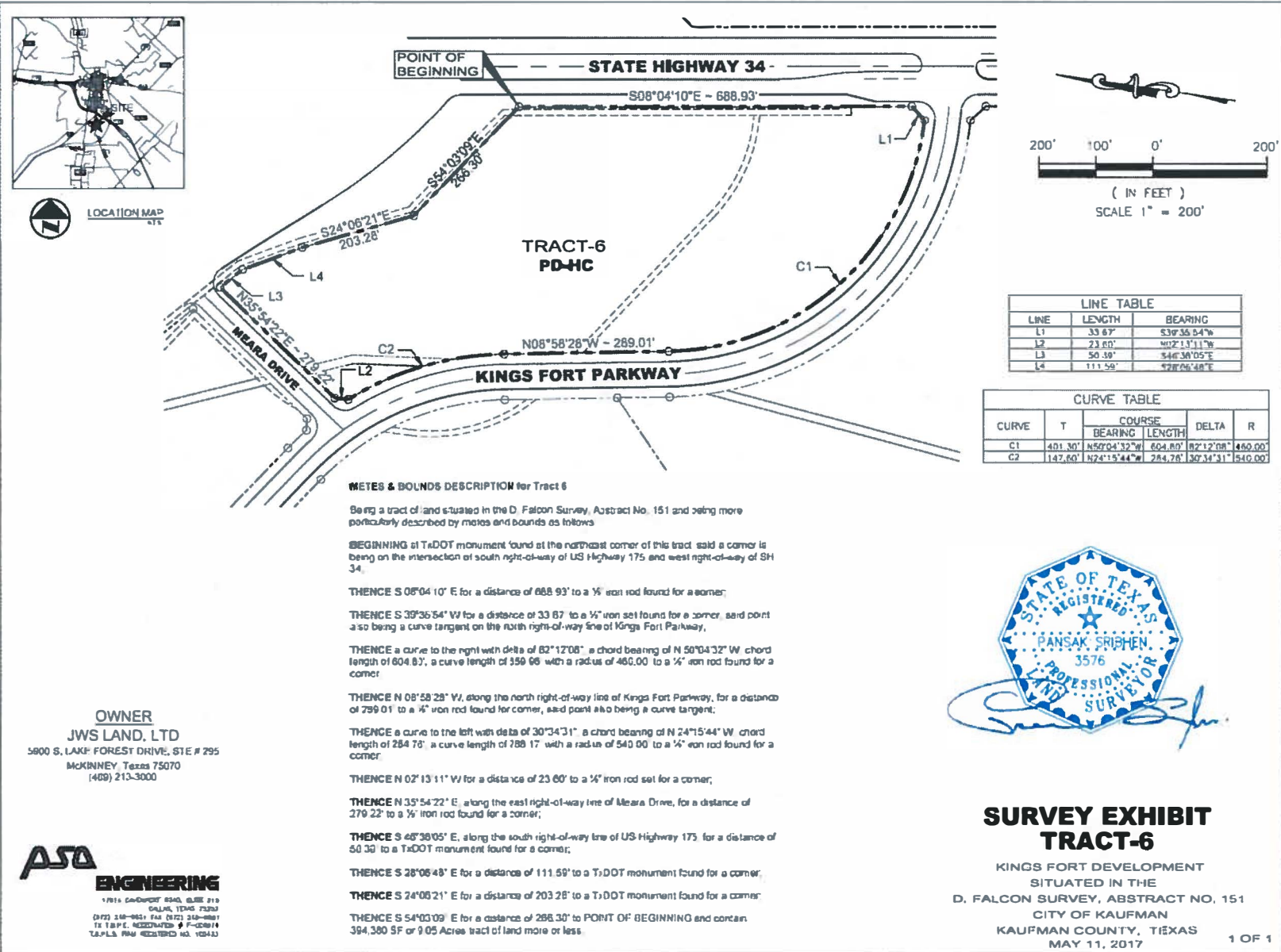
APPROVAL REQUIREMENTS:

- (8) Overall Concept Plan Review/Approval:** An overall concept plan shall be submitted for City review and approval in accordance with Section 29 (Planned Development) of the Kaufman Zoning Ordinance prior to any development on the property. Project phasing shall be shown as well to adequately show the proposed development.

- (9) Site Plan Review:** The review and approval of a Site Plan and associated plats/construction plans in accordance with the City's development review/approval procedures, as may be amended from time to time, shall be required prior to the development of any site (or the construction of any structure) within the zoning district (refer to Section 39, Site Plan Review in the Kaufman Zoning Ordinance). Development standards for each building site shall be in accordance with these standards and any other

applicable standards in the Kaufman Zoning Ordinance, Subdivision Regulations, and TCSS, and shall be clearly shown on the Site Plan. No building permit shall be issued until all required plats/plans have been properly approved by the City Council, and no certificate of occupancy shall be issued until all construction and improvements conform to the approved plat, plans, and TCSS and building codes of the City.

(10) Landscape Plan and Façade Plan Review: For all developments/buildings, detailed landscape plans and building façade plans shall be submitted for review and approval along with the site plan. The landscape and façade plans shall clearly show planting areas and exterior finish materials to be used (respectively), and shall show how the site meets the PD and Kaufman Zoning Ordinance landscaping and masonry requirements

Exhibit "G"
PD - 15 HC

ORDINANCE O-17-25

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING ORDINANCE NO. O-15-17 ESTABLISHING PLANNED DEVELOPMENT-15 HC DISTRICT ("PD-15 HC") ON AN APPROXIMATE 18.25-ACRE TRACT OF LAND DESCRIBED HEREIN AND AMENDING CHAPTER 9A, "ZONING ORDINANCE," OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, TEXAS, AND THE OFFICIAL ZONING MAP OF THE CITY, ORDER TO AMEND THE DEVELOPMENT STANDARDS, APPLICABLE TO TRACT 6, DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT "G" TO ORDINANCE O-15-17, ON THE SUBJECT PROPERTY BEING GENERALLY LOCATED SOUTH OF E. U.S. HIGHWAY 175 BETWEEN OLD KEMP HIGHWAY (C.R. 151) AND THE HIGHWAY 34 BYPASS ON LAND OUT OF THE D. FALCON SURVEY, ABSTRACT 151, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; PROVIDING AN AMENDMENT ADOPTING "AMENDED EXHIBIT "G" GOVERNING TRACT 6 OF THE PROPERTY; 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, the City of Kaufman, Texas (hereinafter referred to as "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council of the City (the "City Council"), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City;

WHEREAS, on June 26, 2017, the City Council of the City of Kaufman, Texas (the "City Council") adopted Ordinance No. O-15-17, establishing Planned Development-15 District ("PD-15 HC") on an approximate 18.25-acre tract of land, such property being generally located south of E. U.S. Highway 175 between Old Kemp Highway (C.R. 151) and the Highway 34 Bypass on land out of the D. Falcon Survey, Abstract 151, 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 12th day of June, 2025, the Planning and Zoning Commission did hold a public hearing and did consider and make a recommendation for approval of a request to amend the Planned Development Standards for PD-15 HC applicable to Tract 6 as set forth in Exhibit "G" to Ordinance

No. O-15-17, the PD-15 HC District to add a fifteen foot side setback requirement for Tract 6 as set forth in **Amended Exhibit “G”**, attached hereto as **Amended Exhibit “G,”** that was reviewed as part of Case No. Z-05-25 by the Planning and Zoning Commission, and is attached hereto and incorporated herein; and

WHEREAS, at its regular meeting held on the 23rd day of June 2025, the City Council held a public hearing for the proposed request to amend the Planned Development Standards to the PD-15 HC District; 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 amendments to the PD-15 HC District 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 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 amending the PD-15 HC District by the adoption of Amended Exhibit “G”.

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-15-17 establishing the PD-15-HC District, and amending Chapter 9A, “Zoning Ordinance,” of the Code of Ordinances of the City of Kaufman, Texas, are hereby further amended to reflect the change to the development regulations applicable to Tract 6 as set forth in **Exhibit “G”** to Ordinance No. O-15-17, the “Planned Development Standards” governing the approximate 18.25-acre tract of land zoned as PD-15-HC(Property IDs 240766, 202753,and 239962), such property being generally located south of E. U.S. Highway 175 between Old Kemp Highway (C.R. 151) and the Highway 34 Bypass on land out of the D. Falcon Survey, Abstract 151, City of Kaufman, Kaufman County, Texas, and being more particularly described and depicted in **Exhibit “A,”** attached hereto and incorporated herein (the “Property”).

By adoption of this Ordinance, **Exhibit “G,”** to Ordinance No. O-15-17 is hereby amended in its entirety as set forth in **Amended Exhibit “G”**, a copy of which is attached hereto and incorporated herein. **Amended Exhibit “G”** is hereby adopted to provide a requirement for a minimum fifteen-foot (15’) side setback requirement for

Tract 6 only, and the Development Standards for Tract 6 not expressly amended hereby and all other Tracts of land within PD-15-HC shall remain in full force and effect without amendment.

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 amendment to Ordinance No. O-15-17 establishing the PD-15-HC District, as set forth herein, and applicable only to Tract 6.

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.

[The remainder of this page intentionally left blank]

PASSED AND APPROVED this 23rd day of June 2025.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

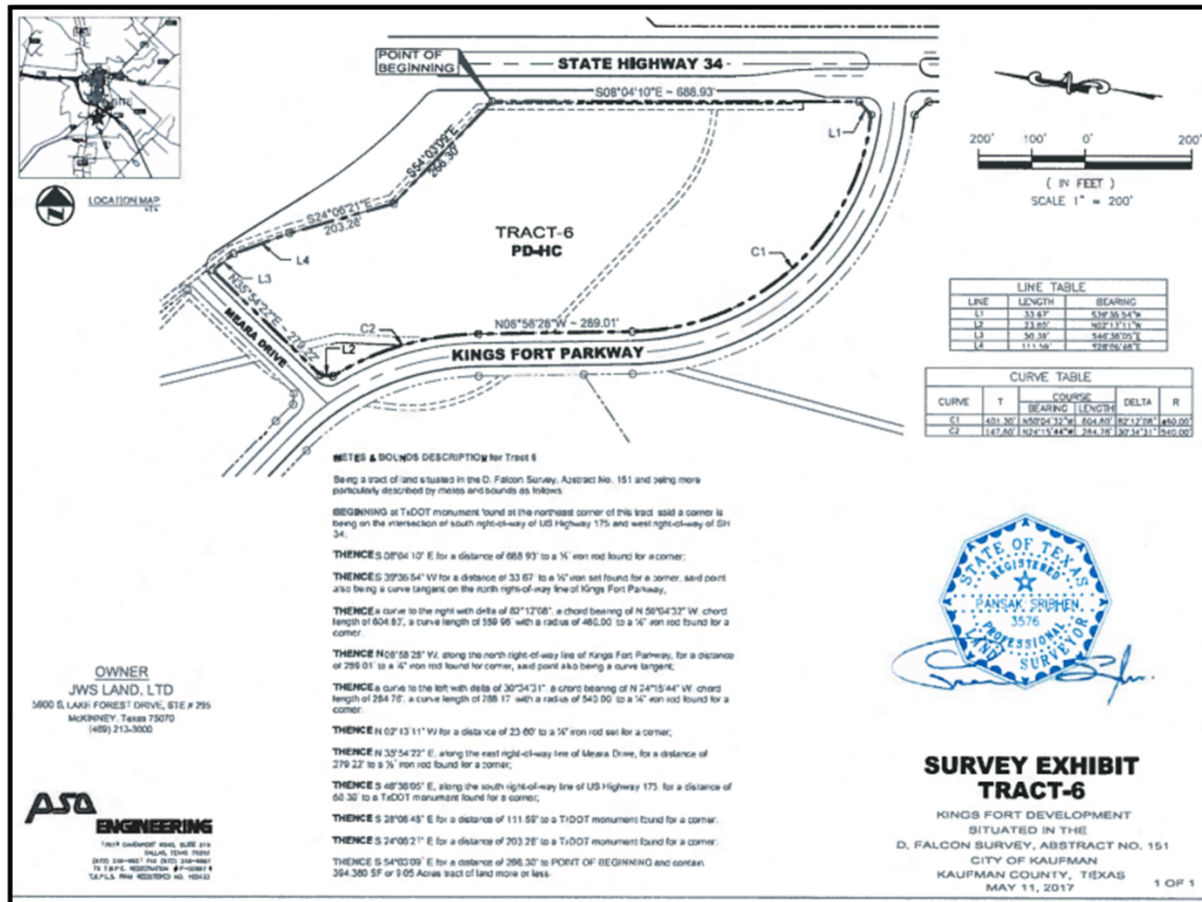
APPROVED AS TO FORM:

M. ANN MONTGOMERY
CITY ATTORNEY

“Exhibit A” Property Description

Z-05-25

Property IDs 240766,
202753, and 239962
Location Map



Amended Exhibit “G”

PLANNED DEVELOPMENT - 15 for HIGHWAY COMMERCIAL (PD-HC)

18.25 acres of 199.76 Kings Fort Addition

A. GENERAL PURPOSE, INTENT AND DESCRIPTION:

The Planned Development — Highway Commercial (PD-HC) district is intended to establish a multi-use commercial development area that is compatible with Highway Commercial (HC) zoning but allows for uses as noted in Section B(3). Unless otherwise stated herein or otherwise indicated on the Final Site Plan approved by the City of Kaufman, development standards for the property shall be in accordance with the Highway Commercial (HC) requirements of the City of Kaufman Zoning Ordinance No.O-02-07 and other applicable portions of the City’s Code of Ordinances, as amended.

B. PERMITTED USES:

- (1) Uses permitted in the Highway Commercial (HC) zoning district, as provided in the Kaufman Zoning Ordinance O-02-07, as amended.
- (2) Outside Storage, Outside Sales, and Outside Display, for seasonal uses as defined in the Kaufman Zoning Ordinance 0-02-07.
- (3) Other uses as noted following:
 - a. Automotive gasoline or motor fuel service station
 - b. Tire dealership
 - c. New auto sales
 - d. Auto repair, minor (oil and lube store)
 - e. Check cashing service
 - f. Garden shop
 - g. Greenhouse or plant nursery w/outside display of plants

C. AREA AND OTHER REGULATIONS:

(1) Parking and Loading Requirements:

- a. Outside Storage, Outside Sales and Outside Display shall require additional parking at a ratio of one (1) per two (2) required spaces used for these uses.
- b. Stacking of cars, at uses requiring stacking, shall be as provided on the detailed Site Plan.
- c. On parking lots larger than fifty (50) parking spaces serving a shopping center, a maximum of ten percent (10%) of the required parking may be for compact car parking and shall be clearly marked as such.

(2) Landscaping Requirements:

City required landscaping within the interior of the parking lot may be placed around the perimeter of the parking lot, including but not limited to, landscaping at the terminus of parking rows and street yard landscaping. A reduction in the required landscape area or the number of trees below what is required by the Kaufman Zoning Ordinance is not allowed; however, the required landscape

Amended Exhibit “G”

area and trees may be placed at the perimeter of the lot rather than within the parking field.

(3) Masonry Requirements:

All buildings and walls shall have eighty percent (80%) masonry exterior sheathing, exclusive of windows and doors. Glass block, stucco, split block, tilt wall and other products of the same type may be counted as masonry. A forty percent (40%) portion of the eighty percent (80%) requirement may be met with EFIS or Hardy Plank eight feet (8') feet above the ground or higher.

(4) Lighting Requirements:

- a. Allowable lighting shall include 1000-watt metal halide fixtures with sag lenses. Additionally, direct illumination as needed to light the front facade of a building shall be allowed. Other allowable lighting shall meet the lighting standards in the Kaufman Zoning Ordinance.
- b. Mounting Height: Maximum mounting height of site lighting shall not exceed thirty-five feet (35').
- c. Intensity: Illumination shall be as necessary to maintain a safe environment in the site parking and maneuvering areas. In setting lighting levels, consideration should be given to each individual user in their development program. For example, a common standard for minimum lighting level of 1.8-foot candles in parking areas and one foot (1') candle around perimeter drives. Illumination shall not be discernable more than 0.25-foot candles of light upon any adjacent residentially zoned area

(5) Screening:

- a. The owner of a tract zoned PD-HC, when sharing a common boundary with a single-family use, shall construct and maintain a masonry screening wall of not less than six feet (6') nor more than twelve feet (12') in height, as required by Section 38 of the Kaufman Zoning Ordinance.
- b. Outside Storage, Outside Sales, and Outside Display shall be screened from public streets and shall be limited to the height of the screening device.
- c. Loading docks and refuse storage areas which are not within a screened rear service area, and which are visible from a public right-of-way shall be visually screened by a minimum six foot (6') high masonry wall on three (3) sides. The fourth side, used for access, may include a screening gate.

(6) Signage:

- a. Developer shall be allowed one (1) common sign with a height not to exceed thirty-five feet (35') and not to exceed four hundred (400) square feet, per sign face. This common

Amended Exhibit “G”

sign shall be used to advertise multiple businesses within a shopping center development that may or may not have separate lots.

- b. Each platted lot shall be allowed one (1) special pylon sign not to exceed a height of seventy-five feet (75°) and two hundred (200) square feet of sign per sign face. Each lot shall be allowed one (1) additional pylon sign per frontage not to exceed thirty-five feet (35”) in height and one hundred-fifty (150) square feet in sign area per sign face so long as there is a minimum of eight hundred (800’) of separation between signs.
- c. All signs twenty-five feet (25°) or higher shall be set back a minimum distance of twenty-five feet (25’) from the front property line and ten feet (10’) from all other property lines.
- d. All monuments signs shall be in accordance with Section 44, Sign Regulations of the Kaufman Zoning Ordinance 0-02-07 as amended.
- e. Building signage shall not exceed thirty percent (30%) of the front building facade, excluding windows, door, and glass store fronts.
- f. All other signage not expressly regulated by this ordinance shall be regulated in accordance with Section 44, Sign Regulations of the Kaufman Zoning Ordinance 0-02-07 as amended.

(7) Side Setbacks for Tract 6

- a. Side Yard – Minimum side yard shall be 15 feet (15’).

APPROVAL REQUIREMENTS:

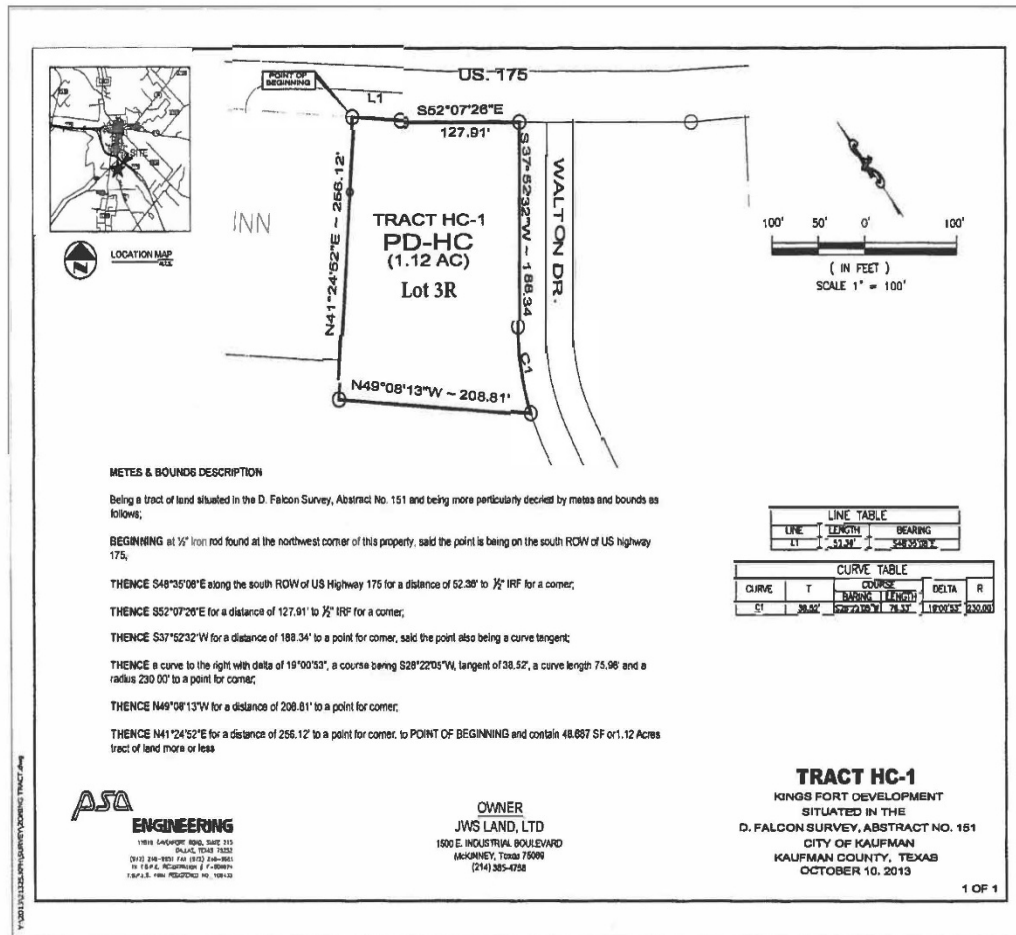
- (8) Overall Concept Plan Review/Approval:** An overall concept plan shall be submitted for City review and approval in accordance with Section 29 (Planned Development) of the Kaufman Zoning Ordinance prior to any development on the property. Project phasing shall be shown as well to adequately show the proposed development.

- (9) Site Plan Review:** The review and approval of a Site Plan and associated plats/construction plans in accordance with the City’s development review/approval procedures, as may be amended from time to time, shall be required prior to the development of any site (or the construction of any structure) within the zoning district (refer to Section 39, Site Plan Review in the Kaufman Zoning Ordinance). Development standards for each building site shall be in accordance with these standards and any other applicable standards in the Kaufman Zoning Ordinance, Subdivision Regulations, and TCSS, and shall be clearly shown on the Site Plan. No building permit shall be issued until all required plats/plans have been properly approved by the City Council, and no certificate of occupancy shall be issued until all construction, and improvements conform to the approved plat, plans, and TCSS and building codes of the City.

- (10) Landscape Plan and Façade Plan Review:** For all developments/buildings, detailed landscape plans and building façade plans shall be submitted for review and approval along with the site plan. The landscape and façade plans shall clearly show planting areas and exterior finish materials to be used (respectively) and shall show how the site meets the PD and Kaufman Zoning Ordinance landscaping and masonry requirements.

Amended Exhibit "G"

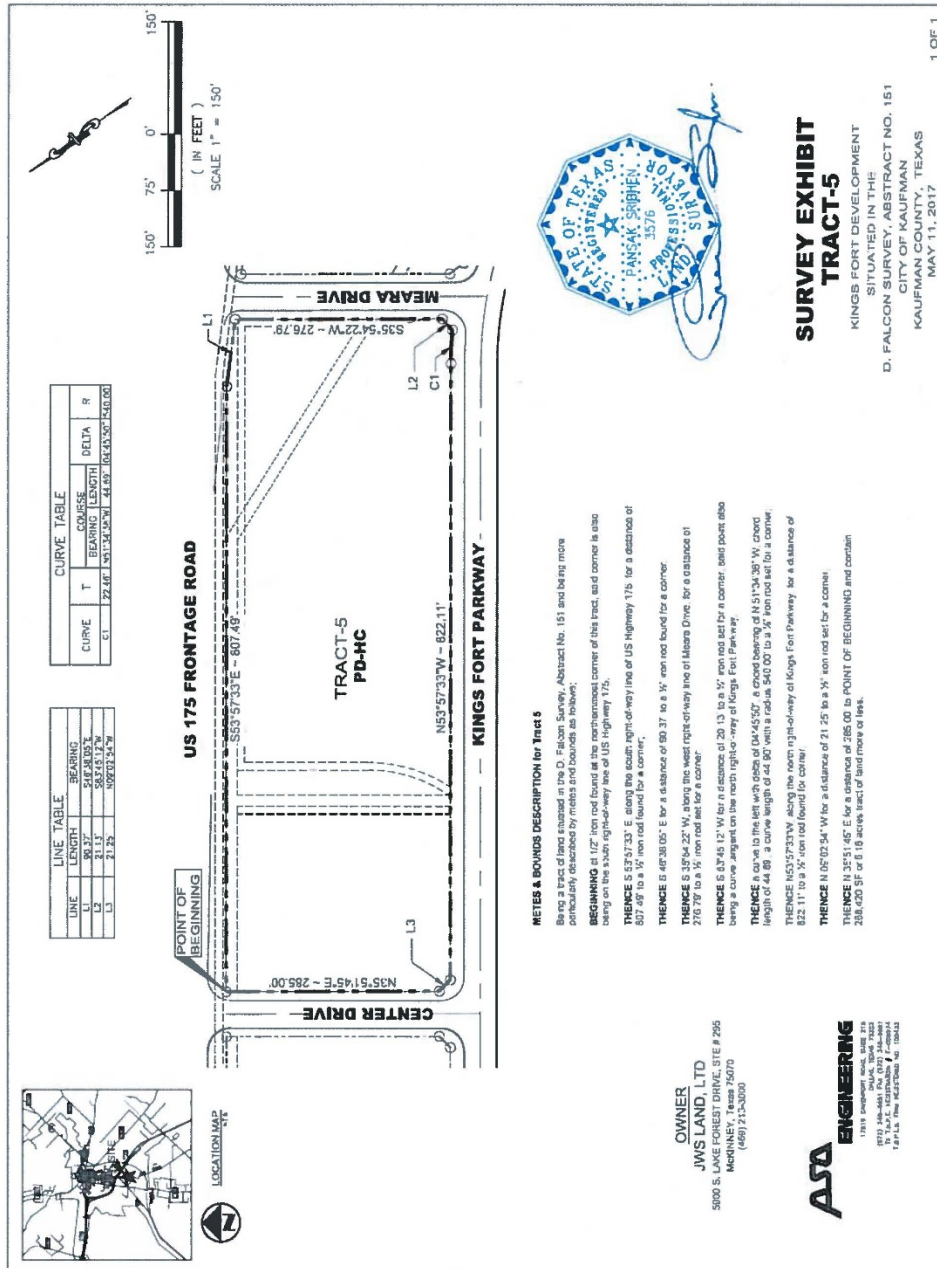
Amended
Exhibit "G"
PD-15 HC



Amended
Exhibit "G"
PD - 15 HC

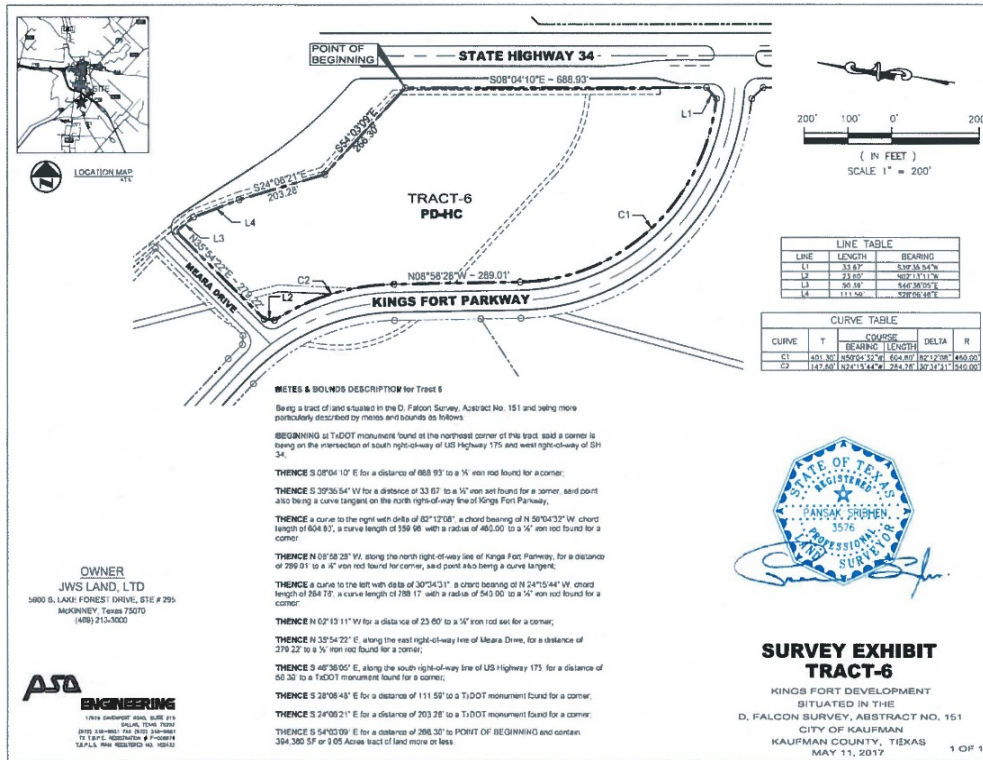
Amended Exhibit "G"

Amended
Exhibit "G"
PD - 15 HC



Amended Exhibit "G"

Amended
Exhibit "G"
PD-15 HC





Meeting
Date: 6/23/2025

Date: 06/13/2025

Item #: 11.

Dept.: Development
Services

PZ Item

SUBJECT:

Consider and take appropriate action on a **Site Plan for Brakes Plus**, being a portion of Lot 2, Block F of Kings Fort Addition, situated on .845 acres of land (Property ID 202753) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located in the 900 Block of Kings Fort (Case No. SP-02-25).

BACKGROUND:

See the attached June 3, 2025, Planning and Zoning Commission Report and attachments.

Author:
Martin Mares, Senior Planner

Reviewed:
Mike Holder, City Manager

Cost: **Funds Available:** **Source:**

Recommendation: Staff recommends approval of the **Site Plan for Brakes Plus** located in the 900 Block of Kings Fort Parkway, with the following condition:

The building elevations shall comply with the requirements of Planned Development-15 (PD-15), and a revision is required to ensure compliance.

The proposed amendment to Planned Development-15 (PD-15) to reduce the required side yard setback must be approved prior to Site Plan approval. If the amendment is not approved, the Site Plan shall be revised to comply with the 25-foot side yard setback requirement in accordance with the Kaufman Development Code



Planning and Zoning Commission Report

Meeting Date: June 3, 2025

SUBJECT: Consider and make a recommendation to City Council for a Site Plan for **Brakes Plus**, being a portion of Lot 2, Block F of Kings Fort Addition, situated on .845 acres of land (Property ID 202753) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located in the 900 Block of Kings Fort (Case No. SP-02-25)

SUMMARY:

The applicant is requesting approval of a **Site Plan (SP-02-25)** for the construction of a Brakes Plus facility. The subject property is zoned Planned Development-15 (PD-15) for Highway Commercial uses. Brakes Plus is classified as a minor auto repair use, which is permitted within this Planned Development district.

Development standards for the site are outlined in Exhibit G of the Planned Development ordinance. Any standards not specifically addressed in Exhibit G default to the Highway Commercial regulations in the Kaufman Development Code.

Last month, the applicant received approval of the civil plans. In conjunction with this Site Plan, a Final Plat will also be considered. Additionally, at the special meeting on June 12th, the applicant will present a proposed amendment to the Planned Development to reduce the required side yard setback, which will impact this Site Plan due to the building's encroachment into the current 25-foot setback.

Site Plan

The site plan includes one tract designated for the development of the Brakes Plus facility. The lot is 0.85 acres, and the building footprint is approximately 4,975 square feet. A total of 14 parking spaces are required, and 30 spaces are proposed.

On the eastern side of the property, the site will include a fire access and utility easement connecting to the QuikTrip site. The northern and western sides will share a portion of the fire access and utility easement, providing a connection to the 80-foot right-of-way on Kings Fort Parkway.

The site plan is substantially in compliance with the requirements of the Zoning Ordinance and PD-15, with the exception of the side yard setback. Since the Planned Development does not specify a side yard setback, it defaults to the Kaufman Development Code (KDC), which requires a minimum of 25 feet. The proposed building encroaches into this setback.

To address this, the applicant has submitted a request for a Planned Development amendment to reduce the required side yard setback. This amendment will be considered at the Planning

and Zoning Commission's special meeting on June 12th. **Approval of the amendment is necessary for the site plan to be approved as currently proposed.** If the amendment is not approved, the site plan will need to be revised to comply with the 25-foot side setback requirement in accordance with the Kaufman Zoning Code.

Building Elevations

The Brakes Plus building incorporates faux stone and concrete block materials, along with brown-finished aluminum/glass storefront elements and EIFS. The building elevation needs to be revised, and a condition is being placed. While EIFS is allowed to count toward the 80% masonry requirement, it must be a minimum of 8 feet above the ground, which it is not at the moment.

All buildings and walls are required to have at least eighty percent (80%) masonry exterior sheathing, excluding windows and doors. Glass block, stucco, split block, tilt wall, and similar materials may be counted as masonry. Up to forty percent (40%) of the required masonry may be met with EIFS or Hardie Plank, provided it is installed at a height of eight feet (8') above the ground or higher.

Landscaping

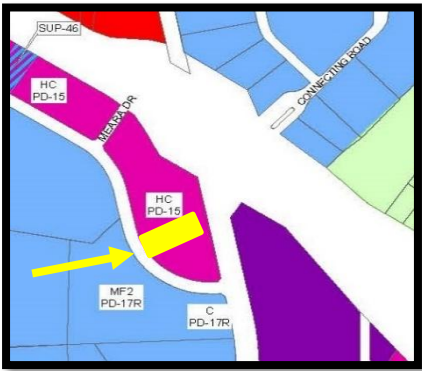
The landscaping will include 95 shrubs, 12 trees, and 15,280 sq ft of ground cover. The street yard requires 1,658 and 4,060 square feet are being provided. The interior Parkway plantings are being met with the three required trees and the 85 shrubs being provided exceed the 21 which are required.

The City-required landscaping within the interior of the parking lot may be placed around the perimeter of the parking lot, and may include but may not be limited to, landscaping at the terminus of parking rows and street yard landscaping. A reduction in the required landscape area or number of trees below what is required by the Kaufman Zoning Ordinance is not allowed; however, the required landscape area and trees may be placed at the perimeter of the lot rather than within the parking field.

The landscaping, quantity, and spacing are in adherence with the Zoning Ordinance requirements and PD-15 requirements.

SURROUNDING ZONING AND EXISITNG LAND USES:

	Zoning	Existing Land Use
North:	Planned Development	Kaufman Business Park (across SH 175)
East:	Planned Development	Quiktrip & Numo Manufacturing (across SH 34)
South:	Planned Development	Vacant land
West:	Planned Development	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 uses. The property is zoned "PD-15 Highway Commercial", which allows for commercial uses listed in the Kaufman Zoning Ordinance. The proposed use is in conformance with the 2014 Future Land Use Plan and the Commercial zoning regulations.

THOROUGHFARE PLAN:

The Thoroughfare Plan designates SH 34 as a major regional arterial (Type AA; 6 lanes), with a right-of-way width of 120 feet. Kings Fort Parkway is designated as a major collector (Type C; 4 lanes), with a right-of-way width of 80'. The necessary right-of-way for both thoroughfares already exists at this location.

RECOMMENDATION:

Staff recommends approval of the Site Plan for Brakes Plus located in the 900 Block of Kings Fort Parkway, with the following condition:

The building elevations shall comply with the requirements of Planned Development-15 (PD-15), and a revision is required to ensure compliance.

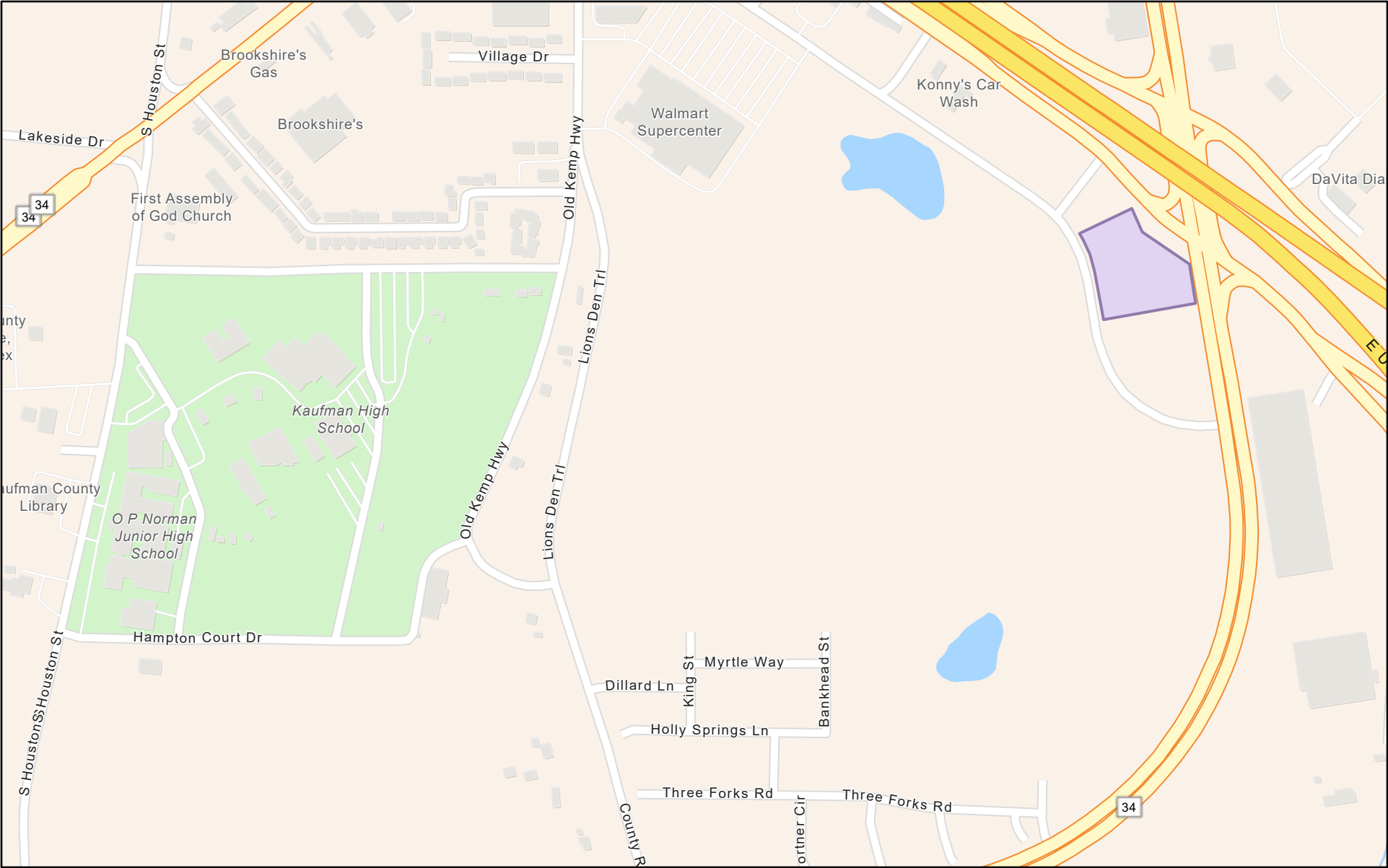
The proposed amendment to Planned Development-15 (PD-15) to reduce the required side yard setback must be approved prior to Site Plan approval. If the amendment is not approved, the Site Plan shall be revised to comply with the 25-foot side yard setback requirement in accordance with the Kaufman Development Code.

ATTACHMENTS:

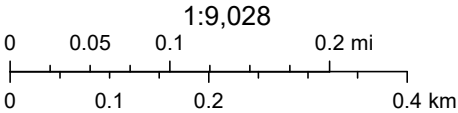
- Location Map
- Exhibit A – Site Plan
- Exhibit B – Elevations/Floor Plan
- Exhibit C – Landscape Plan

Martin Mares
Senior Planner
972-932-2216 ext. 117
mmares@kaufmantx.org

Location Map



5/14/2025, 3:32:48 PM



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

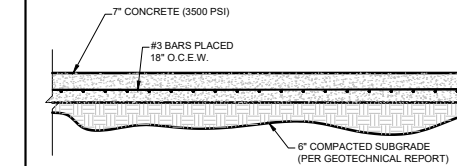
Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com



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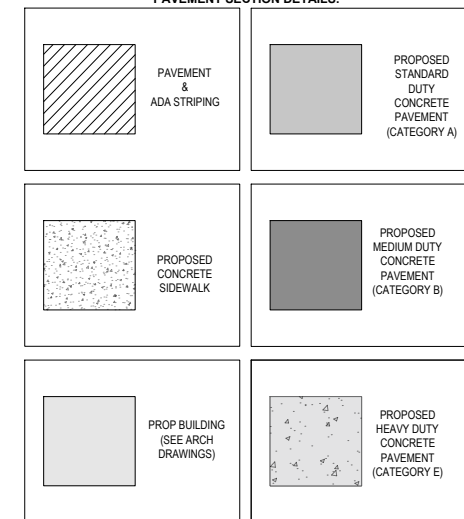
SCALE: 1" = 500'



11/14/2024 (PROJECT #: 94245565). FINAL DESIGN TO BE PROVIDED ONCE FINAL CBR'S ARE AVAILABLE ON COMPACTED SUB-BASE.

(MS-S010202 - 06/2023) NOT TO SCALE

REFER TO SHEET S-501 FOR
PAVEMENT SECTION DETAILS



SEE SHEET 1 FOR PROJECT BENCHMARKS

**THIS PLAN TO BE UTILIZED
FOR SITE LAYOUT PURPOSES
ONLY**

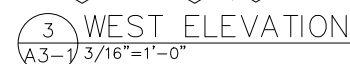
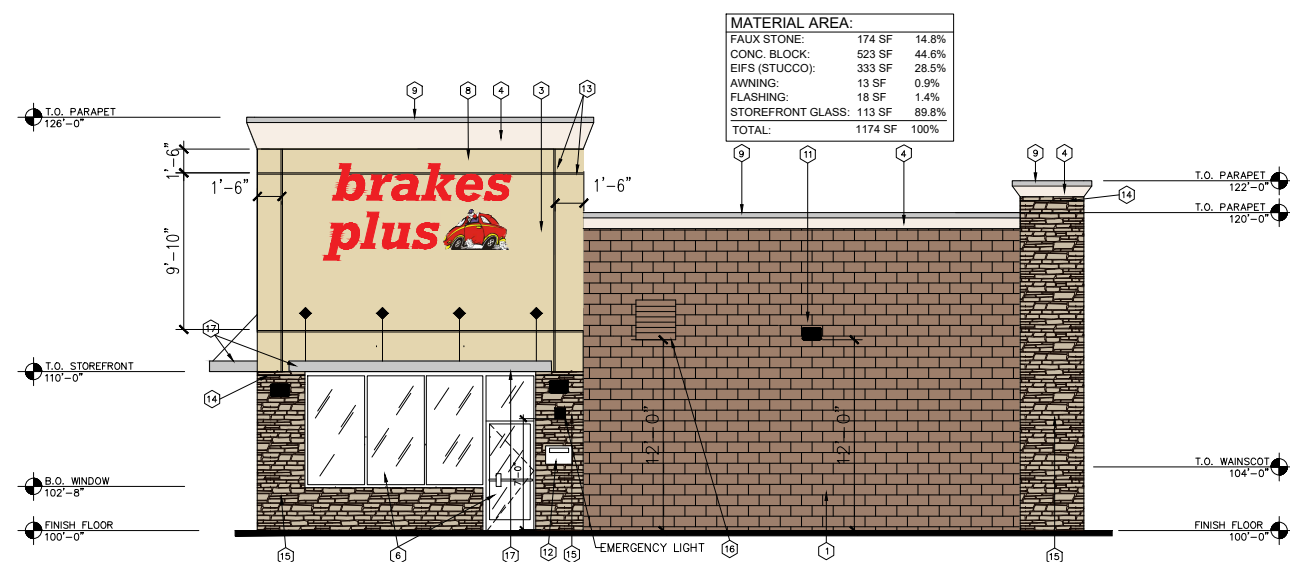
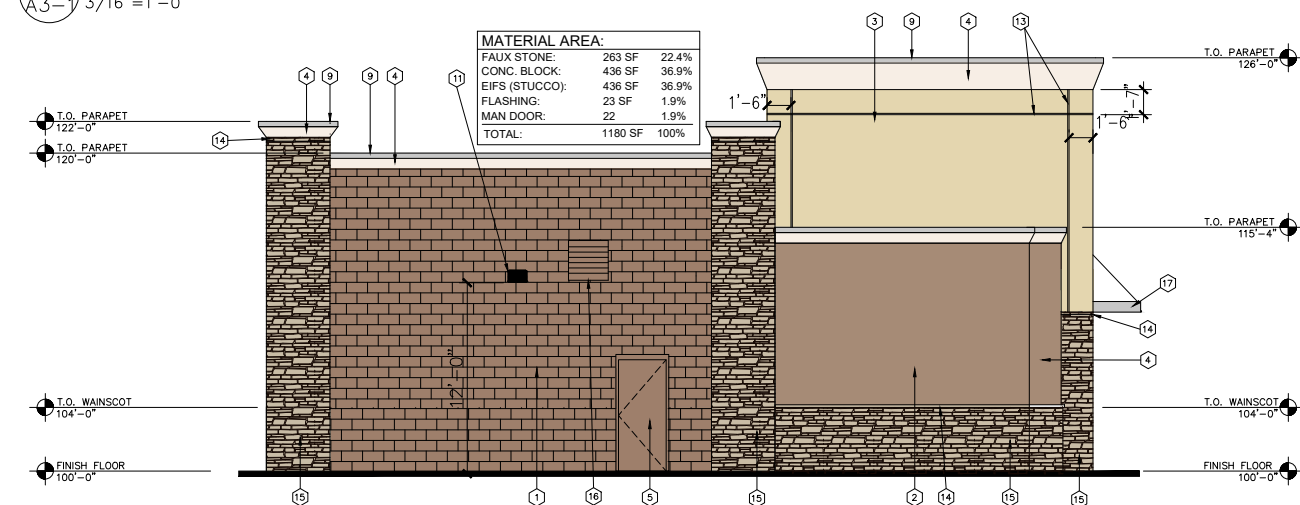
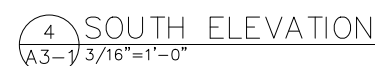
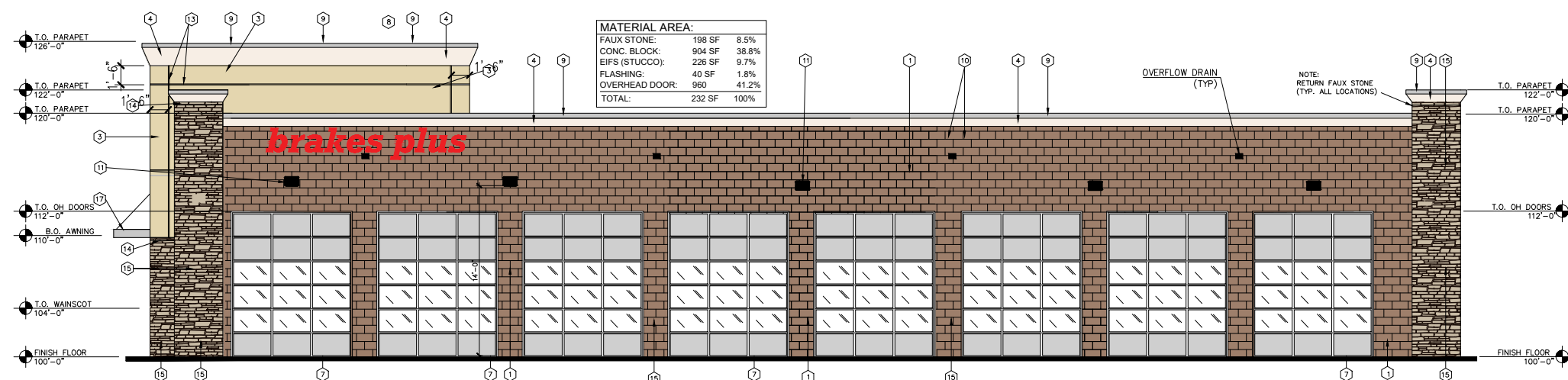
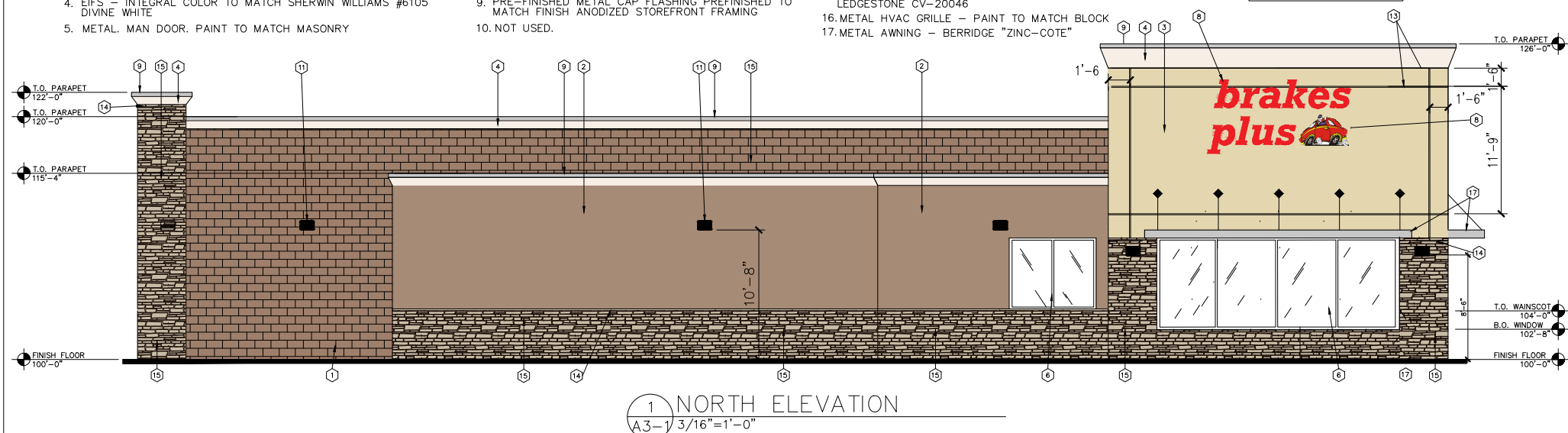


1. SMOOTH FACE CONCRETE BLOCK BY BEST BLOCK
COLOR: MEDIUM BROWN
2. EIFS - INTEGRAL COLOR TO MATCH SHERWIN WILLIAMS #2835
CRAFTSMAN BROWN
3. EIFS - INTEGRAL COLOR TO MATCH SHERWIN WILLIAMS #2834
BIRDEYE MAPLE
4. EIFS - INTEGRAL COLOR TO MATCH SHERWIN WILLIAMS #6105
DIVINE WHITE
5. METAL MAN DOOR PAINT TO MATCH MASONRY

6. ALUMINUM/GLASS STOREFRONT
CLEAR ANODIZED ALUMINUM
7. ALUMINUM SECTIONAL OVERHEAD DOORS
CLEAR ANODIZED ALUMINUM
8. ILLUMINATED SIGNAGE (UNDER SEPARATE PERMIT)
9. PRE-FINISHED METAL CAP FLASHING PREFINISHED TO
MATCH FINISH ANODIZED STOREFRONT FRAMING
10. NOT USED.

11. DECORATIVE LIGHT FIXTURE.
12. KEY DROP BOX
13. 1 1/2" X 3/4" REVEAL
14. WATER SILL - FAUX STONE - CULTURED STONE - WHITE OAK COUNTRY LEDGESTONE CV-20046
15. FAUX STONE - CULTURED STONE - WHITE OAK COUNTRY LEDGESTONE CV-20046
16. METAL HVAC GRILLE - PAINT TO MATCH BLOCK
17. METAL AWNING - BERRIDGE "ZINC-COTE"

MATERIAL AREA:		
FAUX STONE:	458 SF	20.0%
CONC. BLOCK:	539 SF	23.0%
EIFS (STUCCO):	1079 SF	46.1%
AWNING:	13 SF	0.4%
FLASHING:	46 SF	1.9%
GLASS:	202 SF	8.6%
TOTAL:	2337 SF	100%



BRAKES PLUS

1100 JEC OF KINGS FORT PARKWAY AND MEARA DRIVE
1101 KAUFMAN, TX 74142



ARCHITECT OF RECORD

[illegible]

ARCODEV JOB #:	—
CLIENT JOB #:	—
DRAWN BY:	—
CHECKED BY:	NLH
DATE OF ISSUE:	01.08.25



45 SPYGLASS DRIVE
LITTLETON, CO 80123
VOICE: 303.881-8925
NORMHERMAN@ARCODEV.COM

SHEET

A3-1

EXTERIOR ELEVATIONS



TEXAS811 NOTIFICATION SYSTEM
CALL BEFORE YOU DIG!!
www.texas811.org
Texas811 or 1-800-545-6005

[illegible]

Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

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CONSTRUCTION**

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REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE:
CAD I.D.:

PROJECT:

**CONSTRUCTION
DOCUMENTS**

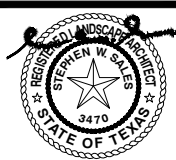
- FOR -



**PROPOSED
MINOR AUTO REPAIR
NEC KINGS FORT PKWY &
MEARA DRIVE
KAUFMAN, TX 74142
KAUFMAN COUNTY
LOT 2, BLOCK F
KINGS FORT ADDITION**

BOHLER //

2600 NETWORK BLVD., SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE NO. 18065 | TBPLS NO. 10194413



05/28/2025

SHEET TITLE:

LANDSCAPE
PLANTING PLAN

SHEET NUMBER:

5

OF 7

ORG. DATE - 02/10/2025

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL.	CONT.	SIZE
	QS	3	Quercus shumardii Shumard Oak Street Tree	2" Cal.	Cont. or B&B	7' Ht Min.
	UC	4	Ulmus crassifolia Cedar Elm Parking Tree	2" Cal.	Cont. or B&B	7' Ht Min.
	MG	5	Magnolia grandiflora 'Little Gem' 'Little Gem' Magnolia Parking Tree	1.5" Cal.	Cont. or B&B	5' Ht Min.
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	SPACING	SIZE
	IC	70	Ilex cornuta 'Burfordii' Burford Holly	5 gal	36" o.c.	24" Min.
	LF	15	Leucophyllum frutescens 'Compacta' Compact Texas Sage	5 gal	36" o.c.	24" Min.
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	SPACING	SIZE
	CH	15,280 sf	Cynodon dactylon 'Tif Tuf' Bermuda Grass	Sod		

1. BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
3. IN THE CONTEXT OF THESE PLANS, NOTES, AND REMOVALS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/- 1" OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED **BASED ON A SOIL TEST** PER SPECIFICATION, AND THE FINISH GRADES TO BE ESTABLISHED.
 - d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
4. ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
 - a. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANTING SCHEDULE, THE QUANTITY SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
 - b. **NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT.** IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
5. THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR PLANT QUANTITIES.
6. THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
7. SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
2. THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
3. ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
4. ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
5. THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.

THE OWNER, TENANT AND/OR THEIR AGENT, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE ANY MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE, BUT NOT TO BE LIMITED TO, MOWING OF GRASS OF SIX (6)INCHES OR HIGHER), EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, WEEDS, AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIALS, WHICH DIE, SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE, WITHIN NINETY (90) DAYS. TREES WITH A TRUNK DIAMETER OF SIX (6) INCHES MEASURED TWENTY-FOUR (24) INCHES ABOVE THE GROUND MAY BE REPLACED WITH ONES OF SIMILAR VARIETY HAVING A TRUNK DIAMETER OF NO LESS THAN THREE (3") INCHES MEASURED TWENTY-FOUR (24") INCHES ABOVE THE GROUND. A TIME EXTENSION MAY BE GRANTED BY THE DIRECTOR, OR HIS DESIGNEE, IF SUBSTANTIAL EVIDENCE IS PRESENTED TO INDICATE ABNORMAL CIRCUMSTANCES BEYOND THE CONTROL OF THE OWNER OR HIS AGENT.

ALL REQUIRED LANDSCAPING MUST BE MAINTAINED IN LIVING CONDITION AFTER INSTALLATION. THE OWNER MUST REPLACE ANY PLANT MATERIAL THAT BECOMES DISEASED, DETERIORATED OR DIES. THE REPLACEMENT OF LANDSCAPING MUST BE DONE WITHIN 30 DAYS UNLESS APPROVED BY THE PLANNING DIRECTOR TO ALLOW DEFERRAL OF PLANTING TO A MORE OPTIMAL PLANTING SEASON.

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING, CURBS, WATER, STORM, OR SANITARY SEWER UTILITIES. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH (NATURAL UNDYED), OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).



Meeting
Date: 6/23/2025

Date: 06/13/2025

Item #: 12.

Dept.: Development
Services

PZ Item

SUBJECT:

Consider and take appropriate action on a **Replat for Kings Fort Addition, Block F, Lots 4R & 5R (Brakes Plus)**, being a replat of a portion of Lot 2, Block F of Kings Fort Addition, situated on 3.845 acres of land (Property ID 202753) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located in the 900 Block of Kings Fort Parkway. (Case No. R-01-25)

BACKGROUND:

See the attached June 3, 2025, Planning and Zoning Commission Report and attachments.

Author:
Martin Mares, Senior Planner

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the Final Plat of Lot 1 of Block F of the Kings Fort Addition.



Planning and Zoning Commission Report

Meeting Date: June 3, 2025

SUBJECT: Consider and make a recommendation to City Council for a **Replat for Kings Fort Addition, Block F, Lots 4R & 5R** (Brakes Plus), being a replat of a portion of Lot 2, Block F of Kings Fort Addition, situated on 3.845 acres of land (Property ID 202753) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located in the 900 Block of Kings Fort Parkway. (Case No. R-01-25)

SUMMARY:

The applicant is requesting approval of a Replat for **Kings Fort Addition, Block F, Lots 4R & 5R**, to facilitate the development of a Brakes Plus facility. The subject property is **zoned Planned Development-15 (PD-15)** for Highway Commercial uses. Brakes Plus is classified as a minor auto repair use, which is permitted within this Planned Development district.

Lot 5R does not currently have any proposed development; however, it includes an access easement that establishes cross-access between the lots and provides a connection to Kings Fort Parkway.

Both lots meet the minimum standards of the Highway Commercial (HC) zoning district, including a minimum width of 100 feet, a minimum depth of 200 feet, and a minimum lot area of 20,000 square feet.

A shared access and fire lane easement will provide full access to and circulation through the site. This easement will also support cross-access for future development on the remainder of the tract to the north, and the portion of the easement extending south will provide access to the adjacent QuikTrip site.

The applicant received approval of civil plans. In conjunction with this Replat, a site plan will also be considered. Additionally, at the Planning and Zoning Commission's special meeting on June 12th, the applicant will present a proposed amendment to the Planned Development to reduce the required side yard setback. While the amendment does not directly affect the Replat, it will be necessary to retain the current building location, as it encroaches into the required 25-foot side setback as shown on the site plan.

THOROUGHFARE PLAN:

The Thoroughfare Plan designates SH 34 as a major regional arterial (Type AA; 6 lanes), with a right-of-way width of 120 feet. Kings Fort Parkway is designated as a major collector (Type C; 4 lanes), with a right-of-way width of 80'. The necessary right-of-way for both thoroughfares already exists at this location.

RECOMMENDATION:

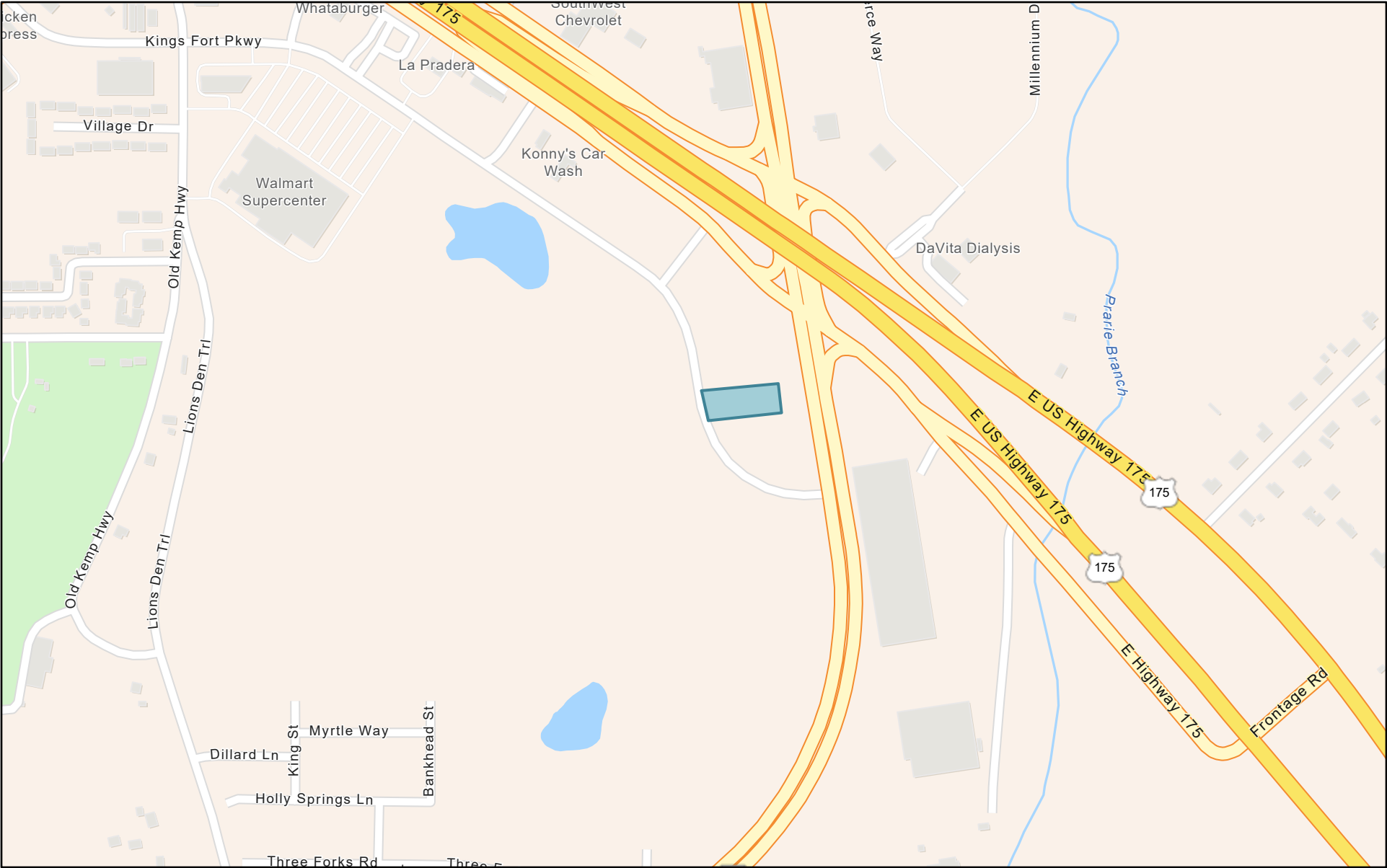
Staff recommends approval of the Final Plat of Lot 1 of Block F of the Kings Fort Addition.

ATTACHMENTS:

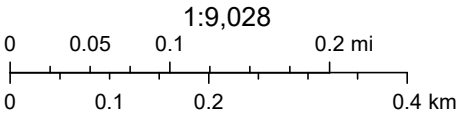
- Location Map
- Exhibit A – Final Plan

Martin Mares
Senior Planner
972-932-2216 ext. 117
mmares@kaufmantx.org

Location Map



5/12/2025, 2:30:59 PM



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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

H:\2024\TX\240170_00\SURVEYING\DRAWINGS\SURVEY\B-FINL-PLAT\TX\240170_00\A-----LAYOUT- COVER SHEET

SB

OWNER'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF KAUFMAN §

WHEREAS JWS LAND, LTD IS THE OWNER OF A 3.845 ACRE (167,488 SQUARE FOOT) TRACT OF LAND SITUATED IN THE DIONISION FALCON SURVEY, ABSTRACT NO. 151, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS, BEING PART OF A CALLED 242.860 ACRE TRACT OF LAND DESCRIBED AS "TRACT 1" IN A SPECIAL WARRANTY DEED TO JWS LAND, LTD RECORDED IN INSTRUMENT NUMBER 2012-0020419 OF THE OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS (O.P.R.K.C.T.), BEING A PORTION OF LOT 2, BLOCK "F", KINGS FORT ADDITION, AN ADDITION TO THE CITY OF KAUFMAN, TEXAS ACCORDING TO THE CONVEYANCE PLAT RECORDED IN CABINET 4, SHEET 375 (O.P.R.K.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FIVE-EIGHTHS INCH IRON ROD WITH CAP STAMPED "KHA" (RECORD MONUMENT) FOUND IN THE WEST LINE OF SAID LOT 2, BEING AT THE NORTHWEST CORNER OF A 4.0911 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO JWS LAND, LTD RECORDED IN INSTRUMENT NUMBER 2024-003257 (O.P.R.K.C.T.), BEING THE SAME NORTHWEST CORNER OF LOT 1, BLOCK F, KINGS FORT ADDITION, AND ADDITION TO THE CITY OF KAUFMAN, TEXAS ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NUMBER 2024-0036963 OF THE OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS (O.P.R.K.C.T.) AND BEING IN THE EAST RIGHT-OF-WAY LINE OF KINGS FORT PARKWAY (AN 80-FOOT RIGHT-OF-WAY);

THENCE NORTH 11 DEGREES 45 MINUTES 07 SECONDS WEST, COINCIDENT WITH THE WEST LINE OF SAID LOT 2 AND SAID EAST LINE OF KINGS FORT PARKWAY, A DISTANCE OF 219.35 FEET TO A ONE-HALF INCH IRON ROD WITH CAP STAMPED "BOHLER ENG." SET (HEREINAFTER CALLED "CAPPED IRON ROD SET") MARKING THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 21 DEGREES 28 MINUTES 16 SECONDS AND A CHORD BEARING AND DISTANCE OF NORTH 22 DEGREES 29 MINUTES 15 SECONDS WEST, 201.18 FEET;

THENCE ALONG SAID CURVE, CONTINUING WITH SAID WEST LINE OF LOT 2 AND SAID EAST LINE OF KINGS FORT PARKWAY, A DISTANCE OF 202.36 FEET TO A FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "RPLS 3963" AT THE NORTHWEST CORNER OF SAID LOT 2;

THENCE NORTH 63 DEGREES 06 MINUTES 59 SECONDS EAST, A DISTANCE OF 261.55 FEET, TO A FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "RPLS 3963" AT THE NORTHEAST CORNER OF SAID LOT 2 ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 175 (A VARIABLE WIDTH RIGHT-OF WAY);

THENCE SOUTH 26 DEGREES 53 MINUTES 11 SECONDS EAST, COINCIDENT WITH THE EAST LINE OF SAID LOT 2 AND THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 175, A DISTANCE OF 115.45 TO A 175, A DISTANCE OF 115.45 TO A TEXAS DEPARTMENT OF TRANSPORTATION (A.K.A. TxDOT) CONCRETE RIGHT-OF-WAY MONUMENT MARKING AN ANGLE POINT;

THENCE SOUTH 56 DEGREES 50 MINUTES 14 SECONDS EAST, CONTINUING WITH SAID EAST LINE OF LOT 2 AND THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 175, A DISTANCE OF 264.85 FEET TO A FOUND 1/2-INCH IRON ROD MARKING AN ANGLE POINT;

THENCE SOUTH 10 DEGREES 49 MINUTES 22 SECONDS EAST, CONTINUING WITH SAID EAST LINE OF LOT 2 AND THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 175, A DISTANCE OF 193.83 FEET TO A FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "KHA" AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK F;

THENCE SOUTH 79 DEGREES 10 MINUTES 38 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 429.62 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 167,488 SQUARE FEET OR 3.845 ACRES.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT JWS LAND, LTD ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS LOTS 4 AND 5, BLOCK F, KINGS FORT ADDITION, AN ADDITION TO THE CITY OF KAUFMAN, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF KAUFMAN. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF KAUFMAN'S USE THEREOF. THE CITY OF KAUFMAN AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF KAUFMAN AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

FIRE LANE - THAT THE UNDERSIGNED DOES HEREBY COVENANT AND AGREE THAT THEY SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A HARD SURFACE AND THAT THEY SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR OBSTRUCTION, INCLUDING BUT NOT LIMITED TO THE PARKING OF MOTOR VEHICLES, TRAILERS, BOATS OR OTHER IMPEDIMENTS TO THE ACCESS OF FIRE APPARATUS. THE MAINTENANCE OF PAVING ON THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER, AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG SUCH FIRE LANES, STATING "FIRE LANE, NO PARKING." THE POLICE OR HIS DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANES AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.

ACCESS EASEMENTS - THAT THE UNDERSIGNED DOES COVENANT AND AGREE THAT THE ACCESS EASEMENT MAY BE UTILIZED BY ANY PERSON OR THE GENERAL PUBLIC FOR INGRESS AND EGRESS TO OTHER REAL PROPERTY, AND FOR THE PURPOSE OF GENERAL PUBLIC VEHICULAR AND PEDESTRIAN USE AND ACCESS, AND FOR FIRE DEPARTMENT AND EMERGENCY USE IN, ALONG UPON AND ACROSS SAID PREMISES, WITH THE RIGHT AND PRIVILEGE AT ALL TIME OF THE CITY OF KAUFMAN, ITS AGENTS, EMPLOYEES, WORKMEN AND REPRESENTATIVES HAVING INGRESS, EGRESS IN, ALONG UPON AND ACROSS SAID PREMISES.

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

WITNESS, MY HAND, THIS THE ____ DAY OF _____, 2025.

BY: JWS LAND, LTD., A TEXAS LIMITED PARTNERSHIP

BY: J.W. SCHULER, INC., A TEXAS CORPORATION, ITS GENERAL PARTNER

BY: _____
NAME: KELLY CANNELL
TITLE: VICE PRESIDENT

STATE OF TEXAS §
COUNTY OF KAUFMAN §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____,

KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC, STATE OF TEXAS

NOTES:

- SURVEY BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE, AND NO PROJECTION.
- THE BASIS OF BEARING IS DERIVED FROM THE ALLTERRA RTKNET COOPERATIVE NETWORK - TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE, NAD83. ELEVATIONS, IF SHOWN, ARE DERIVED FROM NORTH AMERICAN VERTICAL DATUM (NAVD83) USING GEOID12A.
- ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY, FIRM MAP NUMBER 48257C0310D WITH AN EFFECTIVE DATE OF JULY 3, 2012, COMMUNITY PANEL NUMBER 4804070310D, OF THE NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONE "X" - OTHER AREAS- AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- THE SUBDIVIDED AREA IS LEGALLY OWNED BY THE APPLICANT
- THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS, IF ANY, ON THIS PROPERTY.
- THE FIRE LANE AND ACCESS EASEMENTS ARE FOR THE USE OF LOT 4, BLOCK F AND THE REMAINDER OF THE JWS LAND LTD. TRACTS SITUATED WITHIN BLOCK F. NO IMPROVEMENTS SHALL BE MADE, NOR SHALL ANY OBSTRUCTIONS BE ALLOWED TO OCCUR, THAT IMPEDE INGRESS OR EGRESS ON THE FIRE LANE AND ACCESS EASEMENT.
- THE FIRE LANE AND ACCESS EASEMENT SHALL BE MAINTAINED BY THE PROPERTY OWNERS.
- NOTICE: SELLING A PORTION O THIS ADDITIONAL BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE OF STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- CONSTRUCTION NOT COMPLETED WITHIN ONE YEAR OF THE RECORDING DATE SHALL BE SUBJECT TO CURRENT COUNTY STANDARDS AND REGULATIONS. THE COUNTY MAY REQUIRE THE SUBDIVISION TO BE RE-PLATTED.
- BLOCKING THE FLOW OF WATER OR CONSTRUCTION IMPROVEMENTS IN DRAINAGE EASEMENTS AND FILING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE SUBDIVIDED TRACTS WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE CREEKS OF DRAINAGE CHANNELS.
- KAUFMAN COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE WAYS FOR THE CONTROL OF EROSION LOCATED ON PRIVATE PROPERTY.
- KAUFMAN COUNTY WILL NOT BE RESPONSIBLE FOR ANY PROPERTY DAMAGE, PROPERTY LOSS, PERSONAL INJURY OR LOSS OF LIFE CAUSED BY FLOODING OR FLOODING CONDITIONS.
- COUNTY WILL NOT BE RESPONSIBLE FOR THE AVAILABILITY OR DELIVERY OF ANY PRIVATE WELL WATER IN A SUBDIVISION
- ALL CULVERTS WITHIN ANY RIGHT-OF-WAY SHALL REQUIRE COUNTY PERMIT APPROVAL AND MEET MINIMUM COUNTY STANDARDS
- NO ROAD, STREET, OR PUBLIC IMPROVEMENT DEDICATED BY THIS PLAT SHALL BE MAINTAINED BY KAUFMAN COUNTY IN THE ABSENCE OF AN EXPRESS ORDER OF THE COMMISSIONERS COURT, ENTERED OF RECORD IN THE MINUTES OF THE COMMISSIONERS COURT OF KAUFMAN COUNTY, SPECIFICALLY IDENTIFYING ANY SUCH ROAD, STREET, OR PUBLIC IMPROVEMENT AND SPECIFICALLY ACCEPTING SUCH FOR COUNTY MAINTENANCE
- ANY PUBLIC UTILITY, INCLUDING THE COUNTY, SHALL HAVE THE RIGHT TO REMOVE AND KEEP CLEAR ALL OR PART OF ANY BUILDING, FENCES, TREES, OVERGROWN SHRUBS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENT OR RIGHT-OF-WAY SHOWN ON THE PLAT (OR FILED BY SEPARATE INSTRUMENT THAT IS ASSOCIATED WITH SAID PROPERTY); AND ANY PUBLIC UTILITY, INCLUDING THE COUNTY, SHALL HAVE THE RIGHT AT ALL TIMES AN INGRESS AND EGRESS TO AND FROM UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF IT ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. EASEMENTS SHALL BE MAINTAINED BY PROPERTY OWNERS. THE COUNTY CAN REMOVE TREES OR ANY OTHER IMPROVEMENT(S) AND DOES NOT HAVE THE RESPONSIBILITY TO REPLACE THEM.
- THE PURPOSE OF THIS REPLAT IS TO SUBDIVIDE THE REMAINDER OF LOT 2, BLOCK F, KINGS FORT ADDITION INTO 2 LOTS FOR DEVELOPMENT.

SURVEYOR: BOHLER ENGINEERING TX, LLC 2600 NETWORK BLVD, STE 310 FRISCO, TX 75034 PHONE: (469) 458 - 7300 CONTACT: SCOTT BERGHERR	OWNER: JWS LAND LTD PO 6621 MCKINNEY, TX 75071 PHONE: (972) 772-1800 CONTACT: KEVIN WEBB
---	---

APPROVED BY: PLANNING AND ZONING COMMISSION, CITY OF KAUFMANN	
CHAIRMAN	DATE
APPROVED BY: CITY COUNCIL, CITY OF KAUFMAN	
MAYOR	DATE
CITY SECRETARY	DATE

CERTIFICATE OF REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS §
COUNTY OF KAUFMAN §

I, Scott R. Bergherr, the undersigned, a Registered Professional Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Scott R. Bergherr DATE
Registered Professional Surveyor 6821

STATE OF TEXAS §
COUNTY OF KAUFMAN §

BEFORE ME, the undersigned authority, on this day personally appeared Scott R. Bergherr, 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 considerations therein stated.

Given under my hand and seal of office this ____ day of _____, 2025.

Notary Public, State of Texas
My Commission Expires: _____

REPLAT
KINGS FORT ADDITION
LOTS 4R & 5R, BLOCK F
BEING A REPLAT OF THE REMAINDER OF LOT
2, BLOCK F, OF
KINGS FORT ADDITION
3.845 ACRES SITUATED IN THE
D. FALCON SURVEY, ABSTRACT NO., 151
CITY OF KAUFMAN, KAUFMAN COUNTY,
TEXAS
2 NON-RESIDENTIAL LOTS

BOHLER

2600 NETWORK BLVD., SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPLS NO. 10194942

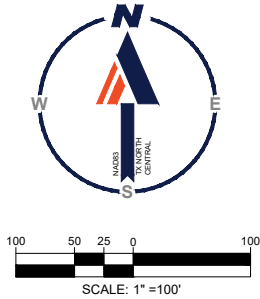
SHEET NUMBER:

1
OF 2

ORG. DATE - 04/01/2025

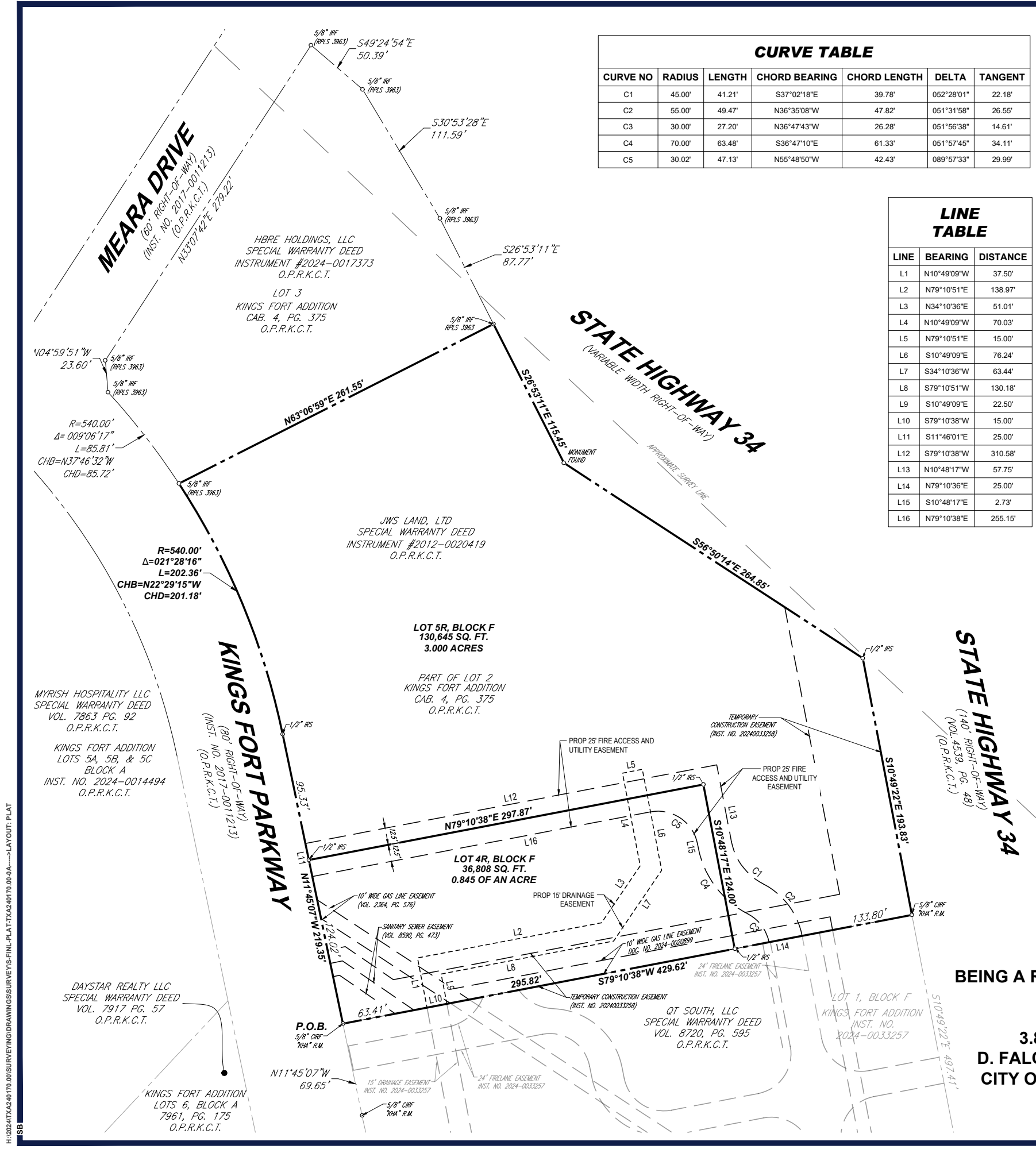
Table with 7 columns: CURVE NO, RADIUS, LENGTH, CHORD BEARING, CHORD LENGTH, DELTA, TANGENT. It lists five curves (C1-C5) with their respective geometric data.

Table with 3 columns: LINE, BEARING, DISTANCE. It lists 16 line segments (L1-L16) with their bearings and distances.



SITE LOCATION MAP
SCALE: 1" = 1000'
SOURCE: AUTODESK GEOLOCATION MAP

Legend table with two columns: Symbol and Description. It defines symbols for benchmarks, monuments, bearings, and various types of easements and survey points.



REPLAT
KINGS FORT ADDITION
LOTS 4R & 5R, BLOCK F
BEING A REPLAT OF THE REMAINDER OF LOT
2, BLOCK F, OF
KINGS FORT ADDITION
3.845 ACRES SITUATED IN THE
D. FALCON SURVEY, ABSTRACT NO., 151
CITY OF KAUFMAN, KAUFMAN COUNTY,
TEXAS
2 NON-RESIDENTIAL LOTS

BOHLER
2600 NETWORK BLVD., SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPLS NO. 10194942

SHEET NUMBER:
2
OF 2
ORG. DATE - 04/01/2025



Meeting
Date: 6/23/2025

Date: 05/30/2025

Item #: 13.

Dept.: Development
Services

PZ Item

SUBJECT:

Consider and take appropriate action on a **Site Plan for Tabor Plaza**, Block A, Lot 3, situated on 2.145 acres of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No. SP-04-25)

BACKGROUND:

See the attached June 3, 2025, Planning and Zoning Commission Report and attachments.

Author:
Martin Mares, Senior Planner

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the Site Plan for Tabor Plaza, Block A, Lot 3.



Planning and Zoning Commission Report

Meeting Date: June 3, 2025

SUBJECT: Consider and make a recommendation to City Council for a **Site Plan for Tabor Plaza**, Block A, Lot 3, situated on 2.145 acres of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No. SP-04-25)

BACKGROUND/SUMMARY:

On May 19, 2025, the City Council approved the **Preliminary Plat for Tabor Plaza**, consisting of four commercial lots (Block A, Lots 1–4) on approximately 4.792 acres. This Site Plan request pertains specifically to Lot 3, which encompasses 2.145 acres and is the only lot currently proposed for development. A Final Plat for all lots has been submitted in conjunction with the proposed site plan.

Lot 3 fronts State Highway 34 and has access from Tabor Parkway via a 24-foot-wide access easement through Lot 1. The property is zoned Planned Development-15 (PD-15) for commercial uses, consistent with the 2014 Future Land Use Plan designation of Future Commercial.

Site Plan

The proposed development on Lot 3 includes two shell buildings, each approximately 8,400 square feet in size, intended for a mix of restaurant and retail uses, which are permitted in the PD-15 zoning. The site layout includes:

- Main public entrances at the front of each building.
- Rear access for employees, deliveries, and dumpster use.
- Building height of 24 feet above finished floor elevation.
- Exterior materials include brick, stucco, EIFS, and stone.
- Flexibility in tenant suite layout to accommodate various businesses.

The landscaping, lighting, loading, off-street parking, signage, and trash enclosures requirements shall follow the regulations stated in the Zoning Ordinance.

Parking and Access

A total of 115 parking spaces are proposed on Lot 3, including:

- 16 spaces on the east side
- 5 spaces on the west side
- 28 spaces on the south side of the buildings
- 66 spaces along the southern edge of the site (facing SH 34), which will serve as shared parking for Lots 2, 3, and 4

A full access drive encircles the buildings, providing internal circulation and emergency access. Two primary access points will serve the site—one from Tabor Parkway and one from State Highway 34. Any new access along State Highway 34 will require TxDOT approval.

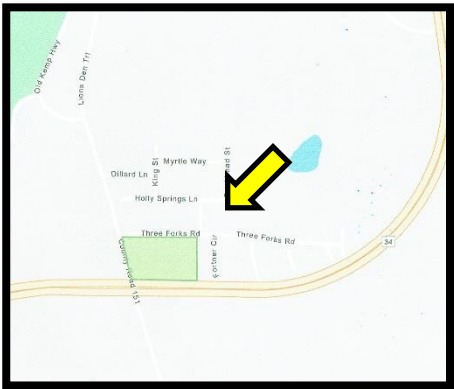
A 24-foot-wide fire lane wraps around the building for emergency vehicle access. Dumpster enclosures are located at the northwest corner of the site.

Screening

A 6-foot masonry screening wall is required and shown on the Site Plan along the northern and eastern property boundaries where the site abuts residential uses. This wall is required by Kaufman Development Code Section 38.3 to buffer non-residential development from adjacent residential districts. The developer is responsible for construction and maintenance of the wall. Alternative screening methods of equal effectiveness may be considered during the site plan.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	Planned Development	Residential Homes
West:	A-O	Vacant Land and Residential Homes
South:	Planned Development	Vacant Land
East:	Planned Development	Residential Homes



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designates the subject property as Future Commercial, which is consistent with the proposed commercial development on Lot 3. The proposed mix of restaurant and retail uses aligns with the land use vision established in the comprehensive plan.

Thoroughfare Plan:

Highway 34 Bypass is classified as a Type AA Major Regional Arterial, requiring a 240-foot right-of-way. The necessary right-of-way exists, and driveway access is controlled by TxDOT.

Tabor Parkway is classified as a Type B Minor Arterial, requiring a 100-foot right-of-way, which also exists in this location.

RECOMMENDATION:

Staff recommends approval of the Site Plan for Tabor Plaza, Block A, Lot 3.

ATTACHMENTS:

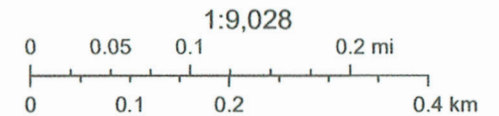
- Location Map
- Exhibit A – Site Plan
- Exhibit B – Building Elevations
- Exhibit C – Landscape Plan

Martin Mares
Senior Planner
972-932-2216 ext. 117
mmares@kaufmantx.org

Location Map

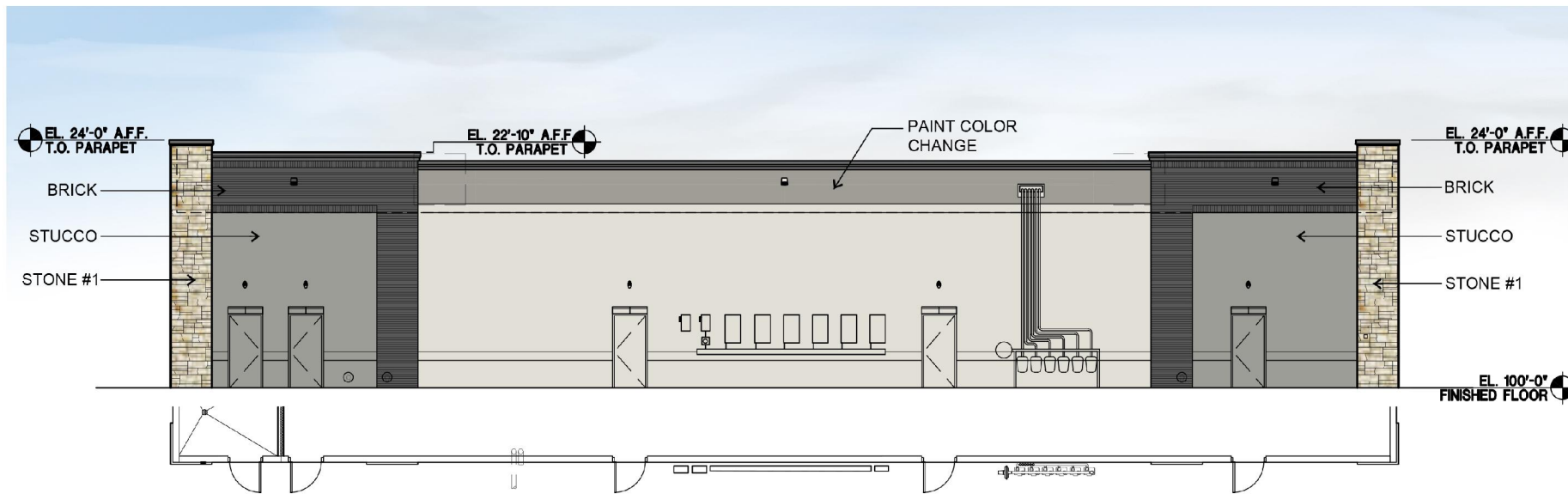


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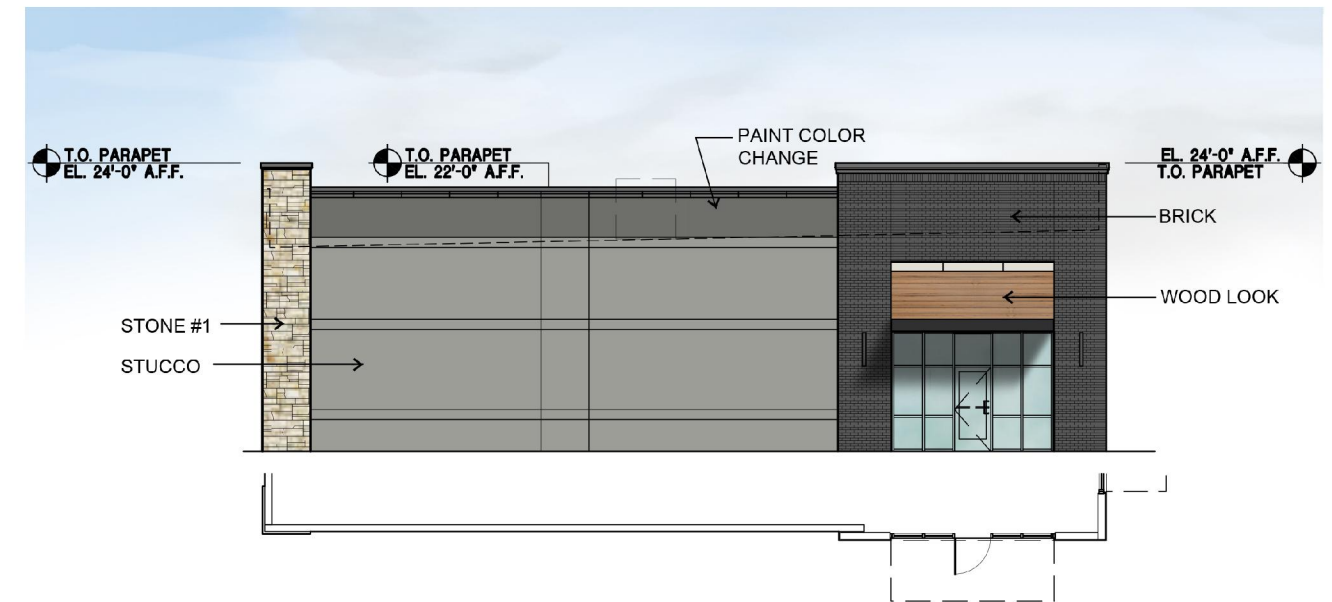
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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



04 NORTH ELEVATION

1/16" = 1'-0"



03 WEST ELEVATION

1/16" = 1'-0"



02 SOUTH ELEVATION

1/16" = 1'-0"



01 EAST ELEVATION

1/16" = 1'-0"

FOR ILLUSTRATIVE PURPOSES ONLY
NOT FOR LEASING DIMENSIONS OR
CONSTRUCTION. ALL DIMENSIONS
SUBJECT TO CHANGE.



DALLAS, TX 972.385.9651

www.GSOarchitects.com

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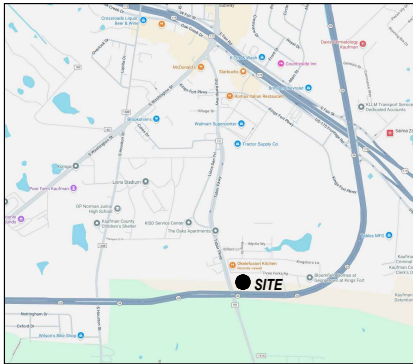
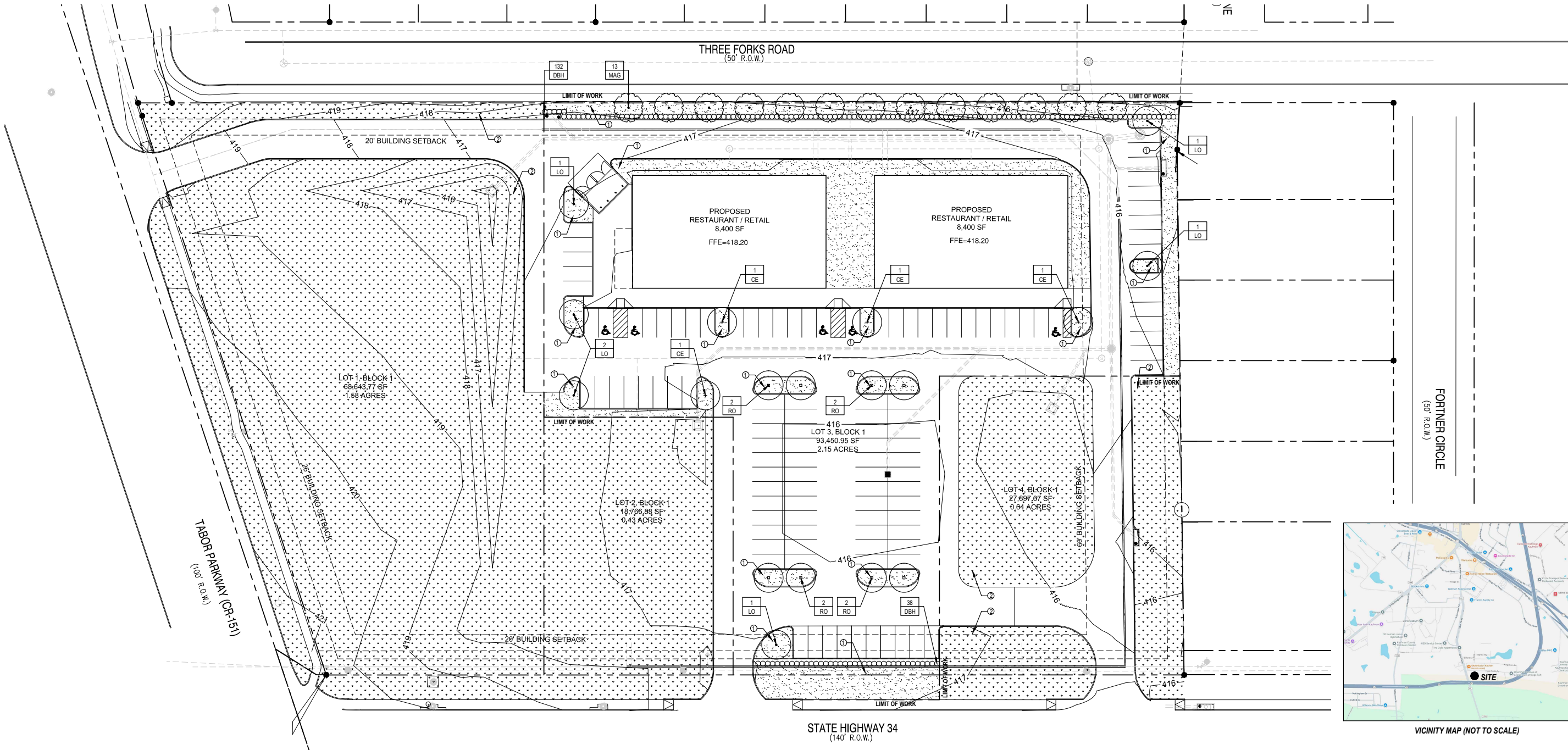
SH34 & TABOR PARKWAY

KAUFMAN, TEXAS
BEAM REAL ESTATE

PRELIMINARY PLAN
NOT FOR CONSTRUCTION

ELEV01

JOB NO: 24-019
ISSUE DATE: 03/06/25
SCALE: AS NOTED



VICINITY MAP (NOT TO SCALE)

HYDROMULCH NOTES

- All lawn areas to be Hydromulch Bermudagrass, unless noted otherwise on drawings.
- Contractor shall scarify, rip, loosen all areas to be hydromulched to a minimum depth of 4" prior to topsoil and hydromulch installation.
- Bermudagrass seed shall be extra hulled and treated lawn type and shall be delivered to the site in its original unopened container, and shall meet Texas State Law requirements.
- Fiber: Shall be one hundred (100%) percent Wood Cellulose Fiber, delivered to the site in its original unopened container. 'Conweb' or equal.
- Fiber Tack: Shall be delivered to the site in its original unopened container, and shall be 'Terra-Tack one', as manufactured by Growers, Inc., or equal.
- Hydromulch with Bermudagrass seed at a rate of two (2) pounds per one thousand (1000) square foot.
- Use a 4'x8' batter board against all beds areas.
- If installation occurs between September 1 and April 1, all hydromulch areas to be Winter Ryegrass, at a rate of four (4) pounds per one thousand (1000) square foot. Contractor shall be required to re-hydromulch with Bermudagrass the following growing season.
- In the event rye grass is necessary due to time of year installation, it shall be the responsibility of the contractor to scalp existing grass, bag clippings, and scarify soil to a depth of 1" prior to permanent lawn grass installation.
- All lawn areas to be hydromulched, shall have one hundred (100%) percent coverage prior to final acceptance.
- Contractor shall maintain all lawn areas until final acceptance. This shall include but not be limited to: mowing, watering, weeding, cultivating, cleaning, and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
- Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply as necessary.

LANDSCAPE NOTES

- Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
- Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
- Contractor is responsible for obtaining all required landscape and irrigation permits.
- Contractor to provide a minimum 2% slope away from all structures.
- All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
- All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
- All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

MAINTENANCE NOTES

- The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
- All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
- All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
- All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
- All plant material which dies shall be replaced with plant material of equal or better value.
- Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

GENERAL LAWN NOTES

- Fine grade areas to achieve final contours indicated on civil plans.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
- All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
- All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation
- Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

ADDITIONAL INDICATIONS

- 1 PROPOSED SOLID SOD
- 2 HYDROMULCH; REFER TO NOTES

SOLID SOD NOTES

- Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
- Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
- Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
- Water sod thoroughly as sod operation progresses.
- Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
- Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
- If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square foot.

LANDSCAPE TABULATIONS

SITE LANDSCAPE REQUIREMENTS
Streetyard Area: 23,509 SF
Requirements: Minimum 15% of the streetyard to be devoted to living landscape.

Required 3,526 SF (15%)	Provided 4,504 SF (19.1%)
----------------------------	------------------------------

LANDSCAPE BUFFER YARD/INTERIOR PARKWAY
Requirements: Minimum 10' Landscape Buffer Yard to any adjacent Major Thoroughfare R.O.W.
(1) Large Tree per 40 LF of Street Frontage
(10) Shrubs, 2' Ht. Min. per 50 LF of Street Frontage

SH 34: 116.80 LF (12.20 l.f. less drives)
Required
(3) Trees, 2" cal. min.
(24) Shrubs, 2' ht. Min.

Provided
(3) Trees Relocated Along Three Forks Rd.
(38) Shrubs, 2' ht. Min.

SH 34: 394.50 LF
Required
(10) Trees, 2" cal. min.
(50) Shrubs, 2' ht. Min.

Provided
(10) Trees
(132) Shrubs, 2' ht. Min.

PARKING LOT & VEHICULAR USE AREA: (116 surface spaces)
Requirements: All Vehicular Areas to be screened from adjacent Lots and R.O.W.s
All Trees No Further than 60 LF from any Parking Space.
(1) Tree per 10 Parking Spaces
(1) Tree per Parking Lot Island at Each Parking Row Terminus

Required
Vehicular Use Screening, 3' Ht. Min.
All Parking Lot Trees within 60' of Spaces
(12) Trees
(13) Island Trees

Provided
Provided via Fencing and Vegetation
Provided as Required
(16) Trees
(13) Island Trees

PLANT LIST

TREES					
QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
4	CE	Cedar Elm	Ulmus crassifolia	3" cal.	container grown, 15' ht., 5' spread min., 5' clear trunk
6	LO	Live Oak	Quercus virginiana	3" cal.	container grown, 15' ht., 5' spread min., 5' clear trunk
13	MAG	Southern Magnolia	Magnolia grandiflora	3" cal.	container grown, 15' ht., 5' spread min., 5' clear trunk
8	RO	Red Oak	Quercus shumardii	3" cal.	container grown, 15' ht., 5' spread min., 5' clear trunk

SHRUBS

QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
170	DBH	Dwarf Burford Holly	Ilex cornuta 'Burfordi nana'	5 gal.	container grown, full plant specimen, 3'-0 ht., 3'-0" o.c.

GROUNDCOVERS

QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
		Common Bermudagrass	Cynodon dactylon	roll sod	solid sod, refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

smr

landscape architects, inc.
1708 N. Griffin Street Dallas, Texas 75202
Tel. 214.871.0083 Fax 214.871.0545
Email smr@smr-la.com

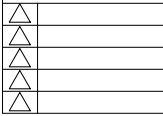
Tabor Plaza Lot 3
S.H. 34 & Tabor Parkway
Kaufman, Texas 75142



Issue For:

- ☐ Design Development
- ☐ Progress
- ☐ Bidding
- ☐ Permit
- ☐ Construction
- ☐

Original Issue Date:
APRIL 7, 2025



LANDSCAPE
PLAN

Drawn By: BCC

Checked By: BDA

Current Date: APRIL 7, 2025

Drawing #

L.1



Meeting
Date: 6/23/2025

Date: 06/13/2025

Item #: 14.

Dept.: Development
Services

PZ Item

SUBJECT:

Consider and take appropriate action on a **Final Plat for Tabor Plaza, Block A, Lots 1, 2, 3, and 4** situated on 4.792 acres of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No. FP-04-25)

BACKGROUND:

See the attached June 3, 2025, Planning and Zoning Commission Report and attachments.

Author:
Martin Mares, Senior Planner

Reviewed:
Mike Holder, City Manager

Cost: **Funds Available:** **Source:**

Recommendation: Staff recommends approval of the Final Plat for Tabor Plaza, Block A, Lots 1, 2, 3 and 4.



Planning and Zoning Commission Report

Meeting Date: June 3, 2025

SUBJECT: Consider and make a recommendation to City Council for a **Final Plat for Tabor Plaza, Block A, Lots 1, 2, 3, and 4** situated on 4.792 acres of land (Property ID 190309) out of the D. Falcon Survey A-151, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of Tabor Parkway and State Highway 34. (Case No. FP-04-25)

SUMMARY:

The applicant is requesting approval of a Final Plat for **Tabor Plaza, Block A, Lots 1, 2, 3, and 4** to accommodate commercial development. The subject property is zoned **Planned Development-15 (PD-15)** for Commercial uses.

Lots 1 (1.576 acres), 2 (0.431 acres), and 4 (0.640 acres) do not currently have any proposed development. Lot 3, comprising 2.145 acres, is the only lot with development proposed at this time. A Site Plan for Lot 3 has been submitted in conjunction with this Final Plat.

All four lots have frontage along Highway 34 Bypass, though only Lot 1 has direct frontage on Tabor Parkway. Access to the interior lot is provided via a 24-foot-wide access, fire, and utility easement that begins at Tabor Parkway through Lot 1, continues along the north side of Lot 3, and loops through Lot 4 to reconnect with Highway 34. A separate 20-foot utility easement is also designated on Lots 3 and 4 to support service infrastructure.

Each lot meets the minimum standards of the Retail (R) zoning district, including a width of at least 100 feet, a depth of at least 100 feet, and a minimum lot area of 10,000 square feet.

Per Kaufman Zoning Code Section 38.3, Lots 1, 3, and 4 will require a solid masonry screening wall, between 6 and 8 feet in height, where the property line borders adjacent residential districts. The wall is intended to serve as a visual and protective buffer between nonresidential and residential uses. The developer is responsible for constructing and maintaining this wall. Alternative screening methods of equal effectiveness may be considered during the site plan review process.

THOROUGHFARE PLAN:

The Thoroughfare Plan designates Highway 34 Bypass as a "Type AA" Major Regional Arterial, requiring a future right-of-way width of 240 feet. The necessary right-of-way already exists in this location. Driveway access along Highway 34 Bypass is controlled by TxDOT.

Tabor Parkway is designated as a "Type B" Minor Arterial, requiring a future right-of-way width of 100 feet. The necessary right-of-way also currently exists at this location.

RECOMMENDATION:

Staff recommends approval of the Final Plat for Tabor Plaza, Block A, Lots 1, 2, 3 and 4.

ATTACHMENTS:

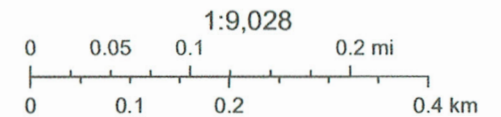
- Location Map
- Exhibit A – Final Plat

Martin Mares
Senior Planner
972-932-2216 ext. 117
mmares@kaufmantx.org

Location Map



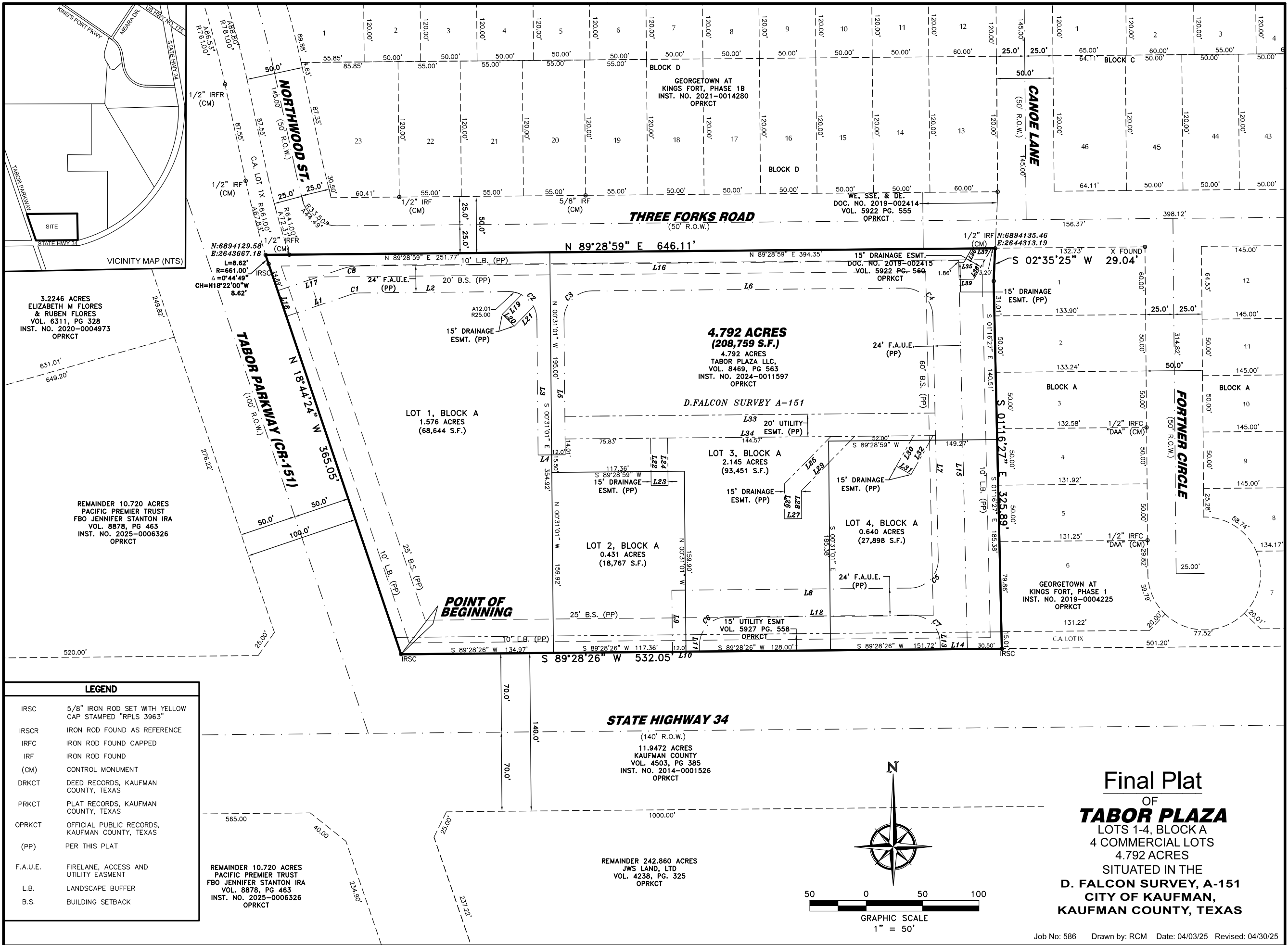
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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

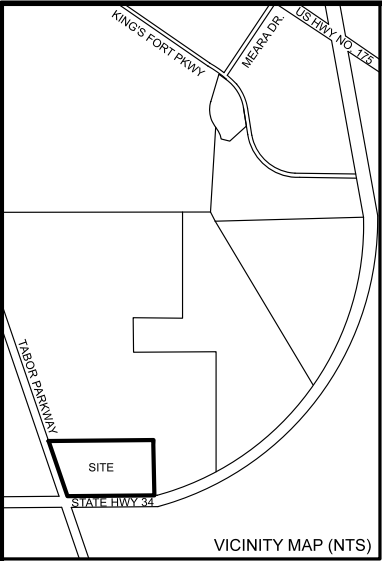
Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

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.



Final Plat
OF
TABOR PLAZA
LOTS 1-4, BLOCK A
4 COMMERCIAL LOTS
4.792 ACRES
SITUATED IN THE
D. FALCON SURVEY, A-151
CITY OF KAUFMAN,
KAUFMAN COUNTY, TEXAS

Job No: 586 Drawn by: RCM Date: 04/03/25 Revised: 04/30/25



OWNER ACKNOWLEDGMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF _____ §

I we, the undersigned owner of the land shown on this plat within the area described by metes and bounds as follows:

WHEREAS Tabor Plaza, LLC, is the owner of a 4.792 acres out of the D. Falcon Survey, Abstract No. 151, Kaufman County, Texas, and being a part of a called 5.01 acre tract described in a Special Warranty Deed with a Vendors Lien to KF corner LTD, a Texas Limited Partnership recorded in Volume 6086 Page 265, Official Public Records, Kaufman County, Texas, (OPRKCT) and this tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner at the intersection of the northwest Right-of-Way line of State Highway 34 (a 140 foot Right-of-Way), described in a Deed to Kaufman County, Texas recorded in Volume 4503 Page 385,(OPRKCT) with the northeast Right-of-Way line of County Road 151 also known as Tabor Parkway, (a 100 foot Right-of-Way);

THENCE N 18 degrees 44 minutes 24 seconds W, along the northeast line of Tabor Parkway, a distance of 365.05 feet, to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner at the beginning of a curve to the right, having a radius of 661.00 feet, and a chord which bears N 18 degrees 22 minutes 00 seconds W, a distance of 8.62 feet;

THENCE in a northwesterly direction along said curve, having a central angle of 00 degrees 44 minutes 49 seconds, for an arc distance of 8.62 feet, to a 1/2" iron rod found for corner in the north line of said 5.01 acre tract at the southwest corner of Georgetown at Kings Fort, Phase 1B, described as Instrument Number 2021-0014280 (OPRKCT), from which a 1/2" iron rod found for reference bears N 89 degrees 28 minutes 59 seconds E, a distance of 21.0 feet:

THENCE N 89 degrees 28 minutes 59 seconds E, along the north line of said 5.01 acre tract and the south line of said Georgetown at Kings Fort, Phase 1B, a distance of 646.11 feet, to a 1/2" iron rod found for corner at the northeast corner of said 5.01 acre tract, common to the southeast corner of said Georgetown at Kings Fort, Phase 1B, said corner also being the northwest corner of Lot 1, Block A, Georgetown at Kings Fort, Phase 1 described as Instrument Number 2019-0004225, (OPRKCT);

THENCE S 02 degrees 35 minutes 25 seconds W, along the east line of said 5.01 acre tract common to the west line of said Georgetown at Kings Fort, Phase 1, a distance of 29.04 feet, to a for corner under a fence;

THENCE S 01 degrees 16 minutes 27 seconds E, along the common line of last mentioned tracts, a distance of 325.89 feet, to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner in the north line of said State Highway No. 34, at the common south corner of said tracts;

THENCE S 89 degrees 28 minutes 26 seconds W, along the north line of said State Highway 34 and the south line of said 5.01 acre tract, a distance of 532.05 feet, to the POINT OF BEGINNING and containing 208,759 square feet or 4.792 acres of land.

NOW, THEREFORE, KNOW ALL PERSON BY THESE PRESENTS:

THAT TABOR PLAZA, LLC, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the hereinabove described property as Lots 1-4, Block A of Tabor Plaza, an addition to the City of Kaufman, Texas, and does hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, fire lanes, drive aisles, parking spaces, parks and trails, and to the public use forever Easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains, and other utilities and facilities, and any other property necessary to serve the plat and to implement the requirements of the subdivision regulations and other City codes and do hereby bind ourselves, our heirs, successors and assigns to warrant and to forever defend the title on the land so dedicated. Further, the undersigned covenants and agrees that he/she shall maintain all Easements and facilities in a state of good repair and functional condition at all times in accordance with City codes and regulations. No buildings, fences, tress shrubs or other improvements or growths shall be constructed or placed upon, over, across the Easements as shown, except that landscape improvements may be installed, if approved by the City of Kaufman. At no point shall any overhead utilities be installed on the subject property. The City of Kaufman and public utility entities shall have the right to access and maintain all respective Easements without the necessity at any time of procuring permission from anyone.

By: TIVAKAR VETHAMANY

Owner: _____
Title: _____

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority in and for _____, County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2025.

Notary's Name _____
My Commission Expires: _____

SURVEYOR'S GENERAL NOTES:

1. Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983. Adjustment Realization (CORS 2011).
2. Grid coordinates posted hereon are based on Texas State Plane Coordinates System, North Central Zone, North American Datum of 1983 on Grid Coordinate values.
3. The purpose of this Plat is to create 4 commercial lots out of this 4.792 acre tract.
6. All lot corners or references thereof will be set with a 5/8" iron rod with a yellow cap stamped RPLS 3963.

CERTIFICATE OF REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS §
COUNTY OF _____ §

I, the undersigned, a Registered Professional Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

PRELIMINARY- FOR REVIEW ONLY
RELEASED 04-30-2025
ROBERT C. MYERS, RPLS 3963

Date

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.
Given under my hand and seal of office this _____ day of _____, 2025.

Notary's Name _____
My Commission Expires: _____

CERTIFICATE OF PLAT APPROVAL

Approved

City Official
City of Kaufman, Texas

Date

Witness by hand this _____ day of _____, 2025.

City Secretary
City of Kaufman, Texas

CERTIFICATE OF PLAT APPROVAL

Approved

Planning and Zoning Commission Chairperson
City of Kaufman, Texas

Date

Mayor
City of Kaufman, Texas

Date

Witness by hand this _____ day of _____, 2025.

City Secretary
City of Kaufman, Texas

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 71°15'36" E	60.38'
L2	N 89°28'59" E	131.67'
L3	S 00°31'01" E	120.00'
L4	N 89°28'59" E	24.00'
L5	N 00°31'01" W	120.00'
L6	N 89°28'59" E	276.67'
L7	S 01°16'27" E	215.88'
L8	S 89°28'59" W	211.16'
L9	S 00°31'01" E	54.55'
L10	N 89°28'59" E	24.00'
L11	N 00°31'01" W	5.55'
L12	N 89°28'59" E	163.14'
L13	S 01°16'27" E	5.84'
L14	N 89°28'26" E	24.00'
L15	N 01°16'27" W	344.39'
L16	S 89°28'59" W	530.69'
L17	S 71°15'36" W	60.38'
L18	S 18°44'24" E	24.00'
L19	S 44°28'59" W	24.28'
L20	N 45°31'01" W	15.00'
L21	S 44°28'59" W	24.29'
L22	S 00°31'34" E	42.02'
L23	N 89°28'26" E	15.00'
L24	N 00°31'34" W	42.02'
L25	S 44°28'26" W	58.79'
L26	S 00°31'34" E	30.96'
L27	N 89°28'26" E	15.00'
L28	N 00°31'34" W	24.75'
L29	N 44°28'26" E	67.57'
L30	S 29°28'26" W	30.95'
L31	S 60°31'34" E	15.00'
L32	N 29°28'26" E	39.61'
L33	N 89°28'26" E	327.81'
L34	S 89°28'26" W	328.07'
L35	N 88°43'33" E	4.46'
L36	N 29°59'15" E	14.23'
L37	N 89°28'10" E	17.41'
L38	S 29°59'15" W	31.53'
L39	S 88°43'33" W	12.90'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	7.95'	7.92'	N 80°22'18" E	18°13'23"
C2	25.00'	39.27'	35.36'	S 45°31'01" E	90°00'00"
C3	25.00'	39.27'	35.36'	N 44°28'59" E	90°00'00"
C4	25.00'	38.94'	35.12'	S 45°53'44" E	89°14'34"
C5	25.00'	39.60'	35.59'	S 44°06'16" W	90°45'26"
C6	25.00'	39.27'	35.36'	N 44°28'59" E	90°00'00"
C7	25.00'	38.94'	35.12'	S 45°53'44" E	89°14'34"
C8	49.00'	15.58'	15.52'	S 80°22'18" W	18°13'23"

ENGINEER

BOWMAN CONSULTING GROUP, LTD
2805 DALLAS PARKWAY, SUITE 310
PLANO, TEXAS 75093
PHONE: 972.497.2993
CONTACT: RYAN SAFFORD, P.E.
EMAIL: RSAFFORD@BOWMAN.COM

OWNER

TABOR PLAZA, LLC
1083 CIMARRON RD
FRISCO, TX 75036
PHONE: 469.525.6239
CONTACT: TIVAKAR VETHAMANY
EMAIL: TIVAKAR.MANYA@GMAIL.COM

ARCHITECT

GSO ARCHITECTS, INC
5310 HARVEST HILL RD
DALLAS, TEXAS 75230
PHONE: 972.385.9651
CONTACT: LISA SWIFT
EMAIL: LISA.SWIFT@GSOARCHITECTS.COM

SURVEYOR

R C MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TEXAS 75182
PHONE: 214.532.0636
CONTACT: ROBERT C. MYERS
EMAIL: RCMSURVEYING@GMAIL.COM

Final Plat
OF
TABOR PLAZA
LOTS 1-4, BLOCK A
4 COMMERCIAL LOTS
4.792 ACRES
SITUATED IN THE
D. FALCON SURVEY, A-151
CITY OF KAUFMAN,
KAUFMAN COUNTY, TEXAS

Job No: 586 Drawn by: RCM Date: 04/03/25 Revised: 04/30/25



Meeting
Date: 6/23/2025

Date: 05/12/2025

Item #: 15.

Dept.: Administration

Ordinance

SUBJECT:

Consider and take appropriate action on Ordinance O-15-25, an ordinance of the City Council of the City of Kaufman, Texas, providing for the sale and issuance of the City of Kaufman, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2025 in the amount of \$5,000,000 for improvements to the Wastewater Treatment Plant, extension of a water line of Highway 34 adjacent to the Agile development, and several water and sewer repairs throughout the City; and ordaining other matters relating to the subject.

BACKGROUND:

This Certificate of Obligation debt issue of \$5 million dollars is for improvements to the Wastewater Treatment Plant, extension of a water line of Highway 34 adjacent to the Agile development, and several water and sewer repairs throughout the city. This is a negotiated sale of debt and will not impact the city's current I&S tax rate.

Author:
Mike Holder, City Manager

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Ordinance O-15-25 as presented.

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

CERTIFICATE FOR ORDINANCE

We, the undersigned officers of the City of Kaufman, Texas, hereby certify as follows:

1. The City Council of said City convened in regular meeting on the 23rd day of June, 2025, at the scheduled meeting place thereof, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Jeff Jordan, Mayor
Matthew Phillips, Mayor Pro-Tem
Jason Nelson
Ashlea Longenecker
Charles Gillenwater
Lisa Parker
Quattro Borders

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

ORDINANCE PROVIDING FOR THE SALE AND ISSUANCE OF THE CITY OF
KAUFMAN, TEXAS COMBINATION TAX AND LIMITED SURPLUS REVENUE
CERTIFICATES OF OBLIGATION, SERIES 2025; AND ORDAINING OTHER MATTERS
RELATING TO THE SUBJECT.

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

AYES: ____ NOES: ____ ABSTENTIONS: ____

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

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

SIGNED AND SEALED THE 23rd DAY OF JUNE, 2025.

ATTEST:

Mayor

City Secretary

(SEAL)

THE STATE OF TEXAS §
COUNTY OF KAUFMAN §
CITY OF KAUFMAN §

WHEREAS, the Certificates of Obligation hereinafter authorized and designated are to be issued and delivered for cash pursuant to Subchapter C of Chapter 271, Texas Local Government Code and Subchapter B, Chapter 1502, Texas Government Code;

WHEREAS, the Issuer received no petition from the qualified electors of the Issuer protesting the issuance of such Certificates of Obligation;

WHEREAS, it is considered to be to the best interest of the Issuer that said interest-bearing Certificates of Obligation be issued to pay costs related to constructing, improving, acquiring and equipping the public improvements described below;

WHEREAS, no bond proposition to authorize the issuance of bonds for the same purpose as any of the projects being financed with the proceeds of the Certificates of Obligation was submitted to the voters of the Issuer during the preceding three years and failed to be approved; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE CERTIFICATES. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The Certificates of the Issuer are hereby authorized to be issued and delivered in the aggregate principal amount of \$[] for paying all or a portion of the Issuer's contractual obligations incurred in connection with (i) acquiring, constructing, and equipping additions, improvements, extensions, and equipment for the Issuer's waterworks and sewer system; (ii) constructing, reconstructing and improving streets, roads, and sidewalks, including related drainage, utility relocation, signalization, landscaping, lighting and signage; and (iii) legal fiscal, and engineering fees in connection with such projects (collectively, the "Project").

Section 2. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITIES AND INTEREST RATES OF CERTIFICATES. Each certificate issued pursuant to this Ordinance shall be designated: “CITY OF KAUFMAN, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATE OF OBLIGATION, SERIES 2025” and initially there shall be issued, sold, and delivered hereunder one fully registered Certificate, without interest coupons, dated June 15, 2025, in the principal amount stated above and in the denominations hereinafter stated, numbered T-1 (the “Initial Certificate”), with Certificates issued in replacement thereof being in the denominations and principal amounts hereinafter stated and numbered consecutively from R-1 upward, payable to the respective Registered Owners thereof (with the Initial Certificate being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignees of said Certificates or any portion or portions thereof (in each case, the “Registered Owner”), and said Certificates shall mature and be payable serially on February 15 in each of the years and in the principal amounts, respectively, and shall bear interest from the dates set forth in the FORM OF CERTIFICATE set forth in Exhibit A of this Ordinance to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the following schedule:

Years (2/15)	Principal Amounts (\$)	Interest Rates (%)
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		
2039		
2040		
2041		
2042		
2043		
2044		
2045		

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

Section 3. CHARACTERISTICS OF THE CERTIFICATES.

(a) Appointment of Paying Agent/Registrar. The Issuer hereby appoints The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, to serve as paying agent and registrar for the Certificates (the “Paying Agent/Registrar”). Each of the Mayor and the City Manager is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar.

(b) Registration. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Certificates (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three (3) days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE attached as Exhibit A to this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

(c) Exchange. The Paying Agent/Registrar promptly shall cancel all paid Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Certificates in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Registration Books as the absolute owner of such

Certificate for the purpose of payment of principal and interest with respect to such Certificate, for the purpose of registering transfers with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order of the Registered Owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the Registered Owners that at all times while the Certificates are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other entity to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be one entity.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than one hundred-twenty (120) days written notice to the Paying Agent/Registrar, to be effective not later than sixty (60) days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each Registered Owner, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(h) Book-Entry Only System. The Certificates issued in exchange for the Initial Certificate shall be initially issued in the form of a separate single fully registered Certificate for each of the maturities thereof and the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as provided in subsections (j) and (k) of this Section, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Certificates. Notwithstanding anything to the contrary contained herein, while the Certificates are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(j) Certificates Registered in the Name of Cede & Co. With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to

any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner of Certificates, as shown on the Registration Books, of any notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner of Certificates, as shown in the Registration Books of any amount with respect to principal of or interest on the Certificates. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the Registered Owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Certificates. The Certificates (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Certificates, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth as Exhibit A to this Ordinance.

(n) Authentication. Except as provided below, no Certificate shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE. In lieu of the executed PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, the Initial Certificate delivered on the closing date shall have attached thereto the COMPTROLLER'S REGISTRATION CERTIFICATE substantially in the form provided in this Ordinance, manually executed by the Comptroller of Public

Accounts of the State of Texas or by such person's duly authorized agent, which certificate shall be evidence that the Certificate initially issued and delivered has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the Issuer, and has been registered by the Comptroller. The Initial Certificate issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in exchange for any Certificate issued under this Ordinance, the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the FORM OF CERTIFICATE set forth Exhibit A to this Ordinance.

(o) Cancellation of Initial Certificate. On the closing date, the Initial Certificate representing the entire principal amount of the Certificates, payable in stated installments to the order of the initial purchaser of the Certificates or its designee, executed by manual or facsimile signature of the Mayor and City Secretary, approved by the Attorney General of Texas, and registered by manual or facsimile signature by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for the Initial Certificate, the Paying Agent/Registrar shall cancel the Initial Certificate and deliver to DTC on behalf of such purchaser one registered definitive Certificate for each year of maturity of the Certificates, in the aggregate principal amount of all of the Certificates for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Certificates in safekeeping for DTC.

Section 4. FORM OF CERTIFICATES. The form of the Certificates, including the form of PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, the form of ASSIGNMENT and the form of COMPTROLLER'S REGISTRATION CERTIFICATE to be attached to the Certificates initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as set forth in Exhibit A of this Ordinance, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

Section 5. INTEREST AND SINKING FUND; SURPLUS REVENUES.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be accounted for separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Certificates. All amounts received from the sale of the Certificates as accrued interest shall be deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and on account of said Certificates shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Certificates are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Certificates as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Certificates as such principal matures (but never less than 2% of the original amount of said Certificates as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Certificates are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

(b) The Certificates are additionally secured by a limited pledge (not to exceed \$1,000) of surplus revenues of the Issuer's waterworks and sewer system that remain after the payment of all maintenance and operation expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are secured by a lien on all or any part of the net revenues of the Issuer's waterworks and sewer system, constituting "Surplus Revenues". The Issuer shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to subsection (a) of this section, to the extent necessary to pay the principal of and interest on the Certificates. Notwithstanding the requirements of subsection (a) of this section, if Surplus Revenues or other lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to subsection (a) of this Section may be reduced to the extent and by the amount of the Surplus Revenues or other lawfully available funds then on deposit in the Interest and Sinking Fund.

(c) Chapter 1208, Texas Government Code, applies to the issuance of the Certificates and the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Certificates are outstanding and unpaid, the result of such amendment being that the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section, is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the Registered Owners a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF CERTIFICATES.

(a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged or the limited pledge of Surplus Revenues as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to such paying agent (or other financial institution permitted by applicable law) for the payment of such Defeased Certificates, including any insufficiency therein caused by the failure of such paying agent (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Certificates that is made in conjunction with the payment arrangements specified in subsection 6(a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased

Certificates immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection 6(a)(i) or (ii) of this Section. All income from such Defeasance Securities which is not required for the payment of the Defeased Certificates, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term “Defeasance Securities” means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire, or otherwise discharge obligations such as the Certificates.

(d) Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

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

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

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

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

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

in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement certificate, the Paying Agent/Registrar shall charge the Registered Owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Section 1206.022, Texas Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement certificate without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such certificates is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in Section 3 of this Ordinance for Certificates issued in conversion and exchange for other Certificates.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Certificates initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificates pending their delivery and investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificates said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually, by facsimile, electronically or otherwise, sign the Comptroller's Registration Certificate attached to such Certificates, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Certificates issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owners. In addition, if bond insurance is obtained, the Certificates may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Certificates is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Certificates to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Certificates is hereby approved and confirmed.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE CERTIFICATES.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the Registered Owner for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

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

(2) to take any action to assure that in the event that the “private business use” described in subsection (1) hereof exceeds five percent (5%) of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of five percent (5%) is used for a “private business use” that is “related” and not “disproportionate,” within the meaning of section 141(b)(3) of the Code, to the governmental use;

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

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

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

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

(A) proceeds of the Certificates invested for a reasonable temporary period until such proceeds are needed for the purpose for which the Certificates are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the rules and regulations of the United States Department of the Treasury (the “Treasury Regulations”), and

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

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

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

(9) to pay to the United States of America at least once during each five-year period (beginning on the delivery date of the Certificates) an amount that is at least equal to ninety percent (90%) of the “Excess Earnings,” within the meaning of section 148(f) of the Code and to pay to the United States of America,

not later than sixty (60) days after the Certificates have been paid in full, one hundred percent (100%) of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code;

(10) to file or cause to be filed with the Secretary of the Treasury, not later than the fifteenth (15th) day of the second calendar month after the close of the calendar quarter in which the Certificates are issued, an information statement concerning the Certificates, all under and in accordance with section 149(e) of the Code and the applicable Treasury Regulations promulgated thereunder; and

(11) to assure that the proceeds of the Certificates will be used solely for new money projects.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a “Rebate Fund” is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Registered Owner. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term “proceeds” includes “disposition proceeds” as defined in the Treasury Regulations. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and the Treasury Regulations. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Certificates, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Certificates, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor or the City Manager of the Issuer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates.

(d) Allocation of, and Limitation on, Expenditures for the Project. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Project on its books and records by allocating proceeds to expenditures within eighteen (18) months of the later of the date that (1) the expenditure is made, or (2) the Project is completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Certificates or investment earnings thereon more than sixty (60) days after the earlier of (1) the fifth anniversary of the delivery of the Certificates, or (2) the date the Certificates are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Certificates or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Project. The Issuer covenants that the property constituting the Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Certificates. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not

be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF CERTIFICATES AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) That the Certificates are hereby sold and shall be delivered to [PURCHASER] (the "Purchaser"), for the purchase price of \$[] (representing the par amount of the Certificates of []), plus an aggregate original issue premium of \$[] (premium to be applied as set forth in Section 16), and less an underwriting discount of \$[] pursuant to the terms and provisions of an Official Notice of Sale and Official Bid Form, in substantially the form presented at this meeting, which the Mayor is hereby authorized to execute and deliver. The Initial Certificate shall be delivered to the Purchaser, and the Purchaser shall have the right to exchange the Initial Certificate as provided in Section 3 hereof without cost. The Initial Certificate shall be registered in the name of the Purchaser or the Purchaser's nominee.

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

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

(c) The Mayor, City Manager, City Secretary and Finance Director, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name of the Issuer all other such documents, certificates and instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Certificates, the sale of the Certificates and the Official Statement. In case any officer whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INVESTMENT AND SECURITY OF FUNDS.

(a) Interest earnings derived from the investment of proceeds from the sale of the Certificates shall be used along with other certificate proceeds for the Project; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on certificate proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the

purposes of this Section.

(b) The Issuer may invest proceeds of the Certificates (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2025 Certificates of Obligation Construction Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Project as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said Fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six (6) months after the end of each fiscal year ending in or after 2025, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement under Tables numbered 1 through 6 and 8 through 15. The Issuer will additionally provide audited financial statements when and if available, and in any event, within twelve (12) months after the end of each fiscal year ending in or after 2025. If the audit of such financial statements is not complete within twelve (12) months after any such fiscal year end, then the Issuer will file unaudited financial statements within such twelve (12) month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet website or filed with the SEC. All documents provided to the MSRB

pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten (10) business days after the occurrence of the event) of any of the following events with respect to the Certificates:

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

As used in clause 12 above, the phrase “bankruptcy, insolvency, receivership or similar event” means the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets of the Issuer, or if jurisdiction has been assumed by leaving the existing City Council and officials or officers of the Issuer in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer. For the purposes of the above describe event notices 15 and 16, the term “financial obligation” means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a guarantee of (i) or (ii); provided however, that a “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

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

(d) Limitations, Disclaimers, and Amendments.

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

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

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

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

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Certificates in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the Registered Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (b) a qualified person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest

of the Registered Owners and beneficial owners of the Certificates. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the Registered Owners, (ii) grant additional rights or security for the benefit of the Registered Owners, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the Registered Owners, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of nationally recognized bond counsel materially adversely affect the interests of the Registered Owners.

(b) Except as provided in paragraph (a) above, the Registered Owners of Certificates aggregating in principal amount 51% of the aggregate principal amount of then outstanding Certificates that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the Registered Owners in aggregate principal amount of the then outstanding Certificates, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

- (1) Make any change in the maturity of any of the outstanding Certificates;
- (2) Reduce the rate of interest borne by any of the outstanding Certificates;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Certificates or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of any series of Certificates necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each Registered Owner of the affected Certificates a copy of the proposed amendment. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all Registered Owners of such Certificates.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall

receive an instrument or instruments executed by the Registered Owner of at least 51% in aggregate principal amount of all of the Certificates then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all Registered Owners of such affected Certificates shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of a Certificate pursuant to the provisions of this Section shall be irrevocable for a period of six (6) months from the date of such consent, and shall be conclusive and binding upon all future Registered Owners of the same Certificate during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the Registered Owner who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the Registered Owners of 51% in aggregate principal amount of the affected Certificates then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

(g) For the purposes of establishing ownership of the Certificates, the Issuer shall rely solely upon the registration of the ownership of such Certificates on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owners, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of sixty (60) days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

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

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

(c) Remedies Not Exclusive.

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

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

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

Section 16. PREMIUM. The Certificates are being sold at an aggregate premium equal to \$[]. With respect to such premium attributable to the Certificates, \$[] shall be used to pay costs of issuance (including underwriter's discount and bond insurance premium).

Section 17. APPROPRIATION. To pay the debt service coming due on the Certificates prior to receipt of the taxes levied to pay such debt service, if any, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. NO PERSONAL LIABILITY. No recourse shall be had for payment of the principal of or interest on any Certificates or for any claim based thereon, or on this Ordinance, against any official or employee of the Issuer or any person executing any Certificate.

Section 19. EFFECTIVE DATE. In accordance with the provisions of Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 20. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

EXHIBIT A

(a) Form of Certificate.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL
AMOUNT
\$ _____

CITY OF KAUFMAN, TEXAS
COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION
SERIES 2025

<u>INTEREST RATE</u>	<u>DELIVERY DATE</u>	<u>MATURITY DATE</u>	<u>CUSIP NO.</u>
		February 15, ____	

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

THE CITY OF KAUFMAN, TEXAS, in Kaufman County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the Interest Rate per annum specified above. Interest is payable on February 15, 2026 and semiannually on each August 15 and February 15 thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.

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

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

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Certificate for redemption and payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Certificate that on or before each principal payment date and interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

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

THIS CERTIFICATE is one of a series of Certificates dated June 15, 2025, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$[] for paying all or a portion of the Issuer's contractual obligations incurred in connection with (i) acquiring, constructing, and equipping additions, improvements, extensions, and equipment for the Issuer's waterworks and sewer system; (ii) constructing, reconstructing and improving streets, roads, and sidewalks, including related drainage, utility relocation, signalization, landscaping, lighting and signage; and (iii) legal fiscal, and engineering fees in connection with such projects.

ON FEBRUARY 15, 2035, or on any date thereafter, the Certificates of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Certificates, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Certificate may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST THIRTY (30) days prior to the date fixed for any redemption of Certificates or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least thirty (30) days prior to the date fixed for any such redemption, to the Registered Owner of each Certificate to be redeemed at its address as it appeared on the business day prior to the mailing of such redemption notice; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Certificates or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for

redemption, and they shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Registered Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Ordinance.

WITH RESPECT TO ANY OPTIONAL REDEMPTION OF THE CERTIFICATES, unless certain prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Issuer, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a notice of conditional redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Issuer shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered certificates, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Ordinance, this Certificate may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered certificates, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Certificate may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment

date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within forty-five (45) days prior to its redemption date.

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

Registered Owners.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law, and that this Certificate is additionally secured by and payable from a limited pledge (not to exceed \$1,000) of the Surplus Revenues of the Issuer's waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are payable from all or part of said revenues, all as provided in the Ordinance.

THE ISSUER HAS RESERVED THE RIGHT to amend the Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owners of a majority in aggregate principal amount of the outstanding Certificates.

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

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the Issuer and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Certificate.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Certificate is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Certificate has been issued under the provisions of the Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

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

By: _____
Authorized Representative

I Form of Assignment.

ASSIGNMENT
(Please type or print clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

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

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

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

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that there is on file and of record in my office a true and correct copy of the opinion of the Attorney General of the State of Texas approving this Certificate and that this Certificate has been registered this day by me.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

I Initial Certificate Insertions.

(B) The Initial Certificate shall be in the form set forth in paragraph (a) of this Section, except that:

- B. immediately under the name of the Certificate, the headings “Interest Rate” and “Maturity Date” shall both be completed with the words “As shown below” and “CUSIP No. _____” shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

“THE CITY OF KAUFMAN, TEXAS, in Kaufman County, Texas (the “Issuer”), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the “Registered Owner”), on February 15 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

Years (2/15)	Principal Installments (\$)	Interest Rates (%)
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		
2039		
2040		
2041		
2042		
2043		
2044		
2045		

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the respective Interest Rate per annum specified above. Interest is payable on February 15, 2026, and semiannually on each August 15 and February 15 thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for

which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.”

C. The Initial Certificate shall be numbered “T-1.”



Meeting
Date: 6/23/2025

Date: 06/18/2025

Item #: 16.

Dept.: Administration

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-18-25, a resolution of the City Council of the City of Kaufman, setting a public hearing for July 28, 2025, to receive public input on the advisability of the adoption of Land Use Assumptions and a Capital Improvements Plan under which wastewater impact fees may be imposed.

BACKGROUND:

Author:
Rachel Balthrop Mendoza, Assistant City
Manager

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Resolution R-18-25 as presented.

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

CITY OF KAUFMAN, TEXAS

RESOLUTION NO. R-18-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS SETTING A PUBLIC HEARING FOR JULY 28, 2025 IN ORDER TO RECEIVE PUBLIC INPUT ON THE ADVISABILITY OF PROPOSED UPDATES AND AMENDMENTS TO THE CITY OF KAUFMAN LAND USE ASSUMPTIONS, WATER AND STREET CAPITAL IMPROVEMENTS PLAN AND THE KAUFMAN IMPACT FEE SCHEDULE; PROVIDING FOR THE INCORPORATION OF PREMISES; ORDERING A PUBLIC HEARING; ORDERING THAT NOTICE OF PUBLIC HEARING BE PROVIDED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Kaufman, Texas established a Capital Improvements Plan Advisory Committee (the “Committee”) to consider amending the City’s Land Use Assumptions (the “LUA”), the Water and Street Capital Improvements Plan (the “CIP”) and amending the existing Kaufman Impact Fee Schedule (the “Fees”) (hereinafter collectively the “LUA, CIP and Fees”); and

WHEREAS, the Committee, City Staff, and Consultants held workshops and public meetings to discuss the LUA, CIP, and Fees, and members of the Committee have provided comments on the LUA, CIP, and Fees to City Staff; and

WHEREAS, at the June 23, 2025, meeting of the City Council, the Council received updates to the LUA, CIP, and Fees; and

WHEREAS, City Council has reviewed the Committee’s proposed updates to the LUA, CIP and Fees, and has determined it appropriate to call and hold a public hearing on July 28, 2025 to receive public input on the advisability of the proposed updates and amendments to the Land Use Assumptions, the Water and Street Capital Improvements Plan and the Kaufman Impact Fee Schedule;

WHEREAS, the City Council finds that the passage of this Resolution is in the best interest of the public health, safety, and welfare;

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

SECTION 1. Incorporation of Premises. That the above recitals are hereby found to be true and correct findings and determinations of the City Council and are hereby approved and incorporated into this Resolution.

SECTION 2. Public Hearing Ordered. The City Council has received the proposed updates and amendments to the CIP, LUA and Fees and hereby calls a **Public Hearing** to be held on **July 28, 2025 at 6:30 p.m.** at Kaufman City Hall Council Chambers, **209 South Washington Street, Kaufman, Texas**, for the purpose of hearing public testimony with respect to the advisability of the proposed amendments to the Land Use Assumptions, the Water and Street Capital Improvements Plan, and the Kaufman Impact Fee Schedule (the “Public Hearing”).

SECTION 3. Notice of Public Hearing. That the City Secretary is hereby authorized and directed to cause notice of the Public Hearing to be published in a newspaper of general circulation in the City, such notice being provided at least 31 days prior to the date of the Public Hearing in accordance with state law.

SECTION 4. Severability. If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof, and the City Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 5. Effective Date. This Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

PASSED AND APPROVED on this 23rd day of June, 2025.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

M. ANN MONTGOMERY
CITY ATTORNEY



Meeting
Date: 6/23/2025

Date: 06/18/2025

Item #: 17.

Dept.: Economic
Development
Corporation

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-19-25, a resolution of the City Council of the City of Kaufman, Texas, approving the submission to the Economic Development Administration's Fiscal Year 2025 Disaster Supplemental Grant; and providing an effective date.

BACKGROUND:

The North Central Texas Council of Governments (NCTCOG) recently contacted us about a grant opportunity with the Economic Development Administration (EDA). They have \$1.5 billion to support disaster recovery and economic diversification projects in areas affected by federal disaster declarations in 2023 and 2024. Kaufman County received a declaration last year for the floods. The EDA is accepting applications on a rolling basis to cover up to \$20 million in funds per project. This can be used for infrastructure, workforce training, planning, and related items that have a direct impact on economic growth. With prospects seeking out locations in the Kaufman Commerce Park, this could be a prime opportunity to apply for funds to assist with public utilities and transportation-related infrastructure costs. The KEDC has recently engaged Kimley-Horn Engineers to conduct an analysis of water and wastewater lines, as well as internal roads. This will include an opinion of probable costs that can be used as backup documentation for the grant application.

The NCTCOG Economic Development District staff can assist KEDC staff with the grant application. If awarded funding, the COG will administer the grant. The City or the EDC could be the application entity. Projects are reimbursed funds from the EDA upon completion. Most projects will be funded at 80% of the project costs with a 20% local match.

Author:

Stewart McGregor , Executive Director

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Resolution R-19-25 as presented.

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

RESOLUTION NO. R-19-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, APPROVING THE SUBMISSION OF THE ECONOMIC DEVELOPMENT ADMINISTRATION'S FISCAL YEAR 2025 DISASTER SUPPLEMENTAL GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the U.S. DOC Economic Development Administration (EDA) has announced funding availability under the FY 2025 Disaster Supplemental Grant Program (the "Program") Notice of Funding Opportunity to support regions impacted by hurricanes, wildfires, severe storms and flooding, tornadoes, and other natural disasters (2023-2024); and

WHEREAS, said Program can award up to \$10 million in funding for projects with an anticipated 20% matching contribution; and

WHEREAS, the City is an eligible applicant with a proven track record of successfully implementing Federal, State, and non-profit funding; and

WHEREAS, the City has agreed that in the event of loss or misuse of the funds from the program, the City agrees and assures that the funds will be returned in full to the EDA; and

WHEREAS, if the City receives the funding, the City agrees to provide matching funds up to the budgeted amount; and

WHEREAS, the City Council finds it in the best interest of the citizens of Kaufman to submit the application for FY 2025 Disaster Supplemental Grant Program.

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

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

SECTION 2. The City Council hereby approves the submission of the FY 2025 Disaster Supplemental Grant Funding Program application for the City of Kaufman. The City further agrees to match funding up to the budgeted amount if the City is awarded the funding. In the event of loss or misuse of the funds from the program, the City will return all awarded funds to the EDA.

SECTION 3. The City Council hereby designates the City Manager Michael Holder, or his designee, as the City's authorized official and authorizes the application for acceptance, rejection, alteration, or termination of the Economic Development Administration's 2025 Disaster Supplemental Grant Program, and all related documents, on behalf of the City.

SECTION 4. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED by the City Council of the City of Kaufman, Texas, on this the 23rd day of June, 2025.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

M. ANN MONTGOMERY
CITY ATTORNEY

JOIN US FOR THE KAUFMAN
POLICE ASSOCIATION'S

20TH ANNUAL BLUE GILL KIDS FISHING TOURNAMENT

Registration
Fee
\$25



Saturday

28

7:00 AM

JUNE

HOT DOGS AND AWARDS AT 11AM

JB (OLD STAR BRAND RANCH)
BACK SIDE ENTRANCE OFF OF FM 1390
WHITE FENCE AT THE ENTRANCE

Registration forms can be picked up and payment can be made at at Kaufman
Police Department 209 S. Washington Street Kaufman, TX 75142
Payment can also be mailed to: KPA PO Box 353 Kaufman, TX 75142

SAT., JULY 5

RED WHITE & B * M

PRESENTED BY:  **Kaufman** &  **BRINSON** CHEVROLET

9:00 AM: INDEPENDENCE PARADE
FOLLOWED BY STARS & STRIDE STROLLING PARADE

— ★ ★ ★ —
6:00 PM: KAUFMAN SPORTS COMPLEX

\$20 PER CARLOAD. CASH ONLY.

6:30 PM: RALYN GAYLE

8:00 PM: NATIONAL ANTHEM

8:30 PM: LE FREAK

**FIREWORKS
AFTER DARK**



DISCUSSION ITEMS REPORT (DIR)

Project Title	Department	Agenda Date	Entered Date	Status/Notes	Strategy Map
Thoroughfare Plan Update	Development Serv	TBD	10/23/2018	Comp Plan	2,5
Bldg Standards Commission Ordinance	Development Serv	9/1/2019	10/23/2018	BSC to review	4
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	Construction Underway	4,5
Comprehensive Plan	Admin		8/26/2020	Pusing 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
Connector Road	Admin		4/29/2021	County project underway	2,3,5
Northeast Utility Project	Admin/PW		9/17/2021	Phase 1 Constructed	1,2,3,4,5
City Lakes Park/Lower Lake Improvements	Admin/PW		9/23/2021	Working on Cost Estimate and Scope	4
Kings Fort Park	PW/Admin		7/27/2022	On hold	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
Crestview/Royal Reconstruction	Public Works		9/1/2023	NTP January 27, 2025	5
Phillip's Drainage	Public Works		9/1/2023	NTP January 27, 2025	5
HWY 34 Property	Admin		1/30/2024	Need Demo Quote	4
Impact Fees	Admin		7/16/2024	Scope and Fee Proposal from TNP	2,4,5
Public Works Facility	Admin		7/16/2024	Working on Site Plan	5
WWTP	PW/Admin		7/16/2024	Schneider IGA approved June 2024	2,4,5
TxDOT Property	Admin/EDC		1/30/2024	City closed on the property and working with developer	2,5
Heritage Park	Admin	TBD	1/23/2025	Possible City Park	2,3

Discussion Item Report (DIR)
Completed

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	01/28/2019 02/25/2019	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

Discussion Item Report (DIR
Completed

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
Subdivision Ordinance Update	Development Serv	1/27/2020	10/23/2018	Completed	5
North & South Water Tower Rehab	Public Works		1/29/2021	Completed	4,5
Becker-Jiba Water Contract	Admin		1/30/2024	Approved	3,5
Fire Department Facility Improvements	Admin/Public Safety			Drainage improvements completed/Doors Painted	1,2,5
E. 1st North	Public Works		9/1/2023	Complete	5
South Pointe	Development Serv		2/3/2021	City recovered the property	2,3,4



DATE: June 4, 2025

TO: Kaufman County

FROM: Teresa Elliott; Project Manager

RE: May 2025 Ridership Report

Demand Reponse	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Total Trips	2,480	2,893	2,361	2,211	2,072	2,187	2,510	2,225	2,090				21,029
Days of Service	20	23	19	20	19	19	21	21	21				183
Avg. Daily Trips	124	126	124	111	109	115	120	106	100				115
Elderly & Disabled Trips	2,038	2,457	1,979	1,867	1,776	1,787	2,102	1,823	1,762				17,591
E&D Percentage	82%	85%	84%	84%	86%	82%	84%	82%	84%				84%

Trips By City	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Crandall	56	102	96	57	49	59	81	68	44				612
Forney	832	994	769	694	647	721	742	660	643				6,702
Kaufman	325	392	269	315	302	300	360	384	395				3,042
Kemp	51	47	30	37	50	59	70	93	79				516
Mabank	17	35	14	18	14	12	15	16	18				159
Scurry	15	7	14	5	10	12	24	16	36				139
Terrell	1,184	1,316	1,169	1,085	1,001	1,024	1,218	988	875				9,860

STARNow	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Total Trips	1,611	1,755	2,001	1,901	1,908	1,939	2,128	2,590	2,817				18,650
Days of Service	20	23	19	20	21	19	21	21	21				185
Avg. Daily Trips	81	76	105	95	91	102	101	123	134				101
Median Wait Time (mins)	17.96	16.33	13.35	15.83	17.12	17.58	16.64	17.63	17.28				16.64

Total Requested Boardings ⓘ 3738 Completed Boardings ⓘ 2817 Avg. Boardings Per Service Hr. ⓘ 1.76 Boarding Cancellations ⓘ 908 Boarding Cancellations (No-Show) ⓘ 93 Cancellation Percentage ⓘ 24.38 %

Cancellation Percentage (No Show) ⓘ 2.5 % Total Requests ⓘ 3373 Completed Requests ⓘ 2546 No Drivers Available Requests ⓘ 10 Request Cancellations ⓘ 817 Request Cancellations (No Show) ⓘ 84

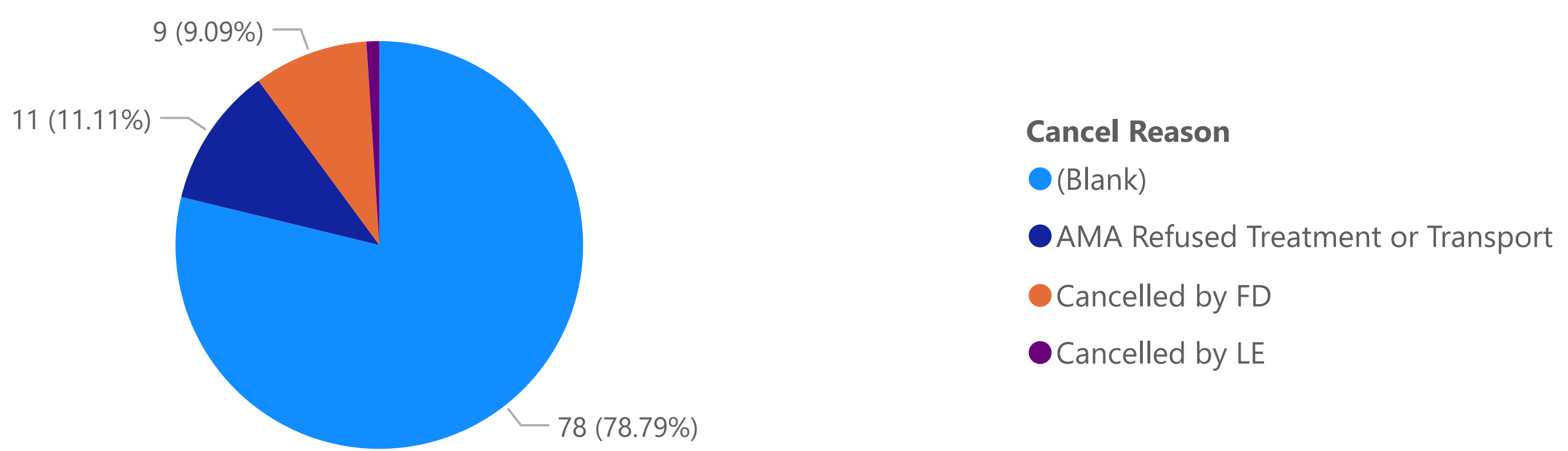
Avg. # of Requests per Rider ⓘ 9.61 Avg. Travel Duration ⓘ 14.66 min Avg. Travel Distance ⓘ 4.91 mi Mean Wait Time ⓘ 26.98 min Median Wait Time ⓘ 17.28 min Bookings from Admin Panel ⓘ 33.72 % Bookings from Rider Mobile App ⓘ 66.28 %

STARNow Trips By City	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Kaufman	67	72	57	116	82	81	116	191	117				899
Forney	773	993	1,120	1,145	1,094	1,132	1,131	1,233	1,333				9,954
Terrell	670	690	620	624	732	726	881	1,166	1,367				7,476

City of Kaufman Compliance

Priority▲	# of Requests	# of Transports	# of Exceptions	Compliance %	Capture Rate
City of Kaufman P1	25	16	3	88%	64%
City of Kaufman P2	92	52	5	95%	57%
City of Kaufman P3	35	27	1	97%	77%
Total	152	95	9	94%	63%

Cancel Reason



Dropoff Facilities

Dropoff Fac▲	Count of Transport	% of Destination
Baylor Scott & White - Dallas (DBMC)	6	6%
Baylor Scott & White - Sunnyvale (SUNV)	1	1%
Dallas Regional Medical Center (MDR1)	1	1%
Medical City Dallas (DMCD)	3	3%
Parkland Hospital (DPKD)	1	1%
Texas Health Dallas (DPMC)	1	1%
Texas Health Kaufman (KAUF)	79	83%
Texas Health Rockwall (RKPH)	1	1%
VA Dallas (DVAM)	1	1%
William P. Clements University Hospital (DWPC)	1	1%
Total	95	100%

Fractile

Fractile Bin	Count of Transport
	24
1) <5 minutes	52
2) 5 to 10 Minutes	56
3) 10 to 20 minutes	18
4) 20 to 30 minutes	2
Total	152

Average Response Time

00:07:21

KAUFMAN FIRE DEPARTMENT Monthly Report

May 2025



FIRE PREVENTION



4

Development
Plans Reviewed



56

Fire Safety
Inspections



5:40

Average
Response Time



100

KIDS AND CITIZENS
FIRE PREVENTION PRESENTATIONS

TRAINING

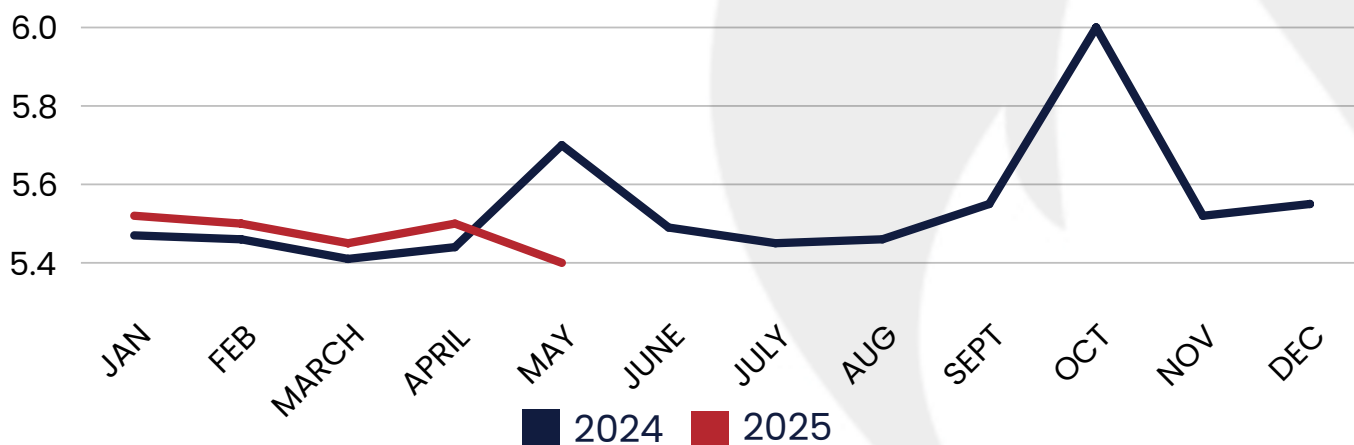
Fire

- Elevator Rescue and Awareness

EMS

- Heat Emergencies

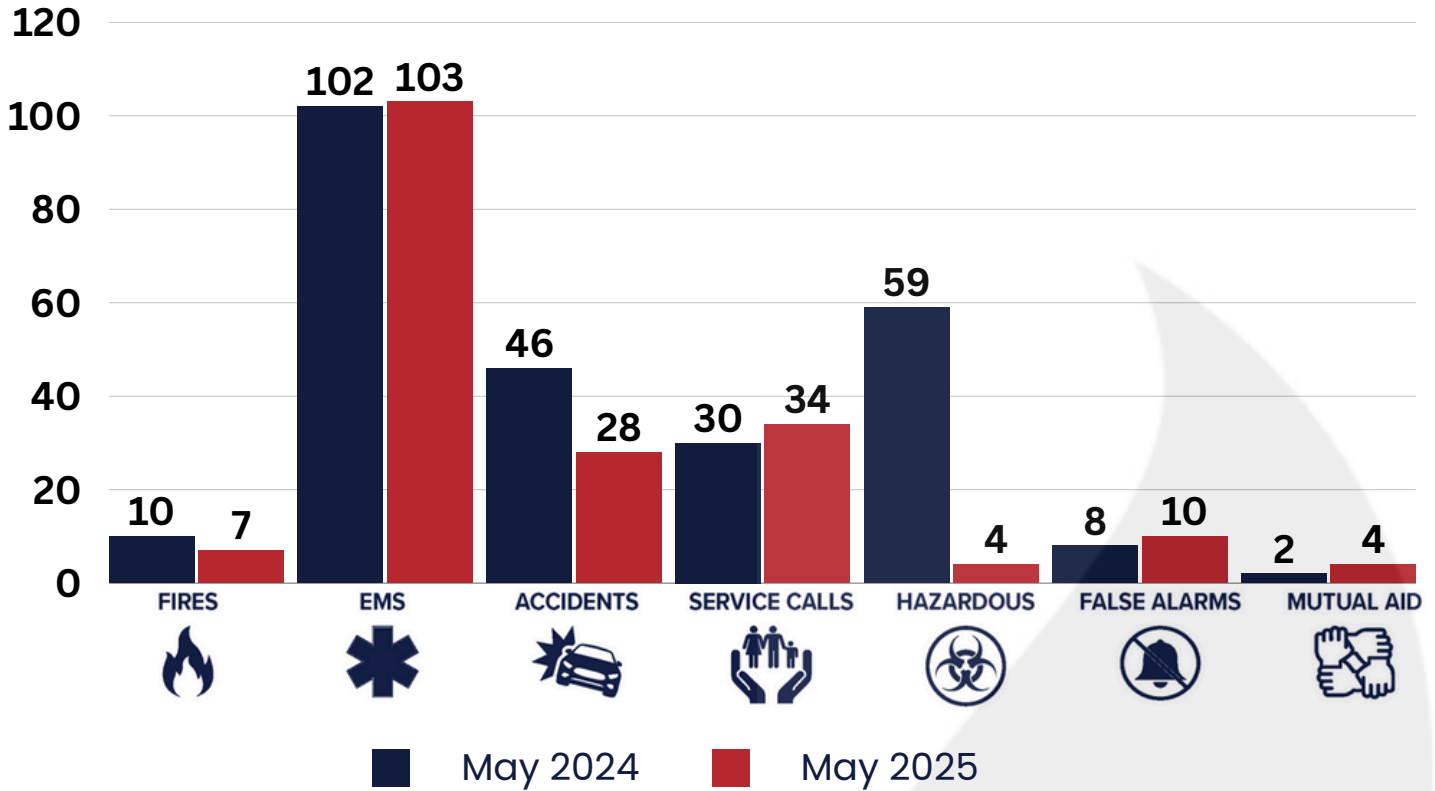
RESPONSE TIME TREND





Monthly Report

Call Volume by Major Category



KAUFMAN POLICE DEPARTMENT MONTHLY REPORT



MAY 2025



EVENTS ATTENDED

- Lions Club
- Leadership Kaufman County
- Chamber of Commerce Golf Tournament
- Celebration of Police Memorial Week

TRAINING

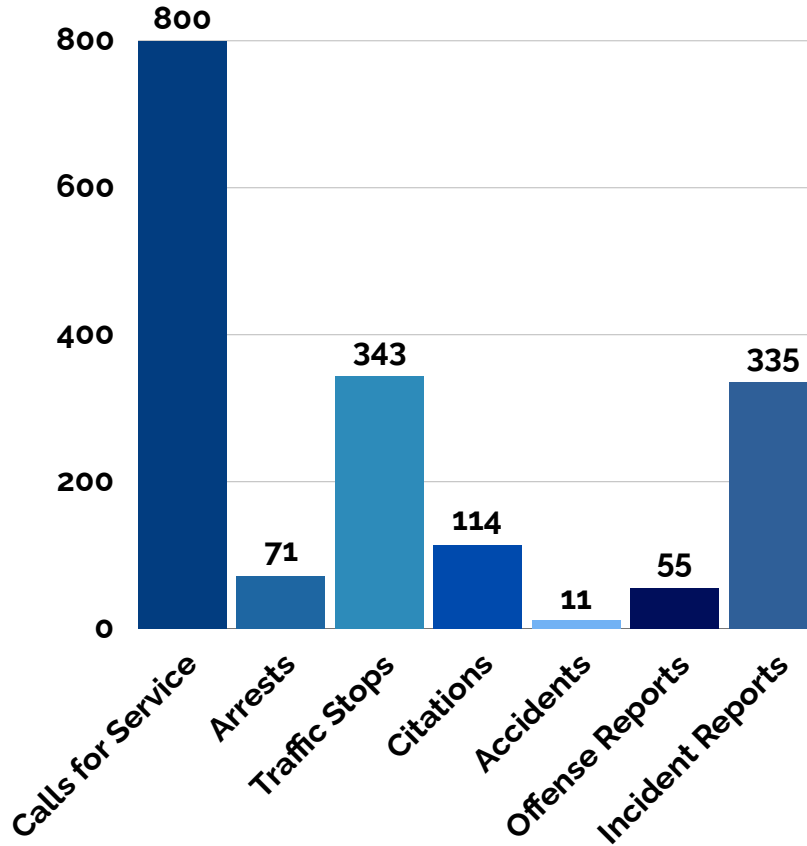
- Captain Leftwich assisted in ALERRT Training
- Officer Wall attended ALERRT training
- Chief Edwards completed ALERRT training
- Officer Wall completed his Advanced Peace Officer Certification
- Cadets Cummings and Utsey started Police Academy
- Officers performed low light handgun qualifications
- Steven Mendoza attended International Property Maintenance Code training





MONTHLY REPORT

PATROL DIVISION



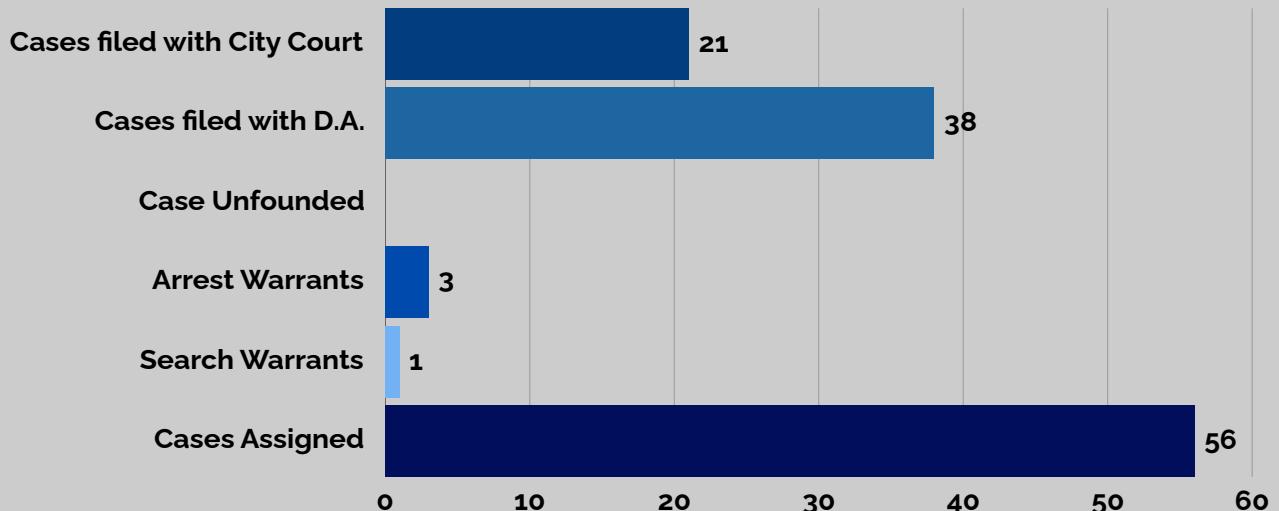
Response Time

4:15

Security Checks

1,040

CRIMINAL INVESTIGATION DIVISION



MONTHLY REPORT



CODE COMPLIANCE



105
Total
Violations



72
Cases
Opened/
First Notice
Sent



4
Second
Notice
Sent



0
Cases
Sent to
Court



65
Cases
Closed

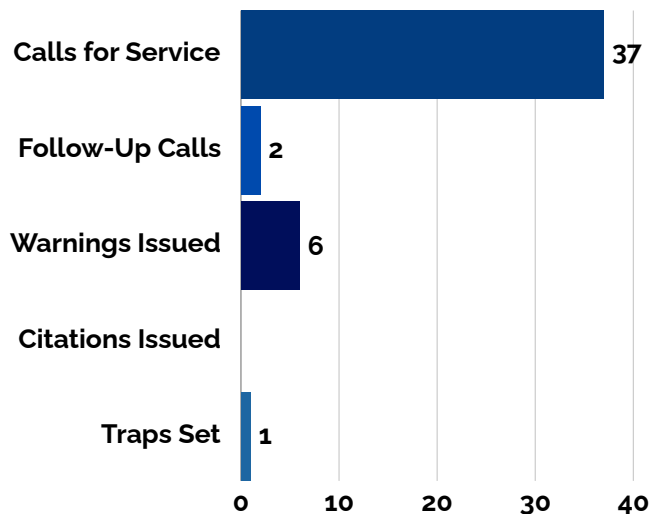


69
Active
Cases



ANIMAL SERVICES

SUMMARY OF ACTIVITY



Animals Captured



- On Calls - 9
- On View - 0
- Non-Domestic - 1

Animals Turned Over



- To Owner - 0
- To Humane Society - 7



Deceased Animals
Recovered - 6



MONTHLY REPORT

Year to Date Comparison Report

01/01/2025 - 04/30/2025

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	1	1	0.10	0	-
Assault Offenses, Total	20	19	2.02	31	-35.48%
Aggravated Assault	3	3	0.30	3	0.00%
Intimidation	3	3	0.30	0	-
Simple Assault	14	13	1.41	28	-50.00%
Bribery, Total	0	0	0.00	0	-
Burglary/Breaking and Entering, Total	7	4	0.71	7	0.00%
Counterfeiting/Forgery, Total	2	1	0.20	2	0.00%
Destruction/Damage/Vandalism of Property, Total	21	4	2.12	13	61.54%
Drug/Narcotic Offenses, Total	68	65	6.87	123	-44.72%
Drug Equipment Violations	22	22	2.22	30	-26.67%
Drug/Narcotic Violations	46	43	4.65	93	-50.54%
Embezzlement, Total	1	0	0.10	0	-
Extortion/Blackmail, Total	1	1	0.10	0	-
Fraud Offenses, Total	4	2	0.40	7	-42.86%
False Pretense/Swindle/Confidence Game	0	0	0.00	3	-100.00%
Credit Card/Automatic Teller Machine Fraud	1	0	0.10	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	2	0.30	3	0.00%
Gambling Offenses, Total	0	0	0.00	0	-
Betting/Wagering	0	0	0.00	0	-
Operating/Promoting/Assisting Gambling	0	0	0.00	0	-
Sports Tampering	0	0	0.00	0	-
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	21	12	2.12	59	-64.41%
Motor Vehicle Theft, Total	1	0	0.10	5	-80.00%
Pornography/Obscene Material, Total	1	0	0.10	2	-50.00%



MONTHLY REPORT

Year to Date Comparison Report

01/01/2025 - 04/30/2025



Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
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	1	1	0.10	0	-
Sex Offenses, Total	0	0	0.00	2	-100.00%
Fondling	0	0	0.00	0	-
Rape	0	0	0.00	1	-100.00%
Sexual Assault with an Object	0	0	0.00	1	-100.00%
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	0	0	0.00	2	-100.00%
Weapons Law Violations, Total	4	4	0.40	12	-66.67%
Group A Offense, Total	153	114	15.46	265	-42.26%
Crimes Against Person, Total	20	19	2.02	33	-39.39%
Crimes Against Property, Total	60	26	6.06	95	-36.84%
Crimes Against Society, Total	73	69	7.38	137	-46.72%
Officers Killed or Assaulted YTD	0			0	-





**DEVELOPMENT SERVICES
MONTHLY BUILDING REPORT
MAY 2025**

	# PERMITS ISSUED	PERMIT FEES	CONSTRUCTION VALUATION
<u>NEW RESIDENTIAL</u>			
Single Family Dwelling	4	\$8,664.30	\$1,580,000.00
Multi-Family			
<u>OTHER RESIDENTIAL</u>			
Residential Alteration / Remodel	9	\$1,100.00	\$85,809.81
Residential Addition	4	\$638.00	\$7,660.00
Electrical	3	\$300.00	\$16,208.00
Mechanical	1	\$100.00	\$9,000.00
Plumbing	2	\$400.00	\$8,558.95
Irrigation	4	\$400.00	\$84,000.00
Fence	7	\$700.00	\$23,400.00
Swimming Pool	1	\$550.00	\$59,000.00
Accessory Structures	2	\$288.00	\$12,300.00
Demolition	1	\$100.00	\$8,580.00
<u>NEW COMMERCIAL</u>			
New Commercial Building			
<u>OTHER COMMERCIAL</u>			
Commercial Alteration / Remodel	5	\$5,064.00	\$461,182.00
Commercial Addition			
Signs			
Electrical	1	\$100.00	\$15,000.00
Mechanical			
Plumbing			
Irrigation			
Demolition			
Swimming Pool			
Fence/Screening Wall	2	\$1,185.00	\$134,373.00
Certificate Of Occupancy	3	\$600.00	
Temporary Use Permit			
TOTALS	49	\$20,189.30	\$2,505,071.76

July 2025						
◀ June					August ▶	
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Planning & Zoning Meeting	2	3	4 City Hall Closed- Independence Day	5 Red, White, & BOOM
6	7	8 KEDC	9	10	11	12
13	14	15	16	17 Parks & Rec Meeting	18	19
20	21	22	23	24	25	26
27	28 Regular City Council Meeting	29	30	31		

August 2025						
◀ July						September ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 Special City Council Meeting – Budget	5 Planning & Zoning Meeting	6	7	8	9
10	11	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	29	30
31						

September 2025						
◀ August					October ▶	
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 City Hall Closed- Labor Day	2 Planning & Zoning Meeting	3	4	5	6
7	8 Special City Council Meeting – Impact Fees	9 KEDC	10	11	12	13
14	15	16	17	18 Parks & Rec Meeting	19	20
21	22 Regular City Council Meeting	23	24	25	26	27
28	29	30				