



AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 28, 2021 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142
AND VIA VIDEOCONFERENCE/TELECONFERENCE

**This meeting will be held using
videoconferencing/teleconferencing
technology with public access via:
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR
(888)788-0099 (TOLL FREE)
MEETING/WEBINAR ID: 839 1880 7526
PASSWORD: 708614**

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Mayor calls the Meeting to order, states the date and time, state 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.**

PROCLAMATION

1. "King", Kaufman Mascot

CONSENT AGENDA

2. Consider and take appropriate action on the minutes from the May 24, 2021, Regular City Council meeting, and the June 15, 2021, Special City Council meeting.
3. Consider and take appropriate action on the ratification of the City of Kaufman's membership to the National League of Cities (NLC).

4. Consider and take appropriate action to authorize the City Manager to use the Assigned Fund Balance that was set aside in FY 2020-2021 for the construction of the Emergency Access Road for the Sports Complex and Hazard Pay for the staff
5. Consider and take appropriate action on Resolution R-25-21, a resolution of the City of Kaufman, Texas, supporting implementation of the U.S. Department of Justice Comprehensive Body-Worn Camera Policy and Implementation Program; authorizing the chief of police to apply for a related program grant to fund the purchase of body-worn cameras for the Kaufman Police Department; providing that if the City of Kaufman receives the program grant, the city will match the grant amount for the purchase of body-worn cameras; providing for the incorporation of premises; and providing an effective date.
6. Consider and take appropriate action on Resolution R-23-21, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman's Investment Policy pursuant to the Public Funds Investment Act; approving the adoption of an amended City of Kaufman Investment Policy; providing for the incorporation of premises; and providing for an effective date.

END OF CONSENT AGENDA

PUBLIC HEARING

7. Hold a public hearing, consider and take appropriate action on Ordinance O-30-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the City of Kaufman Comprehensive Zoning Ordinance, Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the City of Kaufman's Code of Ordinances, to permit "Pet Shop With No Grooming" as a permitted use only when a specific use permit is approved and only in the the Central Business District (CBD) Zoning District by amending Chart 6, "Retail and Service Uses" of Section 33.4, "Use Charts" of Section 33, "Use Regulations"; providing for a penalty; providing for publication and effective date. (Case No. Z-12-21)
 - a. Presentation.
 - b. PUBLIC HEARING
 - c. Consider and take appropriate action on Ordinance O-30-21.

8. Hold a public hearing, consider and take appropriate action on Ordinance O-31-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the City of Kaufman Comprehensive Zoning Ordinance and the official Zoning Map, Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the City of Kaufman's Code of Ordinances to approve a request by Jason Warren of Kaufman Lumber to rezone 5.192-acres from Agriculture-Open (A-O) to Commercial (C). The property is generally located at 3222 East Highway 175 (PID# 382) in the Charles Askins Survey, Abstract No. 2, Kaufman County, Kaufman, TX. (Case No. Z-13-21)
 - a. Presentation.
 - b. PUBLIC HEARING
 - c. Consider and take appropriate action on Ordinance O-31-21.
9. Hold a public hearing, consider and take appropriate action on Ordinance O-32-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the Code of Ordinances, to delete commercial accessory buildings in the Central Business District (CBD by amending Chart 3, "Accessory and Incidental Uses", of subsection 33.4, "Use Charts", of Section 33, "Use Regulations"; providing for a penalty; providing for publication and effective date. (Case No. Z-10-21)
 - a. Presentation
 - b. PUBLIC HEARING
 - c. Consider and take appropriate action on Ordinance O-32-21.

DISCUSSION/ACTION ITEMS

10. Consider and take appropriate action on the Preliminary Plat of Lot 1, Block 1, Kelly Addition. The 1.264-acre tract (PID# 5365) is generally located 2212 Tabor Parkway (AKA CR 151). The property is zoned Commercial. (Case No. PP-02-21)
11. Consider and take appropriate action on the Site Plan of proposed plat of Lot 1, Block 1, Kelly Addition for the development of three commercial, retail and/or office use buildings. The 1.264-acre tract (PID# 5365) is generally located 2212 Tabor Parkway (AKA CR 151). The property is zoned Commercial. (Case No. SP-01-21)

12. Consider and take appropriate action on Resolution R-22-21, a resolution of the City Council of the City of Kaufman, Texas granting a petition requesting annexation the by the Landowner, Thorntree Ventures, LLC, of approximately 111.47-acres of land located at 3397 Farm to Market Road No. 1836 (PIDs 2195, 2196, & 2197); finding that pursuant to Local Government Code Section 43.057, it is in the public interest to leave certain areas of the City's extraterritorial jurisdiction un-annexed while surrounding those properties by annexed areas; authorizing and directing publication of notice of a public hearing; directing the preparation and execution of a written services agreement with the Landowner; directing the preparation of a development agreement and authorizing staff to offer such agreement to Landowner; and providing an effective date. (Case # A-05-21)
13. First Reading: Consider and take appropriate action on Ordinance O-29-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the exclusive franchise agreement for solid waste collection within the City of Kaufman, Texas with Republic Services to provide for updated fees for bulk pickup; authorizing the Mayor or designee to execute the amendment and any necessary documents; and providing an effective date.
14. Consider and take appropriate action on Resolution R-24-21, a resolution of the City Council of the City of Kaufman, Texas, approving the design for Shannon Park and releasing Assigned Fund Balance for park improvements to funding this project.
15. Consider and take appropriate action on the annual mosquito spraying program.

APPOINTMENTS

16. Consider and take appropriate action on the appointment of one (1) member to the Parks and Recreation Board for a two (2) year term to expire March 2023.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

17. Receive an update and discussion regarding the following:
 - a. Red, White & BOOM Update
 - b. Budget Workshop- August 2
 - c. Discussion Items Report (DIR)
 - d. STAR Transit Ridership Report- May 2021

- e. Careflite Compliance Report- May 2021
- f. Fire Department Monthly Report- May 2021
- g. Police Department Monthly Report- May 2021
- h. Monthly Calendars Attached

EXECUTIVE SESSION

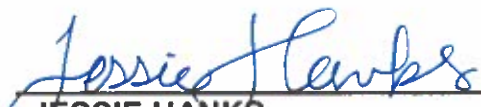
18. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
- a. § 551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act re: parking violations

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

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

ADJOURNMENT

I, JESSIE HANKS, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:30 P.M. ON FRIDAY, JUNE 25, 2021, 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 OR (888)788-0099 (TOLL FREE) MEETING /WEBINAR ID: 839 1880 7526 PASSWORD: 708614**

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.



City of Kaufman Proclamation

WHEREAS, the City Council of the City of Kaufman wishes to create a recognizable character to foster good will and unity in the City of Kaufman, and

WHEREAS, the City of Kaufman would like to introduce “King” to join the current dog pack of mascots including McGruff the Crime Dog and Sparky the Fire Dog, and

WHEREAS, “King” is a friendly and loyal golden retriever who likes to share information with the citizens of Kaufman, attend events, and spread happiness and joy, and

WHEREAS, the City Council encourages all citizens of Kaufman to welcome “King” to the community, and

NOW, THEREFORE, I, Jeff Jordan, Mayor of the City of Kaufman, and the City Council of the City of Kaufman do hereby proclaim “King” the official mascot for the City of Kaufman.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City to be affixed this 28th day of June, 2021.

Jeff Jordan, Mayor, City of Kaufman



Meeting
Date: 6/28/2021

Date: 6/8/2021

Item #: 2.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the May 24, 2021, Regular City Council meeting, and the June 15, 2021, Special City Council meeting.

BACKGROUND:

Author:

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation:

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



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, MAY 24, 2021 - 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, state Councilmembers present, and declares a quorum present.**

Mayor Jordan called the City Council meeting to order at 6:00 PM. Councilmembers present were Jeff Jordan, Patty Patterson, Barry Ratcliffe, Lisa Parker, Jeff Council, Matt Phillips, and Carole Aga. Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, City Secretary Jessie Hanks, Finance Director Mary Wennerstrom, Development Services Director Marcy Ratcliff, Police Chief Dana Whitaker and Police Captain 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.

CONSENT AGENDA

1. Consider and take appropriate action on the minutes from the April 26, 2021, Regular City Council meeting, and the May 10, 2021, Special City Council meeting.
2. Consider and take appropriate action on the Final Plat of Lot 2, Block E, Kings Fort Addition, Phase IV, a 0.9848-acre tract (a portion of PID# 202752) generally located on the south side of East Highway 175 and east of Center Drive to be addressed as 710 East Highway 175 and currently zoned Planned Development - 15 for Highway Commercial (PD-15-HC). A subdivision of one commercial lot is proposed. (Case #FP-05-21)

Council Member Council made a motion to approve consent agenda item 1 and 2 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

END OF CONSENT AGENDA

PRESENTATION

3. Presentation from Republic Services on a proposal to amend the service contract for

Collection of Solid Waste with the City of Kaufman in order adjust the scope of work to allow weekly bulk collection, discussion, and authorizing the City Manager to execute necessary documents.

Joanna Fritz presented the Council with a proposed amendment to the service contract for the Solid Waste Collection in the City of Kaufman. She outlined the changes that would be made with the contract.

Councilmember Aga made a motion to approve the proposal to amend the service contract for Collection of Solid Waste with the City of Kaufman in order adjust the scope of work to allow weekly bulk collection as discussed and authorize the City Manager to execute necessary documents. The motion was seconded by Councilmember Council and passed 7/0.

PUBLIC HEARING

4. Hold a public hearing, consider and take appropriate action on Ordinance O-17-21, an ordinance of the City Council of the City of Kaufman, Texas, providing proposed amendments to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning", of the City of Kaufman's Code of Ordinances, to add "Private Membership Social Game House" as a use permitted only when a specific use permit is approved and only in the Commercial (C) and Highway Commercial (HC) Zoning Districts, by amending Chart 4, "Recreational and Entertainment Uses" of Section 33.4, "Use Regulations", and Section 33.5, "Definitions"; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date; and providing an effective date. (Case #Z-02-21). (This item was returned from City Council back to the Planning and Zoning Commission due to technical difficulties at the Planning and Zoning Commission meeting on April 6, 2021.)

- a. Presentation.

Ms. Ratcliff stated the City Council, on April 26, 2021 voted 7-0 to request the Planning and Zoning Commission reconsider the request from Mr. John Dumas allowing him to present his request again at the May 4, 2021, Planning and Zoning Commission. The Planning and Zoning Commission on May 4, 2021 voted on a motion to approve Z-02-21 for a definition of a private membership social game house and allowing as a SUP in the Commercial and Highway Commercial Districts. The motion failed because the vote was 3-3. However, the Planning and Zoning Commission recommended to amend the draft definition of a "private membership social game house" by a vote 6-0. This motion does not affect the failed motion above.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:24 PM.

John Dumas, 115 Robinson Rd, Combine, Texas, presented Council with pictures and examples of other similar card house.

There being no further speakers, Mayor Jordan closed the public hearing at 6:31 PM.

- c. Consider and take appropriate action on Ordinance O-17-21.

Mayor Jordan made a motion to deny Ordinance O-17-21. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

- 5. Hold a Public Hearing, consider, and take appropriate action on Ordinance O-20-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Article IX, "Parkland Dedication and Development", of Chapter 94, "Subdivisions", of the Code of Ordinances of the City of Kaufman to provide a City required percentage of land dedication, to provide for alternate methods of satisfying the land dedication requirement, and to provide for Council discretion to accept parks less than (2) two acres; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date.

- a. Presentation.

Ms. Ratcliff outlined the proposed amendment for the Parkland Dedication Ordinance.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:36 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:36 PM.

- c. Consider and take appropriate action on Ordinance O-20-21.

Councilmember Phillips made a motion to approve Ordinance O-20-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

- 6. Hold a public hearing, consider and take appropriate action on Ordinance O-21-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to rezone an approximate 5.366 acres of land generally located in the 2600 block of Tabor Parkway (CR 151) (rear portion of PID #5377) in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas from Commercial (C) to Multi-Family -2 (MF-2) ; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Applicant: ZP Juniper Pointe Apartments, LP – Justin Zimmerman) (Case #Z-03-21)

- a. Presentation.

Ms. Ratcliff explained the proposed zoning change for the Juniper Apartments.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:38 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:40 PM.

- c. Consider and take appropriate action on Ordinance O-21-21.

Councilmember Phillips made a motion to approve Ordinance O-21-21 as presented. The motion was seconded by Councilmember Council and passed 7/0.

7. Hold a public hearing, consider, and take appropriate action on Ordinance O-22-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to authorize Specific Use Permit – 46, and to approve the associated Site Plan in order to allow an attended car wash on property zoned Planned Development – 15 – Highway Commercial, an approximate 0.985 acre tract (a portion of PID# 202752) located at 710 East Highway 175, proposed to be platted as Lot 2, Block E, Kings Fort Addition, Phase IV, within the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Applicant: Konrad Rudnicki) (Case #Z-04-21)

- a. Presentation.

Ms. Ratcliff reviewed the specific use permit and site plan submitted by Konrad Rudnicki for a proposed car wash to be located in the Kings Fort Development.

- b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:42 PM.

Konrad Rudnicki, 3609 Tokalon Drive, Dallas, Texas 75214, thanked Council for the time to present their business and plan.

There being no further speakers, Mayor Jordan closed the public hearing at 6:46 PM.

- c. Consider and take appropriate action on Ordinance O-22-21.

Councilmember Council made a motion to approve Ordinance O-22-21 as presented. The motion was seconded by Councilmember Aga and passed 7/0.

8. Hold a public hearing, consider, and take appropriate action on Ordinance O-23-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Highway Commercial (HC) on an approximate 7.9-acre tract of land (a portion of PID# 56874) generally located at 1900 East Highway 175 and being platted as Lot 1, Kaufman County Law Enforcement Center Addition, situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-06-21)

- a. Presentation.

Ms. Ratcliff presented the proposed zoning change for the south portion of the property the Kaufman County Law Enforcement Center is located on.

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:48 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:48 PM.

c. Consider and take appropriate action on Ordinance O-23-21.

Councilmember Aga made a motion to approve Ordinance O-23-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

9. Hold a public hearing, consider, and take appropriate action on Ordinance O-24-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Highway Commercial (HC); on an approximate 16.72-acre tract of land located directly west of the Kaufman County Law Enforcement Center (PIDs 5438 and 5525) and such property being situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-07-21)

a. Presentation.

Ms. Ratcliffe stated the City Council, on March 22, 2021, approved Ordinance O-11-21 for the voluntary annexation as petitioned by the City of Kaufman. She added annexed property is required to be zoned within 90 days of annexation. The City of Kaufman initiated a zoning case to zone the 16.72-acres to Highway Commercial (HC).

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:50 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:50 PM.

c. Consider and take appropriate action on Ordinance O- 24-21.

Councilmember Parker made a motion to approve Ordinance O-24-21 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

10. Hold a public hearing, consider, and take appropriate action on Ordinance O-25-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Agricultural/Open District (A-O); on an approximate 73.491-acre tract of land located at 2121 Ola Road and East State Highway 243 (PID 213307) and such property being situated in the William Peters Survey, Abstract No. 407, Kaufman County, Kaufman,

Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day or part of a day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-08-21)

a. Presentation.

Ms. Ratcliff explained the City Council, on March 22, 2021, approved Ordinance O-12-21 for the voluntary annexation as petitioned by the City of Kaufman. She stated annexed property is required to be zoned within 90 days of annexation.

The City of Kaufman initiated a zoning case to zone the 73.491 acres to Agriculture/Open (A/O).

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:52 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:52 PM.

c. Consider and take appropriate action on Ordinance O-25-21.

Councilmember Phillips made a motion to approve Ordinance O-25-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

11. Hold a public hearing, consider, and take appropriate action on Ordinance O-26-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the City's Code of Ordinances to approve the zoning of a newly annexed property to Agricultural/Open District (A-O); on an approximate 85.243-acre tract of land generally located at the northwest corner of East State Highway 243 and Farm to Market Road No. 2727 (PIDs 187223 and 51233) and such property being situated in the William Peters Survey, Abstract No. 407, Kaufman County, Kaufman, Texas; providing a penalty of a fine in the amount of \$2,000 for each violation, and a separate offense shall be deemed committed upon each day during on or which a violation occurs or continues; and providing an effective date. (Case #Z-09-21)

a. Presentation.

Ms. Ratcliff informed the City council that on March 22, 2021, they approved Ordinance O-13-21 for the voluntary annexation as petitioned by the Kaufman Independent School District. She stated KISD initiated a zoning case to zone the 85.234 acres to Agriculture/Open (A/O).

b. PUBLIC HEARING.

Mayor Jordan opened the public hearing at 6:53 PM.

There being no further speakers, Mayor Jordan closed the public hearing at 6:53 PM.

c. Consider and take appropriate action on Ordinance O-26-21.

Councilmember Ratcliffe made a motion to approve Ordinance O-26-21 as submitted. The motion was seconded by Councilmember Aga and passed 7/0.

DISCUSSION/ACTION ITEMS

12. Consider and take appropriate action on Ordinance O-27-21, an ordinance of the City Council of the City of Kaufman, Texas, repealing Section 2 of Ordinance No. O-16-21 to remove mandatory regulations related to the wearing of face coverings within city facilities; providing for the incorporation of premises; providing severability; providing for publication; and providing an effective date.

Mr. Slye explained to Council the ordinance is to repeal repeals Section 2 to comply with Governor Abbott's most recent Executive Order which is attached to this packet. This ordinance repeals the mandatory wearing of face masks in all municipal facilities. He stated staff will continue to encourage pandemic mitigation efforts.

Mayor Pro-Tem Patterson made a motion to approve Ordinance O-27-21 as presented. The motion was seconded by Councilmember Council and passed 7/0.

13. Consider and take appropriate action on Ordinance O-28-21, an ordinance of the City Council of the City of Kaufman, Texas, amending Section 102-274, "Parking Time Limit", of Division 2, "Parking-Control Zone", of Article VII, "Parking", of Chapter 102, "Traffic and Vehicles", of the Code of Ordinances of the City of Kaufman to provide notice signs indicating time restricted parking and providing presumptive evidence of overtime parking; providing a penalty for each offense in an amount not to exceed \$500 and a separate offense shall be deemed committed upon each day during on or which a violation occurs or continues; and providing an effective date.

Mr. Slye stated this would amend the current parking ordinance to stipulate a time frame for the enforcement of parking in the downtown area.

Councilmember Council made a motion to approve Ordinance O-28-21 as presented. The motion was seconded by Councilmember Aga and passed 7/0.

14. Consider and take appropriate action on the award of bid and contract for depository and banking services for the City of Kaufman to American National Bank of Texas and authorizing the Mayor or his designee to execute necessary documents.

Ms. Wennerstrom presented the bids and recommended the award for given the American National Bank and Texas.

Councilmember Aga made a motion to award the bid and contract for depository and banking services for the City of Kaufman to American National Bank of Texas and authorize the mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Parker and passed 7/0.

15. Consider and take appropriate action on the award of bid and contract to Axis Contracting for the construction of paving and drainage improvements for Hillcrest Street, Melody Circle, and Priscilla Lane and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye reviewed the bids received for the paving and drainage improvements for Hillcrest Street, Melody Circle, and Priscilla Lane. He stated staff recommended awarding the bid and contract to Axis Contracting for the construction of the project.

Councilmember Aga made a motion to award the bid and contract to Axis Contracting for the Construction of paving and drainage improvements for Hillcrest Street, Melody Circle, and Priscilla Lane and authorizing the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

16. Consider and take appropriate action on the future park improvements for Shannon Park.

Dennis Sims presented and reviewed the proposed park renovation plan. He reviewed the probably costs for the entire proposal.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

17. Receive an update and discussion regarding the following:

- a. Community Events Update.
- b. Discussion Items Report (DIR)
- c. STAR Transit Ridership Report- April 2021
- d. Careflite Compliance Report- April 2021
- e. Fire Department Monthly Report- April 2021
- f. Police Department Monthly Report- April 2021
- g. Monthly Calendars Attached

Mr. Slye gave the Council an update on the above-stated items.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:37 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY



**MINUTES OF THE
CITY COUNCIL MEETING
TUESDAY, JUNE 15, 2021 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER

TIRZ #1: Chairman calls the Meeting to order, states the date and time, state members present, and declares a quorum present.**

TIRZ #2: Chairman calls the Meeting to order, states the date and time, state members present, and declares a quorum present.**

City Council: Mayor calls the Meeting to order, states the date and time, state Councilmembers present, and declares a quorum present.**

Chairman Jordan called the TIRZ #1 Board meeting to order at 6:03 PM. Board members present were Jeff Jordan, Barry Ratcliffe, Charles Gillenwater, Mike Hunt, and Matt Phillips.

Chairman Jordan called the TIRZ #2 Board meeting to order 6:03 PM. Board members present were Jeff Jordan, Barry Ratcliffe, Carole Aga, Matt Phillips, Lisa Parker, Mike Hunt, Ken Cates, and Ray Raymond. Board members absent were Jeff Council, Patty Patterson, and Mike Hambree.

Mayor Jordan called the City Council meeting to order at 6:03 PM. Councilmembers present were Jeff Jordan, Barry Ratcliffe, Carole Aga, Matt Phillips, and Lisa Parker. Mayor Jordan declared a quorum present. Councilmembers Jeff Council and Patty Patterson were absent. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Emily Bowlin, City Secretary Jessie Hanks, Finance Director Mary Wennerstrom, Fire Chief Ronnie Davis, Police Chief Dana Whitaker, and Police Captain 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.

TIRZ #1 ITEMS

1. Consider and take appropriate action on an Agreed Termination of the First Amended and Restated TIF Agreement for purchase of 4.51 Acres in the Kings Fort Development; and

authorizing the Mayor and or designee to execute any necessary documents.

Mr. Slye requested Council to table this item until a resolution is agreed upon amongst the parties involved.

Board Member Gillenwater made a motion to table this item until a resolution occurs. The motion was seconded by Board Member Hunt and passed 5/0.

TIRZ #1 ADJOURNMENT

There being no further business, Chairman Jordan adjourned the TIRZ #1 meeting at 6:04 PM.

TIRZ #2 ITEMS

2. Consider and take appropriate action on a TIRZ No. 2 Reimbursement Agreement between the City of Kaufman and Cedar Crest Development Company; and authorizing the Mayor or designee to execute any necessary documents.

Mr. Slye outlined the reimbursement agreement between the City of Kaufman and the Cedar Crest Development Company who are developing South Pointe. He outlined all the public improvements.

Board Member Raymond made a motion to approve the TIRZ No. 2 Reimbursement Agreement between the City of Kaufman and Cedar Crest Development Company; and authorizing the Mayor or designee to execute any necessary documents. The motion was seconded by Board Member Aga and passed 8/0.

TIRZ #2 ADJOURNMENT

There being no further business, Mayor Jordan adjourned the TIRZ #2 meeting at 6:07 PM.

CONSENT AGENDA

3. Consider and take appropriate action on an Agreed Termination of the First Amended and Restated TIF Agreement for purchase of 4.51 Acres in the Kings Fort Development; and authorizing the Mayor and or designee to execute any necessary documents.
4. Consider and take appropriate action on a TIRZ No. 2 Reimbursement Agreement between the City of Kaufman and Cedar Crest Development Company; and authorizing the Mayor or designee to execute any necessary documents.

Mayor Jordan made a motion to table item 3 until a resolution occurs and approve item 4. The motion was seconded by Councilmember Phillips and passed 5/0.

DISCUSSION/ACTION ITEMS

5. First Reading: Consider and take appropriate action on Ordinance O-29-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the exclusive franchise agreement for solid waste collection within the City of Kaufman, Texas with Republic Services to provide for updated fees for bulk pickup; authorizing the Mayor or designee to execute the

amendment and any necessary documents; and providing an effective date.

Mr. Slye outlined the proposed amendments to the exclusive franchise agreement for solid waste collection with Republic Services. There were discussions about the amendments, and brush pickup.

Councilmember Aga made a motion to table Ordinance O-29-21. The motion was seconded by Councilmember Parker and passed 5/0.

6. Consider and take appropriate action on an update to the 5 Year Capital Improvement Plan.

Mr. Slye informed Council of the addition of an emergency access road to the Sport Complex to the 5-Year Capital Improvement Plan. The location of the road was discussed.

Councilmember Ratcliffe made a motion to update the 5-year Capital Improvement Plan as discussed to add water and impact fees as a source of funding and with the addition of Shannon Park Improvements. The motion was seconded by Councilmember Parker and passed 5/0.

7. Consider and take appropriate action on the construction of an emergency access road at the Kaufman Sports Complex and authorize the City Manager to execute necessary documents.

Mr. Slye outlined the proposed funding source for the construction of an emergency access road at the Kaufman Sports Complex.

Councilmember Parker made a motion to approve the construction of an emergency access road at the Kaufman Sports Complex and authorize the City Manager to execute necessary documents. The motion was seconded by Councilmember Aga and passed 5/0.

8. Discussion regarding the American Rescue Plan Act Funding Strategies.

Mr. Slye presented Council with an overview on the American Rescue Plan Act and the appropriate uses of the funding. Mr. Slye reviewed the potential projects that the funding could be used for.

Mayor Jordan adjourned into Executive Session pursuant to Texas Government Code 551.071 to discuss the use of the American Rescue Plan Act funding at 7:01 PM.

Mayor Jordan reconvened into regular session at 7:23 PM.

There was no further action to be taken.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

9. Receive an update and discussion regarding the following:

a. Red, White & BOOM Update.

Mr. Slye gave an update on the Red, White & Boom Event.

ADJOURNMENT

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

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY



Meeting

Date: 6/28/2021

Date: 6/8/2021

Item #: 3.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the ratification of the City of Kaufman's membership to the National League of Cities (NLC).

BACKGROUND:

The National League of Cities serves as a resource and advocate for city leaders from communities large and small. They offer training for local elected officials via NLC University. NLC members are eligible to serve as members of a federal advocacy committee, along with member council and constituency groups. I have listed the FA committees below, along with our member councils and constituency groups. We work very closely with TML; they are one of the founding members of NLC along with the 48 state municipal leagues.

We have been leaning hard on NLC to educate ourselves on ARPA, but we don't belong to this organization. It serves a similar role as TML, but on a national (federal) level. Kaufman needs to belong. Annual dues is \$1,177 based on our population. Just having access to their Grant Solutions program and assistance will open many new doors for us.

Author:

Mike Slye, City Manager

Reviewed:

Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the City of Kaufman membership to the National League of Cities.

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



Meeting
Date: 6/28/2021

Date: 6/14/2021

Item #: 4.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action to authorize the City Manager to use the Assigned Fund Balance that was set aside in FY 2020-2021 for the construction of the Emergency Access Road for the Sports Complex and Hazard Pay for the staff

BACKGROUND:

This action formalizes the direction set by Council at our Council meeting on June 15, 2021. Premium Pay for Senior Management totals \$50,645 and the emergency access road to the Kaufman Sports Complex is \$185,650. Total money set aside in this assigned fund balance is \$271,000.

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Recommend approval.

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



Meeting
Date: 6/28/2021

Date: 6/22/2021

Item #: 5.

Dept.: Police

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-25-21, a resolution of the City of Kaufman, Texas, supporting implementation of the U.S. Department of Justice Comprehensive Body-Worn Camera Policy and Implementation Program; authorizing the chief of police to apply for a related program grant to fund the purchase of body-worn cameras for the Kaufman Police Department; providing that if the City of Kaufman receives the program grant, the city will match the grant amount for the purchase of body-worn cameras; providing for the incorporation of premises; and providing an effective date.

BACKGROUND:

On May 26, 2021, the listed grant was posted to Law Enforcement agencies through the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance. The grant is offered as a 1:1 match if we are awarded the grant. The FY 2021 Body-Worn Camera (BWC) Policy and Implementation Program will allow us to enhance our current Watch Guard dash camera system. Watch Guard has developed an integrated system that not only gives the Officer point of view but a much wider picture. The new V300 BWC camera system will require us to purchase a new server for digital storage. Cost of the new server, (12) BWC's, installation and training is \$44,650.00. Our (3) Detectives will also be assigned the new BWC's to use while taking statements and interviewing witnesses. Half of the cost of this equipment (\$22,325.00) will be paid out of the Kaufman Police Department seizure fund at no cost to our citizens. Attached to this document is a copy of the Resolution No. R-25-21 for your approval.

Author:
Dana Whitaker, Police Chief

Reviewed:
Mike Slye, City Manager

Cost: \$22,325.00

Funds Available: Yes

Source: PD Seizure Funds

Recommendation: Staff recommends approval of Resolution R-25-21 as submitted.

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

RESOLUTION NO. R-25-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, SUPPORTING IMPLEMENTATION OF THE U.S. DEPARTMENT OF JUSTICE COMPREHENSIVE BODY-WORN CAMERA POLICY AND IMPLEMENTATION PROGRAM; AUTHORIZING THE CHIEF OF POLICE TO APPLY FOR A RELATED PROGRAM GRANT TO FUND THE PURCHASE OF BODY-WORN CAMERAS FOR THE KAUFMAN POLICE DEPARTMENT; PROVIDING THAT IF THE CITY OF KAUFMAN RECEIVES THE PROGRAM GRANT, THE CITY WILL MATCH THE GRANT AMOUNT FOR THE PURCHASE OF BODY-WORN CAMERAS; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance implemented the Comprehensive Body-Worn Camera Policy and Implementation Program and recently expanded the program by allowing municipalities across the nation to seek funding for the purchase of body-worn cameras for their law enforcement agencies (the “Bureau of Justice Assistance Grant”); and

WHEREAS, the goal of the Bureau of Justice Assistance Grant is to promote safety of law enforcement officers and citizens and to improve justice outcomes by leveraging digital media evidence; and

WHEREAS, if the City of Kaufman receives the Bureau of Justice Assistance Grant, the City agrees to provide matching funds for FY 2021 for the purchase of body-worn cameras as required by the Bureau of Justice Assistance Grant; and

WHEREAS, the City of Kaufman finds it in the best interest of the citizens of Kaufman to support the Comprehensive Body-Worn Camera Policy and Implementation 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 of Kaufman supports implementation of the Comprehensive Body-Worn Camera Policy and Implementation Program in an effort to provide further safety for law enforcement officers and citizens. The City further agrees to match funding for FY 2021 for the purchase of body-worn cameras with the Bureau of Justice Assistance Grant, as required by the grant, if the City is chosen as a grant recipient, in an amount not to exceed \$2,000.00 per body-worn camera purchased.

SECTION 3. The City Council approves the admission of the Bureau of Justice Assistance Grant application for FY 2021, on behalf of the City of Kaufman.

SECTION 4. The City Council hereby designates the Chief of Police as the City's authorized official for FY 2021 for the Body-Worn Camera Policy and Implementation Program, and authorizes him to apply for, accept, reject, alter, or terminate the Bureau of Justice Assistance Grant, and all related documents, on behalf of the City of Kaufman.

SECTION 5. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED on this the 28th day of June, 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY



Meeting
Date: 6/28/2021

Date: 6/22/2021

Item #: 6.

Dept.: Finance

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-23-21, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman's Investment Policy pursuant to the Public Funds Investment Act; approving the adoption of an amended City of Kaufman Investment Policy; providing for the incorporation of premises; and providing for an effective date.

BACKGROUND:

The City's Investment Policy requires an annual review. City Staff recommends renewing this policy as written. Revisions of the Investment Policy were made in January 2011 to meet new banking services of Wells Fargo, allowing them to collateralize our deposits with 30 year investments. In addition, Surety Bonds and Federal Home Loan Bank Letters of Credit were added to the list of acceptable collateral as recommended by our financial advisor. The City's Policy was updated in 2012.

No further modifications are necessary at this time.

The investment policy is attached and in the City Secretary's packet for review.

Author:
Mary Wennerstrom, Finance Director

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-23-21 as presented.

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

RESOLUTION NO. R-23-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, APPROVING THE ANNUAL REVIEW OF THE CITY OF KAUFMAN INVESTMENT POLICY PURSUANT TO THE PUBLIC FUNDS INVESTMENT ACT; APPROVING THE ADOPTION OF AN AMENDED CITY OF KAUFMAN INVESTMENT POLICY; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 1999 Legislature of the State of Texas enacted House Bill 3009 amending the Public Funds Investment Act; and

WHEREAS, the Public Funds Investment Act, as amended, requires the City to adopt an investment policy by rule, order, ordinance, or resolution and review that policy annually; and

WHEREAS, the attached investment policy was amended and approved by the City Council on July 18, 2005, by Resolution R-18-05, and further amended by Council action on January 24, 2011 and July 23, 2012; and

WHEREAS, furthermore, the Public Funds Investment Act, as amended, requires the Treasurer, the Director of Finance if not the Treasurer, and the Investment Officer of the City to attend investment training; and

WHEREAS, the City of Kaufman approves of the investment training course sponsored by University of North Texas Center for Public Management and the Government Treasurers' Organization of Texas (GTOT); and

WHEREAS, the Treasurer, the Director of Finance if not the Treasurer, and the Investment Officer of the City have attended an investment training course sponsored by University of North Texas Center for Public Management and the Government Treasurers' Organization of Texas (GTOT) and such training is in compliance with the Public Funds Investment Act; and

WHEREAS, the current City of Kaufman Investment Policy was reviewed on June 1, 2020; and

WHEREAS, based on that review, the City desires to amend its investment policy; and

WHEREAS, the attached investment policy and incorporated revisions complies with the Public Funds Investment Act, as amended, and authorizes the investment of City funds in safe and prudent investments.

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

SECTION 1. That the foregoing recitals are true and correct and are incorporated herein.

SECTION 2. The City Council of the City of Kaufman has complied with the requirements of the Public Funds Investment Act and the City of Kaufman Investment Policy, as amended, attached as "Exhibit A" and incorporated as if set forth fully herein, is hereby adopted as amended as the investment policy of the City of Kaufman to be effective, June 28, 2021.

SECTION 3. This resolution shall be cumulative of all other resolutions and shall not repeal any of the provisions of such resolutions except for those instances where there are direct conflicts with the provisions of this resolution. Resolutions or parts thereof in force at the time this resolution shall take effect and that are inconsistent with this resolution are hereby repealed to the extent that they are inconsistent with this resolution. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such resolution on the date of adoption of this resolution shall continue to be governed by the provisions of that resolution and for that purpose the resolution shall remain in full force and effect.

SECTION 4. This resolution becomes effective immediately upon its passage and approval.

PASSED AND APPROVED this the 28th day of June, 2021.

CITY OF KAUFMAN

**JEFF JORDAN
MAYOR**

ATTEST:

**JESSIE HANKS
CITY SECRETARY**

APPROVED AS TO FORM:

**PATRICIA ADAMS
CITY ATTORNEY**

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

I. POLICY

It is the policy of the City of Kaufman (City) that after allowing for the anticipated cash flow requirements of the City and giving due consideration to the safety and risk of investment, all available funds shall be invested in conformance with these legal and administrative guidelines and to the maximum extent possible, at the highest rates obtainable at the time of investment.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a viable and material source of revenue to City funds. The City's investment portfolio shall be designed and managed in a manner designed to maximize this revenue source, to be responsive to public trust, and to be in compliance with legal requirements and limitations.

II. PURPOSE

The purpose of this investment policy is to comply with Public Funds Investment Act, Chapter 2256, Texas Local Government Code which requires each city to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City of Kaufman funds.

III. SCOPE

This Investment Policy shall govern the investment of all financial assets of the City of Kaufman. These funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR) and include:

1. General Fund
2. Special Revenue Funds
3. Capital Projects Funds
4. Enterprise Funds
5. Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately
6. Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately
7. Any new fund created by the City, unless specifically exempted from this Policy by the City Council or by law.

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

This policy shall also govern the investment of the financial assets of the Fire Pension Fund of the City of Kaufman, which is a separate legal and accounting entity, and is not accounted for in the City's CAFR.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds.

This policy shall not govern funds that are managed under separate investment programs. Such funds currently include the City's participation in the Texas Municipal Retirement System and any deferred compensation programs administered for the benefit of the city by outside agencies. The City shall maintain responsibility for these funds only as required by State Law and the City Charter.

IV. PRUDENCE

The standard of prudence to be applied by the investment officer shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. This rule states that "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under the City's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written investment policy of the City.

Investment Officers shall seek to act responsibly as custodians of the public trust and should avoid any transaction that might impair public confidence in the City's ability to govern effectively.

V. INVESTMENT OBJECTIVES

The City of Kaufman shall manage and invest its cash with four primary objectives, listed in order of priority: **safety, liquidity, public trust and yield, expressed as optimization of interest earnings**. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

The City shall maintain a comprehensive cash management program which includes collection of accounts receivable, vendor payments in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum earnings on short-term investment of pooled idle cash.

Safety

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

- ❑ Credit Risk – The City will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by:
 - Limiting investments to the safest types of securities
 - Pre-qualifying the financial institutions and broker/dealers with which the City will do business
 - Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
- ❑ Interest Rate Risk – the City will minimize the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates, by:
 - Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity
 - Investing operating funds primarily in certificates of deposits, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
 - Diversifying maturities and staggering purchase dates to minimize the impact of market movements over time.

Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. Because all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in shares of money market mutual funds or local government investment pools that offer same-day liquidity.

Yield (Optimization of Interest Earnings)

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

VI. RESPONSIBILITY AND CONTROL

Delegation of Authority

Management responsibility for the Investment Program is assigned to the City Manager, with designation by him, as provided for in the City's Home Rule Charter. The Director of Finance is hereby designated as the primary Investment Officer and is responsible for establishing a system of controls to regulate the activities of investment.

Investment procedures should include reference to the following: safekeeping agreements, repurchase agreements, wire transfer agreements, collateral agreements, depository service contracts and agreements, broker/dealer selection criteria, and security bidding and purchase processes. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions.

No person may engage in an investment transaction or the management of funds except as provided under the terms of this Investment Policy as approved by the City Council. The Director of Finance shall be responsible for routine authorization and accounting of investments, with approvals by either the City Manager or Assistant City Manager. The Director of Finance shall establish a system of controls to regulate the activities of subordinates. The investment authority granted to the investing officers is effective until rescinded by the governing body.

The City Council shall designate by resolution one or more officers or employees as members of the Investment Advisory Committee assigned to review investment policies and procedures, investment strategies, and investment performance. Members of the committee shall demonstrate knowledge and expertise in the area of finance, investments, or cash management. The Committee shall elect the Chairman, and meetings shall be called as needed.

Quality and Capability of Investment Management

The City shall provide periodic training in investments for the designated investment officers and other investment personnel through courses and seminars offered by professional organizations, associations, and other independent sources in order to insure the quality and capability of investment management in compliance with the Public Funds Investment Act.

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

Training Requirement

The Director of Finance and any other designated investment officers must attend ten (10) hours of training not less than once in a two-year period that begins on the first day of the City's current fiscal year and ends two consecutive fiscal years after that date. The investment training session shall be provided by an independent source approved by the City Council. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a business organization with whom the City of Kaufman may engage in an investment transaction. The Director of Finance and any other designated investment officers shall also comply with any continuing education or retraining requirement prescribed by law. Thereafter, ten hours of training must be completed every two years.

Internal Controls

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points.

- Control of collusion.
- Separation of transactions authority from accounting and record keeping.
- Custodial safekeeping.
- Avoidance of physical delivery securities.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for telephone (voice) transactions for investments and wire transfers.
- Development of a wire transfer agreement with the depository bank or third party custodian.

Indemnification

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments.

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that would conflict with the proper execution and management of the investment program, or that would impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio.

An investment officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity.

VII. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

The City currently has a “buy and hold” portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated before they mature if market conditions present an opportunity for the City to benefit from the trade. Investments may be liquidated for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal.
- An investment swap would improve the quality, yield, or target duration in the portfolio.
- Cash flow needs of the portfolio require that the investment be liquidated.

Investments

Assets of the City of Kaufman may be invested in the following instruments; provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized for investment under the Act, as the Act may from time to time be amended.

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

I. Authorized

1. Obligations of the United States of America, its agencies and instrumentalities, rated not less than A or its equivalent by at least one nationally recognized investment rating firm.
2. Certificates of Deposit issued by a bank organized under Texas law, the laws of another state, or federal law, that has its main office or branch office in Texas, or by a savings and loan association or a savings bank organized under Texas, the laws of another state, or federal law, that has its main office or a branch office in Texas and that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or secured by obligations in a manner and amount provided by law for deposits of the City.
3. Fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its agencies and instrumentalities. These shall be pledged to the City, held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. A Master Repurchase Agreement must be signed by the bank/dealer prior to investment in a repurchase agreement. All repurchase agreement transactions will be on a delivery vs. payment basis. Securities received for repurchase agreements must have a market value greater than or equal to 110 percent at the time funds are disbursed.
4. Money Market Mutual funds that are 1) registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) maintain a net asset value of \$1 for each share and 4) rated AAA by at least one nationally recognized rating service.
5. Local government investment pools which 1) meet the requirements of Chapter 2256.019 of the Public Funds Investment Act 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service and 3) are authorized by resolution or ordinance by the City Council.

All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. The City is not required to liquidate investments that were authorized investments at the time of purchase. Credit rating monitoring procedures shall be performed on a monthly basis; liquidation of investments may be required under provisions of the PFIA should rating drop below minimum requirement.

CITY OF KAUFMAN INVESTMENT POLICY

EXHIBIT A

II. Not Authorized

Under no circumstances shall investments be made in interest-only or principal-only strips of obligations with underlying mortgage-backed security collateral, or in collateralized mortgage obligations with an inverse floating interest rate or a final maturity date of over 2 years. Neither shall investments be made in obligations that are secured by these prohibited investments.

III. Certification

Investments shall only be made with business organizations that have provided the City with a written instrument, executed by a qualified representative of the firm, acknowledging that the organization has:

- Received and reviewed the City's Investment Policy, and
- Implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

VIII. INVESTMENT PARAMETERS

Maximum Maturities

The longer the maturity of investments is, the greater its price volatility. Therefore, it is the City's policy to concentrate its investment portfolio in shorter-term securities in order to limit principal risk caused by changes in interest rates.

The City attempts to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than twenty-four (24) months from the date of purchase. Because no secondary market exists for repurchase agreements, the maximum maturity shall be 120 days except in the case of a flexible repurchase agreement for bond proceeds. The maximum maturity for such an investment shall be determined in accordance with project cash flow projections and the requirements of the governing bond ordinance.

Each Fund portfolio will have a weighted average maturity of one (1) year or less. This dollar weighted average maturity will be calculated using the stated final maturity dates of each security.

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Diversification

The City of Kaufman recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid overconcentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities and certificates of deposits that are fully insured and collateralized in accordance with state and federal law),
- Limiting investment in securities that have higher credit risks,
- Investing in securities with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

The following maximum limits, by instrument, are established for the City's total portfolio:

1. U.S. Treasury Securities	100%
2. Agencies and Instrumentalities	80%
3. Certificates of Deposit	50%
4. Repurchase Agreements	50%
5. Money Market Mutual Funds	50%
6. Authorized Pools	100%

VIII. INVESTMENT STRATEGY BY FUND TYPE

Operating Funds and Commingled Funds Containing Operating Funds

Operating funds will have as their primary objective to support the goals of the investment policy on these funds for safety and assure that cash flows are matched with adequate liquidity while obtaining reasonable market yields. This will be accomplished by purchasing quality, short-term securities, liquid-securities in a ladder structure, or utilizing an investment pool. The dollar-weighted average will be 180 days or less to accomplish this goal. The portfolio shall be diversified to protect against credit and market risk in any one sector. Diversification requirements can be fully met through use of an authorized pool. Operating fund reserves or fund balances shall only be invested in securities that have a maximum maturity of 24 months or less, except when otherwise approved by council action.

Debt Service

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Investment strategies for debt service funds shall have as the primary objective the guarantee of investment liquidity adequate to cover the debt service obligation on the required payment date. Investments will be made that will promise safety of principal and liquidity first and yield and diversification second. Securities purchased will not have maturity dates that exceed the next debt service payment date until the next debt service payment is fully funded, and in no instance will have a maximum weighted average maturity of six months.

Debt Service Reserves

Investments will have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund within the limits set forth by the bond ordinance or debt covenants specific to each individual bond issue.

Since this is one of the highest priorities of the City, securities will be chosen with the highest priorities of safety. Securities will be chosen for their maturity dates and not require the highest degree of diversification.

Securities purchased shall not have a stated final maturity date which exceeds the next debt service payment date until fully funded and shall be chosen secondarily with regard to yield and diversification.

Reserve funds will have the same primary objective but shall be further controlled with the purchase of securities carrying the highest yield available, within the desired maturity and quality range with a maximum weighted average maturity of six months.

Capital Project and Special Purpose Funds

These funds will have as their primary objective to ensure that anticipated cash outflows are matched with adequate investment liquidity. No funds will be invested longer than the related anticipated expenditures.

These portfolios should have liquid securities to allow for unanticipated project expenditures or accelerated project outlays due to a better than expected or changed construction schedule. The dollar weighted average life of the portfolio should match the weighted expenditures of the liabilities. Funds invested for capital projects may be from bond proceeds that are subject to arbitrage rebate regulations.

The City will have an arbitrage rebate calculation performed annually to determine the income, if any, that has exceeded the arbitrage yield of the bonds. Any positive arbitrage income will be averaged over a five-year period and rebated to the Federal Government according to arbitrage regulations. A secondary objective of these funds is to achieve a yield equal to or greater than the arbitrage yield of the applicable bond.

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X. SELECTION OF BANKS AND DEALERS

Depository

At least every five years, as allowed by State Law, a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP). The term of said banking services shall be for a maximum of an initial three (3) year term, with options to renew for either one (1) two-year term, or two (2) one-year terms. The selection of a depository will be determined by competitive bid and evaluation of bids will be based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state and local laws.
- The ability to provide requested information or financial statements for the periods specified.
- The ability to meet all requirements in the banking RFP and the investment policy.
- Complete response to all required items on the bid form
- Lowest net banking service cost, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

Authorized Brokers/Dealers

Authorized firms may include primary dealers, or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (Uniform Net Capital Rule.) and qualified depositories.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the following as appropriate:

- Audited financial statements
- Completed broker/dealer questionnaire
- Certification of having read and understood the City's investment policy and agreeing to comply with the policy

The governing body must annually review, revise and adopt a list of qualified broker/dealers and financial institutions authorized to engage in investment transactions with the City.

Competitive Bids

It is the policy of the City to require competitive bidding for any investment transaction, other than the investment of funds in a) an authorized pool, b) certificate of deposit

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through the depository bank, c) transactions with money market mutual funds, or d) treasury and agency securities purchased at issue through an approved broker/dealer or financial institution. The Director of Finance shall develop and maintain procedures for ensuring a competition in the investment of the City's funds. Investment transactions may be done orally, but followed by electronic or written confirmation. Funds will be authorized to be released after notification that the purchased security has been received. Written confirmation shall be received from the financial institution or broker/dealer. All investments purchased will be held in safekeeping at a third party custodial institution with a safekeeping receipt being sent to the City.

Delivery vs. Payment

Securities shall be purchased using the **delivery vs. payment** method with the exception of local government investment pools and mutual fund transactions. Funds shall not be wired or paid until verification has been made that the Trustee received the correct security. The security shall be held in the name of the City or held on behalf of the City. The Trustee's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

XI. SAFEKEEPING OF SECURITIES

Safekeeping Agreement

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or held as collateral to secure demand or time deposits.

Safekeeping

All securities owned by the City shall be held by its safekeeping agent, except the collateral for certificates of deposits in banks. The collateral for certificates of deposit in banks will be registered in the City's name in the bank's trust department or, alternatively, in a Federal Reserve Bank account in the City's name, or a third party bank in the City's name, at the City's discretion. Original safekeeping receipts shall be obtained.

Collateralization

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all City investments and funds on deposit with a depository bank, other than investments which are obligations of the U.S. government and its agencies and instrumentalities. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 105% of market

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or par, whichever is lower. The market value of collateral will always equal or exceed the principal plus accrued interest of deposits at financial institutions. At its discretion, the City may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by an independent third party with whom the City has a current custodial agreement. The Director of Finance is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least weekly to assure that the market value of the pledged securities is adequate. Financial institutions, with which the City invests or maintains other deposits, shall provide monthly, and as requested by the Investment Officer, a listing of the collateral pledged to the City, marked to current market prices. The listing shall include total pledged securities itemized by name, type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating, if applicable. The City and the financial institution shall jointly assume the responsibility for ensuring that the collateral is sufficient by type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating.

Collateral Defined

The City of Kaufman shall accept only the following securities as collateral:

- FDIC insurance coverage.
- A bond, certificate of indebtedness, including Mortgage-Backed Agency Securities guaranteed or insured by the United States or its Agencies and Instrumentalities, Treasury Notes of the United States, or other evidence of indebtedness of the United States that is guaranteed as to principal and interest by the United States.
- Obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas.
- A bond of the State of Texas or of a county, city or other political subdivision of the State of Texas having been rated as investment grade (investment rating no less than "A" or its equivalent) by a nationally recognized rating agency with a remaining maturity of two (2) years or less.
- Surety Bonds that meet the requirements of the Public Funds Investment Act; or
- Federal Home Loan Bank Letters of Credit as defined by Chapter 116, Subchapter C of the Local Government Code and by Chapter 726, Acts of the 67th Legislature, Regular Session, 1981 (Article 2529b-1, Vernon's Texas Civil Statutes).

CITY OF KAUFMAN INVESTMENT POLICY

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Subject to Audit

All collateral shall be subject to inspection and audit by the Director of Finance or the City's independent auditors.

XII. PERFORMANCE

Performance Standards

The City's investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio shall be designed with the objective of obtaining a rate of return through budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of the City.

Performance Benchmark

It is the policy of the City to purchase investments with maturity dates coinciding with cash flow needs. Through this strategy, the City attempts to optimized interest earnings utilizing allowable investments available on the market at that time. Market value will be calculated on a quarterly basis on all securities owned and compared to current book value of those securities to determine portfolio performance during that period of time. The City's portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on U.S. Treasury Bills at a maturity level comparable to the City's weighted average maturity in days.

XIII. REPORTING

Methods

The Investment Officer shall prepare an investment report on no less than a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter.

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the City Manager and City Council. The report will include the following:

- A listing of individual securities held at the end of the reporting period.

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- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio which each type of investment represents.
- Statement of compliance of the City's investment portfolio with state law and the investment strategy and policy approved by the City Council.

An independent auditor will perform a formal annual review of the quarterly reports with the results reported to the governing body.

Marking to Market

Market value of all securities in the portfolio will be determined on a quarterly basis. These values will be obtained from a reputable and independent source and disclosed to the governing body quarterly in a written report.

XIII. INVESTMENT POLICY ADOPTION

The City of Kaufman investment policy shall be adopted by resolution of the City Council. It is the City's intent to comply with state laws and regulations. The City's investments policies shall be subject to revisions to stay current with changing laws, regulations, and needs of the City. The policy shall be reviewed annually by the City Council and any changes or modifications must be approved by the City Council.



Meeting
Date: 6/28/2021

Date: 6/2/2021

Item #: 7.

Dept.: Development
Services

PZ Item

SUBJECT:

Hold a public hearing, consider and take appropriate action on Ordinance O-30-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the City of Kaufman Comprehensive Zoning Ordinance, Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the City of Kaufman's Code of Ordinances, to permit "Pet Shop With No Grooming" as a permitted use only when a specific use permit is approved and only in the the Central Business District (CBD) Zoning District by amending Chart 6, "Retail and Service Uses" of Section 33.4, "Use Charts" of Section 33, "Use Regulations"; providing for a penalty; providing for publication and effective date. (Case No. Z-12-21)

BACKGROUND:

See the attached June 1, 2021 Planning and Zoning Commission Report.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

Cost: N/A

Funds Available: N/A

Source: N/A

Recommendation: The Planning and Zoning Commission on June 1, 2021 recommended approval of Z-12-21 by a vote of 7-0 for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, to add the use "Pet Shop With No Grooming" as a specific use permit to the Central Business District (CBD) Zoning District by amending Chart 6, "Retail and Service Uses" of Section 33.4, "Use Regulations"

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



Planning and Zoning Commission Report

Meeting Date: June 1, 2021

Consent: No

Discussion/Action: Yes

SUBJECT: Hold a public hearing, discuss and make a recommendation to City Council for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, to add the use "Pet Shop With No Grooming" either as a permitted use or as a specific use permit to the Central Business District (CBD) Zoning District by amending Chart 6, "Retail and Service Uses" of Section 33.4, "Use Regulations" (Case No. Z-12-21)

BACKGROUND/SUMMARY:

Mr. Phillip London of PetGuy Services desires to open a pet shop for his aquarium maintenance business and sales of fresh and saltwater fish, aquatic plants, corals, reptiles, small mammals (such as guinea and gerbils) and related products for their nutrition, care, and well being on a lot in the Central Business District (CBD). His proposed pet store would not sell dogs or cats and would not include grooming. However, Chart 6 "Retail and Service Uses" of Section 33.4, "Use Regulations" does not allow a "Pet Shop and Grooming" use in the CBD. Mr. London is requesting a text amendment to Chart 6 "Retail and Service Uses" of Section 33.4, "Use Regulations" to either allow as a permitted use or as a specific use permit a pet shop with no grooming.

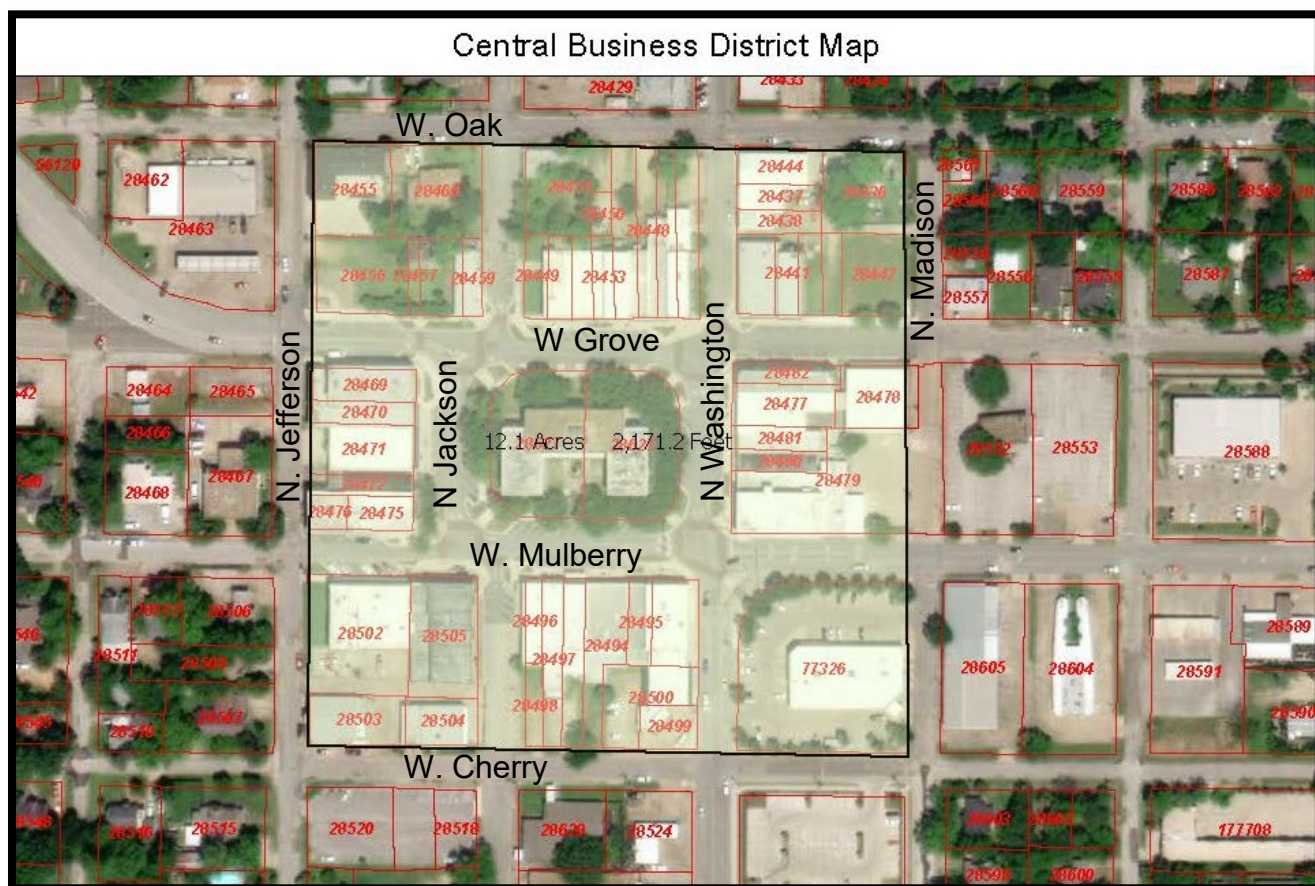
RECOMMENDATIONS:

Staff recommends approval of case Z-12-21, for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman Code of Ordinances, to add the use "Pet Shop With No Grooming" as a specific use permit to the Central Business District (CBD) Zoning District by amending Chart 6, "Retail and Service Uses" of Section 33.4, "Use Regulations to protect and preserve the integrity and uniqueness of the Central Business District.

ATTACHMENTS:

1. Central Business District Location Map
2. Applicant's Letter
3. Proposed amendment to Section 34.4, Chart 6 "Retail and Service Uses "
4. Section 25, "Central Business District"

Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org



ZONING ORDINANCE & DISTRICT AMENDMENTS APPLICATION #5

Phillip London – PetGuy Services L.L.C.

A Request To Amend The Kaufman Comprehensive Zoning Ordinance Section 33.4 Use Chart 6 to allow pet shops without Grooming in the Central Business District(CBD) or a specific use permit for pet shops within the CBD.

I'm looking to purchase the building at 208 N. Jefferson St. for the use of my aquarium maintenance and small mammal and reptile sales business. This building is on the edge of the central business district(CBD), and I am seeking your assistance as this area currently does not allow for pet shops.

My business is primarily a maintenance service for in-home and office aquariums. In addition, I sell fresh and saltwater fish, plants, corals, reptiles and a few small mammals such as guinea pigs and gerbils as well as related products for their nutrition, care, and wellbeing. At no time will I sell or groom any dogs, cats or other large mammals. I'm hoping this type of business will not only be a perfect fit for the community, but will also draw more people to visit Kaufman and the beautiful central business district.

When visiting or moving to a typical hometown in America, one would expect to find the same things they could find in every town, places like the courthouse, a general store, grocery store, hardware store, gas station, mechanic, pharmacy, a park, and a pet shop. Pet shops are places where people don't just go to shop, but sometimes go just to look at the animals. Such a business helps promote pedestrian traffic. Quite often people take a walk through town, visit the stores, do some window shopping and stop in to visit the pretty fish and look at the beautiful aquariums. Where better to put a pet shop than right off town square? At my previous locations, I had people coming from hours away, past plenty of other similar shops because my selection of quality, unique animals and my extensive knowledge about them and their needs. Kaufman is a community surrounded by incredible growth, yet it maintains its small home town heritage and feel. I am excited for the opportunity to provide a key business to support that growth and protect that small town feel. Locals currently take their business to our neighboring Dallas area or purchase online. My hope is to bring buyers to Kaufman, to spend at our shops, to eat at our restaurants, and to support our local economy.

A pet shop is a place of learning and growth. They are excellent resources for schools for class trips or to help with biology and earth sciences. Owning and caring for an animal is also a great way to teach kids about responsibilities and the ways of life. By taking care of animals, children learn about the basic concepts of life and death. To care for other living things by feeding, cleaning, and maintaining their health teaches children how waste affects health and our environment. The building on Jefferson Street provides the perfect space for visiting school classes of all ages. I look forward to supporting our schools through education, opportunity, and donations.

A good pet shop will also be an excellent resource for local veterinarians and animal control. I often provide assistance to these public servants when they come into contact with animals they are not accustomed to dealing with on a regular basis. My education, knowledge, and expertise has proven invaluable many times throughout the past, and I look forward to continuing to provide that service.

Life can be stressful, and fish and pets provide welcome distractions. We all need a friend we can count on and sometimes other people just don't fit all our needs. Few homes do not include pets, and when you have a pet you truly love, you want the best care for them. You want to go to a source you can trust with friendly,

knowledgeable, local experts. A good neighbor, a community resource, a school resource, a valued contributor and supporter of the local economy — that is my goal, and that is the type of business I would like to have at 208 N. Jefferson. I hope you will give me the opportunity to be a part of the Kaufman Central Business District. Thank you for your time and consideration.

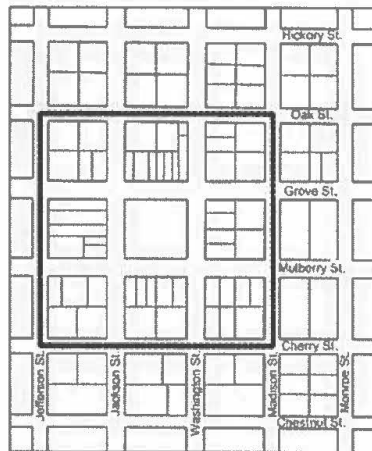
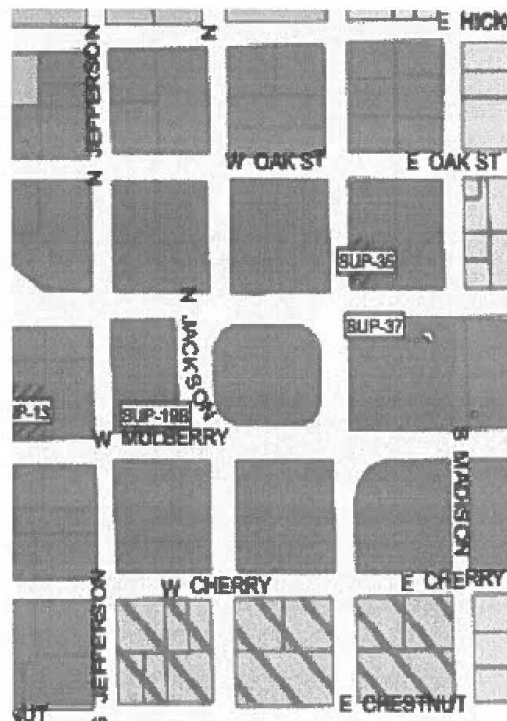


Figure 25-1 Downtown Central Business District Boundaries



Kaufman Zoning Ordinance Chart 6, "Retail & Service Uses"
With Proposed Text Amendment in the CBD

CHART – 6 (continued)
CITY OF KAUFMAN, TEXAS
ZONING ORDINANCE

* Must
follow
Sec. 33.1.B

Legend for Interpreting Schedule of Uses	
	Designates use prohibited in District indicated
P	Designates use permitted in District indicated
S	Designates use requires a Specific Use Permit
TU	Designates use requires a Temporary Use Permit

RETAIL AND SERVICE USES (See definition 93) (See definition 201)	Definitions	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
Outside sidewalk displays of retail goods, merchandise or materials (with no overnight display) ►►	151													S				
Pawn shop	159														P	P		
Personal service use (barber/beauty shop, tailor, shoe repair, seamstress, etc.)	58 73 161										S	P	P	P	P	P		P
Pet shop and grooming	162											S	P		P	P		P
<u>Pet shop w/no grooming</u>														S				
Pharmacy / drug store	187										S	P	P	P	P	S	S	P
Produce stand w/ outside display (not temporary)	172	P											S		P	P	S	
Recycling kiosk	180														P	P		
Restaurant without drive thru service	186										S	P	P	P	P	P	P	P
*Restaurant with drive thru service	185											S	P		P	P	P	S
Seasonal and temporary uses	198	TU										TU	TU		TU	TU	TU	
Studio, decorator, artist, photographer	192										P	P	P	P	P	P	P	P
Studio, music, dance or drama	85										S	P	P	P	P	P	S	P
Studio, tattoo or body piercing ►	216														S			
Swimming instruction as home occupation	218	S	S	S	S	S	S	S	S	S								
Used merchandise or second hand thrift store (inside)	187											S	S	S	P	P		S
Veterinarian hospital (with outside animal pens)	248	P														S		
Veterinarian office/hospital (inside animal pens only)	248	P													S	P		P
Wedding reception/private party facility	249												S	S	P	P	S	

SECTION 25 CENTRAL BUSINESS DISTRICT (CBD)

25.1 GENERAL PURPOSE AND DESCRIPTION:

The development standards in the CBD, Central Business District, are designed to maintain and encourage development and redevelopment within the central section (old downtown) of the City. Standards for vehicle parking, building setbacks, and building height are similar to those existing on developed properties in this section of the City.

25.2 PERMITTED USES:

A. Uses permitted in the CBD district are outlined in Section 33 (Use Charts).

25.3 AREA REGULATIONS:

A. Size of Yards:

1. **Minimum Front Yard** - none specified
2. **Minimum Side Yard** - none specified
3. **Minimum Rear Yard** - none specified

B. Size of Lot:

1. **Minimum Lot Area** - none specified
2. **Minimum Lot Width** - none specified
3. **Minimum Lot Depth** - none specified

C. Height Regulations:

1. **Maximum Height:**
 1. Three (3) stories or forty-five feet (45') for the main building.
 2. One (1) story for accessory buildings.
 3. Other (Section 40).

D. Maximum Lot Coverage - none specified

E. Parking Regulations:

1. **For existing structures/uses (in existence prior to the effective date of this Ordinance)** - Any existing parking, or lack of same, for any existing structure/use within the CBD district shall be considered a conforming parking arrangement. Additional parking, in accordance with Section 35.6, shall only be required for additions to an existing building or for significant expansion of an existing use (as determined by the City Planner or his designee). In the event of destruction of an existing structure within the CBD district, said structure may be rebuilt to its pre-destruction size with no requirements for additional parking provided that reconstruction commences (i.e., a building permit is applied for and issued) within one (1) year of the date of destruction. If reconstruction does not commence within the one-year time frame, or if the structure is rebuilt to exceed its pre-destruction size, then the structure's nonconforming parking status is deemed to expire and any reconstruction of the structure must provide additional parking in accordance with this Ordinance.

Section 25, "Central Business District"

2. **For new structures/uses** - One (1) space per three hundred (300) square feet of gross floor area, and each use shall provide a minimum of two (2) spaces. In order to preserve the character of the square, in which existing buildings were joined together with a common wall, required parking for new structures may be restricted to the rear of the building or to offsite parking on private property to be located not more than 1,500 feet from the site, in accordance with Section 35.8 of this Ordinance.

F. Other Regulations:

1. Open storage is prohibited in the CBD district.
2. As established in the Development Standards, Sections 34 through 44.
3. Trash receptacles must be enclosed and not visible from the front of the building. Those buildings not having alley or rear access may place a portable trash receptacle curbside on a side street to the rear of the building that is located on the square on trash pickup days only.
4. **Outside Sidewalk Display.** Outside sidewalk displays of retail goods, merchandise or materials shall be allowed only in the Central Business District (See Use Charts 3 and 6) in conjunction with all of the following requirements:
 - a) The display is for showcasing of finished goods, merchandise, or materials that are sold in the same retail business that occupies the main building on the lot and is not intended for additional sales space or as outside storage;
 - b) Display location shall be limited to designated sidewalk areas adjacent to the front or side of the main building;
 - c) No display shall be allowed to be located in the public right-of-way adjacent to the rear of the main building;
 - d) After approval of a Specific Use Permit by the City and subject to compliance with the conditions of the Specific Use Permit, outside sidewalk display shall be allowed in accordance with the requirements of this section provided that all of the following conditions are met:
 - i. The property owner and/or tenant enters into an encroachment agreement with the City of Kaufman;
 - ii. The property owner and/or tenant shall provide proof of insurance coverage meeting requirements specified by the City of Kaufman, including without limitation, an additional insured endorsement naming the City of Kaufman and its officials, officers, and employees as additional insured and providing a waiver of subrogation in favor of the City;
 - iii. That the display shall not extend a distance greater than five (5') feet from the front of the wall of the principal building;
 - iv. That the display shall not be permitted to block windows, entrances or exits, delivery and service doors, nor impair the ability of pedestrians to have unobstructed ingress to and egress from a building or buildings;
 - v. That the display shall not occupy any designated parking space or be placed in any street or alley right-of-way or thoroughfare;
 - vi. That all times displays shall not interfere with pedestrian circulation in or along the sidewalk or right of way and shall comply with the American Disabilities Act (ADA), as amended;
 - vii. That the display shall not be allowed on a sidewalk, which has a width that is five (5') feet or less;
 - viii. That the display shall not occupy an area that is larger than thirty percent (30%) of the linear distance of the wall adjacent to the location of the sidewalk display. The distance shall be measured along the applicable front or sidewall of the main building or suite for the retail space providing the display. Each exterior wall equivalency is a standalone area and may not be combined;
 - ix. That the display shall not extend to a height above seven (7') feet as measured from the sidewalk;
 - x. That all displayed retail goods shall be actively for sale by the retail establishment providing the display and shall have a visible price tag;

Section 25, “Central Business District”

- xi. That the display area shall be established and delineated on an approved sidewalk plan;
 - xii. That prohibited items in sidewalk displays include anything expressly prohibited in the approved specific use permit. Including but not limited to vending machines, propane tank sales or rental, ice machines and other similar apparatus; and
 - xiii. That no display is left out on a day that the retail establishment is closed or at any time after the retail establishment has closed on a regular business day of the retail establishment.
- e) Exempted from the location requirement of Section 25.F.4.d.viii are any accessible public seating, including table and chair sets, benches, chairs, stools, rocking chairs, etc., and that are manufactured for outdoor use and exterior decorative planters.”

25.4 DESIGN CRITERIA

A. Purpose

Kaufman’s downtown Central Business District (CBD) has been identified by the Comprehensive Plan as a valuable resource worthy of preservation as a unique district. This district provides development and design standards that preserve the historic and architectural character of existing development, provides for adaptive reuse of existing buildings and the compatibility of new structures and uses with the historic nature of the CBD.

B. Goals

1. Historic preservation, economic development, and maintaining the pedestrian friendly character of the Central Business District shall be the primary consideration in the development design review.
2. The preservation and restoration of historically or architecturally significant buildings as well as buildings that contribute to the unique character of the CBD shall be considered as a high priority in the future development of the CBD.
3. Preservation, restoration, renovation and redevelopment should encourage and promote economic vitality, professional and business activities, tourism, and effective adaptive reuse of structures, upper floors and vacant spaces.
4. The preservation, restoration, renovation and redevelopment should encourage and promote the concept of the traditional downtown area as the origin and heart of the community as a place for people to gather as well as patronize the businesses located there.

C. District Boundaries

1. The Central Business District (CBD) is generally bounded by Oak Street on the north, Cherry Street on the south, Jefferson Street on the west, and Madison Street on the east. These boundaries are shown on the map in Figure 25-1 for informational purposes.
2. The precise boundaries of the Central Business District (CBD) shall be shown on the official zoning map of the City of Kaufman. The boundaries of the CBD may be amended from time to time based on a request from area property owners, a request of the staff, the Downtown Steering Committee, the Planning and Zoning Commission, or at the pleasure of the Council. In considering a request for a change in district boundaries, the Council shall require:
 - a. Any additions to the district shall be contiguous to the existing boundaries of the district;

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- b. Any reductions in the district shall be located on the edge of the district such that a hole is not left inside the district; and
- c. If requested by a property owner, a petition shall be presented showing owners of more than 50 percent of the land within the district, excluding streets, and owners of more than 50 percent of the building sites in the district are in support of the requested change in boundaries.

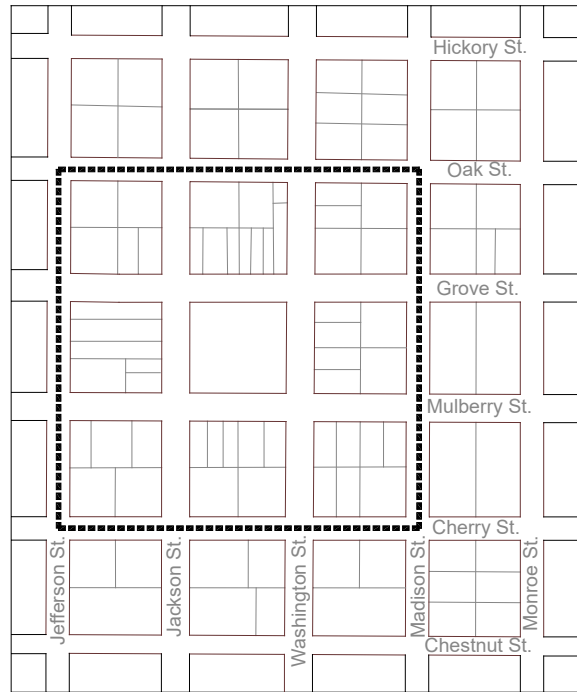


Figure 25-1 Downtown Central Business District Boundaries

D. General Provisions

1. Site plan and design review is required for new construction and substantial renovation of existing buildings within the Central Business District. Substantial renovation means:
 - a. Alterations to the exterior of existing buildings that change the placement or design of windows, doors or other exterior features of the building such as coping or pilasters;
 - b. An increase in the floor area of the building greater than 10 percent.
2. Interior renovation of existing buildings that do not alter the exterior appearance of the building do not require site plan and design review under the provisions of this section. (e.g., a drop ceiling that covers part of an existing window would alter the exterior appearance and require review)
3. Physical properties of an existing building such as setbacks, foot prints, height, or other similar characteristics that cannot be altered without substantial hardship are not required to meet the development or design standards within this section. All other provisions shall apply.
4. Site Plan applications submitted for review will first be considered by the Downtown Design Review Committee and a Certificate of Appropriateness issued within ten (10) days to accompany the application to the Planning and Zoning Commission and City Council for approval. If the Downtown Design Review Committee recommends denial of the application or approval with stipulations the Planning and Zoning Commission must render a three-fourths affirmative vote to

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overturn the recommendations of the Committee in order to recommend approval to the City Council.

5. All new development, exterior renovations to any existing buildings, maintenance and/or preservation of any structure, shall require an exterior paint permit to be approved by the Development Services Director.
 - (a) Request to appeal the requirements of Sections 25.4.F.5.a.(3) or 25.5.B.1.h shall be heard by the Planning and Zoning Commission. The Planning and Zoning Commission shall determine what appeals shall be approved, if any.
 - (1) An appeal request submittal shall include a proposed paint color combination scheme for the body, trim and accent features of the building.
 - (2) Notice of the appeal request shall be mailed ten (10) days prior to the meeting, to all property owners as listed at the Kaufman County Appraisal District, and to all the building addresses, located within the boundaries of the Central Business District.
 - (3) All appeal requests shall be placed on the next available Planning and Zoning Commission agenda.

E. Mixed Use Criteria

1. The Central Business District may contain any combination of uses shown in the Use Chart in Section 33 (Use Charts).
2. Within the CBD there are both residential and nonresidential uses which may be located in either residential structures or commercial structures. To maintain the architectural and historic character of existing blocks where one type of structure predominates, the following regulations shall apply.
 - a. Residential uses may be in residential structures or commercial structures. Residential uses in commercial structures are only allowed if they occupy no more than 50 percent of the floor area of the building; and do not occupy the area adjacent to the street front.
 - b. Nonresidential uses may be in residential or commercial structures. Nonresidential uses in residential structures must be in those blocks where existing residential structures predominate.
 - c. In block faces within the District that are currently developed with residential structures, new construction shall be compatible residential structures. Either residential or nonresidential uses may be located in the residential structures.
 - d. In block faces within the Central Business District that are currently developed with commercial structures, new construction shall be compatible commercial structures.

F. Central Business District Development and Design Standards

1. All new development and exterior renovations to existing buildings must meet requirements provided in this section for Site Design, and Architectural Standards.
2. **Purpose of Central Business District Design Standards.** The purpose of these design standards is to ensure the preservation of the historic and architectural qualities which make the CBD a unique place by permitting new development compatible with existing historic buildings and by maintaining the historic and architectural qualities of existing buildings.
 - a. Site Design Standards. The purpose of the Site Design Standards is to provide for building and parking placement compatible with existing development.
 - b. Architectural Standards. The purpose of the Architectural Standards is to provide for the preservation of existing historic and architectural qualities of downtown Kaufman, ensure new

Section 25, "Central Business District"

construction and all exterior renovations to existing buildings are compatible with these qualities, and to protect and promote the uniqueness of downtown as a commercial area.

3. **Design Standards Review.** All new development and all exterior renovations to existing buildings shall comply with the Site Design Standards included in Subsection 4, and the Architectural Standards in Subsection 5.

4. Site Design Standards

a. Building Placement - Commercial Structures

- (1) Buildings shall be placed on the front property line. Building may be moved back from the front property line to provide for a wider sidewalks and entries, or pedestrian oriented streetscapes if: The buildings takes up an entire block face; or is located on a corner; or has a total frontage of more than 50 percent of the block face.
- (2) New commercial structures shall be allowed only in block faces which are predominately developed with existing commercial structures, or are predominately vacant land.
- (3) Buildings shall be placed on the side property line except when adjacent to a residential type structure in which a fifteen (15') feet minimum side yard shall be observed. Buildings may be moved back from the side property line a total of four feet to provide for wider sidewalks and entries when the side property line is along a street.
- (4) Buildings that go through a block so that they have frontage on two parallel streets, shall treat each frontage as a main façade.
- (5) All service areas, dumpsters and loading shall be from the rear of the building or alley.

5. Architectural Design Standards

a. Street Facade – Commercial Structures

- (1) Primary street facades for nonresidential buildings in the Central Business District shall have the following basic features of existing historic buildings:
 - (a) Cornice at top of facade;
 - (b) Display windows with transom windows above and lower window panels below.
 - (c) Pilasters that divide the facade vertically and separate the display windows units into discrete visual elements.
 - (d) Second floor windows, recessed with multiple lights, lintels, and sills.
- (2) Architectural elements such as doors, windows, awnings, canopies and architectural details shall be compatible with the overall visual qualities existing within the historic buildings downtown.
- (3) Choice of Paint Colors for the Primary facades, various architectural elements, and/or details.
 - (a) Paint colors should highlight architectural details based on historic tradition for the building's type and style.
 - (b) Keep colors compatible with the building style and design.
 - (c) Loud, garish, or harsh colors and bright hues are prohibited.
 - (d) Generally no more than three colors are applied per building.
 - (e) Brick, stone or other naturally unpainted materials shall not be painted unless the material has been painted previously.

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- (f) A variety of approved paint color combinations are available for reference in the Development Services Department. The approved combinations specify paint colors for the body, trim and accent areas of the building. An exterior paint permit shall be approved prior to painting any exterior portion of any building.
 - (g) Exterior grade paints shall be used for exterior siding.
- (4) In addition to the above, all commercial structures shall have at least two of the following desirable design features as appropriate:
 - (a) Street facades on side streets that meet the requirements for primary facades; or
 - (b) Buildings on corners which create a diagonal corner cut with the entrance on the corner; or
 - (c) Pediments added to the top of the facade; or
 - (d) Decorative brickwork and architectural detailing on or around the cornice, fascia, pilasters, or around windows; or
 - (e) Use of natural wooden doors with glass windows; or
 - (f) Projecting canopies and or awnings placed over the ground floor windows and doors.
 - (5) Whenever possible, new additions or alterations to existing structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.
 - (6) The distinguishing original qualities or character of a building should be preserved and the maintenance, repair, replacement, renovation or alteration of such structures should avoid removing or destroying any distinctive architectural features whenever possible.
 - (7) Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the original material being replaced in composition, design, color, texture and other visual qualities. Plastic or vinyl architectural features or siding shall not be approved.
 - (8) Plate glass or divided display windows should always be preserved and not covered, painted or filled in. Traditional recessed doorways with substantial wooden doors should be retained or re-installed if significant restoration is undertaken.

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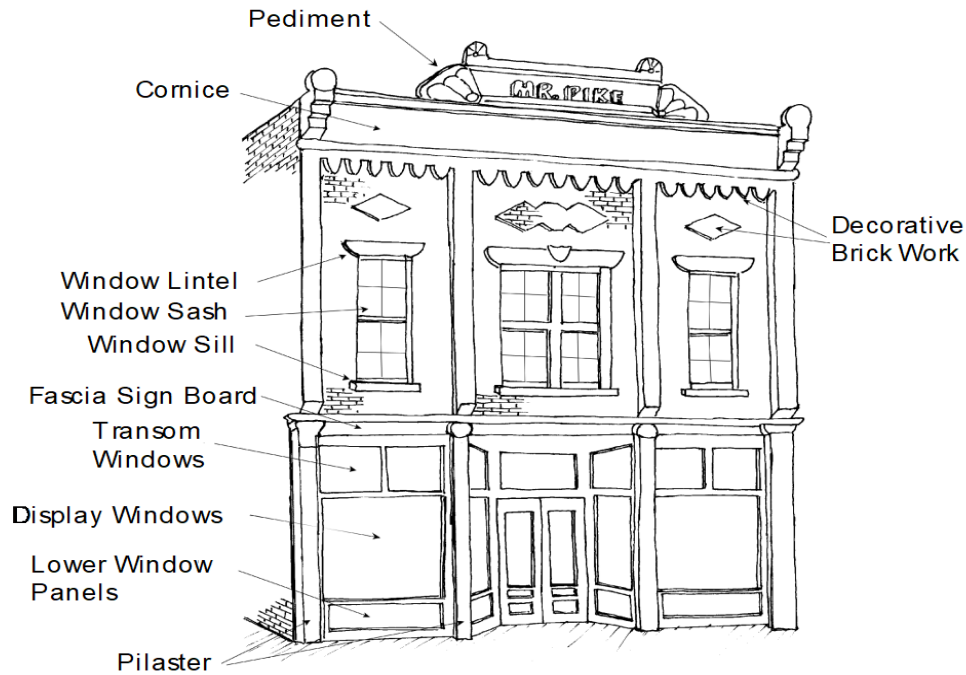


Figure 25-2 Typical Features of Commercial Structures in the Central Business District

b. Building Proportions – Commercial Structures

- (1) Overall height of single story commercial buildings in the Central Business District shall be between 18 and 26 feet.
- (2) The proportion of the height to width of the facade between pilasters shall be in the range of 2.5 to 1 to 3 to 1. The basic window units shall be between 2 to 2.5 times the remaining height to the top of the cornice.
- (3) The ground floor facade shall have at least 45 percent of its area in transparent windows, or doors. The second floor facade shall have at least 20 percent of its area in windows. The area of windows includes any mullions framing individual lights within the window frame.

c. Building Materials - Commercial Structures

- (1) The base facade materials for commercial structures within the Central Business District shall be brick or stone. Architectural details, trim, window or door framing may be wood, stone, cast stone, cast iron, or other materials compatible with the historic and architectural character of the Central Business District.

6. Fencing – Commercial Structures

- a. Any fencing for commercial structures within the Central Business District shall be in the rear of the building not visible from the street.

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25.5 MAINTENANCE AND PRESERVATION

A. Purpose

Existing buildings in the Central Business District collectively create an image that is vital to the character and attractiveness of the city that must be properly maintained and preserved in order to sustain the appearance and economic vitality of the CBD.

B. Preservation of Architectural Features and Materials

1. Facades

- a. Original doors, entrances, windows, cornices, friezes, parapets and wall treatments should be preserved or restored to the original design in as much as possible using proper maintenance, painting, cleaning and established restoration methods and techniques.
- b. Wood siding materials and architectural details are such an important feature of an historic building it should be restored and repaired using materials that resemble the original texture and character of the original material as much as possible, aluminum, plastic or vinyl siding or materials shall not be used.
- c. Wood materials should be painted at least every five years to prevent deterioration.
- d. Wood materials should not be sand blasted or stripped using wet or dry abrasives or power wire brushes that will damage the wood. Wood surfaces should be hand scraped and sanded before painting.
- e. Masonry materials usually do not require cleaning as aging produces a patina or color changes that creates a desirable appearance. Cleaning should only be done to halt deterioration or to remove heavy soiling and should be done with the gentlest method possible, such as low pressure water and detergents.
- f. Masonry walls built prior to 1860 were customarily painted and after this date were usually left unpainted. Surfaces that were previously painted should remain painted and unpainted surfaces should remain unpainted.
- g. Waterproofing materials may actually change the color, appearance or damage the materials and should be used with caution and tested on a small area prior to application.
- h. Choice of Paint Colors for the Primary facades, various architectural elements, and/or details.
 - 1) Paint colors should highlight architectural details based on historic tradition for the building's type and style.
 - 2) Keep colors compatible with the building style and design.
 - 3) Loud, garish, or harsh colors and bright hues are prohibited.
 - 4) Generally, no more than three colors are applied per building.
 - 5) Brick, stone or other naturally unpainted materials shall not be painted unless the material

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has been painted previously.

- 6) A variety of approved paint color combinations are available for reference in the Development Services Department. The approved combinations specify paint colors for the body, trim and accent areas of the building. An exterior paint permit shall be approved prior to painting any exterior portion of any building.
- 7) Exterior grade paints shall be used for exterior siding.

2. Demolition

- a. Demolition of an existing building should only be considered as a last resort and only if the building is structurally unsafe and determined it cannot be repaired or rendered safe upon inspection by a qualified registered structural engineer or architect.
- b. If demolition reveals the side of an adjacent building that was designed never to be exposed the wall should be painted a neutral or brick color compatible with surrounding buildings. Stucco or stucco panels should only be used if the wall is too unattractive to paint.

ORDINANCE NO. O-30-21

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING THE CITY'S COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. O-02-07, AS AMENDED, AND CHAPTER 118, "ZONING", OF THE CITY'S CODE OF ORDINANCES, TO PERMIT "PET SHOP WITH NO GROOMING" AS A PERMITTED USE ONLY WHEN A SPECIFIC USE PERMIT IS APPROVED AND ONLY IN THE "CENTRAL BUSINESS DISTRICT" BY AMENDING PAGE 2 OF CHART 6, "RETAIL AND SERVICE USES", OF SUBSECTION 33.4, "USE CHARTS", OF SECTION 33, "USE REGULATIONS"; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE 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 SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman is a home rule municipality authorized to adopt regulations governing the use of land within its corporate limits; and

WHEREAS, the City of Kaufman has adopted development standards designed to maintain and encourage development and redevelopment within the commercial sections of the City, identified as the Central Business District ("CBD"); and

WHEREAS, the City of Kaufman has adopted a Comprehensive Zoning Ordinance regulating land use within the City, providing uses, definitions and regulations for development in the Central Business District ("CBD") for retail and service type uses convenient to thoroughfares and collector streets located within this zoning district of the City; and

WHEREAS, at its' regular meeting held on the 1st day of June 2021, the Planning and Zoning Commission of the City of Kaufman, after holding a public hearing, considered and made a recommendation to the City Council for approval of a request (Case No. Z-12-21) to amend the Use Regulations of the Comprehensive Zoning Ordinance, specifically Page 2 of Chart 6, "Retail and Service Uses", of Subsection 33.4 of Section 33, "Use Regulations", of the Code of Ordinances to add pet shop with no grooming as a permitted use within the Central Business District only with with an approved specific use permit; and

WHEREAS, at its' regular meeting held on the 28th day of June 2021, the City Council of the City of Kaufman, after holding a public hearing for the proposed amendments to the Use Regulations of the Comprehensive Zoning Ordinance, specifically to Section 33.4 – Page 2 of Chart 6, "Retail and Service Uses", determined

that all legal requirements of notice and hearings were met, that the public was provided an opportunity to provide input, and after considering the public input and the recommendation of the Planning and Zoning Commission, the Council determined that the proposed amendments to the Comprehensive Zoning Ordinance are consistent with the goals of set forth in the Comprehensive Plan of the City and would serve the best interest of the health and safety and substantially further the economic development and general welfare of the City.

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. AMENDMENTS. That Ordinance No. O-02-07, as amended, the Comprehensive Zoning Ordinance of the City, and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, are hereby amended to permit "pet shop with no grooming" as a permitted use only in the Central Business District and only pursuant to a specific use permit approved by the City Council, by amending Page 2 of Chart 6 – "Retail and Service Uses", of subsection 33.4, "Use Charts", of Section 33, "Use Regulations", of Ordinance No. O-02-07 as set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein, and Chapter 118, "Zoning", of the Code of Ordinances of the City as set forth within this paragraph and all other chapters and subsection of Ordinance No. O-02-07 and Chapter 118 not specifically amended hereby shall remain in full force and effect without amendment.

SECTION 3. 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 4. SAVINGS CLAUSE. All rights and remedies of the City of Kaufman, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 4. SEVERABILITY CLAUSE. 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 5. PENALTY. Any person who intentionally, knowingly, recklessly or criminally negligent 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 6. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication as required by law and as prescribed by City.
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS on this the 28th day of June 2021.

APPROVED:

Jeff Jordan, Mayor
City of Kaufman, Texas

ATTEST:

Jessie Hanks, City Secretary
City of Kaufman, Texas

APPROVED AS TO FORM:

Patricia A. Adams, City Attorney

Exhibit "A"
Amended Chart 6, "Retail and Service Uses"

CHART – 6 (Page 2)
CITY OF KAUFMAN, TEXAS
ZONING ORDINANCE

* Must
follow
Sec. 33.1.B

Legend for Interpreting Schedule of Uses			
		Designates use prohibited in District indicated	
P		Designates use permitted in District indicated	
S		Designates use requires a Specific Use Permit	
TU		Designates use requires a Temporary Use Permit	

RETAIL AND SERVICE USES (See definition 93) (See definition 201)	Definitions	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
Outside sidewalk displays of retail goods, merchandise or materials (with no overnight display) ►►	151													S				
Pawn shop	159														P	P		
Personal service use (barber/beauty shop, tailor, shoe repair, seamstress, etc.)	58 73 161										S	P	P	P	P	P		P
Pet shop and grooming	162											S	P		P	P		P
Pet shop with no grooming														S				
Pharmacy / drug store	187										S	P	P	P	P	S	S	P
Produce stand w/ outside display (not temporary)	172	P											S		P	P	S	
Recycling kiosk	180														P	P		
Restaurant without drive thru service	186										S	P	P	P	P	P	P	P
*Restaurant with drive thru service	185											S	P		P	P	P	S
Seasonal and temporary uses	198	TU										TU	TU		TU	TU	TU	
Studio, decorator, artist, photographer	192										P	P	P	P	P	P	P	P
Studio, music, dance or drama	85										S	P	P	P	P	P	S	P
Studio, tattoo or body piercing ►	216														S			
Swimming instruction as home occupation	218	S	S	S	S	S	S	S	S	S								
Used merchandise or second hand thrift store (inside)	187											S	S	S	P	P		S
Veterinarian hospital (with outside animal pens)	248	P														S		
Veterinarian office/hospital (inside animal pens only)	248	P													S	P		P
Wedding reception/private party facility	249												S	S	P	P	S	

- Amended 02-16-2016 by O-08-2015
►► Amended 07-27-20 by Ordinance O-16-20



Meeting
Date: 6/28/2021

Date: 6/2/2021

Item #: 8.

Dept.: Development
Services

PZ Item

SUBJECT:

Hold a public hearing, consider and take appropriate action on Ordinance O-31-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the City of Kaufman Comprehensive Zoning Ordinance and the official Zoning Map, Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the City of Kaufman's Code of Ordinances to approve a request by Jason Warren of Kaufman Lumber to rezone 5.192-acres from Agriculture-Open (A-O) to Commercial (C). The property is generally located at 3222 East Highway 175 (PID# 382) in the Charles Askins Survey, Abstract No. 2, Kaufman County, Kaufman, TX. (Case No. Z-13-21)

BACKGROUND:

See the attached June 1, 2021 Planning and zoning Commission Report.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

Cost: N/A

Funds Available: N/A

Source: N/A

Recommendation: The Planning and Zoning Commission on June 1, 2021 recommended approval of Z-13-21 to rezone 5.192-acres from from Agriculture-Open (A-O) to Commercial (C) by a vote of 7-0. The property is generally located at 3222 East Highway 175 (PID# 382) in the Charles Askins Survey, Abstract No. 2, Kaufman County, Kaufman, TX.

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



Planning and Zoning Commission Report

Meeting Date: June 1, 2021

SUBJECT: Hold a public hearing, discuss and make a recommendation to City Council on a request by Jason Warren of Kaufman Lumber to rezone 5.192 acres from Agriculture-Open (A-O) to Commercial (C). The property is generally located at 3222 East Highway 175 (PID# 382) in the Charles Askins Survey, Abstract No. 2, Kaufman County, Kaufman, TX. (Case #Z-13-21)

BACKGROUND/SUMMARY:

The request by Jason Warren is to rezone 5.192-acres from Agriculture-Open District to Commercial (C). The property was annexed and zoned in 2012 by the City of Kaufman to Agriculture-Open (A-O). The property was originally developed in 1998 as Kaufman Lumber. The applicant wants the Commercial zoning district designation so retail propane gas sales can be added as an accessory use to the retail lumber sales.

The Agriculture-Open District is used as an interim zoning district for any newly annexed property until the property owner applies to rezone the property in compliance with the Future Land Use Plan (FLUP). The proposed application request for the Commercial District complies with the Future Land Use Plan.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	Retail, & Light Industrial	Undeveloped
South:	A-O & Comm.	Dance Factory & Steve's Diesel and Automotive Repair
East:	HC & A-O	Cold Tex Refrigeration & Car Sales (Former NAPA)
West:	Outside City Limits	Single Family Residential Homes



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as Future Commercial. The proposed Commercial District complies with the 2014 Future Land Use Plan because it allows a variety of commercial, retail, and office uses.

Thoroughfare Plan:

The Thoroughfare Plan designates E. Highway 175 as a "Type AA", Major Regional Arterial, requiring a future right-of-way width of 240 feet, and Fair Road as a "Type C", Major Collector, requiring a future right-of-way width of 80 feet. Any additional necessary right-of-way dedication is done during the platting process. A plat is not required during the rezoning process.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 13 property owners within 300 feet of the 5.192 acres. The State requires a 200-foot notification and the City of Kaufman notifies an extra 100-foot radius, for every notification required in the Comprehensive Zoning Ordinance. The results are as follow:

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

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

RECOMMENDATIONS:

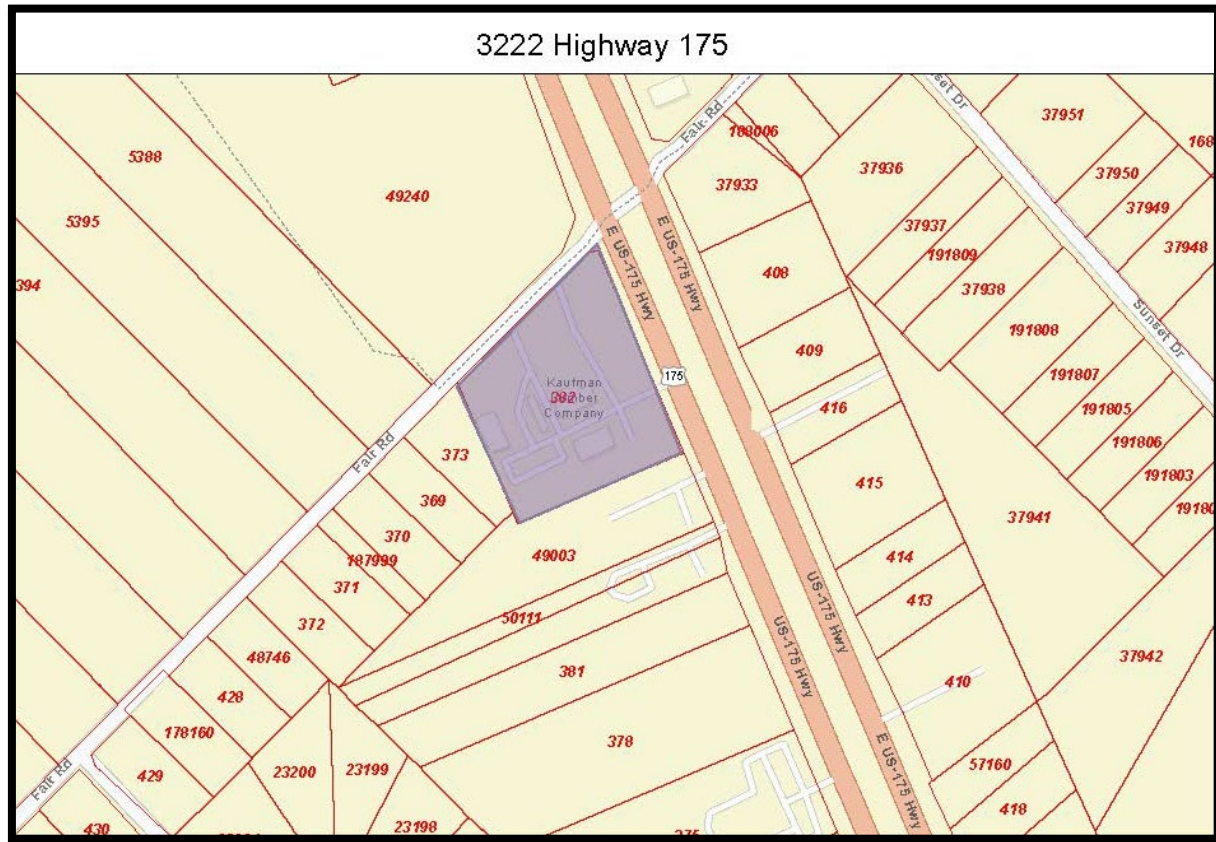
Staff recommends approval of Z-13-21 to rezone 5.192-acres of land from Agriculture-Open (A-O) to Commercial (C) generally located at 3222 East Highway 175 (PID# 382) in the Charles Askins Survey, Abstract No. 2, Kaufman County, Kaufman, TX.

ATTACHMENTS:

1. Location Map
2. Metes & Bounds Description

Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org

Location Map



Metes & Bounds Description of
Z-13-21
3222 East Highway 175

FIELD NOTES

All that certain lot, tract, or parcel of land situated in the CHARLES ASKINS SURVEY A-2, Kaufman County, Texas, same being all of that certain Tract Two, called 5.192 acres conveyed to Legacy Construction, Ltd. by Rhode Construction Company on September 28, 2000, recorded in Vol. 1572, page 90 of the Deed Records of Kaufman County, Texas, and being more fully described as follows:

BEGINNING at a 3/8" Iron Rod found at the East corner of the above mentioned 5.192 acre tract, at the Easterly North corner of the Legacy Construction, Ltd. 4.088 acre tract, recorded in Vol. 1572, page 90 of the Deed Records of Kaufman County, Texas, and being in the Southwest right-of-way line of U.S. Highway No. 175;

THENCE: South 67 deg. 05 min. 31 sec. West 450.05 feet with the Southeast line of said 5.192 acre tract to a 3/8" Iron Rod found for the South corner of same, and being at an ell corner of said 4.088 acre tract;

THENCE: North 23 deg. 17 min. 30 sec. West 34.62 feet with the Southwest line of said 5.192 acre tract to a 3/8" Iron Rod found for a corner of said 4.088 acre tract;

THENCE: North 22 deg. 51 min. 09 sec. West 382.61 feet with the Southwest line of said 5.192 acre tract to a point in the center of Fair Road, and in the Northwest survey line of said Askins Survey for the West corner of said 5.192 acre tract, from which a 3/8" Iron Rod reference was found bears South 22 deg. 51 min. 09 sec. East 21.06 feet;

THENCE: North 45 deg. 10 min. 44 sec. East 427.54 feet with the Northwest survey line of said Askins Survey, and with the center of Fair Road to a point at the intersection of same with the Southwest right-of-way line of U.S. Highway No. 175 for the most Northerly North corner of said 5.192 acre tract, from which a 3/8" Iron Rod was found and used for a reference bears South 45 deg. 03 min. 26 sec. East 19.25 feet;

THENCE: South 45 deg. 03 min. 26 sec. East 19.25 feet with the Southwest right-of-way line of U.S. Highway No. 175 to a 3/8" Iron Rod found at an angle corner in same, and being in the Southeast right-of-way line of Fair Road;

THENCE: South 77 deg. 48 min. 49 sec. East 56.50 feet with the Southwest right-of-way line of U.S. Highway No. 175 to a 3/8" Iron Rod found at an angle corner in same;

THENCE: South 22 deg. 52 min. 58 sec. East 526.48 feet with the Southwest right-of-way line of U.S. Highway No. 175 to the place of beginning containing 5.20 acres of land, of which 0.19 of an acre lies within the above mentioned Fair Road.

ORDINANCE O-31-21

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING ORDINANCE NO. 0-02-07 AND CHAPTER 118, "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, COLLECTIVELY, "THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP", OF THE CITY TO CHANGE THE ZONING CLASSIFICATION ON AN APPROXIMATE 5.192 ACRE TRACT OF LAND FROM AGRICULTURE/OPEN, "A-O", TO COMMERCIAL, "C", THE PROPERTY BEING GENERALLY LOCATED AT 3222 EAST HIGHWAY 175, THE PROPERTY BEING PART OF THE CHARLES ASKINS SURVEY, ABSTRACT NO. 2, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS AND ZONING MAP AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, at its' regular meeting held on the 1st day of June, 2021, the Planning and Zoning Commission after holding a public hearing did consider and make a recommendation for approval of a request to rezone an approximate 5.192 acre tract of land from Agriculture/Open to Commercial, (Case No. Z-13-21), generally located at 3222 East Highway 175 (PID 382), such tract being a part of the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas and more specifically described and depicted on **Exhibit "A"**, a copy of which is attached hereto and incorporated herein as, (the "Property"); and

WHEREAS, at its regular meeting held on the 28th day of June, 2021, after holding a public hearing for the proposed amendment to rezone the Property from Agricultural-Open to Commercial, 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 Commercial ("C") zoning with surrounding properties and the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City, the Council determined that the following amendment to the Zoning Ordinance and Zoning Map of the City 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.

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. 0-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, collectively, "The Comprehensive Zoning Ordinance and The Official Zoning Map", is hereby amended to reflect the change in zoning from Agriculture/Open ("A-O"), to Commercial, ("C"), on an approximate 5.192 acre tract of land generally located at 3222 East Highway 175, (PID 382), such tract being a part of the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas, and as described and depicted in Exhibit "A", attached hereto and incorporated as if set forth full herein for all purposes.

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

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

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

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

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

PASSED AND APPROVED this 28th day of June, 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

"EXHIBIT A" Description

Z-13-21
3222 East Highway 175 (PID 382)

FIELD NOTES

All that certain lot, tract, or parcel of land situated in the CHARLES ASKINS SURVEY A-2, Kaufman County, Texas, same being all of that certain Tract Two, called 5.192 acres conveyed to Legacy Construction, Ltd. by Rhode Construction Company on September 28, 2000, recorded in Vol. 1572, page 90 of the Deed Records of Kaufman County, Texas, and being more fully described as follows:

BEGINNING at a 3/8" Iron Rod found at the East corner of the above mentioned 5.192 acre tract, at the Easterly North corner of the Legacy Construction, Ltd. 4.088 acre tract, recorded in Vol. 1572, page 90 of the Deed Records of Kaufman County, Texas, and being in the Southwest right-of-way line of U.S. Highway No. 175;

THENCE: South 67 deg. 05 min. 31 sec. West 450.05 feet with the Southeast line of said 5.192 acre tract to a 3/8" Iron Rod found for the South corner of same, and being at an ell corner of said 4.088 acre tract;

THENCE: North 23 deg. 17 min. 30 sec. West 34.62 feet with the Southwest line of said 5.192 acre tract to a 3/8" Iron Rod found for a corner of said 4.088 acre tract;

THENCE: North 22 deg. 51 min. 09 sec. West 382.61 feet with the Southwest line of said 5.192 acre tract to a point in the center of Fair Road, and in the Northwest survey line of said Askins Survey for the West corner of said 5.192 acre tract, from which a 3/8" Iron Rod reference was found bears South 22 deg. 51 min. 09 sec. East 21.06 feet;

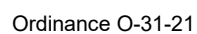
THENCE: North 45 deg. 10 min. 44 sec. East 427.54 feet with the Northwest survey line of said Askins Survey, and with the center of Fair Road to a point at the intersection of same with the Southwest right-of-way line of U.S. Highway No. 175 for the most Northerly North corner of said 5.192 acre tract, from which a 3/8" Iron Rod was found and used for a reference bears South 45 deg. 03 min. 26 sec. East 19.25 feet;

THENCE: South 45 deg. 03 min. 26 sec. East 19.25 feet with the Southwest right-of-way line of U.S. Highway No. 175 to a 3/8" Iron Rod found at an angle corner in same, and being in the Southeast right-of-way line of Fair Road;

THENCE: South 77 deg. 48 min. 49 sec. East 56.50 feet with the Southwest right-of-way line of U.S. Highway No. 175 to a 3/8" Iron Rod found at an angle corner in same;

THENCE: South 22 deg. 52 min. 58 sec. East 526.48 feet with the Southwest right-of-way line of U.S. Highway No. 175 to the place of beginning containing 5.20 acres of land, of which 0.19 of an acre lies within the above mentioned Fair Road.

Z-13-21
3222 East Highway 175 (PID 382)





Meeting
Date: 6/28/2021

Date: 6/2/2021

Item #: 9.

Dept.: Development
Services

PZ Item

SUBJECT:

Hold a public hearing, consider and take appropriate action on Ordinance O-32-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the Code of Ordinances, to delete commercial accessory buildings in the Central Business District (CBD by amending Chart 3, "Accessory and Incidental Uses", of subsection 33.4, "Use Charts", of Section 33, "Use Regulations"; providing for a penalty; providing for publication and effective date. (Case No. Z-10-21)

BACKGROUND:

See the attached June 1, 2021 Planning and Zoning Commission report.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

Cost: N/A

Funds Available: N/A

Source: N/A

Recommendation: The Planning and Zoning Commission on June 1, 2021 recommended approval of Z-10-21 by a vote of 7-0 for text amendments to Chapter 118, "Zoning" of the Code of Ordinances, specifically to Section 33.4 Use Chart Regulations relative to Chart 3, Accessory & Incidental Uses to delete commercial accessory buildings in the Central Business District (CBD).

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



Planning and Zoning Commission Report

Meeting Date: June 1, 2021

Consent: No

Discussion/Action: Yes

SUBJECT: Hold a public hearing, discuss and make a recommendation to City Council for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, to delete the use "Accessory Buildings-Commercial" from the Central Business District (CBD) Zoning District by amending Chart 3, "Accessory & Incidental Uses" of Section 33.4, "Use Regulations" (Case No. Z-10-21)

BACKGROUND/SUMMARY:

Recently staff received a request to construct a one story metal accessory storage, building less than 240 square feet, in the Central Business District (CBD). While reviewing the request, a text conflict between three different sections was discovered in the Zoning Ordinance. Staff denied the permit because it did not meet the criteria set forth in the CBD. This zoning text amendment case is to correct the conflict.

Staff proposes to delete the use "Accessory Buildings-Commercial" from the CBD Zoning District by amending Chart 3, "Accessory & Incidental Uses" of Section 33.4, "Use Regulations" (See the attached Chart 3 with the language struck out). A good majority of the lots in the CBD are fully developed with a structure. Some of the lots have small minimal areas for off-street parking mainly used by employees. Most lots have no room for any type of accessory building. Allowing any type of small accessory building in the CBD, conflicts with the preservation of the historic and architectural qualities which make the CBD a unique place.

Below is an outline of the review steps used to base the denial of the permit and the reasoning for the text amendment request.

First, staff reviewed **Section 34.4 Use Chart 3 "Accessory & Incidental Use"** to determine what accessory uses were allowed and not allowed. The use "Accessory buildings-commercial (business or industry)" is listed as an allowable use in every commercial or industrial type zoning district. This means an accessory storage building is allowed in the CBD.

Secondly, staff reviewed **Section 37 "Accessory Building and Use Regulations"** to determine the regulations for nonresidential accessory buildings. Only one paragraph addresses accessory buildings in nonresidential districts (includes all the commercial and industrial zoning districts listed). There are no regulations regarding the setbacks or general appearance. Section 37.1. B "General Standards and Requirements" states:

“In nonresidential districts, an accessory building is a subordinate building, the use of which is secondary to and supportive of the main building. Accessory buildings shall not be permitted without a main building or primary use being in existence. Accessory buildings should, whenever possible, be located toward the rear portion of the property.”

Thirdly, staff reviewed **Section 25, “Central Business District (CBD)”** zoning district regulations to determine the appearance requirements (see the attached Section 25). Section 25.4.F “Central Business District Development and Design Standards” states all new development and exterior renovations to existing buildings must meet the requirements for Site Design and Architectural Standards. Section 25.4.F.2 and F.2.b “Purpose of the Central Business District Design Standards” states:

The purpose of these design standards is to ensure the preservation of the historic and architectural qualities which make the CBD a unique place by **permitting new development compatible with existing historic buildings and by maintaining the historic and architectural qualities of existing buildings.**”

“The purpose of the Architectural Standard is to provide for the preservation of existing historic and architectural qualities of downtown Kaufman, ensure new construction and all exterior renovations to existing buildings are compatible with these qualities, and to protect and promote the uniqueness of downtown as a commercial area.”

The CBD does not distinguish whether the regulations apply to a principal structure or an accessory storage building. Below is a summary of the CBD’s required architectural design standards and how we applied to an accessory metal storage building:

Section 25.4.F.5		Architectural Design Standards	Applicable
1.	Primary Street Façade requirements	Cornice at top of façade, transom windows, pilasters, second floor window requirements	NO
2	Architectural Elements	Doors, windows, awnings, canopies and architectural details shall be compatible with existing historic buildings	YES
3	Paint Colors	Used to highlight architectural elements	YES
4	Required number of design features	Minimum of two design features for all commercial structures	YES
5	Preserve essential form & integrity of the original structure	New additions or alterations constructed in a manner to preserve the essential form and integrity of the original structure	NO
6	Preserve distinctive architectural features	Preserve and maintain distinguishing qualities of existing building	NO
7	Deteriorated features	Repair deteriorated architectural features to match existing building	No
8	Preserve windows and recessed doors	Preserve plate glass or divided display windows and recessed doorways with substantial wooden doors	No

9.	Building Proportions	Limit height to between 18 and 26 feet, proportions of height & width between pilasters, <u>ground floor façade at least 45% of its area transparent windows or doors</u>	Partially
10	Building Materials	Base material shall be brick or stone	YES
11	Fencing	Located only in the rear of building	NO

RECOMMENDATIONS:

Staff recommends approval of case Z-10-21, for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman Code of Ordinances, to delete the use "Accessory Buildings-Commercial" from the uses allowed in the Central Business District (CBD) as shown in Section 33.4 "Use Regulations", Chart 3, "Accessory & Incidental Uses" for the following reason:

1. To ensure the preservation of existing historic and architectural qualities of downtown Kaufman. That all new construction and exterior renovations to existing buildings are compatible with the qualities outlined in the CBD. This will assist in protecting and promoting the uniqueness of downtown as a commercial area.

ATTACHMENTS:

1. Proposed amendment to Section 34.4, Chart 3 "Accessory & Incidental Uses "
2. Section 25, "Central Business District"

Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org

Kaufman Zoning Ordinance Chart 3, "Accessory & Incidental Uses"
With Proposed Deletion in the CBD

CHART - 3
CITY OF KAUFMAN, TEXAS
ZONING ORDINANCE

* Must
follow
Sec. 33.1.B

Legend for Interpreting Schedule of Uses			
			Designates use prohibited in District indicated
P			Designates use permitted in District indicated
S			Designates use requires a Specific Use Permit
TU			Designates use requires a Temporary Use Permit

ACCESSORY & INCIDENTAL USES	Definitions	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
Accessory bldg. - commercial (business or industry)	2										P	P	P	P	P	P	P	
Accessory building - residential	1	P	P	P	P	P	P	P	P	P								P
Caretaker's or guard's residence	31	P	P					P	P	P	S	S	S	S	P	P	P	
* Festivals, carnivals or special events	32										TU	TU	TU	TU	TU	TU	TU	
Garage/accessory dwelling	81	P	S															
Home occupation	90	P	P	P	P	P	P	P	P	P								
Off-street parking ►►	147	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-street parking (subject to no parking ordinances)	149	P	P	P	P	P	P	P	P	P				P				
Outside display of retail goods (no overnight display)	150											S	P	S	P	P	P	P
Outside sidewalk displays of retail goods, merchandise or materials (with no overnight display) ►►►	151													S				
Seasonal and temporary uses	198 143	TU										TU	TU		TU	TU	TU	
Seasonal and temporary uses (CBD only) ►	198													TU				
Temporary classrooms for church or school	226	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	
Temporary field office or construction yard or office	225	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	
Wedding receptions in residential districts	249	TU	TU	TU	TU	TU	TU	TU	TU	TU								

- Amended May 18, 2009 by Ordinance O-05-09
- Amended May 24, 2010 by Ordinance O-09-10
- Amended July 20, 2020 by Ordinance O-16-20

SECTION 25 CENTRAL BUSINESS DISTRICT (CBD)

25.1 GENERAL PURPOSE AND DESCRIPTION:

The development standards in the CBD, Central Business District, are designed to maintain and encourage development and redevelopment within the central section (old downtown) of the City. Standards for vehicle parking, building setbacks, and building height are similar to those existing on developed properties in this section of the City.

25.2 PERMITTED USES:

A. Uses permitted in the CBD district are outlined in Section 33 (Use Charts).

25.3 AREA REGULATIONS:

A. Size of Yards:

1. **Minimum Front Yard** - none specified
2. **Minimum Side Yard** - none specified
3. **Minimum Rear Yard** - none specified

B. Size of Lot:

1. **Minimum Lot Area** - none specified
2. **Minimum Lot Width** - none specified
3. **Minimum Lot Depth** - none specified

C. Height Regulations:

1. **Maximum Height:**
 1. Three (3) stories or forty-five feet (45') for the main building.
 2. One (1) story for accessory buildings.
 3. Other (Section 40).

D. Maximum Lot Coverage - none specified

E. Parking Regulations:

1. **For existing structures/uses (in existence prior to the effective date of this Ordinance)** - Any existing parking, or lack of same, for any existing structure/use within the CBD district shall be considered a conforming parking arrangement. Additional parking, in accordance with Section 35.6, shall only be required for additions to an existing building or for significant expansion of an existing use (as determined by the City Planner or his designee). In the event of destruction of an existing structure within the CBD district, said structure may be rebuilt to its pre-destruction size with no requirements for additional parking provided that reconstruction commences (i.e., a building permit is applied for and issued) within one (1) year of the date of destruction. If reconstruction does not commence within the one-year time frame, or if the structure is rebuilt to exceed its pre-destruction size, then the structure's nonconforming parking status is deemed to expire and any reconstruction of the structure must provide additional parking in accordance with this Ordinance.

Section 25, "Central Business District"

2. **For new structures/uses** - One (1) space per three hundred (300) square feet of gross floor area, and each use shall provide a minimum of two (2) spaces. In order to preserve the character of the square, in which existing buildings were joined together with a common wall, required parking for new structures may be restricted to the rear of the building or to offsite parking on private property to be located not more than 1,500 feet from the site, in accordance with Section 35.8 of this Ordinance.

F. Other Regulations:

1. Open storage is prohibited in the CBD district.
2. As established in the Development Standards, Sections 34 through 44.
3. Trash receptacles must be enclosed and not visible from the front of the building. Those buildings not having alley or rear access may place a portable trash receptacle curbside on a side street to the rear of the building that is located on the square on trash pickup days only.
4. **Outside Sidewalk Display.** Outside sidewalk displays of retail goods, merchandise or materials shall be allowed only in the Central Business District (See Use Charts 3 and 6) in conjunction with all of the following requirements:
 - a) The display is for showcasing of finished goods, merchandise, or materials that are sold in the same retail business that occupies the main building on the lot and is not intended for additional sales space or as outside storage;
 - b) Display location shall be limited to designated sidewalk areas adjacent to the front or side of the main building;
 - c) No display shall be allowed to be located in the public right-of-way adjacent to the rear of the main building;
 - d) After approval of a Specific Use Permit by the City and subject to compliance with the conditions of the Specific Use Permit, outside sidewalk display shall be allowed in accordance with the requirements of this section provided that all of the following conditions are met:
 - i. The property owner and/or tenant enters into an encroachment agreement with the City of Kaufman;
 - ii. The property owner and/or tenant shall provide proof of insurance coverage meeting requirements specified by the City of Kaufman, including without limitation, an additional insured endorsement naming the City of Kaufman and its officials, officers, and employees as additional insured and providing a waiver of subrogation in favor of the City;
 - iii. That the display shall not extend a distance greater than five (5') feet from the front of the wall of the principal building;
 - iv. That the display shall not be permitted to block windows, entrances or exits, delivery and service doors, nor impair the ability of pedestrians to have unobstructed ingress to and egress from a building or buildings;
 - v. That the display shall not occupy any designated parking space or be placed in any street or alley right-of-way or thoroughfare;
 - vi. That all times displays shall not interfere with pedestrian circulation in or along the sidewalk or right of way and shall comply with the American Disabilities Act (ADA), as amended;
 - vii. That the display shall not be allowed on a sidewalk, which has a width that is five (5') feet or less;
 - viii. That the display shall not occupy an area that is larger than thirty percent (30%) of the linear distance of the wall adjacent to the location of the sidewalk display. The distance shall be measured along the applicable front or sidewall of the main building or suite for the retail space providing the display. Each exterior wall equivalency is a standalone area and may not be combined;
 - ix. That the display shall not extend to a height above seven (7') feet as measured from the sidewalk;
 - x. That all displayed retail goods shall be actively for sale by the retail establishment providing the display and shall have a visible price tag;

Section 25, "Central Business District"

- xi. That the display area shall be established and delineated on an approved sidewalk plan;
 - xii. That prohibited items in sidewalk displays include anything expressly prohibited in the approved specific use permit. Including but not limited to vending machines, propane tank sales or rental, ice machines and other similar apparatus; and
 - xiii. That no display is left out on a day that the retail establishment is closed or at any time after the retail establishment has closed on a regular business day of the retail establishment.
- e) Exempted from the location requirement of Section 25.F.4.d.viii are any accessible public seating, including table and chair sets, benches, chairs, stools, rocking chairs, etc., and that are manufactured for outdoor use and exterior decorative planters."

25.4 DESIGN CRITERIA

A. Purpose

Kaufman's downtown Central Business District (CBD) has been identified by the Comprehensive Plan as a valuable resource worthy of preservation as a unique district. This district provides development and design standards that preserve the historic and architectural character of existing development, provides for adaptive reuse of existing buildings and the compatibility of new structures and uses with the historic nature of the CBD.

B. Goals

1. Historic preservation, economic development, and maintaining the pedestrian friendly character of the Central Business District shall be the primary consideration in the development design review.
2. The preservation and restoration of historically or architecturally significant buildings as well as buildings that contribute to the unique character of the CBD shall be considered as a high priority in the future development of the CBD.
3. Preservation, restoration, renovation and redevelopment should encourage and promote economic vitality, professional and business activities, tourism, and effective adaptive reuse of structures, upper floors and vacant spaces.
4. The preservation, restoration, renovation and redevelopment should encourage and promote the concept of the traditional downtown area as the origin and heart of the community as a place for people to gather as well as patronize the businesses located there.

C. District Boundaries

1. The Central Business District (CBD) is generally bounded by Oak Street on the north, Cherry Street on the south, Jefferson Street on the west, and Madison Street on the east. These boundaries are shown on the map in Figure 25-1 for informational purposes.
2. The precise boundaries of the Central Business District (CBD) shall be shown on the official zoning map of the City of Kaufman. The boundaries of the CBD may be amended from time to time based on a request from area property owners, a request of the staff, the Downtown Steering Committee, the Planning and Zoning Commission, or at the pleasure of the Council. In considering a request for a change in district boundaries, the Council shall require:
 - a. Any additions to the district shall be contiguous to the existing boundaries of the district;

Section 25, “Central Business District”

- b. Any reductions in the district shall be located on the edge of the district such that a hole is not left inside the district; and
- c. If requested by a property owner, a petition shall be presented showing owners of more than 50 percent of the land within the district, excluding streets, and owners of more than 50 percent of the building sites in the district are in support of the requested change in boundaries.

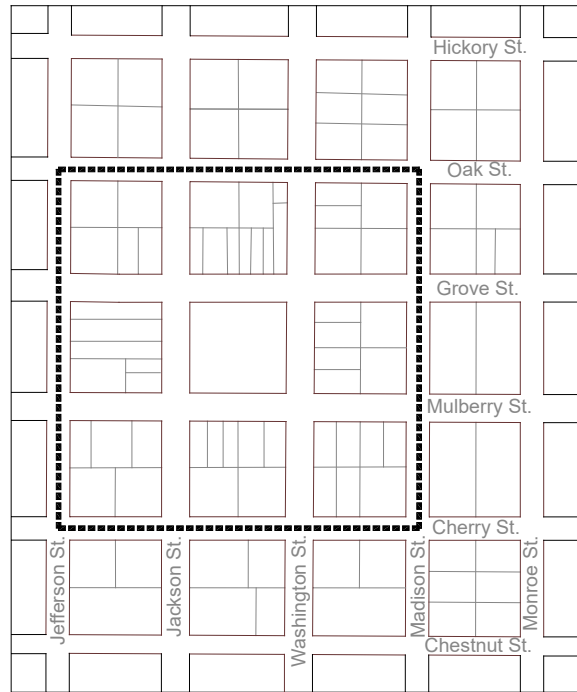


Figure 25-1 Downtown Central Business District Boundaries

D. General Provisions

1. Site plan and design review is required for new construction and substantial renovation of existing buildings within the Central Business District. Substantial renovation means:
 - a. Alterations to the exterior of existing buildings that change the placement or design of windows, doors or other exterior features of the building such as coping or pilasters;
 - b. An increase in the floor area of the building greater than 10 percent.
2. Interior renovation of existing buildings that do not alter the exterior appearance of the building do not require site plan and design review under the provisions of this section. (e.g., a drop ceiling that covers part of an existing window would alter the exterior appearance and require review)
3. Physical properties of an existing building such as setbacks, foot prints, height, or other similar characteristics that cannot be altered without substantial hardship are not required to meet the development or design standards within this section. All other provisions shall apply.
4. Site Plan applications submitted for review will first be considered by the Downtown Design Review Committee and a Certificate of Appropriateness issued within ten (10) days to accompany the application to the Planning and Zoning Commission and City Council for approval. If the Downtown Design Review Committee recommends denial of the application or approval with stipulations the Planning and Zoning Commission must render a three-fourths affirmative vote to

Section 25, "Central Business District"

overturn the recommendations of the Committee in order to recommend approval to the City Council.

5. All new development, exterior renovations to any existing buildings, maintenance and/or preservation of any structure, shall require an exterior paint permit to be approved by the Development Services Director.
 - (a) Request to appeal the requirements of Sections 25.4.F.5.a.(3) or 25.5.B.1.h shall be heard by the Planning and Zoning Commission. The Planning and Zoning Commission shall determine what appeals shall be approved, if any.
 - (1) An appeal request submittal shall include a proposed paint color combination scheme for the body, trim and accent features of the building.
 - (2) Notice of the appeal request shall be mailed ten (10) days prior to the meeting, to all property owners as listed at the Kaufman County Appraisal District, and to all the building addresses, located within the boundaries of the Central Business District.
 - (3) All appeal requests shall be placed on the next available Planning and Zoning Commission agenda.

E. **Mixed Use Criteria**

1. The Central Business District may contain any combination of uses shown in the Use Chart in Section 33 (Use Charts).
2. Within the CBD there are both residential and nonresidential uses which may be located in either residential structures or commercial structures. To maintain the architectural and historic character of existing blocks where one type of structure predominates, the following regulations shall apply.
 - a. Residential uses may be in residential structures or commercial structures. Residential uses in commercial structures are only allowed if they occupy no more than 50 percent of the floor area of the building; and do not occupy the area adjacent to the street front.
 - b. Nonresidential uses may be in residential or commercial structures. Nonresidential uses in residential structures must be in those blocks where existing residential structures predominate.
 - c. In block faces within the District that are currently developed with residential structures, new construction shall be compatible residential structures. Either residential or nonresidential uses may be located in the residential structures.
 - d. In block faces within the Central Business District that are currently developed with commercial structures, new construction shall be compatible commercial structures.

F. **Central Business District Development and Design Standards**

1. All new development and exterior renovations to existing buildings must meet requirements provided in this section for Site Design, and Architectural Standards.
2. **Purpose of Central Business District Design Standards.** The purpose of these design standards is to ensure the preservation of the historic and architectural qualities which make the CBD a unique place by permitting new development compatible with existing historic buildings and by maintaining the historic and architectural qualities of existing buildings.
 - a. Site Design Standards. The purpose of the Site Design Standards is to provide for building and parking placement compatible with existing development.
 - b. Architectural Standards. The purpose of the Architectural Standards is to provide for the preservation of existing historic and architectural qualities of downtown Kaufman, ensure new

Section 25, "Central Business District"

construction and all exterior renovations to existing buildings are compatible with these qualities, and to protect and promote the uniqueness of downtown as a commercial area.

3. **Design Standards Review.** All new development and all exterior renovations to existing buildings shall comply with the Site Design Standards included in Subsection 4, and the Architectural Standards in Subsection 5.

4. Site Design Standards

a. Building Placement - Commercial Structures

- (1) Buildings shall be placed on the front property line. Building may be moved back from the front property line to provide for a wider sidewalks and entries, or pedestrian oriented streetscapes if: The buildings takes up an entire block face; or is located on a corner; or has a total frontage of more than 50 percent of the block face.
- (2) New commercial structures shall be allowed only in block faces which are predominately developed with existing commercial structures, or are predominately vacant land.
- (3) Buildings shall be placed on the side property line except when adjacent to a residential type structure in which a fifteen (15') feet minimum side yard shall be observed. Buildings may be moved back from the side property line a total of four feet to provide for wider sidewalks and entries when the side property line is along a street.
- (4) Buildings that go through a block so that they have frontage on two parallel streets, shall treat each frontage as a main façade.
- (5) All service areas, dumpsters and loading shall be from the rear of the building or alley.

5. Architectural Design Standards

a. Street Facade – Commercial Structures

- (1) Primary street facades for nonresidential buildings in the Central Business District shall have the following basic features of existing historic buildings:
 - (a) Cornice at top of facade;
 - (b) Display windows with transom windows above and lower window panels below.
 - (c) Pilasters that divide the facade vertically and separate the display windows units into discrete visual elements.
 - (d) Second floor windows, recessed with multiple lights, lintels, and sills.
- (2) Architectural elements such as doors, windows, awnings, canopies and architectural details shall be compatible with the overall visual qualities existing within the historic buildings downtown.
- (3) Choice of Paint Colors for the Primary facades, various architectural elements, and/or details.
 - (a) Paint colors should highlight architectural details based on historic tradition for the building's type and style.
 - (b) Keep colors compatible with the building style and design.
 - (c) Loud, garish, or harsh colors and bright hues are prohibited.
 - (d) Generally no more than three colors are applied per building.
 - (e) Brick, stone or other naturally unpainted materials shall not be painted unless the material has been painted previously.

Section 25, "Central Business District"

- (f) A variety of approved paint color combinations are available for reference in the Development Services Department. The approved combinations specify paint colors for the body, trim and accent areas of the building. An exterior paint permit shall be approved prior to painting any exterior portion of any building.
 - (g) Exterior grade paints shall be used for exterior siding.
- (4) In addition to the above, all commercial structures shall have at least two of the following desirable design features as appropriate:
 - (a) Street facades on side streets that meet the requirements for primary facades; or
 - (b) Buildings on corners which create a diagonal corner cut with the entrance on the corner; or
 - (c) Pediments added to the top of the facade; or
 - (d) Decorative brickwork and architectural detailing on or around the cornice, fascia, pilasters, or around windows; or
 - (e) Use of natural wooden doors with glass windows; or
 - (f) Projecting canopies and or awnings placed over the ground floor windows and doors.
 - (5) Whenever possible, new additions or alterations to existing structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.
 - (6) The distinguishing original qualities or character of a building should be preserved and the maintenance, repair, replacement, renovation or alteration of such structures should avoid removing or destroying any distinctive architectural features whenever possible.
 - (7) Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the original material being replaced in composition, design, color, texture and other visual qualities. Plastic or vinyl architectural features or siding shall not be approved.
 - (8) Plate glass or divided display windows should always be preserved and not covered, painted or filled in. Traditional recessed doorways with substantial wooden doors should be retained or re-installed if significant restoration is undertaken.

Section 25, "Central Business District"

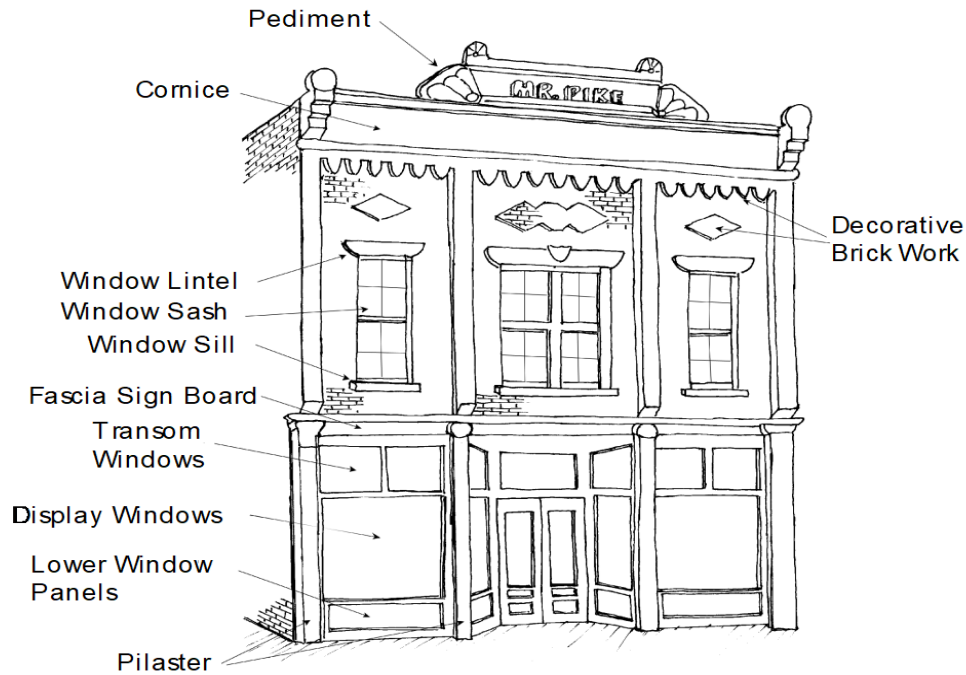


Figure 25-2 Typical Features of Commercial Structures in the Central Business District

b. Building Proportions – Commercial Structures

- (1) Overall height of single story commercial buildings in the Central Business District shall be between 18 and 26 feet.
- (2) The proportion of the height to width of the facade between pilasters shall be in the range of 2.5 to 1 to 3 to 1. The basic window units shall be between 2 to 2.5 times the remaining height to the top of the cornice.
- (3) The ground floor facade shall have at least 45 percent of its area in transparent windows, or doors. The second floor facade shall have at least 20 percent of its area in windows. The area of windows includes any mullions framing individual lights within the window frame.

c. Building Materials - Commercial Structures

- (1) The base facade materials for commercial structures within the Central Business District shall be brick or stone. Architectural details, trim, window or door framing may be wood, stone, cast stone, cast iron, or other materials compatible with the historic and architectural character of the Central Business District.

6. Fencing – Commercial Structures

- a. Any fencing for commercial structures within the Central Business District shall be in the rear of the building not visible from the street.

Section 25, "Central Business District"

25.5 MAINTENANCE AND PRESERVATION

A. Purpose

Existing buildings in the Central Business District collectively create an image that is vital to the character and attractiveness of the city that must be properly maintained and preserved in order to sustain the appearance and economic vitality of the CBD.

B. Preservation of Architectural Features and Materials

1. Facades

- a. Original doors, entrances, windows, cornices, friezes, parapets and wall treatments should be preserved or restored to the original design in as much as possible using proper maintenance, painting, cleaning and established restoration methods and techniques.
- b. Wood siding materials and architectural details are such an important feature of an historic building it should be restored and repaired using materials that resemble the original texture and character of the original material as much as possible, aluminum, plastic or vinyl siding or materials shall not be used.
- c. Wood materials should be painted at least every five years to prevent deterioration.
- d. Wood materials should not be sand blasted or stripped using wet or dry abrasives or power wire brushes that will damage the wood. Wood surfaces should be hand scraped and sanded before painting.
- e. Masonry materials usually do not require cleaning as aging produces a patina or color changes that creates a desirable appearance. Cleaning should only be done to halt deterioration or to remove heavy soiling and should be done with the gentlest method possible, such as low pressure water and detergents.
- f. Masonry walls built prior to 1860 were customarily painted and after this date were usually left unpainted. Surfaces that were previously painted should remain painted and unpainted surfaces should remain unpainted.
- g. Waterproofing materials may actually change the color, appearance or damage the materials and should be used with caution and tested on a small area prior to application.
- h. Choice of Paint Colors for the Primary facades, various architectural elements, and/or details.
 - 1) Paint colors should highlight architectural details based on historic tradition for the building's type and style.
 - 2) Keep colors compatible with the building style and design.
 - 3) Loud, garish, or harsh colors and bright hues are prohibited.
 - 4) Generally, no more than three colors are applied per building.
 - 5) Brick, stone or other naturally unpainted materials shall not be painted unless the material

Section 25, "Central Business District"

has been painted previously.

- 6) A variety of approved paint color combinations are available for reference in the Development Services Department. The approved combinations specify paint colors for the body, trim and accent areas of the building. An exterior paint permit shall be approved prior to painting any exterior portion of any building.
- 7) Exterior grade paints shall be used for exterior siding.

2. Demolition

- a. Demolition of an existing building should only be considered as a last resort and only if the building is structurally unsafe and determined it cannot be repaired or rendered safe upon inspection by a qualified registered structural engineer or architect.
- b. If demolition reveals the side of an adjacent building that was designed never to be exposed the wall should be painted a neutral or brick color compatible with surrounding buildings. Stucco or stucco panels should only be used if the wall is too unattractive to paint.

ORDINANCE NO. O-32-21

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING THE CITY'S COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. O-02-07, AS AMENDED, AND CHAPTER 118, "ZONING", OF THE CITY'S CODE OF ORDINANCES, TO DELETE ACCESSORY BUILDING-COMMERCIAL AS A PERMITTED USE IN THE CENTRAL BUSINESS DISTRICT BY AMENDING CHART 3, "ACCESSORY AND INCIDENTAL USES", OF SUBSECTION 33.4, "USE CHARTS", OF SECTION 33, "USE REGULATIONS", THE CITY'S COMPREHENSIVE ZONING ORDINANCE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE 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 SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman is a home rule municipality authorized to adopt regulations governing the use of land within its corporate limits; and

WHEREAS, the City of Kaufman has adopted development standards designed to maintain and encourage development and redevelopment within the commercial sections of the City, identified as the Central Business District ("CBD"); and

WHEREAS, the City of Kaufman has adopted a Comprehensive Zoning Ordinance regulating land use within the City, providing uses, definitions and regulations for development in the Central Business District ("CBD") for retail and service type uses convenient to thoroughfares and collector streets located within this zoning district of the City; and

WHEREAS, at its' regular meeting held on the 1st day of June 2021, the Planning and Zoning Commission of the City of Kaufman, after holding a public hearing, considered and made a recommendation to the City Council for approval of a request (Case No. Z-10-21) to amend the Use Regulations of the Comprehensive Zoning Ordinance, specifically Chart 3, "Accessory and Incidental Uses", of Subsection 33.4 of Section 33, "Use Regulations", of the Code of Ordinances by deleting accessory building – commercial as a permitted use within the Central Business District; and

WHEREAS, at its' regular meeting held on the 28th day of June 2021, the City Council of the City of Kaufman, after holding a public hearing for the proposed amendments to the Use Regulations of the Comprehensive Zoning Ordinance, specifically to Section 33.4 - Chart 3, "Accessory and Incidental Uses", determined that all legal requirements of notice and hearings were met, that the public was provided an

opportunity to provide input, and after considering the public input and the recommendation of the Planning and Zoning Commission, the Council determined that the proposed amendments to the Comprehensive Zoning Ordinance are consistent with the goals of set forth in the Comprehensive Plan of the City and would serve the best interest of the health and safety and substantially further the economic development and general welfare of the City.

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. AMENDMENTS. That Ordinance No. O-02-07, as amended, the Comprehensive Zoning Ordinance of the City, and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, are hereby amended to delete accessory building-commercial as a permitted use in the Central Business District, by amending Chart 3 – "Accessory and Incidental Uses", of subsection 33.4, "Use Charts", of Section 33, "Use Regulations", of Ordinance No. O-02-07 as set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein, and Chapter 118, "Zoning", of the Code of Ordinances of the City as set forth within this paragraph and all other chapters and subsection of Ordinance No. O-02-07 and Chapter 118 not specifically amended hereby shall remain in full force and effect without amendment.

SECTION 3. 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 4. SAVINGS CLAUSE. All rights and remedies of the City of Kaufman, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 4. SEVERABILITY CLAUSE. 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 5. PENALTY. Any person who intentionally, knowingly, recklessly or criminally negligent 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 6. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication as required by law and as prescribed by City.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS on this the 28th day of June 2021.

APPROVED:

Jeff Jordan, Mayor
City of Kaufman, Texas

ATTEST:

Jessie Hanks, City Secretary
City of Kaufman, Texas

APPROVED AS TO FORM:

Patricia A. Adams, City Attorney

Exhibit "A"
Amended Chart 3, "Accessory and Incidental Uses"

CHART - 3
CITY OF KAUFMAN, TEXAS
ZONING ORDINANCE

* Must
follow
Sec. 33.1.B

Legend for Interpreting Schedule of Uses			
			Designates use prohibited in District indicated
P			Designates use permitted in District indicated
S			Designates use requires a Specific Use Permit
TU			Designates use requires a Temporary Use Permit

ACCESSORY & INCIDENTAL USES	Definitions	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
Accessory bldg. - commercial (business or industry)	2										P	P	P	P	P	P	P	
Accessory building - residential	1	P	P	P	P	P	P	P	P	P								P
Caretaker's or guard's residence	31	P	P					P	P	P	S	S	S	S	P	P	P	
* Festivals, carnivals or special events	32										TU	TU	TU	TU	TU	TU	TU	
Garage/accessory dwelling	81	P	S															
Home occupation	90	P	P	P	P	P	P	P	P	P								
Off-street parking ►►	147	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-street parking (subject to no parking ordinances)	149	P	P	P	P	P	P	P	P	P				P				
Outside display of retail goods (no overnight display)	150											S	P	S	P	P	P	P
Outside sidewalk displays of retail goods, merchandise or materials (with no overnight display) ►►►	151													S				
Seasonal and temporary uses	198 143	TU										TU	TU		TU	TU	TU	
Seasonal and temporary uses (CBD only) ►	198													TU				
Temporary classrooms for church or school	226	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	
Temporary field office or construction yard or office	225	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	
Wedding receptions in residential districts	249	TU	TU	TU	TU	TU	TU	TU	TU	TU								

- Amended May 18, 2009 by Ordinance O-05-09
- Amended May 24, 2010 by Ordinance O-09-10
- Amended July 20, 2020 by Ordinance O-16-20



Meeting
Date: 6/28/2021

Date: 6/2/2021

Item #: 10.

Dept.: Development
Services

PZ Item

SUBJECT:

Consider and take appropriate action on the Preliminary Plat of Lot 1, Block 1, Kelly Addition. The 1.264-acre tract (PID# 5365) is generally located 2212 Tabor Parkway (AKA CR 151). The property is zoned Commercial. (Case No. PP-02-21)

BACKGROUND:

See the attached on June 22, 2021 letter from the applicant requesting to withdraw his site plan review application PP-02-21.

See the attached June 1, 2021 Planning and Zoning Commission Report.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

Cost: N/A

Funds Available: N/A

Source: N/A

Recommendation: Staff recommends approval of the request to withdraw the Preliminary Plat of Lot 1, Block 1, Kelly Addition.

The Planning and Zoning Commission on June 1, 2021 recommended approval of the Preliminary Plat of Lot 1, Block 1, Kelly Addition by a vote of 7-0.

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



Planning and Zoning Commission Report

Meeting Date: June 1, 2021

Consent: No

Discussion/Action: Yes

SUBJECT: Consider and take appropriate action on the **Preliminary Plat of Kelly Addition, Lot 1, Block 1**. The 1.264-acre tract (PID # 5365) located at 2212 Tabor Parkway). A commercial subdivision is proposed for the development of three commercial, retail, and/or office uses. (Case No. PP-02-21)

BACKGROUND/PURPOSE:

A preliminary plat for the development of a single lot containing 1.264-acres. The property is zoned Commercial (C). The minimum lots size is 10,000 square feet. The proposed development is for three building commercial, retail and/or office uses. Preliminary plats expire after two years. The final plat will be coming in the coming months. The subdivision will have one driveway entrance that aligns with Kaufman Family Dentistry across the street.

Oncor Electric will provide electrical service to the subdivision. The City of Kaufman will provide water and sanitary sewer service. An existing 6-inch water line is located on the east side of Tabor Parkway. An existing 10-inch sanitary sewer line exists partway down Tabor Parkway.

THOROUGHFARE PLAN: Tabor Parkway is designated as a Type "B" Minor Arterial with a minimum right-of-way requirement of 100 feet for of development of 3-4 lanes. Additional right-of-way is not needed for this property

RECOMMENDATIONS:

Staff recommends approval of the Preliminary Plat of Kelly Addition, Lot 1, Block 1, (Case No. PP-02-21)

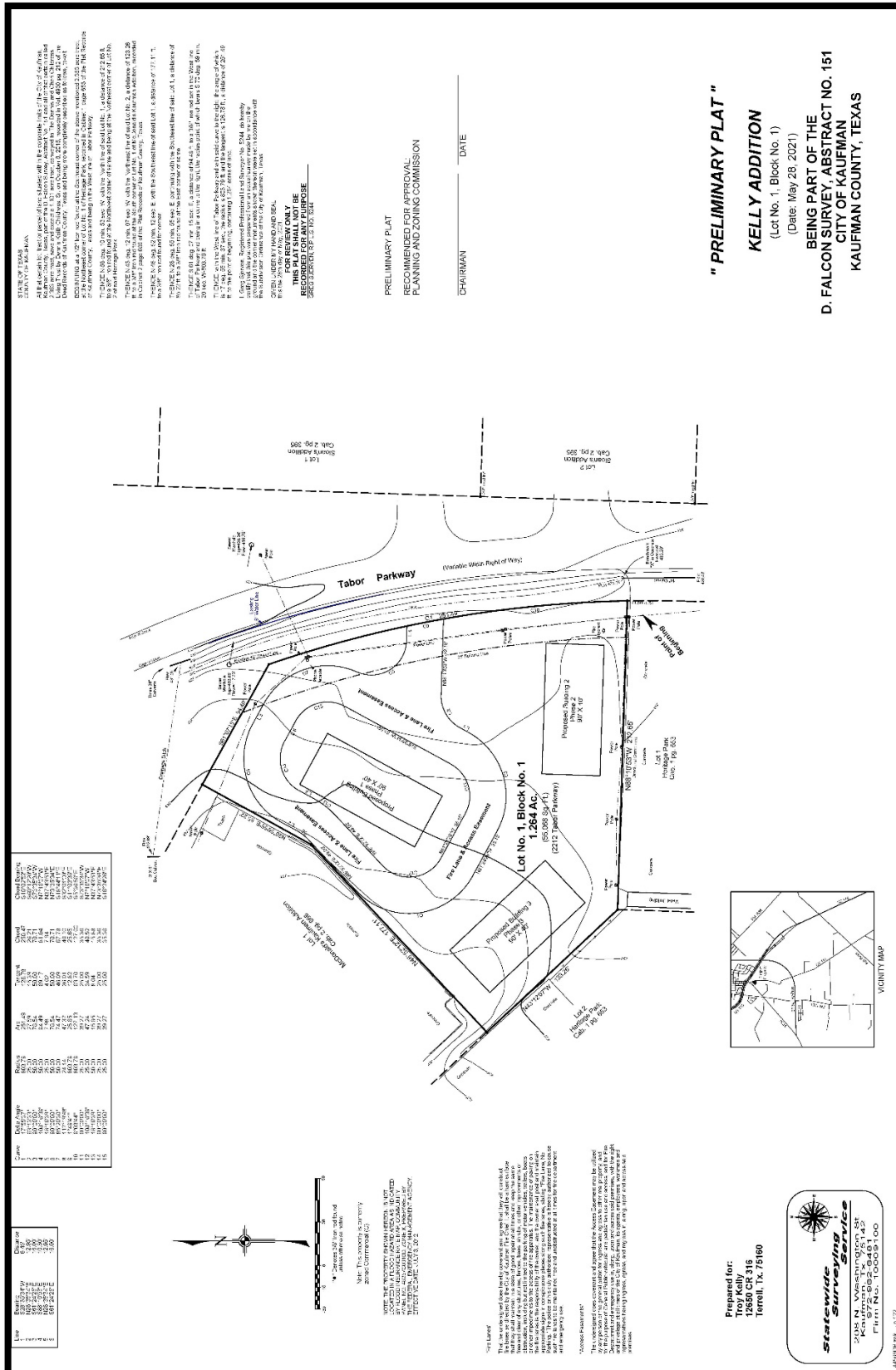
ATTACHMENTS:

1. Location Map
2. Preliminary Plat of Kelly Addition, Lot 1, Block 1

Marcy Ratcliff
Development Services Director
972-932-2216 ext. 117 Kaufmanplanning@kaufmantx.org

Location Map







**Meeting
Date: 6/28/2021**

Date: 6/2/2021

Item #: 11.

**Dept.: Development
Services**

PZ Item

SUBJECT:

Consider and take appropriate action on the Site Plan of proposed plat of Lot 1, Block 1, Kelly Addition for the development of three commercial, retail and/or office use buildings. The 1.264-acre tract (PID# 5365) is generally located 2212 Tabor Parkway (AKA CR 151). The property is zoned Commercial. (Case No. SP-01-21)

BACKGROUND:

See the attached on June 22, 2021 letter from the applicant requesting to withdraw his site plan review application SP-01-21.

See the attached June 1, 2021 Planning and Zoning Commission report.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

Cost: N/A

Funds Available: N/A

Source: N/A

Recommendation: Staff recommends approval of the withdrawal of the Site Plan Review SP-01-21 request.

The Planning and Zoning Commission on June 1, 2021 recommended approval of SP-01-21, by a vote of 7-0, a site plan for for the development of three commercial, retail and/or office use buildings. The 1.264 acre tract (PID# 5365) is generally located 2212 Tabor Parkway (AKA CR 151).

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

We are withdrawing from city consideration on cases SP -01-21 and PP-0221

A handwritten signature in black ink that reads "Troy Kelly". The signature is written in a cursive, flowing style.

Troy Kelly



Planning and Zoning Commission Report

Meeting Date: June 1, 2021

Consent: No

Discussion/Action: Yes

SUBJECT: Consider and make a recommendation to City Council on the Site Plan of proposed Plat of Lot 1, Block 1, Kelly Addition for the development of three commercial, retail and/or office buildings. The 1.264-acre tract (PID#5365) is generally located at 2212 Tabor Parkway (AKA CR 151). The property is zoned Commercial.

BACKGROUND/SUMMARY:

Mr. Troy is proposed to develop 3 separate building on proposed Lot 1, Block 1, Kelly Addition, located behind McDonald's at 2212 Tabor Parkway. The 1.264-acre lot is undeveloped. Each building will contain 3,600 square feet and will be built in three phases. Phase 1 - Building 1 is proposed to be pharmacy (40 feet x 90 feet) with a drive-through. Phase 2 – Building 2 and Phase 3 – Building 3 do not have any specific users at this time.

The total building area of the completed development will be 10, 800 square feet. The one story buildings are proposed to have a stone and brick veneer. The site is providing 27% landscaped area.

The proposed development has one 25-foot-wide driveway entrance from Tabor Parkway, which aligns with the Kaufman Family Dentistry across the street. A 24-foot fire lane and mutual access easement is proposed within the parking lot. The medical office building will require 37 off-street parking spaces and 52 off-street parking spaces are provided.

SURROUNDING ZONING AND EXISTING LAND USES:

Zoning Map

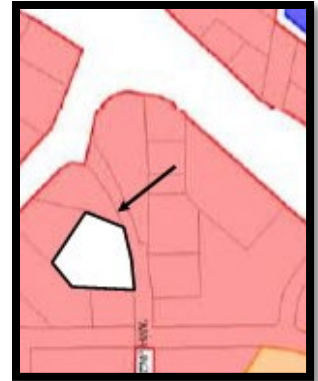
	Zoning	Existing Land Use
North:	C	Moon's Restaurant, Circle K
East:	C	Kaufman Family Dentistry, & Fresenius Kidney Care
South	SF-8	Printing Business & Mini Warehouses
West:	C	McDonalds& Parker-Ashworth Funeral Home, BBVA Compass Bank



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as a Future Commercial. The Commercial District allows office, commercial, and retail use which complies with the 2014 Future Land Use Plan because it allows a variety of commercial/retail uses. Remember future land use areas are generally located on a map and are not like zoning districts. Future land use plan maps are typically for planning at least 20 years out into the future.



Thoroughfare Plan:

Tabor Parkway is not a designated thoroughfare. The City of Kaufman controls all the driveway accesses.

PROPERTY OWNER RESPONSES:

Property owner notification is not a requirement of the site plan review process.

RECOMMENDATIONS:

Staff recommends approval of the Site Plan SP-01-21 for the development of three commercial, retail, and/or office buildings at 2212 Tabor Parkway, proposed to be platted as Lot 1, Block 1, Kelly Addition ((PID# 5365) with the condition that the signage notes shown on the site plan be removed because they reflect the signage requirements of the Washington Street Corridor District and not the Commercial District.

ATTACHMENTS:

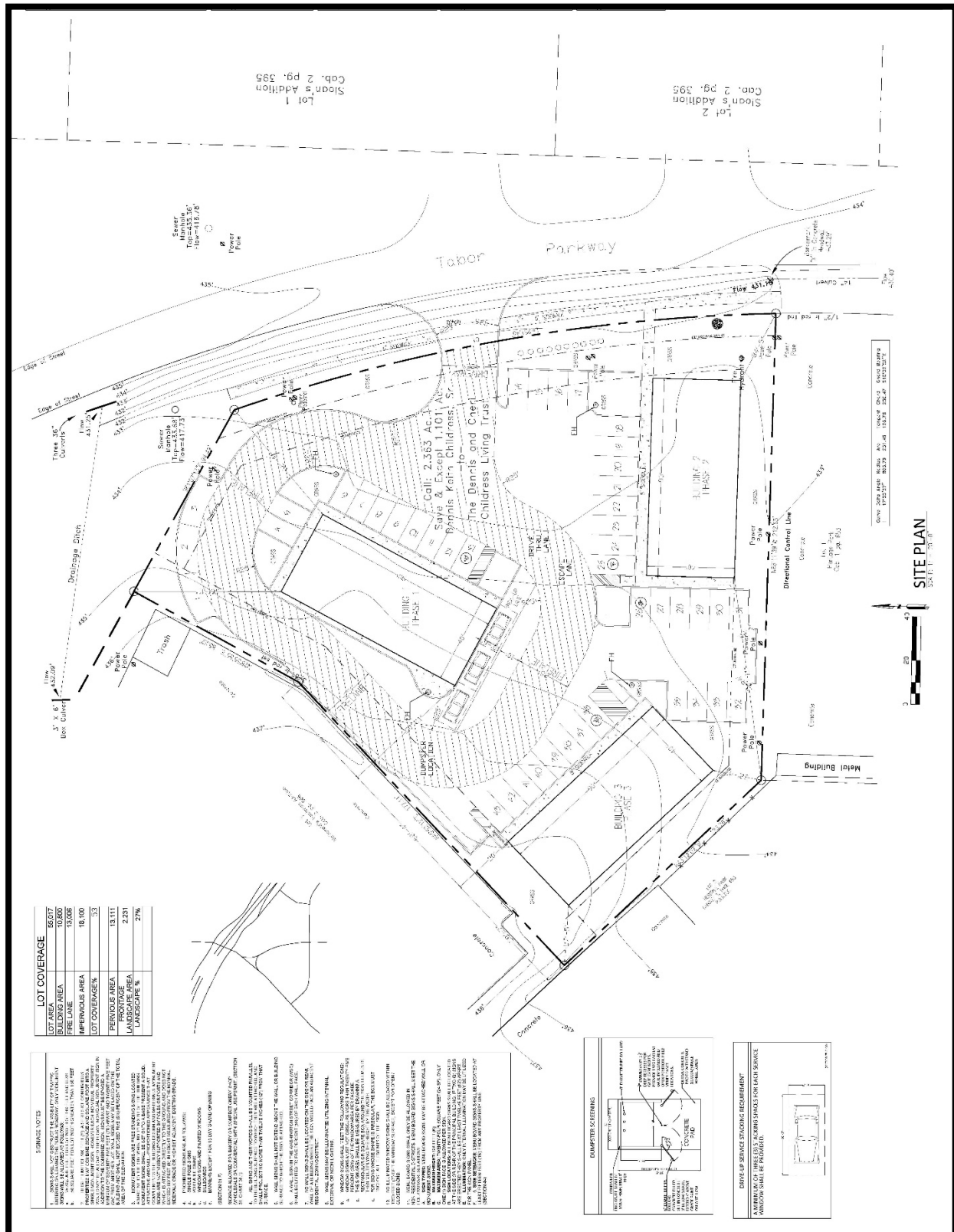
1. Location map
2. Site Plan

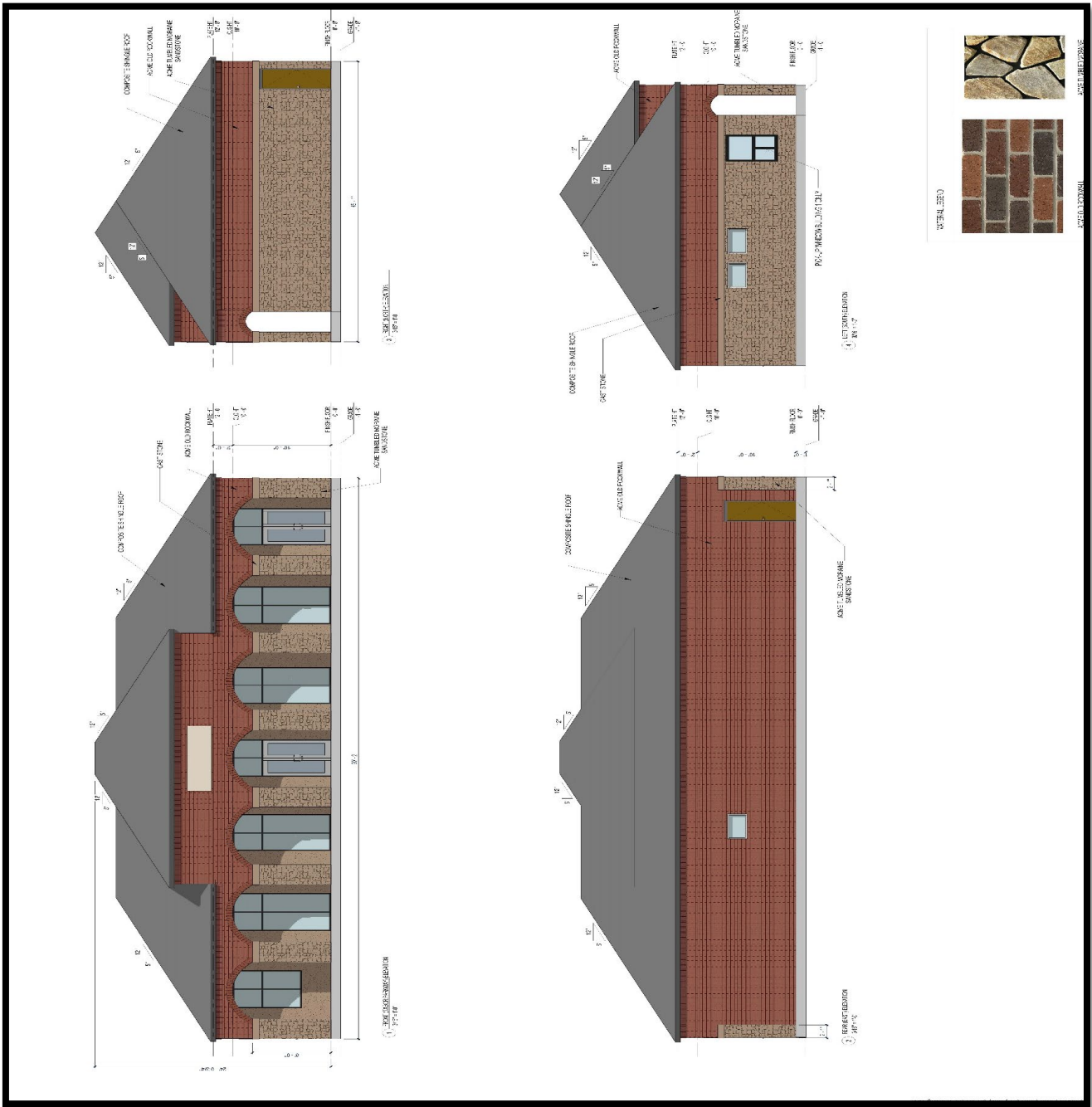
Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org

Location Map



Site Plan







Meeting
Date: 6/28/2021

Date: 6/8/2021

Item #: 12.

Dept.: Development
Services

Action Item

SUBJECT:

Consider and take appropriate action on Resolution R-22-21, a resolution of the City Council of the City of Kaufman, Texas granting a petition requesting annexation the by the Landowner, Thorntree Ventures, LLC, of approximately 111.47-acres of land located at 3397 Farm to Market Road No. 1836 (PIDs 2195, 2196, & 2197); finding that pursuant to Local Government Code Section 43.057, it is in the public interest to leave certain areas of the City's extraterritorial jurisdiction un-annexed while surrounding those properties by annexed areas; authorizing and directing publication of notice of a public hearing; directing the preparation and execution of a written services agreement with the Landowner; directing the preparation of a development agreement and authorizing staff to offer such agreement to Landowner; and providing an effective date. (Case # A-05-21)

BACKGROUND:

Mr. Kent Jones is requesting to voluntarily annex approximately 111.47-acres of land located at 3397 FM 1836. The property has a single residence, several barns and the remaining property is used agriculturally. Mr. Jones will be submitting a zoning request for a Planned Development for a phased residential development of approximately 300 lots with some amenities. The lot sizes range from 1/4 acre to a 1/5 acre size. The proposed house prices range from \$350,000 to \$400,000.

Author:

Marcy Ratcliff, Development Services Director

Reviewed:

Mike Slye, City Manager

Cost: N/A

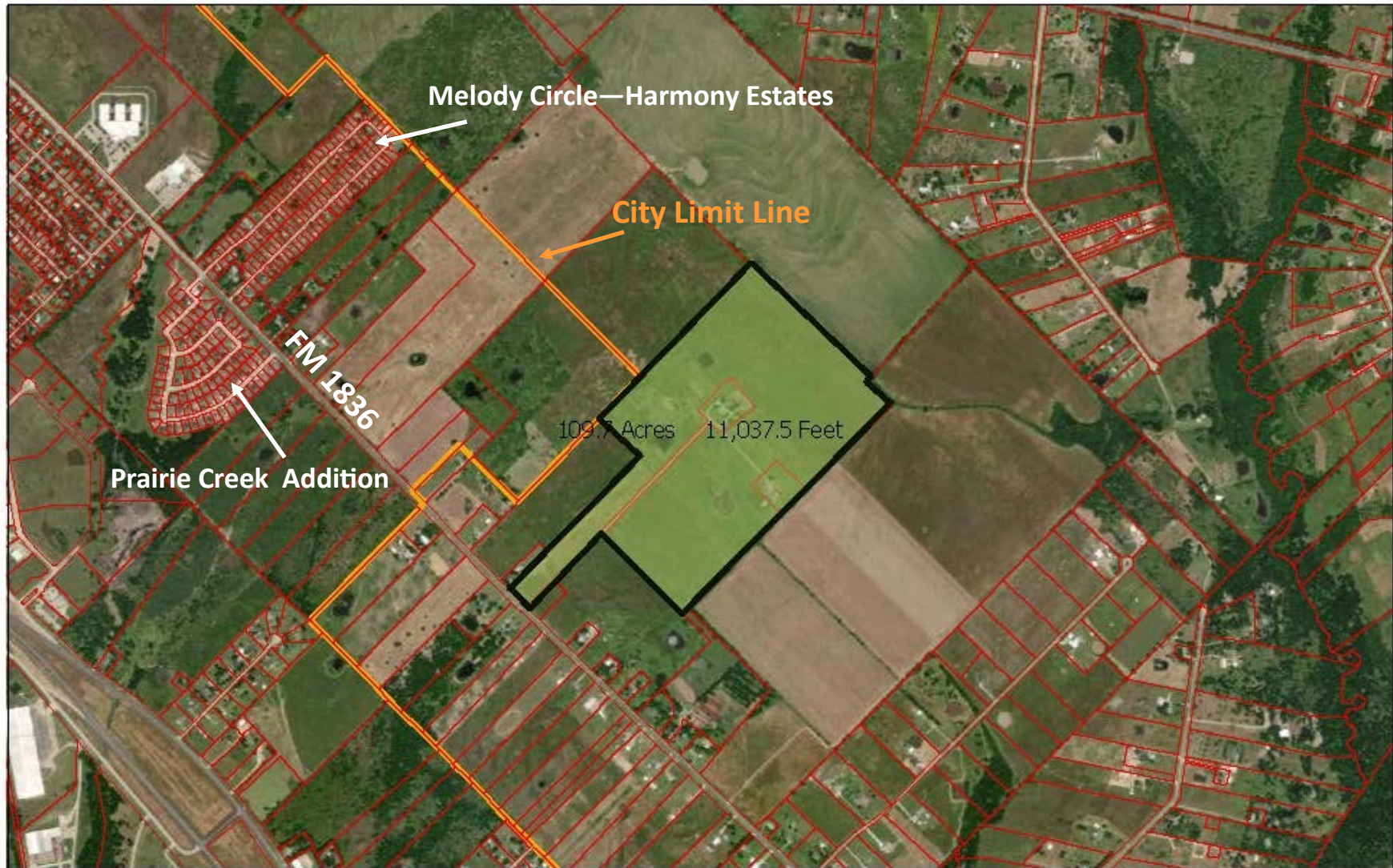
Funds Available: N/A

Source: N/A

Recommendation: Staff recommends approval of Resolution R-22-21, granting the petition for annexation by Thorntree Ventures, LLC, the Landowner for approximately 111.47-acres; setting a public hearing for July 26, 2021, authorizing and directing publication of notice of a public hearing, directing the preparation and execution of a written services agreement with the landowner, directing the preparation of a development agreement and authorizing staff to offer such agreement to Landowner; and providing an effective date.

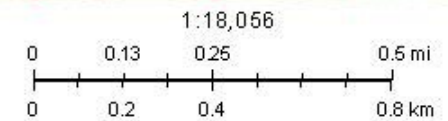
Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☒	☒	☒	☐	☐

A-05-21 Kent Jones Annexation Request



6/7/2021, 12:53:11 PM

-  Parcels
-  City Limits



Maxar

Kauman 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.

**VOLUNTARY ANNEXATION APPLICATION****1. Site Location:**General Street Location: North side of FM 1836 PID: 2197, 2196, 2195Street Address: 3997 FM RD 1836

Lot, Block, & Subdivision Name: _____

2. Applicant:Name: Kent JonesAddress: 6534 Sunnyland DrCity/State: Dallas, TX Zip: 75214Office #: _____ Cell #: 214-549-4980 Fax #: _____Email Address: Kjones@springlinebuilding.com**3. Property Owner:**Name: Thorntree Ventures LLCAddress: P.O. Box 867241City/State: Plano, TX Zip: 75086Office #: _____ Cell #: 214-592-6888 Fax #: _____Email Address: Ran.liu.01@gmail.com**4. Attach Exhibit:** Metes and bounds, a boundry map, and location map of the subject property.

I UNDERSTAND THAT IT IS NCESSARY FOR ME OR MY AGENT TO BE PRESENT AT THE CITY COUNCIL MEETING.

I hereby authorize the undersigned applicant to act as my agent for the representation and/or presentation of the request.

The undersigned owners of the hereinafter described tract of land which is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present municipal limits so as to include and annex as part of the City of Kaufman, Texas, the property described by metes and bounds on the attached Exhibit "A", which is incorporated herein for all purposes. We certify that this Petition is signed and acknowledged by each and every corporation and person owning said land or having an intrest in any part thereof.

Applicant Name (print or type): Kent Jones

Applicant signature: *Kent Jones*
DocuSigned by: CCFB3D80527B4ED...

Owner Name (print or type): Ran Liu - Managing Member

Owner signature: *Ran Liu*
DocuSigned by: 94341909609A402...

BEFORE ME, the undersigned, a Notary Public in and for said State of Texas, on this day personally appeared _____, known to me to be the person whose name are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of May, 2021,



Cassie Hartline

Notary Public

My Commission expires: June 19, 2024

Date Received _____ Date Paid _____ Receipt Number _____

RESOLUTION NO. R-22-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, GRANTING A PETITION REQUESTING ANNEXATION BY THE LANDOWNER, THORNTREE VENTURES, LLC, OWNER OF APPROXIMATELY 111.47 ACRES OF LAND LOCATED AT 3397 FARM TO MARKET ROAD 1836 (PIDs 2195, 2196, & 2197), SITUATED IN THE THOMAS BEEDY SURVEY, ABSTRACT NO. 21, KAUFMAN COUNTY, TEXAS; FINDING THAT PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.057, IT IS IN THE PUBLIC INTEREST TO LEAVE CERTAIN AREAS OF THE CITY'S EXTRATERRITORIAL JURISDICTION UN-ANNEXED WHILE SURROUNDING THOSE PROPERTIES BY ANNEXED AREAS; SETTING A PUBLIC HEARING FOR THE ANNEXATION; AUTHORIZING AND DIRECTING THE CITY SECRETARY TO HAVE NOTICE OF SUCH PUBLIC HEARING PUBLISHED; DIRECTING THE PREPARATION AND EXECUTION OF A WRITTEN SERVICES AGREEMENT WITH PROPERTY OWNER; DIRECTING THE PREPARATION OF A DEVELOPMENT AGREEMENT AND AUTHORIZING STAFF TO OFFER SUCH AGREEMENT TO THE PROPERTY OWNER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about June 7, 2021, Thorntree Ventures, LLC, a Texas limited liability company, owner (the "Owner"), of an area of land described herein below (the "Property") filed a written petition (the "Petition") with the City of Kaufman, Texas (the "City"), to have the Property annexed into and become a part of the City; and

WHEREAS, the City Council of the City Kaufman ("City Council") has found and determined that the Petition is appropriate and that it is in the best interest of the City, to grant the Petition; and

WHEREAS, pursuant to Section 43.0672 of the Local Government Code, the City must first negotiate and enter into a written agreement with the Owner which must include: (1) a list of each service the City will provide on the effective date of the annexation; and (2) a schedule that includes the period within which the City will provide each service that is not provided on the effective date of the proposed annexation; and

WHEREAS, the City Council has determined that it is in best interest of the public to leave the tract of land shown in Exhibit B, attached hereto and incorporated as if set forth fully herein, which primarily consists of pasture land, un-annexed into the City limits at this time and to create a "donut hole" of unincorporated area; and

WHEREAS, because the Property is appraised as agricultural, pursuant to Section 43.016 of the Local Government Code, prior to the institution of annexation, the City must offer a development agreement to the Owner that guarantees continuation of the ETJ status of the area and authorizes the enforcement of all regulations and planning authority of the City that do not interfere with the use of the of the area for agriculture, wildlife

management, or timber; and Owner must decline to accept such Development Agreement.

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

SECTION 1. The recitals and findings set forth above are true and correct and are incorporated into the body of this resolution as if fully set forth herein.

SECTION 2. A true and correct copy of the Petition is attached hereto as **Exhibit “A.”**

SECTION 3. The City Council hereby grants the Petition requesting the annexation by the City of the following described property being:

Kaufman CAD Property IDs 2195, 2196, & 2197, located at 3397 Farm to Market Road 1936 and being an approximate 111.47-acre tract of land situated in the Thomas Beedy Survey, Abstract No. 21, Kaufman County, Texas, such tract being more particularly described in Exhibit “A-1” and being depicted in Exhibit “A-2,” each of which are attached to the petition for annexation and attached and incorporated into this Resolution.

SECTION 4. On **July 26, 2021, at 6:00 p.m.**, at the Kaufman City Hall, located at 209 S. Washington Street, Kaufman, Texas 75142, the City Council will hold a public hearing giving all interested persons the right to appear and be heard on the proposed annexation by the City of Kaufman, Texas, of the property described in Section 3 of this Resolution.

SECTION 5. The public interest is, and has been served, by annexing the Property into the Kaufman city limits, even when doing so has left the tracts shown on Exhibit B un-annexed, but surrounded by annexed area. This un-annexed area primarily consists of pasture land and four residential homes and is not necessary to annex under the City’s current annexation strategy. It may be in the public interest to annex this area in the future and at such time, the City may initiate annexation.

SECTION 6. The City Secretary of the City of Kaufman, Texas, is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above-described territory not more than twenty (20) days nor less than ten (10) days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

SECTION 7. Prior to the institution of annexation, City staff is hereby authorized and directed to negotiate and enter into a Written Services Agreement with the Owner for the extension of municipal services into the proposed area of annexation. Prior to the

institution of annexation, City staff is also hereby authorized to prepare and offer a Development Agreement to Owner pursuant to Section 43.016 of the Local Government Code that would guarantee continuation of the ETJ status of the Property and authorize the enforcement of all regulations and planning authority of the City that do not interfere with the use of the Property for agriculture, wildlife management, or timber. The City Manager, or his designee, is hereby authorized to execute these Agreements.

SECTION 8. The City Council hereby finds, determines and declares that the meeting, at which this Resolution is passed, approved and adopted, was open to the public, and that the public notice of time, place and subject matter to be considered was posted as required by law.

SECTION 9. This Resolution shall be effective from and after its passage as provided by law.

PASSED AND APPROVED this 21st day of June 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

Exhibit "A"

DocuSign Envelope ID: D3315877-2C8A-4C3F-9C4B-42C77C15B5BC

Case Number: A-05-21



VOLUNTARY ANNEXATION APPLICATION

1. Site Location:

General Street Location: North side of FM 1836 PID: 2197, 2196, 2195

Street Address: 3997 FM RD 1836

Lot, Block, & Subdivision Name: _____

2. Applicant:

Name: Kent Jones

Address: 6534 Sunnyland Dr

City/State: Dallas, TX Zip: 75214

Office #: _____ Cell #: 214-549-4980 Fax #: _____

Email Address: Kjones@springlinebuilding.com

3. Property Owner:

Name: Thorntree Ventures LLC

Address: P.O. Box 867241

City/State: Plano, TX Zip: 75086

Office #: _____ Cell #: 214-592-6888 Fax #: _____

Email Address: Ran.liu.01@gmail.com

4. Attach Exhibit: Metes and bounds, a boundry map, and location map of the subject property.

I UNDERSTAND THAT IT IS NECESSARY FOR ME OR MY AGENT TO BE PRESENT AT THE CITY COUNCIL MEETING.

I hereby authorize the undersigned applicant to act as my agent for the representation and/or presentation of the request.

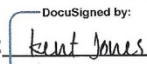
209 SOUTH WASHINGTON • PO Box 1168 • KAUFMAN, TEXAS 75142 • (972) 932-2216 • FAX (972) 932-6288
g:\development services\email & forms\originals for inhouse use only\annexation application & guidelines.docx Updated: 3/26/2019

Exhibit "A"

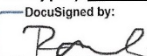
DocuSign Envelope ID: D3315877-2C8A-4C3F-9C4B-42C77C15B5BC

The undersigned owners of the hereinafter described tract of land which is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present municipal limits so as to include and annex as part of the City of Kaufman, Texas, the property described by metes and bounds on the attached Exhibit "A", which is incorporated herein for all purposes. We certify that this Petition is signed and acknowledged by each and every corporation and person owning said land or having an interest in any part thereof.

Applicant Name (print or type): Kent Jones

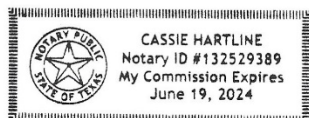
Applicant signature: 
DocuSigned by: CCFB3D80527B4ED...

Owner Name (print or type): Ran Liu - Managing Member

Owner signature: 
DocuSigned by: 94341909609A402...

BEFORE ME, the undersigned, a Notary Public in and for said State of Texas, on this day personally appeared _____, known to me to be the person whose name are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of May, 2021.





Notary Public

My Commission expires: June 19, 2024

Date Received _____ Date Paid _____ Receipt Number _____

209 SOUTH WASHINGTON • PO Box 1168 • KAUFMAN, TEXAS 75142 • (972) 932-2216 • FAX (972) 932-6288
g:\development services\email & forms\originals for inhouse use only\annexation application & guidelines.docx Updated: 3/26/2019

SSC

STANGER SURVEYING CANTON LLC

P.O. BOX 336
BEN WHEELER, TEXAS 75754
TBPLS FIRM #10025701

PH: 903-833-1006

FAX: 903-833-1005

**THOMAS BEEDY SURVEY, ABSTRACT NO. 21
KAUFMAN COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION FOR 111.47 ACRES OF LAND

BEING 111.47 acres of land situated in the THOMAS BEEDY SURVEY, ABSTRACT NO. 21, Kaufman County, Texas, being all of that certain called 101.398 acre tract described as Tract One and being all of that certain called 10.0 acre tract described as Tract Two in a deed from Charleen Baudoin to Liu Family Trust, dated October 22, 2018, and recorded in Document No. 2018-0026689, of the Deed Records of Kaufman County, Texas. Said 111.47 acres of land being more particularly described as follows:

BEGINNING at a point for corner at the west corner of the above mentioned 10.0 acre tract, being at the south corner of that certain called 1.26 acre tract as described in a deed to Sloan Family Management, LLC, recorded in Document No. 2014-0017755, being in the centerline of Farm-to-Market Road 1836, and from which a fence corner (found) bears North 43° 03' 16" East, a distance of 45.00 feet.

THENCE: North 43° 03' 16" East, a distance of 523.86 feet, with the northwest boundary line of said 10.0 acre tract, with the south boundary line of the above mentioned 1.26 acre tract, to a ½" iron rod (found) at the east corner of said 1.26 acre tract and being in the southeast boundary line of that certain called 19.352 acre tract as described in a deed to Nicasio Lozano, recorded in Document No. 2007-00014379;

THENCE: North 43° 14' 19" East, a distance of 1,198.63 feet, with the northwest boundary line of said 10.0 acre tract, with the southeast boundary line of the above mentioned 19.352 acre tract, to a ½" iron rod (found) at the north corner of said 10.0 acre tract, being at an interior corner in the west boundary line of said 101.398 acre tract, and being at the east corner of said 19.352 acre tract;

THENCE: North 46° 48' 35" West, a distance of 509.99 feet, with the northwest boundary line of said 101.398 acre tract, with the northeast boundary line of said 19.352 acre tract, to a ½" iron pipe (found) at an exterior corner in the west boundary line of said 101.398 acre tract, being at the north corner of said 19.352 acre tract, and being in the southeast boundary line of that certain called 199.16 acre tract as described in a deed to John William Robertson, recorded in Volume 1150, Page 204;

Exhibit "A"

THENCE: North 43° 14' 22" East, a distance of 1,969.77 feet, with the northwest boundary line of said 101.398 acre tract, with the southeast boundary line of the above mentioned 199.16 acre tract, to a ½" iron rod (found) at the east corner of said 199.16 acre tract and being at an exterior corner in the southwest boundary line of that certain called 127.45 acre tract described as Tract I in a deed to Robert Kyle Mitchell et al, recorded in Document No. 2012-0022868;

THENCE: North 44° 15' 59" East, a distance of 42.84 feet, with the northwest boundary line of said 101.398 acre tract, with the southwest boundary line of said 127.45 acre tract, to a ½" iron rod (found) at the north corner of said 101.398 acre tract and being at an interior corner in the southwest boundary line of the above mentioned 127.45 acre tract;

THENCE: South 46° 41' 06" East, a distance of 1,518.91 feet, with the northeast boundary line of said 101.398 acre tract, with the southwest boundary line of said 127.45 acre tract, to a fence corner (found) at an exterior corner in the northwest boundary line of said 101.398 acre tract and being at the south corner of said 127.45 acre tract, being at an exterior corner in the northwest boundary line of that certain called 201.037 acre tract as described in a deed to William J. Fortner et ux., recorded in Volume 5869, Page 449;

THENCE: South 40° 09' 54" West, a distance of 54.48 feet, with the northeast boundary line of said 101.398 acre tract, with the northwest boundary line of the above mentioned 201.037 acre tract, to a ½" iron rod (set with a cap marked "STANGER") at an interior corner in the northeast boundary line of said 101.398 acre tract and being at an exterior corner in the northwest boundary line of said 201.037 acre tract;

THENCE: South 50° 21' 27" East, a distance of 312.48 feet, with the northeast boundary line of said 101.398 acre tract, with the northwest boundary line of said 201.037 acre tract, to a 1" iron rod (found) at the east corner of said 101.398 acre tract and being at an interior corner in the northwest boundary line of said 201.037 acre tract;

THENCE: South 43° 55' 37" West, a distance of 2,632.85 feet, with the southeast boundary line of said 101.398 acre tract, with the northwest boundary line of said 201.037 acre tract, to a 1" iron rod (found) at an exterior corner in the northwest boundary line of said 201.037 acre tract and being at the most northerly corner of that certain called 14.567 acre tract as described in a deed to Barbara J. Jensen, recorded in Document No. 2011-0011606;

THENCE: South 44° 11' 23" West, a distance of 70.26 feet, with the southeast boundary line of said 101.398 acre tract, with the northwest boundary line of the above mentioned 14.567 acre tract, to a fence corner (found) at the south corner of said 101.398

Exhibit "A"

acre tract, being at the most northerly northwest corner of said 14.567 acre tract, and being in the northeast boundary line of that certain called 163.69 acre tract as described in a deed to Bobby Dee Walker, Jr. and Glenn Scott Walker, recorded in Document No. 2008-00012464;

THENCE: North 47° 29' 29" West, a distance of 1,037.16 feet, with the southwest boundary line of said 101.398 acre tract, with the northeast boundary line of the above mentioned 163.69 acre tract, to a 4" steel fence corner (found) at an exterior corner in the southwest boundary line of said 101.398 acre tract, being in the southeast boundary line of said 10.0 acre tract, and being at the north corner of said 163.69 acre tract;

THENCE: South 43° 13' 13" West, a distance of 987.71 feet, with the southeast boundary line of said 10.0 acre tract, with the northwest boundary line of said 163.69 acre tract, with the northwest boundary line of that certain called 1.000 acre tract as described in a deed to ISL Roofing and Construction LLC, recorded in Document No. 2020-0027635, to a point for corner at the south corner of said 10.0 acre tract, being at the west corner of the above mentioned 1.000 acre tract, being in the centerline of Farm-to-Market Road 1836, and from which a 3/8" iron rod (found) bears North 43° 13' 13" West, a distance of 45.00 feet;

THENCE: North 45° 23' 53" West, a distance of 253.33 feet, with the southwest boundary line of said 10.0 acre tract, with the centerline of Farm-to-Market Road 1836, back to the **POINT OF BEGINNING** and containing 111.47 acres tract of land.

Bearings and distances are based on the Texas State Plane Coordinate System, North Central Zone (NAD83, CORS96). Referenced to the Smartnet RTK Network. Reference made to Plat of Survey prepared even date (C210093).

I, Jeff D. Douglas, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual Survey made on the ground under my direction and supervision during the month of May, 2021.

GIVEN UNDER MY HAND AND SEAL, this the 19th day of May, 2021.



Jeff D. Douglas
Registered Professional
Land Surveyor No. 5757



Exhibit "A-2"

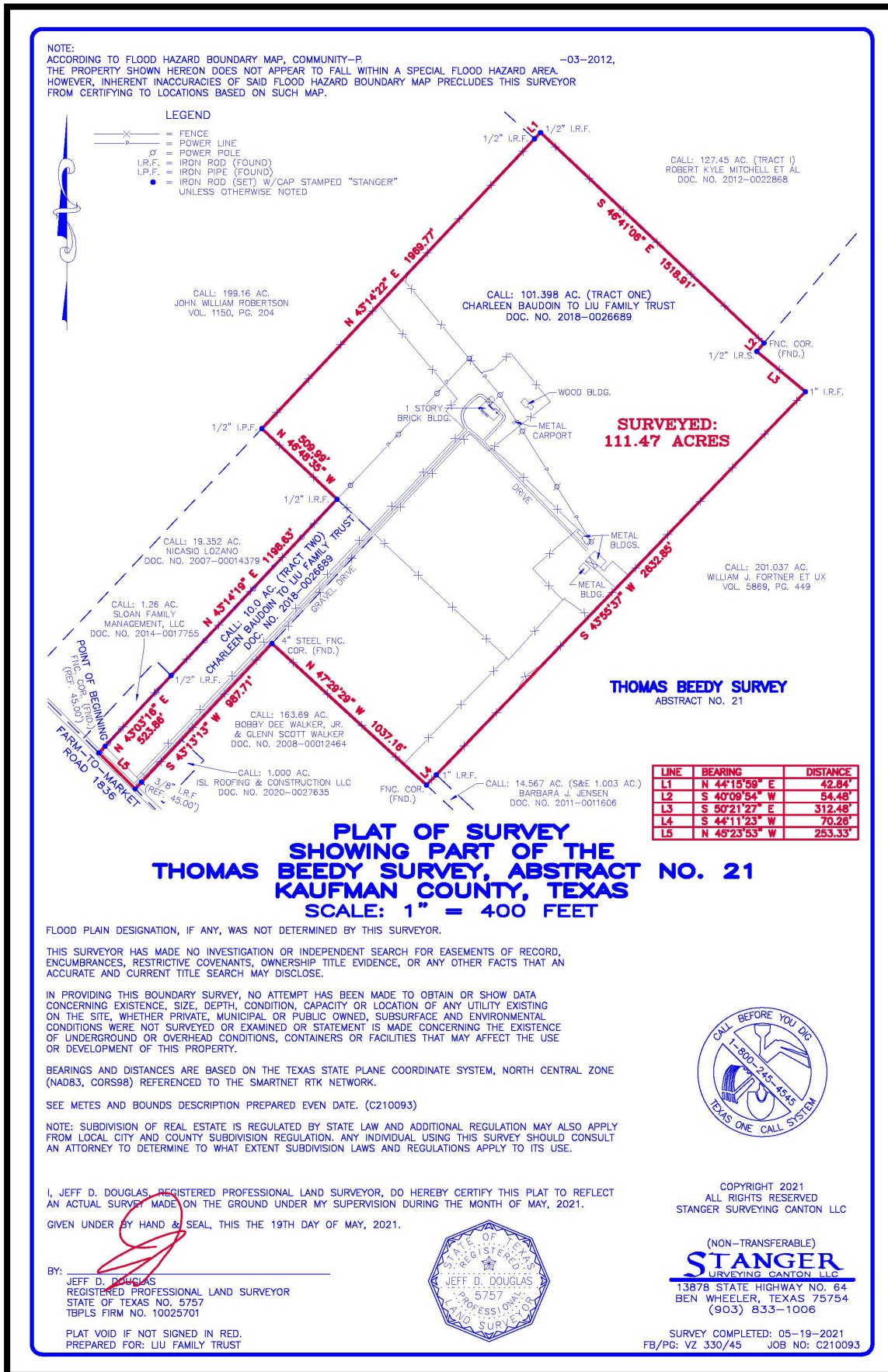
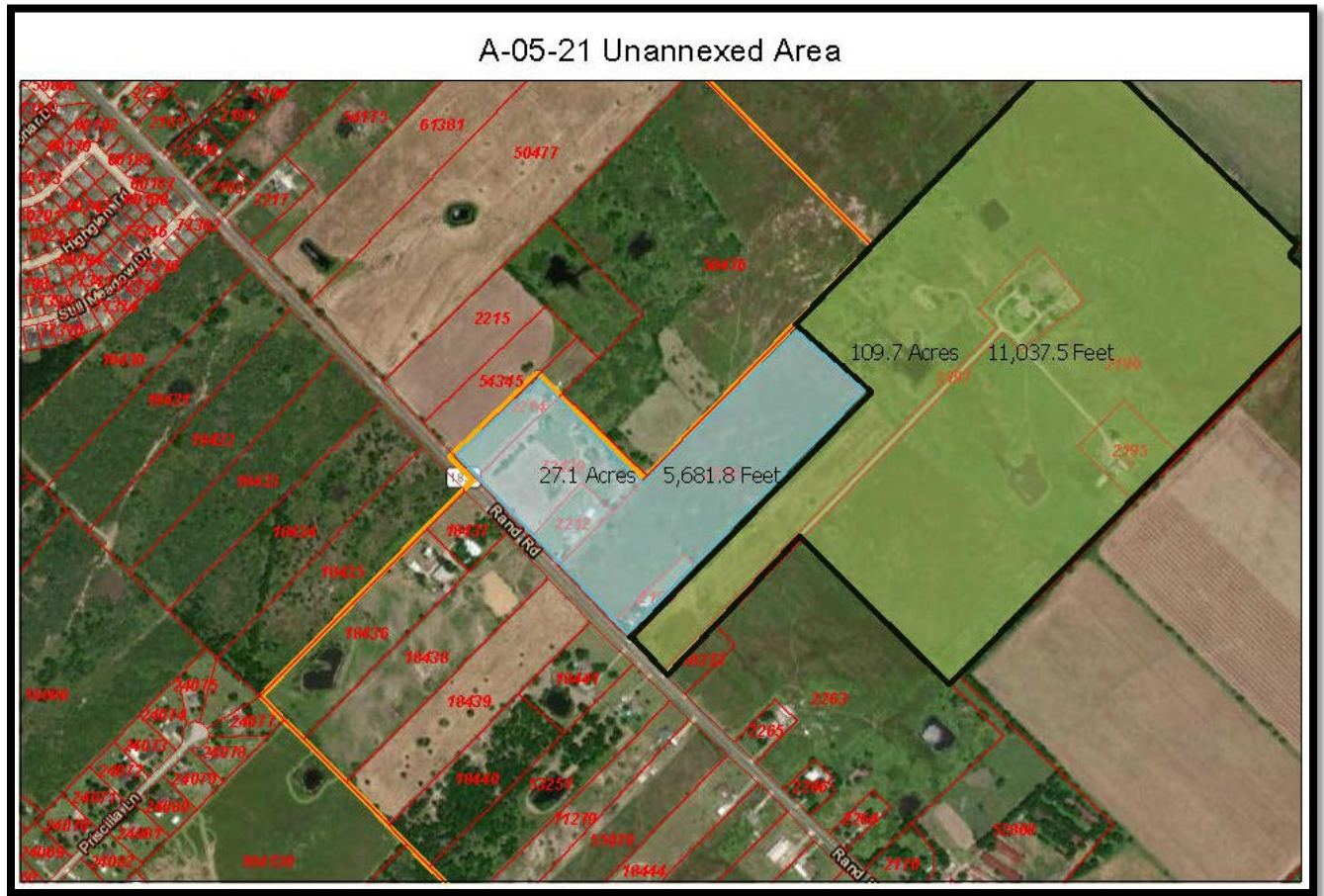


Exhibit "B"





Meeting
Date: 6/28/2021

Date: 6/22/2021

Item #: 13.

Dept.: Administration

Ordinance

SUBJECT:

First Reading: Consider and take appropriate action on Ordinance O-29-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending the exclusive franchise agreement for solid waste collection within the City of Kaufman, Texas with Republic Services to provide for updated fees for bulk pickup; authorizing the Mayor or designee to execute the amendment and any necessary documents; and providing an effective date.

BACKGROUND:

This is the proposed contract with the amendments that Republic presented at the previous Council meeting. This action was tabled at the last Council meeting in order to include an amended Rate Schedule for a Commercial pick up of 4 times/week. The original Rate Schedule was limited to 3 times/week. That is the only change to the already approved Rate Schedule. The City Charter dictates that all Franchise agreements/ordinances must have two separate readings and the entire ordinance must be published in the local newspaper at the vendor's expense.

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Ordinance O-29-21 as presented.

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

ORDINANCE NO. O-29-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS APPROVING AN AMENDMENT TO THE EXCLUSIVE FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION WITH REPUBLIC WASTE SERVICES OF TEXAS, LTD., (“ORIGINAL AGREEMENT”), IN ACCORDANCE WITH STATE LAW AND CITY CHARTER; PROVIDING FOR THE INCORPORATION OF PREMISES; APPROVING AN AMENDMENT TO PROVIDE FOR UPDATED COLLECTION RATES FOR BULK PICKUP; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED AGREEMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman, Texas (the “City”), is a home-rule city with full power of local self-government; and

WHEREAS, the collection of municipal solid waste is a governmental function performed for the protection of the public health, safety, and general welfare; and

WHEREAS, the City, through the City Council, and pursuant to both state law and Article X “Utility and Public Service Franchises and Licenses” of the City’s Home Rule Charter (“Article X”), is authorized to amend the Original Agreement entered into on or about October 27, 2020; and

WHEREAS, in compliance with the City Charter, the City Council held a public hearing on June 14th, 2021, and considered public input on the proposed amendments to the Original Agreement; and

WHEREAS, Article X requires two readings of this Ordinance with a summary of this Ordinance being published within fifteen (15) days after the first reading; and

WHEREAS, the City has complied with the Charter’s and state law’s public hearing, reading and publication requirements and the City Council has determined that the public health, safety and welfare of the residents of Kaufman as well as the general public are best served by amending the Original Agreement to provide for updated rates for bulk pickup.

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

Section 1. Incorporation of Premises. The above and foregoing recitals are true and correct and are incorporated herein as findings of fact and made a part of this Ordinance.

Section 2. Amendment. In accordance with Article X of the Charter of the City of Kaufman, Texas, the First Amendment to the Contract for Collection of Solid Waste by and between the City of Kaufman and Republic Waste Services of Texas, Ltd. (the

“Amended Agreement”), a copy of which is attached hereto as **Exhibit “A”** and incorporated herein for all purposes, is hereby approved in form and substance for the public service of collection of residential and commercial solid waste in the City.

Section 3. Amended Collection Rates and Franchise Fee Adopted. The rates for collection of solid waste within the City, including without limitation the franchise fees set forth in the Amended Agreement, are hereby adopted as set out in the Amended Agreement, subject to adjustments as provided in the Amended Agreement, or as further provided by ordinance of the City.

Section 4. Execution of Agreement. The Mayor or his designee is authorized to execute the Amended Agreement on behalf of the City.

Section 5. Cumulative Repealer. This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City and shall not operate to repeal or affect any such other ordinances, except insofar as the provisions thereof are inconsistent or in conflict with the provisions hereof, and to the extent of such conflict, if any, such other ordinances are hereby repealed.

Section 6. Severability Clause. It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after its final reading in accordance with Article X “Utility and Public Service Franchises and Licenses” of the City Charter.

PASSED AND APPROVED this 15th day of June 2021.

PASSED AND ADOPTED this 28th day of July 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

EXHIBIT “A”

FIRST AMENDMENT TO CONTRACT FOR COLLECTION OF SOLID WASTE

THIS FIRST AMENDMENT to that contract entered into on or around October 27, 2020, ("Original Contract"), is made by and between the City of Kaufman, Texas, a home rule municipal corporation located at 209 S. Washington Street, Kaufman, Kaufman County, Texas, (hereinafter called "City"), and Republic Waste Services of Texas, Ltd. dba Republic Services of Dallas, a Texas corporation located at 1450 E. Cleveland Street, Hutchins, Texas 75141, (hereinafter called "Contractor").

WHEREAS, the City and Contractor desire to enter into this First Amendment to amend the bulk waste regulations; and

NOW, THEREFORE, in consideration of the following mutual agreements and covenants, it is understood and agreed by and between the parties that the Original Contract is amended as follows will all other provisions of the Original Contract not herein amended to remain in full force and effect:

Section 1 – Amendments

1.01. Paragraph 3, "Definitions", of the Original Agreement is hereby amended by amending the definitions of "Bulky Wastes", "Bundle", "Take All Service", and "Unusual Accumulation" to read as follows with all other provisions of Paragraph 3 not herein amended to remain in full force and effect:

Bulky Wastes: All items too large for regular cart collection (maximum of 40 pounds), in or outside a container, limited to 3 cubic yards per week: furniture, lawn chairs or equipment, BBQ grills (excluding propane tanks), swing sets or forts, brush, tree trunk, and other Green Waste up to 4 feet long and 2 inches in diameter, carpet bundled and rolled (maximum of 40 pounds and 4 inch sections), furniture/doors, toilet/bathtub, garage cleanups, wood fences (without concrete or metal hardware including nails), washer/dryer, refrigerator/freezer (which have CFCs removed by a certified technician), oven/stove/hot water heaters, lawn mowers (without fuel), and scrap metal (bicycles, swing set, etc. - when separated from brush pile). Bulky Waste does not include Unacceptable Waste.

Bundle: Tree, shrub and brush trimmings or newspapers and magazines forming an easily handled pile not exceeding 4 feet in length, or 40 pounds in weight. Each pile shall be separated from other bulky wastes.

Take All Service: Refers to service level expected of Contractor for Solid Waste collection. Specifically, Contractor will dispose of Refuse items placed in the Polycart and Bulky items placed curbside. The exception will be Unacceptable Waste and Household Hazardous Waste. Bulky Waste and Bundle volumes in excess of three (3) aggregate cubic yards per collection are subject to price structure outlined in sections 11(a) and 11(e) and will be billed by the City.

Unusual Accumulation: Any amount of Bulky Waste or Bundles that exceeds an aggregate of three (3) cubic yards and is less than or equal to an aggregate of eight (8) cubic yards weekly service day for any Residential Unit.

1.02. Subparagraph A, "Residential Collection", of Paragraph 4, "Scope and Nature of Operation", of the Original Agreement is hereby amended to read as follows with all other provisions of Paragraph 4 not herein amended to remain in full force and effect:

4. Scope and Nature of Operation

A. Residential Collection:

1. Contractor shall provide curbside collection service for the collection of containerized residential refuse, and solid waste, to each residential unit at least one (1) time per week; provided, that such (i) residential refuse and solid waste materials are placed in Polycarts, and (ii) such Polycarts at curbside by 7:00 a.m. on the designated collection day. Further, Contractor shall provide City a copy of maps indicating the routes used in the collection of waste from all Residential Customers. The City has the right to request Contractor review and approve modification of routes, which approval shall not be unreasonably withheld. The weight of a Polycart and its contents shall not exceed 175 pounds.

2. Bundle and Bulky Wastes Collection: Contractor shall provide a weekly collection service for bulky wastes and/or bundles of brush or solid waste to all Residential Customers for up to a maximum aggregate of three (3) cubic yards per collection.

3. Unusual Accumulations Collection: Any waste in excess of three (3) cubic yards may be picked up by Contractor as an Unusual Accumulation and charged accordingly. The Contractor may charge for the collection of Unusual Accumulations, as provided for in the rate schedule included in **Section 11**, and Contractor will invoice the City accordingly.

1.03 Subparagraphs A, "Residential", and B, "Commercial", of Paragraph 11, "Rates", of the Original Agreement is hereby amended to read as follows with all other provisions of Paragraph 11 not herein amended to remain in full force and effect:

A. RESIDENTIAL:

For the weekly manual solid waste collection, including up to three (3) aggregate cubic yards of Bulky Waste and Bundles, the Contractor shall charge (i) \$9.47 per month for each Residential Unit, plus (ii) \$4.05 per month for each additional Polycart utilized by such Residential Unit.

For the collection of Unusual Accumulations in accordance with Section 4.A.3 above, the Contractor shall charge \$ \$12.50 per yard in excess of three (3) cubic yards but not more than eight (8) cubic yards of materials in accordance with the definitions hereof. For anything in excess of an aggregate of eight (8) cubic yards, the Contractor shall require a Special Collection in accordance with **Section 11(E)** hereof.

In the event that any Residential Unit requires the use of a temporary roll-off container, the Contractor shall charge \$400.00 per haul of each 20-cubic yard container, \$450.00 per haul of each 30-cubic yard container, and \$475.00 per haul of each 40-cubic yard container.

These rates apply to all Residential Units that are located within the City's corporate limits and billed by the City for water and sewer services.

B. COMMERCIAL:

For the weekly manual or automated solid waste collection, the Contractor shall charge (i) \$15.95 per month for each Commercial or Industrial Unit utilizing one (1) Polycart, (ii) \$31.90 per month for each Commercial or Industrial Unit utilizing two (2) Polycarts, or (iii) \$47.85 for each Commercial or Industrial Unit utilizing three (3) Polycarts.

For the solid waste collection services to Commercial or Industrial Units requiring the use of front-load containers, the Contractor shall charge per month for each container utilized, the following rates (extra-lifts will be charged per container, per extra lift):

Size	Lifts per week- Monthly service rates						Extra-lifts
	1	2	3	4	5	6	
2 cubic yard	\$ 71.66	\$ 130.58					\$56.79
3 cubic yard	\$ 89.17	\$ 156.06					\$59.76
4 cubic yard	\$ 105.10	\$ 183.13					\$62.76
6 cubic yard	\$ 130.58	\$ 234.09	\$ 361.57	\$ 471.30			\$67.26
8 cubic yard	\$ 157.65	\$ 286.64	\$ 444.38	\$ 526.02			\$71.73

The foregoing rates apply to all Commercial and Industrial Units that are located within the City's corporate limits and billed by the City for water and sewer services and do not include the License Fees, which may be added by Contractor to the rates above.

Contractor shall charge \$1.54 per collection for containers with gates or enclosures.

Contractor shall charge the following rates for each Commercial Hand-Collect Unit:

	1x/week	2x/week
One cart	\$17.55	\$27.91
Two carts	\$35.10	\$55.82
Three carts	\$52.65	\$83.73

Section 2 - Severability

In the event that any provision or portion thereof of any Contract Document shall be found to be invalid or unenforceable, then such provision or portion thereof shall be performed in accordance with applicable laws. The invalidity or unenforceability of any provision or portion of any Contract Document shall not affect the validity or enforceability of any other provision or portion of any Contract Document.

Section 3 – Venue

The Contractor shall comply with all Federal and State laws and City Ordinances and Codes applicable to the Contractor's operation under this Contract. The resulting specifications and the Contract therefrom shall be fully governed by the laws of the State of Texas, and shall be fully performable in Kaufman County, Texas, where exclusive venue for any proceeding arising hereunder will lie.

Section 4 – Effective Date

This First Amendment shall be effective as of the date listed below and shall remain in effect according to the same terms provided for in the Original Contract.

Executed this the _____ day of _____ 2021.

CITY OF KAUFMAN, TEXAS

Jeff Jordan, Mayor

ATTEST:

Jessie Hanks, City Secretary

APPROVED AS TO FORM:

Patricia Adams, City Attorney

Executed this the _____ day of _____ 2021.

CONTRACTOR

Scott Hempel, General Manager

THE STATE OF TEXAS §

THE COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared: Scott Hempel, General Manager of the corporation known as Republic Services of Dallas, LLC known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said corporation, that he or she was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation and that he or she executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Executed on this the _____ day of _____, 2021.

Notary Public

Commission Expires: _____



Meeting
Date: 6/28/2021

Date: 6/22/2021

Item #: 14.

Dept.: Administration

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-24-21, a resolution of the City Council of the City of Kaufman, Texas, approving the design for Shannon Park and releasing Assigned Fund Balance for park improvements to funding this project.

BACKGROUND:

This is an update on the Shannon Park makeover with requested changes. Renderings will be provided at the Council meeting as requested. Attached is the approximate \$1M probable cost estimate as well and a Storm Drainage plan for Shannon Park (an add'l approximate \$500K)

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Recommend approval of Resolution R-24-21.

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

RESOLUTION NO. R-24-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS APPROVING FINAL DESIGN PLANS FOR SHANNON PARK IMPROVEMENTS; RELEASING FUNDS FROM THE ASSIGNED FUND BALANCE TO IMPLEMENT THE APPROVED SHANNON PARK IMPROVEMENTS; PROVIDING FOR THE INCORPORATION OF PREMISES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council identified desired improvements to Shannon Park and requested that City staff begin the planning process for the design of those improvements; and

WHEREAS, City staff has presented a final design plan to the City Council for those improvements to Shannon Park; and

WHEREAS, the City Council now wishes to approve final design plans for the Shannon Park improvements and to authorize the release of funds needed to implement the improvements from the Assigned Fund Balance for Park Improvements; and

WHEREAS, the City Council has determined that construction of the improvements to Shannon Park serves the health and welfare of the citizens of Kaufman.

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

SECTION 1. That the foregoing recitals are true and correct and are incorporated herein.

SECTION 2. The City Council hereby accepts the final design plans for Shannon Park improvements as prepared by Dunkin, Sims & Stoffels, Inc, attached hereto and incorporated herein as set forth in Exhibit A.

SECTION 3. The City Council hereby approves the release of funds in the amount of \$1,100,000.00 from the Shannon Park Improvements Assigned Fund Balance for implementation of the approved Shannon Park improvements.

SECTION 4. The City Council hereby authorizes the City Manager or designee to execute any necessary documents.

SECTION 5. That this Resolution takes effect as of its date of passage.

PASSED AND APPROVED this 28th day of June, 2021.

JEFF JORDAN
MAYOR

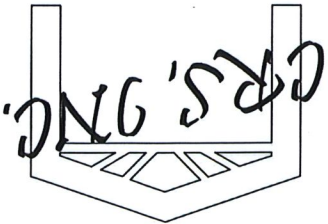
ATTEST:

JESSIE HANKS
CITY SECRETARY

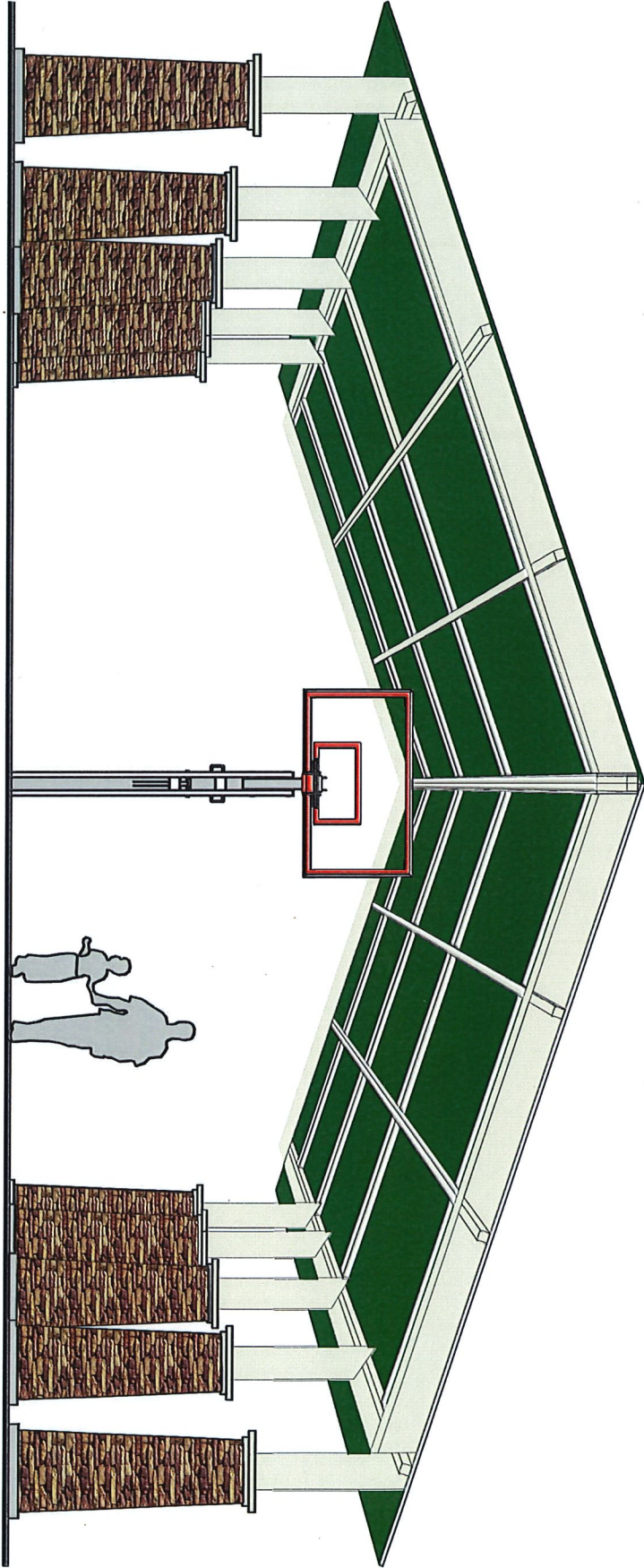
APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

Exhibit A



NOT FOR CONSTRUCTION



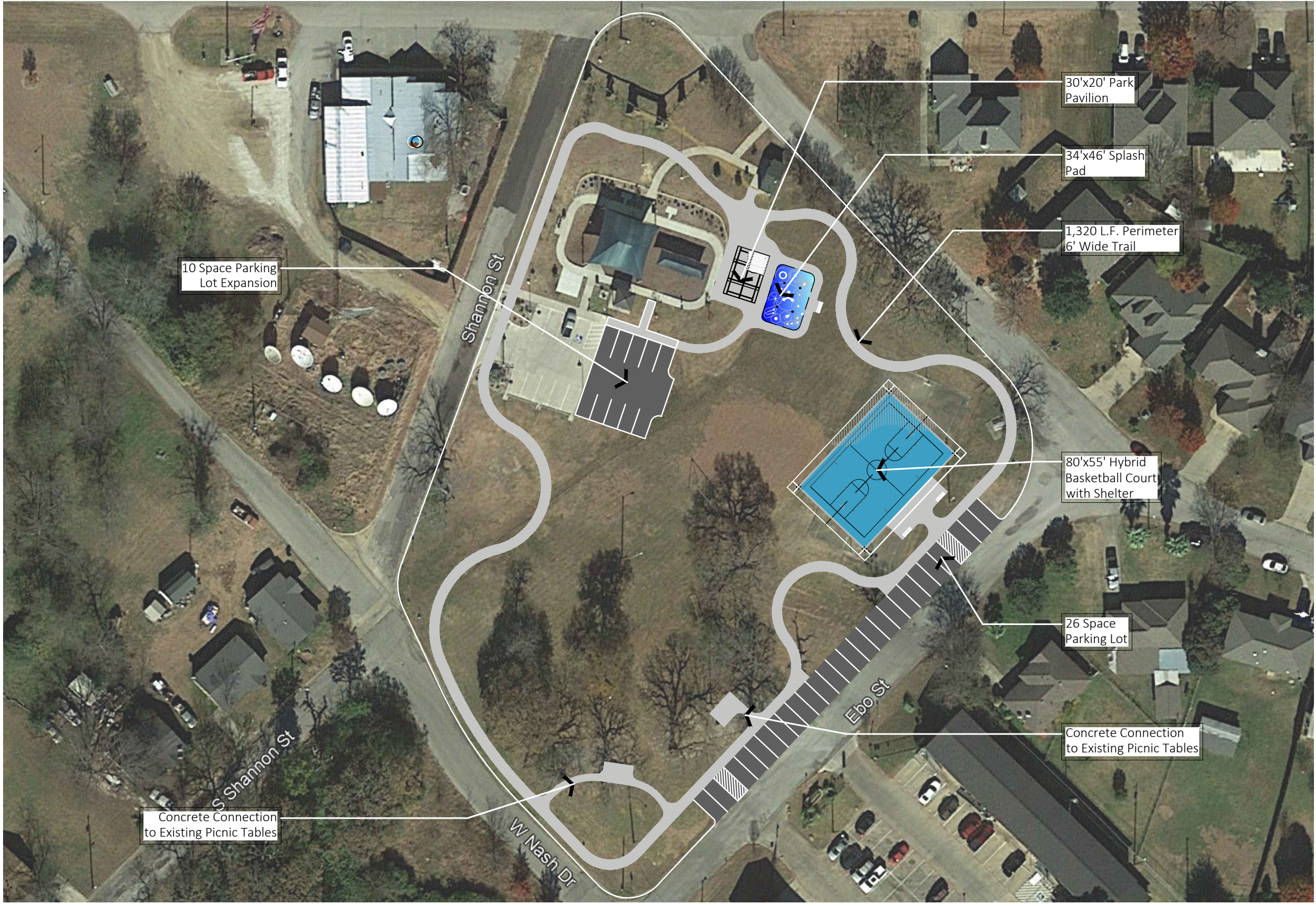
END ELEVATION 50'X80' ORLANDO MODEL
NTS











Project:
Shannon Park Addition - Splash Pad
Kaufman, TX

Consultant:

**Dunkin
Sims
Stoffels,
Inc.**

LANDSCAPE ARCHITECTS/PLANNERS

622 WEST STATE STREET
GARLAND, TEXAS 75040
PHONE: (214) 553-5118
www.dssland.com

Signed:

Sheet Title:

Concept Master Plan

Date of Issue:

June 2, 2021

Concpet Plan

Sheet No.:

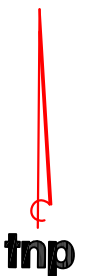
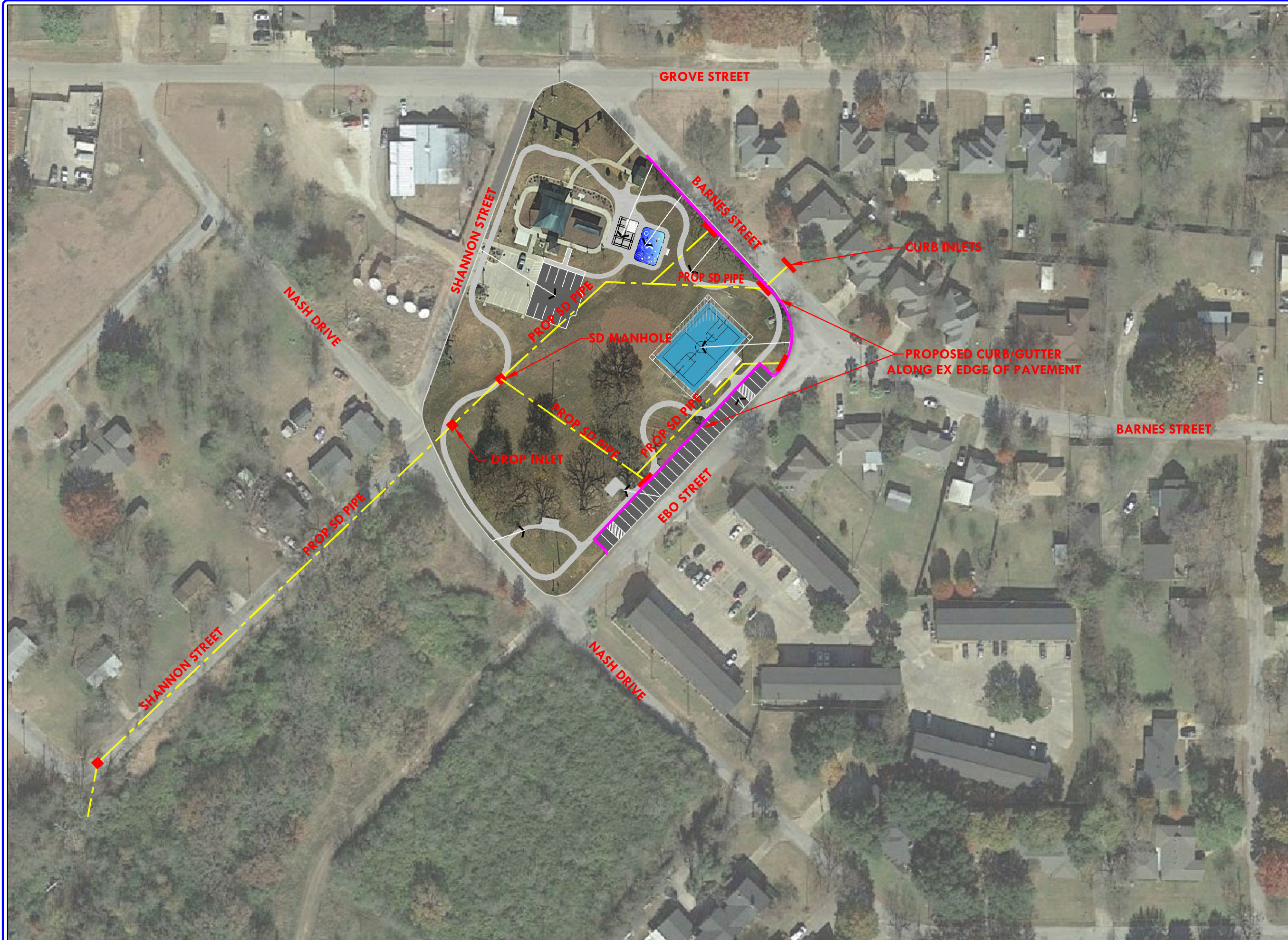
EXHIBIT 'A'



teague nall & perkins

5237 N. Riverside Drive Suite 100
Fort Worth, Texas 76137
817.336.5773 ph 817.336.2813 fx
TBPE Registration No. F-230
www.tnpinc.com

**City of Kaufman
Shannon Park
Drainage Improvements**



GRAPHIC SCALE



GRAPHIC SCALE: 1" = 100'

June 2021
tnp project no. KAU 21005

**Opinion of Probable Cost
SHANNON PARK - CONCEPT 'A'
Kaufman, Texas
May 26, 2021**

ITEM	UNIT	QUANTITY	PER EACH	TOTAL
Earthwork / Site Preparation	L.S.	1	\$ 10,000.00	\$ 10,000.00
Concrete Walkway/Plaza with 8' Perimeter Trail	S.F.	15,400	\$ 7.00	\$ 107,800.00
Concrete Parking Lot Pavment	S.F.	7,750	\$ 8.00	\$ 62,000.00
Trail Lighting	L.S.	1	\$ 50,000.00	\$ 50,000.00
Splash Pad	Each	1	\$ 165,000.00	\$ 165,000.00
Basketball Court	Each	1	\$ 90,000.00	\$ 90,000.00
Basketball Court Shelter/Cover (Lighting)	Each	1	\$ 175,000.00	\$ 175,000.00
Park Pavilion (30'x20')	Each	1	\$ 85,000.00	\$ 85,000.00
Site Utilities (Water Meter, Electrical Service, Etc.)	L.S.	1	\$ 15,000.00	\$ 15,000.00
Finish Sodding, Grading and Seeding	L.S.	1	\$ 30,000.00	\$ 30,000.00
Park Irrigation	L.S.	1	\$ 75,000.00	\$ 75,000.00
Landscaping (Trees)	Each	20	\$ 550.00	\$ 11,000.00
Stone Accent for vertical elements	L.S.	1	\$ 75,000.00	\$ 75,000.00
Subtotal:				\$ 950,800.00
Contingency 10%:				\$ 95,080.00
Construction Total:				\$ 1,045,880.00
Soft Costs (Design, Surveying, Geotechnical, Engineering) 10%:				\$ 104,588.00
Grand Total				\$ 1,150,468.00



Meeting
Date: 6/28/2021

Date: 6/23/2021

Item #: 15.

Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate action on the annual mosquito spraying program.

BACKGROUND:

We budget annually for this program. As mentioned in a prior communication, it is not very effective ... more of an optics program, than anything else. Total cost for this program is \$1,200 to spray the entire city (takes two nights) each time.

The earliest we would spray would be after we publish a press release announcing the spraying (week of July 5th).

Author:

Reviewed:

Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Recommend a one-time spraying of the city the week of July 5th.

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

Contact: Mike Holder Title: Assistant City Manager Phone: (972) 932-2216 Fax: (972) 932-0307 Email: mholder@kaufmantx.org	City of Kaufman 209 S. Washington Street Kaufman, Texas 75142	CITY OF KAUFMAN
--	---	------------------------

PRESS RELEASE

City of Kaufman to Provide Mosquito Spraying:

Kaufman, Texas, Thursday, July 08, 2021 and Friday, July 09, 2021: In an attempt to get control of the mosquito population, please be advised that the City will be spraying for mosquitoes on the following date:

On Thursday, July 08, 2021, north side of town and Friday, July 09, 2021 south end of town beginning at 7:00 P.M.

Residents should take the following precautions:

- Bring in pet dishes or cover them.
- Cover ornamental ponds and birdbaths.
- Bring your pets inside for the night.
- Do not go outside during the spray time.
- Keep windows and doors closed during spraying.
- If you have health problems, such as asthma, take special precautions as directed by your doctor, if necessary.

If further assistance is needed, please contact the City of Kaufman at (972) 932-2216 extension 153.

Ciudad de Kaufman para proporcionar la rociadura del mosquito:

Kaufman, Texas, jueves 08 de julio de 2021 y viernes 09 de julio de 2021: En un intento por conseguir el control de la población del mosquito, aconséjese por favor que la ciudad rociará para los mosquitos la fecha siguiente:

El jueves 08 de julio de 2021, lado norte de la ciudad y viernes 09 de julio de 2021 extremo sur de la ciudad a partir de 7:00 P.M.

Los residentes deben tomar las precauciones siguientes:

- Introduzca animal favorito platos o los cubre.
- Cubra charcas y pilas para pájaros decorativas.
- Traiga sus animales favoritos adentro por la noche.
- No vaya afuera durante tiempo de rocío.
- Mantenga ventanas y puertas cerraron durante rociar.
- Si usted tiene los problemas de la salud, tal como el asma, toma las precauciones especiales como dirigido por su médico, si necesario.

Si ayuda adicional se necesita contacta por favor el Departamento de Trabajo Públicos en (972) 932-2216 extensión 153.

For Release Thursday, July 8th, 2021

BOARD OR COMMISSION
CANDIDATE APPLICATION FOR APPOINTMENT

Which of the City's Boards/Commissions are you interested in serving on?

- ☐ Kaufman Economic Development Corp.
☐ Planning and Zoning Commission
☐ Board of Adjustment
☒ Parks and Recreation Board
☐ Downtown Development Advisory Board

☐ Keep Kaufman Beautiful Board
☐ Other (Please specify in space below.)

Name: Sergio Castaneda
Home Address: 4111 Fortner Circle
Home Phone #: 214-789-6434
*E-mail Address: cheggy80@gmail.com

Date Submitted: 6/4/2021
Occupation: Team Leader
Employer: Nucor Buildings Group
Work Phone #: 972-524-5407

Kaufman resident for 41 years.

Qualified Voter: Yes ☒ No ☐

Are you related to any of the City Council members or the City Manager? Yes ☐ No ☒
If so, please give the name of the person you are related to and your relation to that person.

Name _____

Relationship

Highest Education Level Completed, School Attended and Year Graduated: (High School/College)

High School GED

Boards/Commissions/Committees you have previously served on:	Dates
N/A	

Professional and/or Community (Civic) Activities:

Skills, Hobbies, or Talents:

Providing for my Family, Golf

Signature

**RED WHITE
&
BOM**



3RD OF JULY

\$20

PER CAR

**9 AM
PARADE**

**11 AM - 2 PM
CAR SHOW & FREE
IN-AND-OUT
ON THE SQUARE**

**4 PM- 10 PM
LIVE MUSIC**

**4 PM- TK BROWN
6 PM- THE MARCUS LINDSEY BAND
9 PM- JACK INGRAM**

9:30PM FIREWORKS

KIDZ ZONE ★ VENDORS ★ BEER TENT

BRING YOUR LAWN CHAIRS!

NO GLASS CONTAINERS PLEASE

SATURDAY, 07.03.2021 | KAUFMAN SPORTS COMPLEX



WWW.KAUFMANEVENTS.COM



UNIQUE
KARZ
CAR SHOW PROMOTIONS
469-632-6993



Downtown Square of Kaufman
Parade & Car, Truck Motorcycle Show
July 3, 2021 car show from 10-2

- Full class show (30 Classes)
- 1st and 2nd place in each class
plus 6 special awards.
- dash plaques to the 1st 50 cars to register



Car Show information call 469-632-6993
Parade set up is at 8am @ Kaufman Civic Center for info 214-802-4933

DISCUSSION ITEMS REPORT (DIR)

[illegible]

DISCUSSION ITEMS REPORT (DIR)

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	elopment 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	Aproved 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
WWTP Finance Application	Finance	11/13/2018	10/23/2018	GTUA Approval
PD/FD Safety Equipment Grant	Public Safety	TBD	3/3/2020	Application Submitted
Street Maintenance Priorities	PW/Admin		2/27/2019	List Presented to Council/Incorporated into 5 Year CIP
Traffic Signal 1388@34 ByPass	Admin		1/28/2020	Final Construction Underway
Solid Waste RFP	Admin	TBD	5/18/2020	Contract Finanlized and Approved
PD Body Camera Grant	PD	4/27/2020	5/19/2020	Grant not awarded
Civic Center	Admin	7/22/2019		Accepted 01/25/21
Phase II - Street Bond	Public Works	10/28/2019	10/23/2018	Accepted 01/25/21
TxDOT Turnback	Admin	12/17/2018	11/6/2018	Accepted 01/25/21
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
Building Code Update	Development Serv	10/28/2019	6/4/2019	Approved O-28-19
Park Dedication Ordinance	Development Serv	1/25/2021	10/23/2018	PH continued to 2/22/2021
Police Department Server	PD		1/29/2021	Ordered thru TSM
Tree Mitigation Ordinance	Development Serv		2/24/2021	Approved
Kaufman Lake	Admin/PW		1/8/2019	Sold April 2021

June 7, 2021

To: City of Kaufman

From: Ashley Berryhill, Finance Director

Re: May 2021 Demand and Response Ridership Report

TRIP INFORMATION:

	S	O	N	D	J	F	M	A	M	J	J	A	TOTAL
Trips	289	233	267	194	237	212	453	219					2,320
No. Service Days	21	22	19	21	19	14	23	20					180
Avg. Daily Trips	13.8	10.6	14.1	9.2	12.5	15.1	19.7	11					12.9

NO. OF TRIPS	PURPOSE
19	Adult Dayhab
0	Education
2	Government
2	Medicaid
112	Medical
2	Nutrition (Senior Center)
10	Other (adult-day care, beauty salon, friend's homes, etc.)
38	Shopping
34	Work
0	Contract Services
0	Vaccination Appointments

ELDERLY AND DISABLED RIDERSHIP	
49	Disabled Trips
128	Elderly (&/or Dis) Trips

177 E & D Total Rides

E & D Percent of Total Trips – 81%

MAY UNDUPLICATED PASSENGERS
37
YEAR TO DATE UNDUPLICATED PASSENGERS
152

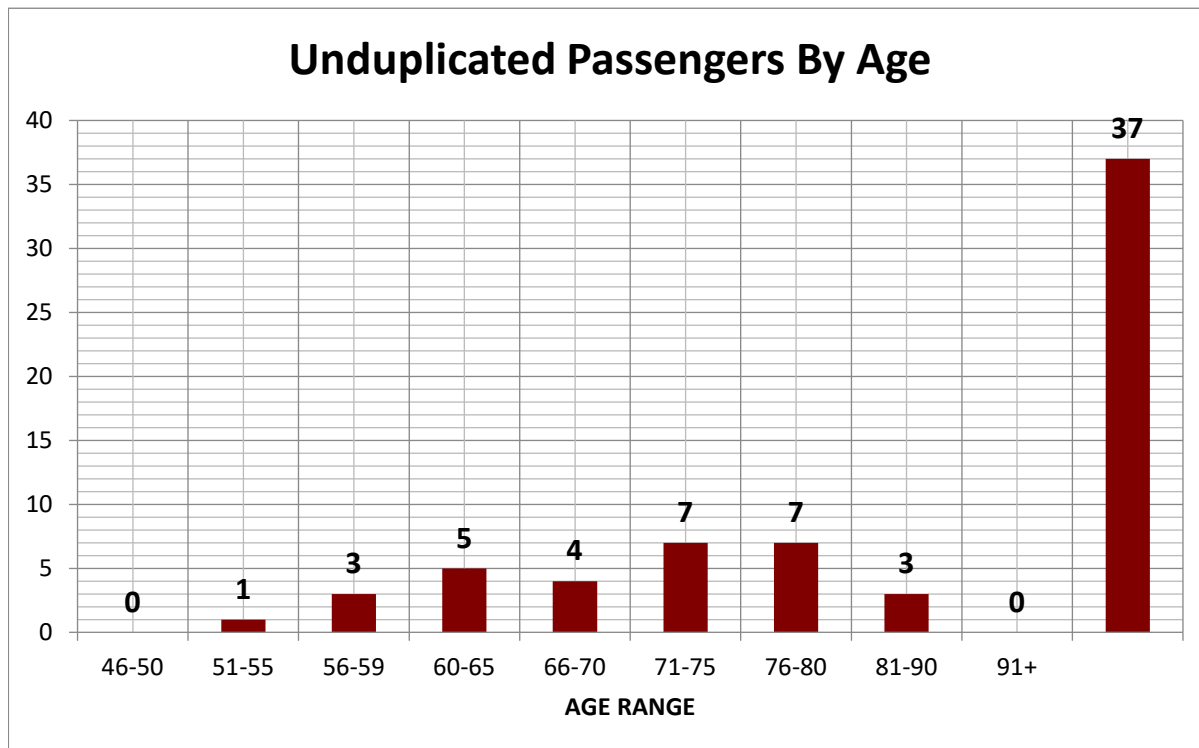


Trip Total	
KAUFMAN TO KAUFMAN	147
KAUFMAN TO OUTSIDE	67
OUTSIDE TO KAUFMAN	5

219

NOSHOW/CANCEL	86
DENIALS	19
Month to Month Unduplicated	37
YTD Unduplicated	152

May 2021 Total D & R Trips	219
----------------------------	-----



June 7, 2021

To: Kaufman County

From: Ashley Berryhill, Finance Director

Re: April 2021 STARNow – Kaufman County Ridership Report

FY2021 TRIP INFORMATION:

	S	O	N	D	J	F	M	A	M	J	J	A	TOTAL
Trips	750	899	851	913	989	698	1,081	1,082	824				8,087
Service Days	21	22	19	21	19	14	23	21	20				180
Avg. Daily Trips	35.7	40.9	44.8	43.5	52.1	49.9	47.0	51.5	41.2				44.9

KPIs

Completed Boardings ⓘ Avg. Boardings Per Service Hr. ⓘ Boarding Cancellations ⓘ Boarding Cancellations (No-Show) ⓘ Cancellation Percentage ⓘ

824 **3.75** **216** **22** **20.77 %**

Cancellation Percentage (No Show) ⓘ Total Requests ⓘ Completed Requests ⓘ No Drivers Available Requests ⓘ Request Cancellations ⓘ

2.12 % **995** **788** **0** **207**

Request Cancellations (No Show) ⓘ Avg. # of Requests per Rider ⓘ Avg. Travel Duration ⓘ Avg. Travel Distance ⓘ Mean Wait Time ⓘ

21 **7.23** **11.5 min** **3.3 mi** **29.37 min**

Median Wait Time ⓘ Bookings from Admin Panel ⓘ Bookings from Rider App ⓘ Flag Down Bookings ⓘ Avg. # Riders per Request ⓘ

16.59 min **73.3 %** **24.64 %** **2.06 %** **3.98**

Response Summary:

	Responses	Transports	Exceptions	Compliance %	Transport %
Priority 1 <8:59	25	13	0	100%	52%
Priority 2 <11:59	81	34	2	98%	42%
Priority 3 <14:59	24	20	0	100%	83%
Emergency Transfers<0:29:59	101	94	46	54%	93%
Non-Emergency Transfers<0:15	48	47	13	73%	98%
Helicopter	15	15			
Totals	294	223		99.00%	59.1%

Transport Summary:

	Number	Percentage
Baylor Scott and White Dallas	6	3%
Baylor Scott and White Sunnyvale	3	1%
Baylor Scott and White Lakepointe Rowlett	0	0%
Baylor Scott and White Lakepointe Forney	0	0%
Childrens Medical Center	7	3%
Dallas Regional Medical Center	3	1%
Medical City Dallas	1	0%
Parkland	1	0%
Texas Health-Dallas	67	32%
Texas Health- Kaufman	52	25%
Texas Health -Plano	6	3%
Texas Health-Rockwall	5	2%
UT Health- Athens	0	0%
UT Health- Tyler	3	1%
UT Health- Cedar Creek	1	0%
VA Medical Center Dallas	0	0%
Other Hospitals	27	13%
Nursing home, residence, other	26	13%
	208	100%

	Number	% of Total
Patient Refusal/Treat No Transport	27	38%
Pt is DOS	0	0%
Cancellation- No Patient	44	62%
	71	100%

Average Response Time
City Wide--Emergency Calls

0:05:19

	Responses	Exceptions	
Last 100 Calls			
Priority 1	100	7	93%
Priority 2	100	2	98%
Priority 3	100	0	100%



COUNCIL MONTHLY UPDATE

MAY 2021

In May the Kaufman Fire Department responded to 202 calls for service.

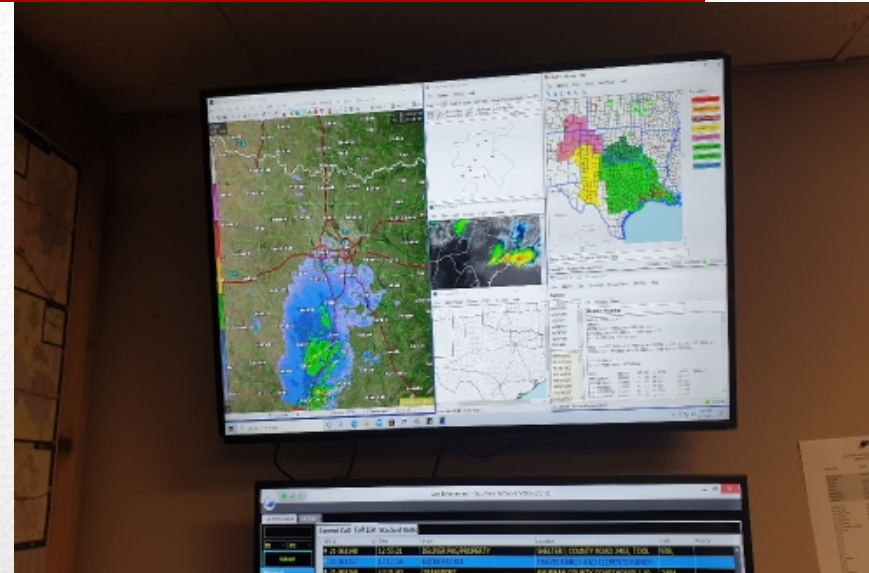
In May 2020 we responded to 190 calls for service

Performed inspections on new Justice center fire lines and visual inspections on thrust blocks.

Received our new weather warning system which will activate our sirens when we are placed under a Tornado warning by National Weather Service

We had our push in ceremony for new Engine 1

There were 4 calls that we were unable to respond to due to being tied up on other calls (EMS, accidents) and no additional personnel responded. Luckily all 4 were medical emergencies and EMS was available to get to them within 15 minutes.



DEPARTMENT

SNAPSHOT MAY

Training:

(Fire Ce's)

Roadway safety & Hose loads



(EMS Ce's)

Epilepsy



DEPARTMENT SNAPSHOT MAY 2021

- **Incident Response Time
Monthly Average**

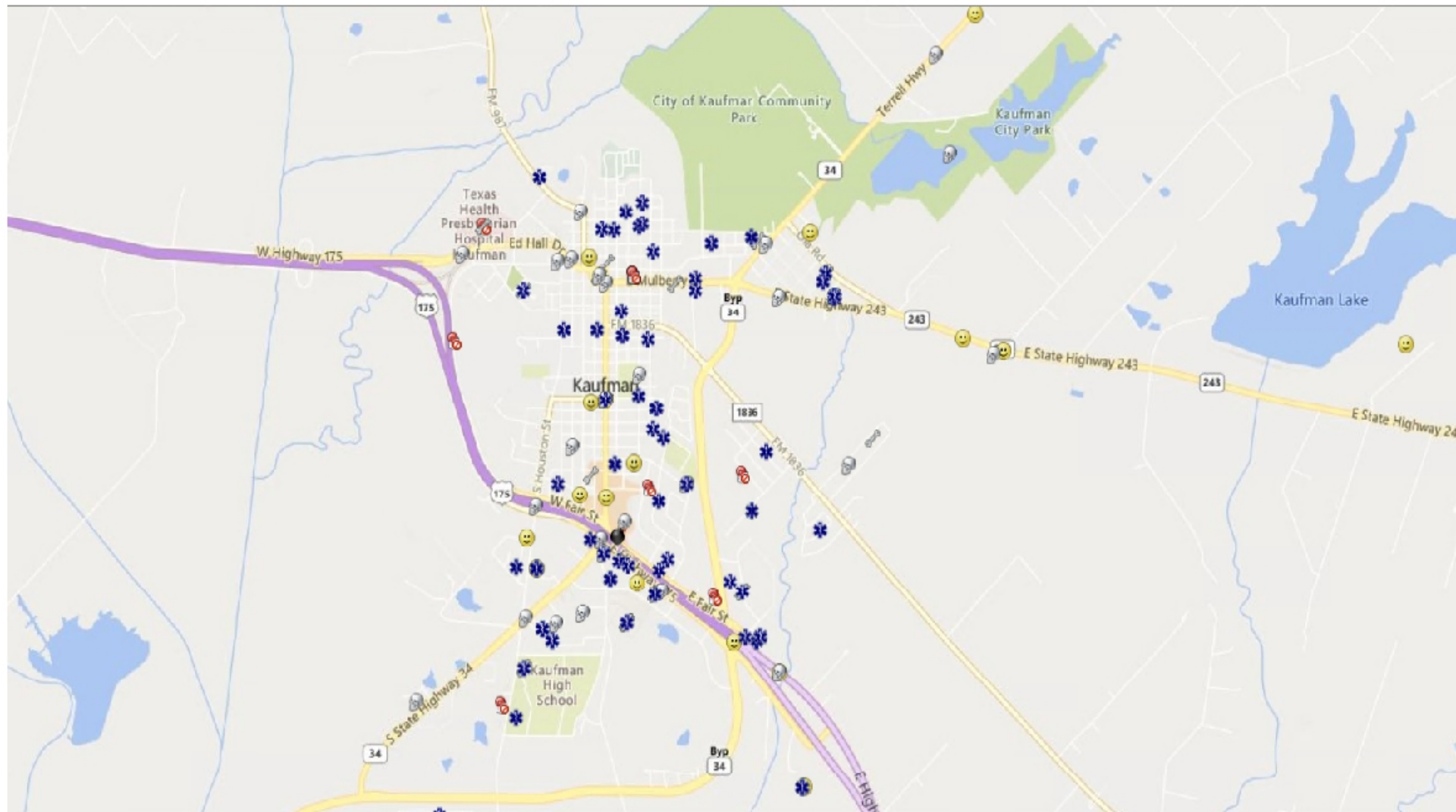
- **May 2021 Monthly
Average Response
Time 5 Minutes 35
Seconds (5.35)**
- **May 2020 Monthly
Average Response
Time 5 Minutes 05
Seconds (5.05)**



DEPARTMENT SNAPSHOT

Inspections	25
Structure Fires	3
Grass/Trash	0
Automobiles	1
Accidents	61
Emergency Medical Calls	102
Haz / Smoke Calls	9
False Alarms	10
Mutual Aid	4
Public Assist Unlocks	12
Total Responses for Month	202

MAY 2021 Responses



INCIDENT LOCATION MAP MAY

RED=FIRE INCIDENTS/ACCIDENTS
YELLOW= CANCELLED IN ROUTE

BLUE= MEDICAL INCIDENTS

KAUFMAN POLICE DEPARTMENT

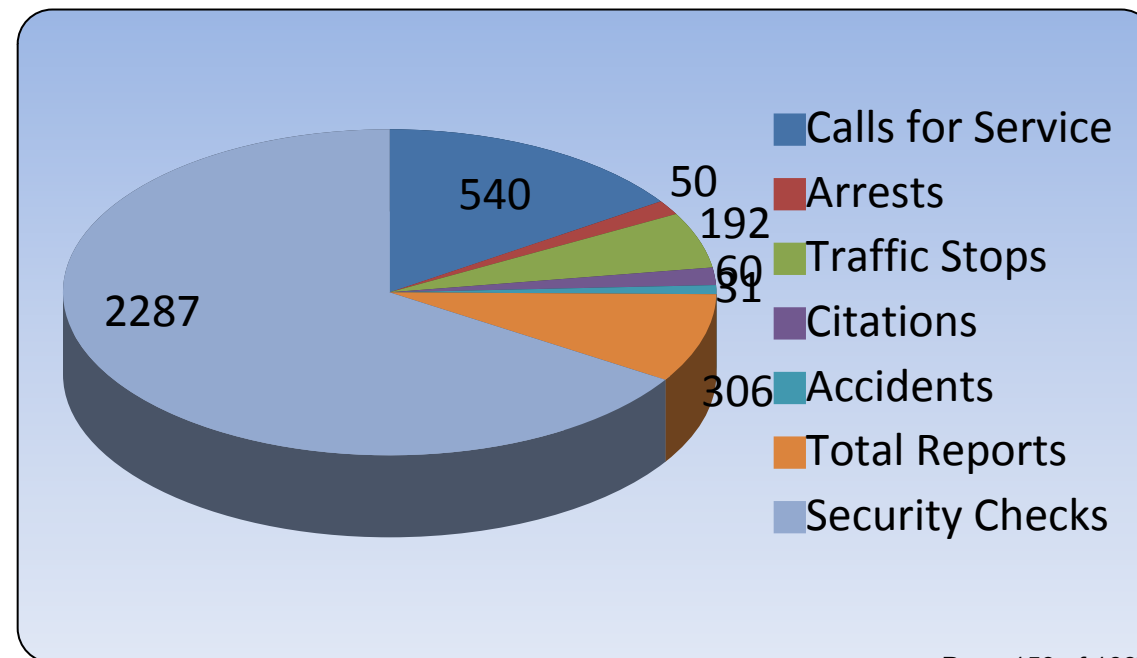
PATROL ACTIVITY MAY 2021

May 2021, Kaufman Police Department's Patrol Division Activity:

- **540** Calls For Service, Including Accidents
- **31** Traffic Accidents
- Completed **2287** Homes, Parks, & Business Checks
- Completed **192** Traffic Stops
- Completed **257** Incident Reports
- Completed **306** Reports
- Made **50** Arrests
- Average monthly response time to calls is **4:03** minutes.

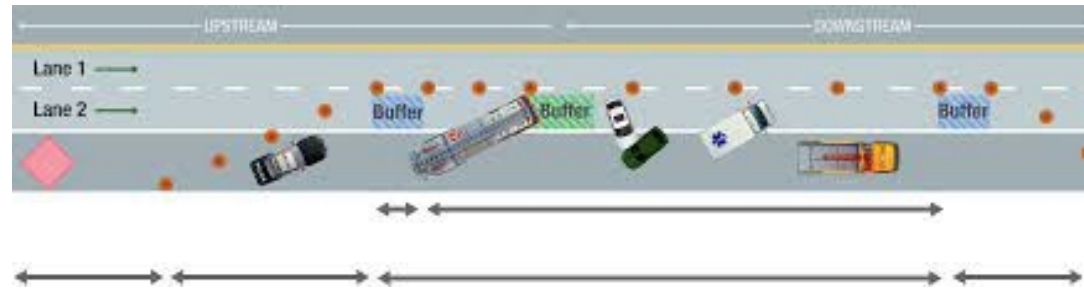
Other points of interest include:

- Utilized the radar trailer on South Houston Street.
- Increased traffic enforcement on South Houston Street due to citizen complaints of speeding vehicles.



Community Engagement May 2021**Social Media Posts, Facebook Followers 10,969.****Events attended by Kaufman Police Department employees:**

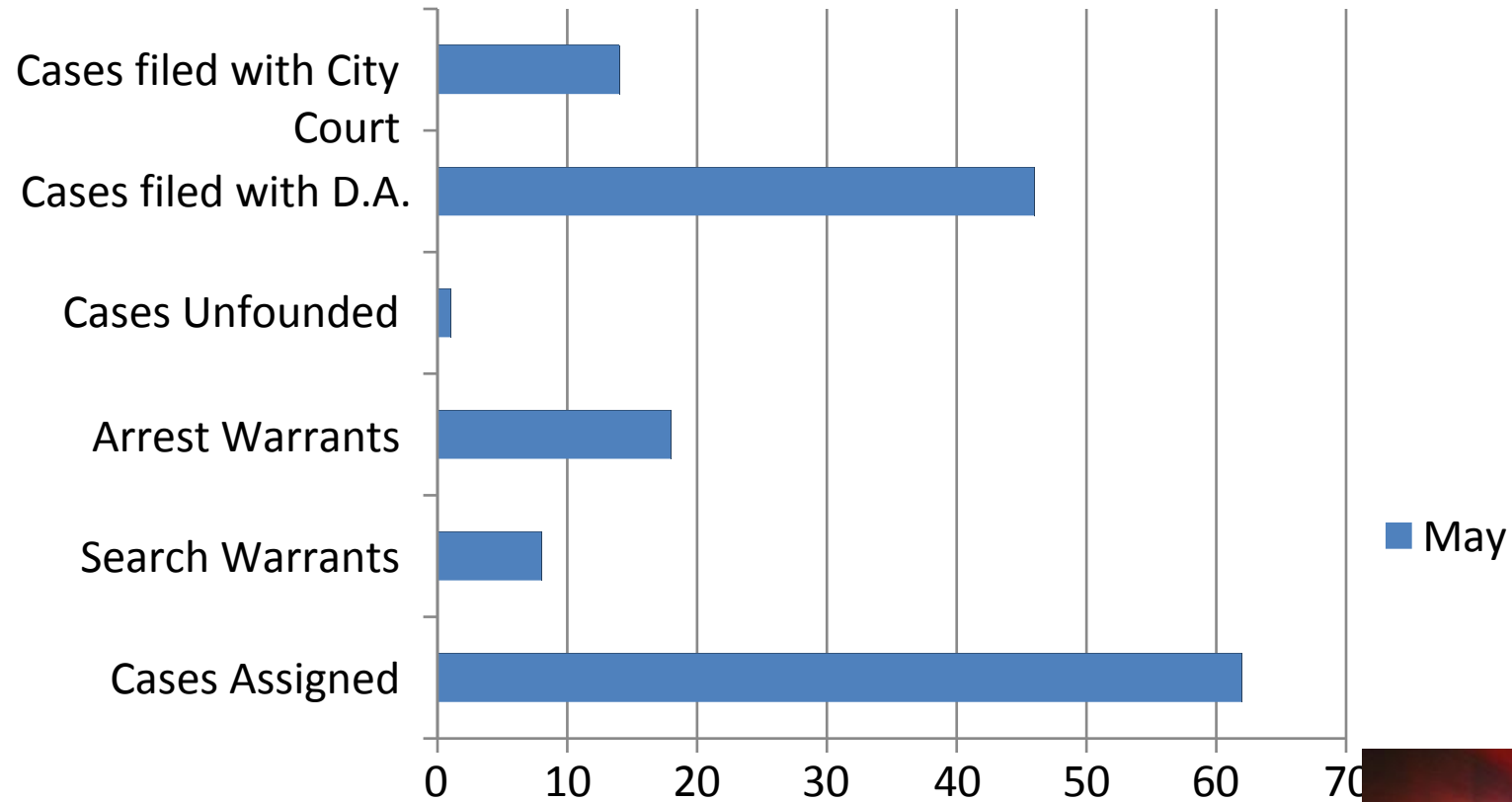
- Weekly Shut-Ins Check.
- Chamber of Commerce Golf tournament participation.
- Chief and Captain completed Traffic Incident Management Executive Training Course.
- Department Members participated in the National Day of Prayer on the square.
- Updated 2 hour Parking Ordinance for the Central Business District.
- Funeral escorts for City Council Members family and for the public.
- Updated recruiting materials and advertisements.
- Demo and purchase of Seek handheld thermal imager for patrol and CID.
- Applicant board and currently have three applicants in processing.



Traffic Incident Management



Testing New Head Gear

Kaufman Criminal Investigations Division
May 2021

	Cases Assigned	Search Warrants	Arrest Warrants	Cases Unfounded	Cases filed with D.A.	Cases filed with City Court
May	62	8	18	1	46	14



KAUFMAN POLICE DEPARTMENT

MAY 2021



Year to Date - Offenses Known to Police for May 2021

Printed On: 6/4/2021

Agency: TX1290200 - KAUFMAN PD

Page 1 of 2

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Animal Cruelty, Total					-
Arson, Total	1		0.13		-
Assault Offenses, Total	20	14	2.52	22	-9.09%
Firearm	1		0.13		-
Knife				1	-100.00%
Other Weapons				2	-100.00%
Personal Weapons	19	14	2.40	19	0.00%
Bribery, Total					-
Burglary/Breaking and Entering, Total	11	7	1.39	15	-26.67%
No Force	4	1	0.50	3	33.33%
Force	7	6	0.88	12	-41.67%
Counterfeiting/Forgery, Total	2		0.25	13	-84.62%
Destruction/Damage/Vandalism of Property, Total	13	3	1.64	16	-18.75%
Drug/Narcotic Offenses, Total	88	84	11.10	69	27.54%
Drug Equipment Violations	18	18	2.27	24	-25.00%
Drug/Narcotic Violations	70	66	8.83	45	55.56%
Embezzlement, Total					-
Extortion/Blackmail, Total					-
Fraud Offenses, Total	11	3	1.39	8	37.50%
False Pretense/Swindle/Confidence Game					-
Hacking/Computer Invasion					-
Identity Theft					-
Impersonation	7	2	0.88	5	40.00%
Credit Card/Automatic Teller Machine Fraud	4	1	0.50	3	33.33%
Welfare Fraud					-
Wire Fraud					-
Gambling Offenses, Total					-
Betting/Wagering					-
Gambling Equipment Violations					-
Operating/Promoting/Assisting Gambling					-
Homicide Offenses, Total					-
Murder and Nonnegligent Manslaughter					-
Negligent Manslaughter					-
Human Trafficking, Total					-
Human Trafficking, Commercial Sex Acts					-
Human Trafficking, Involuntary Servitude					-
Kidnapping/Abduction, Total					-

This report reflects incidents submitted to the Texas Department of Public Safety's Uniform Crime Reporting (UCR) system as applied to your request. UCR is a voluntary program, wherein, participating agencies are required to submit their data annually but have no data frequency submission requirement. As data is submitted, routine data validations are applied to ensure completeness; however, the responsive data contained within this report may have been retrieved from the system prior to being subject to or completing those validation routines, and as such, may contain inaccuracies, be incomplete or not reflect every incident that may have occurred within the specified jurisdiction for the requested timeframe. As such, this report is a reflection of all of the data contained within the TXDPS UCR System at the time of inquiry for the timeframe specified. Every effort has been made to produce the data in the requested format.



Year to Date - Offenses Known to Police for May 2021

Printed On: 6/4/2021

Agency: TX1290200 - KAUFMAN PD

Page 2 of 2

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Larceny/Theft Offenses, Total	56	18	7.06	68	-17.65%
Motor Vehicle Theft, Total	10	3	1.26	6	66.67%
Buses					-
Automobiles	7	2	0.88	6	16.67%
Other Motor Vehicles	1		0.13		-
Trucks	1	1	0.13		-
Recreational Vehicles	1		0.13		-
Pornography/Obscene Material, Total	2		0.25		-
Prostitution Offenses, Total					-
Assisting or Promoting Prostitution					-
Prostitution					-
Purchasing Prostitution					-
Robbery, Total					-
Firearm					-
Personal Weapons					-
Other Weapons					-
Knife					-
Sex Offenses, Total	2		0.25	1	100.00%
Fondling	2		0.25		-
Rape				1	-100.00%
Sexual Assault with an Object					-
Sodomy					-
Sex Offenses, Non-Forcible, Total					-
Incest					-
Statutory Rape					-
Stolen Property Offenses, Total	2		0.25		-
Weapons Law Violations, Total	6	6	0.76	3	100.00%
Group A Offense, Total	224	138	28.25	221	1.36%
Crimes Against Person, Total	22	14	2.77	23	-4.35%
Crimes Against Property, Total	106	34	13.37	126	-15.87%
Crimes Against Society, Total	96	90	12.11	72	33.33%
Officers Killed or Assaulted YTD	0			1	-100.00%

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KAUFMAN POLICE DEPARTMENT ANIMAL CONTROL REPORT MAY 2021

April 2021, Kaufman Animal Control Responded To-

- 54 Calls For Service
- 5 Follow-up Calls
- Warnings Issued – 1
- Citations Issued – 4
- Traps Set - 4

Animals Captured

On Calls – 17

On View – 0

Animals Turned Over

To Owner – 1

To Humane Society – 22

Dead Animals Recovered: - 5

NOTE: Snake calls are on the rise this time of year.



CAR TEMPERATURE PET SAFETY CHART

How long does it take
for a car to get **HOT**?

Outside Temp (F)	Inside Temp (F)	
	10mins	30mins
70°	89°	104°
75°	94°	109°
80°	99°	114°
85°	104°	119°
90°	109°	124°
95°	114°	129°

DOGS DIE EVERY SUMMER
In minutes your
car temps are deadly!

VeterinaryClinic.com



JULY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3 July 4 th Event
4	5	6 Planning & Zoning Meeting	7	8	9	10
11	12	13	14	15 Parks & Rec Meeting	16	17
18	19	20	21	22	23	24
25	26 Regular City Council Meeting	27	28	29	30	31

AUGUST 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Budget Workshop @ 12 pm	3 Planning & Zoning Meeting	4	5	6	7
8	9	10 KEDC	11	12	13	14
15	16	17	18	19 Parks & Rec Meeting	20	21
22	23 Regular City Council Meeting	24	25	26	27	28
29	30	31				

SEPTEMBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Labor Day- City Hall Closed	7 Planning & Zoning Meeting	8	9	10	11
12	13 Special City Council Meeting	14	15	16 Parks & Rec Meeting	17	18
19	20	21	22	23	24	25
26	27 Regular City Council Meeting	28	29	30		

OCTOBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5 Planning & Zoning Meeting	6	7	8	9
10	11	12 KEDC	13	14 Parks & Rec Meeting	15	16
17	18	19	20	21	22 Oktoberfest	23 Oktoberfest
24 Oktoberfest	25 Regular City Council Meeting	26	27	28	29	30/31 Halloween