



AGENDA
JOINT WORK SESSION BETWEEN
PLANNING & ZONING COMMISSION
AND CITY COUNCIL AND
REGULAR CITY COUNCIL MEETING
MONDAY, DECEMBER 20, 2021 - 5:30 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142
AND VIA VIDEOCONFERENCE/TELECONFERENCE

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

CALL WORK SESSION TO ORDER

Mayor calls the Work Session to order, states the date and time, state Councilmembers present, and declares a quorum present.**

Chairman calls the Work Session to order, states the date and time, state Board Members present, and declares a quorum present.**

WORK SESSION

1. Joint work session with the Planning and Zoning Commission to review the platting and design standard issues with the current 1999 Subdivision Regulations, outline the new proposed Subdivision Regulations and design standards for public infrastructure and discuss adoption plans.

WORK SESSION ADJOURNMENT

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.**

PRESENTATION

2. Police Department Academy Graduation Recognition Presentation and discussion.
3. Fire Department Graduation Recognition Presentation and discussion.
4. Introduction of new Human Resources Coordinator, Audrey Lewis, and discussion.

CONSENT AGENDA

5. Consider and take appropriate action on the minutes from November 15, 2021, Regular City Council meeting.
6. Consider and take appropriate action on the minutes from November 22, 2021, Joint City Council and Kaufman Economic Development Corporation meeting.
7. Consider and take appropriate action on a memorandum of understanding between Kaufman County Sheriff's Office and the City of Kaufman Fire Department regarding the use of the Kaufman County Sheriff's office tower located at 3001 South Washington St.; and authorizing the Mayor or his designee to execute necessary documents.

END OF CONSENT AGENDA

DISCUSSION/ACTION ITEM

8. Consider and take appropriate action on a Development Agreement between the City of Kaufman and SRP Development, LLC for the Prairie Creek Estates, Phase 3 Development, an approximate 17.480 acres of land located in the Thomas Beedy Survey, Abstract No. 21, City of Kaufman, Kaufman County, Texas; and authorizing the Mayor or his designee to execute necessary documents. (Prairie Creek Estates, Phase 3)

PUBLIC HEARING

9. Conduct a Public Hearing, consider, and take appropriate action on Resolution R-39-21, a Resolution of the City Council of the City of Kaufman, Texas, authorizing and creating the Kaufman Public Improvement District No. 2 to include an approximate 17.48 acres of property owned by SRP Development, LLC and generally located Southwest of FM 1836 and Melody Drive within the city limits of the City of Kaufman. (Prairie Creek Estates, Phase 3)
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action Resolution R-39-21

10. Conduct a public hearing, consider, and take appropriate action on the Preliminary Plat and Land Study of La Vega Ranch Addition and variances to the Subdivision Regulations, specifically street construction required material, private street subdivision criteria, private street subdivision criteria, cul-de-sac requirements, construction of new streets, sidewalk requirements, utilities services and screening. The property being a tract of land containing approximately 92 acres, situated in the Thomas Lowrie Survey, Abstract No. 285 and in Kaufman's Extraterritorial Jurisdiction (ETJ). The subject property is generally located at 2075 CR 4104, Crandall, Texas 75114, northeast of Star Trail (Wynchase Crossing Addition, Phase 1) (PIDs 208804, 213296, 198586, 213262, 209865, 209789, 209823, 213286, 213299, & 208803). The proposed subdivision will contain 10 lots and 1 private street. (Case No. PP-05-21)
 - a. Presentation of requested Subdivision Regulations variances and La Vega Ranch Preliminary Plat and Land Study.
 - b. Public Hearing
 - c. Consider and take appropriate action on the Subdivision Ordinance variance requests.
 - d. Consider and take appropriate action on the Preliminary Plat and Land Study of La Vega Ranch Addition.
11. Conduct a public hearing, consider, and take appropriate action on Ordinance O-54-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, collectively, "The Comprehensive Zoning Ordinance and the Official Zoning Map" of the City, to approve Specific Use Permit No. forty-nine, ("SUP-49"), and its site plan, to permit light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom, subject to conditions, on an approximate 1.879 acre tract of land (PID 49846) zoned Commercial "C", such property being generally located at 2400 Tabor Parkway, on lot 4, Heritage Park Addition, City of Kaufman, Kaufman County, Texas; providing for the incorporation of premises; providing amendments and zoning map amendments; providing assignability and expiration/recission; providing land use regulations; providing a cumulative repealer clause; providing a severability clause; providing a penalty in an amount not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues; and providing for publication and an effective date.
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance O-54-21

DISCUSSION/ACTION ITEMS

12. Consider and take appropriate action on the revised Site Plan of the Kaufman County Justice Center, being a tract of land containing 45 acres, situated in the D. Falcon Survey, Abstract No. 151. The property is platted as Lot 1, Law Enforcement Center Addition and addressed as 1902

East Highway 175. A 24,021 square foot expansion to the Justice Center is proposed. The property is zoned Highway Commercial. (SP-07-21)

13. Consider and take appropriate action on Ordinance O-55-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending Article VII "Parking" of Chapter 102 "Traffic and Vehicles" of Division 2 "Parking Control Zone" of the City's Code of Ordinances by amending Section 102-271, "Definitions; Zone Established" to adopt definitions of trailer-commercial and trailer-non-commercial and to amend the definition of vehicle to exclude trailer-non-commercial, and Section 102-273 "Parking of Trucks, Trailers, Recreational vehicles, etc. Prohibited" to exempt trailer-non-commercial as defined in section 102-271, from the prohibition of parking of such trailers within the streets and public rights of way and exempting the prohibition of parking of such trailers in areas zoned single-family residential or multi-family residential for any purpose other than loading and unloading as set forth in Section 102-273; providing a penalty in an amount not to exceed five hundred dollars (\$500.00) 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 publication and an effective date.
14. Consider and take appropriate action on Resolution R-40-21, a Resolution of the City Council of the City of Kaufman, Texas, regarding the intent to establish the City of Kaufman Property Assessed Clean Energy ("PACE") Program within the corporate limits of the City.
15. Consider and take appropriate action on Resolution R-41-21, a resolution of the City Council of the City of Kaufman, Texas, setting a Public Hearing under Sec. 372.009 of the Texas Local Government Code for the creation of the City of Kaufman Public Improvement District Number Three within the City of Kaufman, Texas, on an approximate 25.411 acres of land generally located within the city limits of the City and as more particularly described by a metes and bounds description available at Kaufman City Hall; and authorizing the issuance of notice by the City Secretary of Kaufman, Texas regarding the Public Hearing. (Freeman Farms)
16. Consider and take appropriate action on a Chapter 380 Agreement between the City of Kaufman and Bloomfield Homes, L.P. and authorizing the City Manager or his designee to execute necessary documents.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

17. Receive an update and discussion regarding the following:
 - a. Water Tower Rehabilitation Update
 - b. CDBG-CV Update
 - c. Winter Storm Uri Policy Change Update
 - d. First day to file application for a place on the Ballot for the City's General Election, January 19, 2022. Last day to file application - February 18, 2022.
 - e. Council Retreat- April 14 & 15, 2022

- f. Discussion Items Report (DIR)
- g. STAR Transit Ridership Report- November 2021
- h. Careflite Compliance Report- November 2021
- i. Fire Department Monthly Report- November 2021
- j. Police Department Monthly Report- November 2021
- k. Development Services Monthly Report- November 2021
- l. 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. Texas Government Code §551.072: Deliberation regarding Real Property, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person: County Owned Property
 - b. Texas Government Code § 551.071 (1) and (2): Consultation with Attorney. To consult with the City's Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and for Council to seek the advice of its attorney about pending or contemplated litigation: Banking Security

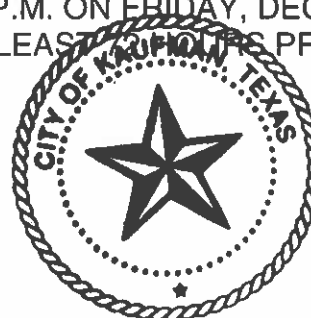
RECONVENE INTO OPEN SESSION In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session.

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, DECEMBER 17, 2021, AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 48 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.



Meeting
Date: 12/20/2021

Date: 12/07/2021

Item #: 1.

Dept.: Development
Services

Presentation

SUBJECT:

Joint work session with the Planning and Zoning Commission to review the platting and design standard issues with the current 1999 Subdivision Regulations, outline the new proposed Subdivision Regulations and design standards for public infrastructure and discuss adoption plans.

BACKGROUND:

Development Services staff, working with Tom Rutledge, P.E. of Teague, Nall & Perkins, and City Attorney, Patricia Adams have been reviewing new language and platting procedures as a part of the plan to adopt new and up-to-date subdivision regulations. This review is to present to you what has been accomplished to date and to consider partial adoption in early 2022. First, the deficiencies of the current City of Kaufman 1999 Subdivision Regulations will be outlined. Secondly, highlight the overall changes in the new regulations. Clearly state the development requirements and provide illustrations. Review the State of Texas' 30 Day Shot Clock regulation for all plats. Working with the Public Works Department to update the design standards for public infrastructure, which includes water, sanitary sewer, stormwater, drainage, screening walls, retaining walls, streets, street lighting, and sidewalks, etc.

The new language will establish a formal process for platting, including the requirement for a pre-development review committee (DRC) meeting, clear and concise applications and check lists. Address current platting issues in the Extraterritorial Jurisdiction (ETJ). A new type of plat, called a conveyance plat will be included in the new regulations, which is a type of plat that is used for when no development is proposed and the owners only want to sell to others. The goal is to adopt the portions of the new subdivision regulations as staff completes the review. The first portion proposed to be adopted in early 2022 includes the general provisions and procedures for platting. The second portion will be the design standards for submission of the civil construction plans along with design standards for drainage and streets. The third and final portion will include design standards for water, sanitary sewer, and stormwater. At that time the existing Subdivision Regulations will be repealed and a whole new complete document will be adopted.

Author:
Marcy Ratcliff, Development Services Director

Reviewed:
Mike Slye, City Manager

Cost: NA

Funds Available: NA

Source: NA

Recommendation:

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

City of Kaufman
SUBDIVISION ORDINANCE AND DESIGN STANDARDS
Joint City Council and Planning and Zoning Commission Meeting Agenda
December 20, 2021

AGENDA

1. Current Ordinance

- a. Does not have different plat types
- b. Platting in ETJ – no rules
- c. State mandated 30-day shot clock needs updating
- d. Does not provide for a self-directed city process – structure to follow
- e. Drainage ordinance outdated
- f. No Design Standards
- g. No Standard Details for Public Infrastructure
- h. No Check list for Submission
- i. TCSS (Technical – no evidence of this document

2. Highlight Changes in Ordinance

- a. Enforce Regulations in ETJ
- b. Up-date State 30-day Shot-clock
- c. Updated Drainage Ordinance
- d. Updated Design Standards for Public Infrastructure

3. Establishment of a Formal City Process

- a. Requires Staff to Follow and Enforce Process
 - i. Follow the Ordinance
 - ii. Changes may require a formal waiver from Council

- b. Pre-DRC Meeting Required Prior to Formal Application
 - i. Application form and Concept Plan/Project Description
 - ii. 2nd and 4th Tuesday of Month
 - iii. Provide ample time for staff to research and prepare
 - c. Formal Submittal
 - i. City Check List
- 4. Review of Drainage Ordinance
 - 5. Review of Design Standards
 - 6. Schedules for Implementation



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, NOVEMBER 15, 2021 - 5:30 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

WORK SESSION NOTE: A Work Session is used to explore matters of interest to one or more City Council Members or the City Manager for the purpose of giving staff direction into whether or not such matters should be placed on a future regular or special meeting of the Council for citizens input, City Council deliberation and formal City action. At a work session, the City Council generally receives informal and preliminary reports and information from City staff, officials, members of City committees, and the individual or organization proposing Council action, if invited by City Council or City Manager to participate in the session. Participation by individuals and members of organizations invited to speak ceases when the Mayor announces the session is being closed to public input. Although Work Sessions are public meetings, and citizens have a legal right to attend, they are not public hearings, so citizens are not allowed to participate in the session unless invited to do so by the Mayor. Any citizen may supply to the City Council, prior to the beginning of the session, a written report regarding the citizen's opinion on the matter being explored. Should the Council direct the matter be placed on a regular meeting agenda, the staff will generally prepare a final report defining the proposed action, which will be made available to all citizens prior to the regular meeting at which citizen input is sought. The purpose of this procedure is to allow citizens attending the regular meeting the opportunity to hear the views of their fellow citizens without having to attend two meetings.

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

Mayor Jordan called the Work Session to order at 5:39 PM. Councilmembers present were Patty Patterson, Jeff Jordan, Jeff Council, Carole Aga, Lisa Parker. Councilmembers Matt Phillips and Barry Ratcliffe arrived at 5:51 PM. 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, Public Works Director Tim Hopwood, Development Services Director Marcy Ratcliff, Police Chief Dana Whitaker, and Police Captain Les Edwards.

1. Discuss and provide direction to staff regarding the City's capital improvements.

Mr. Slye gave a presentation regarding the City's capital improvements, both past and present. He reviewed the completed capital improvement projects, the financial standing for capital improvements, and the capital needs of the city. He outlined the future proposed projects happening in the City.

ADJOURNMENT

Mayor Jordan adjourned the Work Session at 6:04 PM.

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 6:04 PM. Councilmembers present were Patty Patterson, Jeff Jordan, Jeff Council, Carole Aga, Lisa Parker, Matt Phillips, and Barry Ratcliffe. 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, Public Works Director Tim Hopwood, 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.

PRESENTATION

2. PACE (Property Assessed Clean Energy) Financing Program Presentation and Discussion.

Lee McCormick, Program Administrator with Lone Star PACE, and Prava Sinclair, Lone Star PACE, presented and outlined the Property Assessed Clean Energy Financing Program. There were discussions about who qualifies for the program, how it is utilized, and how the funding works.

3. City Lakes Park Inclusive Playground Update and Discussion.

Mr. Slye gave the Council an update on the Inclusive Playground for City Lakes Park.

CONSENT AGENDA

4. Consider and take appropriate action on the minutes from September 27, 2021, Regular City Council meeting.
5. Consider and take appropriate action on the minutes from October 25, 2021, Regular City Council meeting.
6. Consider and take appropriate action on Resolution R-32-21, a resolution of the City Council of the City of Kaufman, Texas, accepting public improvements for Georgetown Phase 1B; and establishing the warranty period for the public improvements.
7. Consider and take appropriate action on Resolution R-33-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the City Manager to enter into an Agreement with the Texas Department of Transportation to close the Kaufman County Courthouse Square on December 4, 2021, from 9:00 A.M. to 10:00 P.M. for the Kaufman "Christmas On The Square."
8. Consider and take appropriate action on Resolution R-34-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the City Manager to enter into an Agreement with the Texas Department of Transportation to close SH 34 (South Washington St) for the purpose of a Lighted Christmas Parade on December 4, 2021, from 6:00 p.m. to 8:00 p.m.

Councilmember Aga made a motion to approve consent agenda items 4-8 as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

END OF CONSENT AGENDA

PUBLIC HEARING

9. Conduct a public hearing and take appropriate action on Ordinance O-52-21, an ordinance of the City Council of the City of Kaufman, Texas amending Ordinance No. O-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman and amending the official Zoning Map to rezone an approximate 2.356 acres of land generally located at 3201 East Highway 175 (PID 408), situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas from Agriculture-Open (A-O) to Light Industrial (L-I). (Owner/Applicant: Glenn Group Investments, LLC.) (Case #Z-17-21)

- a. Presentation.

Ms. Ratcliff presented the proposed zoning change for the property located at 3201 E Hwy 175.

- b. Public Hearing.

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

There being no other speakers, Mayor Jordan closed the public hearing at 6:39 PM.

- c. Consider and take appropriate action on Ordinance O-52-21.

Councilmember Council made a motion to approve Ordinance O-52-21 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

10. Conduct a public hearing and take appropriate action on Ordinance O-53-21, an ordinance of the City Council of the City of Kaufman, Texas amending Ordinance No. O-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman and amending the official Zoning Map by authorizing a Specific Use Permit (SUP-48) for propane distribution, storage and wholesale facilities on an approximate 2.356 acres of land generally located at 3201 East Highway 175 (PID 408), situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas. (Owner/Applicant: Glenn Group Investments, LLC.) (Case #Z-18-21)

- a. Presentation.

Ms. Ratcliff explained this Specific Use Permit is for the same property and is for the purpose of adding a propane storage tank.

- b. Public Hearing.

Mayor Jordan opened the public hearing at 6:43 PM.

There being no other speakers, Mayor Jordan closed the public hearing at 6:43 PM.

- c. Consider and take appropriate action on Ordinance O-53-21.

Councilmember Aga motion to approve Ordinance O-53-21 with the conditions of no outside storage of new or used propane tanks and no parking on unpaved surfaces. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

DISCUSSION/ACTION ITEMS

11. Consider and take appropriate action on Resolution R-38-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the renewal of an agreement with Linebarger Goggan Blair & Sampson, LLP for Delinquent Tax Collection Services and providing for Delinquent Utility

Account Collection Services; authorizing an increase in the penalty on delinquent Personal Property Tax collection as provided in the Texas Tax Code; and authorizing the City Manager to execute necessary documents.

Mayor Jordan turned this item over to Mayor Pro-Tem Patterson and recused himself from the meeting due to a conflict of interest.

Wade Gent, representative from Linebarger, outlined the services that his firm provides the City for delinquent property tax collection services.

Councilmember Parker made a motion to approve Resolution R-38-21 with the removal of the delinquent utility account collection services. The motion was seconded by Councilmember Council and passed 6/0/1.

12. Consider and take appropriate action on the Site Plan of 3637 E Highway 175 (PIDs 417, 419 and 412) for a 2,337 square foot addition to the existing Faith Family Church fellowship hall. The 3.87 acre tract is located in the Charles Askins Survey, Abstract No.2, City of Kaufman, Kaufman County, Texas. The property is zoned Agriculture/Open District. (SP-06-21)

Mayor Jordan rejoined the meeting at 7:03 PM.

Ms. Ratcliff presented the proposed Site Plan for the existing Faith Family Church fellowship hall.

Councilmember Council made a motion to approve the proposed site plan as presented. The motion was seconded by Mayor Pro-Tem Patterson and passed 7/0.

13. Consider and take appropriate action on Resolution R-35-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the selection of Traylor & Associates for administrative services in conjunction with the submittal of an application for funding through the Texas Department of Housing & Community Affairs (TDHCA) – Texas Community Development Block Grant (CDBG-CV) to provide application preparation, project administration, and project-related management services, if awarded; and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye informed Council about the Request of Proposal for administrative Services to the application process for the Texas department of Housing & Community Affairs- Texas Community Block Grant- Coronavirus.

Councilmember Aga made a motion to approve Resolution R-35-21 as presented. The motion was seconded by Councilmember Ratcliffe and passed 7/0.

14. Consider and take appropriate action on Resolution R-36-21, a resolution of the City Council of the City of Kaufman, Texas, authorizing the selection of Teague Nall and Perkins Inc. as the engineering firm in conjunction with the submittal of an application for funding through the Texas Department of Housing & Community Affairs (TDHCA) for the Texas Community Block Grant Program – Coronavirus (CDBG-CV) to provide application preparation and project implementation, if awarded; and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye informed Council about the Request of Proposal for engineering services to the application

process for the Texas department of Housing & Community Affairs- Texas Community Block Grant- Coronavirus.

Councilmember Ratcliffe made a motion to approve Resolution R-36-21 as presented. The motion was seconded by Councilmember Phillips and passed 7/0.

15. Consider and take appropriate action on Ordinance O-51-21, an ordinance of the City Council of the City of Kaufman, Texas, amending subsection 2-62(b), "Adoption of City of Kaufman Job Grade Classification and Compensation Plan", of Section 2-62, "Personnel Policies; Job Classification", of Article II, "Officers And Employees", of Chapter 2, "Administration" of the Code of Ordinances of the City of Kaufman to add Grade 15 to the Job Grade Classification, Compensation Plan, and Step Schedule as an amendment Exhibit "B" adopted by Section 2-62(b),; and providing an effective date.

Mr. Holder presented the amendments to the Job Grade Classification Compensation Plan and outlined the purpose for the changes.

Councilmember Phillips made a motion to approve Ordinance O-51-21 as presented. The motion was seconded by Councilmember Aga and passed 7/0.

APPOINTMENT

16. Consider and take appropriate action on the appointment of two (2) members to serve on the Planning and Zoning Commission for two (2) year terms through November 2023.

Mayor Jordan made a motion to reappoint Patrick Cardoza and Porfilio Lopez to the Planning and Zoning Commission for two year terms to expire term in November 2023. The motion was seconded by Councilmember Council and passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

17. Receive an update and discussion regarding the following:
 - a. South Water Tower Rehab Update
 - b. Special City Council Meeting- November 22, 2021 at 6 p.m.
 - c. Discussion Items Report (DIR)
 - d. STAR Transit Ridership Report- October 2021
 - e. Careflite Compliance Report- October 2021
 - f. Fire Department Monthly Report- October 2021
 - g. Police Department Monthly Report- October 2021
 - h. Development Services Monthly Report- October 2021
 - i. Monthly Calendars Attached

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

EXECUTIVE SESSION

Mayor Jordan recessed into Executive Session at 7:26 PM.

18. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
 - a. Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding: Melody Circle & County Owned Properties

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

Mayor Jordan reconvened into open session at 8:01 PM.

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

Councilmember Aga made a motion to authorize the City Manager to continue negotiations with the property owners on Melody Circle for the drainage project. The motion was seconded by Councilmember Phillips and passed 7/0.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 8:06 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, NOVEMBER 22, 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 City Council Meeting to order, states the date and time, state Councilmembers present, and declares a quorum present.**

Chairman calls the KEDC Meeting to order, states the date and time, state Directors 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, Carole Aga, Lisa Parker, and Barry Ratcliffe. Councilmembers Jeff Council and Matt Phillips were absent. Mayor Jordan declared a quorum present.

President Gillenwater called the KEDC meeting to order at 6:00 PM . Directors present were Charles Gillenwater, Ben Brashear, Gail Godwin-Mason and Barry Ratcliffe. President Gillenwater declared a quorum present.

Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Emily Bowlin, City Secretary Jessie Hanks, Finance Director Mary Wennerstrom, KEDC Executive Director Stewart McGregor, Human Resource Coordinator Lexie Hanson, Fire Chief Ronnie Davis, Fire Captain Jeremy Hatcher, Fire Lieutenant Tanner Jones, Firefighter Chris McCarter, and Firefighter Rustin Bateman.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Council/KEDC 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 or KEDC on any subject but must first complete a Request to Speak Form so that the Mayor or Chairman may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the Council or KEDC as a whole. **When addressing the Council or KEDC, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council or the Chairman and KEDC Directors.**

No comments were given.

PRESENTATION

1. GFOAT Budget Award Presentation and Discussion

Mr. Slye presented the GFOAT Budget Award to Ms. Wennerstrom and expressed his appreciation for the Finance Department's hard work to obtain this award. He outlined the qualifications to receive the award.

2. Fire Department Promotion Recognition Presentation and Discussion

Chief Davis introduced the new promotions and positions in the fire department. Fire Captain Jeremy Hatcher, Fire Lieutenant Tanner Jones, Firefighter Chris McCarter, and Firefighter/Engineers Rustin Bateman all participated in the badge ceremony.

EXECUTIVE SESSION

Mayor Jordan and President Gillenwater adjourned into the Executive Session at 6:08 PM.

3. The City Council and the KEDC will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
 - a. Texas Government Code §551.072: Deliberation regarding Real Property, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person: County Owned Property and TxDOT Property

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

Mayor Jordan and President Gillenwater reconvened into open session at 7:10 PM.

KEDC DISCUSSION/ACTION ITEMS

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

Director Godwin-Mason made a motion to authorize the Executive Director to submit an offer contract for a designated county property for \$500 with a 60-day option period with a not to exceed amount of \$750,000 and a 12-month lease back option. The motion was seconded by Director Lucas and passed 5/0.

KEDC ADJOURNMENT

There being no further business for the KEDC, President Gillenwater adjourned the KEDC meeting at 7:11 PM.

COUNCIL DISCUSSION/ACTION ITEMS

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

Councilmember Aga made a motion to authorize the City Manager to negotiate an offer not to exceed \$200,000 for the South Jackson Property. The motion was seconded by Councilmember Parker and passed 5/0.

6. Consider and take appropriate action on Resolution R-37-21, a resolution of the City Council of the City of Kaufman, Texas, setting a Public Hearing under Sec. 372.009 of the Texas Local Government Code for the creation of the City of Kaufman Public Improvement District Number Two within the City of Kaufman, Texas; providing a copy of the Petition; providing a copy of the Notice of Public Hearing; and authorizing the issuance of such Notice by the City Secretary of Kaufman, Texas regarding the Public Hearing as required by law. (Prairie Creek Development)

Councilmember Ratcliffe made a motion to approve Resolution R-37-21 as presented. The motion was seconded by Councilmember Parker and passed 5/0.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:15 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY



Meeting
Date: 12/20/2021

Date: 12/16/2021

Item #: 7.

Dept.: Fire

Consent Agenda

SUBJECT:

Consider and take appropriate action on a memorandum of understanding between Kaufman County Sheriff's Office and the City of Kaufman Fire Department regarding the use of the Kaufman County Sheriff's office tower located at 3001 South Washington St.; and authorizing the Mayor or his designee to execute necessary documents.

BACKGROUND:

Due to the rehabilitation of the South Water Tower, there are several pieces of equipment that needs to be removed and placed somewhere else. This item would allow the city to put this equipment on the County's tower at the Poor Farm.

Author:
Ronnie Davis, Fire Chief

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the MOU with the Kaufman County Sheriff's Office.

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

**MEMORANDUM OF UNDERSTANDING BETWEEN KAUFMAN COUNTY
SHERIFF'S OFFICE AND CITY OF KAUFMAN FIRE DEPARTMENT**

This Memorandum of Understanding ("MOU") is entered into by and between the **Kaufman County** ("County"), **Kaufman County Sheriff's Office** ("KSO"), the **City of Kaufman Fire Department** ("Kaufman Fire Department") and the **City of Kaufman** ("City") (parties jointly referred to as "the parties").

I. PURPOSE

This MOU provides an understanding between the parties for the Kaufman Fire Department's use of KSO's radio tower located at 3001 South Washington Street, Kaufman, Texas 75142, more commonly referred to as the old radio tower at the Kaufman County Poor Farm, to ensure efficient joint law enforcement services throughout the duration and execution of the **MEMORANDUM OF UNDERSTANDING BETWEEN KAUFMAN COUNTY SHERIFF'S OFFICE AND THE CITY OF KAUFMAN FIRE DEPARTMENT**.

II. DURATION

This MOU becomes effective on the date signed and shall remain in full force and effect as long as the **MEMORANDUM OF UNDERSTANDING BETWEEN KAUFMAN COUNTY SHERIFF'S OFFICE AND THE CITY OF KAUFMAN FIRE DEPARTMENT** is active and binding upon Kaufman County.

III. GENERAL PROVISIONS

This MOU does not create additional jurisdiction or limit or modify existing jurisdiction vested in the parties. It is understood by both parties that each should fulfill its responsibilities under the MOU in accordance with the provisions of law and regulations that govern their activities. Nothing in this MOU is intended to negate or otherwise render ineffective any such provisions or operating procedures. If at any time either party is unable to perform its functions under this MOU consistent with such party's statutory and regulatory mandates, the affected party shall immediately provide written notice to the other to establish a date for mutual resolution of the conflict.

IV. RESPONSIBILITIES

In consideration of the mutual aims and desires of the parties of this MOU and in recognition of the public benefit from the effective implementation of this MOU, the parties agree that their responsibilities under this MOU shall be as follows:

1. Kaufman Fire Department will relocate its fire pager repeater from the City Water Tower to the existing tower at the County Poor Farm Property.
2. Kaufman Fire Department will also relocate its generator and provide all necessary work to enable emergency power to the site for the use of the tower.
3. Kaufman Fire Department agrees to provide all necessary maintenance to the generator to keep it operational during its use.

4. Kaufman Fire Department will also relocate a second backup repeater to the volunteer fire station located on FM 1388 as additional backup should the tower at the County Poor Farm Property suffer some malfunction or issue.
5. No costs will be incurred by County or KSO in the execution of this MOU.

V. LIABILITY AND IMMUNITY

This MOU is made for the express purposes of providing use of the existing tower at the County Poor Farm. Except as hereinafter provided, no party assumes any liability beyond that provided by law.

Nothing in this MOU shall be deemed to waive, modify or amend any legal defense available at law or in equity to either party, their past or present officers, employees, or agents, nor to create any legal rights or claim on behalf of any third party. Neither party waives, modifies, or alters to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas and of the United States.

VI. ENTIRE AGREEMENT

This MOU represents the entire agreement between the parties and supersedes all prior negotiations, representations and/or agreements, either written or oral. The terms and conditions in this MOU may be amended only by written instrument signed by both parties.

VII. COUNTERPARTS

This MOU may be executed in counterpart with no adverse bearing on dignity and effect.

[Execution Page Follows]

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal the day and ate below:

Kaufman County

Judge Hal Richards

Date: _____

Attest:

Kaufman County Clerk

Date: _____

Kaufman County Sheriff's Office

Sheriff Bryan Beavers

Date: _____

City of Kaufman

Mayor Jeff Jordan

Date: _____

Attest:

Jessie Hanks, City Secretary

City of Kaufman Fire Department

Chief Ronnie Davis

Date: _____



Meeting
Date: 12/20/2021

Date: 11/23/2021

Item #: 9.

Dept.: Administration

Discussion Item

SUBJECT:

Conduct a Public Hearing, consider, and take appropriate action on Resolution R-39-21, a Resolution of the City Council of the City of Kaufman, Texas, authorizing and creating the Kaufman Public Improvement District No. 2 to include an approximate 17.48 acres of property owned by SRP Development, LLC and generally located Southwest of FM 1836 and Melody Drive within the city limits of the City of Kaufman. (Prairie Creek Estates, Phase 3)

BACKGROUND:

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-39-21, creating the Kaufman PID #3 for Prairie Creek Estates Phase III.

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

CITY OF KAUFMAN TEXAS

RESOLUTION NO. R-39-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, AUTHORIZING AND CREATING THE KAUFMAN A PUBLIC IMPROVEMENT DISTRICT NO. 2 IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman, Texas (the "*City*"), is authorized under Chapter 372 of the Texas Local Government Code, as amended (the "*Act*"), to create a public improvement district ("*PID*") within its corporate limits; and

WHEREAS, on or about November 10, 2021, the City received a petition from **SRP Development, LLC**, a Texas limited liability company, the owner of approximately 17.48 acre tract of land within the corporate limits of the City (the "*Petitioner*"), submitted and filed with the City Secretary of the City a petition (the "*Petition*") requesting the establishment of the Prairie Creek Public Improvement District, which the City intends to call the Kaufman Public Improvement District No. 2 (the "*District*") within the corporate limits of the City, such District to include the property described by metes and bounds in **Exhibit "A"** and depicted in **Exhibit "B"** (the "*Property*"), each attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council of the City (the "*City Council*") received the Petition which was signed by the owners of more than 50% of the appraised value of the taxable real property liable for assessment and the record owners of more than 50% of the area of all taxable real property within the District that is liable for assessment, and as such, the Petition complies with the Act; and

WHEREAS, on November 22, 2021, the City Council accepted the Petition and called a public hearing for December 20, 2021, on the creation of the District and the advisability of the improvements; and

WHEREAS, notice of the hearing was published in a newspaper of general circulation in the City in which the District is to be located on December 2, 2021; and,

WHEREAS, on December 3, 2021, notice to the owners of property within the proposed District was sent by first-class mail to the owners of 100% of the property subject to assessment under the proposed District containing the information required by the Act such that such owners had actual knowledge of the public hearing to be held on December 20, 2021; and

WHEREAS, on December 20, 2021 the City Council held such public hearing on the creation of the District and heard any comments or objection thereto;

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

SECTION 1. That the findings set forth in the recitals of this Resolution are found to be true and correct.

SECTION 2. That the Petition submitted to the City by the Petitioner was filed with the City Secretary and complies with the Act.

SECTION 3. That pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), and 372.009(b), the City Council, after considering the Petition and any evidence and testimony presented at the public hearing on December 20, 2021 hereby finds and declares:

- (a) *Advisability of the Proposed Improvements.* It is advisable to create the Kaufman Public Improvement District No. 2 ("District") to provide the Authorized Improvements (as described below). The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.
- (b) *General Nature of the Authorized Improvements.* The general nature of the proposed public improvements (collectively, the "Authorized Improvements") is: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction and improvement of water, wastewater and drainage improvements and facilities (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.
- (c) ***Estimated Costs of the Authorized Improvements and Apportionment of Costs.*** The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment, administration and operation of the PID is \$3,000,000 plus the annual cost of operation and maintenance, if any. The City will pay no costs of the Authorized Improvements or operation and maintenance costs from

funds other than assessments levied on property within the PID. The remaining costs of the proposed improvements will be paid from sources other than those described above.

- (d) ***Boundaries of the District.*** Approximately 17.48 acres of land within the City of Kaufman, Texas. Said property being generally located Southwest of FM 1836 and Melody Drive. A metes and bounds description is available from the City Secretary at Kaufman City Hall, 209 South Washington, Kaufman, Texas 75142. The boundaries of the District are set forth in **Exhibits “A” and “B”** attached hereto.
- (e) ***Proposed Method of Assessment.*** The City shall levy assessments on each parcel within the PID in a manner that results in the imposition of an equal share of the costs of the Authorized Improvements on property similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the Authorized Improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property, or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted.
- (f) ***Apportionment of Cost Between the District and the City.*** The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the PID and from other sources of funds available to the Petitioners.
- (g) ***Management of the District.*** The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.
- (h) ***Advisory Board.*** The District shall be managed without the creation of an advisory body.

SECTION 4. That the Kaufman Public Improvement District No. 2 is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the nature and the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment and the apportionment of costs as described herein; and the conclusion that the District is needed to fund such Authorized Improvements.

SECTION 5. That notice of this Resolution authorizing the District shall be given by publishing such notice once in a newspaper of general circulation in the City in which the District is to be located. Effective upon the publication of such notice, the District shall be established.

SECTION 6. That City staff is directed to cause to be prepared a Service and Assessment Plan for the District and to present it to the City Council for review and approval.

SECTION 7. That this Resolution shall take effect immediately from and after its passage and publication as required by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Kaufman, Texas, on the 20th day of December, 2021.

Jeff Jordan
Mayor

ATTEST:

Jessie Hanks
City Secretary

APPROVED AS TO FORM:

Patricia A. Adams
City Attorney

STATE OF TEXAS §

COUNTY OF KAUFMAN §

Before me, the undersigned authority, on this day personally appeared Jeff Jordan, Mayor of the City of Kaufman, Texas, known to me to be such persons who signed the above and acknowledged to me that such persons executed the above and foregoing Ordinance in my presence for the purposes stated therein.

Given under my hand and seal of office this

Notary Public, State of Texas

[NOTARY STAMP]

EXHIBIT A

Property Description

EXHIBIT A

Metes and Bounds Description

17.48 ACRES

WHEREAS SRP DEVELOPMENT, LLC, BEING THE OWNER OF 17.480 ACRES IF LAND IN THE THOMAS BEEDY SURVEY, ABSTRACT NO. 21, CITY OF KAUFMAN, KAUFMAN COUNTY, AS DESCRIBED AS FOLLOWS:

TRACT 1

BEING 16.341 ACRES OF LAND LOCATED IN THE THOMAS BEEDY SURVEY, ABSTRACT NO.21, KAUFMAN COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 16.339 ACRE TRACT DESCRIBED AS TRACT III IN WARRANTY DEED WITH VENDOR'S LIEN TO PARKS HOME CONSTRUCTION LLC AND RECORDED IN INSTRUMENT NUMBER 2018-022333, DEED RECORDS. KAUMAN COUNTY. TEXAS (D.R.KC. T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6520" SET IN THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 1836 (90 RIGHT-OF-WAY) AT THE NORTH CORNER OF THE ABOVE-MENTIONED 16.339 ACRE TRACT;

THENCE SOUTH 45 DEGREES 14 MINUTES 38 SECONDS EAST, WITH THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 1836. A DISTANCE OF 90.82 FEET TO A 3/8" IRON ROD WITH ORANGE CAP STAMPED "RPLS 5244" FOUND (HEREAFTER CALLED IRON ROD FOUND) AT THE MOST NORTHERLY EAST CORNER OF SAID 16.339 ACRE TRACT AND THE MOST NORTHERLY CORNER OF THE 19.524 ACRE CITY OF KAUFMAN TRACT AS RECORDED IN DOCUMENT NUMBER 2009-00012684 (D.R.K.C.T.);

THENCE ALONG THE SOUTHEAST LINE OF SAID 16339 ACRE TRACT AND THE COMMON NORTHWEST LINE OF THE ABOVE-MENTIONED 19.524 ACRE TRACT THE FOLLOWING FIFTEEN (15) COURSES AND DISTANCES:

- 1) SOUTH 19 DEGREES 56 MINUTES 46 SECONDS WEST, A DISTANCE OF 132.14 FEET TO AN IRON ROD FOUND;
- 2) SOUTH 15 DEGREES 18 MINUTES 18 SECONDS WEST, A DISTANCE OF 62.89 FEET TO AN IRON ROD FOUND;
- 3) SOUTH 07 DEGREES 16 MINUTES 03 SECONDS WEST, A DISTANCE OF 184.44 FEET TO AN IRON ROD FOUND;
- 4) SOUTH 44 DEGREES 53 MINUTES 37 SECONDS WEST, A DISTANCE OF 70.10 FEET TO AN IRON ROD FOUND;
- 5) SOUTH 46 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 39.23 FEET TO AN IRON ROD FOUND;

- 6) SOUTH 43 DEGREES 41 MINUTES 40 SECONDS WEST, A DISTANCE OF 115.07 FEET TO AN IRON ROD FOUND;
 - 7) SOUTH 46 DEGREES 18 MINUTES 20 SECONDS EAST, A DISTANCE OF 85.51 FEET TO AN IRON ROD FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 90 DEGREES 03 MINUTES 59 SECONDS, A RADIUS OF 40.00 FEET AND A LONG CHORD THAT BEARS SOUTH 00 DEGREES 05 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 56.60 FEET;
 - 8) SOUTHERLY ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 62.88 FEET TO AN IRON ROD FOUND;
 - 9) SOUTH 44 DEGREES 54 MINUTES 38 SECONDS WEST, A DISTANCE OF 457.07 FEET TO AN IRON ROD FOUND;
 - 10) SOUTH 45 DEGREES 05 MINUTES 09 SECONDS EAST, A DISTANCE OF 124.71 FEET TO AN IRON ROD FOUND;
 - 11) SOUTH 44 DEGREES 53 MINUTES 37 SECONDS WEST, A DISTANCE OF 214.51 FEET TO AN IRON ROD FOUND;
 - 12) SOUTH 46 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 143.96 FEET TO AN IRON ROD FOUND;
 - 13) SOUTH 43 DEGREES 43 MINUTES 52 SECONDS WEST, A DISTANCE OF 125.37 FEET TO AN IRON ROD FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 219 DEGREES 52 MINUTES 01 SECONDS, A RADIUS OF 50.00 FEET AND A LONG CHORD THAT BEARS SOUTH 26 DEGREES 25 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 94.01 FEET;
 - 14) SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 191.87 FEET TO AN IRON ROD FOUND;
 - 15) SOUTH 06 DEGREES 19 MINUTES 22 SECONDS EAST, A DISTANCE OF 207.37 FEET TO AN IRON ROD FOUND IN THE NORTHEAST LINE OF KAUFMAN BUSINESS PARK, AN ADDITION TO THE CITY OF KAUFMAN BY PLAT THEREOF RECORDED IN CABINET 2, SLIDE 247, PLAT RECORDS, KAUFMAN COUNTY, TEXAS (P.R.K.C.T.);
- THENCE NORTH 46 DEGREES 13 MINUTES 52 SECONDS WEST, ALONG THE NORTHEAST LINE OF KAUFMAN BUSINESS PARK. A DISTANCE OF 980.99 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6520" SET AT THE WEST CORNER OF SAID 16.339 ACRE TRACT;
- THENCE NORTH 44 DEGREES 57 MINUTES 29 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID 16.339 ACRE TRACT, A DISTANCE OF 1515.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.341 ACRES OF LAND, MORE OR LESS.
- TRACT 2
- BEING 1.139 ACRES OF LAND LOCATED IN THE THOMAS BEEDY SURVEY. ABSTRACT NO. 21, KAUFMAN COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 1.138 ACRE TRACT DESCRIBED AS TRACT IV IN

Exhibit A

WARRANTY DEED WITH VENDOR'S LIEN TO PARKS HOME CONSTRUCTION, LLC AND RECORDED IN INSTRUMENT NUMBER

2018-0021333, DEED RECORDS, KAUFMAN COUNTY, TEXAS (D.R.K.C. T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8" IRON ROD WITH ORANGE CAP STAMPED "RPLS 5244" FOUND (HEREAFTER CALLED IRON ROD FOUND) AT THE INTERSECTION OF SOUTHWEST LINE OF FARM-TO-MARKET ROAD 1836 (90' RIGHT-OF-WAY) WITH THE NORTHWEST LINE OF MELODY DRIVE (50' RIGHT-OF-WAY), SAME BEING THE EAST CORNER OF THE ABOVE-MENTIONED 1.138 ACRE TRACT;

THENCE SOUTH 44 DEGREES 44 MINUTES 36 SECONDS WEST, WITH THE NORTHWEST LINE OF MELODY DRIVE, A DISTANCE OF 175.00 FEET TO AN IRON ROD FOUND IN THE NORTHEAST LINE OF LOT 33, BLOCK C, PRAIRIE CREEK ESTATES, PHASE 2, AN ADDITION TO THE CITY OF KAUFMAN BY PLAT THEREOF RECORDED IN CABINET 2, SLIDE 721, PLAT RECORDS, KAUFMAN COUNTY, TEXAS (P R.K.C. T);

THENCE NORTH 45 DEGREES 14 MINUTES 38 SECONDS WEST, A DISTANCE OF 19.51 FEET TO AN IRON ROD FOUND AT THE NORTH CORNER OF THE ABOVE-MENTIONED LOT 33;

THENCE SOUTH 44 DEGREES 44 MINUTES 36 SECONDS WEST, A DISTANCE OF 114.90 FEET TO AN IRON ROD FOUND IN A NORTHEAST LINE OF THE 19.524 ACRE CITY OF KAUFMAN TRACT AS RECORDED IN DOCUMENT NUMBER 2009-00012684, (D.R.K.C.T.) AT THE WEST CORNER OF SAID LOT 33, SAME BEING THE SOUTH CORNER OF SAID 1.138 ACRE TRACT;

THENCE WITH THE COMMON LINE OF SAID 1.138 ACRE TRACT AND THE ABOVE-MENTIONED 19.524 ACRE TRACT, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1) NORTH 45 DEGREES 14 MINUTES 38 SECONDS WEST, A DISTANCE OF 75.00 FEET TO AN IRON ROD FOUND;
- 2) NORTH 44 DEGREES 44 MINUTES 36 SECONDS EAST, A DISTANCE OF 164.96 FEET TO AN IRON ROD FOUND;
- 3) NORTH 45 DEGREES 14 MINUTES 38 SECONDS WEST, A DISTANCE OF 195.69 FEET TO AN IRON ROD FOUND;
- 4) NORTH 44 DEGREES 44 MINUTES 36 SECONDS EAST, A DISTANCE OF 124.44 FEET TO AN IRON ROD FOUND IN THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 1836;

THENCE SOUTH 45 DEGREES 14 MINUTES 38 SECONDS EAST, ALONG THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 1836 AND THE COMMON NORTHEAST LINE OF SAID 1.138 ACRE TRACT, A DISTANCE OF 290.21 TO THE POINT OF BEGINNING AND CONTAINING 1.139 ACRES OF LAND, MORE OR LESS.

EXHIBIT B
PROPERTY DEPICTION



Meeting
Date: 12/20/2021

Date: 12/06/2021

Item #: 10.

Dept.: Development
Services

PZ Item

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on the Preliminary Plat and Land Study of La Vega Ranch Addition and variances to the Subdivision Regulations, specifically street construction required material, private street subdivision criteria, private street subdivision criteria, cul-de-sac requirements, construction of new streets, sidewalk requirements, utilities services and screening. The property being a tract of land containing approximately 92 acres, situated in the Thomas Lowrie Survey, Abstract No. 285 and in Kaufman's Extraterritorial Jurisdiction (ETJ). The subject property is generally located at 2075 CR 4104, Crandall, Texas 75114, northeast of Star Trail (Wynchase Crossing Addition, Phase 1) (PIDs 208804, 213296, 198586, 213262, 209865, 209789, 209823, 213286, 213299, & 208803). The proposed subdivision will contain 10 lots and 1 private street. (Case No. PP-05-21)

BACKGROUND:

See the attached December 7, 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 Zoning Commission on December 7, 2021 made the following recommendation on requested variances to the Subdivision Regulations, Section III, "Subdivision Design Standards" and Section 3.1 "Streets" and Section V, "Screening and Landscaping Construction Regulations, Requirements and Design Criteria". The Preliminary Plat cannot be approved unless variance requests #2, #3, #4, and #5 are approved.

VARIANCE RECOMMENDATIONS:

1. **Section 3.1.c.7 – Street Construction Required Material: Portland cement**
 - a. Requesting 100% variance - The street is proposed to be paved with asphalt material.
 - b. Staff Recommendation: Denial
 - c. PZ Recommendation: Approval of the use of asphalt paving by a vote of 4-1
2. **Section 3.1.c.10.a.1 - Private Street Subdivision criteria shall be no fewer than 50 residential lots –**
 - a. Requesting 78% variance - The proposed subdivision contains 10 lots and one lot for the street. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: Approval
 - c. PZ Recommendation: Approval by a vote of 5-0
3. **Section 3.1.c.10.a.3 – Private Street Subdivision criteria proposed subdivision to be surrounded on at least 3 sides by natural barriers (e.g. creeks and flood plains) or similar barriers (e.g. golf course or linear park created by man**
 - a. Requesting 75% variance There is an existing flood plain area on 1 side of the subdivision. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: Approval

- c. PZ Recommendation: Approval by a vote of 5-0
- 4. Section 3.1.p. Cul-de-sac Requirements maximum cul-de-sac length 600 feet with a turnaround bulb with outside pavement diameter of at least 80 feet and a ROW diameter of at least 100 feet
 - a. Requesting 333% variance to exceed the maximum length of a cul-de sac allowing a 2,600-foot-long cul-de-sac. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: Approval
 - c. PZ Recommendation: Approval by a vote of 5-0
- 5. Section 3.1.t – Points of Access -two points of access are required into subdivision
 - a. Requesting 50% variance proposing only one entrance. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: Approval
 - c. PZ Recommendation: Approval by a vote of 5-0
- 6. Section 3.1.u Construction of New Streets – Proposed streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction
 - a. Requesting a 100% variance to the TCSS requirements for concrete but the applicant does not specify if they would meet the TCSS requirements for asphalt. The requirements for asphalt specifications would be 2 inches of asphalt, 6 inches flex based compacted to 95%, and 8 inches of lime treated sub-grade. Core samples would be required to prove compliance.
 - b. Staff Recommendation: Denial
 - c. PZ Recommendation: Approval to vary from the concrete standards but approved using the asphalt standards by a vote of 5-0
- 7. Section 3.5 – Sidewalk Requirements - residential 4-foot-wide concrete sidewalks –
 - a. Requesting 100% variance - No sidewalks are proposed.
 - b. Staff Recommendation: Approval
 - c. PZ Recommendations: Approval by a vote of 5-0
- 8. Section 3.8.d . – Utility Services (not provided by the City of Kaufman) All electrical and telephone support equipment, including transformers, amplifiers, and switching devises necessary for underground installations shall be pad-mounted or mounted underground not overhead (unless the subdivision is served from perimeter overhead electrical facilities)
 - a. Requesting 100% variance proposed with overhead electric lines.
 - b. Staff Recommendation: Approval
 - c. PZ Recommendation: Approval by a vote of 5-0
- 9. Section 5.7.a.1 Screening a subdivision when the side or rear lots are adjacent to a collector type street (CR 4104 is a Type C, Collector for 4 lanes) –
 - a. Requesting 100% variance - No screening fence is proposed.
 - b. Staff Recommendation: Approval
 - c. PZ Recommendation: Approval by a vote of 5-0

The Planning and Zoning Commission on December 7, 2021 recommended approval of the Preliminary Plat of La Vega Ranch Addition by a vote of 5-0 after recommending approval of variances #2, #3, #4, and #5.

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



Planning and Zoning Commission Report

Meeting Date: December 7, 2021

SUBJECT: Conduct a public hearing and make a recommendation to City Council on the Preliminary Plat and Land Study of La Vega Ranch Addition and variances to the Subdivision Regulations, Section III, "Subdivision Design Standards", Section 3.1 "Streets" specific to private street construction and Section V, "Improvements Required Prior to Acceptance of the Subdivision by the City", Section 5.7 "Screening and Landscaping Construction Regulations, Requirements and Design Criteria", specific to screening. The property being a tract of land containing approximately 92 acres, situated in the Thomas Lowrie Survey, Abstract No. 285, and in Kaufman's Extraterritorial Jurisdiction (ETJ). The subject property is generally located at 2075 CR 4104, Crandall, Texas 75114, northeast of Star Trail (Wynchase Crossing Addition, Phase 1) (PIDs 208804, 213296, 198586, 213262, 209865, 209789, 209823, 213286, 213299, & 208803). The proposed subdivision will contain 10 lots and 1 private street. (Case No. PP-05-21)

DECEMBER 2021 BACKGROUND/PURPOSE:

A Preliminary Plat of La Vega Ranch has been submitted by Field and Permits in conjunction with the other property owners within the proposed subdivision. See the Historical Summary March 1, 2021 Background section below the requested variances. The preliminary plat proposes 10 lots for development and the private street as another lot. Subdivisions with private streets are required to have a property owners' association. The association shall own and be responsible for the maintenance of private streets and appurtenances. Below is a summary of requirements the applicant is requesting to vary from

1. All new streets are required to be constructed of Portland cement. The street is proposed to be constructed with asphalt.
2. Private streets shall be permitted only within a subdivision satisfying all 6 criteria. The applicant is requesting to vary from 2 of those criteria.
3. The maximum cul-de-sac length is 600 feet. The proposed cul-de-sac length is 2,600 feet, which is over 4x longer than allowed.
4. All subdivisions are required to have two points of access. The proposed subdivision only has one point of access.
5. Construction of new concrete streets are required to be constructed in accordance to the TCSS manuals of North Central Texas Council of Governments (NCTCOG). The proposed construction will be in accordance to the TCSS manuals for an asphalt street.
6. Sidewalks 4 feet wide are required. No sidewalks are proposed.
7. Electric services are required to be underground. Electrical services are already installed overhead.
8. Screening is required when a subdivision is adjacent to a collector type street. CR 4104 is a Type C Collector. No screening fence is proposed.

VARIANCES REQUESTED TO SUBDIVISION DESIGN STANDARDS

1. Section 3.1.c.7 – **Street Construction Required Material:** Portland cement
 - a. Requesting 100% variance - The street is proposed to be paved with asphalt material.
2. Section 3.1.c.10.a.1 - **Private Street Subdivision criteria** shall be no fewer than 50 residential lots
 - a. Requesting 78% variance The proposed subdivision contains 10 lots and one lot for the street
3. Section 3.1.c.10.a.3 – **Private Street Subdivision criteria** proposed subdivision to be surrounded on at least 3 sides by natural barriers (e.g. creeks and flood plains) or similar barriers (e.g. golf course or linear park created by man)
 - a. Requesting 75% variance There is an existing flood plain area on 1 side of the subdivision
4. Section 3.1.p. **Cul-de-sac Requirements** maximum cul-de-sac length 600 feet with a turnaround bulb with outside pavement diameter of at least 80 feet and a ROW diameter of at least 100 feet
 - a. Requesting 333% variance to exceed the maximum length of a cul-de sac allowing a 2,600-foot-long cul-de-sac.
5. Section 3.1.t – **Points of Access** -two points of access are required into subdivision
 - a. Requesting 50% variance proposing only one entrance. The proposed pavement width is 24 feet.
6. Section 3.1.u **Construction of New Streets** – Proposed streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction
 - a. Requesting a 100% variance to the TCSS requirements for concrete but the applicant does not specify if they would meet the TCSS requirements for asphalt. The requirements for asphalt specifications would be 2 inches of asphalt, 6 inches flex based compacted to 95%, and 8 inches of lime treated sub-grade. Core samples would be required to prove compliance.
7. Section 3.5 – **Sidewalk Requirements** - residential 4-foot-wide concrete sidewalks –
 - a. Requesting 100% variance - No sidewalks are proposed.
8. Section 3.8.d . – **Utility Services (not provided by the City of Kaufman)** All electrical and telephone support equipment, including transformers, amplifiers, and switching devises necessary for underground installations shall be pad-mounted or mounted underground not overhead (unless the subdivision is served from perimeter overhead electrical facilities)
 - a. Requesting 100% variance - Overhead electric lines currently exist and are all over head in the area.
9. Section 5.7.a.1 Screening a subdivision when the side or rear lots are adjacent to a collector type street (CR 4104 is a Type C, Collector for 4 lanes) –
 - a. Requesting 100% variance - No screening fence is proposed.

CRITERIA FOR APPROVING VARIANCES:

The purpose for the Subdivision Regulations is to establish principles, minimum standards and requirements for the platting and development of subdivisions within the City of Kaufman. The adopted regulations are designed and intended to encourage the development of a quality urban

environment by establishing standards for the provision of adequate light, air, open space, storm water drainage, transportation, public utilities and facilities, and other needs necessary for ensuring the creation and continuance of a healthy, attractive, safe and efficient community that provides for the conservation, enhancement and protection of its human and natural resources.

If an applicant requests variances to the Subdivision Regulations, the Planning and Zoning Commission and City Council must **consider the requested variances and make specific motions on each request whether to approve or deny and why**. The Subdivision Ordinance in Section 1.11 outlines standards to use when considering variance requests:

“Where it is found that unreasonable hardships or difficulties may result from strict compliance with the Subdivision Ordinance, and/or where the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve a variance to portions of these regulations so that substantial justice may be done and the public interest is secured, provided that the variance shall not have the effect of nullifying the intent and purpose of these regulations, and further provided that the City Council shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

1. Granting the variance will not be detrimental to the public safety, health, welfare, and will not be injurious to other property.
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
3. An alternative design will achieve the same results or intent as the standards and regulations prescribed herein.

After considering the variance requests, the Planning and Zoning Commission must act on the proposed plat and make one the following recommendations on any type of plat:

1. **Approval**
2. **Approval with specific conditions relative to the subdivision regulations**
3. **Denial for failure to comply with specific sections of the subdivision regulations**

HISTORICAL SUMMARY: MARCH 01, 2021 BACKGROUND:

The subject property has been farmland for numerous years. In March of 2021, Field & Permits, LLC submitted an application for a development plat of La Vega Ranch for 10 lots located at 2075 CR 4104, Crandall, Texas 75114. The applicant constructed a gravel road and divided the approximately 92 acres into 10 tracts and sold off 9 of the proposed lots in early 2020.

Gravel roads are not allowed by the City of Kaufman Subdivision Ordinance. Initially, there was no water, electricity, or other utilities to the tracts at that time. Trinity Valley Electric Co-op had gotten the necessary off-site and on-site easements needed to extend electrical service to the tracts. The applicant has been working with Gastonia-Scurry Special Utility District (SUD) to get the necessary easements to extend water lines to the tracts. Gastonia Scurry SUD has approved the civil construction plans for the water line installation but does not have the necessary easements which would normally be included on a final plat.

The property owner's needed addresses from Kaufman County 911, but were unable to get those addresses because the property had not been subdivided in accordance with the City of Kaufman's Subdivision Regulations and was not filed at the Kaufman County District Clerk's

office. Field and Permits, LLC had listed themselves as the sole owner of the approximate 92-acre tract and provided only their signature on the application. The Development Plat application did not include the signatures of the other property owners.

Staff recommended **denial** the La Vega Ranch Development Plat because of the issues with property owner signatures authorizing the application and outstanding issues with the plat as it was submitted. The applicant submitted a letter on March 1, 2021 requesting to withdraw the application.

From what staff can discover on the Kaufman County Appraisal District's web page Field & Permits and the subsidiary companies purchased the property sometime between 2018 and 2019. Field & Permits filed a reservation and dedication deed (Document No. 2020-0005384) at the District Clerk's office on February 27, 2020, to dedicate and reserve a road and utility easement for use as a public street, utilities, and right-of-way, and for such other uses as public streets may be used (see Attachment 2). The document did not dedicate the street to any public entity, nor does this document address maintenance.

A cost maintenance agreement (Document No. 2020-0030767) was filed by Field & Permits at the District Clerk's office on October 6, 2020. This document is not considered a Home Owner's Association that would be responsible for the maintenance of a private street. The document requires one of the parties involved to act as the agent to get bids to do the maintenance work and collect from each party their share of the cost.

KAUFMAN COUNTY THOROUGHFARE PLAN:

CR 4104 is designated as a Collector (Type C 2-3 lanes) requiring a minimum right of way dedication of 80. The proposed plat shows a 40-foot right-of-way dedication for CR 4104. Typically, on county roads, the property owner owns up to the center of the road until a plat is approved.

COMPREHENSIVE PLAN:

The property is not zoned because it is located in the Extra Territorial Jurisdiction (ETJ) of the City of Kaufman, a one-mile radius around the city limit lines. The future land use designation is single family residential low density. Ten lots are proposed and appear to be residentially used.

VARIANCE RECOMMENDATIONS:

1. Section 3.1.c.7 – **Street Construction Required Material:** Portland cement
 - a. Requesting 100% variance - The street is proposed to be paved with asphalt material.
 - b. Staff Recommendation: **Denial**
2. Section 3.1.c.10.a.1 - **Private Street Subdivision criteria** shall be no fewer than 50 residential lots –
 - a. Requesting 78% variance - The proposed subdivision contains 10 lots and one lot for the street. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: **Approval**

3. Section 3.1.c.10.a.3 – **Private Street Subdivision criteria** proposed subdivision to be surrounded on at least 3 sides by natural barriers (e.g. creeks and flood plains) or similar barriers (e.g. golf course or linear park created by man)
 - a. Requesting 75% variance There is an existing flood plain area on 1 side of the subdivision. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: **Approval**
4. Section 3.1.p. **Cul-de-sac Requirements** maximum cul-de-sac length 600 feet with a turnaround bulb with outside pavement diameter of at least 80 feet and a ROW diameter of at least 100 feet
 - a. Requesting 333% variance to exceed the maximum length of a cul-de sac allowing a 2,600-foot-long cul-de-sac. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: **Approval**
5. Section 3.1.t – **Points of Access** -two points of access are required into subdivision
 - a. Requesting 50% variance proposing only one entrance. (This variance has to be approved in order to approve the plat)
 - b. Staff Recommendation: **Approval**
6. Section 3.1.u **Construction of New Streets** – Proposed streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction
 - a. Requesting a 100% variance to the TCSS requirements for concrete but the applicant does not specify if they would meet the TCSS requirements for asphalt. The requirements for asphalt specifications would be 2 inches of asphalt, 6 inches flex based compacted to 95%, and 8 inches of lime treated sub-grade. Core samples would be required to prove compliance.
 - b. Staff Recommendation: Denial
7. Section 3.5 – **Sidewalk Requirements** - residential 4-foot-wide concrete sidewalks –
 - a. Requesting 100% variance - No sidewalks are proposed.
 - b. Staff Recommendation: **Approval**
8. Section 3.8.d . – **Utility Services (not provided by the City of Kaufman)** All electrical and telephone support equipment, including transformers, amplifiers, and switching devises necessary for underground installations shall be pad-mounted or mounted underground not overhead (unless the subdivision is served from perimeter overhead electrical facilities)
 - a. Requesting 100% variance proposed with overhead electric lines.
 - b. Staff Recommendation: **Approval**
9. Section 5.7.a.1 Screening a subdivision when the side or rear lots are adjacent to a collector type street (CR 4104 is a Type C, Collector for 4 lanes) –
 - a. Requesting 100% variance - No screening fence is proposed.

b. Staff Recommendation: Approval

PLAT RECOMMENDATION:

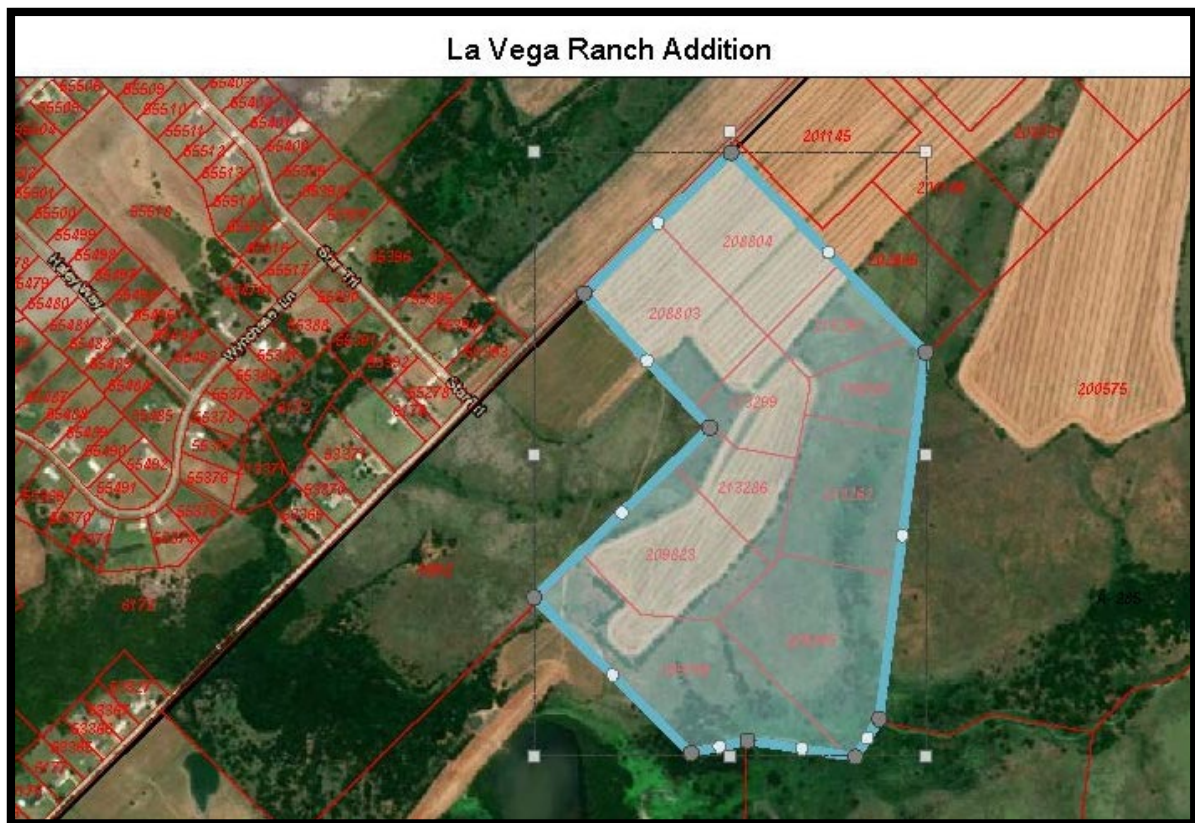
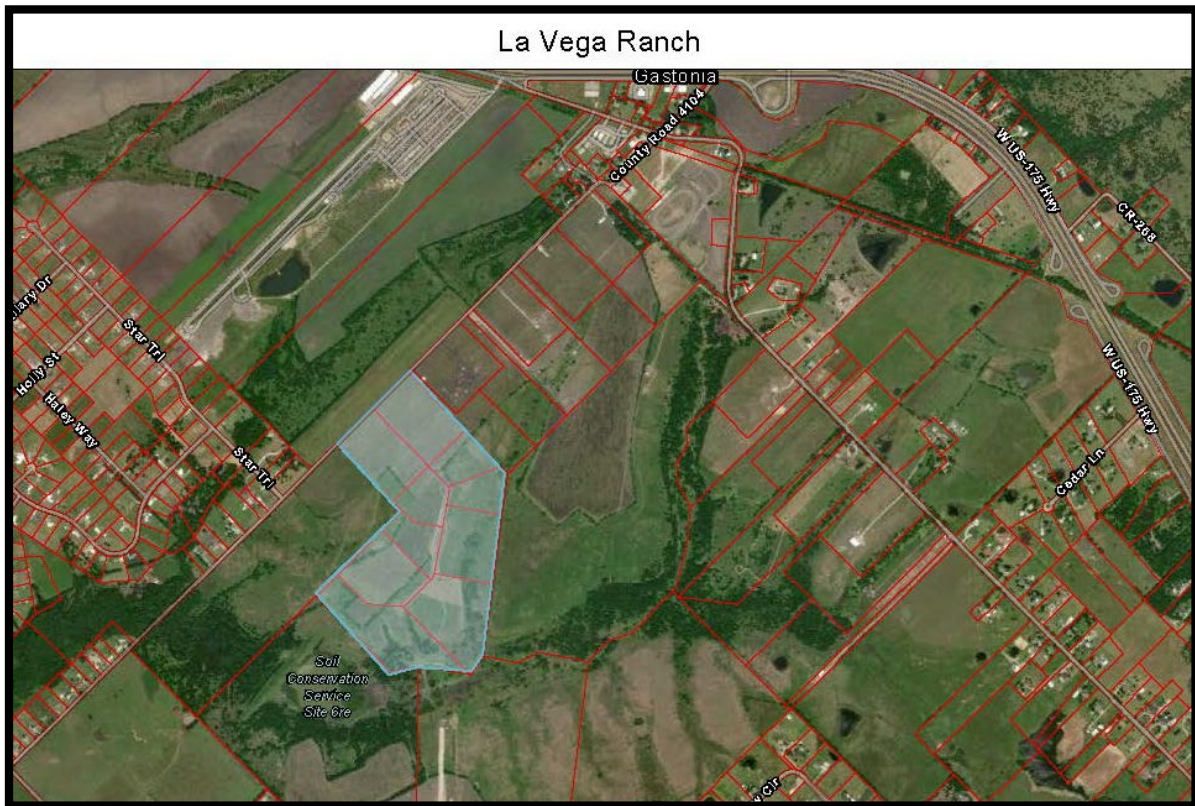
Staff recommends conditional approval of the Preliminary Plat of La Vega Ranch Addition. The Preliminary Plat cannot be approved unless variance requests #2, #3, #4, and #5 are recommended for approval.

ATTACHMENTS:

1. Location Maps
2. Letter of Intent
3. Preliminary Plat of La Vega Ranch
4. Introduction Letter from Applicant
5. Response Letter from Applicant on the requested variances
6. Land Study Map of La Vega Ranch
7. Preliminary Drainage Area Map of La Vega Ranch
8. Kaufman County Deputy Fire Marshal's response to cul-de-sac length
9. Pictures of Overhead Lines in the vicinity

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

Location Map



Letter of Intent

City of Kaufman Development Services Department

INTRODUCTION:

The purpose of this application is to submit the Preliminary Plat Application as required by the City of Kaufman Subdivision Ordinance. The development, La Vega Subdivision, consists of ten (10) lots, which are all greater than five (5) acres. The proposed development is intended to install all utilities for its lot owners and build a private road for access to lots. Additionally, establish a Homeowner Association for the maintenance of the private road.

HISTORY:

The 92.72 acres property was purchased by Field & Permits LLC on January 19, 2018 from Sunbelt Estates, LLC.

Lot 1 of 10.768 acres was purchased on March 31, 2020 by Antonio Carmona and Magaly Lopez.

Lot 2A of 5.240 acres was purchased on September 25, 2020 by Antonio Carmona and Magaly Lopez.

Lot 3 of 10.524 acres was purchased on August 31, 2020 by Pablo Aaron Alvarez and Maria Ortiz Alvarez.

Lot 4 of 13.78 acres was purchased on June 4, 2020 by Ignacio Berber and Mara I. Berber.

Lot 5 of 15.27 acres was purchased on April 24, 2020 by Ana Maria Lule.

Lot 6 of 10.355 acres was purchased on May 21, 2020 by Jonathan Najera and Lilived Rojas.

Lot 7A of 5.401 acres was purchased on September 14, 2020 by Jose A. Lamas and Leonor Barrera.

Lot 7B of 5.453 was purchased on September 30, 2020 by Jorge Marcos Martinez Jaimes and Rosaura Elena Cerna Muzquiz.

Lot 8 of 10.767 acres was purchased on March 31, 2020 by Rene Sainz and Rosario Sainz.

Lastly, Lot 2B of 5.167 acres is the remaining portion of the 92.72 acer property owned by Field & Permits LLC.

Letter of Intent

City of Kaufman
Development Services Department

TRAFFIC IMPACT ANALYSIS (TIA)

In accordance with the City of Kaufman Subdivision Ordinance, a TIA is required for developments of 50 or more dwelling units or for developments generating more than 500 trips in a peak hour. The proposed development, however, is of 10 lots and will generate significantly less than 500 trips in a peak hour. Therefore, a TIA is neither required nor justified.



ETJ LIMIT

ACCESS

Access is provided from County Road 4104 to the proposed private street, La Vega Roadway. La Vega Roadway provides access to 10 lots. The Homeowner Association proposed in this application will oversee the maintenance of the private road. Road name has been approved by the Kaufman County 911 Addressing.

911 GIS <911gis@kaufmancounty.net>
to me, 911, Field ▾

KAUFMAN COUNTY ROAD REVIEW			
Subdivision	Street Name	PASS/FAIL	HOLD
LA VEGA	LA VEGA RD	PASS	5/24/2021

Kelley Chastain
Kaufman County Development Services
911 Addressing
469-376-4130
911GIS@kaufmancounty.net

Letter of Intent

City of Kaufman Development Services Department

EXISTING UTILITIES

- **Water** – As shown in Exhibit G, there is an 8-inch water line on County Road 4104.
- **Electricity** – Installed and serviced by Trinity Valley Electric Cooperative INC.

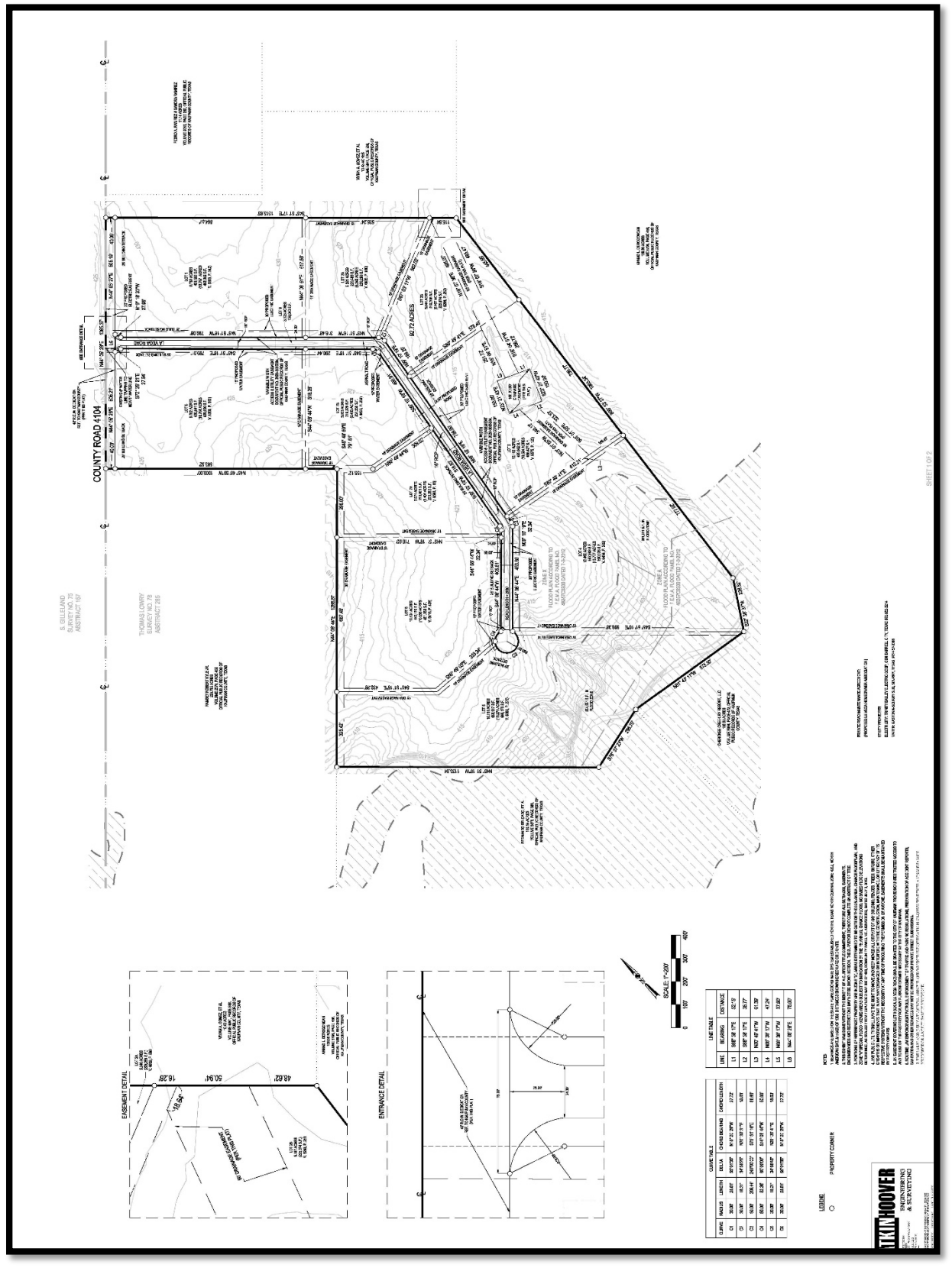
PROPOSED UTILITY

- **Water** – A 6-inch water line from County Road 4104, with fire hydrants every 500 ft, extending to La Vega roadway as shown in Exhibit G.

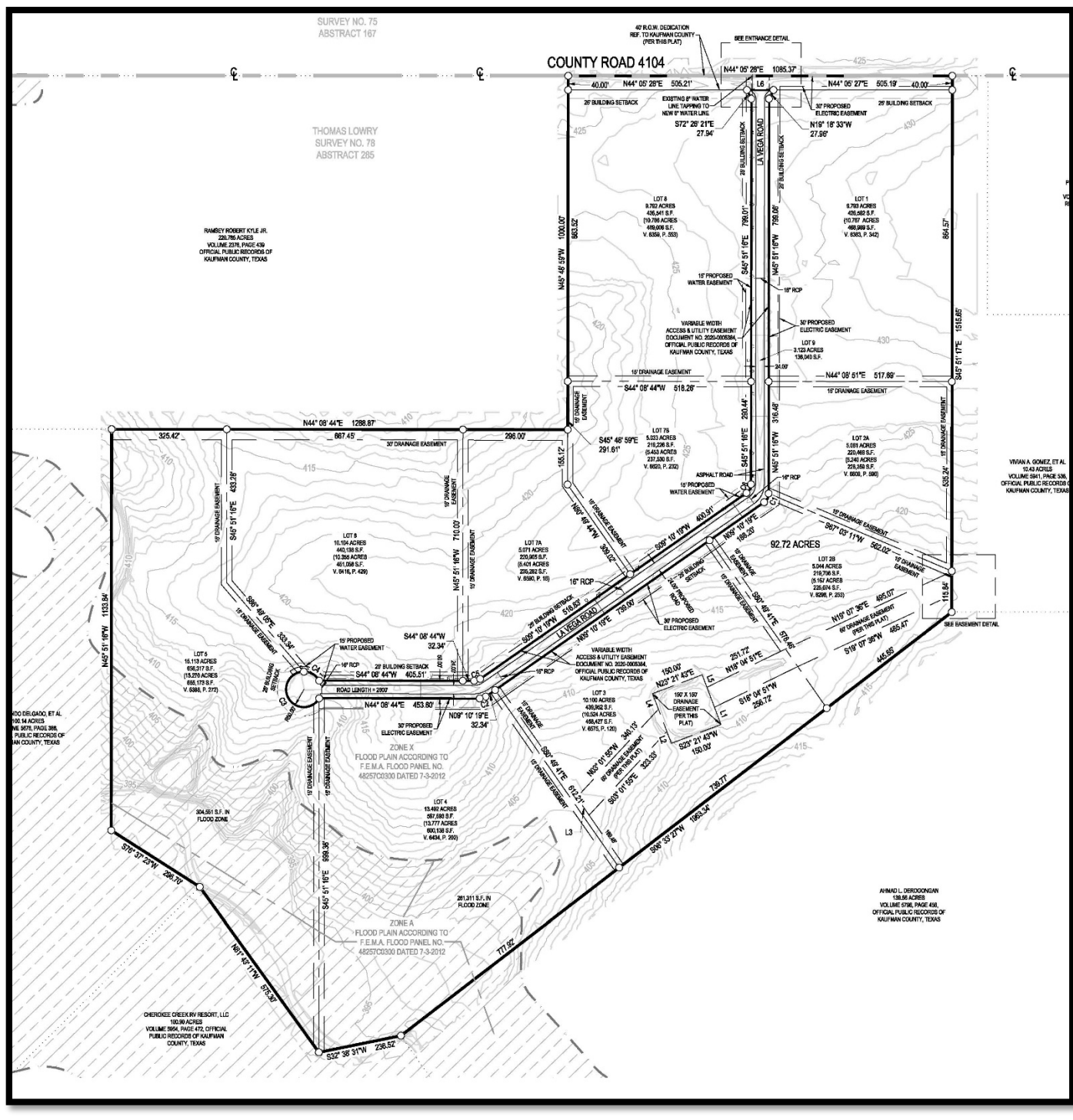
PROPOSED PRIVATE ROAD

- Roadway proposed for the access of 10 Lots.
- Roadway width will be 24 ft.
- Road will provide 30 ft turning radius.
- Street will be constructed in accordance to the City's construction standards.
- Variance requested for an asphalt surface road and cul-de-sac length.

Preliminary Plat of La Vega Ranch



Preliminary Plat of La Vega Ranch
Enlargement of the Preliminary Plat of La Vega Ranch



Response Letter from Applicant on Requested Variances

November 30, 2021

City of Kaufman – Development Services
Attn. Marcy Ratcliff
209 S. Washington St.
Kaufman, TX 75142

Re: Request for Variance – La Vega Subdivision

Dear Ms. Ratcliff,

Field & Permits LLC is requesting a variance for the property located at 2075 County Road 4104. The following variances are being requested for this subdivision:

- a. **Section 3.1.c.7 – Street Construction.** All streets and thoroughfares shall be constructed of Portland cement concrete to City standards and in rights-of-way as required by the Thoroughfare Plan, in accordance with City standards from time to time adopted. – 100% variance proposed for asphalt material.
 - i. A majority of the property is located in the jurisdiction of Kaufman County and a smaller portion of the property is within the ETJ of the City of Kaufman.
 - ii. Investigating the area, it looks like almost every single road and almost all subdivisions in that area of the ETJ also make use of asphalt roads.
 - iii. This road will be a private road and will be maintained by the lot owners as established by the La Vega Homeowners Association and would not result in any cost to the city or the county.
 - iv. Using Portland cement concrete would result in high construction costs that make it unrealistic to build the street in concrete. Not supporting the variance will affect each individual owner because economically the property owners cannot afford to change the road material to Portland cement and could cause the permanence of a gravel street. The viability of the project is reliant upon the use of an asphalt road.
- b. **Section 3.1.c.10.a.1 - Private Street.** The subdivision shall have no fewer than fifty (50) residential lots. - 80% variance proposing 10 lots
 - i. The location of the subdivision being low density area does not meet the need of fifty (50) lots or more and could not meet the cost of an expensive development like that.
- c. **Section 3.1.c.10.a.3 – Private Street.** The subdivision is located in an area that is surrounded on at least three sides (i.e., 75% of the perimeter) by natural barriers (e.g., creeks and flood plains) or similar barriers (e.g., golf course or linear park) created by man (non-qualifying barriers include screening walls, roadways, man-made drainage ditches or berms, utility easements and rights-of-way); – 66% variance proposed with an existing flood plain on two side
 - i. The property is irregular in shape with seven (7) sides. Two (2) of these sides are surrounded by the existing flood plain and the Soil conservation site five (5) dam.
- d. **Section 3.1.c.10.a.6 – Private Street.** The subdivision conforms to any other special guidelines for private street developments as may be approved separately by the City Council. – 100% variance proposed

Response Letter from Applicant on Requested Variances

- i. We are unaware of any other guidelines that can be met; however, the proposed road meets the width and cul-de-sac recommendation by the Fire Marshall. The street is made private on the recommendation of the City and County.
- e. **Section 3.1.p. Streets.** A cul-de-sac street shall not be longer than six hundred feet (600'), and at the closed end shall have a turn-around bulb with an outside pavement diameter of at least eighty feet (80') and a right-of-way diameter of at least one hundred feet (100'). The length of a cul-de-sac shall be measured from the centerline of the intersecting street to the centerline of the cul-de-sac bulb. – 333 % variance proposed for two thousand and six hundred feet (2,600') cul-de-sac length.
 - i. Kaufman County Fire Marshall's office has indicated that they approve of the cul-de-sac street length. See exhibit "T" for letter from Deputy Fire Marshall.
 - ii. Turn-around outside pavement diameter is ninety-eight feet (98') which meets the required minimum of eighty feet (80').
 - iii. Right-of-way diameter is of one hundred feet (100') which meets requirement.
 - iv. The property's irregular shape and having two (2) of its sides surrounded with existing floodplain caused the longer road to maximize land.
- f. **Section 3.1.t – Points of Access.** All subdivisions shall have at least two (2) points of access from improved public roadways. The two points of access can be from a single entrance onto a public thoroughfare if the thoroughfare is divided, and if the entry into the subdivision is divided. Otherwise, the two points of access shall be from two different entrances either on a single public thoroughfare or on two public thoroughfares. All residential developments shall provide no less than one (1) entrance for every seventy-five (75) lots, or portion thereof, including dead-end stubbed streets that will eventually provide connections into adjacent future developments and thence to an existing arterial or collector street. – 50% variance proposing one entrance
 - i. We provide one (1) entrance for ten (10) lots that connect to an existing collector street.
 - ii. The access onto public collector street to the private street proposed will provide 75 feet of access frontage as primary access.
 - iii. With a width of 75 feet, we can paint lines on the pavement to demarcate two entrances.
- g. **Section 3.1.u – Streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction.** – 100% variance proposed
 - i. Due to requesting a variance for the street construction material from Portland Cement to asphalt we would not be meeting 100% accordance to the TCSS manuals. However, the other parameters are met.
- h. **Section 3.5 – Sidewalks.** Pedestrian concrete sidewalks not less than four feet (4') wide shall be provided within all residential subdivisions, and sidewalks not less than five feet (5') wide shall be provided within all non-residential developments and along all perimeter roadways (for both residential and non-residential developments) as set forth in the City of Kaufman TCSS manuals. Sidewalks shall be constructed within the street right-of-way, two and one-half feet (2.5') away from the right-of-way line and shall be installed before the final building inspection by the City. A Certificate of Occupancy will not be issued until the sidewalk is in place. Sidewalks along perimeter streets shall be installed prior to subdivision acceptance. – 100% variance proposed with no sidewalks

Response Letter from Applicant on Requested Variances

i. The La Vega Subdivision is within the rural/county area and is not zoned. Majority of the existing subdivision in the area do not have sidewalks either, since this is characteristic of rural areas.

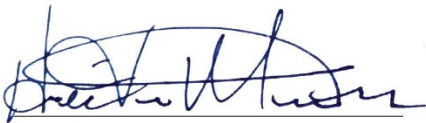
i. **Section 3.8.d . – Utility Services. All electrical and telephone support equipment, including transformers, amplifiers, and switching devices necessary for underground installations, shall be pad-mounted or mounted underground, but not overhead (unless the subdivision is served from perimeter overhead electrical facilities).** – 100% variance proposed with overhead electric lines.

- i. 54% of the property is located in the jurisdiction of Kaufman County and 46% of the property is within the ETJ of the City of Kaufman as shown on Exhibit A. Kaufman County does not require underground electrical lines.
- ii. Investigating the area, it looks like majority of the properties and subdivisions in that area of the ETJ also make use of overhead electric facilities. Please refer to the references on Addendum B.
- iii. Electric company did not consult or recommend the electric installment to be underground but overhead.

The proposed objective of this variance is to subdivide the property, provide all lot owners with utility services, and allow for access onto the properties using an asphalt road. The point of access constructed at County Road 4104 will still be constructed in accordance with city standards, as required.

Approval of this variance request will allow this one lot property to develop into 10 usable lots, which will benefit the Kaufman city/county area. Considering the benefit of this property being developed into 10 lots, the road being maintained privately, and no negative impact to other properties, we respectfully request approval of this variance.

We appreciate the City of Kaufman's consideration for this request. If you have any questions, please feel free to contact me at (969) 300-0521 or e-mail me at fieldpermits@gmail.com.



Hector Morales Vargas
President
Field & Permits LLC

[illegible]

[illegible]

Kaufman County Deputy Fire Marshal cul-de-sac length variance request

9/1/2021

Gmail - La vega Ranch CR 4104



Alanis Morales <alanismorales.pm@gmail.com>

La vega Ranch CR 4104

Ashley Bowen <ashley.bowen@kaufmancounty.net>
To: Alanis Morales <alanismorales.pm@gmail.com>
Cc: Kristi Dickey <kristi.dickey@kaufmancounty.net>

Wed, Sep 1, 2021 at 5:08 PM

Good Afternoon Alanis.

Per the conversation during our zoom meeting today the Kaufman County Fire Marshal's Office approves the length of the access roadway, width of roadway at 24 feet, and the cul-de-sac at 96 feet in diameter, and providing a 28' turning radius. It was also discussed that at both places the road makes a change in direction a proper turning radius is provided.

Please let me know if you have any further questions.



Ashley Bowen
Deputy Fire Marshal
469-376-4111

<https://mail.google.com/mail/u/1?ik=e9e96ea577&view=pt&search=all&permmsgid=msg-f%3A1709735169555473694&simpl=msg-f%3A17097351695...> 1/1

Overhead service lines in the vicinity

Figure 1

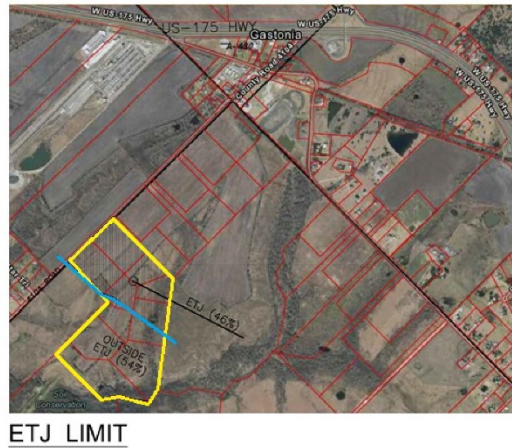


Figure 2

Reference of the use of overhead electric lines in nearby properties on the ETJ.





Meeting
Date: 12/20/2021

Date: 12/06/2021

Item #: 11.

Dept.: Development
Services

PZ Item

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on Ordinance O-54-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. 0-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, collectively, "The Comprehensive Zoning Ordinance and the Official Zoning Map" of the City, to approve Specific Use Permit No. forty-nine, ("SUP-49"), and its site plan, to permit light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom, subject to conditions, on an approximate 1.879 acre tract of land (PID 49846) zoned Commercial "C", such property being generally located at 2400 Tabor Parkway, on lot 4, Heritage Park Addition, City of Kaufman, Kaufman County, Texas; providing for the incorporation of premises; providing amendments and zoning map amendments; providing assignability and expiration/recission; providing land use regulations; providing a cumulative repealer clause; providing a severability clause; providing a penalty in an amount not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues; and providing for publication and an effective date.

BACKGROUND:

See the attached December 7, 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 December 7, 2021 recommended approval of SUP-49, by a vote of 5-0 to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom on Lot 4, Heritage Park Addition (PID 49846) located at 2400 Tabor Parkway with the following conditions:

- 1. Revise the site plan's rear parking lot area to show the required 24-foot wide driving lane;**
- 2. Revise the site plan's 90-degree angle parking spaces shown adjacent to the rear of the building to 9-foot x 22-foot parallel parking spaces;**
- 3. Revise the total number of off-street parking spaces available to reflect the revisions noted in items (1) and (2) above;**
- 4. Note on the site plan the shop's operation hours are limited to between 7:30 a.m. to 6:00 p.m. Monday through Friday.**

The conditions above are reflected in the site plan attached to Ordinance O-54-21.

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

x

x

x



Planning and Zoning Commission Report

Meeting Date: December 7, 2021

SUBJECT: Conduct a public hearing and make a recommendation to City Council on a request from Kevin McCormick of Furniture-n-Cabinets for a Specific Use Permit (SUP-49) to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store located at 2400 Tabor Parkway. The property is a 1.879 acre lot located on Lot 4, Heritage Park Addition (PID 49846). The property is zoned Commercial District (C). (Z-19-21)

BACKGROUND/SUMMARY:

The applicant, Kevin McCormick of Furniture-n-Cabinets is requesting a Specific Use Permit to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store. The property is located at 2400 Tabor Parkway, on 1.879 acres and platted as Lot 4, Heritage Park Addition (PID 49846). The property is developed with an existing 37,500 SF metal building with paved parking and loading areas. The building was once occupied by ABox Packaging Company. The required number of off-street parking spaces for the office/showroom is 32 spaces.

The property is developed with an existing driveway on Tabor Parkway and Kings Fort Parkway. The applicant proposes to add a second 24 foot wide driveway on Kings Fort Parkway to access the paved parking area in the rear, which currently has no paved access to the street.

The applicant proposes the following exterior building improvements:

King's Fort Parkway Elevation Side

1. Install faux stone veneer panels and ledge molding 36 inches above ground level
2. Install window & door wood trim accent around existing windows
3. Install new glass entrance door with wood trim accents on sides and top (new customer entrance to showroom area)
4. Install new fence around rear concrete parking area.

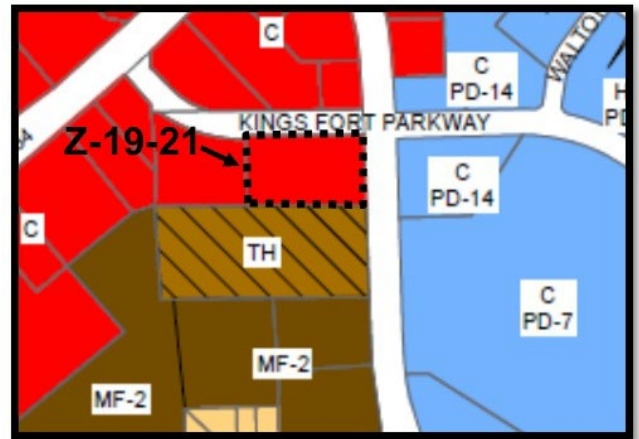
Tabor Parkway Elevation Side

1. Install faux stone veneer panels and ledge molding 36 inches above ground level
2. Install window & door wood trim accents around existing windows
3. Install new overhead doors

The proposed light manufacturing and assembly processing hours of operation is proposed to be limited to 7:30 am to occasionally 6:00 pm Monday through Friday. To reduce the noise level, standard woodworking machinery will be used instead of industrial caliber machinery. The proposed showroom/retail store hours are from 9:00 am to 4:00 pm Monday through Saturday.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	C	Kaufman Self Storage, Printing Company & medical billing business
South:	TH	Village of Kaufman
East:	PD-14 (C)	Texas Dentistry, Great Clips, UPS Store, Euphoria Nail Spa, Dickey's BBQ, Roma's, AT&T Store
West:	C	Undeveloped, Chicken Express



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designates the land use of the subject property as Future Commercial Use. The property is zoned Commercial. The Planned Development-15 zoning complies with the 2014 Future Land Plan.

Thoroughfare Plan:

Kings Fort Parkway and Tabor Parkway are designated as a Type C, Major Collector, which requires a minimum 80 foot wide right of way width and has already been dedicated.

DETERMINATIONS NECESSARY FOR CONSIDERING SUP'S

Sec 30.2. – SPECIFIC USE PERMIT REGULATIONS:

- A. In recommending that a Specific Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening, and open space, heights of structures, and compatibility of buildings. In approving a requested SUP, the Planning and Zoning Commission and City Council may consider any or all of the following:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
 2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
 3. The nature of the use is reasonable;
 4. Any negative impact on the surrounding area has been mitigated; and/or
 5. That any additional conditions specified to ensure that the intent of the district is being upheld.
- B. In granting a Specific Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official, or his designee, for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy, and shall be incorporated into the amending ordinance establishing the SUP.
- C. No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements or conditions of the Specific Use Permit, as incorporated into the amending ordinance establishing the SUP, and as reviewed by the Planning and Zoning Commission and approved by the City Council.
- *H. A time limit may be imposed as a condition upon the granting of a SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection 30.2.I.; the applicant shall go through the procedures outlined above in Subsection 30.2.A-30.2G to renew a SUP.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 12 property owners within 300' of 2400 Tabor Parkway. The results are as follows:

- Property owners returned letters in opposition to the request = 0
- Property owners returned the letter in agreement to the request = 0
- Property owners who have not responded = 12

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-19-21, a Specific Use Permit (SUP-49) for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store located at 2400 Tabor Parkway, on Lot 4, Heritage Park Addition (PID 49846) with the following conditions.

1. Revise the rear parking lot area to show:
 - a. The required 24 foot wide driving lane
 - b. The 90 degree angle parking spaces shown adjacent to the building changed to fit 9 foot x 22 foot parallel parking spaces.
2. Revise the total number of off-street parking spaces available to reflect the revisions noted in item #1.
3. Limit the hours of shop operation from 7:30 am to 6:00 pm Monday through Friday.

ATTACHMENTS:

1. Location map
2. Applicant's Letter
3. Site Plan

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

Location Map



Applicant's Letter

Furniture-n-Cabinets
Your Home, Your Way

10640 W US Highway 80 Forney, Texas 972-552-1914

11/04/2021

Furniture-n-Cabinets inc. provides the finest products and services available within the kitchen cabinet and unfinished Furniture industries. We will tailor our product around your budget, as basic or elaborate as desired. Our luxury crafted cabinets are designed to embrace and accentuate your lifestyle and personality.

Furniture-n-Cabinets builds and installs custom cabinetry for any room in you home or business including Kitchen Cabinets, Bookcases, Entertainment, Computer and Media Centers, Home Office, Garage Cabinets, Custom Closet cabinets, Laundry Centers and Bathrooms. All created to your specifications in materials, style and design.

Our custom upgrades are endless to what we can do for you. If you have an idea of what you want, we are committed to helping create that dream for you. Whether it's a decorative Vent Hood, Pantry with Pull-out Shelving, Plate & Wine Racks, or simply making your Spice Rack more easily accessible for you.

Our knowledge and experience help in making your decision process go a little more smoothly and efficiently.

Furniture-n-Cabinets
Your Home, Your Way

10640 W US Highway 80 Forney, Texas 972-552-1914

11/04/2021

FURNITURE-N-CABINETS INC. IS A CUSTOM CABINET SHOP PROVIDING WOOD CABINET TYPE PRODUCTS FOR YOUR HOME
WE HAVE BEEN IN FURNITURE/CABINET BUSINESS FOR 30+ YEARS DESIGNING AND FABRICATING ALL VARITIES OF CUSTOM
PIECES

WE SERVE A LIMITED NUMBER OF RESIDENTIAL CUSTOM HOME BUILDERS WITH CUSTOM CABINETS FOR THEIR NEW HOMES
WORKING DIRECTLY WITH THEIR CUSTOMERS

OUR SHOWROOM/STORE SERVES HOMEOWNERS WITH CUSTOM FURNITURE AND CABINETS FOR THEIR HOMES WHETHER IT BE
REMODELING THEIR KITCHEN OR A CUSTOM PIECE OF FURNITURE TO FIT THEIR NEEDS

WE OFFER DELIVERY AND INSTALLATION OF ALL OF OUR PRODUCTS IN BOX VAN TYPE TRUCKS ONLY

CURRENTLY WE HAVE 22 PEOPLE EMPLOYED IN SHOP, SHOWROOM, AND OFFICE

DESIGN AND INSTALL RESIDENTIAL CUSTOM CABINETS

HOURS OF SHOP OPERTION 7:30AM TO 4:00PM (OCCASIONAL OVERTIME TILL 6:00PM) MONDAY THRU FRIDAY

HOURS OF SHOWROOM/RETAL STORE 9:00AM TO 4:00PM MONDAY THRU SATURDAY

LOW LEVEL OF NOISE CREATED-- STANDARD WOODWORKING MACHINERY USED

Furniture-n-Cabinets

Your Home, Your Way

WE WOULD LIKE TO IMPROVE THE ASTHETICS OF CURRENT BUILDING TO INCLUDE THE FOLLOWING:

INSTALL STONE AND LEDGER 36" UP FROM GROUND LEVEL ON THE KINGS PORT PKWY AND TABOR PKWY SIDES OF BUILDING TO COMPLIMENT THE SURROUNDING BUSINESS AREA

INSTALL WINDOW AND DOOR WOOD TRIM ACCENTS AROUND EXISTING WINDOWS

INSTALL NEW SHOWROOM ENTRANCE GLASS DOOR ON KINGS PORT PKWY SIDE OF BUILDING WITH WOOD TRIM ON SIDES AND TOP OF NEW GLASS DOOR, THIS WOULD BE CUSTOMER ENTRANCE FOR SHOWROOM / RETAIL STORE

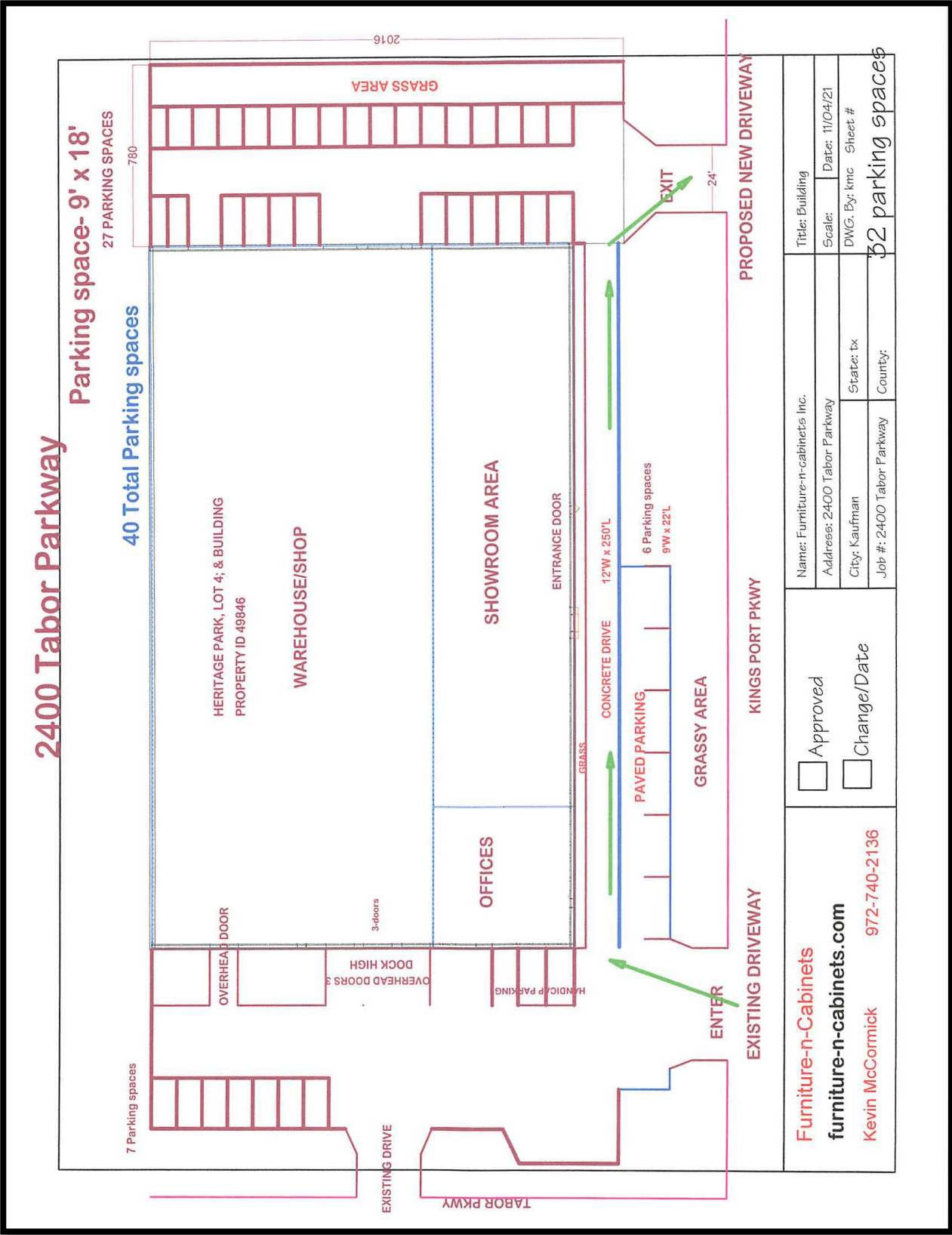
INSTALL NEW OVERHEAD DOORS TO ENHANCE THE OUTWARD APPEARANCE OF BUILDING

OVERALL FRESHEN AND CLEAN UP OUTSIDE OF BUILDING TO MAKE MORE RETAIL CUSTOMER FRIENDLY

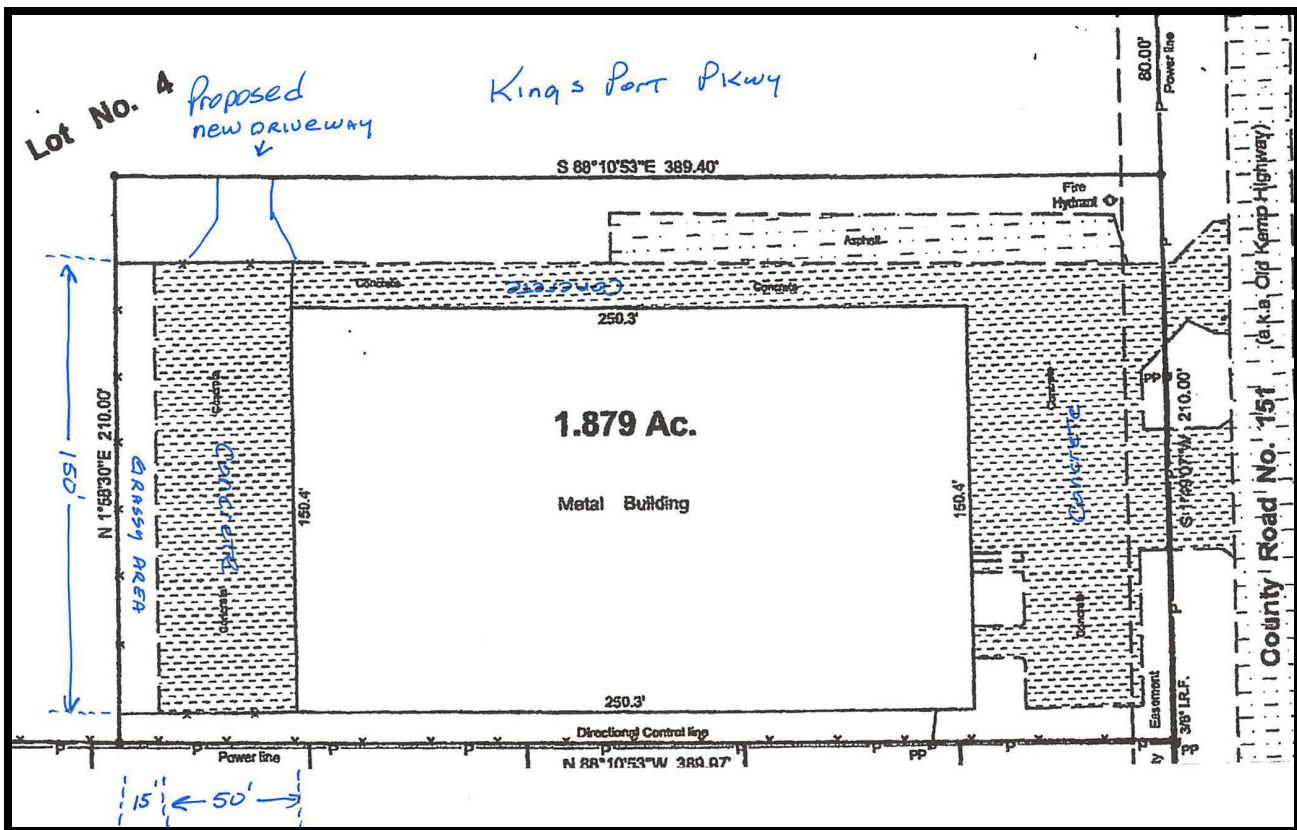
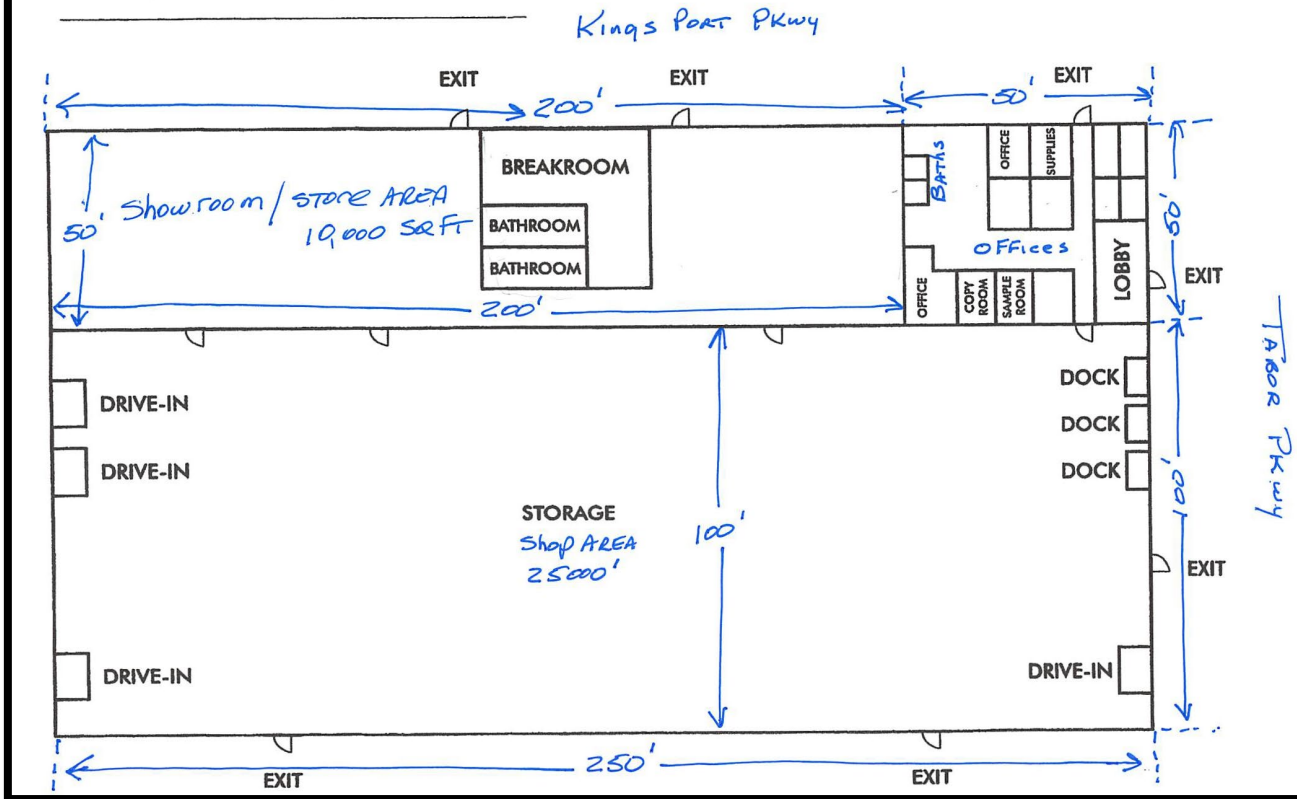
INSTALL NEW FENCE AROUND REAR CONCRETE PARKING AREA

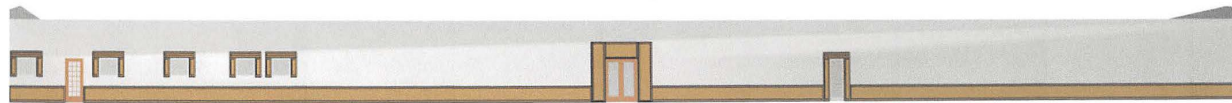
ADD NEW DRIVEWAY/ENTRANCE AT REAR PORTION OF PROPERTY ON KINGS PORT PKWY FOR ACCESS TO PARKING LOT IN REAR OF BUILDING, ALSO TO CREATE A ONE-WAY ENTRANCE AND EXIT ON KINGS PORT PKWY

Site Plan



BUILDING LAYOUT

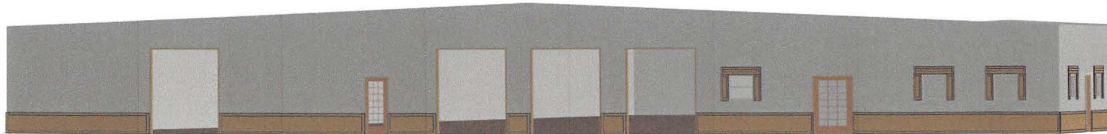




Room 19 no ceiling

1 : 100

Stone and ledger installed 36" above ground level
 Kings Port Pkwy side of building
 Install window & door wood trim accents around existing windows
 Install new glass entrance door on Kings Port Pkwy side of building
 with wood trim accents on sides & top
 this would be the customer new entrance for the showroom/store



Room 19 no ceiling

1 : 75

2400 Tabor Parkway Tabor Pkwy side

Stone and ledger installed 36" above ground level
 Tabor Parkway side of building
 Install window & door wood trim accents around existing windows
 Install new overhead doors





Examples of proposed faux stone veneer with ledger 36" above ground level:



Pictures of existing showroom of furniture and cabinetry





Custom in house design cabinets





GARAGE CABINETS







ORDINANCE O-54-21

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 APPROVE SPECIFIC USE PERMIT NO. FORTY-NINE, ("SUP-49"), AND ITS SITE PLAN, TO PERMIT LIGHT MANUFACTURING AND ASSEMBLY PROCESSING OF FURNITURE AND CABINETRY IN CONJUNCTION WITH A FURNITURE OFFICE/SHOWROOM, SUBJECT TO CONDITIONS, ON AN APPROXIMATE 1.879 ACRE TRACT OF LAND (PID 49846) ZONED COMMERCIAL "C", SUCH PROPERTY BEING GENERALLY LOCATED AT 2400 TABOR PARKWAY, ON LOT 4, HERITAGE PARK ADDITION, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS AND ZONING MAP AMENDMENTS; PROVIDING ASSIGNABILITY AND EXPIRATION/RECISSION; PROVIDING LAND USE REGULATIONS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, at its' regular meeting held on the 7th day of December, 2021, the Planning and Zoning Commission, after holding a public hearing, did consider and make a recommendation to City Council for approval of SUP-49, and its Site Plan (Z-19-21), to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store with the conditions listed in Section 2 of this Ordinance on an approximate 1.879 acre tract of land, Kaufman CAD ID 49846, zoned Commercial "C", generally located at 2400 Tabor Parkway, on Lot 4, Heritage Park Addition, City of Kaufman, Kaufman County, Texas; and more specifically described and depicted on **Exhibit "A"**, a copy of which is attached hereto and incorporated herein as, (the "Property"); and

WHEREAS, at its regular meeting held on the 20th day of December, 2021, the City Council held a public hearing to consider approving SUP-49, and its Site plan as noted above and: (1) determined that all legal requirements of notice and hearings were met; (2) considered the recommendations of the Planning and Zoning Commission; (3) provided the public an opportunity to provide input; (4) considered public input; (5) considered the compatibility of the proposed SUP-49 zoning with surrounding properties and the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City; and (6) determined that the proposed amendment to the Zoning Ordinance and Zoning Map of the City set forth herein below is consistent with the goals of land development as set forth in the Comprehensive Plan of the City, would allow orderly development of the Property which would serve the best interest of the health safety, and general welfare of the public.

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 authorized by SUP-49 to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store with the following conditions:

- a. Revise the site plan's rear parking lot area to show the required 24-foot wide driving lane; and
- b. Revise the site plan's 90-degree angle parking spaces shown adjacent to the rear of the building to be 9-foot x 22-foot parallel parking spaces; and
- c. Revise the total number of off-street parking spaces available to reflect the revisions noted in items (a.) and (b.) above; and
- d. Revise the site plan to note that the shop operation hours are limited to between 7:30 a.m. to 6:00 p.m. Monday through Friday.

The Property is on an approximate 1.879-acre tract of land generally located at 2400 Tabor Parkway, Kaufman CAD ID 49846, on Lot 4, Heritage Park Addition, 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 Commercial to Commercial with Specific Use Permit- 49 ("SUP-49"), thereon and the updated map shall be on file with the Office of the City Secretary.

SECTION 4. SITE PLAN. The Site Plan for SUP-49 attached hereto and incorporated as if set forth fully herein as **Exhibit "B"**, is hereby approved by the City Council. The approved Site Plan meeting the requirements of this Section shall be adhered to in its entirety for the duration of the uses authorized by SUP-49.

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

SECTION 6. LAND USE REGULATIONS. The regulations contained in the City's Comprehensive Zoning Ordinance, as amended, shall control.

SECTION 7. CUMULATIVE REPEALER/SAVINGS This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

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

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

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

PASSED AND APPROVED this 20th day of December, 2021.

JEFF JORDAN
MAYOR

ATTEST:

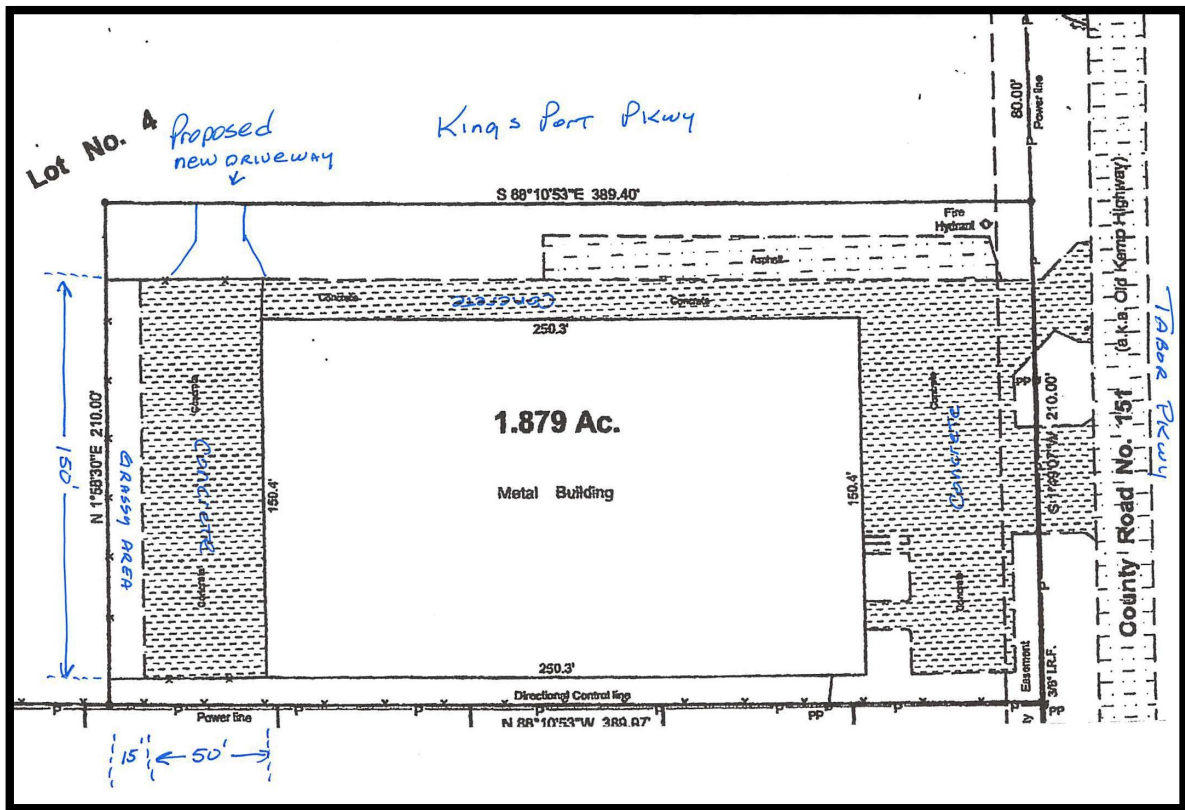
JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

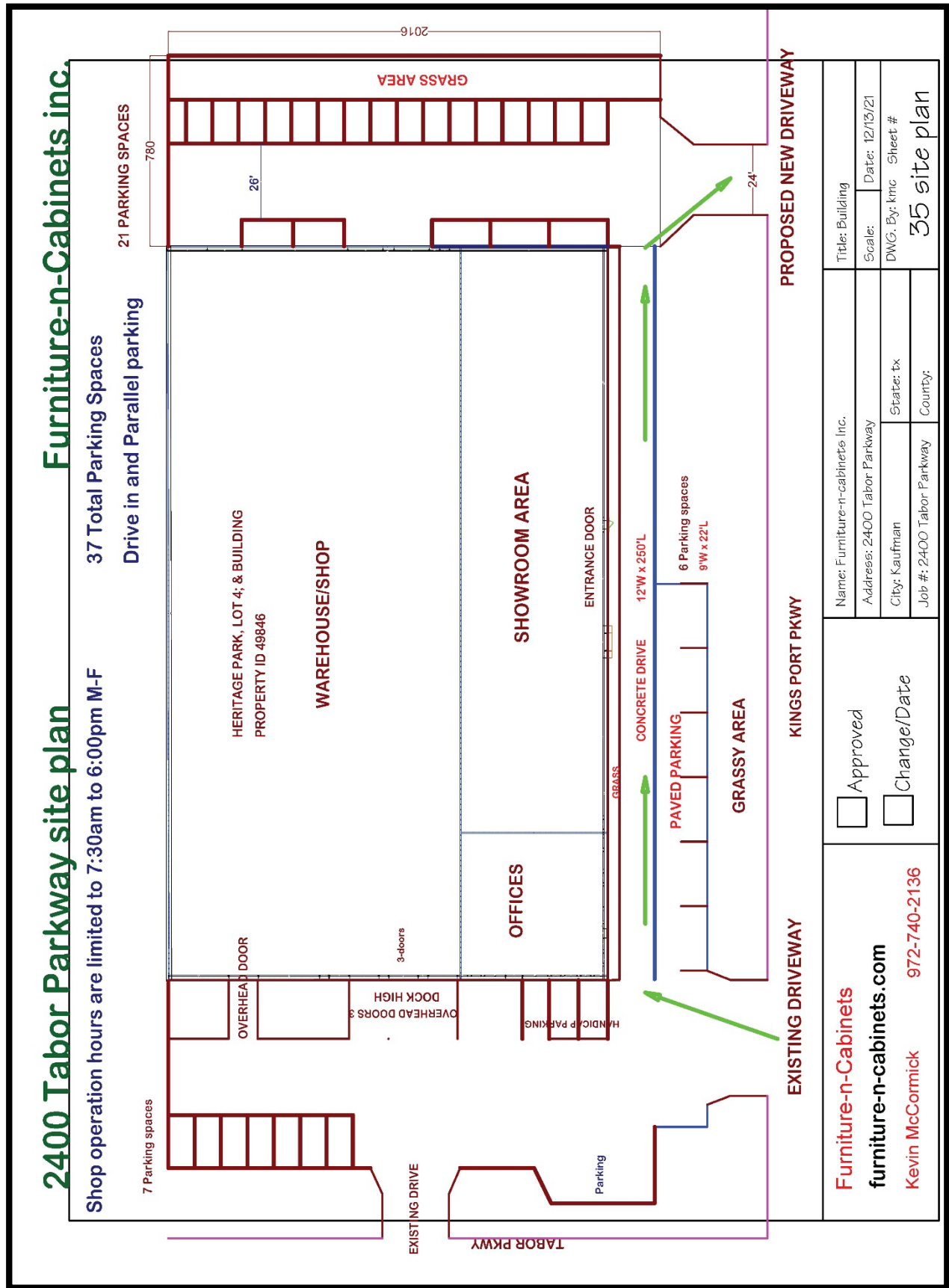
PATRICIA A. ADAMS
CITY ATTORNEY

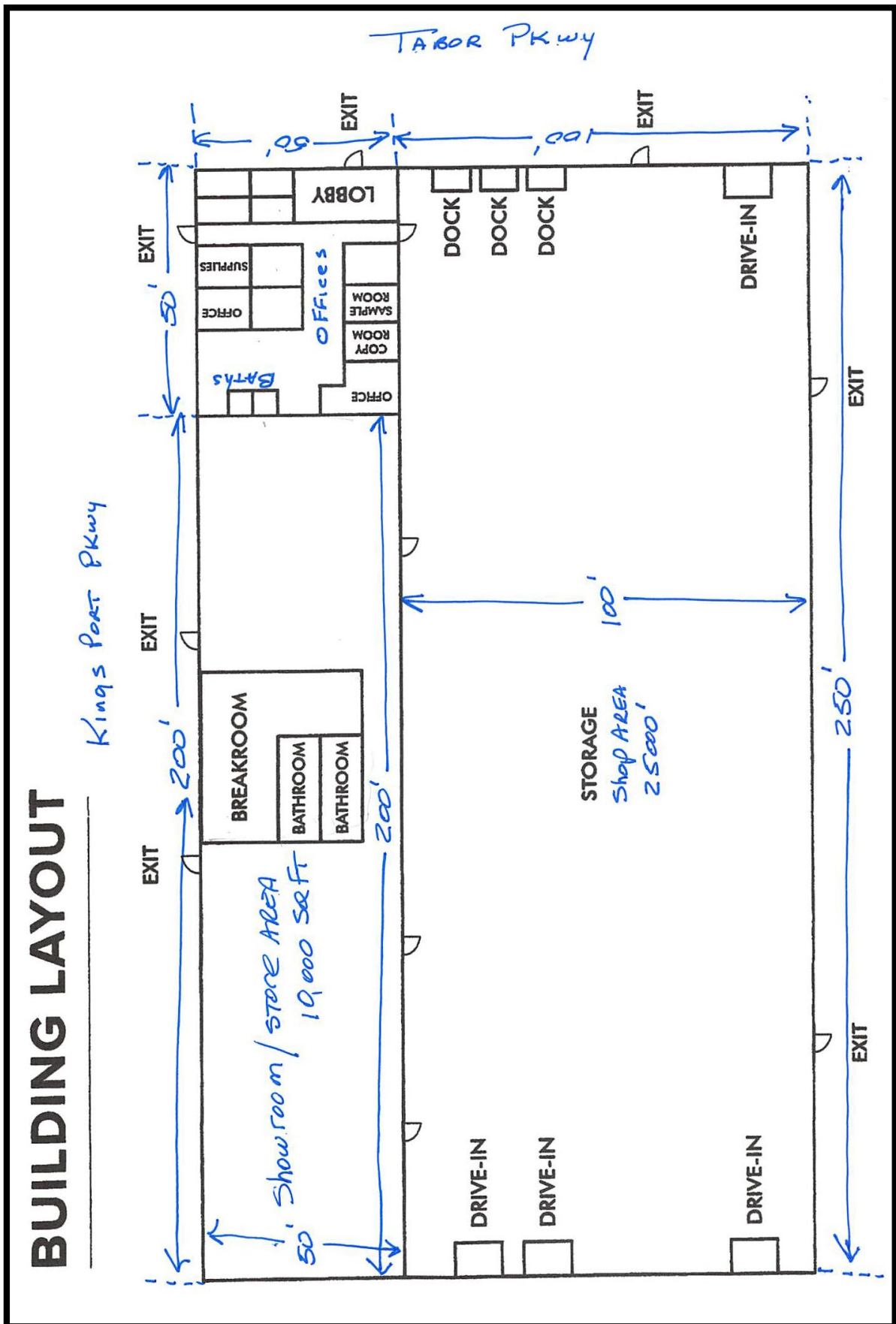
“EXHIBIT A” Legal Description

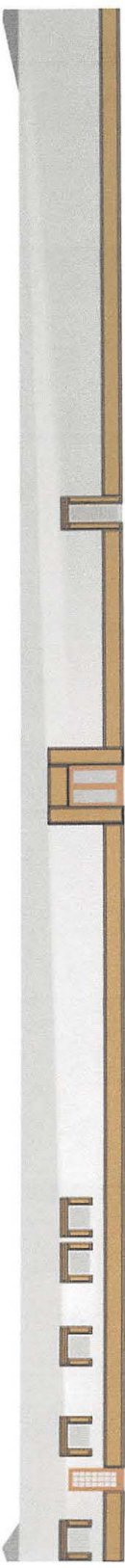
Z-19-21
2400 Tabor Parkway –
Lot 4, Heritage Park Addition - Kaufman CAD ID 49846



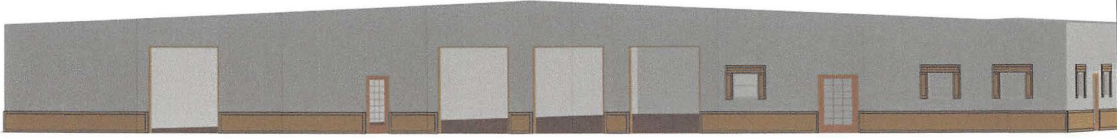
Ordin

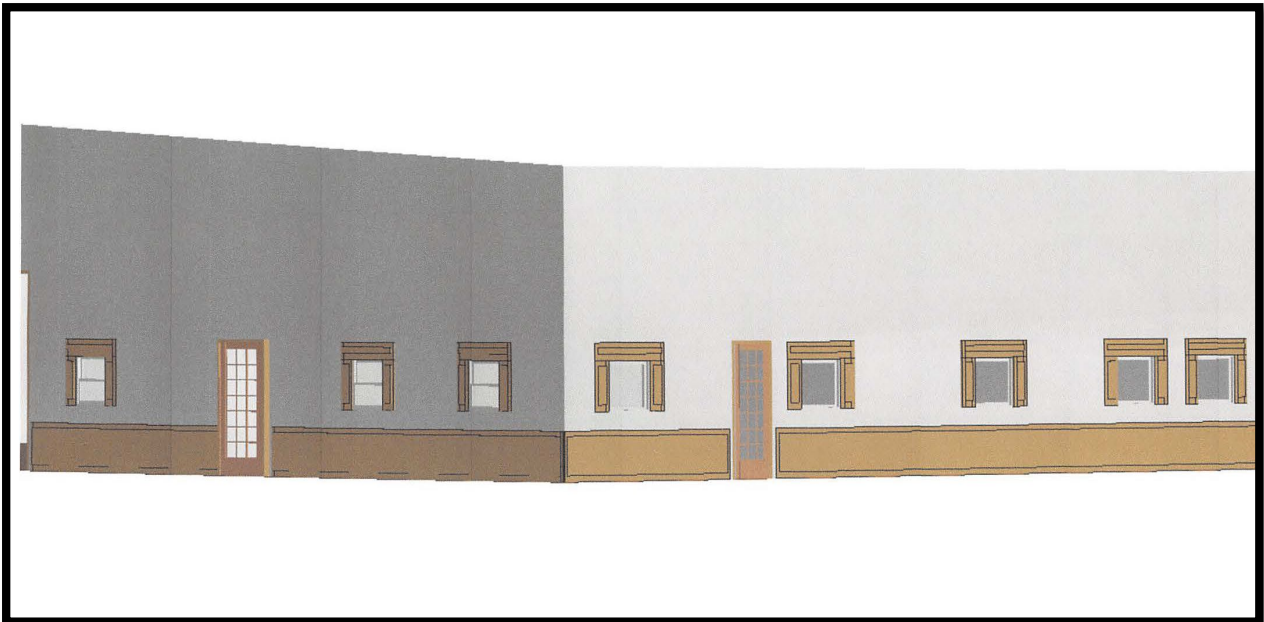




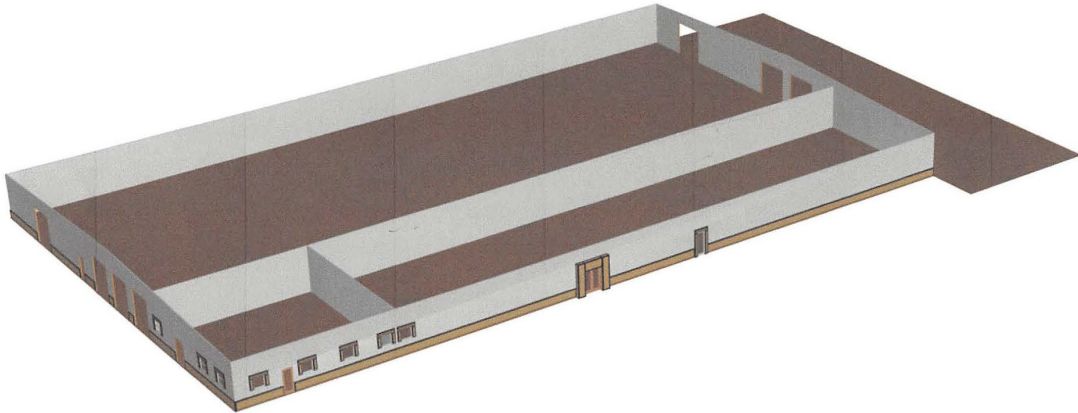
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Furniture-n-Cabinets furniture-n-cabinets.com Kevin McCormick 972-740-2136		☐ Approved ☐ Change/Date	
Name: Furniture-n-cabinets Inc. Address: 2400 Tabor Parkway City: Kaufman Job #: 2400 Tabor Parkway		Title: Building Scale: DWG. By: kmc Date: 11/04/21 Sheet # Sheet 27	

"EXHIBIT B" Revised Site Plan

																			
Room 19 no ceiling 1 : 75 2400 Tabor Parkway Tabor Pkwy side Stone and ledger installed 36" above ground level Tabor Parkway side of building Install window & door wood trim accents around existing windows Install new overhead doors																			
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"EXHIBIT B" Revised Site Plan

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City: Kaufman	State: tx	DWG. By: kmc	Sheet #																
Job #: 2400 Tabor Parkway	County:	Sheet 34																	



Meeting
Date: 12/20/2021

Date: 12/06/2021

Item #: 12.

Dept.: Development
Services

PZ Item

SUBJECT:

Consider and take appropriate action on the revised Site Plan of the Kaufman County Justice Center, being a tract of land containing 45 acres, situated in the D. Falcon Survey, Abstract No. 151. The property is platted as Lot 1, Law Enforcement Center Addition and addressed as 1902 East Highway 175. A 24,021 square foot expansion to the Justice Center is proposed. The property is zoned Highway Commercial. (SP-07-21)

BACKGROUND:

See the attached December 7, 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 December 7, 2021 recommended approval of SP-07-21 by a vote of 5-0 for the 24,021 SF expansion to the Justice Center located at 1902 E. Highway 175 and platted as Lot 1, Law Enforcement Center Addition.

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



Planning and Zoning Commission Report

Meeting Date: December 7, 2021

SUBJECT: Consider and make a recommendation to City Council on the revised Site Plan of the Kaufman County Justice Center, being a tract of land containing 45 acres, situated in the D. Falcon Survey, Abstract No. 151. The property is platted as Lot 1, Law Enforcement Center Addition and addressed as 1902 East Highway 175. A 24,021 square foot expansion to the Justice Center is proposed. The property is zoned Highway Commercial. (SP-07-21)

BACKGROUND/SUMMARY:

City Council approved the site plan for the Kaufman County Justice Center on October 26, 2020. The approved site plan for the Justice Center was for a 3-story structure containing 98,586 SF for all the Courts, Grand Jury, the offices of the County Clerk, the District Clerk, the District Attorney the Public Defender and Adult Probation offices housed in the existing courthouse in downtown Kaufman. City Council approved the site plan for the Animal Adoption Center addressed as 1904 E. Highway 175 on December 14, 2020. The approved site plan was for a 1 story 12,560 SF structure to house 66 dogs and 58 cats. The existing 2 story Kaufman County Law Enforcement Center containing 114,229 SF is located on the same 45 acre property, but addressed as 1900 E. Highway 175.

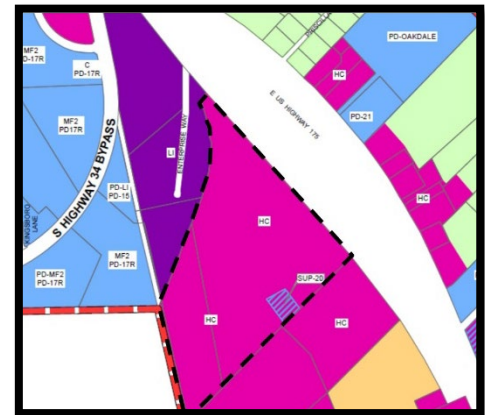
Kaufman County is requesting a 24,021 SF expansion to the Justice Center building for Precinct 1 Court Room and Judges Chamber, offices of the Constable and Deputies, Pre-Trial Services Department, Adult Probation offices and training room, Precinct 4 Court Room and Judges Chamber and offices for the Constable and Deputies. The proposed expansion will be physically connected to the Justice Center but will include a dedicated separate entrance and allow the public having business in the expansion area not to overload the main Justice Center entrance. The expansion will share an interior wall but not have any cross connection to access each side. The total building area of the expanded Justice Center will be 122,705 SF.

The exterior building materials will match the brick, architectural cast stone masonry, and insulated glazing and metal panel systems of the Justice Center.

No new entrances are proposed from the Highway 175 Frontage Road. There are 188 existing off-street parking spaces. The Justice Center (that is under construction) requires 329 off-street parking spaces, for a grand total of 517 off-street parking spaces. The expansion of the Justice Center will require 81 off-street parking spaces and 126 off-street parking spaces are proposed to be provided. The total required number of off-street parking spaces for the Law Enforcement Center and the Justice Center is 764 spaces. The Animal Adoption Center is providing 29 off street parking spaces.

SURROUNDING ZONING AND EXISTING LAND USES:
Zoning Map

	Zoning	Existing Land Use
Left:	HC	Undeveloped
Right:	LI	Undeveloped & Numo Manufacturing, Advance
Rear:	Not in City Limits	Tabco Undeveloped
Front:	HC	Hwy 175 Residential Freeman Park Estates (Priscilla Lane)



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as a Future Public. Future Public is shown on the Future Land Use Plan to identify publically owned property such as schools, parks, city, and county properties. Governmental uses and offices are allowed in all zoning districts. The existing Highway Commercial zoning complies with the Future Land Use Plan because it allows a variety of office, commercial, retail, and service uses that prefer highway frontage.

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. The existing right-of-way is developed and maintained by the State of Texas. TxDOT controls all the driveway accesses.

PROPERTY OWNER RESPONSES:

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

RECOMMENDATIONS:

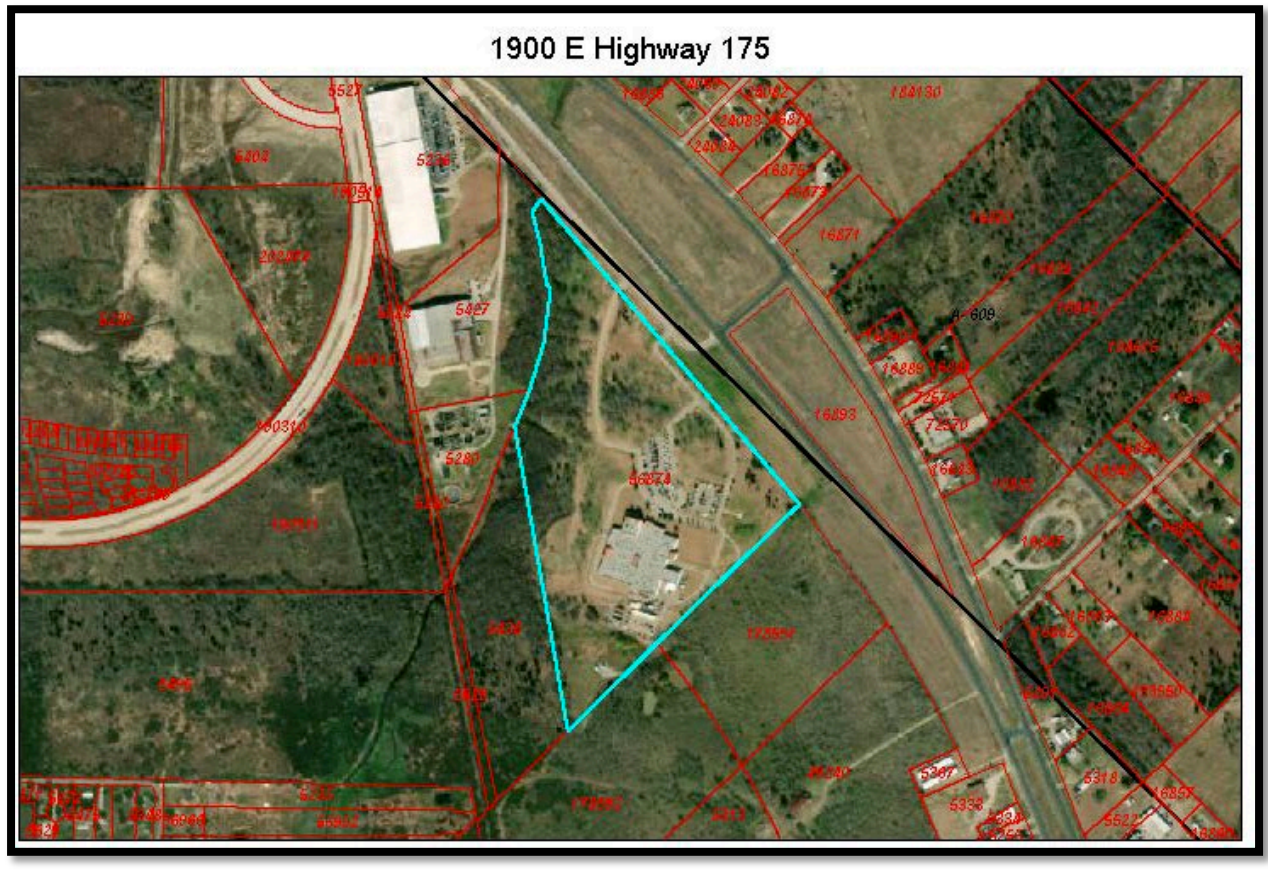
Staff recommends approval of SP-07-21 for a revised Site Plan of 1900 E Highway 175 for the Kaufman County Justice Center.

ATTACHMENTS:

1. Location map
2. Letter from applicant
3. Site Plan

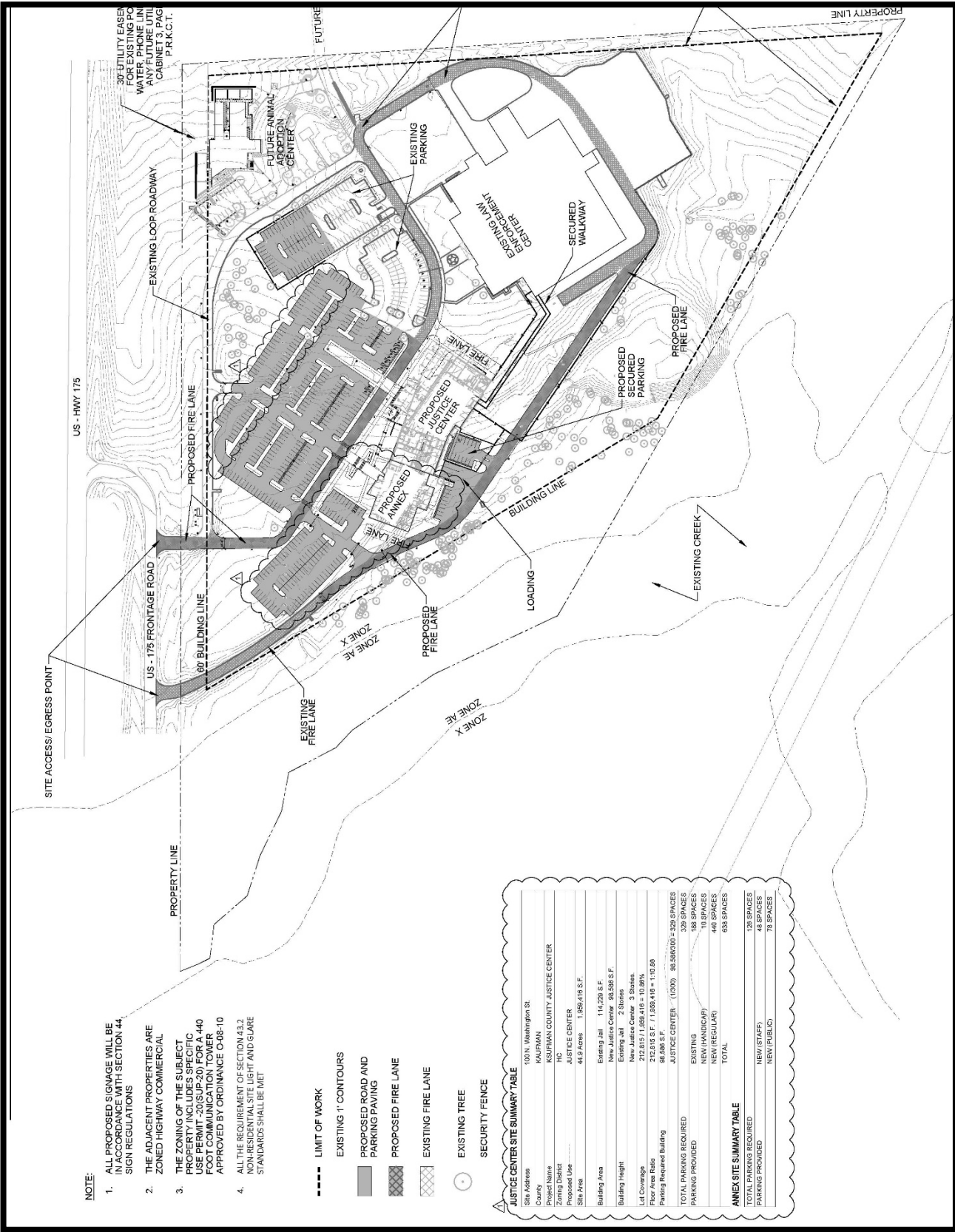
Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org

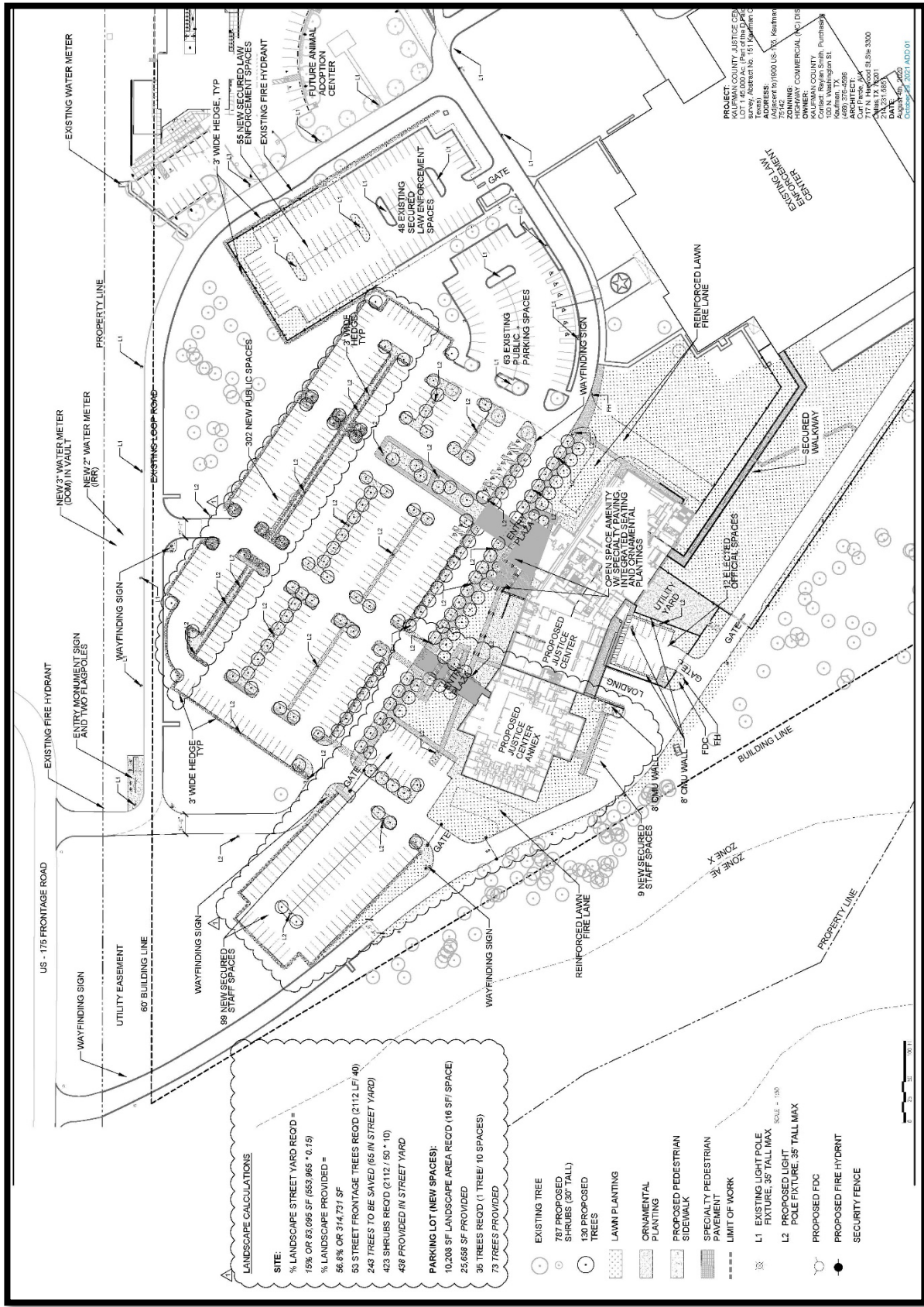
Location Map

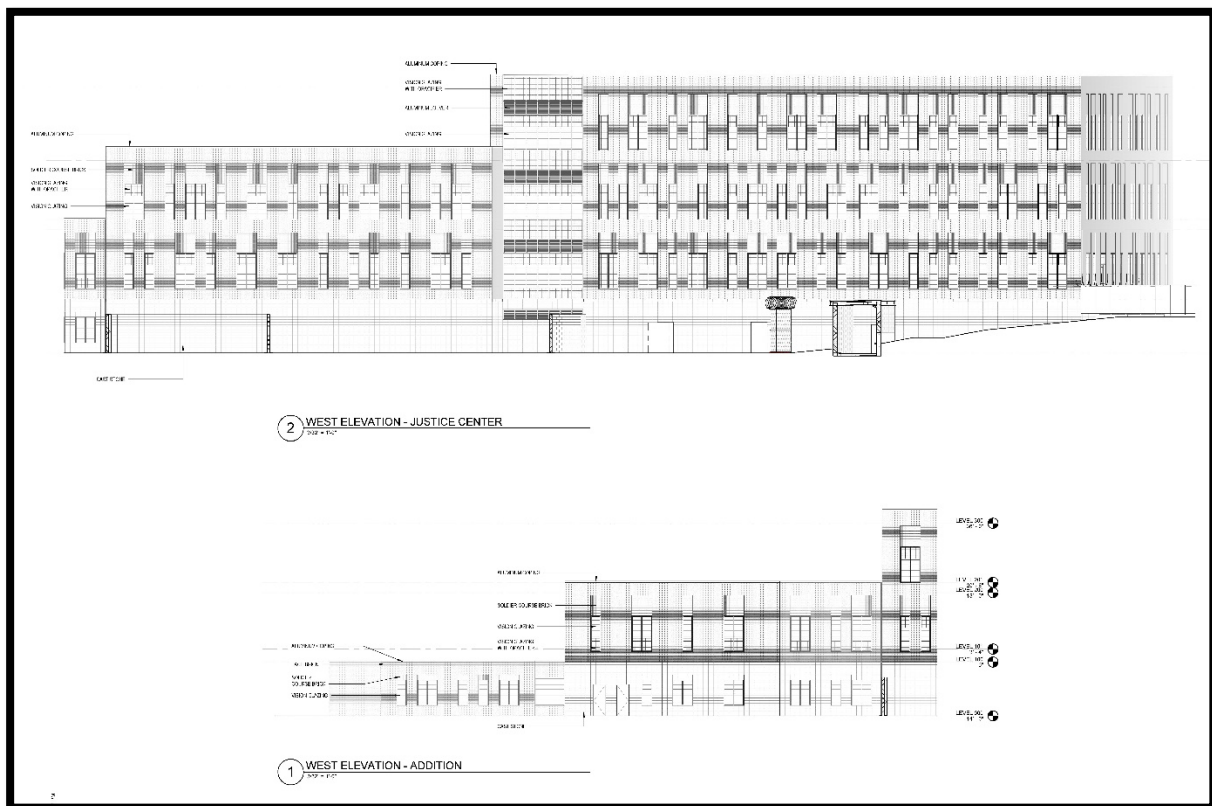
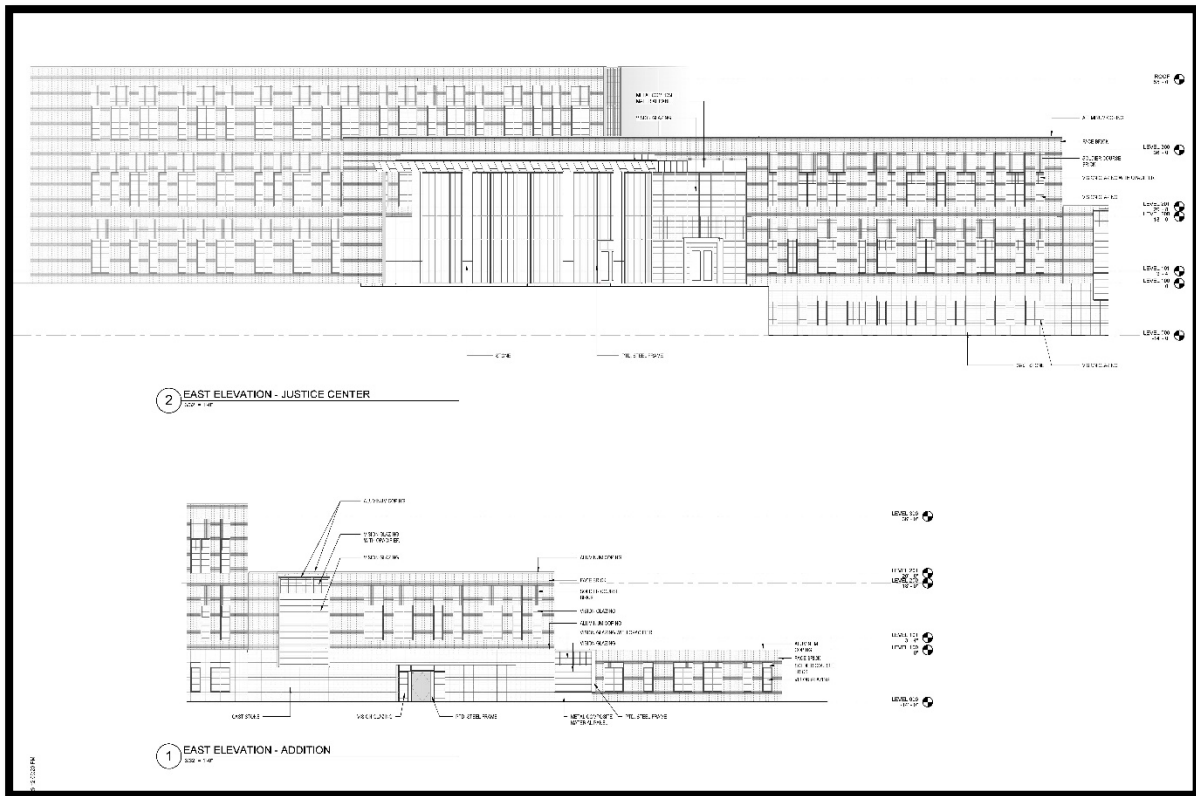


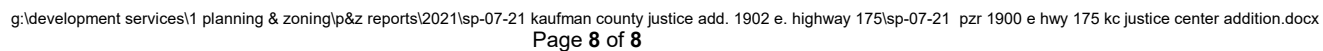
Site Plan













Meeting
Date: 12/20/2021

Date: 11/30/2021

Item #: 13.

Dept.: Development
Services

Ordinance

SUBJECT:

Consider and take appropriate action on Ordinance O-55-21, an Ordinance of the City Council of the City of Kaufman, Texas, amending Article VII "Parking" of Chapter 102 "Traffic and Vehicles" of Division 2 "Parking Control Zone" of the City's Code of Ordinances by amending Section 102-271, "Definitions; Zone Established" to adopt definitions of trailer-commercial and trailer-non-commercial and to amend the definition of vehicle to exclude trailer-non-commercial, and Section 102-273 "Parking of Trucks, Trailers, Recreational vehicles, etc. Prohibited" to exempt trailer-non-commercial as defined in section 102-271, from the prohibition of parking of such trailers within the streets and public rights of way and exempting the prohibition of parking of such trailers in areas zoned single-family residential or multi-family residential for any purpose other than loading and unloading as set forth in Section 102-273; providing a penalty in an amount not to exceed five hundred dollars (\$500.00) 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 publication and an effective date.

BACKGROUND:

Council Member Jeff Council requested Ordinance O-48-21 be reconsidered by City Council. Since the adoption of Ordinance of O-48-21 prohibiting any type of Recreational Vehicles, which included boats and trailers, from parking in any public street, alley, parkway, boulevard, or public place except for temporary loading and unloading, road maintenance and work done by public utilities, or for mechanical failures and other temporary conditions or upon the front yard setbacks of property zoned either single-family residential or multi-family residential, staff has received numerous complaints that the ordinance is too strict. The language in Ordinance of O-48-21 defines vehicles as all truck-tractor, road tractor, semitrailer, bus, recreational vehicles, truck or trailer, or any other commercial vehicle with a rated capacity in excess of one ton, according to the manufacturer's classification. The language was not clear on which vehicles the one ton capacity was to be applied to. The proposed amendments were drafted with what staff felt City Council originally intended.

In the proposed Ordinance O-55-21, definitions of Trailer-Commercial and Trailer-Non-Commercial were added and the definition of Vehicle was amended to exempt Trailer-Non-Commercial from ALL of the parking prohibitions. Trailer-Non-Commercial is defined as an unpowered one-axle vehicle less than 12 feet long towed by a powered vehicle; constructed so that no part of its weight rests upon the powered vehicle; commonly used-to transport goods and materials; and with a rated capacity of 1 ton or less. This means a Trailer-Non-Commercial CAN park in the street and in the front yard of single-family or multi-family districts.

Trailer-Commercial is defined as an unpowered one or two-axle vehicle longer twelve-feet (12') towed by a powered vehicle; constructed so that no part of its weight rests upon the powered vehicle; commonly used for the transport of goods and materials; and with a rated capacity of 1 ton or more. This means a Trailer-Commercial CANNOT park in the street or in the front yard of a single-family or a multi-family district.

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 Ordinance O-55-21 exempting Trailers-Non-Commercial from the parking prohibitions and not exempting Trailers-Commercial from the parking prohibitions in the public rights-of-way alley, parkway, boulevard, or public place and in the required front yard setbacks of property zoned single-family residential and multi-family residential with some temporary exceptions.

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

ORDINANCE O-55-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, AMENDING ARTICLE VII “PARKING” OF CHAPTER 102 “TRAFFIC AND VEHICLES” OF DIVISION 2 “PARKING CONTROL ZONE” OF THE CITY’S CODE OF ORDINANCES BY AMENDING SECTION 102-271, “DEFINITIONS; ZONE ESTABLISHED” TO ADOPT DEFINITIONS OF TRAILER-COMMERCIAL AND TRAILER-NON-COMMERCIAL AND TO AMEND THE DEFINITION OF VEHICLE TO EXCLUDE TRAILER-NON-COMMERCIAL, AND SECTION 102-273 “PARKING OF TRUCKS, TRAILERS, RECREATIONAL VEHICLES, ETC. PROHIBITED” TO EXEMPT TRAILER-NON-COMMERCIAL AS DEFINED IN SECTION 102-271, FROM THE PROHIBITION OF PARKING OF SUCH TRAILERS WITHIN THE STREETS AND PUBLIC RIGHTS OF WAY AND EXEMPTING THE PROHIBITION OF PARKING OF SUCH TRAILERS IN AREAS ZONED SINGLE-FAMILY RESIDENTIAL OR MULTI-FAMILY RESIDENTIAL FOR ANY PURPOSE OTHER THAN LOADING AND UNLOADING AS SET FORTH IN SECTION 102-273; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) 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 PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman, Texas (“City”) is a home-rule municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City has the authority to regulate parking in and upon streets and private property for the purpose of protecting public health, safety and welfare; and

WHEREAS, Chapter 102, “Traffic and Vehicles”, of Division 2, “Parking-Control Zone”, of the Code of Ordinances defines certain types of recreational and commercial vehicles and prohibits the parking of those vehicles in and upon public streets and property zoned for single family and multi-family use; and

WHEREAS, the Council recently adopted Ordinance O-48-21 to correct section numbering in Chapter 102 and to provide for updated regulations regarding the parking of recreational vehicles within the City, specifically to prohibit the parking of recreational vehicles within the streets and public rights of way and to extend the prohibition of parking of such vehicles in areas zoned single-family residential or multi-family residential for any purpose other than loading and unloading as set forth in Section 102-273; and

WHEREAS, after having time to implement Ordinance O-48-21 and after receiving feedback from citizens, the City Council has determined that the amendment set forth below should be adopted to define trailer-commercial and trailer-non-commercial and to include

trailer-non-commercial from the parking prohibitions as the Council finds that such vehicles will not create visual obstructions and will not create congestion; and

WHEREAS, having made the foregoing findings, the City Council finds that the proposed amendments to adopt new definitions of trailers, to amend the definition of vehicles and exempt trailers-non-commercial from parking prohibitions as provided below, serves the public health, safety and welfare of the City of Kaufman.

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

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

SECTION 2. AMENDMENTS.

2.1 Section 22-271 “Definitions; Zone Established” 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, is hereby amended to add the following definitions in alphabetical order, with all other definitions contained therein and not expressly amended hereby to remain in full force and effect:

“Sec. 102-271. Definitions; Zone Established

. . .

Trailer – Commercial means (1) an unpowered one or two axle vehicle longer than twelve-feet (12’) towed by a powered vehicle; (2) constructed so that no part of its weight rests upon the powered vehicle; (3) commonly used for the transport of goods and materials; and (4) with a rated capacity of one ton or more.

Trailer – Non-Commercial means (1) an unpowered one axle vehicle less than twelve-feet (12’) long towed by a powered vehicle; (2) constructed so that no part of its weight rests upon the powered vehicle; (3) commonly used for the transport of goods and materials; and (4) with a rated capacity of one ton or less.”

. . .

2.2 Section 22-271 “Definitions; Zone Established” 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, is hereby amended to amend the following existing definition with all other definitions not herein amended to remain in full force and effect:

“Section 102-271. Definitions

. . .

Vehicle means any device by which any person or property may be transported upon a street or highway except (1) those operating upon rails or tracks, or (2) defined as a "Trailer-Non-Commercial".

. . .

2.3 Section 102-273 "Parking of Trucks, Trailers, etc., Restricted" 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, is hereby amended to amend the following subparagraphs (a) and (b) which shall be and read in their entirety as follows, with all other provisions of Section 102-273 not expressly amended hereby to remain in full force and effect:

"Sec. 102-273. Parking of Trucks, Trailers, Recreational Vehicles, etc. Prohibited

- (a) It shall be unlawful for any person to leave, park or stand any truck, tractor, road-tractor, trailer-commercial, semitrailer, recreational vehicle, bus, or any commercial motor vehicle upon any public street, alley, parkway, boulevard or public place except as expressly provided in this section. The provisions of this section shall not apply to the following:
 - (i) Street construction and maintenance vehicles and equipment, maintenance and repair equipment trucks, rollers and implements trucks, equipment, trailers and vehicles used by a governmental entity or by a public service utility company engaged in repairing or extending public service utilities.
 - (ii) Motor buses when taking on or discharging passengers at the customary bus stops and all other vehicles designated in this division when parked in a designated loading zone in those areas of limited parking where loading zones are designated or where it is lawful to park any commercial motor vehicle for the purpose of then accepting from the immediate shipper or then delivering to the consignee or the addressee any transportable thing.
 - (iii) Any vehicle defined or designated in this Division which develops a mechanical defect after such vehicle has commenced the run, is enroute, and such defect makes such vehicle unsafe to proceed further; provided however, in this event, it shall be lawful to stand or park the vehicle during the time reasonably necessary to make emergency repairs, but in no event longer than twenty-four (24) consecutive hours.
- (b) It shall be unlawful for any person, or any owner, to leave, park or stand any truck-tractor, road-tractor, semitrailer, bus, recreational vehicle, truck or trailer-commercial, or any other commercial vehicle, with a rated capacity in excess of one ton, according to the manufacturer's classification (collectively referred to as "Vehicle" in this section), upon property within any area zoned as either a single-family residential district

or multifamily residential district, according to the zoning ordinance of the city except in the following circumstances:

- (i) Screened Behind Building Line. Unless such Vehicle is parked on an improved surface, is located behind the front building line of such property and is (a) screened behind a solid fence no greater than six (6) feet in height, or eight (8) feet in height as allowed by ordinance, and (b) is not visible from a public street. A Vehicle shall be deemed screened behind a solid fence when no portion of the vehicle is visible through the fence from a public street, and no more than eighteen (18) inches of Vehicle is visible above the top of the fence from a public street. Fences and screening materials shall comply with all other applicable City ordinances and regulations.
- (ii) Temporary 72 Hour Parking. Such Vehicle is owned by a resident of the City, the Vehicle is parked in a manner that does not meet the requirements of subsection b(i) and does not remain on the property for longer than seventy-two (72) consecutive hours in any thirty (30) day period.
- (iii) Parked in Loading Zone. Such Vehicle is parked or is standing in an area zoned for the temporary purpose of expeditiously loading and unloading passengers, freight or merchandise, but not otherwise, and in no event longer than twenty-four (24) consecutive hours."

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. 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 5. 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 five hundred dollars (\$500.00) 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 become effective immediately upon its passage and publication as required by law and Charter.

PASSED AND ADOPTED this 20th day of December 2021.

**JEFF JORDAN
MAYOR**

ATTEST:

**JESSIE HANKS
CITY SECRETARY**

APPROVED AS TO FORM:

**PATRICIA A. ADAMS
CITY ATTORNEY**



Meeting
Date: 12/20/2021

Date: 12/07/2021

Item #: 14.

Dept.: Administration

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-40-21, a Resolution of the City Council of the City of Kaufman, Texas, regarding the intent to establish the City of Kaufman Property Assessed Clean Energy ("PACE") Program within the corporate limits of the City.

BACKGROUND:

PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more units) real property. Property owners who participate in the program repay the financing through a voluntary contractual assessment placed on their property. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed.

PACE financing enables businesses to avoid the upfront costs of energy and water efficiency improvements. PACE financing can be paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered the adoption of energy and water efficiency for many property owners. The debts, liabilities and obligations incurred as part of the PACE Program do not constitute debts, liabilities or obligations of the City of Kaufman.

ANALYSIS OF THE PACE PROGRAM:

Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years, reflecting the useful life of the improvements.

The benefits for the property owner include:

- Helps Lower Electric, Gas and Water Utility Bills
- 100% Financing on Hard and Soft Costs
- Typically Results in Savings from Day One
- Increases Property Value
- Results in More Comfortable Buildings and Improved Indoor Air Quality
- Lowers Carbon Footprint and Improves the Environment
- Provides Long-Term Funding and Results in Immediate Benefit to Cash Flow
- Offers a Range of Accounting Treatments

The benefits to the City include:

- Supports Commercial Businesses with No Cost, Liability, or Administration to the City
- Upgrades the Efficiency and Competitiveness of Existing Building Stock

- Helps Attain Energy and Water Efficiency Goals
- Increases Commercial Property Values and Improves Tax Base
- Creates Jobs for Local Contractors, Manufacturers and Engineering Firms

ANALYSIS OF THE PROFESSIONAL SERVICES AGREEMENT AND REPORT:

In order for Lone Star PACE to have the authority to provide PACE financing in the City, it is necessary for the City to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the City executing such agreement. There are no costs to the City associated with the City of Kaufman PACE Program.

Texas Local Government Code Section 399.009 requires a report to be prepared detailing the requirements for every PACE program established. The attached Program Report provides the required information to establish a PACE program within the City. This report will be published on the City website and made available at the City office for inspection by the public.

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Recommend approval of RR-40-21 related to the intent to form the City of Kaufman Property Assessed Clean Energy Program ("City of Kaufman PACE") and authorize the Mayor or designee thereof, to execute all documents and take any actions necessary and appropriate to carry out the intent of this resolution.

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

RESOLUTION NO. R-40-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS DEMONSTRATING THE CITY'S INTENT TO ESTABLISH A PROPERTY ASSESSED CLEAN ENERGY ACT PROGRAM; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 83rd Regular Session of the Texas Legislature enacted the Property Assessed Clean Energy Act, Texas Local Government Code Chapter 399 (the "**PACE Act**"), which allows the governing body of a local government, including a city or county, to designate an area of the territory of the local government as a region within which an authorized representative of a local government and the record owners of commercial, industrial, and large multifamily residential (five or more dwelling units) real property may enter into written contracts to impose assessments on the property to repay the financing by the owners of certain permanent improvements fixed to the property intended to decrease energy or water consumption or demand; and

WHEREAS, the installation or modification by property owners of qualified energy or water saving improvements to commercial, industrial, and large multifamily residential real property in the City of Kaufman ("**City of Kaufman**" or "**City**") will further the community goals of energy and water conservation without cost to the public; and

WHEREAS, the City Council finds that financing energy and water conserving projects through contractual assessments ("**PACE Financing**") furthers essential government purposes, including but not limited to, economic development, reducing energy consumption and costs, and conserving water resources; and

WHEREAS, the City Council, subject to the public hearing scheduled as provided below, at which the public may comment on the proposed program and the report issued contemporaneously with this Resolution, finds that it is convenient and advantageous to establish a program under the PACE Act and designate the entire geographic area within the City's jurisdiction as a region within which a designated Authorized Representative of the City and the record owners of qualified real property may enter into PACE financing arrangements.

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

SECTION 1. The recitals to this Resolution are true and correct and are incorporated into this Resolution for all purposes.

SECTION 2. The City of Kaufman hereby adopts this Resolution of Intent and finds that financing qualified projects through contractual assessments pursuant to the PACE Act is a valid public purpose.

SECTION 3. If the PACE program is approved by the Council, the City of Kaufman will, at a property owner's request, impose contractual assessments to repay PACE financing for qualified energy or water conserving projects available to owners of commercial, industrial, and large multifamily residential real property. The program is to be called the City of Kaufman Property Assessed Clean Energy ("**City of Kaufman PACE**").

SECTION 4. The Council finds that the following types of projects are qualified projects for PACE Financing that may be subject to such contractual assessments: Projects that (a) involve the installation or modification of a permanent improvement fixed to privately owned commercial, industrial, or residential real property with five (5) or more dwelling units, and (b) are intended to decrease energy or water consumption or demand, including a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature.

An assessment may not be imposed to repay the financing of facilities for undeveloped lots or lots undergoing development at the time of the assessment or the purchase or installation of products or devices not permanently fixed to real property.

SECTION 5. If the PACE program is approved by the Council, the boundaries of the entire geographic area within the City of Kaufman's jurisdiction shall be the boundaries of the region where PACE financing and assessments can occur.

SECTION 6. If the PACE program is approved by the Council, financing for qualified projects under the PACE program will be provided by qualified third-party lenders chosen by the individual property owners. Such lenders will execute written contracts with the Authorized Representative to service the assessments, as required by the PACE Act. The contracts will provide for the lenders to determine the financial ability of owners to fulfill the financial obligations to be repaid through assessments, advance the funds to owners on such terms as are agreed between the lenders and the owners for the installation or modification of qualified projects, and service the debt secured by the assessments, directly or through a servicer, by collecting payments from the owners pursuant to contracts executed between the lenders and the owners. The lender contracts will provide that City will maintain and continue the assessments for the benefit of such lenders and enforce the assessment lien for the benefit of a lender in the event of a default by an owner. The City of Kaufman will not, at this time, provide financing of any sort for the PACE program.

SECTION 7. If the PACE program is approved by the Council, the City Council will designate one or more registered municipal advisor firms or non-profit organizations to act as Authorized Representatives with authority to enter into written contracts with the record owners of real property in the City of Kaufman to impose assessments pursuant to the PACE Act to repay the financing of qualified projects on the owners' property, to enter into written contracts with the parties that provide third-party financing for such projects to service the debts through assessments, and to file written notice of each

contractual assessment in the real property records of the City, all on behalf of the City of Kaufman. The City of Kaufman Mayor or his designee will be the liaison with the Authorized Representatives.

SECTION 8. If the PACE program is approved by the Council, the City of Kaufman will consult with the County Tax Assessor/Collector for Kaufman County, Texas, as required by law.

SECTION 9. The report on the proposed PACE Program, prepared as provided by Tex. Local Gov't Code Sec. 399.009, is available for public inspection on the Internet website of the City and in the Office of the City Secretary at 209 South Washington Street.

SECTION 10. The City Council will hold a public hearing on the proposed PACE program and report on Monday, January 24, 2022 at 6:00 p.m. in the Kaufman City Council Chambers 209 South Washington Street, Kaufman, Texas 75142.

SECTION 11. This Resolution shall become effective upon its passage and approval.

PASSED AND APPROVED on this the 20th day of December, 2021.

Jeff Jordan, Mayor

ATTEST:

Jessie Hanks, City Secretary

APPROVED AS TO FORM:

Patricia A. Adams, City Attorney



Meeting
Date: 12/20/2021

Date: 12/14/2021

Item #: 15.

Dept.: Administration

Resolution

SUBJECT:

Consider and take appropriate action on Resolution R-41-21, a resolution of the City Council of the City of Kaufman, Texas, setting a Public Hearing under Sec. 372.009 of the Texas Local Government Code for the creation of the City of Kaufman Public Improvement District Number Three within the City of Kaufman, Texas, on an approximate 25.411 acres of land generally located within the city limits of the City and as more particularly described by a metes and bounds description available at Kaufman City Hall; and authorizing the issuance of notice by the City Secretary of Kaufman, Texas regarding the Public Hearing. (Freeman Farms)

BACKGROUND:

The Resolution directs the City Secretary to publish a notice for a required Public Hearing and set a date of January 24, 2022, for the public hearing to consider the creation of Public Improvement District Number Three (PID no.3). This is the official 'start' of the creation of the City of Kaufman's Third PID related specifically to the Freeman Farm subdivision development.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Resolution R-41-21 as presented.

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

RESOLUTION R-41-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, CALLING FOR A PUBLIC HEARING ON THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT BEING LOCATED WITHIN THE CITY OF KAUFMAN (CITY OF KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. THREE); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council (the "City Council") of the City of Kaufman, Texas (the "City") has received a petition (the "Petition") requesting creation of a public improvement district (the "PID") under Chapter 372 of the Texas Local Government Code (the "Act"), from the record owners of taxable real property representing more than fifty percent ("50%") of the appraised value of the real property liable for assessment in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed PID; and

WHEREAS, the Petition, a copy of which is attached hereto as **Exhibit 1**, has been examined, verified, and found to meet the requirements of Sections 372.005(a) and 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed PID are described in the Exhibit to the Petition, said area for the PID being within the City and identified as "City of Kaufman Public Improvement District No. Three); and

WHEREAS, the City Council accepts the Petition and desires to schedule a public hearing to consider the creation of the PID to finance the following public improvements (collectively, the "Authorized Improvements"): (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction and improvement of water, wastewater and drainage improvements and facilities (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

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

SECTION 1: That a public hearing is hereby **scheduled 6:00 p.m. on January 24, 2022**, in the **City Council Chamber at Kaufman City Hall, 209 South Washington, Kaufman, Texas 75142** to receive public comment on the creation of the PID in the area more specifically described in the Petition, **Exhibit 1** hereto (attached as **Exhibit A** to **Exhibit 1**), pursuant to the Act; and

SECTION 2: That notice of said hearing, in the substantially final form set forth in **Exhibit 2** attached hereto, with such changes as may be approved by the City's counsel, shall be published in a newspaper of general circulation in the City and in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act; and

SECTION 3: That written notice, in the substantially final form set forth in **Exhibit 2** attached hereto with such changes as may be approved by the City's counsel, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the PID, before the 15th day prior to the date set for the hearing; and

SECTION 4: That all of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein; and

SECTION 5: That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision; and

SECTION 6: That this Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

INTRODUCED, READ AND PASSED by the affirmative vote of the City Council of the City of Kaufman, Texas this 20th day of December, 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

**PATRICIA A. ADAMS
CITY ATTORNEY**

EXHIBIT 1
PETITION

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT
WITHIN THE CITY LIMITS OF KAUFMAN, TEXAS FOR THE FREEMAN FARM
PUBLIC IMPROVEMENT DISTRICT.**

This petition ("Petition") is submitted and filed with the City Secretary of the City of Kaufman, Texas ("City"), by Kaufman One WW, LLC., a Texas limited liability company, (the "Petitioner"), owner of real property located within the proposed boundaries of the District, as hereinafter defined. Acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), the Petitioner requests that the City create a public improvement district (the "District"), to include property located within the city limits, more particularly described by a metes and bounds description in **Exhibit A** and depicted in **Exhibit B** (the "Property"). In support of this Petition, the Petitioner presents the following:

Section 1. General Nature of the Authorized Improvements. The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 2. Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs (including but not limited to the funding of any capitalized interest and reserve funds), eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment administration and operation of the District, will not exceed \$4,000,000.00. The City will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the City or assessments of property owners.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment.

The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Section 5. Proposed Apportionment of Costs between the District and the City.

The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. No municipal property in the public improvement district shall be assessed. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

Section 6. Management of the District.

The Petitioner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. The Petitioner Requests Establishment of the District. The person(s) signing this Petition request(s) the establishment of the District, is duly authorized, and has the authority to execute and deliver the Petition.

Section 8. Advisory Board.

The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

Section 9. Landowner(s).

This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

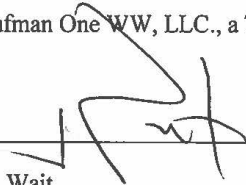
This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the creation of the District by the City

Council of the City as herein provided. The Petitioner requests that the City Council of the City call a public hearing on the advisability of the Authorized Improvements, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

RESPECTFULLY SUBMITTED, on the 14th day of Dec, 2021.

Petitioner:

Kaufman One WW, LLC., a Texas limited liability company



Bill Wait

Sole Managing Member

EXHIBIT A

Metes and Bounds Description

25.411 ACRE

WHEREAS, WILLIAMSBURG CONSTRUCTION SERVICES, LLC BEING THE OWNER OF A 25.402 ACRE TRACT OF LAND LOCATED IN THE LEVI YORK SURVEY, ABSTRACT NO. 609, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN CALLED 25.411 ACRE TRACT CONVEYED TO WILLIAMSBURG CONSTRUCTION SERVICES, LLC BY LANDMARK CHURCH OF CHRIST ON JUNE 18, 2021, RECORDED IN VOLUME 7062, PAGE 431, DEED RECORDS, KAUFMAN COUNTY, TEXAS (DRKCT) AND BEING MORE PARTICULARLY DESCRIBED, BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1-INCH IRON PIPE FOUND AT THE EAST CORNER OF THE ABOVE MENTIONED 25.411 ACRE TRACT, AT THE NORTH CORNER OF THE JERRY WYNN DILLARD, JR. CALLED 20.097 ACRE TRACT, RECORDED IN VOLUME 2786, PAGE 130, DRKCT, SAME BEING IN THE SOUTHWEST LINE OF LOT 10 OF ALTA VISTA ESTATES SUBDIVISION, RECORDED IN VOLUME 6, PAGE 20, PLAT RECORDS, KAUFMAN COUNTY, TEXAS (PRKCT);

THENCE SOUTH 43 DEGREES 52 MINUTES 54 SECONDS WEST, ALONG THE COMMON LINE OF SAID 20.097 ACRE TRACT AND SAID 25.411 ACRE TRACT, A DISTANCE OF 1633.23 FEET TO A 1/2-INCH IRON ROD FOUND AT THE WEST CORNER OF SAID 20.097 ACRE TRACT AND THE SOUTH CORNER OF SAID 25.411 ACRE TRACT, SAME BEING IN THE NORTHEAST RIGHT OF WAY LINE OF US HIGHWAY 175, A VARIABLE WIDTH RIGHT-OF-WAY AND BEING AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 5806.58 FEET WHOSE CHORD BEARS NORTH 39 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 367.50 FEET;

THENCE, NORTHWESTERLY, ALONG SAID US HIGHWAY 175 AND SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 03 DEGREES 37 MINUTES 37 SECONDS, A DISTANCE OF 367.56 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE SOUTH CORNER OF THE FRANCISCO GUERRERO 1.953 ACRE TRACT, RECORDED IN VOLUME 6120, PAGE 523, DRKCT, SAME BEING THE MOST SOUTHERLY WEST CORNER OF SAID 25.411 ACRE TRACT;

THENCE, ALONG THE COMMON LINE OF THE LAST MENTION TRACT, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 43 DEGREES 11 MINUTES 31 SECONDS EAST, A DISTANCE OF 518.18 FEET TO A 3/8-INCH IRON ROD FOUND;
- 2) NORTH 42 DEGREES 28 MINUTES 11 SECONDS WEST, A DISTANCE OF 165.28 FEET TO A 3/8-INCH IRON ROD WITH CAP STAMPED "5244" FOUND AT THE NORTH CORNER OF SAID 1.953 ACRE TRACT AND THE EAST CORNER OF THE

JOHN CROCKER AND JOHN H. CROCKER 2.034 ACRE TRACT, RECORDED IN VOLUME 6187, PAGE 500, DRKCT;

THENCE NORTH 42 DEGREES 30 MINUTES 11 SECONDS WEST, ALONG THE NORTHERLY SOUTHWEST LINE OF SAID 25.411 ACRE TRACT AND THE NORTHEAST LINE OF SAID 2.034 ACRE TRACT, PASSING THE NORTH CORNER OF SAME AND CONTINUING ALONG THE NORTHEAST LINE OF THE STEVEN M. CHANEY AND CHARLOTTE A. CHANEY 0.360 ACRE TRACT, RECORDED IN VOL 6156, PAGE 576, DRKCT, A TOTAL DISTANCE OF 210.69 FEET TO A 3/8-INCH IRON ROD WITH CAP STAMPED "5244" FOUND AT THE EAST CORNER OF THE CHARLOTTE FREEMAN 0.323 ACRE TRACT, RECORDED IN VOL 1033, PAGE 496, DRKCT;

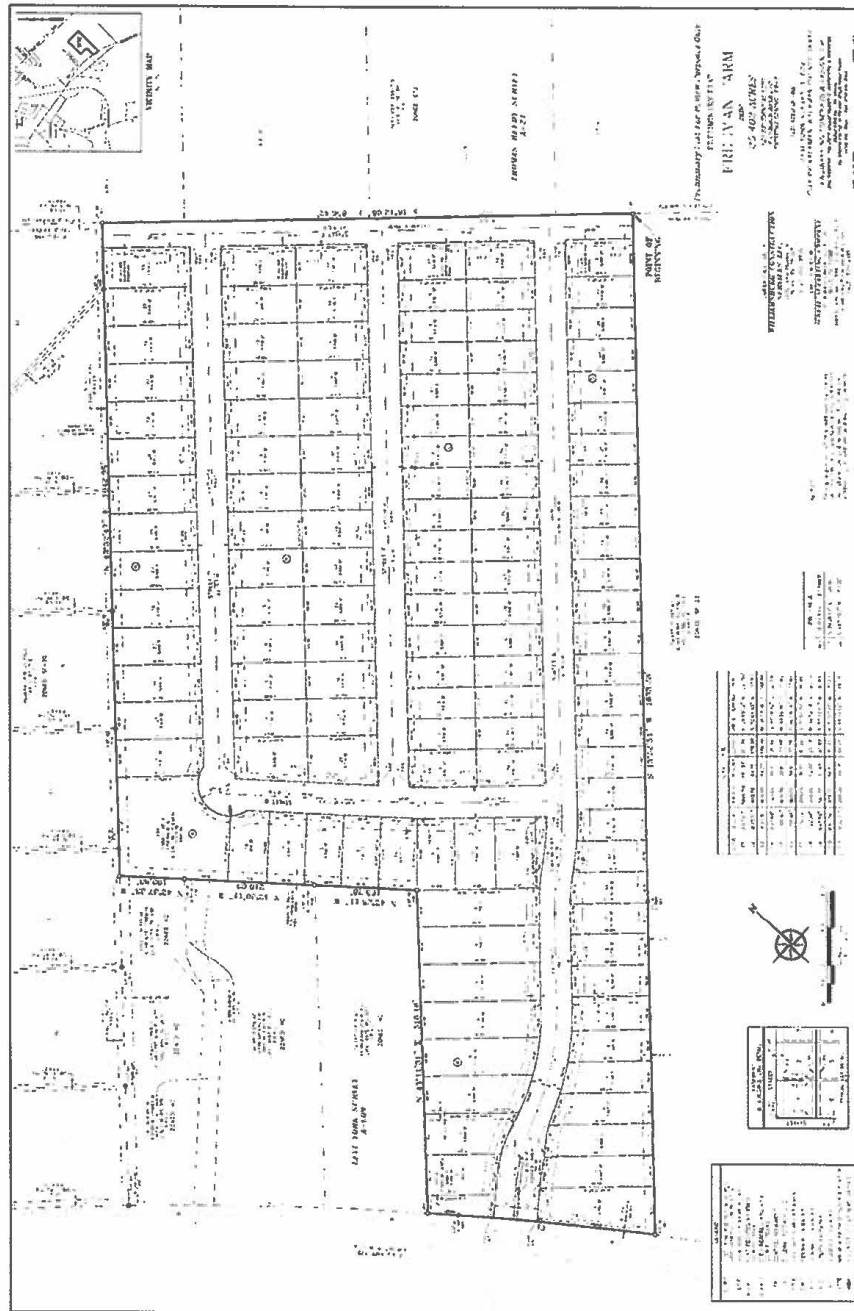
THENCE NORTH 42 DEGREES 37 MINUTES 33 SECONDS WEST, ALONG THE COMMON LINE OF SAID 0.323 ACRE TRACT AND SAID 25.411 ACRE TRACT, A DISTANCE OF 103.83 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE NORTH CORNER OF 0.323 ACRE TRACT AND THE MOST NORTHERLY WEST CORNER OF SAID 25.411 ACRE TRACT, SAME BEING IN THE SOUTHEAST LINE OF LOT 15, FREEMAN PARK ESTATES, RECORDED IN CABINET 1, PAGE 716, PRKCT;

THENCE NORTH 43 DEGREES 32 MINUTES 47 SECONDS EAST, ALONG THE COMMON LINE OF SAID 25.411 ACRE TRACT AND SAID FREEMAN PARK ESTATES, A DISTANCE OF 1042.96 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTH CORNER OF SAID 25.411 ACRE TRACT AND THE EAST CORNER OF LOT 10 OF SAID FREEMAN PARK ESTATES, SAME BEING IN THE SOUTHWEST LINE OF LOT 7 OF THE ABOVE MENTIONED ALTA VISTA ESTATES SUBDIVISION;

THENCE SOUTH 46 DEGREES 12 MINUTES 06 SECONDS EAST, ALONG THE COMMON LINE OF SAID ALTA VISTA ESTATES AND SAID 25.411 ACRE TRACT, A DISTANCE OF 856.42 FEET TO THE POINT OF BEGINNING, CONTAINING 25.402 ACRES OF LAND, MORE OR LESS.

EXHIBIT B
Property Depiction

Kaufman Public Improvement District Petition



Kaufman Public Improvement District Petition

EXHIBIT 2

NOTICE OF PUBLIC HEARING OF THE CITY OF KAUFMAN, TEXAS TO CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTY LOCATED WITHIN THE CITY (CITY OF KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. THREE)

NOTICE IS HEREBY GIVEN THAT the City Council (the "City Council") of the City of Kaufman, Texas (the "City"), pursuant to Chapter 372 of the Texas Local Government Code, as amended (the "Act"), will hold a public hearing at **6:00 p.m. on January 24, 2022, in the City Council Chamber at Kaufman City Hall, 209 South Washington, Kaufman, Texas 75142** for the purpose of considering the establishment by the City of a public improvement district to be located within the extraterritorial jurisdiction of the City (City Of Kaufman Public Improvement District No. Three).

In accordance with the Act, the City Council has received a petition (the "Petition") from certain property owners within the extraterritorial jurisdiction of the City (the "Petitioners"), that requests the establishment of a public improvement district (the "PID"). The Petition and the legal description of the property to be included in the PID are on file and open for public inspection in the office of the City Secretary at 209 South Washington, Kaufman, Texas 75142. The public hearing is being held with respect to the advisability of creating the PID and the improvements to be made therein.

GENERAL NATURE OF THE AUTHORIZED IMPROVEMENTS: The general nature of the proposed public improvements (collectively, the "Authorized Improvements"): (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction and improvement of water, wastewater and drainage improvements and facilities (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

ESTIMATED COST OF THE AUTHORIZED IMPROVEMENTS: The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment, administration and operation of the PID is \$4,000,000 plus the annual cost of operation and maintenance, if any. The City will pay no costs of the Authorized Improvements or operation and maintenance costs from funds other than assessments levied on property within the PID. The remaining costs of the proposed improvements will be paid from sources other than those described above.

PROPOSED METHOD OF ASSESSMENT: The City shall levy assessments on each parcel within the PID in a manner that results in the imposition of an equal share of the costs of the Authorized Improvements on property similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the Authorized Improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property, or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted.

PROPOSED APPORTIONMENT OF COSTS BETWEEN THE CITY AND THE PID: The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the PID and from other sources of funds available to the Petitioners.

BOUNDARIES OF THE PROPOSED PID: Approximately 25 acres of land within the City of Kaufman, Texas. Said property being generally located at the northern intersection of US 175 and Primrose Lane. **A metes and bounds description is available for inspection at the offices of the City Secretary at the location described above.**

All interested persons are invited to attend such public hearing to express their views with respect to the establishment of the PID and the Authorized Improvements to be made therein.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

THE CITY OF KAUFMAN, TEXAS



Meeting
Date: 12/20/2021

Date: 12/06/2021

Item #: 16.

Dept.: Economic
Development
Corporation

Action Item

SUBJECT:

Consider and take appropriate action on a Chapter 380 Agreement between the City of Kaufman and Bloomfield Homes, L.P. and authorizing the City Manager or his designee to execute necessary documents.

BACKGROUND:

Bloomfield Homes works with a consultant who can contractually source the sales taxes on building materials that Bloomfield purchases as if it were purchased in Kaufman. Currently, the City of Kaufman receives no sales tax revenue on building materials from Bloomfield. The attached 380 Agreement would split the sales tax revenues between Kaufman and Bloomfield at a 60/40 ratio. The City of Kaufman would receive 60% of the 2% general sales tax. In exchange, Bloomfield would receive 40% and their consultant would process all paperwork, contracts and auditing with the Comptroller's office. Broken out, the City would receive 0.2% of the 1% general sales tax along with the entire 1% of the special purpose sales tax rate (KEDC, Road Maintenance, Property Tax Reduction). Bloomfield would retain 0.8% of the 1% general sales tax. Bloomfield has done the same sharing ratio with several other cities throughout the metroplex. A chart is provided below to give an example of annual potential revenue. The proposed sales tax sharing agreement is for 10 years starting 1/1/2022.

Here's the potential allocation using a placeholder of \$2 million in annual sales that are sourced in Kaufman (***not sure what Bloomfield's projected annual spending is***).

Sales Tax Allocation	Amount
0.5% (Property Tax Reduction)	\$10,000
0.25% (Kaufman EDC)	\$5,000
0.25% (Street Maintenance)	\$5,000
0.2% (Portion of City General Sales Tax)	\$4,000
TOTAL ESTIMATED ANNUAL REVENUE	\$24,000

Bloomfield's portion (0.8% of City General Sales Tax): \$16,000 (consultant will manage all contracting/sourcing through the Texas Comptroller's office).

Author:
Stewart McGregor , Executive Director

Reviewed:
Mike Slye, City Manager

Cost: Funds Available: Source:

Recommendation: Staff recommends approval of the 380 agreement with Bloomfield Homes LLC

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

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KAUFMAN, TEXAS AND BLOOMFIELD HOMES, L.P.

This **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** ("Agreement") is made by and between The City of Kaufman, Texas, also referred to as ("City"), and Bloomfield Homes, L.P., a Texas limited partnership ("Company"), (each a "Party" and collectively the "Parties") acting by and through their respective authorized officers and representatives.

WHEREAS, the City Council of the City of Kaufman, Texas ("City Council") has investigated and determined that it is in the best interest of the City and its citizens to encourage programs, including programs for making loans and grants of public money to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380, Texas Local Government Code, as amended ("Chapter 380"); and

WHEREAS, the Company will be engaged in the business of purchasing building materials for its use on construction projects within the City; and

WHEREAS, the Company has advised that it would like to partner with the City, and that a contributing factor that would induce the Company to purchase items using a Texas Direct Payment Permit and generate economic development and local use tax revenue for the City, that would otherwise not be available to the City, would be an agreement by the City to provide an economic development grant to the Company; and

WHEREAS, the Company desires to purchase and use new building materials within the City that will generate additional economic development and use tax revenue for the City; and

WHEREAS, the City Council has investigated and determined that the Company meets the criteria for providing the Program Grants (hereinafter defined), pursuant to Chapter 380, based on, among other things, the Company: (i) acquiring properties for development, and constructing improvements; (ii) adding taxable improvements to real property in the City; and (iii) creating employment opportunities for the citizens of Kaufman (collectively, the "Approved Project"); and

WHEREAS, the City has concluded that the Approved Project qualifies for a Grant under Chapter 380; and

WHEREAS, with the approval of this Agreement, the City hereby establishes a Program authorized by Chapter 380 to encourage and induce the generation of local use tax; and

WHEREAS, the City has determined that making an economic development grant to the Company in accordance with this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE I DEFINITIONS

1. For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"Agreement" shall mean this Chapter 380 Economic Development Agreement, together with all exhibits, schedules, and attachments that are attached to this Agreement from time to time, if any.

"Approved Project" is defined in the recitals.

"City" shall mean Kaufman, Texas.

"Company" shall mean Bloomfield Homes, L.P.

"Commencement Date" shall mean January 1, 2022.

"Effective Date" shall mean January 1, 2022.

"Direct Payment Permit" also referred to herein as a "Texas Direct Payment Permit" shall mean that permit issued by the State of Texas authorizing Company to self-assess and pay applicable state and local use taxes directly to the State of Texas related to selected portions of Company's taxable purchases. Texas Rule 3.288 of the Texas Administrative Code defines the requirements and responsibilities of Texas Direct Payment Permit holders along with any amendments, permutations, or recodifications of such Code or Rules whether renaming such permits or otherwise modifying such provisions.

"Event of Bankruptcy or Insolvency" shall mean the dissolution or termination (other than a dissolution or termination by reason of a party merging with an affiliate) of a party's existence as a going business, insolvency, appointment of receiver for any part of a party's property and such appointment is not terminated within ninety (90) business days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against a party and in the event such proceeding is not voluntarily commenced by the party, such proceeding is not dismissed within ninety (90) business days after the filing thereof.

"Force Majeure" shall mean any delays due to strikes, riots, acts of God, shortages of labor or materials, war, terrorism, governmental approvals, laws, regulations, or restrictions, or any other cause of any kind whatsoever which is beyond the reasonable control of the party.

"Program" shall mean the economic incentive program established by the City pursuant to Chapter 380 of the Texas Local Government Code together with any amendments, permutations, or recodifications of such Code provisions whether renaming such economic incentive or other modifications thereof.

"Program Grant" shall mean the periodic payments paid by the City to the Company in accordance with Section 3 of this Agreement.

"Grant Period" shall mean consecutive six (6) month periods during the term of this Agreement, except that the first Grant Period shall begin on the Effective Date and continue through and include the last day of June 30, 2022 following the Effective Date. For illustration purposes, assume the Effective Date is January 1, 2022 then the first Grant Period would begin on January 1, 2022 and continue through and include June 30, 2022. The next Grant Period would begin on July 1, 2022 and continue through and include December 31, 2022. The final Grant Period for the initial 10-year term of the Agreement would be from July 1, 2031 and end on December 31, 2031.

"Taxable Items" shall have the same meaning assigned by Sections 151.010 and 151.0101, TEX. TAX CODE, as amended.

"Use Tax Receipts" shall mean the City's net receipts from the State of Texas from the collection of one percent (1%) general City use tax imposed by the City pursuant to Chapter 321 of the Texas Tax Code, attributed to the collection of use tax by Company associated with the issuance of Company's Texas Direct Payment for Taxable Items used or consumed in the City.

"Use Tax Certificate" shall mean a certificate or other statement in a form reasonably acceptable to the City setting forth the Company's collection of use tax imposed by and received by the City from the State of Texas, for the use of Taxable Items by Company in the City for the applicable calendar month during a Grant Period which are to be used to determine Company's eligibility for a Grant, together with such supporting documentation required herein, and as City may reasonably request.

ARTICLE II TERM

2.01 Term. The term of this Agreement shall begin on the Effective Date and continue for a ten (10) year period.

2.02 This Agreement shall remain in effect until City has made the Program Grants set forth in Section 3 of the Agreement, or until otherwise terminated under the provisions of this Agreement.

2.03 This Agreement may be extended for an additional period of time on terms mutually acceptable to both parties by a written agreement executed by both parties.

ARTICLE III ECONOMIC DEVELOPMENT GRANT

3.01 Grant. Subject to the Company's continued compliance with (a) all the terms and conditions of this Agreement, the City agrees to provide Company with an economic development grant from lawful available funds payable as provided herein in an amount equal to 80% of the Use Tax Receipts, as previously defined herein (the "Program Grant"). The Program Grant will be paid semi-annually at the end of June and the end of December with the potential exception of the final Grant Period during the ten (10) year period following the execution of the Agreement, commencing January 1, 2022. The Program Grant will never include any monies the Company pays or owes to the State of Texas for any penalties for late payments, failures to report in a timely manner, and the like, related to the Use Tax Receipts.

3.02 Grant Payment. The City shall pay the Program Grant for the applicable Grant Period within forty-five (45) days after receipt of a Use Tax Certificate from Company following the end of each Grant Period, pursuant to Section 4.01. The Company shall submit Use Tax Certificates to the City within thirty (30) days following the end of the applicable Grant Period, beginning with the first Grant Period. For illustration purposes, assume the first Grant Period begins on January 1, 2022 and continues through and includes June 30, 2022. The Company would submit a Use Tax Certificate to the City for the first Grant Period by July 30, 2022 and the City would pay the first Program Grant within forty-five (45) days after receipt of the Use Tax Certificate and after receiving all of the net Use Tax Receipts within the Grant Period. Further assume that the Use Tax Receipts for the first Grant Period equal Five Thousand Dollars (\$5,000.00), then the amount of the first Grant would be Four Thousand Dollars (\$4,000.00).

3.03 Amended Returns and Audits. In the event the Company files an amended use tax return, or report, or if additional use tax is due and owing, as a result of an audit conducted by the State of Texas that increases the Use Tax Receipts for a previous period covered within the term of this Agreement, the Program Grant payment for the Grant Period immediately following such State-approved amendment shall be adjusted accordingly, provided the City must have received the Use Tax Receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, the Company shall provide the City with a copy of such amended use tax report, tax return or audit adjustment, and the approval thereof by the State of Texas.

3.04 Refunds. In the event the State of Texas determines that the City erroneously received Use Tax Receipts, or that the amount of use tax paid to the City exceeds the correct amount of use tax for a previous Program Grant paid to the Company, the Company shall, within thirty (30) days after receipt of notification thereof from the City specifying the amount by which such Program Grant exceeded the amount to which the Company was entitled pursuant to such State of Texas determination, pay such amount to the City. The City may at its option adjust the Program Grant payment for the Grant Period immediately following such State of Texas determination to deduct there from the amount of the overpayment. As a condition precedent to payment of such refund, the City shall provide Company with a copy of such determination by the State of Texas.

ARTICLE IV DOCUMENTATION SUPPORTING THE ECONOMIC DEVELOPMENT GRANT

The conditions contained in this Article IV are conditions precedent to the City's obligation to make any Program Grant payment.

4.01 Use Tax Certificate. During the term of this Agreement, the Company shall within thirty (30) days after the end of each Grant Period, provide the City with a Use Tax Certificate relating to Use Tax Receipts paid during the Grant Period. The City shall have no duty to calculate the Use Tax Receipts or determine the Company's entitlement to any Program Grant for a Grant Period, or pay any Program Grant during the term of this Agreement until such time as Company has provided the City a Use Tax Certificate for such Grant Period and the City has received the actual Use Tax Receipts from the State of Texas attributable to such calendar months within the Grant Period. The Company shall provide such additional documentation as may be reasonably requested by the City to evidence, support and establish the use tax paid directly to the State of Texas pursuant to the Company's Direct Payment Permit. The Use Tax Certificate for each Grant Period shall at a minimum contain, include or be accompanied by the following:

- a. A copy of all Texas Direct Payment Permit and self-assessment use tax returns and reports during the applicable Grant Period, use tax audit assessments or credits, including amended use tax returns or reports, filed by the Company during the Grant Period showing use tax paid directly to the State of Texas related to the Company's operations for the Grant Period; and
- b. Information concerning any refund or credit received by the Company of use tax paid by the Company which has previously been reported by the Company as use tax paid for a previous Grant Period within the term of this Agreement.

The Company will provide to City the Use Tax Certificates from time to time pursuant to the terms of the Agreement, which are confidential ("Confidential Information") and, except as otherwise provided herein and subject to Texas law, may not be disclosed to a third party without the Company's consent. To the extent that any disclosure of the Confidential Information may be required by law, the City will use reasonable efforts to inform the Company of the request in sufficient time for the Company to assert any objection it may have to such disclosure to an appropriate judicial or administrative body.

4.02 The City must have received a Use Tax Certificate for the months within the Grant Period for which payment of a Program Grant is requested, and the City must have received the actual Use Tax Receipts for all calendar months within the Grant Period.

4.03 The Company intends to issue its Texas Direct Payment Permit to specific suppliers or vendors that provide large quantities of building materials or other tangible personal property.

4.04 The Company shall provide the City with a true and correct copy of its Texas Direct Payment Permit, which permit shall be kept in full force and effect throughout the term of the Agreement.

4.05 The Company or the City shall not have an uncured material breach or default of this Agreement.

ARTICLE V TERMINATION

5.01 This Agreement may be terminated upon any one of the following:

- (a) by mutual written agreement of the parties;
- (b) by the City or Company, respectively, if the other party defaults or breaches any of the terms or conditions of this Agreement in any material respect and such default or breach is not cured within thirty (30) days after written notice thereof by the City or Company, as the case may be;
- (c) by the City, if any impositions owed to the City or the State of Texas by Company shall have become delinquent (provided, however, Company retains the right to timely and properly protest and contest any such impositions);
- (d) by the City, if Company suffers an Event of Bankruptcy or Insolvency;
- (e) by the City or Company, respectively, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable;
- (f) by Company, if the City does not pay the applicable Grant amount within 45 days of receipt of the Use Tax Receipts as required herein covered by a valid Use Tax Certificate issued by Company or fails to cure this breach within an additional 30 days and so long as the Company is not in default, or;
- (g) expiration of the term, or any subsequent renewal of the term.

The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the termination of this Agreement except for any rights, responsibilities and/or liabilities that accrued prior to such termination.

ARTICLE VI MISCELLANEOUS

6.01 Binding Agreement. The terms and conditions of this Agreement are binding upon the Parties to this Agreement and their respective successors and permitted assigns. This Agreement may not be assigned without the express written consent of the City, which consent shall not be unreasonably withheld or delayed.

6.02 Limitation on Liability Except for the City's obligations to pay the Program Grants as set forth in this Agreement, the City and its past, present, and future officers, employees, contractors and agents assume no responsibilities or liabilities to the Company, or any third parties in connection with the Approved Project and the Company hereby waives any and all claims against the City for any injury to persons or damage to property in connection therewith. The Company acknowledges and agrees that there shall be no personal recourse to the directors, officers, employees or agents of the City who shall incur or assume no liability in respect of any claims based upon or relating to this Agreement. It is understood and agreed between the parties that the Company, in satisfying the conditions of this Agreement, has acted independently, and the City assume no responsibilities or liabilities to third parties in connection with these actions.

6.03 No Joint Venture. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture between the parties.

6.04 Authorization. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.05 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the Party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered sent via fax.

If intended for City, to:

Attn: Michael T. Slye
Kaufman City Manager
209 S. Washington St.
Kaufman, TX 75142

With a copy to:

Attn: Patricia Adams Messer,
Fort & McDonald, PLLC
6371 Preston Road, Suite 200
Frisco, Texas 75034

If intended for the Company:

Attn: Accounting Department
Don Dykstra
President
Bloomfield Homes, L.P.
1050 East Hwy 114, Ste. 210
Southlake, TX 76092

6.06 Entire Agreement. This Agreement is the entire Agreement between the Parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the Parties that in any manner relates to the subject matter of this Agreement.

6.07 Governing Law. The laws of the State of Texas shall govern the Agreement; and this Agreement is fully performable in Kaufman County, Texas with exclusive venue for any action concerning this Agreement being in a court of competent jurisdiction in Kaufman County, Texas.

6.08 Amendment. This Agreement may only be amended by the mutual written agreement of the Parties.

6.09 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.10 Recitals. The recitals to this Agreement are incorporated herein.

6.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument and any such counterparts shall be deemed to be incorporated herein.

6.12 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.13 Sovereign Immunity. The Parties agree that the City has not waived its sovereign immunity by entering into and performing its obligations under this Agreement.

6.14 . Employment of Undocumented Workers. During the term of this Agreement, the Company agrees not to **knowingly** employ any undocumented workers, and if convicted of a violation under 8 U.S.C. Section 1324a (f), the Company shall repay the Program Grant herein and any other funds received by the Company from the City as of the date of such violation within 120 days after the date the Company is notified by the City such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Company is not liable for a violation of this Section by a subsidiary, affiliate, or franchisees of the Company or by a person or entity with whom the Company contracts.

6.15 Report Agreement to Comptroller's Office. The City covenants and agrees to report this Agreement to the State Comptroller's office within fourteen (14) days of the Effective Date of this Agreement, in accordance with Section 380.004 of the Texas Government Code, as added by Texas House Bill 2404, 87th Tex. Reg. Session (2021) (effective September 1, 2021).

[SIGNATURE PAGES FOLLOW]

EXECUTED as of the ____ day of _____, 2021.

THE CITY OF KAUFMAN, TEXAS

By: _____
Michael T. Slye, City Manager

ATTEST:

City Secretary

EXECUTED as of the ____ day of _____, 2021.

BLOOMFIELD HOMES, L.P.
a Texas Limited Partnership

By: Bloomfield Properties, Inc.
a Texas Corporation,
its General Partner

By: _____
Name: Don Dykstra
Title: President

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

This instrument was acknowledged before me on the _____ day of _____, 2021
by Michael T. Slye, City Manager of the City of Kaufman, Texas, on behalf of said municipality.

Name: _____

Notary Public, State of Texas

My commission expires: _____

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on the _____ day of _____,
2021 by Don Dykstra, President of Bloomfield Properties, Inc., General Partner of Bloomfield
Homes, L.P., a limited partnership, on behalf of said limited partnership.

Name: _____

Notary Public - State of Texas

WINTER STORM URI POLICY CHANGES

Energy regulators and ERCOT have adopted a number of important policy changes in response to last February's statewide outages. These include changes set to take effect in time for the 2021-2022 winter season.

WINTERIZATION RULES

The Public Utility Commission, under PUC Project No. 51840, has implemented new rules relating to the winter weatherization of power plants. These include a requirement that generators and substations meet a December 1 deadline to comply with new winterization standards, including compliance with recommended standards from a 2011 North American Electric Reliability Corporation report. In addition, ERCOT now conducts winterization inspections of generation resources and substations. Any operator of a generator or substation that failed during last February's winter emergency must hire an independent professional engineer to assess the cause of that failure.

CRITICAL NATURAL GAS LOADS

Through parallel efforts, the PUC (under Project No. 52345) and the Texas Railroad Commission have adopted a common definition of "Energy Emergency." The Railroad Commission has defined a list of critical natural gas customers, and such customers must now notify their Transmission Service Providers and ERCOT as to their critical status. Transmission Service Providers must prioritize critical gas facilities in load-shed plans.

ANCILLARY SERVICES

ERCOT has implemented a more conservative Ancillary Services policy under which it procures approximately 3,000 megawatts of additional AS reserves at all times. (Ancillary Services are services ERCOT procures from generation owners and other market participants to maintain minute-by-minute system reliability.)

HIGH SYSTEM-WIDE OFFER CAP

The PUC has lowered the High System-Wide Offer Cap to \$5,000 per megawatt hour, effective January 1, 2021. (The "HCAP" represents the top price for which generators can offer to sell electricity into a key wholesale power market administered by ERCOT.) The PUC previously authorized a HCAP of \$9,000 per MWh, and wholesale power prices remained at that elevated level for a prolonged period during Winter Storm Uri.

SECURITIZATION

The PUC, in Projects 52321 and 52322, has authorized certain market participants to recover Winter Storm Uri-related costs through a debt-financing process known as securitization. Authorized costs include the approximately \$800 million owed to ERCOT because of market participant defaults during last February's "period of emergency" as well as the approximately \$2.1 billion in Ancillary Services and other charges imposed on market participants during that emergency and in excess of \$9,000 per MWh.

EMERGENCY RESPONSE SERVICE

Also known as "ERS," Emergency Response Service is electricity service that providers can curtail under ERCOT's direction so the grid operator can reduce the risk of system-wide outages. Under new rules, ERCOT can now deploy ERS sooner rather than holding back service until the organization has called an emergency alert.

DISCUSSION ITEMS REPORT (DIR)

Project Title	Department	Agenda Date	Entered Date	Status/Notes	Strategy Map
Splash Pad	Parks &Rec	TBD	10/23/2018	Shannon Park and South Pointe Dev	2,3,4
Thoroughfare Plan Update	Development Serv	TBD	10/23/2018		2,5
Bldg Standards Commission Ordinance	Development Serv	9/1/2019	10/23/2018	BSC to review	4
Marlow Development	Development Serv	4/22/2019	10/23/2018	Building Plan Review	2
South Pointe	Development Serv		2/3/2021	Civil Plans under Review	2,3,4
Recodification of City Ordinances	Admin	11/13/2018	10/23/2018	Franklin Review	5
Subdivision Ordinance Update	Development Serv	1/27/2020	10/23/2018	TNP, Staff & City Attorney reviewing rough draft	5
Citizens Academy	Admin/Public Safety		11/27/2018	Planning Phase	1,3
Fire Department Facility Improvements	Admin/Public Safety			Planning Phase	1,2,5
Kaufman Estates	PW/Admin	10/28/2019		No Action	5
Summer Youth Program	Admin/Parks	TBD	7/16/2019	COVID Postponement	1,3,4
Digital Gateway Signage	Admin	TBD	8/17/2020	Contract approved July 26, 2021	2,3
City Lakes Emer Action Plan	Public Works	TBD	8/7/2019		5
Disc Golf Course	Admin/PW	TBD	8/23/2019	Planning Phase	2,3,4
Washington Street Utility Relocation	Admin/PW	TBD	10/1/2019	SUE forwarded to TxDOT	2,5
TPW Grant for City Lake Park	Parks &Rec	TBD	12/10/2019	Submitted October 1, 2021	4,5
CareFlight Facility	Admin	TBD	3/9/2020	Discussions regarding relocation	1,3
COVID - 19	Admin/Public Safety	TBD	3/11/2020	Action Plan in Place	4,5
TIRZ #2	Admin		8/6/2020	PPFP Approved 082420	2,3,4
Comprehensive Plan	Admin		8/26/2020	Need to update plan	2,3,4,5
Tabor Parkway Expansion	PW/Admin			Ribbon Cutting Scheduled For 11/16/21	2,3,5
Website Update	Admin		1/26/2021	Planning Phase	2,3
Street Maintenance Program	Public Works		1/29/2021	Budget Approved, Phase 1 complete. Start Phase 2.	2,4,5
Storm Drainage Projects	Public Works		1/29/2021	Phase 1 Under Construction	2,4,5
North & South Water Tower Rehab	Public Works		1/29/2021	South Tower Contract Awarded	4,5
Body Cameras	PD		2/2/2021	Grant Submitted	1,3,5
Annual Report	Admin		2/24/2021	Planning Phase	3
Shannon Park Updates	Admin/PW	4/26/2021	4/26/2021	Final Concept Plan approved	3,4,5
Miracle Park	Admin/PW		4/29/2021	Concept Approved	3,4,5
Connector Road	Admin		4/29/2021	County Partnership	2,3,5
AMI	Admin/PW		4/29/2021	Contract approved - Installation begins Dec '21	4,5
High Speed Internet	Admin			Suddenlink live/CIP installing	2,3,5
Northeast Utility Project	Admin/PW		9/17/2021	Working on Cost Estimate and Scope	1,2,3,4,5
City Lakes Park/Lower Lake Improvements	Admin/PW		9/23/2021	Working on Cost Estimate and Scope	4
Former Senior Center Demo	Development Serv		11/8/2021	Approved in 2022 5 Year CIP	4

DISCUSSION ITEMS REPORT (DIR)

COMPLETED

Project Title	Project Lead	Agenda Date	Entered Date	Status/Notes	
PID Creation Resolution	Dev Svc/Admin	11/13/2018	10/24/2018	Complete	
TIRZ Creation Ordinance Amendment	Dev Svc/Admin	11/13/2018	10/24/2018	Complete	
TIRZ Project Reprioritization Resolution	Dev Svc/Admin	11/13/2018	10/24/2018	Complete	
Home Improvement Incentive Program	Development Serv	11/13/2018	10/23/2018	Complete	
Budget Book Submission to GFOA	Finance		10/23/2018	Complete	
Interlocal Agreement w/County for PID	Finance		10/30/2018	PID Assessment for Georgetown in 2020	
WWTP Priority Project List	Public Works	11/13/2018	10/23/2018	Mark Hill - Consultant	
2600 Commerce Way Permit Ready	Development Serv	NA	11/6/2018	Complete Permit Issued 11/26/2018	
600 N Nash KC Street Barn Permit Issued	Development Serv	NA	11/6/2018	Complete Finaled 01/04/2019	
Rev Ch 22 & 46 7500SF F Sprinkler Req	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	3,5
WWTP Finance Application	Finance	11/13/2018	10/23/2018	GTUA Approval	5
PD/FD Safety Equipment Grant	Public Safety	TBD	3/3/2020	Application Submitted	1
Street Maintenance Priorities	PW/Admin		2/27/2019	List Presented to Council/Incorporated into 5 Year CIP	5
Traffic Signal 1388@34 ByPass	Admin		1/28/2020	Final Construction Underway	1
Solid Waste RFP	Admin	TBD	5/18/2020	Contract Finanlized and Approved	4,5
PD Body Camera Grant	PD	4/27/2020	5/19/2020	Grant not awarded	1,5
Civic Center	Admin	7/22/2019		Accepted 01/25/21	2,3
Phase II - Street Bond	Public Works	10/28/2019	10/23/2018	Accepted 01/25/21	5
TxDOT Turnback	Admin	12/17/2018	11/6/2018	Accepted 01/25/21	2,3,5
City Lakes Park Fence	Public Works		1/26/2021	Complete	
Building Official	Development Serv		12/10/2020	Hired	
54-Acre Development	Development Serv	5/18/2020	10/23/2018	PD to Council 05/18/2020	2,3,4
Building Code Update	Development Serv	10/28/2019	6/4/2019	Approved O-28-19	5
Park Dedication Ordinance	Development Serv	1/25/2021	10/23/2018	PH continued to 2/22/2021	4,5
Police Department Server	PD		1/29/2021	Ordered thru TSM	1,5
Tree Mitigation Ordinance	Development Serv		2/24/2021	Approved	4,5
Kaufman Lake	Admin/PW		1/8/2019	Sold April 2021	2,4,5
Downtown Parking	Admin		1/16/2019	2 Hour Parking Signs going up	2
Fire Engine Replacement	FD	1/25/2021	1/25/2021	Lease Approved	1,5
Greenlight City/EDC Marketing	Admin/EDC		6/16/2020	Greenlight Retainer	1,2
Kaufman Square Speakers	Admin/PW	TBD	10/22/2019	Installation Complete	2,3
Fire Department 5 Year Plan	FD		8/26/2020	Presented at Council Retreat 4/2021	2,5

December 10, 2021

To: Kaufman County

From: Ashley Berryhill, Finance Director

Re: November 2021 STARNow – Kaufman County Ridership Report

FY2022 TRIP INFORMATION:

	S	O	N	D	J	F	M	A	M	J	J	A	TOTAL
Trips	1,364	1,390	1,405										4,159
Service Days	21	21	20										62
Avg. Daily Trips	65.0	66.2	70.3										67.1

KPIs

Completed Boardings ⓘ	Avg. Boardings Per Service Hr. ⓘ	Boarding Cancellations ⓘ	Boarding Cancellations (No-Show) ⓘ	Cancellation Percentage ⓘ	Cancellation Percentage (No Show) ⓘ	Total Requests ⓘ	Completed Requests ⓘ	No Drivers Available Requests ⓘ	Request Cancellations ⓘ
1405	1.25	840	105	37.42 %	4.68 %	2166	1373	17	776
Request Cancellations (No Show) ⓘ	Avg. # of Requests per Rider ⓘ	Avg. Travel Duration ⓘ	Avg. Travel Distance ⓘ	Mean Wait Time ⓘ	Median Wait Time ⓘ	Bookings from Admin Panel ⓘ	Bookings from Rider App ⓘ	Flag Down Bookings ⓘ	Avg. # Riders per Request ⓘ
89	6.99	11.48 min	3.83 mi	34.93 min	16.87 min	83.06 %	16.44 %	0.5 %	1.02

December 10, 2021

To: City of Kaufman

From: Ashley Berryhill, Finance Director

Re: November 2021 Demand and Response Ridership Report

TRIP INFORMATION:

	S	O	N	D	J	F	M	A	M	J	J	A	TOTAL
Trips	175	243	183										601
No. Service Days	21	21	20										62
Avg. Daily Trips	8.3	11.6	9.2										9.7

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

ELDERLY AND DISABLED RIDERSHIP	
35	Disabled Trips
126	Elderly (&/or Dis) Trips

161 E & D Total Rides

E & D Percent of Total Trips – 88%

MONTHLY UNDUPLICATED PASSENGERS
24
YEAR TO DATE UNDUPLICATED PASSENGERS
46

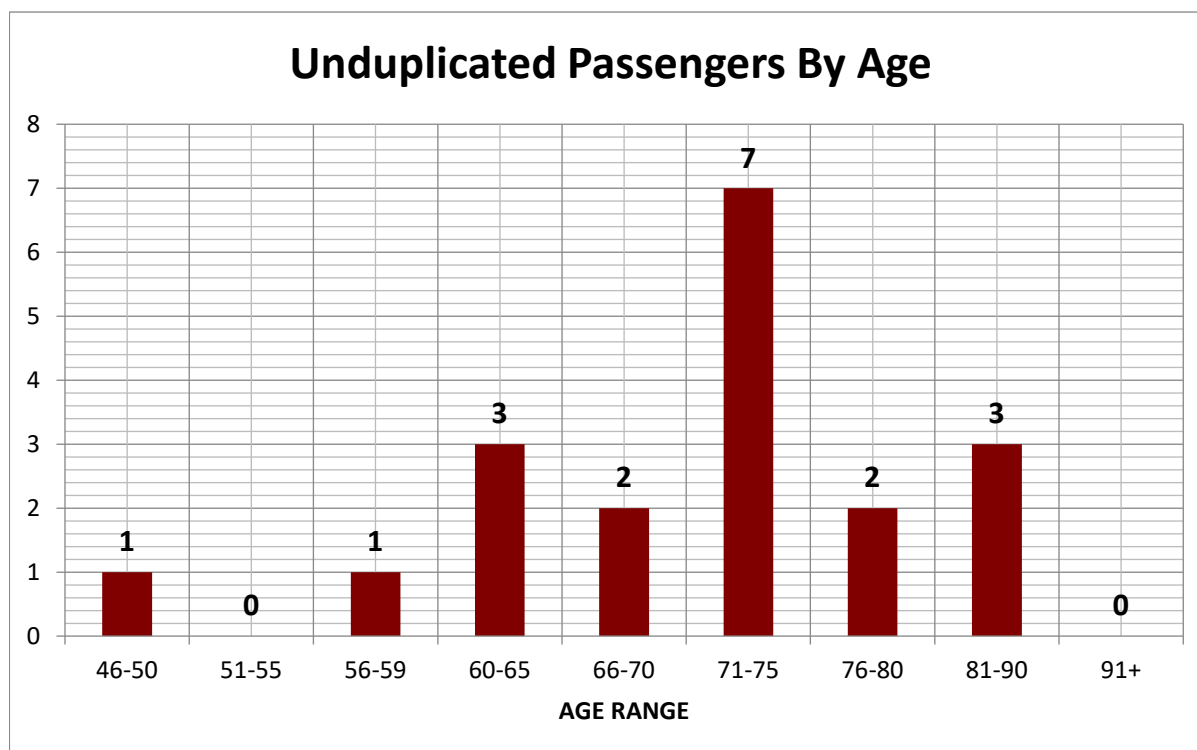


Trip Total	
KAUFMAN TO KAUFMAN	99
KAUFMAN TO OUTSIDE	83
OUTSIDE TO KAUFMAN	1

183

NOSHOW/CANCEL	110
DENIALS	31
Month to Month Unduplicated	24
YTD Unduplicated	46

November 2021 Total D & R Trips	183
--	------------



Response Summary:

	Responses	Transports	Exceptions	Compliance %	Transport %
Priority 1 <8:59	27	20	1	96%	74%
Priority 2 <11:59	74	42	1	99%	57%
Priority 3 <14:59	21	8	0	100%	38%
Emergency Transfers<0:29:59	125	122	73	42%	98%
Non-Emergency Transfers<0:15	44	42	13	70%	95%
Helicopter	18	18			
Totals	309	252		98.40%	56.31%

Transport Summary:

	Number	Percentage
Baylor Scott and White Dallas	5	2%
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	5	2%
Medical City Dallas	4	2%
Parkland	0	0%
Texas Health-Dallas	82	35%
Texas Health- Kaufman	52	22%
Texas Health -Plano	17	7%
Texas Health-Rockwall	3	1%
UT Health- Athens	1	0%
UT Health- Tyler	3	1%
UT Health- Cedar Creek	0	0%
VA Medical Center Dallas	0	0%
Other Hospitals	18	8%
Nursing home, residence, other	34	15%
	234	100%

	Number	% of Total
Patient Refusal/Treat No Transport	19	33%
Pt is DOS	1	2%
Cancellation- No Patient	37	65%
	57	100%

Average Response Time
City Wide--Emergency Calls

0:05:12

	Responses	Exceptions	
Last 100 Calls			
Priority 1	100	3	97%
Priority 2	100	1	99%
Priority 3	100	0	100%



COUNCIL MONTHLY UPDATE

NOVEMBER 2021

In November the Kaufman Fire Department responded to 187 calls for service.

In November 2020 we responded to 191 calls for service

Performed inspections on new Tractor Supply sprinkler and fire alarm systems.

We had the Honor of conducting a badge pinning on 4 personnel that received promotions

There were 3 calls that we were unable to respond to due to being tied up on other calls (EMS, accidents) and no additional personnel responded.



DEPARTMENT SNAPSHOT NOVEMBER

Training:

(Fire Ce's)

Wildland fires and response

(EMS Ce's)

Trauma treatments



DEPARTMENT SNAPSHOT November 2021

- **Incident Response Time
Monthly Average**

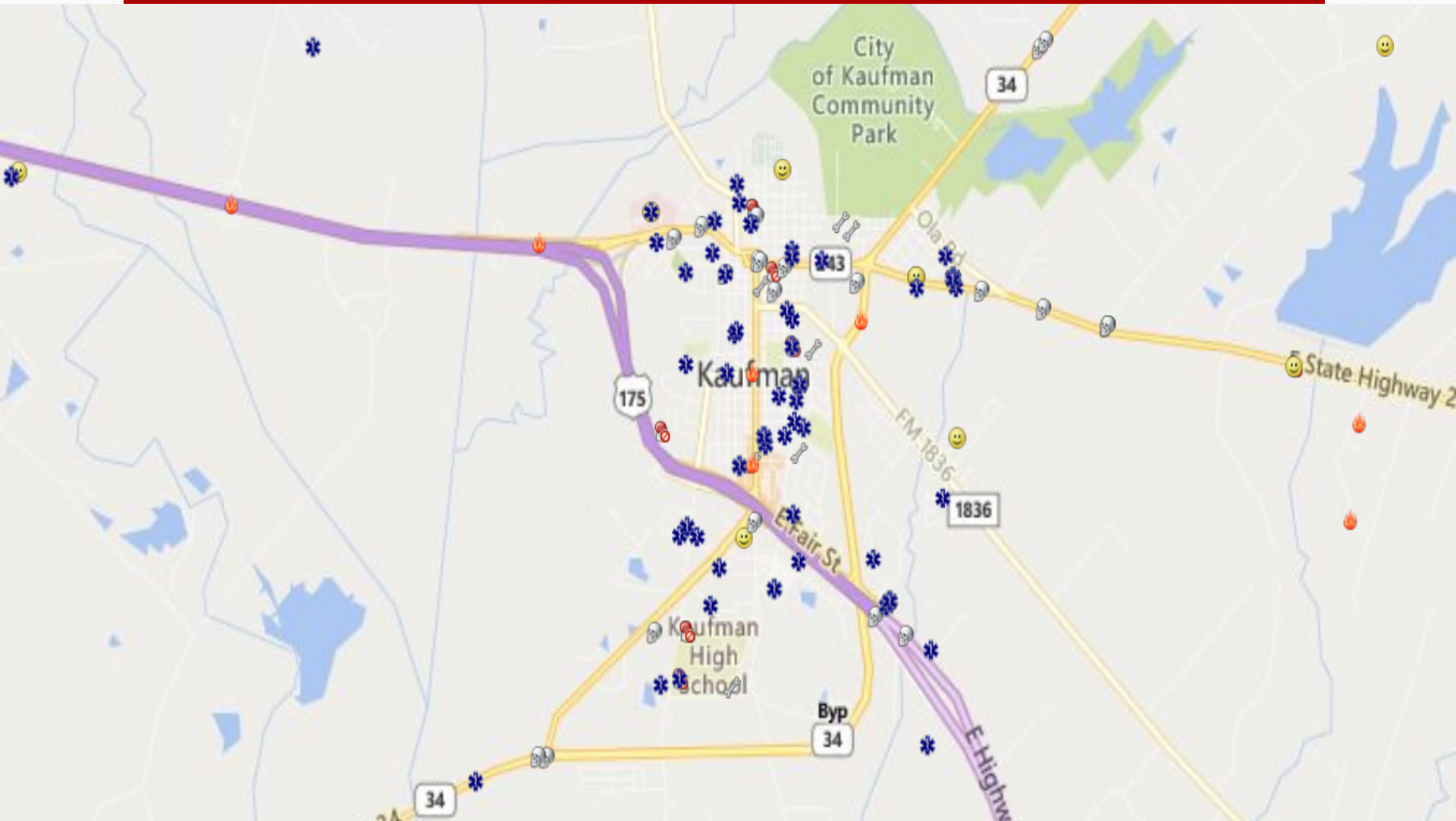
- **November 2021
Monthly Average
Response Time 5
Minutes 34 Seconds
(5.34)**
- **November 2020
Monthly Average
Response Time 5
Minutes 10 Seconds
(5.10)**



DEPARTMENT SNAPSHOT

Inspections	23
Structure Fires	2
Grass/Trash	8
Automobiles	4
Accidents	41
Emergency Medical Calls	93
Haz / Smoke Calls	14
False Alarms	8
Mutual Aid	1
Public Assist Unlocks	16
Total Responses for Month	187

November 2021 Responses



INCIDENT LOCATION MAP NOV.

RED=FIRE INCIDENTS/ACCIDENTS
YELLOW= CANCELLED IN ROUTE

BLUE= MEDICAL INCIDENTS

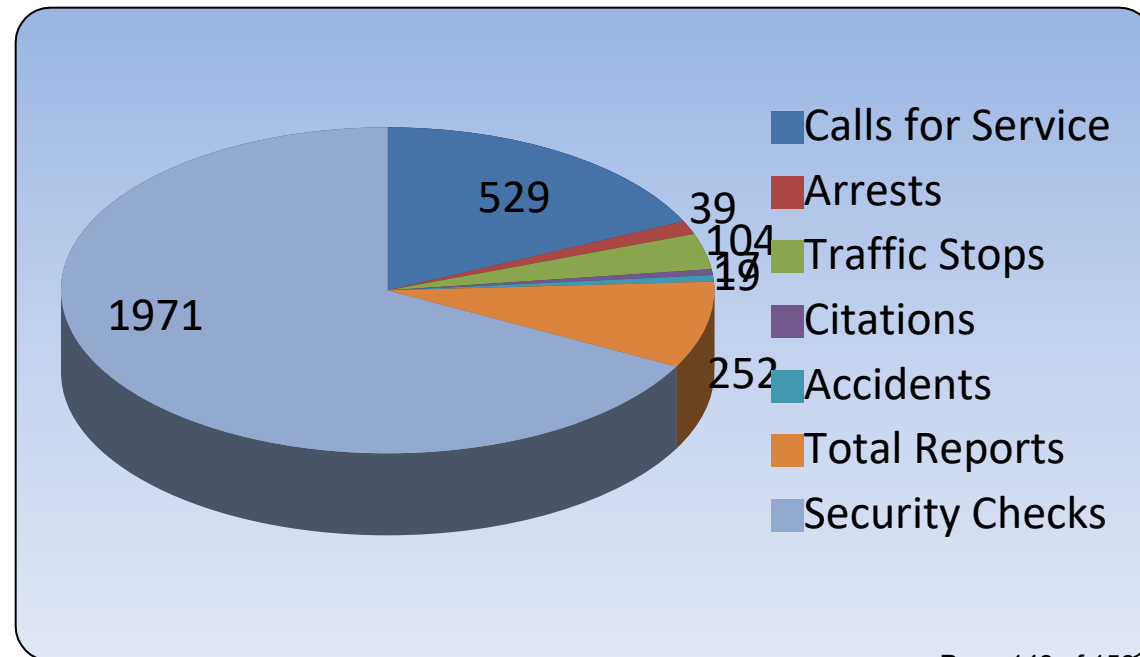
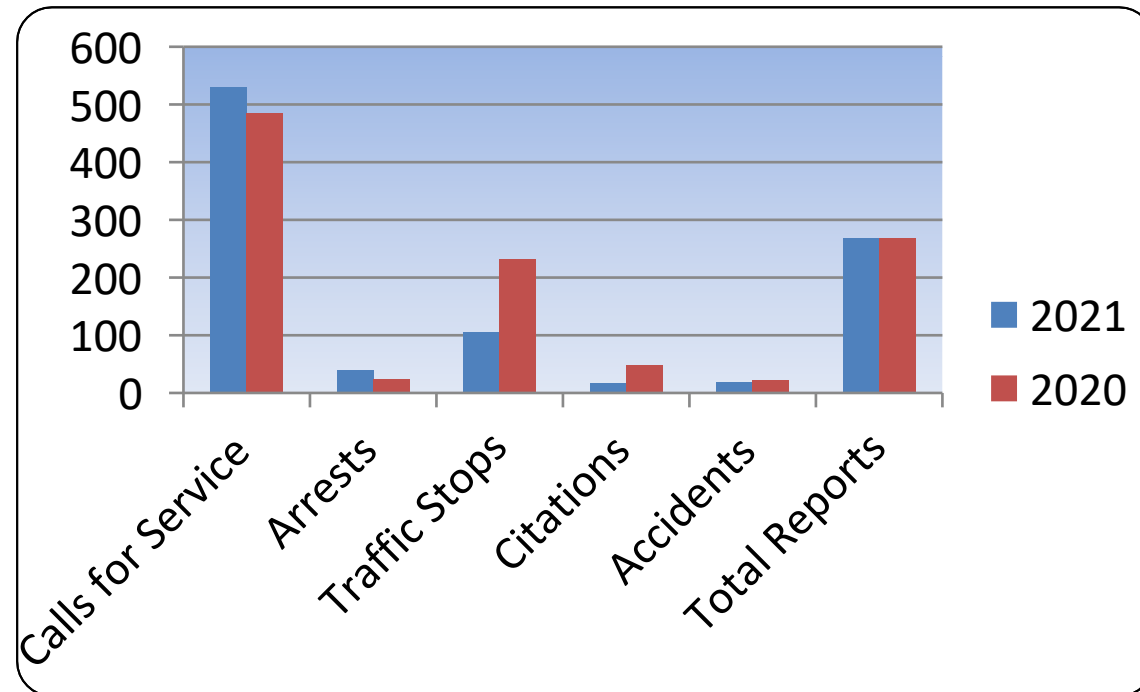
KAUFMAN POLICE DEPARTMENT PATROL ACTIVITY NOVEMBER 2021

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

- **529** Calls For Service, Including Accidents
- **19** Traffic Accidents
- Completed **1967** Homes, Parks, & Business Checks
- Completed **104** Traffic Stops
- Completed **205** Incident Reports
- Completed **252** Reports
- Made **36** Arrests
- Average monthly response time to calls is **7:09** minutes.

Other points of interest include:

- Utilized the radar trailer on the 34 Bypass.



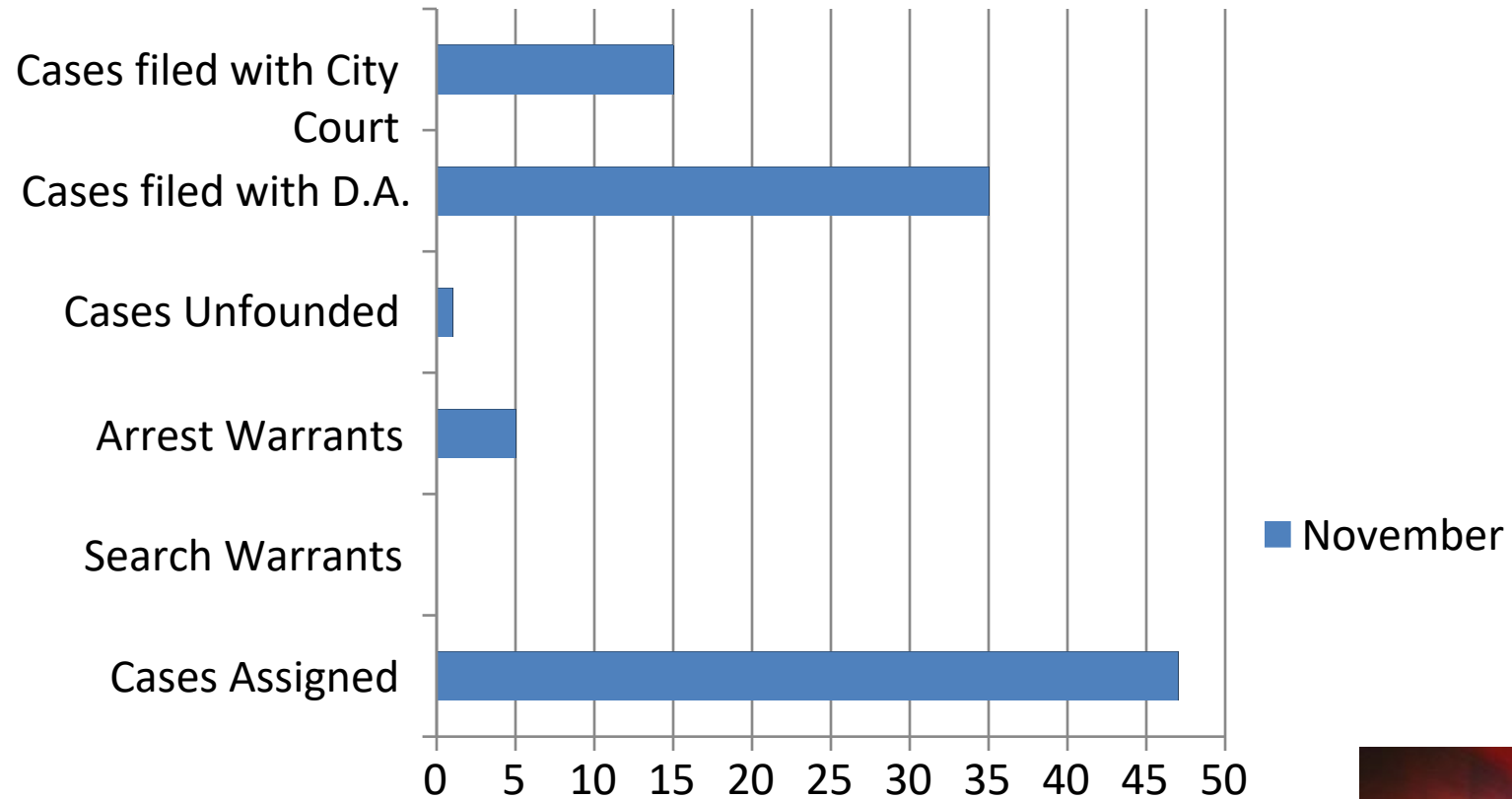
Community Engagement November 2021

Social Media Posts, Facebook Followers 11,397.

Events attended by Kaufman Police Department employees:

- Weekly Shut-Ins Check.
- Tabor Parkway Ribbon Cutting
- Happy Thanksgiving



Kaufman Criminal Investigations Division
November 2021

	Cases Assigned	Search Warrants	Arrest Warrants	Cases Unfounded	Cases filed with D.A.	Cases filed with City Court
November	47	0	5	1	35	15



KAUFMAN POLICE DEPARTMENT

NOVEMBER 2021



Year to Date - Offenses Known to Police for November 2021

Printed On:
12/14/2021

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	43	31	5.42	54	-20.37%
Firearm	6	3	0.76	4	50.00%
Knife	1		0.13	5	-80.00%
Other Weapons	1	1	0.13	5	-80.00%
Personal Weapons	35	27	4.41	40	-12.50%
Bribery, Total				1	-100.00%
Burglary/Breaking and Entering, Total	10	4	1.26	19	-47.37%
No Force	4	1	0.50	3	33.33%
Force	6	3	0.76	16	-62.50%
Counterfeiting/Forgery, Total	2		0.25	21	-90.48%
Destruction/Damage/Vandalism of Property, Total	16	4	2.02	30	-46.67%
Drug/Narcotic Offenses, Total	150	146	18.92	136	10.29%
Drug Equipment Violations	34	34	4.29	44	-22.73%
Drug/Narcotic Violations	116	112	14.63	92	26.09%
Embezzlement, Total	1		0.13	3	-66.67%
Extortion/Blackmail, Total				1	-100.00%
Fraud Offenses, Total	10	4	1.26	13	-23.08%
False Pretense/Swindle/Confidence Game					-
Hacking/Computer Invasion					-
Identity Theft					-
Impersonation	8	3	1.01	10	-20.00%
Credit Card/Automatic Teller Machine Fraud	2	1	0.25	3	-33.33%
Welfare Fraud					-
Wire Fraud					-
Gambling Offenses, Total					-
Betting/Wagering					-
Gambling Equipment Violations					-
Operating/Promoting/Assisting Gambling					-
Homicide Offenses, Total	1		0.13		-
Murder and Nonnegligent Manslaughter					-
Negligent Manslaughter	1		0.13		-
Human Trafficking, Total					-
Human Trafficking, Commercial Sex Acts					-
Human Trafficking, Involuntary Servitude					-
Kidnapping/Abduction, Total	1	1	0.13		-

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.

KAUFMAN POLICE DEPARTMENT

NOVEMBER 2021



Year to Date - Offenses Known to Police for November 2021

Printed On:
12/14/2021

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	77	38	9.71	113	-31.86%
Motor Vehicle Theft, Total	11	4	1.39	16	-31.25%
Buses					-
Automobiles	8	3	1.01	13	-38.46%
Other Motor Vehicles	1		0.13	2	-50.00%
Trucks	1	1	0.13		-
Recreational Vehicles	1		0.13	1	0.00%
Pornography/Obscene Material, Total					-
Prostitution Offenses, Total					-
Assisting or Promoting Prostitution					-
Prostitution					-
Purchasing Prostitution					-
Robbery, Total				3	-100.00%
Firearm				2	-100.00%
Personal Weapons					-
Other Weapons				1	-100.00%
Knife					-
Sex Offenses, Total	6	2	0.76	4	50.00%
Fondling	4	1	0.50	1	300.00%
Rape	2	1	0.25	2	0.00%
Sexual Assault with an Object				1	-100.00%
Sodomy					-
Sex Offenses, Non-Forcible, Total					-
Incest					-
Statutory Rape					-
Stolen Property Offenses, Total	5	4	0.63	1	400.00%
Weapons Law Violations, Total	8	8	1.01	9	-11.11%
Group A Offense, Total	342	246	43.13	424	-19.34%
Crimes Against Person, Total	51	34	6.43	58	-12.07%
Crimes Against Property, Total	133	58	16.77	221	-39.82%
Crimes Against Society, Total	158	154	19.92	145	8.97%
Officers Killed or Assaulted YTD	0			2	-100.00%

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KAUFMAN POLICE DEPARTMENT ANIMAL CONTROL REPORT NOVEMBER 2021

November 2021, Kaufman Animal Control Responded To-

- 55 Calls For Service
- 3 Follow-up Calls
- Warnings Issued – 5
- Citations Issued – 0
- Traps Set - 4

Animals Captured

On Calls – 11

On View – 1

Animals Turned Over

To Owner – 1

To Humane Society – 12

Dead Animals Recovered: - 3

Non-Domestic Animals Captured – 2





Development Services
November Monthly Report
Permits Issued: 11/01/2021-11/30/2021

Permit Title	Project Address	Credential Contacts	Permit Issued Date	Project SQ. FT.	Valuation	Total Fees Collected
Alcohol Beverage Permit	1001 E Mulberry	Mohammad Siddiq (Business Manager)	11/08/2021 at 11:39 AM		\$0.00	\$75.00
Alcohol Beverage Permit	1002 E Mulberry St.	Mirza Akhtar (Applicant)	11/01/2021 at 9:59 AM		\$0.00	\$60.00
Banners and Temporary Signage	9 Oak Creek Dr., B	John Dumas (Business Manager)	11/29/2021 at 2:37 PM		\$0.00	\$50.00
Commercial Minor Addition	208 N Jefferson St.	Drew Peterson (General Contractor)	11/10/2021 at 8:28 AM	0.00	\$4,000.00	\$260.00
Commercial Minor Addition, Remodel or Repair	1663 E Hwy 175	Eugene Schonle (General Contractor)	11/09/2021 at 3:22 PM	4000.00	\$17,000.00	\$985.09
Commercial Minor Addition, Remodel or Repair	3637 E Hwy 175	Arthronel Scruggs (General Contractor)	11/19/2021 at 9:38 AM	4000.00	\$7,500.00	\$100.00
Commercial TFO	209 Kings Fort Pkwy.	Dustin Whoten (General Contractor)	11/29/2021 at 12:43 PM	3696.00	\$240,000.00	\$15,521.04
Driveway, Parking Lot or Sidewalk Permit	200 E Mulberry St.	John Beasley (General Contractor)	11/15/2021 at 4:43 PM		\$2,400.00	\$82.40
Fence Permit	201 Wykagyl St.	Bobby Rich (Homeowner)	11/08/2021 at 9:45 AM		\$2,000.00	\$82.40
Fence Permit	601 N Washington St.	Leal Ramero (Homeowner)	11/09/2021 at 11:51 AM		\$1,500.00	\$80.00
Fence Permit	1503 Marshall St.	Jose Perez (Homeowner)	11/19/2021 at 3:54 PM		\$2,000.00	\$82.40
Food Permits - Permit Expires December 31, 2021	9 Oak Creek Dr., B	John Dumas (Business Manager)	11/23/2021 at 3:09 PM		\$0.00	\$275.00
Food Permits - Permit Expires December 31, 2021	209 S Washington	Guadalupe Pulido (Business Manager)	11/09/2021 at 10:36 AM		\$0.00	\$253.00
Food Permits - Permit Expires December 31, 2021	209 S Washington	Carroll Conner (Business Manager)	11/05/2021 at 9:33 AM		\$0.00	\$206.00
Foundation Repair	1103 Overlook Dr.	Thmos Kidd (General Contractor)	11/05/2021 at 10:00 AM		\$6,250.00	\$82.40
Foundation Repair	505 W Grove St.	Rials Dennis (General Contractor)	11/04/2021 at 3:53 PM		\$8,400.00	\$82.40
Irrigation Permit	2005 S Houston St.	Eder Garcia (Irrigation Contractor)	11/12/2021 at 2:54 PM		\$1,000.00	\$82.40
Irrigation Permit	1904 E Hwy 175	Maria Hankey (Irrigation Contractor)	11/30/2021 at 10:37 AM		\$33,000.00	\$82.40
Mechanical Permit	1601 Ola Rd.	Abraham Sbyti (Mechanical Contractor)	11/08/2021 at 10:05 AM		\$5,978.00	\$80.00
Plumbing Permit	302 E 7th St.	David Kirk (Plumbing Contractor)	11/03/2021 at 12:18 PM		\$1,500.00	\$82.40
Plumbing Permit	9 Oak Creek Dr., E	Eric Nava (Plumbing Contractor)	11/05/2021 at 12:30 PM		\$500.00	\$82.40
Plumbing Permit	9 OAK CREEK Dr.	Lawrence Snell (Plumbing Contractor)	11/09/2021 at 10:54 AM		\$1,000.00	\$82.40
Plumbing Permit	407 E 4th St.	Danny Green (Plumbing Contractor)	11/16/2021 at 1:02 PM		\$500.00	\$80.00
Residential Accessory/Carport Permit	5905 CO RD 166	Bobbie Willoughby	11/02/2021 at 11:07 AM	64.00	\$2,000.00	\$80.00
Residential Addition, Remodel or Repair	104 Debra St.	Gary Thomas (General Contractor)	11/22/2021 at 12:56 PM		\$30,000.00	\$638.60
Residential Concrete Patio Addition	1700 S Jackson St.	Chris Becker (Homeowner)	11/12/2021 at 2:58 PM		\$2,000.00	\$80.00
Residential New Permit	403 N Nash St.	Daniel Zarate (General Contractor)	11/09/2021 at 2:48 PM	1812.00	\$150,000.00	\$4,426.72
Residential New Permit	3902 Holly Springs Ln.	Ruben Reyna (General Contractor)	11/15/2021 at 2:52 PM	3285.00	\$425,000.00	\$5,734.44
Residential New Permit	4019 Three Forks Rd.	Ruben Reyna (General Contractor)	11/15/2021 at 2:17 PM	2043.00	\$336,000.00	\$4,535.39
Residential New Permit	3910 Holly Springs Ln.	Ruben Reyna (General Contractor)	11/15/2021 at 2:48 PM	2333.00	\$399,000.00	\$4,785.29
Residential New Permit	3834 Myrtle Way	Ruben Reyna (General Contractor)	11/15/2021 at 2:11 PM	1669.00	\$328,000.00	\$4,586.09
Residential Repair- Replacing Windows	100 E 5th St.	John Holtz (Homeowner)	11/22/2021 at 10:28 AM		\$11,000.00	\$82.40
Roof (Repair or Replace)	699 Becky Ln.	Jose Charco (General Contractor)	11/16/2021 at 12:32 PM		\$12,115.58	\$82.40
Roof (Repair or Replace)	607 W Nash Dr.	Robert Lloyd (General Contractor)	11/04/2021 at 1:08 PM		\$2,000.00	\$80.00
Roof (Repair or Replace)	708 W Fair St.	Robert Lloyd (General Contractor)	11/04/2021 at 1:09 PM		\$23,000.00	\$80.00
Roof (Repair or Replace)	1624 Nottingham Dr.	Mary Cruthcer (General Contractor)	11/05/2021 at 2:41 PM		\$4,000.00	\$82.40
Roof (Repair or Replace)	1800 Dellis St.	Larry Latimer (General Contractor)	11/10/2021 at 3:47 PM		\$3,700.00	\$82.40
Roof (Repair or Replace)	106 Silver Trl.	Adrian Godoy (General Contractor)	11/22/2021 at 11:23 AM		\$1,200.00	\$80.00
Roof (Repair or Replace)	3001 S Houston St.	Brian Bailey (General Contractor)	11/18/2021 at 10:59 AM		\$100,000.00	\$1,023.56
Roof (Repair or Replace)	204 E 4th St.	John Beasley (General Contractor)	11/24/2021 at 9:43 AM		\$4,100.00	\$82.40
Sign Permit	9 Oak Creek Dr., B	John Dumas (General Contractor)	11/19/2021 at 1:46 PM		\$3,000.00	\$100.00
Solar Panel Permit	1901 Rand Rd.	Ricardo Carillo (Electrical Contractor)	11/23/2021 at 2:28 PM		\$1,500.00	\$545.90
Swimming Pool / Spa	702 Adams Ln.	Shannon Wiley (Pool Contractor)	11/16/2021 at 12:55 PM		\$50,000.00	\$510.00
Temporary Use Permit	209 N Hwy 34	Wyn Wilson (Business Manager)	11/15/2021 at 12:35 PM		\$0.00	\$100.00
Totals					\$2,222,143.58	\$46,647.12

DECEMBER 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 Christmas on the Square
5	6	7 Planning & Zoning Meeting	8	9	10	11
12	13	14 KEDC	15 Employee Christmas Party- Noon	16 Parks & Rec Meeting	17	18
19	20 Regular City Council Meeting	21	22	23	24 Christmas- City Hall Closed	25
26	27 Christmas- City Hall Closed	28	29	30	31 New Years- City Hall Closed	

JANUARY 2022

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

FEBRUARY 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Planning & Zoning Meeting	2	3	4	5
6	7	8	9	10 Parks & Rec Meeting	11	12
13	14	15 KEDC	16	17	18 Last Day to File for Election	19
20	21	22 KKBB	23	24	25	26
27	28 Regular City Council Meeting					

MARCH 2022

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