AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, JULY 25, 2022 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142
AND VIA VIDEOCONFERENCE/TELECONFERENCE

This meeting will be held using videoconferencing/teleconferencing technology with public access via: WWW.ZOOM.US/JOIN OR (888)788-0099 (TOLL FREE) MEETING/WEBINAR ID: 870 3436 0003 PASSWORD: 270462

PLEDGE OF ALLEGIANCE

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

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Council agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the City Council on any subject but must first complete a Request to Speak Form so that the Mayor may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the Council as a whole. **When addressing the Council, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council.**

PRESENTATION

1. Business of the Month- KLLM Transport

2. PACE Financing Annual Report

CONSENT AGENDA

3. Consider and take appropriate action on the minutes from the June 27, 2022, Regular City Council meeting.

4. Consider and take appropriate action on the minutes from the July 14, 2022, Joint City Council, KEDC, and KISD Board of Trustee meeting.

5. Consider and take appropriate action on Resolution R-23-22, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman Investment Policy pursuant to the Public Funds Investment Act; approving the adoption of an amended City of Kaufman Investment Policy; and providing for an effective date.

6. Consider and take appropriate action on Resolution R-24-22, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman Purchasing Policy Guidelines ("Purchasing Policy"); and providing an effective date.

7. Consider and take appropriate action on Resolution R-25-22, a resolution of the City Council of the City of Kaufman, Texas, approving and implementing a Records Management Policy; designating the City Secretary as the City of Kaufman's Records Management Officer and Custodian of Records; and providing an effective date.

8. Consider and take appropriate action on Resolution R-26-22, a resolution of the City Council of the City of Kaufman, Texas, authorizing the City Manager to grant a Special Use Permit for the consumption, possession, and sale of beer and wine by vendors duly licensed in accordance with state law at the Kaufman Sports Complex for the 2022 Kaufman Harvest Fest Event; and providing an effective date.

9. Consider and take appropriate action on Resolution R-27-22, 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 temporarily close portions of SH 243 (one-way traffic operation around the Kaufman County Courthouse), Business SH-34 (S. Washington Street from E. Mulberry St. to US 175) and East Fair Street (Westbound US 175 Frontage road from Bypass-34 to S. Washington St.) on Saturday, October 22, 2022, from 7:00 a.m. until 11:00 a.m. for the purpose of the 2022 Kaufman Harvest Fest Parade; and providing for an effective date.

10. Consider and take appropriate action on Resolution R-28-22, 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 temporarily close State Highway 243 from Jefferson Street to Washington Street on Saturday, October 22, 2022, from 6:00 a.m. until 3:30 p.m. for the 2022 Kaufman Harvest Fest Event; and providing an effective date.

END OF CONSENT AGENDA

PUBLIC HEARING

11. Conduct a public hearing on the levy of assessments for authorized improvements for the Kaufman Public Improvement District No. 2, including an assessment plan and an assessment roll for an approximate 17.48 acres of real property identified as Prairie Creek Estates Phase III, located within the City of Kaufman, Texas.

    a. Presentation.

    b. Public Hearing.

DISCUSSION/ACTION ITEMS

12. Consider and take appropriate action on Resolution R-29-22, a resolution of the City Council of the City of Kaufman, Texas, approving a reimbursement agreement for the Kaufman Public Improvement District No. 2; and providing an effective date.

13. Consider and take appropriate action on Ordinance O-18-22, an ordinance of the City Council of the City of Kaufman, Texas, approving a Service and Assessment Plan and assessment roll for authorized improvements for the Kaufman Public Improvement District No. 2 (the "District") for an approximate 17.48 acres of real property identified as Prairie Creek Estates Phase III; making a finding of special benefit to certain property in the District; levying assessments against certain property within the District and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Local Government Code, as amended; providing for the method of assessment and the payment of the assessments; providing penalties and interest on delinquent assessments; providing for severability and providing an effective date.

14. Consider and take appropriate action on Ordinance O-19-22, an ordinance of the City Council of the City of Kaufman, Texas, providing for the release of a portion of the City's Extraterritorial Jurisdiction ("ETJ") and reduction thereof to exclude parcels identified in Exhibit "A" to the Ordinance (Kaufman County Property ID Numbers 216709, 178171,3536, and 3533) updating the official City Boundary Map to reflect the reduction in ETJ.

15. Discussion regarding a proposed cost of living increase to the City of Kaufman's Compensation and Step Schedule.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

16. Receive an update and discussion regarding the following:

    a. Mural Ordinance Update

    b. Budget Workshop- August 8th at 12 PM

    c. Discussion Items Report (DIR)

    d. STAR Transit Ridership Report- June 2022

    e. Careflite Compliance Report- June 2022

    f. Fire Department Monthly Report- June 2022

    g. Police Department Monthly Report- June 2022

    h. Development Services Monthly Report- June 2022

    i. Monthly Calendars Attached

EXECUTIVE SESSION

17. 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, Lot 15; Cooperative projects and public funds

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

18. 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, JULY 22, 2022, AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

Jessie Hanks

JESSIE HANKS
CITY SECRETARY

CITY OF KAUFMAN, TEXAS

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: 870 3436 0003 PASSWORD: 270462**

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: 7/25/2022 | **Date: 07/07/2022** | **Item #: 3.** | **Dept.: Administration**

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the June 27, 2022, Regular City Council meeting.

BACKGROUND:

The minutes from the June 27, 2022, Regular City Council Meeting are attached for review.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of the minutes from the June 27, 2022, Regular City Council Meeting.

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

MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, JUNE 27, 2022 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER The Mayor calls the meeting to order, states the date and time, states Councilmembers present, and declares a quorum present.**

Mayor Pro-Tem Phillips called the City Council meeting to order at 6:06 PM. Councilmembers present were Patty Patterson, Carole Aga, Matt Phillips, Lisa Parker, Charles Gillenwater, Quattro Borders. Mayor Jordan was absent. Mayor Pro-Tem Phillips declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, City Secretary Jessie Hanks, Planning Manager Andrew Bogda, KEDC Executive Director Stewart McGregor, Police Sergeant Tommy Black, and Fire Captain Jeremy Hatcher.

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.

PUBLIC HEARING

1. Conduct a public hearing and consider and take appropriate action on Ordinance O-15-22, an ordinance of the City Council of the City of Kaufman, Texas, on a request by Eric Bowman of Cope Equities to rezone approximately 99.520 acres (Property ID 54862 & 54860) from Planned Development (PD-3) for Retail, Office, and Multi-Family Residential uses to **Planned Development (PD-22)** for Commercial uses on approximately 17.06 acres (Sub-District "A"), High-Density Multi-Family Residential uses on approximately 18.01 acres (Sub-District "B"), Low-Density Multi-Family Residential (Build-to-Rent) uses on approximately 10.16 acres (Sub-District "C"), Townhouse Residential uses on approximately 12.57 acres (Sub-District "D"), and Single-Family Residential uses on approximately 40.40 acres (Sub-District "E"). The proposed development is known as **Five Points** and is generally located northwest of S. Washington St. at Five Points Dr. in the Dinision Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX. (Case No. Z-04-22)

a. Presentation.

Mr. Bogda presented the proposed zoning change request. He discussed the proposed development and all the various proposed housing developments.

b. PUBLIC HEARING.

Mayor Pro-Tem Phillips opened the public hearing at 6:20 PM.

Eric Bowman, 900 W Bethany, Allen, Texas 75013, outlined the company and the proposed development. He reviewed the process they have gone through over the last several months to get to this proposed development. He expressed the company's beliefs in being part of the community and working with the city and neighbors about the development.

There being no speakers present, Mayor Pro-Tem Phillips closed the public hearing at 6:28 PM.

c. Consider and take appropriate action on Ordinance O-15-22.

Councilmember Aga made a motion to approve Ordinance O-15-22 as presented. The motion was seconded by Councilmember Gillenwater and passed 6/0.

PLANNING & ZONING ITEMS

2. Consider and take appropriate action on the **Land Study and Preliminary Plat of Windsor Park 2**, being a tract of land containing approximately 134.12 acres (Property IDs 5270 & 198786), situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Texas. The property is generally located on the south side of SH 34 and the west side of FM 1388 (S. Houston St.) within the City of Kaufman's Extra-Territorial Jurisdiction (ETJ). The preliminary plat is for 447 residential lots and 11 common area lots. (Case No. PP-01-22)

Mr. Bogda presented the proposed land study and preliminary plat for Windsor Park II. He reviewed the phases for the development, the proposed lot sizes, and the staff recommendations.

Julie Berry, 1435 Nottingham Dr., Kaufman, Texas 75142, stated she is opposed to the proposed development. She expressed her concerns about the safety, additional traffic, and the lack of infrastructure. She doesn't believe it is a good idea to build a development in the flood plain. She stated she does not want the development to become the potential rental property and the crime associated. She reviewed her concerns about the impact on the school district.

Neatherly Waltz, 1660 Buckingham Dr., Kaufman, Texas 75142, stated she moved to Kaufman in 2018 but her husband grew up in Kaufman and has lived in Windsor Park for the last 12 years. She outlined her history of development in Rowlett and Dallas, where she previously lived. She expressed her concerns about the impact the development will have on safety and traffic in the current neighborhood.

Stephanie Ruiz, 1424 Nottingham Dr., Kaufman, Texas 75142, stated she is concerned about the city providing the proper infrastructure, public safety, and schools for the new development. She outlined the safety concerns regarding traffic, safety without sidewalks, and potential rental developments. She stated her concerns about the wildlife and HOA for the new neighborhood.

Burton Brown, 2003 Oxford, Kaufman, Texas 75142, built his home in Windsor Park in 2003. He expressed his concerns about having a development that will change the country feel of their neighborhood. He presented the council with a visual map showing the potential number of additional vehicles associated with the additional 447 lots. He encouraged the Council to table the item and do some additional research.

Mayor Pro-Tem Phillips adjourned in Executive Session to consult with the attorney regarding this item at 6:55 PM. Mayor Pro-Tem Phillips reconvened the meeting at 7:25 PM.

Mr. Slye informed the public about Article 2 Section 5 procedures from the Subdivision Ordinance in regards to Planning and Zoning failing to take action on the item which automatically approved the preliminary plat. He reviewed the next steps the development will have to go through in order to get to the development stage. He addressed the concerns of the residents who spoke.

Councilmember Gillenwater made a motion to approve the Land Study and Preliminary Plat of Windsor Park 2. The motion was seconded by Councilmember Borders and passed 6/0.

3. Consider and take appropriate action on the **Land Study and Preliminary Plat of the Enclave at Kings Fort,** being a tract of land containing 41.00 acres (Property ID 57208), situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas. The property is zoned Planned Development-7 ("PD-7") and is generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane. The preliminary plat is for 215 residential lots and 6 common area lots. (Case No. PP-03-22)

Mr. Bogda presented the proposed land study and preliminary plat of the Enclave at Kings Fort.

Councilmember Aga made a motion to approve the land study and preliminary plat of the Enclave at Kings Fort. The motion was seconded by Councilmember Parker and passed 7/0.

4. Consider and take appropriate action on the **Final Plat of South Pointe at Kaufman Sports Village Addition**, being a tract of land containing 51.824 acres (Property ID 56876), situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas. The property is zoned Planned Development-18 ("PD-18") and is generally located on the north side of SH 34, the west side of FM 1388 (S. Houston St.), and the southeast side of S. Washington St. The final plat is for 2 lots and 10 blocks. (Case No. FP-07-22)

Mr. Bogda outlined the final play of South Pointe at Kaufman Sports Village Addition. He reviewed the process the company had gone through to get to the final plat. He informed the council about the proposed conditions staff recommended with the approval of the plat.

Councilmember Patterson made a motion to approve the Final Plat of South Pointe at Kaufman Sports Village Addition with the following conditions: 1. The Civil Plan staff review comments noted in a memo from the City Engineer dated June 18, 2022 are addressed to the City Engineer's satisfaction. The motion was seconded by Councilmember Aga and passed 6/0.

DISCUSSION/ACTION ITEMS

5. Consider and take appropriate action regarding Georgetown Phases 2A and 2B Facilities Agreement

Mr. Slye outlined the Georgetown Phase 2A and 2B Facilities Agreement.

Councilmember Parker made a motion to approve the Georgetown Phase 2A and 2B Facilities Agreement. The motion was seconded by Councilmember Gillenwater and passed 6/0.

6. Consider and take appropriate action regarding a Texas Local Government Code Chapter 380 Agreement with Cedar Crest Development Company, LLC, a Texas limited liability company, for acquisition of land; and authorizing the Mayor or his designee to sign the agreement and any necessary documents.

Mr. Slye outlined the purpose of the Chapter 380 agreement with Cedar Crest Development for the transfer of property.

Councilmember Borders made a motion to approve a Texas Local Government Code Chapter 380 Agreement with Cedar Crest Development Company, LLC, pending final legal review. The motion was seconded by Councilmember Parker and passed 6/0.

7. Consider and take appropriate action on the Highland Meadow Development Incentive Agreement between Williamsburg Construction Services, Inc., a Texas corporation, and the City of Kaufman, for the development of the approximate 106 acre tract of land located in the extraterritorial jurisdiction of the City; and authorizing the Mayor or designee to execute necessary documents.

Councilmember Gillenwater made a motion to table this item until the July City Council Meeting. The motion was seconded by Councilmember Parker and passed 6/0.

8. Consider and take appropriate action on Ordinance O-16-22, an ordinance of the City Council of the City of Kaufman, Texas, providing for the sale and issuance of the City of Kaufman, Texas Combination Tax and Revenue Certificates of Obligation, Series 2022; and ordaining other matters relating to the subject.

Nick Bulaich, Hilltop Security, presented the Council with the Certificates of Obligation and General Obligation Refunding Bonds related to items 8 and 9.

Councilmember Gillenwater made a motion to approve Ordinance O-16-22 as presented. The motion was seconded by Councilmember Patterson and passed 6/0.

9. Consider and take appropriate action on Ordinance O-17-22, an ordinance of the City Council of the City of Kaufman, Texas, providing for the sale and issuance of the City of Kaufman, Texas General Obligation Refunding Bonds, Series 2022; and ordaining other matters relating to the subject.

Councilmember Aga made a motion to approve Ordinance O-17-22 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

10. Consider and take appropriate action on Resolution R-21-22, a resolution of the City Council of the City of Kaufman, Texas, accepting the preliminary service and assessment plan for authorized improvements within the Kaufman Public Improvement District No. 2 (Prairie Creek); setting a date for a public hearing on the proposed levy of assessments; authorizing notice; and enacting other provisions relating thereto.

Mr. Slye reviewed the development of Prairie Creek Phase III and the preliminary service and assessment plan.

Councilmember Parker made a motion to approve Resolution R-21-22 as presented. The motion was seconded by Councilmember Patterson and passed 6/0.

11. Consider and take appropriate action on Resolution R-22-22, a resolution of the City Council of the City of Kaufman, Texas, designating certain officials as being responsible for and acting for, and on behalf of, the City of Kaufman in connection with the Texas Parks & Wildlife Department for the purpose of participating in the Local Park Grant Program; certifying that the City of Kaufman is eligible to receive program assistance; certifying that the City of Kaufman matching share is readily available; and dedicating the proposed site for permanent public park and recreational uses.

Mr. Holder outlined the purpose of the proposed grant submission for Kings Fort Park. He reviewed the application process.

Councilmember Patterson made a motion to approve Resolution R-22-22 as presented. The motion was seconded by Councilmember Parker and passed 6/0.

12. Consider and take appropriate action on a Jurisdictional Memorandum of Understanding between the City of Kaufman Police Department and the Kaufman Independent School District Police Department.

Mr. Holder informed the Council about the Jurisdictional Memorandum of Understanding with the KISD Police Department and the City of Kaufman Police Department. He reviewed the purpose of the agreement and the reasons it was being brought before the Council for consideration. He also addressed the measures the local police agencies are taking to train in the event of an active shooter.

Councilmember Aga made a motion to approve a Jurisdictional Memorandum of Understanding with the KISD Police Department. The motion was seconded by Councilmember Patterson and passed 6/0.

13. Consider and take appropriate action on the minutes from the May 23, 2022, Regular City Council and Joint TIRZ #2 meeting.

Councilmember Parker made a motion to approve the minutes of the May 23, 2022, Regular City Council Meeting. The motion was seconded by Councilmember Aga and passed 6/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

14. Receive an update and discussion regarding the following:

    a. Future Water Planning Update

    b. Careflite Update

    c. 2022 TML Conference- San Antonio- October 5-7, 2022

    d. Discussion Items Report (DIR)

    e. STAR Transit Ridership Report- May 2022

    f. Careflite Compliance Report- May 2022

    g. Fire Department Monthly Report- May 2022

    h. Police Department Monthly Report- May 2022

    i. Development Services Monthly Report- May 2022

    j. Monthly Calendars Attached

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

ADJOURNMENT

There being no further business, Mayor Pro-Tem Phillips adjourned the meeting at 8:19 PM.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

Meeting Date: 7/25/2022	Date: 07/12/2022	Item #: 4.	Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the July 14, 2022, Joint City Council, KEDC, and KISD Board of Trustee meeting.

BACKGROUND:

The minutes from the July 14, 2022, Joint City Council, KEDC, and KISD Meeting are attached for review.

Author:	Reviewed:
Jessie Hanks, City Secretary	Mike Slye, City Manager

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

Recommendation: Staff recommends approval of the minutes from the July 14, 2022, Joint City Council, KEDC, and KISD Meeting.

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

MINUTES OF THE
JOINT MEETING WITH
KAUFMAN CITY COUNCIL &
KAUFMAN ECONOMIC
DEVELOPMENT CORPORATION &
KAUFMAN INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
THURSDAY, JULY 14, 2022 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER

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

KEDC: Board President calls the meeting to order, states the date and time, states Directors present, and declares a quorum present.**

KISD Board: Board President calls the meeting to order, states the date and time, states Trustees present, and declares a quorum present.**

Mayor Jordan called the City Council meeting to order at 6:03 PM. Councilmembers present were Jeff Jordan, Matt Phillips, Lisa Parker, Patty Patterson, Carole Aga, Quattro Borders, and Charles Gillenwater. Mayor Jordan declared a quorum present.

President Gillenwater called the KEDC meeting to order at 6:03 PM. Directors present were Charles Gillenwater, Ben Brashear, and Gail Godwin-Mason. Also present was Executive Director Stewart McGregor.

President Gregg called the KISD Board of Trustee meeting to order at 6:03 PM. Members present were Byron Gregg, Christine Borders, Linda Mott, Elizabeth O'Donnell, Drew Peterson, Casey Becker, and Lindsey Abell. Also present was Kaufman ISD Superintendent Dr. Lori Blaylock, Deputy Superintendent of Schools Kell Clopton, Chief Financial Officer Grant Miller, and Director of Communications Jeremy Melton.

Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Secretary Jessie Hanks, Planning Manager Andrew Bogda, Fire Captain Jeremy Hatcher, and Police Sergeant Jason Stastny.

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

No comments were given.

DISCUSSION/ACTION ITEMS

1. Presentation and discussion regarding an overview of off-site improvements related to the Highland Meadows Development and proposed KISD school site. (Chris Schmitt)

Dr. Blaylock introduced Chris Schmitt with Teague Nall and Perkins, Inc. ("TNP"), who presented the proposed KISD elementary school infrastructure. Mr. Slye clarified that while both KISD and the City are represented by TNP, each has its own engineer who is representing and advocating for each entity.

Mr. Schmitt presented the infrastructure improvements needed for the proposed new elementary school. He reviewed the proposed water, sewer, and streets for the project. He addressed several TxDOT issues regarding intersection improvements around the proposed developments. He outlined the probable costs associated with the proposed off-site infrastructure improvements.

There were discussions regarding the potential time frame for the project, the extension of FM 2727 to the Highland Meadows development, and the potential other options for the infrastructure.

2. Consider and take appropriate action on the Highland Meadow Development Incentive Agreement between Williamsburg Construction Services, Inc., a Texas corporation, and the City of Kaufman, for the development of the approximate 106-acre tract of land located in the extraterritorial jurisdiction of the City; and authorizing the Mayor or designee to execute necessary documents.

Mr. Slye presented the proposed Highland Meadow Development Incentive Agreement. He informed the public about the status of the proposed development and the process for the development over the next few years. He outlined the details of the development agreement.

Councilmember Gillenwater made a motion to approve the Highland Meadow Development Incentive Agreement with Williamsburg Construction Services, Inc. as presented. The motion was seconded by Councilmember Aga and passed 7/0.

3. Presentation and discussion regarding economic development initiatives, future commercial land use, and strategies to enhance the local tax base. (Stewart McGregor)

Mr. McGregor outlined and reviewed the current economic development update for the proposed development in the City of Kaufman. He reviewed the current demographics and tax base that are present in Kaufman. He informed the public about various industrial property opportunities.

4. Discussion regarding a KISD Bond Referendum for the November 2022 General Election.

Dr. Blaylock presented the new strategy for the proposed November Bond Election.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

5. Receive an update and discussion regarding the following:

    a. Budget Meeting- August 8 at 12 pm

Mr. Slye gave an update on the above-stated item.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the City Council meeting at 7:41 PM.

President Gillenwater adjourned the KEDC meeting at 7:41 PM. President Gregg adjourned the KISD Board of Trustee meeting at 7:41 PM.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

Meeting Date: 7/25/2022	Date: 07/07/2022	Item #: 5.	Dept.: Finance

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-23-22, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman Investment Policy pursuant to the Public Funds Investment Act; approving the adoption of an amended City of Kaufman Investment Policy; and providing for an effective date.

BACKGROUND:

The City's Investment Policy requires an annual review. City Staff recommends renewing this policy as written.

No further modifications are necessary at this time.

The investment policy is attached for review.

Author:
Mary Wennerstrom, Finance Director

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-23-22 as presented.

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

RESOLUTION NO. R-23-22

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

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

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

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

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

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

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

WHEREAS, the current City of Kaufman Investment Policy was reviewed on June 1, 2022; and

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

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

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

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

SECTION 2. That the City Council of the City of Kaufman has complied with the requirements of the Public Funds Investment Act, as amended, and the City of Kaufman Investment Policy, as amended, attached as "Exhibit A" and incorporated as if set forth fully herein, is hereby adopted as amended in its entirety to be the official investment policy of the City of Kaufman, effective June 25, 2022.

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

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

PASSED AND APPROVED this the 25th day of June 2022.

CITY OF KAUFMAN

____

JEFF JORDAN
MAYOR

ATTEST:

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JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

____

PATRICIA ADAMS
CITY ATTORNEY

EXHIBIT A
CITY OF KAUFMAN
INVESTMENT POLICY

CITY OF KAUFMAN
INVESTMENT POLICY

EXHIBIT A

I. POLICY

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

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

II. PURPOSE

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

III. SCOPE

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

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

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

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

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

IV. PRUDENCE

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

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

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

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

V. INVESTMENT OBJECTIVES

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

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

Safety

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

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

Liquidity

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

Yield (Optimization of Interest Earnings)

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

VI. RESPONSIBILITY AND CONTROL

Delegation of Authority

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

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

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

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

Quality and Capability of Investment Management

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

Training Requirement

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

Internal Controls

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

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

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

Indemnification

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

Ethics and Conflicts of Interest

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

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

VII. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

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

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

Investments

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

CITY OF KAUFMAN
INVESTMENT POLICY

EXHIBIT A

I. **Authorized**

1. Obligations of the United States of America, its agencies and instrumentalities, rated not less than A or its equivalent by at least one nationally recognized investment rating firm.

2. Certificates of Deposit issued by a bank organized under Texas law, the laws of another state, or federal law, that has its main office or branch office in Texas, or by a savings and loan association or a savings bank organized under Texas, the laws of another state, or federal law, that has its main office or a branch office in Texas and that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or secured by obligations in a manner and amount provided by law for deposits of the City.

3. Fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its agencies and instrumentalities. These shall be pledged to the City, held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. A Master Repurchase Agreement must be signed by the bank/dealer prior to investment in a repurchase agreement. All repurchase agreement transactions will be on a delivery vs. payment basis. Securities received for repurchase agreements must have a market value greater than or equal to 110 percent at the time funds are disbursed.

4. Money Market Mutual funds that are 1) registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) maintain a net asset value of $1 for each share and 4) rated AAA by at least one nationally recognized rating service.

5. Local government investment pools which 1) meet the requirements of Chapter 2256.019 of the Public Funds Investment Act 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service and 3) are authorized by resolution or ordinance by the City Council.

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

II. Not Authorized

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

III. Certification

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

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

VIII. INVESTMENT PARAMETERS

Maximum Maturities

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

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

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

<u>Diversification</u>

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

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

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

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

VIIII. INVESTMENT STRATEGY BY FUND TYPE

<u>Operating Funds and Commingled Funds Containing Operating Funds</u>

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

<u>Debt Service</u>

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

Debt Service Reserves

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

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

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

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

Capital Project and Special Purpose Funds

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

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

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

X. SELECTION OF BANKS AND DEALERS

Depository

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

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

Authorized Brokers/Dealers

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

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

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

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

Competitive Bids

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

Delivery vs. Payment

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

XI. SAFEKEEPING OF SECURITIES

Safekeeping Agreement

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

Safekeeping

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

Collateralization

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all City investments and funds on deposit with a depository bank, other than investments which are obligations of the U.S. government and its agencies and instrumentalities. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 105% of market or par, whichever is lower. The market value of collateral will always equal or exceed the principal plus accrued interest of deposits at financial institutions. At its discretion, the City may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by an independent third party with whom the City has a current custodial agreement. The Director of Finance is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least weekly to assure that the market value of the pledged securities is adequate. Financial institutions, with which the City invests or maintains other deposits, shall provide monthly, and as requested by the Investment Officer, a listing of the collateral pledged to the City, marked to current market prices. The listing shall include total pledged securities itemized by name, type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating, if applicable. The City and the financial institution shall jointly assume the responsibility for ensuring that the collateral is sufficient by type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating.

Collateral Defined

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

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

Subject to Audit

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

XII. PERFORMANCE

Performance Standards

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

Performance Benchmark

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

XIII. REPORTING

Methods

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

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

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

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

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

Marking to Market

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

XIIII. INVESTMENT POLICY ADOPTION

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

Meeting Date: 7/25/2022 **Date: 07/07/2022** **Item #: 6.** **Dept.: Finance**

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-24-22, a resolution of the City Council of the City of Kaufman, Texas, approving the annual review of the City of Kaufman Purchasing Policy Guidelines ("Purchasing Policy"); and providing an effective date.

BACKGROUND:

The City of Kaufman's Finance Department strives to keep its policies and procedures current by periodically reviewing and updating documents. The Finance Department conducted an annual review of the City's Purchasing Policy in June 2022. At this time, the Finance Department has no amendments to the policy and recommends approving the current policy.

Author:
Mary Wennerstrom, Finance Director

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-24-22 as presented.

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

RESOLUTION NO. R-24-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, APPROVING THE ANNUAL REVIEW OF THE CITY OF KAUFMAN PURCHASING POLICY GUIDELINES ("PURCHASING POLICY"); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to ensure that the City of Kaufman Purchasing Policy Guidelines ("Purchasing Policy") governing City purchases are operationally functional and consistent with state law; and

WHEREAS, City Staff reviewed the current Purchasing Policy on July 1, 2022, and does not find that the Purchasing Policy is in need of updating at this time; and

WHEREAS, the City Council hereby accepts the annual review of the City's Purchasing Policy.

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

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

SECTION 2. That the City of Kaufman Purchasing Policy Guidelines ("Purchasing Policy") annual review, as performed by City Staff that resulted in a conclusion that the current Purchasing Policy is not in need of any updates at this time, is hereby accepted by the City Council.

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

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

PASSED AND APPROVED this 25th day of June 2022.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

City of Kaufman
General Guidelines for Purchasing

1. **All** purchases of goods or services must be appropriate for City use and be the best possible value for the public dollar.

2. Purchases of less than **$250** do not require prior approval from the Finance Department. Department heads are responsible for compliance with Item 1 above. Splitting of invoices to come under $250 cap is strictly prohibited; department heads are responsible for training and education of staff on these purchasing guidelines.

3. For purchases greater than $250, appropriate paperwork, a purchase order form, must be completed and submitted for administrative approval BEFORE purchases and/or commitments are made. Purchase orders are for future purchases.

4. Purchase order requests greater that $3000 require price quotes from three or more vendors. If three prices are not available, note this on the purchase order with an explanation to avoid delays in approval. Supporting documentation for all quotes must be attached to the purchase order form. When using a government procurement service such as BuyBoard or HGACBuy, three quotes are not required, but are recommended. Additionally, dual approval by the City Manager/designee and the Finance Director is required. If the Finance Director is not available, the ACM or City Secretary must approve.

5. Vendor information should be complete, including physical and 'remit to' address, contact name, phone number, website, email, and the total expected purchase price. If using a vendor for the first time, IRS form W-9 is required; the vendor must submit the W-9 before payment processing.

6. Emergency purchase order numbers will only be issued for true emergencies. A true emergency is defined as "life threatening" or "a major disruption in services to our residents". Emergency requests less than $3000 may be approved by the purchasing department. Emergency requests of $3000 or more require prior approval from the City Manager, City Secretary, ACM, or Finance Director. (Paperwork for appropriate emergency purchases made outside of normal working hours such as weekends, evenings, and holidays may be submitted on the next regular business day.)

7. Allow ample time for approval when submitting purchase requisitions. Occasionally additional information is needed which may delay approval.

8. Invoices, packing slips, receipts, etc. with approval coding and signatures, should be forwarded promptly to the Finance Department (purchasing or accounts payable) for payment processing.

9. Invoices without supporting documentation (packing slip, etc.) that goods or services have been received must be initialed by the department head or supervisor to confirm receipt of goods or services.

10. Purchase orders for contractual items are not required (ex. Professional services). In addition, see attached list of approved exceptions that do not require a purchase order form.

11. Purchase requisitions for training & schools should include adequate information to determine total cost to the city. Information about lodging, meals and other travel expenses must first be submitted on the travel advance form and again on reimbursement form upon return; see travel form for list of supporting documentation requirements.

12. Formal bids must be obtained for expenditures $50,000 and above, and require City Council approval. All departments are encouraged to plan their purchases a minimum of six weeks in advance to allow time for the processing of complete bid specifications and meeting the legal requirement for advertisements. Formal bids must be advertised in the City's designated local newspaper for two consecutive weeks and may be opened the following week.

13. Credit card purchases do not require a purchase order. However, a credit card pre approval form must be submitted and approved by finance before obtaining a credit card from Administration.

14. For purchasing matters not addressed in this policy, first consult with the Finance Director, City Manager or City Secretary/ACM.

Meeting Date: 7/25/2022 **Date: 07/07/2022** **Item #: 7.** **Dept.: Administration**

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-25-22, a resolution of the City Council of the City of Kaufman, Texas, approving and implementing a Records Management Policy; designating the City Secretary as the City of Kaufman's Records Management Officer and Custodian of Records; and providing an effective date.

BACKGROUND:

Local Government Code, Title 6, Subtitle C, requires all cities to establish a records management policy and designate a Records Management Officer. The staff has created a policy based on the template provided by the Texas State Library of Archives Commission. Once approved, staff will send the required forms to the state to verify we have an active policy and records management officer in place. Staff will also begin implementing the policy and schedules across all city records.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-25-22 as presented.

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

RESOLUTION NO. R-25-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, ESTABLISHING A RECORDS MANAGEMENT PROGRAM FOR THE CITY OF KAUFMAN IN COMPLIANCE WITH THE TEXAS LOCAL GOVERNMENT RECORDS ACT, AS AMENDED; ESTABLISHING POLICIES, PROCEDURES, AND RETENTION SCHEDULES CONSISTENT WITH THE LOCAL GOVERNMENT RECORDS ACT; DESIGNATING THE CITY SECRETARY AS THE CITY OF KAUFMAN'S RECORDS MANAGEMENT OFFICER AND CUSTODIAN OF RECORDS; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 201, Title 6, Subtitle C, of the Local Government Code, as amended, provides that a municipality must establish by resolution an active and continuing records management program to be administered by the Records Management Officer; and

WHEREAS, the City of Kaufman desires to adopt a resolution for that purpose and to prescribe policies and procedures consistent with the Local Government Records Act and that such is in the interest of cost-effective and efficient records keeping for the City; and

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

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

SECTION 2. That the City Council of the City of Kaufman hereby finds that is has complied with the requirements of the Local Government Records Act, as amended, and now desires adopt the City of Kaufman Records Management Policy, in its entirety, attached hereto and incorporated as if set forth fully herein as "Exhibit A", to be the official records retention policy of the City of Kaufman, effective June 25, 2022.

SECTION 3. The City Council of the City of Kaufman hereby adopts the retention schedules for records as established by the Texas State Library of Archives Commission. The City hereby adopts local schedules GR, EL, LC, PS, PW, and UT, attached hereto and incorporated herein for all purposes as Exhibit B.

SECTION 4. The City Council of the City of Kaufman hereby designates the City Secretary as the Records Management Officer and Custodian of Records for the City of Kaufman.

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

SECTION 6. This Resolution becomes effective immediately upon its passage and approval.

PASSED AND APPROVED this the 25th day of June 2022.

CITY OF KAUFMAN

____
JEFF JORDAN
MAYOR

ATTEST:

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JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

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PATRICIA ADAMS
CITY ATTORNEY

EXHIBIT A
CITY OF KAUFMAN
RECORDS MANAGEMENT POLICY

The Texas Local Government Records Act, as amended, (Chapter 201, Title 6, Subtitle C, Local Government Code), provides that each local government must establish an active and continuing records management program. The City of Kaufman has adopted the following policy in accordance with the Local Government Records Act, as follows:

SECTION 1. DEFINITION OF RECORDS OF THE CITY OF KAUFMAN. All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information-recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the CITY OF KAUFMAN or any of its officers or employees or in the transaction of public business, are declared to be the records of the CITY OF KAUFMAN and shall be created, maintained, and disposed of in accordance with the provisions of this policy or procedures authorized by it and in no other manner.

SECTION 2. RECORDS DECLARED PUBLIC PROPERTY. All records as defined in Section 1 of this policy are declared to be the property of the CITY OF KAUFMAN. No official or employee of the CITY OF KAUFMAN has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 3. POLICY. It is hereby declared to be the policy of the CITY OF KAUFMAN to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of the City through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice. This policy shall apply to all employees, agents, independent contractors, and volunteers of the City of Kaufman.

SECTION 4. RECORDS MANAGEMENT OFFICER. The City Secretary shall serve as Records Management Officer and Custodian of Records for the CITY OF KAUFMAN as provided by law and shall develop policies and procedures to ensure that the maintenance, preservation, security, destruction, electronic storage, and other disposition of the records of the City are carried out in accordance with the requirements of the Local Government Records Act.

SECTION 5. RECORDS CONTROL SCHEDULES. Appropriate records control schedules issued by the Texas State Library and Archives Commission shall be adopted by the Records Management Officer for use in CITY OF KAUFMAN, as provided by state law. The Records Management Officer shall prepare amendments to the schedules as needed to reflect new records created or received by the City.

Any destruction of records of the CITY OF KAUFMAN will be in accordance with these schedules and the Local Government Records Act.

Meeting Date: 7/25/2022 | Date: 07/12/2022 | Item #: 8. | Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-26-22, a resolution of the City Council of the City of Kaufman, Texas, authorizing the City Manager to grant a Special Use Permit for the consumption, possession, and sale of beer and wine by vendors duly licensed in accordance with state law at the Kaufman Sports Complex for the 2022 Kaufman Harvest Fest Event; and providing an effective date.

BACKGROUND:

This resolution is for the purpose of allowing alcohol consumption, possession, and sale of beer and wine for the Kaufman Harvest Fest at the Sports Complex. The Code of Ordinance allows the City Manager to grant a Special Use Permit for beer and wine at City-Sponsored events.

The schedule of the event would be to have the parade at 9:00 a.m. From 8:00 a.m. to 2:00 p.m., We will have a market with craft and food vendors in the Downtown Square including a kids zone, local talent music performances, dance groups, and more. Gates for the music festival will open at 2:00 p.m. and the first band starts at 4:00 p.m.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-26-22 as presented.

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

RESOLUTION R-26-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO GRANT A SPECIAL USE PERMIT FOR THE CONSUMPTION, POSSESSION, AND SALE OF BEER AND WINE BY VENDORS DULY LICENSED IN ACCORDANCE WITH STATE LAW FOR THE 2022 KAUFMAN HARVEST FEST; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to allow alcohol sales at the Kaufman Sports Complex on October 22, 2022, for the annual Kaufman Harvest Fest event; and

WHEREAS, Chapter 10, Article II, Section 10-36 of the City of Kaufman's Code of Ordinances gives the City Manager such authority to grant a special use permit for a City-sponsored special event; and

WHEREAS, the event will be located within the City of Kaufman's incorporated area; and

WHEREAS, this annual event serves a public purpose to the City of Kaufman, its citizens, and visitors of the City;

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

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

SECTION 2. The City Council does hereby authorize the City Manager to grant a special use permit for the consumption, possession, and sale of beer and wine by vendors duly licensed in accordance with state law for the 2022 Kaufman Harvest Fest.

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

PASSED AND APPROVED on this the 25th day of July 2022.

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JEFF JORDAN
MAYOR

ATTEST:

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JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

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PATRICIA ADAMS
CITY ATTORNEY

Meeting Date: 7/25/2022	Date: 07/12/2022	Item #: 9.	Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-27-22, 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 temporarily close portions of SH 243 (one-way traffic operation around the Kaufman County Courthouse), Business SH-34 (S. Washington Street from E. Mulberry St. to US 175) and East Fair Street (Westbound US 175 Frontage road from Bypass-34 to S. Washington St.) on Saturday, October 22, 2022, from 7:00 a.m. until 11:00 a.m. for the purpose of the 2022 Kaufman Harvest Fest Parade; and providing for an effective date.

BACKGROUND:

This resolution is for the purpose of requesting the closure of E. Fair Street, S Washington St., and Grove St for the Kaufman Harvest Fest Parade. E Fair St. will be closed at 7 a.m for the parade line up and the parade will begin at 9 a.m.

Author:	Reviewed:
Jessie Hanks, City Secretary	Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-27-22 as presented.

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

RESOLUTION R-27-22

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 TEMPORARILY CLOSE PORTIONS OF SH 243, BUSINESS SH 34, AND EAST FAIR STREET ON SATURDAY, OCTOBER 22, 2022 FROM 7:00 A.M. UNTIL 11:00 A.M. FOR THE PURPOSE OF THE KAUFMAN HARVEST FEST PARADE; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to formally enter into an agreement with the Texas Department of Transportation to temporarily close portions of SH 243 (one-way traffic operation around the Kaufman County Courthouse), Business SH-34 (S. Washington Street from E. Mulberry St. to US 175) and East Fair Street (Westbound US 175 Frontage road from Bypass-34 to S. Washington St.) in Kaufman for the Kaufman Harvest Fest Parade; and

WHEREAS, the parade will be located within the City of Kaufman's incorporated area; and

WHEREAS, the City Council of the City of Kaufman has determined that it is in the best interest of the City of Kaufman to enter into an agreement with the Department of Transportation to provide for the temporary closure of certain streets.

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

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

SECTION 2. The City Council does hereby authorize the City Manager to enter into an agreement with the Texas Department of Transportation for the temporary closure of portions of SH 243 (one-way traffic operation around the Kaufman County Courthouse), Business SH-34 (S. Washington Street from E. Mulberry St. to US 175) and East Fair Street (Westbound US 175 Frontage road from Bypass-34 to S. Washington St.) in Kaufman, Kaufman County, on Saturday, October 22, 2022, for the Kaufman Harvest Fest Parade. The Agreement is attached hereto as Exhibit "A" and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the 25th day of July 2022.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA ADAMS
CITY ATTORNEY

Exhibit A

Meeting Date: 7/25/2022	Date: 07/12/2022	Item #: 10.	Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on Resolution R-28-22, 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 temporarily close State Highway 243 from Jefferson Street to Washington Street on Saturday, October 22, 2022, from 6:00 a.m. until 3:30 p.m. for the 2022 Kaufman Harvest Fest Event; and providing an effective date.

BACKGROUND:

The Kaufman Harvest Fest will be on October 22, 2022. City staff is planning events in the Square from 8:00 a.m. to 2:00 p.m. Activities include a vendor market, car show, kids' zone, dance performances, local music performances, and more.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-28-22 as presented.

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

RESOLUTION R-28-22

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 TEMPORARILY CLOSE STATE HIGHWAY 243 FROM JEFFERSON STREET TO WASHINGTON STREET ON SATURDAY, OCTOBER 22, 2022, FROM 6:00 A.M. UNTIL 3:30 P.M. FOR THE KAUFMAN HARVEST FEST EVENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to formally enter into an agreement with the Texas Department of Transportation to temporarily close portions of SH-243, a one-way traffic operation around the Kaufman County Courthouse in Kaufman, Texas for the Kaufman Harvest Fest on October 22, 2022 from 6:00 a.m. to 3:30 p.m.; and

WHEREAS, the event will be located within the City of Kaufman's incorporated area; and

WHEREAS, the City Council of the City of Kaufman has determined that it is in the best interest of the City of Kaufman to enter into an agreement with the Department of Transportation to provide for the temporary closure of portions of SH-243; and

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

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

SECTION 2. The City Council does hereby authorize the City Manager to enter into an agreement with the Texas Department of Transportation for the temporary closure of State Highway 243 from Jefferson Street to Washington Street on Saturday, October 22, 2022, from 6:00 a.m. to 3:30 p.m. for the Kaufman Harvest Fest event. The Agreement is attached hereto as Exhibit “A” and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the 25th day of July 2022.

____
JEFF JORDAN
MAYOR

ATTEST:

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JESSIE HANKS

CITY SECRETARY

APPROVED AS TO FORM:

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PATRICIA ADAMS
CITY ATTORNEY

City of Kaufman

Meeting Date: 7/25/2022	Date: 07/12/2022	Item #: 12.	Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate action on Resolution R-29-22, a resolution of the City Council of the City of Kaufman, Texas, approving a reimbursement agreement for the Kaufman Public Improvement District No. 2; and providing an effective date.

BACKGROUND:

This Reimbursement Agreement outlines the specifics of providing reimbursement of approved public improvements for Prairie Creek Phase 3 by way of annual PID assessments and IAW (in accordance with) the Council-approved Final Service and Assessment Plan (SAP) capped at $$1,106,000 plus accrued interest.

Author: Mike Slye, City Manager

Reviewed: Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Resolution R-29-22 as presented.

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

RESOLUTION NO. R-29-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS APPROVING A REIMBURSEMENT AGREEMENT FOR THE KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. 2; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council passed and approved Resolution No. R-39-21, approved on December 20, 2021, authorizing the creation of the Kaufman Public Improvement District No. 2 (the "District" or the "PID") covering approximately the land described by metes and bounds in said Resolution (the "District Property"); and

WHEREAS, the purpose of the District is to finance public improvements (the "Authorized Improvements") as provided by Chapter 372, Texas Local Government Code, as amended (the "PID Act") that promote the interests of the City and confer a special benefit on the Assessed Property within the District; and

WHEREAS, the District Property is being developed in accordance with that certain "Prairie Creek Development Agreement," executed by and between SRP Development LLC, a Texas limited liability company and the City effective July 11, 2022 ("Development Agreement"); and

WHEREAS, **SRP Development, LLC,** a Texas limited liability company (the "Developer") is the developer of the District Property; and

WHEREAS, the City Council intends to pass and approve an ordinance (the "Assessment Ordinance") which, among other things, will approve a service and assessment plans (the "SAP") that will levy Assessments on assessable property within the District, and establish the dates upon which interest on such Assessments will begin to accrue and collection of such assessments will begin; and

WHEREAS, from revenues received from the Assessments levied on property within the District the City intends to reimburse the Developer for a portion of the costs of the Authorized Improvements pursuant to a Reimbursement Agreement by and between the Developer and the City (the "Reimbursement Agreement"); and

WHEREAS, the City and the Developer wish to enter into the Reimbursement Agreement to evidence the City's intention to reimburse Developer from Assessments levied on assessable property in the District.

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

Section 1: The above and foregoing premises are hereby found to be true and correct and are hereby incorporated as if set forth fully herein. The capitalized terms defined in the recitals to this Resolution are hereby approved and adopted as a part of this Resolution. Capitalized terms not herein defined are defined in the Reimbursement Agreement or in the Service and Assessment Plan.

Section 2: The City Council hereby approves the Reimbursement Agreement in substantially the form attached hereto as **Exhibit A**, with such changes as may be approved by the City Manager, and authorizes the Mayor to execute and the City Secretary to attest such Agreement.

Section 3: This Resolution shall take effect immediately from and after its passage by the City Council of the City.

PASSED, APPROVED AND EFFECTIVE on the 25th day of July 2022.

____
JEFF JORDAN
MAYOR

ATTEST:

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JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

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PATRICIA ADAMS
CITY ATTORNEY

EXHIBIT A

REIMBURSEMENT AGREEMENT

KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. 2 REIMBURSEMENT AGREEMENT

This Kaufman Public Improvement District No. 2 Reimbursement Agreement (this "Reimbursement Agreement") is executed by and between the **CITY OF KAUFMAN, TEXAS** (the "City") and **SRP Development, LLC,** a Texas limited liability company (the "Developer") (individually referred to as a "Party" and collectively as the "Parties") to be effective July 26, 2022 (the "Effective Date").

RECITALS

WHEREAS, capitalized terms used in this Reimbursement Agreement shall have the meanings given to them in this Reimbursement Agreement or in the *Kaufman Public Improvement District No. 2 Service and Assessment Plan*, preliminarily approved and on file with the City pursuant to a Resolution approved June 28, 2022, as such plan is to be approved as final by the City, as the same may be amended, supplemented, and updated from time to time (the "SAP"); and

WHEREAS, the City Council passed and approved Resolution No. 39-21, approved on December 20, 2021 authorizing the creation of the Kaufman Public Improvement District No. 2 (the "District" or the "PID") covering approximately the land described by metes and bounds in said Resolution (the "District Property"); and

WHEREAS, the purpose of the District is to finance public improvements (the "Authorized Improvements") as provided by Chapter 372, Texas Local Government Code, as amended (the "PID Act") that promote the interests of the City and confer a special benefit on the Assessed Property within the District; and

WHEREAS, the District Property is being developed in accordance with that certain "Prairie Creek Development Agreement," executed by and between SRP Development LLC, a Texas limited liability company and the City effective July 11, 2022 ("Development Agreement"); and

WHEREAS, the District Property is being developed and special assessments will be levied against the Assessed Property within such phase to pay the costs of Authorized Improvements that confer a special benefit on the Assessed Property within the District; and

WHEREAS, the Authorized Improvements (as defined in the SAP) are to be constructed within the District, as described and depicted in the SAP; and

WHEREAS, the City Council intends to pass and approve an ordinance (the "Assessment Ordinance") which, among other things, will approve the SAP (including the Assessment Roll), levy Assessments on assessable property in the District, and establish the dates upon which interest on such Assessments will begin to accrue and collection of such assessments will begin; and

WHEREAS, in addition to approving the SAP, the Assessment Ordinance will levy Assessments against property within the District (the "Assessed Property") for the Authorized

Improvements in accordance with the Assessment Roll to be attached as an Appendix to the SAP; and

WHEREAS, the Developer has entered into the Development Agreement, which, among other things, requires the construction of the Authorized Improvements; and

WHEREAS, the cost of the Authorized Improvements to be assessed against Assessed Property (the "Improvement Costs") are set forth in the SAP; and

WHEREAS, the SAP shall allocate the Improvement Costs to property within the District, and the SAP will contemplate the allocation of the Improvements Costs among the single-family residential lots to be created from the subdivision of the District Property; and

WHEREAS, Assessments against lots within the District (the "Assessments") will be reflected on the Assessment Roll as approved by the City Council; and

WHEREAS, all revenue received and collected by the City from the collection of the Assessments and Annual Installments thereof (excluding Delinquent Collection Costs and Administrative Expenses) (the "Assessment Revenue") shall be deposited as required by the PID Act into an assessment fund that is segregated from all other funds of the City (the "Assessment Fund"); and

WHEREAS, the Assessment Revenue deposited into the Assessment Fund shall be used to reimburse Developer and its assigns for the Improvements Costs advanced in a principal amount not to exceed $1,106,000, plus interest as set forth in the SAP pursuant to the Development Agreement and this Reimbursement Agreement and the SAP; and

WHEREAS, the obligations of the City to use the Assessments hereunder is authorized by the PID Act; and

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS OF THE PARTIES SET FORTH IN THIS REIMBURSEMENT AGREEMENT AND FOR VALUABLE CONSIDERATION THE RECEIPT AND ADEQUACY OF WHICH ARE ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS:

1. The recitals in the "WHEREAS" clauses of this Reimbursement Agreement are true and correct, create obligations of the Parties, and are incorporated as part of this Reimbursement Agreement for all purposes.

2. Strictly subject to the terms, conditions, and requirements and solely from the revenues as herein provided and in accordance with the Development Agreement, the City agrees to pay the Developer, and the Developer shall be entitled to receive from the City, the amount equal to that portion of the costs of the Authorized Improvements paid by the Developer as set forth in the Service and Assessment Plan plus interest on the unpaid balance as set forth in Section 2(a) below, in accordance with the terms of this Reimbursement

Agreement for the term set forth in Section 2(a) below, in a principal amount not to exceed the principal amount not to exceed $1,106,000 (the "Reimbursement Amount"), plus interest as provided in Section 2(a). The City hereby covenants to create, concurrently with the execution of this Reimbursement Agreement, a separate fund to be designated the "Assessment Fund." The Reimbursement Amount is payable from Assessment Revenue to be deposited in the Assessment Fund as described below and in accordance with this Reimbursement Agreement and the Development Agreement:

a. The Reimbursement Amount is payable solely from the Assessment Revenue received and collected by the City and deposited into the Assessment Fund. The Assessment Revenue shall be received, collected and deposited into the Assessment Fund subject to the following limitations:

    i. Calculation of the Assessments and the first Annual Installment for a Lot or Parcel shall begin as provided for in the SAP.

    ii. The Assessments shall accrue interest at the rates set forth in this (iv) immediately below. Interest shall continue on the unpaid principal amount of the Assessments for a Lot until the earlier of (i) 30 years or the time period set forth in the SAP, or (ii) until the Reimbursement Amount is paid in full pursuant to this Reimbursement Agreement.

    iii. The Developer shall be reimbursed in a Reimbursement Amount not to exceed the principal amount of $1,106,000 plus interest for the time period all as set forth in the SAP, from the Assessment Fund.

    iv. The unpaid Reimbursement Amount shall bear simple interest per annum beginning on the date and at the rates to be set forth in the Service and Assessment Plan and shall comply with Subsections 372.023(e)(1) and (e)(2) of the PID Act.

3. The Reimbursement Amount, plus the interest as described in Section 2(a)(iv) above, are collectively, the "Unpaid Balance." The Unpaid Balance is secured by and payable solely from the Assessment Revenue received and collected by the City and deposited into the Assessment Fund, subject to Section 4 herein. No other City funds, revenue, taxes, or income of any kind shall be used to pay the Unpaid Balance, even if the Unpaid Balance is not paid in full by term of this Agreement. This Reimbursement Agreement shall not, under any circumstances, give rise to or create a charge against the general credit or taxing power of the City or a debt or other obligation of the City payable from any source other than Assessment Revenue received, collected and deposited into the Assessment Fund. The City covenants that it will comply with the provisions of this Reimbursement Agreement, the Development Agreement, and the PID Act, including provisions relating to the administration of the PID and the enforcement and collection of taxes and

Assessments, and all other covenants provided therein. Notwithstanding its collection efforts, if the City fails to receive all or any part of the Assessment Revenue and, as a result, is unable to make transfers from the Assessment Revenue Fund for payments to the Developer as required under this Reimbursement Agreement, such failure and inability shall not constitute a Failure or Default by the City under this Reimbursement Agreement. The City shall be required to pay to the Developer pursuant to this Agreement, only the Assessment Revenues it receives in each year.

4. The Reimbursement Agreement shall terminate on the earlier of (i) the payment of amounts due pursuant to this Agreement, (ii) the expiration of thirty (30) years, or (iii) termination of this Agreement pursuant to an Event of Default herein or under the Development Agreement. Notwithstanding the foregoing, the Developer shall only be entitled to repayment of the costs of the Authorized Improvements as set forth in the Service and Assessment Plan. If completion of the Authorized Improvements is less than the amounts set forth in the Service and Assessment Plan, the Developer shall not be entitled to such excess amounts.

5. Payment of amounts due pursuant to this Reimbursement Agreement shall be upon the City's acceptance of the Authorized Improvements and submittal of sufficient documentation as reasonably determined by the City's PID Administrator that reflect the actual Improvement Costs paid by Developer (a "Reimbursement Payment Request").

6. The Developer represents and warrants that it will not request payment with respect to any Authorized Improvement that is not part of the Authorized Improvements identified in the SAP and it will follow all procedures set forth herein.

7. The Developer has the right to convey, transfer, assign, mortgage, pledge, or otherwise encumber, in whole or in part without the consent of (but with written notice to) the City, the Developer's right, title, or interest in the revenue streams identified in this Reimbursement Agreement including, but not limited to, any right, title, or interest of the Developer in and to payment of the Unpaid Balance (any of the foregoing, a "Transfer," and the person or entity to whom the Transfer is made, a "Transferee"). Notwithstanding the foregoing, however, no Transfer shall be effective until five (5) days after Developer's written notice of the Transfer is received by the City, including for each Transferee the information required by Section 9 below. The City may rely on any notice of a Transfer received from the Developer without obligation to investigate or confirm the validity or occurrence of such Transfer. No conveyance, transfer, assignment, mortgage, pledge or other encumbrance shall be made by the Developer or any successor or assignee of the Developer that results in the City being an "obligated person" within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission. The Developer waives all rights or claims against the City for any such funds provided to a third party as a result of a Transfer for which the City has received notice. The City shall not be required to make

payments pursuant to this Reimbursement Agreement to more than two (2) parties. The City shall not make any representations or execute any consents with respect to any assignment of this Reimbursement Agreement or the Assessment Revenues received hereunder.

8. All Improvements have been constructed in accordance with the Development Agreement and this Reimbursement Agreement and the plans and specifications for the Improvements approved by the City. The Developer has performed, or cause to be performed, all of its obligations and has conducted all operations with respect to the construction of Authorized Improvements required by the Development Agreement, the Assignment and the City's ordinances and regulations.

9. The Developer represents that it has obtained approval of the applicable construction plans for the Authorized Improvements from the appropriate departments of the City and from any other public entity or public utility from which such approval must be obtained. Nothing in this Reimbursement Agreement shall be construed as a grant of any development permit approval. The Developer further agrees that, subject to the terms hereof and of the Development Agreement, the Authorized Improvements constructed by the Developer have been or will be constructed in full compliance with such approved construction plans and are consistent with the Development Agreement and that the Developer shall supply the City with complete as-built plans upon final completion (meaning when the Authorized Improvements have been completed in accordance with the applicable City regulations and City approved plans and are ready for dedication to the City) of each Authorized Improvement constructed by the Developer.

10. The Developer shall not be relieved of its obligation to construct or cause to be constructed each Authorized Improvement and, upon completion, inspection and acceptance, convey each such Authorized Improvement to the City in accordance with the terms of this Reimbursement Agreement and the Development Agreement. In any event, this Agreement shall not affect any obligation of the Developer under any other agreement to which the Developer is a party or any governmental approval which the Developer or and land within the District is subject, with respect to the Authorized Improvements required in connection with the development of the land within the PID.

11. Within fifteen (15) business days of receipt of any Reimbursement Payment Request, the City shall either (i) approve and execute the Reimbursement Payment Request and forward the same to the Trustee for payment (from those funds available in the Assessment Fund), or (ii) in the event the City disapproves the Reimbursement Payment Request, give written notification to the Developer of the City's disapproval, in whole or in part, of such Reimbursement Payment Request, specifying the reasons for such disapproval and the additional requirements to be satisfied for approval of such Reimbursement Payment Request. If a Reimbursement Payment Request seeking reimbursement is approved only

in part, the City shall specify the extent to which the Reimbursement Payment Request is approved and shall make payment pursuant to such partially approved Reimbursement Payment Request.

12. The obligations of the City under this Reimbursement Agreement are non-recourse and payable only from the Assessment Fund and such obligations do not create a debt or other obligation payable from any other City revenues, taxes, income, or property. None of the City or any of its elected or appointed officials or any of its officers or employees shall incur any liability hereunder to the Developer or any other party in their individual capacities by reason of this Reimbursement Agreement or their acts or omissions under this Reimbursement Agreement.

13. Nothing in this Reimbursement Agreement is intended to constitute a waiver by the City of any remedy the City may otherwise have outside this Reimbursement Agreement against the Developer, any Transferee, or any other person or entity involved in the design, construction or installation of the Authorized Improvements. The obligations of Developer hereunder shall be those as a Party hereto and not solely as an owner of property in the PID. Nothing herein shall be constructed, nor is intended, to affect the City's or Developer's rights and duties to perform their respective obligations under other agreements, regulations and ordinances.

14. The Developer shall furnish to the City a preliminary title report for land with respect for Authorized Improvements that are to be acquired and accepted by, but has not been previously conveyed to, the City for review and approval at least thirty (30) calendar days prior to the transfer of title of a Authorized Improvement.

15. This Reimbursement Agreement is being executed and delivered, and is intended to be performed in the State of Texas. Except to the extent that the laws of the United States may apply to the terms hereof, the substantive laws of the State of Texas shall govern the validity, construction, enforcement, and interpretation of this Reimbursement Agreement. In the event of a dispute involving this Reimbursement Agreement, exclusive venue for such dispute shall lie in any court of competent jurisdiction in Kaufman County, Texas.

16. Any notice required or contemplated by this Reimbursement Agreement shall be signed by or on behalf of the Party giving the Notice, and shall be deemed effective as follows: (i) when delivered by a national company such as FedEx or UPS with evidence of delivery signed by any person at the delivery address regardless of whether such person was the named addressee; or (ii) 72 hours after the notice was deposited with the United States Postal Service, Certified Mail, Return Receipt Requested. Any Party may change its address by delivering written notice of such change in accordance with this section. All Notices given pursuant to this Section shall be addressed as follows:

To the City:	Attn: City Administrator City of Kaufman, Texas 209 S. Washington Kaufman, Texas 75142
With a copy to:	Attn: Patricia Adams Messer Fort McDonald 6371 Preston Road, Ste 200 Frisco, Texas 75034
And to:	Attn: Julie Partain Bracewell LLP 1445 Ross Ave., Suite 3800 Dallas, Texas 75202
To the Developer:	James Crockett Boney SRP Development, LLC 500 North Central Expressway, Ste 105
With a copy to:	Attn: Robert Miklos Miklos Cinclair PLLC 1755 Wittington Pl, Ste 305 Farmers Branch, Texas 75234

17. Notwithstanding anything herein to the contrary, nothing herein shall otherwise authorize or permit the use by the City of the Assessments contrary to the provisions of the PID Act.

18. Remedies:

    a. If either Party fails to perform an obligation imposed on such Party by this Reimbursement Agreement (a "Failure") and such Failure is not cured after written notice and the expiration of the cure periods provided in this section, then such Failure shall constitute a "Default." Upon the occurrence of a Failure by a non-performing Party, the other Party shall notify the non-performing Party and all Transferees of the non-performing Party in writing specifying in reasonable detail the nature of the Failure. The non-performing Party to whom notice of a Failure is given shall have at least thirty (30) days from receipt of the notice within which to cure the Failure; however, if the Failure cannot reasonably be cured within thirty (30) days and the non-performing Party has diligently pursued a cure within such thirty (30) day period and has provided written notice to the other Party that additional time is needed, then the cure period shall be extended for an additional thirty (30) day period so long as the non-performing Party is diligently pursuing a cure. Any Transferee shall have the same rights as the Developer to enforce the obligations of the City under this Reimbursement Agreement and shall also have the right, but not the obligation, to cure any alleged Failure by the Developer within the same time periods that are provided to the Developer. The election by a Transferee to cure a Failure by the Developer shall constitute a cure by the Developer but shall not obligate the Transferee to be bound by this Reimbursement Agreement with respect to Developer obligations under this Reimbursement Agreement unless the Transferee agrees to be bound.

b. Notwithstanding the foregoing, the following are Events of Default under this Agreement:

   i. The Developer shall fail to pay to the City any monetary sum hereby required of it as and when the same shall become due and payable and shall not cure such default within thirty (30) days after the later of the date on which written notice thereof is given by the City to the Developer, as provided in this Reimbursement Agreement. The Developer shall fail in any material respect to maintain any of the insurance or bonds required by this Reimbursement Agreement; provided, however, that if a contractor fails to maintain any of the insurance or bonds required by this Reimbursement Agreement, the Developer shall have twenty (20) days upon receipt of notice from the applicable insurance company of such lapse.

   ii. The Developer shall fail to comply in any material respect with any term, provision or covenant of this Reimbursement Agreement (other than the payment of money to the City), and shall not cure such failure within sixty (60) days after written notice thereof is given by the City to the Developer;

   iii. The filing by Developer of a voluntary proceeding under present or future bankruptcy, insolvency, or other laws respecting debtors, rights;

   iv. The consent by Developer to an involuntary proceeding under present or future bankruptcy, insolvency, or other laws respecting debtor's rights;

   v. The entering of an order for relief against Developer or the appointment of a receiver, trustee, or custodian for all or a substantial part of the property or assets of Developer in any involuntary proceeding, and the continuation of such order, judgment or degree unstayed for any period of ninety (90) consecutive days; OR

   vi. The failure by Developer or any Affiliate to pay Impositions, and Assessments on property owned by the Developer and/or any Affiliates within the PID, if such failure is not cured within thirty (30) days.

vii. The Developer is in default under the Development Agreement after the expiration of any applicable cure period following written notice, if such written notice is required under the terms of the Development Agreement.

viii. The Developer shall breach any material covenant or default in the performance of any material obligation hereunder.

c. If the City is in Default, the Developer's sole and exclusive remedies shall be to: (1) seek a writ of mandamus to compel performance by the City; or (2) seek specific enforcement of this Reimbursement Agreement.

d. If the Developer is in Default, the City may pursue any legal or equitable remedy or remedies, including, without limitation, actual damages, and termination of this Reimbursement Agreement. The City shall not terminate this Reimbursement Agreement unless it delivers to the Developer a second notice expressly providing that the City will terminate within thirty (30) additional days. Termination or non-termination of this Reimbursement Agreement upon a Developer Event of Default shall not prevent the City from suing the Developer for specific performance, actual damages, excluding punitive, special and consequential damages, injunctive relief or other available remedies with respect to obligations that expressly survive termination. In the event the Developer fails to pay any of the expenses or amounts or perform any obligation specified in this Reimbursement Agreement, then to the extent such failure constitutes an Event of Default hereunder, the City may, but shall not be obligated to do so, pay any such amount or perform any such obligations and the amount so paid and the reasonable out of pocket costs incurred by the City in said performance shall be due and payable by the Developer to the City within thirty (30) days after the Developer's receipt of an itemized list of such costs.

e. No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder now or hereafter existing at law or in equity.

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

19. The Developer shall assume the defense of, and indemnify and hold harmless the City's inspector, the City employees, officials, officers, representative and agents of the City and each of them (each an "Indemnified Party") from and against, all actions, damages, claims, loses or expense of every type and description to which they may be subject or put, by reason of, or resulting from the breach of any provisions of this Reimbursement Agreement by the Developer, the Developer's nonpayment under contracts between the Developer and its consultants, engineers, advisors, contractors, subcontractors and suppliers in the

provision of the Improvements constructed by Developer, or any claims by persons employed by the Developer relating to the construction of such projects. Notwithstanding the foregoing, no indemnification is given hereunder for any action, damage, claim, loss or expense directly attributable to the willful misconduct or gross negligence of any Indemnified Party. The City does not waive its defenses and immunities, whether governmental, sovereign, official or otherwise and nothing in this Reimbursement Agreement is intended to or shall confer any right or interest in any person not a party hereto.

20. To the extent there is a conflict between this Reimbursement Agreement and the Development Agreement, this Reimbursement Agreement shall control.

21. Upon the redemption or payment in full of the Reimbursement Amount, this Reimbursement Agreement shall terminate.

22. The failure by a Party to insist upon the strict performance of any provision of this Reimbursement Agreement by the other Party, or the failure by a Party to exercise its rights upon a Default by the other Party shall not constitute a waiver of such Party's right to insist and demand strict compliance by such other Party with the provisions of this Reimbursement Agreement.

23. The City does not waive or surrender any of its governmental powers, immunities, or rights.

24. Nothing in this Reimbursement Agreement, express or implied, is intended to or shall be construed to confer upon or to give to any person or entity other than the City and the Developer and its assigns any rights, remedies, or claims under or by reason of this Reimbursement Agreement, and all covenants, conditions, promises, and agreements in this Reimbursement Agreement shall be for the sole and exclusive benefit of the City and the Developer.

25. The City represents and warrants that this Reimbursement Agreement has been approved by official action by the City Council of the City in accordance with all applicable public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this Reimbursement Agreement on behalf of the City has been duly authorized to do so. The Developer represents and warrants that this Reimbursement Agreement has been approved by appropriate action of the Developer, and that the individual executing this Reimbursement Agreement on behalf of the Developer has been duly authorized to do so. Each Party respectively acknowledges and agrees that this Reimbursement Agreement is binding upon such Party and is enforceable against such Party, in accordance with its terms and conditions and to the extent provided by law.

26. This Reimbursement Agreement represents the entire agreement of the Parties and no other agreement, statement or promise made by any Party or any employee, officer or agent of

any Party with respect to any matters covered hereby that is not in writing and signed by all the Parties to this Agreement shall be binding. This Reimbursement Agreement shall not be modified or amended except in writing signed by the Parties. If any provision of this Reimbursement Agreement is determined by a court of competent jurisdiction to be unenforceable for any reason, then: (a) such unenforceable provision shall be deleted from this Reimbursement Agreement; and (b) the remainder of this Reimbursement Agreement shall remain in full force and effect and shall be interpreted to give effect to the intent of the Parties.

27. This Reimbursement Agreement may be executed in any number of counterparts, each of which shall be deemed an original.

28. The term of this Reimbursement Agreement is the earlier of (i) thirty (30) years, (ii) until the Unpaid Balance is paid in full in accordance herewith, or (iii) termination pursuant to an Event of Default, whichever occurs first. If the Developer defaults under the Development Agreement or this Reimbursement Agreement, the Development Agreement nor this Reimbursement Agreement shall not terminate with respect to the costs of the Authorized Improvements that have been approved by the City pursuant to a Request for Reimbursement prior to the date of default.

29. Any amounts or remedies due pursuant to this Reimbursement Agreement are not subject to acceleration.

30. The Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott Israel and, to the extent this Reimbursement Agreement is a contract for goods or services, will not boycott Israel during the term of this Reimbursement Agreement. The foregoing verification is made solely to comply with Section 2271.002, Texas Government Code, and to the extent such Section does not contravene applicable Federal law. As used in the foregoing verification, 'boycott Israel' means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. The Developer understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Developer and exists to make a profit.

31. The Developer hereby represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website: https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf, https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, or https://comptroller.texas.gov/purchasing/docs/fto-list.pdf. The foregoing representation is

made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable Federal law and excludes the Developer and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. The Developer understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with the Developer and exists to make a profit.

32. Firearms. To the extent this Agreement constitutes a contract for goods or services for which a written verification is required under Section 2274.002 (as added by Senate Bill 19 in the 87th Texas Legislature, Regular Session), Texas Government Code, as amended, the Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the Term of this Agreement against a firearm entity or firearm trade association. The foregoing verification is made solely to enable the Issuer to comply with such Section and to the extent such Section does not contravene applicable Texas or federal law. As used in the foregoing verification, 'discriminate against a firearm entity or firearm trade association' (A) means, with respect to the firearm entity or firearm trade association, to (i) refuse to engage in the trade of any goods or services with the firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association, (ii) refrain from continuing an existing business relationship with the firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association, or (iii) terminate an existing business relationship with the firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association and (B) does not include (i) the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories and (ii) a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship (aa) to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency or (bb) for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association. As used in the foregoing verification, (b) 'firearm entity' means a manufacturer, distributor, wholesaler, supplier, or retailer of firearms (i.e., weapons that expel projectiles by the action of explosive or expanding gases), firearm accessories (i.e., devices specifically designed or adapted to enable an individual to wear, carry, store, or mount a firearm on the individual or on a conveyance and items used in conjunction with or mounted on a firearm that are not essential to the basic function of the firearm, including detachable firearm magazines), or ammunition (i.e., a loaded cartridge case, primer, bullet, or propellant

powder with or without a projectile) or a sport shooting range (as defined by Section 250.001, Texas Local Government Code), and (c) 'firearm trade association' means a person, corporation, unincorporated association, federation, business league, or business organization that (i) is not organized or operated for profit (and none of the net earnings of which inures to the benefit of any private shareholder or individual), (ii) has two or more firearm entities as members, and (iii) is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c) of that code. The Developer understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Developer within the meaning of SEC Rule 133(f), 17 C.F.R. §230.133(f), and exists to make a profit

33. <u>Petroleum</u>. To the extent this Agreement constitutes a contract for goods or services for which a written verification is required under Section 2274.002 (as added by Senate Bill 13 in the 87th Texas Legislature, Regular Session), Texas Government Code, as amended, the Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott energy companies and will not boycott energy companies during the term of this Agreement. The foregoing verification is made solely to enable the Issuer to comply with such Section and to the extent such Section does not contravene applicable Texas or federal law. As used in the foregoing verification, "boycott energy companies" shall mean, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described by (A) above. The Developer understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Developer within the meaning of SEC Rule 133(f), 17 C.F.R. §230.133(f), and exists to make a profit

34. The Developer agrees to either (i) file a Texas Ethics Commission Disclosure of Interested Parties form to the City or (ii) represent in writing that it is exempt from filing of such form, no later than the date upon which the City Council approves this Reimbursement Agreement

[SIGNATURE PAGES TO FOLLOW]

Executed by Developer and City to be effective on the Effective Date.

ATTEST:	**CITY OF KAUFMAN**
______________________________	______________________________
Jessie Hanks, City Secretary	Jeff Jordan, Mayor

APPROVED AS TO FORM

____

Attorney for the City

DEVELOPER:

SRP Development, LLC,
a Texas limited liability company

By:______________________________
James Crockett Boney

Meeting Date: 7/25/2022	Date: 07/12/2022	Item #: 13.	Dept.: Administration

Ordinance

SUBJECT:

Consider and take appropriate action on Ordinance O-18-22, an ordinance of the City Council of the City of Kaufman, Texas, approving a Service and Assessment Plan and assessment roll for authorized improvements for the Kaufman Public Improvement District No. 2 (the "District") for an approximate 17.48 acres of real property identified as Prairie Creek Estates Phase III; making a finding of special benefit to certain property in the District; levying assessments against certain property within the District and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Local Government Code, as amended; providing for the method of assessment and the payment of the assessments; providing penalties and interest on delinquent assessments; providing for severability and providing an effective date.

BACKGROUND:

Council has already approved the Preliminary Service and Assessment Plan for PID #2. This action will finalize the details to the SAP for record. The average PID assessment will be $1,432 annually and be included in the annual Property Tax levy. The Property Tax Equivalent Rate (TRE) for each property owner is $3.12/$100 of value (total tax stack).

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

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

Recommendation: Recommend approval of Ordinance O-18-22 adopting the final FY23 SAP for PID #2 (Prairie Creek Phase 3)

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

ORDINANCE NO. O-18-22

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR AUTHORIZED IMPROVEMENTS FOR THE KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. 2 (THE "DISTRICT"); MAKING A FINDING OF SPECIAL BENEFIT TO CERTAIN PROPERTY IN THE DISTRICT; LEVYING ASSESSMENTS AGAINST CERTAIN PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR PAYMENT OF THE ASSESSMENT IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman, Texas (the "City") received a petition meeting the requirements of Sec. 372.005 of the Public Improvement District Assessment Act (the "Act") requesting the creation of a public improvement district over a portion of the area within the corporate limits of the City to be known as the Kaufman Public Improvement District No. 2 (the "District"); and

WHEREAS, the petition contained the signatures of the owners of taxable property representing more than fifty percent of the appraised value of taxable real property liable for assessment within the boundaries of the proposed District, as determined by the then current ad valorem tax rolls of the Kaufman Central Appraisal District and the signatures of property owners who own taxable real property that constitutes more than fifty percent of the area of all taxable property that is liable for assessment by the City; 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 Kaufman Public Improvement District No. 2 (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 and notice was also mailed to the property owners within the PID in accordance with the in Act; and

WHEREAS, the City Council opened and conducted such public hearing on the advisability of the improvements and the creation of the District, and closed such hearing on December 20, 2021; and

WHEREAS, the City Council approved the creation of the District by Resolution No. R-39-21, approved on December 20, 2021 (the " Creation Resolution") and such Resolution was filed in the real property records of Kaufman County; and

WHEREAS, the District is to be developed in phases and assessments are anticipated to be levied in each development phase (each an “Improvement Area”); and

WHEREAS, pursuant to Sections 372.013, 372.014, and 372.016 of the Act, the City Council has directed the preparation of a Preliminary Service and Assessment Plan for Authorized Improvements within the District (the “Service and Assessment Plan”) and an assessment roll for the District (the “Assessment Roll”) that states the assessment against each parcel of land within the District (the “Assessments”); and

WHEREAS, the City called a public hearing regarding the proposed levy of Assessments pursuant to the Preliminary Plan and the proposed Assessment Roll on property within the District, pursuant to Section 372.016 of the Act; and

WHEREAS, the City, pursuant to Section 372.016(b) of the Act, published a notice on July 7, 2022, in a newspaper of general circulation within the City to consider the proposed Service and Assessment Plan for the District and the levy of the Assessments, as defined in the Service and Assessment Plan, on property in the District; and

WHEREAS, the City Council, pursuant to Section 372.016(c) of the Act, caused the mailing of notice of the public hearing to consider the proposed Service and Assessment Plan and the Assessment Roll attached to the Service and Assessment Plan and the levy of Assessments on property in the District to the last known address of the owners of the property liable for the Assessments; and

WHEREAS, the City Council convened the public hearing at 6:00 p.m. on the 25th day of July, 2022, at which all persons who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Service and Assessment Plan, the Assessment Roll, and the proposed Assessments, and to offer testimony pertinent to any issue presented on the amount of the Assessments, the allocation of the costs of the Authorized Improvements, the purposes of the Assessments, the special benefits of the Assessments, and the penalties and interest on annual installments and on delinquent annual installments of the Assessments; and

WHEREAS, the City wishes to levy assessments on the property within the District for the Authorized Improvements as set forth in the Service and Assessment Plan; and

WHEREAS, the City Council finds and determines that the Service and Assessment Plan and Assessment Roll attached thereto should be approved and that the Assessments should be levied on property within the District as provided in this Ordinance and the Service and Assessment Plan and Assessment Roll; and

WHEREAS, the City Council further finds that there were no written objections or evidence submitted to the City Secretary in opposition to the Service and Assessment

Plan, the allocation of the costs of the Authorized Improvements, the Assessment Roll or the levy of Assessments; and

WHEREAS, the City Council closed the hearing, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the District, determined to proceed with the adoption of this Ordinance in conformity with the requirements of the Act.

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

Section 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. Terms. Terms not otherwise defined herein are defined in the Service and Assessment Plan attached hereto as Exhibit A.

Section 3. Findings. The findings and determinations set forth in the preambles are hereby incorporated by reference for all purposes. The City Council hereby finds, determined and orders, as follows:

a. The apportionment of the Costs of the Authorized Improvements, and the Administrative Expenses pursuant to the Service and Assessment Plan is fair and reasonable, reflects an accurate presentation of the special benefit each property will receive from the Authorized Improvements identified in the Service and Assessment Plan, and is hereby approved;

b. The Service and Assessment Plan covers a period of at least five years and defines the annual indebtedness and projected costs for the Authorized Improvements;

c. The Service and Assessment Plan apportions the costs of the Authorized Improvements to be assessed against each Assessed Property in the District and such apportionment is made on the basis of special benefits accruing to each Assessed Property because of the Authorized Improvements.

d. All of the real property in the District which is being assessed in the amounts shown in the Service and Assessment Plan and Assessment Roll will be benefited by the Authorized Improvements proposed to be provided through the District in the Service and Assessment Plan, and each parcel of real property in the District will receive special benefits during the term of the Assessments equal to or greater than the total amount assessed;

e. The method of apportionment of the costs of the Authorized Improvements and Administrative Expenses set forth in the Service and Assessment Plan results in imposing equal shares of the costs of the Authorized Improvements and Administrative Expenses on property similarly benefited, and results in a reasonable classification and formula for the apportionment of the costs;

f. The Service and Assessment Plan should be approved as the service plan and assessment plan for the District, as described in Sections 372.013 and 372.014 of the Act;

g. The Assessment Roll in the form attached to the Service and Assessment Plan should be approved as the assessment roll for the District;

h. The provisions of the Service and Assessment Plan relating to due and delinquency dates for the Assessments, interest on Annual Installments, interest and penalties on delinquent Assessments and delinquent Annual Installments, and procedures in connection with the imposition and collection of Assessments should be approved and will expedite collection of the Assessments in a timely manner in order to provide the improvements needed and required for the area within the District; and

i. A written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon.

Section 4. Assessment Plan. The Service and Assessment Plan is hereby accepted and approved pursuant to Sections 372.013 and 372.014 of the Act as a service plan and an assessment plan for the Authorized Improvements within the District.

Section 5. Assessment Roll. The Assessment Roll is hereby accepted and approved pursuant to Section 372.016 of the Act as the assessment roll for the Authorized Improvements within the District.

Section 6. Levy and Payment of Assessments for Costs of Authorized Improvements.

a. The City Council hereby levies Assessments on each Assessed Property located within the District, as shown and described in the Service and Assessment Plan and the Assessment Roll, in the respective amounts shown on the Assessment Roll, as special assessments on the properties within the District as set forth in the Service and Assessment Plan and the Assessment Roll.

b. The levy of the Assessments shall be effective on the date of execution of this Ordinance levying assessments and strictly in accordance with the terms of the Service and Assessment Plan.

c. The collection of the Assessments shall be as described in the Service and Assessment Plan.

d. Each Assessment may be pre-paid or paid in Annual Installments pursuant to the terms of the Service and Assessment Plan.

e. Each Assessment shall bear interest at the rate or rates specified in the Service and Assessment Plan.

f. Each Annual Installment shall be collected each year in the manner set forth in the Service and Assessment Plan.

g. The Administrative Expenses for Assessed Properties shall be calculated pursuant to the terms of the Service and Assessment Plan.

Section 7. Method of Assessment. The method of apportioning the costs of the Authorized Improvements is as set forth in the Service and Assessment Plan.

Section 8. Penalties and Interest on Delinquent Assessments. Delinquent Assessments shall be subject to the penalties, interest, procedures and foreclosure sales set forth in the Service and Assessment Plan. The Assessments shall have lien priority as specified in the Act and the Service and Assessment Plan.

Section 9. Prepayments of Assessments. As provided in Section 372.018(f) of the Act and in the Service and Assessment Plan, the owner (the "Owner") of any Assessed Property may prepay the Assessments levied by this Ordinance as set forth in the Service and Assessment Plan.

Section 10. Lien Priority. As provided in the Act, the City Council and owners of the Assessed Property intend for the obligations, covenants and burdens on the owners of Assessed Property, including without limitation such owner's obligations related to payment of the Assessments and the Annual Installments, to constitute a covenant running with the land. The Assessments and the Annual Installments levied hereby shall be binding upon the Assessed Property, and the owners of Assessed Properties, and their respective transferees, legal representatives, heirs, devisees, successors and assigns in the same manner and for the same period as such parties would be personally liable for the payment of ad valorem taxes under applicable law. Assessments shall have lien priority as specified in the Act.

Section 11. Administrator and Collector of Assessments.

a. Administrator. The City shall administer the Service and Assessment Plan and the Assessments levied by this Ordinance. The City has appointed a third-party administrator (the "Administrator") to administer the Service and Assessment Plan and the Assessments. The Administrator shall perform the duties of the Administrator described in the Service and Assessment Plan and in this Ordinance. The Administrator's fees, charges and expenses for providing such services shall constitute an Administrative Expense.

b. Collector. The City may collect the assessments or may, by future action, appoint a third-party collector of the Assessments. The City is hereby authorized to enter into an agreement with a third-party for the collection of the Assessments. The City may also contract with any other qualified collection agent selected by the City or may collect the Assessments on its own behalf. The costs of such collection contracts shall constitute an Administrative Expense.

Section 12. Applicability of Tax Code. To the extent not inconsistent with this Ordinance and the Act or other laws governing public improvement districts, the provisions of the Texas Tax Code shall be applicable to the imposition and collection of Assessments by the City.

Section 13. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 14. Effective Date. This Ordinance shall take effect, and the levy of the Assessments, and the provisions and terms of the Service and Assessment Plan shall be and become effective upon passage and execution thereof.

PASSED AND APPROVED this 25th day of July, 2022.

[Remainder of Page left Intentionally Blank]

____
Jeff Jordan
Mayor, City of Kaufman

ATTEST:

____
Jessie Hanks
City Secretary, City of Kaufman

APPROVED AS TO FORM:

____
Patricia Adams
City Attorney, City of Kaufman

THE 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

SERVICE AND ASSESSMENT PLAN
AND ASSESSMENT ROLL

#6197044.2

KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. 2

CITY OF KAUFMAN, TEXAS

SERVICE AND ASSESSMENT PLAN

July 25, 2022

PREPARED BY:

MUNICAP, INC.
PUBLIC FINANCE

KAUFMAN PUBLIC IMPROVEMENT DISTRICT NO. 2

SERVICE AND ASSESSMENT PLAN

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I. PLAN DESCRIPTION AND DEFINED TERMS

A. INTRODUCTION

On December 20, 2021, the City Council of the City of Kaufman, Texas passed and approved Resolution No. R-39-21 approving and authorizing the creation of the Kaufman Public Improvement District No. 2 (the "PID") to finance the costs of certain public improvements for the benefit of property in such public improvement district, all of which was located within the City limits.

The property in the PID is proposed to be developed in one phase. Assessments will be imposed on the property that receives a special benefit from the public improvements to be financed.

Chapter 372 of the Texas Local Government Code, the "Public Improvement District Assessment Act" (as amended, the "PID Act"), governs the creation and operation of public improvement districts within the State of Texas. This Kaufman Public Improvement District No. 2 Service and Assessment Plan (the "Service and Assessment Plan") has been prepared in accordance with the PID Act and specifically Sections 372.013, 372.014, 372.015 and 372.016, which address the requirements of a service and assessment plan and the assessment roll. According to Section 372.013 of the PID Act, a service plan "must (1) cover a period of at least five years; (2) define the annual indebtedness and the projected costs for improvements; and (3) include a copy of the notice form required by Section 5.014, Property Code." Additionally, the PID Act requires that "the governing body of the municipality or county shall review and update the service plan annually for the purpose of determining the annual budget for improvements." The service plan is described in Section IV of this Service and Assessment Plan. The copy of the notice form required by Section 5.014 of the Texas Property Code, as amended, is attached hereto as Appendix E.

Section 372.014 of the PID Act requires that "an assessment plan must be included in the annual service plan." The assessment plan is described in Section V of this Service and Assessment Plan.

Section 372.015 of the PID Act requires that "the governing body of the municipality or county shall apportion the cost of an improvement to be assessed against property in an improvement district." The method of assessing the costs of the Authorized Improvements and apportionment of such costs to the property in the PID is included in Section V of this Service and Assessment Plan.

Section 372.016 of the PID Act requires that "after the total cost of an improvement is determined, the governing body of the municipality or county shall prepare a proposed assessment roll. The roll must state the assessment against each parcel of land in the district, as determined by the method of assessment chosen by the municipality or county under this subchapter." The Assessment Roll for the PID are included as Appendix G of this Service and Assessment Plan. The Assessments as shown on each Assessment Roll are based on the method of assessment and apportionment of costs described in Section V of this Service and Assessment Plan.

B. DEFINITIONS

Capitalized terms used herein shall have the meanings ascribed to them as follows:

"Actual Cost(s)" means, with respect to an Authorized Improvement, the demonstrated, reasonable, allocable, and allowable costs of constructing such Authorized Improvement. Actual Cost may include: (a) the costs for the design, planning, financing, administration, management, acquisition, installation, construction and/or implementation of such Authorized Improvement, including general contractor and construction management fees, if any, (b) the costs of preparing the construction plans for such Authorized Improvement, (c) the fees paid for obtaining permits, licenses or other governmental approvals for such Authorized Improvement, (d) the costs for external professional costs associated with such Authorized Improvement, such as engineering, geotechnical, surveying, land planning, architectural landscapers, advertising, marketing and research studies, appraisals, legal, accounting and similar professional services, and taxes, (e) the costs of all labor, bonds and materials, including equipment and fixtures, incurred by contractors, builders and material men in connection with the acquisition, construction or implementation of the Authorized Improvements, and (f) all related permitting, zoning and public approval expenses, architectural, engineering, legal, and consulting fees, financing charges, taxes, governmental fees and charges (including inspection fees, permit fees, development fees), insurance premiums and miscellaneous expenses.

Actual Costs may include general contractor's fees in an amount up to a percentage equal to the percentage of work completed and accepted by the City or construction management fees in an amount up to five percent of the eligible Actual Costs described in a Certification for Payment. The amounts expended on legal costs, taxes, governmental fees, insurance premiums, permits, financing costs, and appraisals shall be excluded from the base upon which the general contractor and construction management fees are calculated.

"Administrative Expenses" means the administrative, organization, maintenance and operation costs associated with, or incidental to, the administration, organization, maintenance and operation of the PID, including, but not limited to, the costs of: (i) creating and organizing the PID, including conducting hearings, preparing notices and petitions, and all costs incident thereto, including engineering fees, legal fees and consultant fees, (ii) the annual administrative, organization, maintenance, and operation costs and expenses associated with, or incident and allocable to, the administration, organization, maintenance, and operation of the PID and the Authorized Improvements, (iii) computing, levying, billing and collecting Assessments or the Annual Installments thereof, (iv) maintaining the record of installments of the Assessments and the system of registration and transfer of the Bonds, (v) issuing, paying and redeeming the Bonds, (vi) investing or depositing of monies, (vii) complying with the PID Act and other laws applicable to the Bonds, (viii) the Trustee's reasonable fees and expenses relating to any bonds, (ix) legal counsel, engineers, accountants, financial advisors, investment bankers or other consultants and advisors, and (x) administering the construction of the Authorized Improvements. Administrative Expenses do not include payment of the actual principal of, redemption premium, if any, and interest on any Bonds or any costs of issuance associated with any Bonds. Administrative Expenses collected and not expended for actual Administrative Expenses shall be carried forward and applied to reduce Administrative Expenses in subsequent years to avoid the over-collection of amounts to pay Administrative Expenses.

"Administrator" means the employee or designee of the City, identified in any indenture of trust relating to the Bonds or in any other agreement approved by the City Council, who shall have the responsibilities provided for herein.

"Annual Installment" means, with respect to each Parcel, each annual payment of: (i) the Assessments including both principal and interest, as shown on the Assessment Roll attached hereto as Appendix G, as applicable, or in an Annual Service Plan Update, and calculated as provided in Section VI of this Service and Assessment Plan, and (ii) the Administrative Expenses.

"Annual Service Plan Update" has the meaning set forth in the second paragraph of Section IV of this Service and Assessment Plan.

"Assessed Property" means the property that benefits from the Authorized Improvements to be provided by the PID on which Assessments have been imposed as shown in each Assessment Roll, as each Assessment Roll is updated each year by the Annual Service Plan Update. Assessed Property includes Parcels within the PID other than Non-Benefited Property.

"Assessment" means an assessment levied against a Parcel imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on any Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and the PID Act. An Assessment for a Parcel consists of the Annual Installments to be collected in all years including the portion of those Annual Installments collected to pay Administrative Expenses and interest on all Assessments.

"Assessment Ordinance" means an Assessment Ordinance adopted by the City Council approving the Service and Assessment Plan (including amendments or supplements to the Service and Assessment Plan) and levying the Assessments.

"Assessment Revenues" mean the revenues actually received by or on behalf of the City from the collection of Assessments.

"Assessment Roll" means the Assessment Roll included in this Service and Assessment Plan as Appendix G or any other Assessment Roll in an amendment or supplement to this Service and Assessment Plan or in an Annual Service Plan Update, as each may be updated, modified, or amended from time to time in accordance with the procedures set forth in this Service and Assessment Plan and in the PID Act.

"Authorized Improvements" mean those public improvements described in Appendix B of this Service and Assessment Plan and Section 372.003 of the PID Act, constructed and installed in accordance with this Service and Assessment Plan, and any future updates and/or amendments.

"Budgeted Cost(s)" means the amounts budgeted to construct the Authorized Improvements as used in the preparation of this Service and Assessment Plan.

"Certification for Payment" means the certificate to be provided by the Developer, or his designee, to substantiate the Actual Cost of one or more Authorized Improvements.

"City" means the City of Kaufman, Texas.

"City Council" means the duly elected governing body of the City.

"County" means Kaufman County, Texas.

"**Delinquent Collection Costs"** mean interest, penalties and expenses incurred or imposed with respect to any delinquent installment of an Assessment in accordance with the PID Act and the costs related to pursuing collection of a delinquent Assessment and foreclosing the lien against the Assessed Property, including attorney's fees.

"Developer" means SRP Development, LLC, a Texas limited liability corporation.

"Development Agreement" means a certain development agreement by and between the City and SRP Development, LLC, and related to the Property effective December 20, 2021, and as the same may be amended from time to time.

"Homeowner Association" means a homeowner's association or property owners' association established for the benefit of property owners within the boundaries of the PID.

"Homeowner Association Property" means property within the boundaries of the PID that is owned by or irrevocably offered for dedication to, whether in fee simple or through an exclusive use easement, a homeowner's association.

"Lot" means a tract of land described as a "lot" in a subdivision plat recorded in the official public records of the County.

"Lot Type" means a classification of final building lots with similar characteristics (e.g. commercial, light industrial, multifamily residential, single-family residential, etc.), as determined by the Administrator and confirmed by the City Council as shown in Appendix F. In the case of single-family residential lots, the Lot Type shall be further defined by classifying the residential lots by the estimated average home value for each home at the time of assessment levy, considering factors such as density, lot size, proximity to amenities, view premiums, location, and any other factors that may impact the average home value on the lot, as determined by the Administrator and confirmed by the City Council.

"Maximum Assessment Per Lot" means an Assessment per Lot of $17,555.56.

"Non-Benefited Property" means Parcels that accrue no special benefit from the Authorized Improvements, including Homeowner Association Property, Public Property and easements that create an exclusive use for a public utility provider to the extent they accrue no special benefit. Property identified as Non-Benefited Property that is not assessed at the time the Assessments (i) are imposed or (ii) are reallocated pursuant to a subdivision of a Parcel. Assessed Property converted to Non-Benefited Property, if the Assessments may not be reallocated pursuant to the provisions herein, remains subject to the Assessments and requires the Assessments to be prepaid as provided for in Section VI.C.

"Parcel" or **"Parcels"** means a parcel or parcels within the PID identified by either a tax map identification number assigned by the Kaufman Central Appraisal District for real property tax purposes or by lot and block number in a final subdivision plat recorded in the real property records of the County.

"PID" has the meaning set forth in Section I.A of this Service and Assessment Plan.

"PID Act" means Texas Local Government Code Chapter 372, Public Improvement District Assessment Act, Subchapter A, Public Improvement Districts, as amended.

"**Prepayment Costs**" mean interest and expenses to the date of prepayment, plus any additional expenses related to the prepayment, reasonably expected to be incurred by or imposed upon the City as a result of any prepayment of an Assessment.

"Public Property" means property within the boundaries of the PID that is owned by or irrevocably offered for dedication to the federal government, the State of Texas, the County, the City, a school district or any other public agency, whether in fee simple or through an exclusive use easement.

"Reimbursement Agreement" means that certain Kaufman Public Improvement District No. 2 Reimbursement Agreement dated as of July 25, 2022 by and between the City and the Developer in which the Developer agrees to fund certain Actual Costs of Authorized Improvements and the City agrees to reimburse the Developer for a portion of such Actual Costs funded by the Developer with interest as permitted by the PID Act.

"Service and Assessment Plan" or **"SAP"** means this Service and Assessment Plan prepared for the PID pursuant to the PID Act, as the same may be amended from time to time.

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II. PROPERTY INCLUDED IN THE PID

A. PROPERTY INCLUDED IN THE PID

The PID is presently located within the City and contains approximately 17.48 acres of land. A map of the property within the PID is shown on Appendix A and described in Appendix C to this Service and Assessment Plan.

At completion, the PID is expected to consist of approximately 63 single-family residential units, landscaping, and infrastructure necessary to provide roadways, drainage, and utilities to the PID. The estimated number of lots are based upon the proposed development plan.

The property within the PID is proposed to be developed as follows:

Table II-A
Proposed Development within the PID

Proposed Development	Units
70 Ft Lot	63
Total	**63**

The estimated number of units at the build-out of the PID is based on the land use approvals for the property, the anticipated subdivision of property in the PID, and the Developer's estimate of the highest and best use of the property within the PID.

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III. Description of the Authorized Improvements

A. Authorized Improvement Overview

372.003. Authorized Improvements

(a) If the governing body of a municipality or county finds that it promotes the interests of the municipality or county, the governing body may undertake an improvement project that confers a special benefit on a definable part of the municipality or county or the municipality's extraterritorial jurisdiction. A project may be undertaken in the municipality or county or the municipality's extraterritorial jurisdiction.

(b) A public improvement may include:

(i) landscaping;

(ii) erection of fountains, distinctive lighting, and signs;

(iii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way;

(iv) construction or improvement of pedestrian malls;

(v) acquisition and installation of pieces of art;

(vi) acquisition, construction, or improvement of libraries;

(vii) acquisition, construction, or improvement of off-street parking facilities;

(viii) acquisition, construction, improvement, or rerouting of mass transportation facilities;

(ix) acquisition, construction, or improvement of water, wastewater, or drainage facilities or improvements;

(x) the establishment or improvement of parks;

(xi) projects similar to those listed in Subdivisions (i)-(x);

(xii) acquisition, by purchase or otherwise, of real property in connection with an authorized improvement;

(xiii) special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement;

(xiv) payment of expenses incurred in the establishment, administration and operation of the district; and

(xv) the development, rehabilitation, or expansion of affordable housing

After analyzing the public improvement projects authorized by the PID Act, the City has determined at this time to undertake only Authorized Improvements listed in Section III.B. on the following page and shown in the opinion of probable costs included as Appendix B and on the diagrams included as Appendix D for the benefit of the Assessed Property. Any change to the list of Authorized Improvements will require the approval of the City and an update to this Service and Assessment Plan.

B. Descriptions of the Authorized Improvements

The Authorized Improvements benefit the entire PID. The costs of the Authorized Improvements are allocated proportionally throughout the entire PID, excluding Non-Benefited Property, in a manner that anticipates planned development of the PID based on the anticipated number of units.

The Authorized Improvements descriptions are presented below as provided by the project engineer. The Budgeted Costs are shown in Table III-A and may be revised in Annual Service Plan Updates, including such other improvements as deemed necessary to further improve the properties within the PID. To the extent that an Authorized Improvement is oversized or otherwise provides special benefit to property outside of the PID, the costs of such oversizing are not included in this SAP.

A description of the Authorized Improvements are as follows:

Roadway Improvements

The roadway improvements within the PID include subgrade stabilization, crushed base, concrete pavement and reinforcing steel, concrete curb and gutters, testing, ADA ramps, sidewalks, landscaping, irrigation, signage, traffic control devices and striping. All related earthwork, excavation, erosion control and re-vegetation of all disturbed areas within the right-of-way are included. The street improvements will benefit the Assessed Property. All roadway projects will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

Water Improvements

The water improvements within the PID consists of construction and installation of a water main network, waterlines, mains, pipes, valves, trench excavation and embedment, trenching, trench safety, fire hydrant assemblies, service connections testing, construction and maintenance bonds, erosion control, inspection, and appurtenances, necessary for the portion of the water distribution system that will service the Assessed Property. The water improvements will be designed and constructed according to City standards and will be owned and operated by the City.

Sanitary Sewer Improvements

The sanitary sewer improvements within the PID consists of construction and installation of pipes, service lines, manholes, encasements, trenching, trench excavation and embedment, trench safety, testing, related earthwork, excavation, construction and maintenance bonds, erosion control, inspection, and appurtenances necessary to provide sanitary sewer service to the Assessed Property. The sanitary sewer improvements will be designed and constructed according to City standards and will be owned and operated by the City.

Storm Drainage Improvements

The storm drainage improvements within the PID consist of reinforced concrete pipes, reinforced concrete boxes, multi-reinforced box culverts, trench excavation and embedment, trench safety, trenching, piping, manholes, inlets, headwalls, concrete rip-rap, handrails, testing, construction and maintenance bonds, erosion control, inspection, and all related earthwork and mass grading and appurtenances necessary to provide storm drainage improvements to the Assessed Property. The storm drainage collection system improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

Landscaping and Trail Improvements

The landscaping and trail within the PID consist of subgrade preparation, concrete pavement and reinforcement steel, earthwork, erosion, landscaping, and re-vegetation of distributed areas. The landscaping and trail improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

Soft and Miscellaneous Costs

The soft and miscellaneous costs include costs related to designing, constructing, and installing the Authorized Improvements including land planning and design, City fees, engineering, soil testing, survey, construction management, contingency, district formation costs, legal fees, consultant fees, and other similar costs.

Table III-A
Budgeted Authorized Improvement Costs

Description	Total
Roadway improvements	$854,993
Water improvements	$324,899
Sanitary sewer improvements	$265,377
Storm drainage improvements	$918,426
Landscaping and trail improvements	$175,875
Soft and miscellaneous costs	$670,548
Total Authorized Improvements	**$3,210,118**

[1] The above shown Budgeted Costs are provided by Engineering Concepts and Design, L.P. The figures shown in Table III-A may be revised in Annual Service Plan Updates and may be reallocated between line items so long as the Total Authorized Improvements amount does not change. Amounts are rounded to the nearest dollar.

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IV. SERVICE PLAN

A. SOURCES AND USES OF FUNDS

The PID Act requires the service plan to cover a period of at least five years. The service plan is required to define the annual projected costs and indebtedness for the Authorized Improvements undertaken within the PID during the five year period. It is anticipated that it will take approximately 6 months to construct the Authorized Improvements.

The Budgeted Costs for Authorized Improvements and payment of expenses incurred in the establishment, administration, and operation of the PID are $3,210,118 as shown in Table IV-A. The service plan shall be reviewed and updated at least annually for the purpose of determining the annual budget for Administrative Expenses, updating the estimated Authorized Improvement costs, and updating the Assessment Roll(s). Any update to this Service and Assessment Plan is herein referred to as an "Annual Service Plan Update."

Table IV-A shows the projected sources and uses of funds for the Authorized Improvements.

Table IV-A
Projected Sources and Uses

Sources of Funds	**Total**
Assessment	$1,106,000
Other Funding Sources[1]	$2,104,118
Total Sources	**$3,210,118**
Uses of Funds	
Authorized Improvements:	
Roadway improvements	$854,993
Water improvements	$324,899
Sanitary sewer improvements	$265,377
Storm drainage improvements	$918,426
Landscaping and trail improvements	$175,875
Soft and miscellaneous costs	$670,548
Subtotal	*$3,210,118*
Total Uses	**$3,210,118**

[1] The other funding sources represent project costs of the Authorized Improvements to be paid by the Developer without reimbursement from the City.

B. PROJECTED FIVE-YEAR SERVICE AND ASSESSMENT PLAN

The annual projected costs and annual projected indebtedness is shown in Table IV-B on the following page. The annual projected costs and indebtedness is subject to revision, and each shall be updated in the Annual Service Plan Update to reflect any changes in the costs or indebtedness expected for each year.

Table IV-B
Projected Five Year Service Plan

Year	Annual Projected Cost	Total Projected Indebtedness	Annual Projected Amortization (Principal)	Sources other than Assessments[1]	Projected Annual Installments
2022	$3,210,118	$1,106,000	$0	$2,104,118	$0
2023	$0	$0	$0	$0	$0
2024	$0	$0	$18,000	$0	$89,809
2025	$0	$0	$19,000	$0	$90,312
2026	$0	$0	$19,000	$0	$89,773
2027	$0	$0	$20,000	$0	$90,242
2028	$0	$0	$21,000	$0	$90,671
2029	$0	$0	$22,000	$0	$90,659
Total	**$3,210,118**	**$1,106,000**	**$119,000**	**$2,104,118**	**$541,466**

[1] Represent project costs of the Authorized Improvements to be paid by the Developer without reimbursement from the City.

The annual projected costs shown in Table IV-B are the annual expenditures relating to the Authorized Improvements shown in Table III-A, and the costs associated with setting up the PID shown in Table IV-A. The difference between the total projected cost and the total projected indebtedness, if any, is the amount contributed by the Developer.

C. PID Disclosure

The PID Act requires that this Service and Assessment Plan, and each Annual Service Plan Update, include a copy of the Notice forms (required by Section 5.014 of the Texas Property Code). The PID disclosure is attached hereto as Appendix E and may be updated in an Annual Service Plan Update.

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V. ASSESSMENT PLAN

A. INTRODUCTION

The PID Act requires the City Council to apportion the costs of the Authorized Improvements on the basis of special benefits conferred upon the property because of the Authorized Improvements. The PID Act provides that the costs of the Authorized Improvements may be assessed: (i) equally per front foot or square foot; (ii) according to the value of the property as determined by the governing body, with or without regard to improvements on the property; or (iii) in any other manner that results in imposing equal shares of the cost on property similarly benefited. The PID Act further provides that the governing body may establish by ordinance or order reasonable classifications and formulas for the apportionment of the cost between the municipality and the area to be assessed and the methods of assessing the special benefits for various classes of improvements.

This section of this Service and Assessment Plan currently (i) describes the special benefit received by each Parcel within the PID as a result of the Authorized Improvements, (ii) provides the basis and justification for the determination that this special benefit equals or exceeds the amount of the Assessments to be levied on the Assessed Property for such Authorized Improvements, and (iii) establishes the methodologies by which the City Council allocates and reallocates the special benefit of the Authorized Improvements to Parcels in a manner that results in equal shares of the Actual Costs of the Authorized Improvements being apportioned to Parcels similarly benefited. The determination by the City Council of the assessment methodologies set forth below is the result of the discretionary exercise by the City Council of its legislative authority and governmental powers and is conclusive and binding on the Developer and all future owners and developers of the Assessed Property.

B. SPECIAL BENEFIT

Assessed Property must receive a direct and special benefit from the Authorized Improvements, and this benefit must be equal to or greater than the amount of the Assessments. The Authorized Improvements are provided specifically for the benefit of the Assessed Property. The Authorized Improvements (more particularly described in line-item format in Appendix B to this Service and Assessment Plan) authorized by the PID Act. These Authorized Improvements are provided specifically for the benefit of the Assessed Property.

Each owner of the Assessed Property has acknowledged that the Authorized Improvements confer a special benefit on the Assessed Property and has consented to the imposition of the Assessments to pay for the Actual Costs associated therewith. Each of the owners is acting in its interest in consenting to this apportionment and levying of the Assessments because the special benefit conferred upon the Assessed Property by the Authorized Improvements exceeds the amount of the Assessments.

The Authorized Improvements provide a special benefit to the Assessed Property as a result of the close proximity of these improvements to the Assessed Property and the specific purpose of these improvements of providing infrastructure for the Assessed Property. In other words, the Assessed Property could not be used in the manner proposed without the construction of the Authorized Improvements. The Authorized Improvements are being provided specifically to meet the needs of the Assessed Property as required for the proposed use of the property.

The Assessments are being levied to provide the Authorized Improvements that are required for the highest and best use of the Assessed Property (i.e., the use of the property that is most valuable, including any costs associated with that use). Highest and best use can be defined as "the reasonably probable and legal use of property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value." (*Dictionary of Real Estate Appraisal, Third Edition.*) The Authorized Improvements are expected to be required for the proposed use of the Assessed Property to be physically possible, appropriately supported, financially feasible, and maximally productive.

The Developer has evaluated the potential use of the property and has determined that the highest and best use of the property is the use intended and the legal use for the property as described in Section II of this Service and Assessment Plan. The use of the Assessed Property as described herein will require the construction of the Authorized Improvements.

Each owner of the Assessed Property will ratify, confirm, accept, agree to and approve: (i) the determinations and finding by the City Council as to the special benefits described in this Service and Assessment Plan and the Assessment Ordinance; (ii) the Service and Assessment Plan and the Assessment Ordinance, and (iii) the levying of Assessments on the Assessed Property. Use of the Assessed Property as described in this Service and Assessment Plan and as authorized by the PID Act requires that Authorized Improvements be acquired, constructed, installed, and/or improved. Reimbursing the Actual Costs of the Authorized Improvements through the PID has been determined by the City Council to be the most beneficial means of doing so. As a result, the Authorized Improvements result in a special benefit to the Assessed Property, and this special benefit exceeds the amount of the Assessment. This conclusion is based on and supported by the evidence and information provided to the City Council.

In summary, the Authorized Improvements result in a special benefit to the Assessed Property for the following reasons:

1. The Authorized Improvements are being provided specifically for the use of the Assessed Property, are necessary for the proposed best use of the property and provide a special benefit to the Assessed Property as a result;

2. The Developer has consented to the imposition of the Assessments for the purpose of providing the Authorized Improvements and the Developer is acting in its interest by consenting to this imposition;

3. The highest and best use of the Assessed Property is the use of the Assessed Property that is most valuable (including any costs associated with the use of the Assessed Property);

4. Financing of the costs of the Authorized Improvements through the PID is determined to be the most beneficial means of providing for the Authorized Improvements; and,

5. As a result, the special benefit to the Assessed Property from the Authorized Improvements will be equal to or greater than the Assessments.

C. Assessment Methodology

The costs of the Authorized Improvements may be assessed by the City Council against the Assessed Property so long as the special benefit conferred upon the Assessed Property by the Authorized Improvements equals or exceeds the Assessments. The costs of the Authorized Improvements may be assessed using any methodology that results in the imposition of equal shares of the Actual Costs on Assessed Property similarly benefited.

1. Assessment Methodology for the Authorized Improvements

For purpose of this Service and Assessment Plan, the City Council has determined that the Budgeted Costs of the Authorized Improvements to be financed by the Developer and reimbursable under the Reimbursement Agreement shall be allocated to the Assessed Property by spreading the entire Assessment across the Parcels based on the projected number of units to be developed within the PID.

Based on the Budgeted Costs of the Authorized Improvements, as set forth in Table III-A, the City Council has determined that the benefit to the Assessed Property of the Authorized Improvements is at least equal to the Assessments levied on the Assessed Property.

Upon subsequent divisions of any Parcel, the Assessment applicable to it will then be apportioned pro-rata based on the estimated number of Lots subdivided from such Parcel. For residential Lots, when final residential building sites are platted, Assessments will be apportioned proportionately among each Parcel based on the estimated number of Lots in the platted Parcel, as calculated and shown in Appendix F using the types, number and average home value of Lots anticipated to be developed on each Parcel.

The Assessment and Annual Installments for each Parcel or Lot located within the PID is shown on the Assessment Roll, attached as Appendix G, and no Assessment shall be changed except as authorized by this Service and Assessment Plan or the PID Act.

D. Assessments

The Assessments will be levied on each Parcel according to the Assessment Roll, attached hereto as Appendix G. The Annual Installments will be collected at the time and in the amounts shown on the Assessment Roll subject to any revisions made during an Annual Service Plan Update.

E. Administrative Expenses

The cost of administering the PID and collecting the Annual Installments shall be paid for on a pro-rata basis by each Parcel based on the amount of Assessment levied against the Parcel. The Administrative Expenses shall be collected as part of and in the same manner as Annual Installments in the amounts shown on each Assessment Roll, attached as Appendix G, which may be revised based on Actual Costs incurred in Annual Service Plan Updates.

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VI. TERMS OF THE ASSESSMENTS

A. AMOUNT OF ASSESSMENTS AND ANNUAL INSTALLMENTS FOR PARCELS LOCATED WITHIN THE PID

The Assessment and Annual Installments for each Assessed Property located within the PID is shown on the Assessment Roll, attached as Appendix G, and no Assessment shall be changed except as authorized by this Service and Assessment Plan and the PID Act.

The Annual Installments shall be collected from the Assessed Property in an amount sufficient to pay (i) principal and interest on the Reimbursement Agreement, and (ii) to pay Administrative Expenses related to the PID. The Annual Installment for each Parcel in the PID shall be calculated by taking into consideration any other available funds applicable to the PID.

B. REALLOCATION OF ASSESSMENTS

1. Subdivision

Upon the subdivision of any Parcel, the Assessment for the Parcel prior to the subdivision shall be reallocated among the new subdivided Parcels according to the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

A = the Assessment for each new subdivided Parcel
B = the Assessment for the Parcel prior to subdivision
C = the estimated number of units to be built on each new subdivided Parcel
D = the sum of the estimated number of units to be built on all of the new subdivided Parcels

The calculation of the estimated number of Lots to be built on a Parcel shall be performed by the Administrator and confirmed by the City Council based on the information available regarding the use of the Parcel. The estimate as confirmed shall be conclusive. The number of number of units to be built on a Parcel may be estimated by net land area and reasonable density ratios.

The sum of the Assessments for all newly subdivided Parcels shall equal the Assessment for the Parcel prior to subdivision. The calculation shall be made separately for each newly subdivided Parcel. The reallocation of an Assessment for a Parcel that is a homestead under Texas law may not exceed the Assessment prior to the reallocation and to the extent the reallocation would exceed such amount, it shall be prepaid by such amount by the party requesting the subdivision of the Parcels. Any reallocation pursuant to this section shall be reflected in an Annual Service Plan Update approved by the City Council.

2. Consolidation

Upon the consolidation of two or more Parcels, the Assessment for the consolidated Parcel shall be the sum of the Assessments for the Parcels prior to consolidation. The reallocation of an Assessment for a Parcel that is a homestead under Texas law may not exceed the Assessment prior to the reallocation and to the extent the reallocation would exceed such amount, it shall be prepaid by such amount by the party requesting the consolidation of the Parcels. Any reallocation pursuant to this section shall be reflected in an Annual Service Plan Update approved by the City Council.

C. MANDATORY PREPAYMENT OF ASSESSMENTS

1. If a Parcel subject to Assessments is transferred to a party that is exempt from the payment of the Assessment under applicable law, or if an owner causes a Parcel subject to Assessments to become Non-Benefited Property, the owner of such Parcel shall pay to the City the full amount of the principal portion of the Assessment on such Parcel, plus all Prepayment Costs, prior to any such transfer or act.

2. If at any time the Assessment on a Parcel exceeds the applicable Maximum Assessment Per Lot shown in this Service and Assessment Plan as a result of any changes in land use, subdivision, consolidation or reallocation of the Assessment authorized by this Service and Assessment Plan and initiated by the owner of the Parcel, then such owner shall pay to the City prior to the recordation of the document subdividing the Parcel the amount calculated by the Administrator by which the Assessment per unit for the Parcel exceeds the applicable Maximum Assessment Per Lot calculated in this Service and Assessment Plan.

3. The payments required above shall be treated the same as any Assessment that is due and owing under the PID Act, the Assessment Ordinance, and this Service and Assessment Plan, including the same lien priority, penalties, procedures, and foreclosure specified by the PID Act.

D. REDUCTION OF ASSESSMENTS

1. If after all Authorized Improvements to be funded through a Reimbursement Agreement have been completed and Actual Costs for such Authorized Improvements are less than the Budgeted Costs of the Authorized Improvements used to calculate the Assessments securing the Reimbursement Agreement, resulting in excess assessment funds being available to reduce obligations pursuant to the Reimbursement Agreement, and such excess assessment may be used to reduce the obligations under the Reimbursement Agreement for each Parcel of Assessed Property such that the sum of the resulting reduced Assessments for all Assessed Properties equals the actual reduced Actual Costs. The Assessments shall not be reduced to an amount less than the amounts due under the Reimbursement Agreement. If all of the Authorized Improvements are not completed, the City may reduce the Assessments in another method if it determines such method would better reflect the benefit received by the Parcels from the Authorized Improvements completed.

2. If all the Authorized Improvements are not undertaken, resulting in excess Assessment Revenues being available to reduce the obligations under the Reimbursement Agreement, and such excess Assessment Revenues shall be applied to reduce obligations under the Reimbursement Agreement as provided pursuant to the terms of the Reimbursement Agreement, then the Assessments and Annual Installments for each Parcel shall be appropriately reduced by the City Council to reflect only the amounts required to repay the obligations under the Reimbursement Agreement, including interest due under the Reimbursement Agreement and Administrative Expenses. The City Council may reduce the Assessments and the Annual Installments for each Parcel (i) in an amount that represents the Authorized Improvements provided for each Parcel or (ii) by an equal percentage calculated based on the estimated number of Lots, if determined by the City Council to be the most fair and practical means of reducing the Assessments for each Parcel, such that the sum of the resulting reduced Assessments equals the amount required to pay obligations under the Reimbursement Agreement, including interest due pursuant to the Reimbursement Agreement and Administrative Expenses. The principal portion of the Assessment for each Parcel shall be reduced in a manner determined by the City in an Annual Service Plan Update such that the sum of the resulting reduced principal portion of the obligations under the Reimbursement Agreement is equal to the outstanding principal amount of the Reimbursement Agreement.

E. PAYMENT OF ASSESSMENTS

1. Payment in Full

(a) The Assessment for any Parcel may be paid in full at any time. Such payment shall include all Prepayment Costs.

(b) If an Annual Installment has been billed prior to payment in full of an Assessment, the Annual Installment shall be due and payable and shall be credited against the payment-in-full amount

(c) Upon payment in full of the Assessment and all Prepayment Costs, the Assessment shall be reduced to zero and the Assessment Roll revised accordingly, and the owner's obligation to pay the Assessment and Annual Installments thereof shall automatically terminate. The Administrator shall cause the revised Assessment Roll to be approved by the City Council as part of the next Annual Service Plan Update. The City shall provide owner with a recordable notice of the termination of the Assessment. The City Manager or their designee is hereby authorized to execute any such notice or other lien release documents, if necessary.

(d) Upon the payment of such amounts for a Parcel, the Assessment for the Parcel shall be reduced, the Assessment Roll shall be updated to reflect such partial payment, and the obligation to pay the Annual Installment for such Parcel shall be reduced to the extent the partial payment is made.

2. Payment in Annual Installments

The PID Act provides that an Assessment for a Parcel may be paid in full at any time. If not paid in full, the PID Act authorizes the Assessment to be paid in installments and additionally allows the City to collect interest, administrative expenses and other authorized charges in installments. An Assessment for a Parcel that is not paid in full will be collected in Annual Installments each year in the amounts shown on the Assessment Roll, as updated as provided for herein, which include interest and Administrative Expenses.

The interest on the unpaid portion of each Assessment shall be paid at a rate set not to exceed five hundred basis points above the highest average index rate for tax-exempt bonds reported in a daily or weekly bond index approved by the City and reported in the month prior to the establishment of the Assessment and continuing for a period of five years from such date, and (ii) not to exceed two hundred basis points above such bond index rate for the period beginning with the sixth year and shall continue until the Assessment is paid in full. The Assessment Roll sets forth for each year the Annual Installment for each Parcel based on an interest rate of 4.82% for years 1 through 5 and an interest rate of 4.82% thereafter. The interest on the Reimbursement Agreement shall be paid based on an interest rate of 4.82% per annum for years 1 through 5 and an interest rate of 4.82% per annum following the fifth Annual Installment in accordance with the Reimbursement Agreement. The index approved by the City is the *Bond Buyer Index* for which the highest average rate during the previous thirty days prior to the levy of Assessments was 3.82%. Furthermore, the Annual Installments may not exceed the amounts shown on the Assessment Roll.

The Annual Installments may be reduced to equal the actual costs of repaying the obligations and actual Administrative Expenses (as provided for in the definition of such term), and may take into consideration any other available funds for these costs, such as interest income on account balances.

F. COLLECTION OF ANNUAL INSTALLMENTS

No less frequently than annually, the Administrator shall prepare, and the City Council shall consider, an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include an updated Assessment Roll and a calculation of the Annual Installment for each Parcel. Administrative Expenses shall be allocated among Parcels in proportion to the amount of the Annual Installments for the Parcels. Annual Installments shall be collected by the City in the same manner and at the same time as ad valorem taxes and shall be subject to the same penalties, procedures, and foreclosure sale in case of delinquencies as are provided for ad valorem taxes of the City. The City Council may provide for other means of collecting the Annual Installments to the extent permitted under the PID Act. The Assessments shall have lien priority as specified in the PID Act.

The collection of the first Annual Installment for a Lot or Parcel shall commence upon the earlier of: (i) with tax bills sent the first October following the issuance of a building permit for each Lot, such that Assessments are billed only for Lots for which a building permit has been issued, or (ii) with tax bills sent the first October occurring after the expiration of two years from the date of the levy of Assessments on the Assessed Property, such that all Assessments not otherwise being collected, shall begin collection immediately after the expiration of such two year period.

Such first Annual Installment and all subsequent Annual Installments for a Lot or Parcel for which collection has begun shall be due by January 31st of the following calendar year. Each Annual Installment together with interest thereon shall be delinquent if not paid prior to February 1 of the following year. Collection of the initial Annual Installments relating to the Authorized Improvements that benefit the Assessed Property will be due when billed and will be delinquent if not paid prior to the first February 1.

Any sale of property for nonpayment of the Annual Installments shall be subject to the lien established for the remaining unpaid Annual Installments against such property and such property may again be sold at a judicial foreclosure sale if the purchaser thereof fails to make timely payment of the non-delinquent Annual Installments against such property as they become due and payable.

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VII. THE ASSESSMENT ROLL

A. ASSESSMENT ROLL

The City Council has evaluated each Parcel in the PID based on numerous factors such as the applicable zoning for developable area, the use of proposed Homeowner Association Property, the Public Property, the types of Authorized Improvements, and other development factors deemed relevant to determine the amount of Assessed Property within the PID.

The Assessed Property has been assessed for the special benefits conferred upon the property resulting from the Authorized Improvements. Table VII-A summarizes the $3,210,118 in special benefit received by the Assessed Property from the Authorized Improvements. The amount of the Reimbursement Agreement is $1,106,000 which is less than the benefit received by the Assessed Property. Accordingly, the total Assessment to be applied to all the Assessed Property is $1,106,000 plus annual Administrative Expenses. The Assessment for each Assessed Property is calculated based on the allocation methodologies described in Section V.C. The Assessment Roll is attached hereto as Appendix G.

Table VII-A
Special Benefit Summary

Special Benefit	Total Cost
Total Authorized Improvements[1]	$3,210,118
Total Special Benefit	**$3,210,118**
Special Benefit:	
Total Special Benefit	$3,210,118
Projected Assessment	$1,106,000
Excess Benefit	**$2,104,118**

[1]See Table III-A for details.

B. ANNUAL ASSESSMENT ROLL UPDATES

The Administrator shall prepare, and shall submit to the City Council for approval, annual updates to the Assessment Roll in conjunction with the Annual Service Plan Update to reflect the following matters, together with any other changes helpful to the Administrator or the City and permitted by the PID Act: (i) the identification of each Parcel (ii) the Assessment for each Parcel of Assessed Property, including any adjustments authorized by this Service and Assessment Plan and in the PID Act; (iii) the Annual Installment for the Assessed Property for the year (if the Assessment is payable in installments); and (iv) payments of the Assessment, if any, as provided by Section VI.E. of this Service and Assessment Plan.

VIII. MISCELLANEOUS PROVISIONS

A. ADMINISTRATIVE REVIEW

The City may elect to designate a third party to serve as Administrator. The City shall notify Developer in writing at least thirty (30) days in advance before appointing a third party Administrator.

To the extent consistent with the PID Act, an owner of an Assessed Parcel claiming that a calculation error has been made in the Assessment Roll(s), including the calculation of the Annual Installment, shall send a written notice describing the error to the City not later than thirty (30) days after the date any amount which is alleged to be incorrect is due prior to seeking any other remedy. The Administrator shall promptly review the notice, and if necessary, meet with the Assessed Parcel owner, consider written and oral evidence regarding the alleged error and decide whether, in fact, such a calculation error occurred.

If the Administrator determines that a calculation error has been made and the Assessment Roll should be modified or changed in favor of the Assessed Parcel owner, such change or modification shall be presented to the City Council for approval to the extent permitted by the PID Act. A cash refund may not be made for any amount previously paid by the Assessed Parcel owner (except for the final year during which the Annual Installment shall be collected or if it is determined there are sufficient funds to meet the expenses of the PID for the current year), but an adjustment may be made in the amount of the Annual Installment to be paid in the following year. The decision of the Administrator regarding a calculation error relating to the Assessment Roll may be appealed to the City Council. Any amendments made to the Assessment Roll(s) pursuant to calculation errors shall be made pursuant to the PID Act.

The decision of the Administrator, or if such decision is appealed to the City Council, the decision of the City Council shall be conclusive as long as there is a reasonable basis for such determination. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to any other appeal or legal action by such owner.

B. TERMINATION OF ASSESSMENTS

Each Assessment shall be extinguished on the date the Assessment is paid in full, including unpaid Annual Installments and Delinquent Collection Costs, if any. After the extinguishment of an Assessment and the collection of any delinquent Annual Installments and Delinquent Collection Costs, the City shall provide the owner of the affected Parcel a recordable "Notice of the PID Assessment Termination".

C. AMENDMENTS

Amendments to the Service and Assessment Plan can be made as permitted or required by the PID Act and under Texas law.

The City Council reserves the right to the extent permitted by the PID Act to amend this Service and Assessment Plan without notice under the PID Act and without notice to property owners of Parcels:

> (i) to correct mistakes and clerical errors; (ii) to clarify ambiguities; and (iii) to provide procedures for the collection and enforcement of Assessments, Prepayment Costs, Collection Costs, and other charges imposed by the Service and Assessment Plan.

D. Administration and Interpretation of Provisions

The City Council shall administer the PID, this Service and Assessment Plan, and all Annual Service Plan Updates consistent with the PID Act and shall make all interpretations and determinations related to the application of this Service and Assessment Plan unless stated otherwise herein or in the Trust Indenture, such determination shall be conclusive.

E. Severability

If any provision, section, subsection, sentence, clause or phrase of this Service and Assessment Plan or the application of same to an Assessed Parcel or any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Service and Assessment Plan or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Service and Assessment Plan that no part hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other part hereof, and all provisions of this Service and Assessment Plan are declared to be severable for that purpose.

If any provision of this Service and Assessment Plan is determined by a court to be unenforceable, the unenforceable provision shall be deleted from this Service and Assessment Plan and the unenforceable provision shall, to the extent possible, be rewritten to be enforceable and to give effect to the intent of the City.

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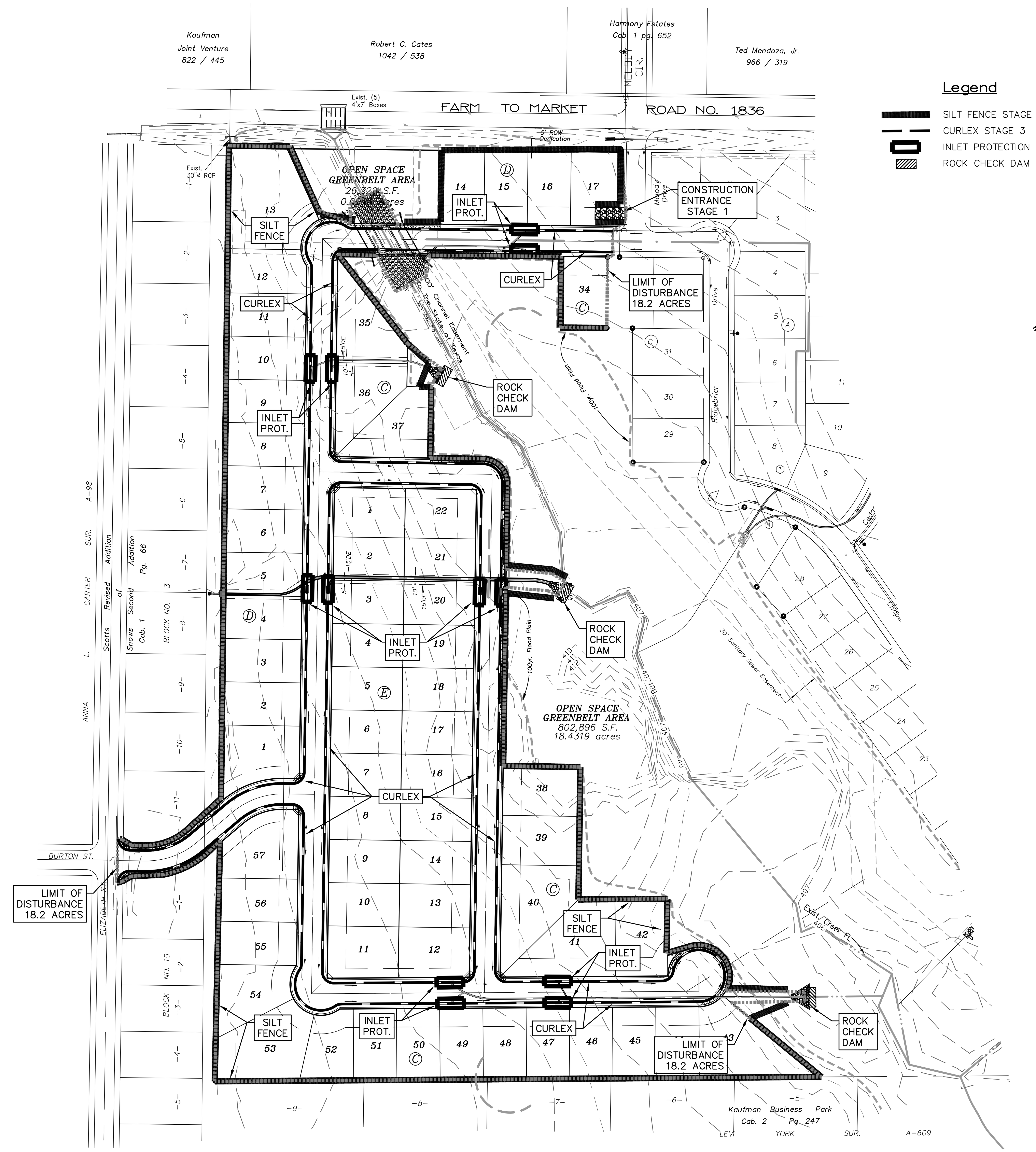
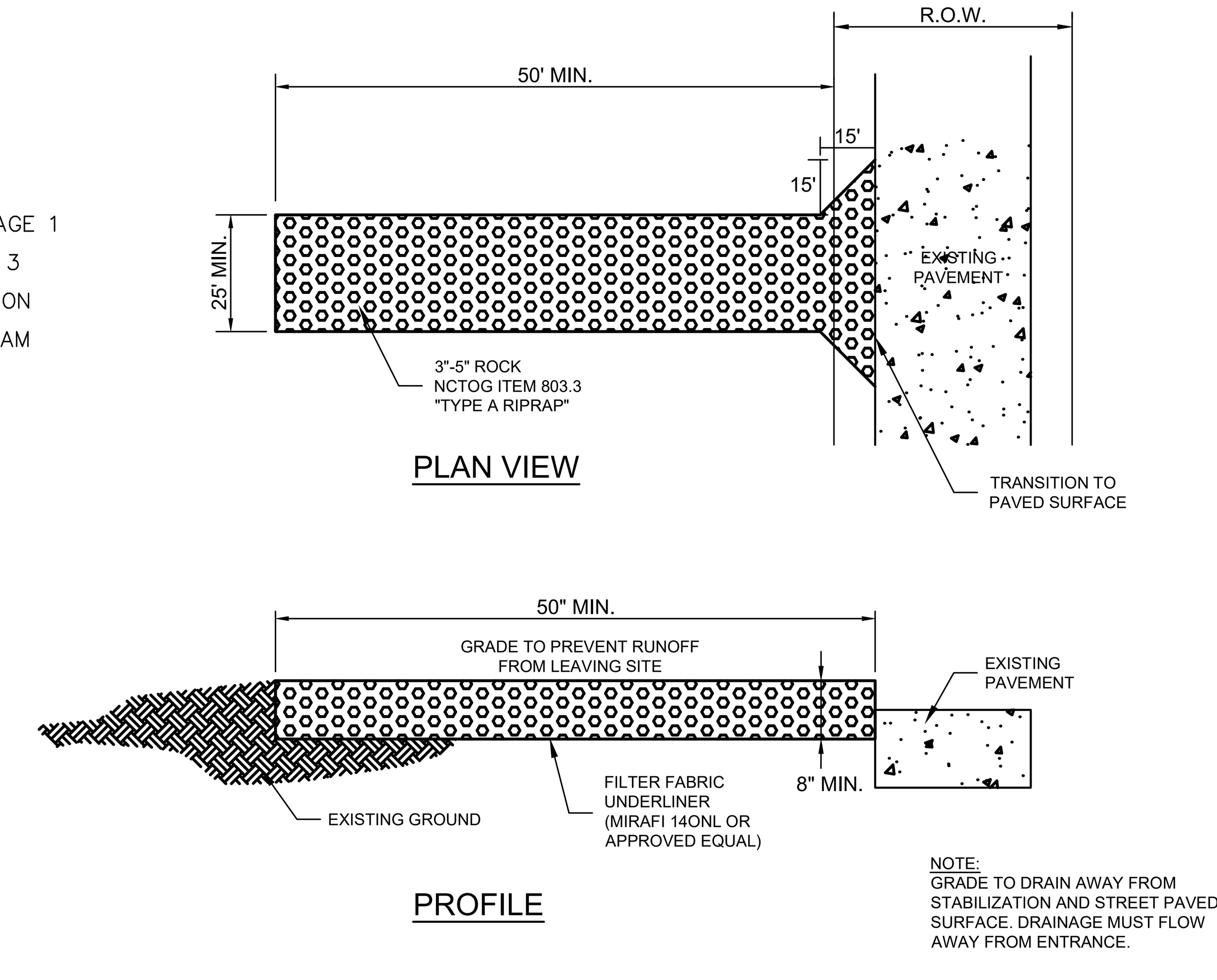
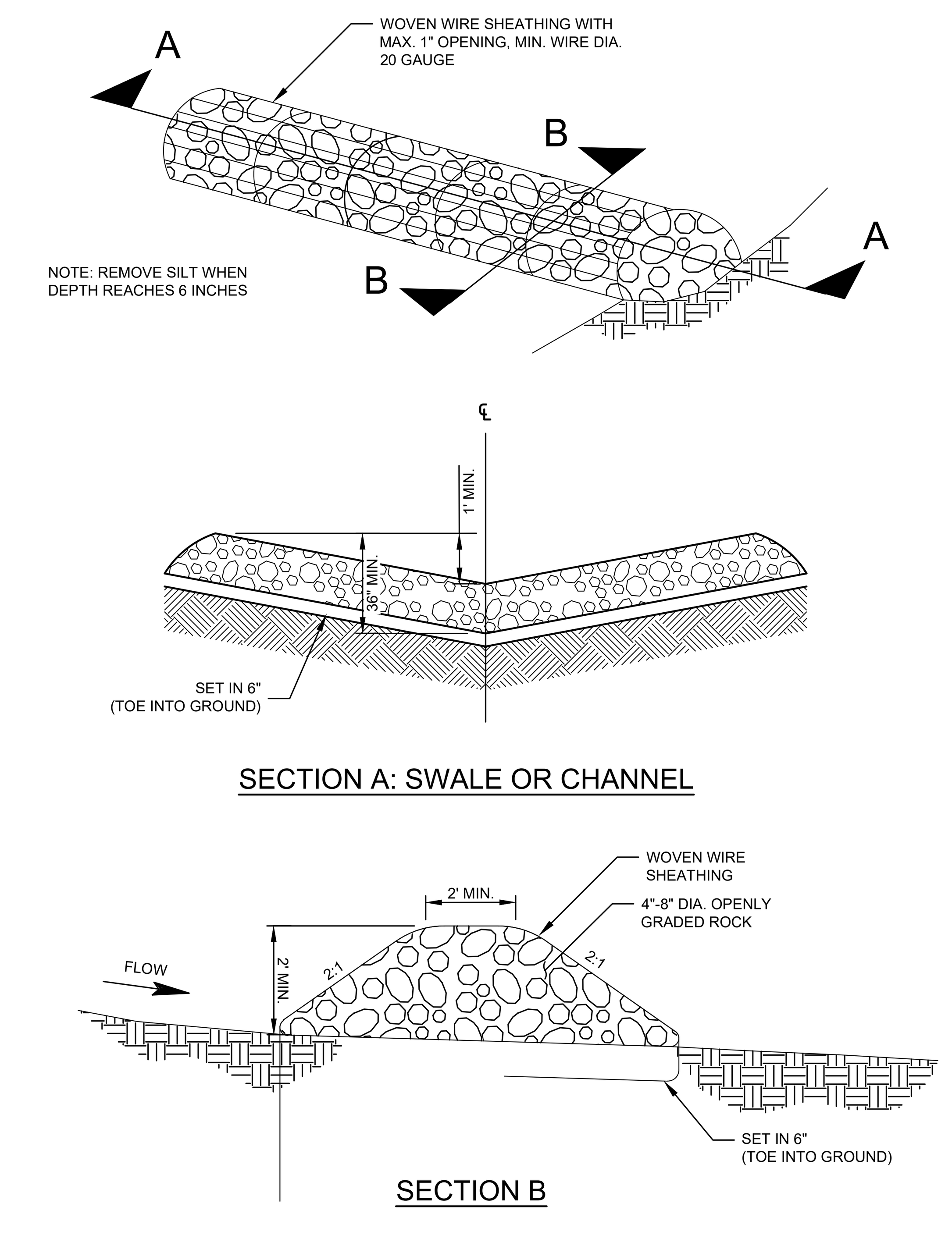
APPENDIX A
PID MAP





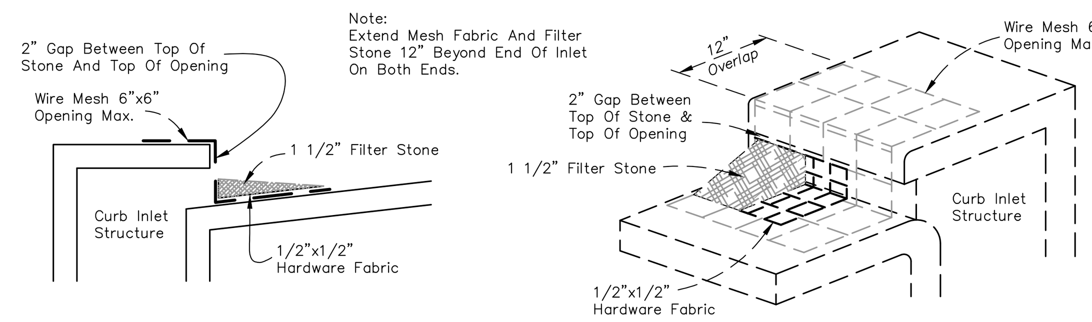
CONSTRUCTION ENTRANCE

Not to Scale



ROCK CHECK DAM

Not to Scale



1. Curb Inlet Protection 5.10, As Per City Of Plano Erosion And Sediment Control Manual Dated 1997.
2. Wire Fabric – Standard galvanized hardware fabric with 1/2" by 1/2" openings.
3. Filter Stone – NCTCOG Specification 2.1.8.(e)
4. Wire Mesh – welded wire fabric conforming to NCTCOG Specifiaction 2.2.7 maximum opening 6"x6".

SEDIMENT BARRIER AT INLETS

Not to Scale

CONSTRUCTION NOTES:

1. Silt fences shall be installed as shown in detail.
2. Contractor will install additional erosion control where erosion protection is needed as per the owners engineers, or the City inspector.
3. The existing vegetation along existing parkways and medians shall be replaced to its original condition or better.
4. All drainage swales shall be grassed as per City Standards, prior to the City acceptance of project.
5. All construction erosion control shall meet City Ordinance.
6. Erosion construction shall be completed in the following PHASES:

PHASE 1 (Prior To Start Of Rough Grading)
1. Silt fence to be installed as shown on plan or as required.

PHASE 2 (After utility construction & prior to paving const.)
1. Silt fence shall be placed around top of inlets until topped out, prevent erosion material from entering storm sewer system.

PHASE 3 (After paving construction)
1. Silt fence shall be placed in row along pavement as shown where required by slope conditions.
2. All parkways and disturbed area in street R.O.W. to be seeded with grass as per city standards.
3. Vegitation to be established in all offsite disturbed areas.

GENERAL NOTES FOR STORM WATER POLLUTION PREVENTION PLAN

1. All operators and/or contractors shall conform to the terms and conditions of the National Pollution Discharge Elimination Systems (NPDES) General Permit as published in the Federal Register, Vol. 57, No. 175, September 9, 1992, by the Environmental Protection Agency (EPA).
2. The Notice of Intent (NOI), as required by the General Permit, must be properly displayed on site at all times by each operator.
3. All releases of reportable quantities of hazardous substances shall be reported immediately to the facility operator and EPA.
4. Qualified operator personnel must inspect the site at least once every fourteen days and within 24 hours of a 1/2 – inch or greater rainfall event. The inspector shall document the results.
5. Modifications to the Storm Water Pollution Prevention Plan shall be implemented and be in–place within a fourteen calendar day period.
6. If any contractor sees a violation by an operator or another contractor, he shall notify the operator and contractor in violation, as well as the facility operator.
7. Erosion control shall be installed prior to any grading.
8. Accumulated silt deposits shall be removed from silt fences and hay bale dikes when silt depth reaches six inches. Removal of silt deposits by the contractor shall be incidental to the performance of the contract and a separate bid item shall not be included.
9. The contractor shall add or delete erosion protection at the request and direction of the Operator or the City.
10. After installation of pavement, final lot benching and general cleanup, the Paving Contractor shall establish grass groundcover in all street parkways, lots and all other disturbed areas. Materials shall be as specified in Item 2.15 and seeding shall be in accordance with Item 3.10 of the NCTCOG Standard Specifications.
11. It shall be the contractor's responsibility to control and limit silt and sediment leaving the site. Specifically, the contractor shall protect all public streets, alleys, streams and storm drainage systems from erosion deposits.
12. It shall be the contractor's responsibility to provide a dumpster (or equal) to collect solid waste materials during construction.
13. The attached Drainage Area Map, as prepared by Tipton Engineering, Inc., specifically for this project, shall be made part of the Storm Water Pollution Prevention Plan.
14. It is anticipated that the following non–storm water discharges will be associated with this project. These discharges are authorized through the construction general permit:
    - A. Fire hydrant flushings
    - B. Water used to wash vehicles and to control dust
    - C. Potable water sources including waterline flushings
    - D. Irrigation drainage
    - E. Pavement washdown
    - F. Uncontaminated ground water
    - G. Construction water
15. Construction waste disposal containers shall be provided on the site for disposal of all non–hazardous construction waste materials. The containers shall be hauled to landfill by the Contractor.
16. All hazardous materials shall be handled and disposed of by the Contractor in accordance with Federal, State and Local regulations.

CHANNELS, DITCHES & SLOPES:
All disturbed areas outside of the building lots which include channels, ditches and slopes shall be stabilized once grading is completed within these areas. Stabilization shall be done using either erosion control blankets, sod, hydroseed mulch or other erosion prevention technique designed for such areas. No area is considered stabilized until it achieves 70% growth coverage.

All erosion control blankets in channels or ditches must be effective in preventing erosion at velocities up to 10 fps.

NOTE:
It shall be the contractor's responsibility to use whatever means are necessary to control and limit silt and sedimentation leaving the site. Specifically, the contractor shall protect all public streets, alleys, streams, storm drain systems and inlets from erosion deposits. The contractor responsible for maintaining erosion control shall provide street cleaning on public streets if any earth material is transported from the construction site at the end of each day. Earth material shall not be allowed to accumulate on City or TXDOT roads.

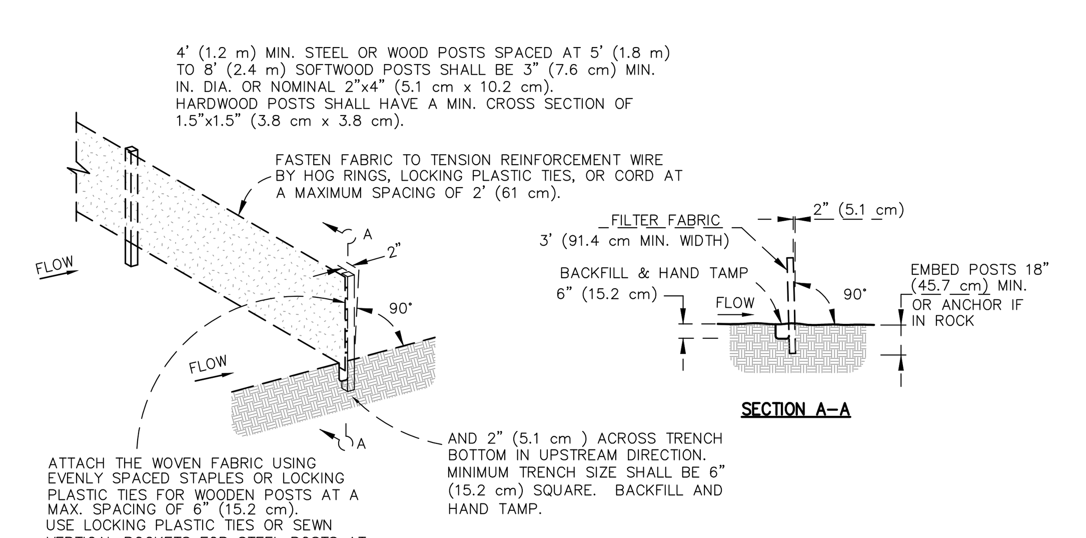
CAUTION !!!

EXISTING UTILITIES

EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH HORIZONTALLY AND VERTICALLY THE LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION, TO TAKE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.

CONSTRUCTION NOTES – SILT FENCE

1. Posts which support the silt fence shall be installed on a slight angle toward the anticipated runoff source. The post must be embedded a minimum of 18 inches.
2. The toe of the silt fence shall be trenched in with a spade or mechanical trencher, so that the downslope face of the trench is flat and perpendicular to the line of flow. Where fence cannot be trenched in (e.g. pavement), weight fabric flap with washed gravel on the uphill side to prevent flow under fence.
3. The trench must be a minimum of 6 inches deep and 6 inches wide to allow for the silt fence fabric to be laid in the ground and backfilled with compacted material.
4. Silt fence shall be securely fastened to each support post or to woven wire, which is in turn attached to the support post. There shall be a 6 inch double overlap, securely fastened where ends of fabric meet.
5. Inspection shall be made weekly or after each rainfall. Repair or replacement shall be made promptly as needed.
6. Silt fence shall be removed when the site is completely stabilized so as not to block or impede storm flow or drainage.
7. Accumulated silt shall be removed when it reached a depth of 6 inches. The silt shall be disposed of at an approved site and in such a manner as to not contribute to additional siltation.



SILT FENCE

Not To Scale

Bench Mark 1
Rim of sanitary sewer manhole at the Northwest property corner, 199'± Southeast of the intersection of Elizabeth Drive and F.M. Road 1836 Elev.=415.47
Bench Mark 2
Rim of sanitary sewer manhole on the North side of F.M. Road 1836, at the intersection of Melody Circle 760'± Northwest of the Northeast property corner. Elev.=422.16

PRELIMINARY
-FOR REVIEW ONLY-
THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NO INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF:
CHARLES A. LAMPING 88554 FEB. 2021
TYPE OR PRINT NAME DATE

EROSION CONTROL PLAN

PRAIRIE CREEK ESTATES PHASE 3

City Of Kaufman, Texas

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941–8400 FAX (972) 941–8401

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ECD, LP.	ECD, LP.	02/17/2021	1"=60'		4804	20

APPENDIX B
BUDGETED COSTS OF AUTHORIZED IMPROVEMENTS

Client Name:	**SRP Development, LLC**
Project Name:	**Prairie Creek Phase 3**
ECD Project No.:	**02150**
Estimate Date:	**25-Apr-22**

ENGINEERING CONCEPTS & DESIGN, L.P.
CIVIL ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES
FIRM REGISTRATION #F-001145
201 WINDCO CIRCLE, WYLIE, TX, 75098
972.941.8400 WWW.ECDLP.COM FAX:972.941.8401

Lots:	**63**
Acres:	**17.48**
Density:	**3.60**

AutoCAD file Used/Date: Z:\PROJECTS\02150 - Prairie Creek Estates Ph 3\dwg\Old Tipton Files\4804-FP

Average Prices Used: All

Engineers Opinion Of Probable Construction Cost

Overall Price Modifier **1.00**

Summary

Description	**Quantity**	**Unit**	**Unit Price**	**Item Amount**
Grading Total				$144,145
Erosion Control Total				$53,767
Drainage Total				$918,426
Water Total				$324,899
Sanitary Sewer Total				$265,377
Paving Total				$765,190
Construction Contingency - On-Site	10%			$247,180
Bonds	1.5%	LS		$34,108
Sub-Total On-Site Hard Costs				**$2,753,093**
Total All Construction Hard Costs				**$2,753,093**
Geotechnical Investigation (Preliminary & Final)		LS	$10,000	
Waters of the US Determination		LS	$3,500	
Environmental Site Assessment (ESA)		LS	$2,500	
Traffic Impact Analysis (TIA)		LS	$7,000	
Design Survey		LS	$6,500	
Existing Topo of Project Site		LS	$30,000	
Tree Survey		LS	$8,000	
Engineering Final Design	6.0%	LS	$2,471,804	$148,308
Flood Study &/or LOMR		LS	$20,000	
Reimbursable Expenses		LS	$5,000	
Final Plat & Lot Pinning	63	Lot	$250	$15,750
Engineering Design Total				**$164,058**

Client Name:	**SRP Development, LLC**	
Project Name:	**Prairie Creek Phase 3**	
ECD Project No.:	**02150**	
Estimate Date:	**25-Apr-22**	
Lots:	**63**	
Acres:	**17.48**	AutoCAD file Used/Date: Z:\PROJECTS\02150 - Prairie Creek Estates Ph 3\dwg\Old Tipton Files\4804-FP
Density:	**3.60**	Average Prices Used: All

ENGINEERING CONCEPTS & DESIGN, L.P.
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FIRM REGISTRATION #F-001145
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Engineers Opinion Of Probable Construction Cost — **Overall Price Modifier 1.00**

Summary

Description	Quantity	Unit	Unit Price	Item Amount
Material Testing	3.0%	LS	$2,418,037	$72,541
Inspection Fees	3.0%	LS	$2,273,892	$68,217
Construction Staking	63	Lot	$425	$26,775
ECD Construction Phase Services		Lot	$500	
As Built Plans		EA	$3,000	
Construction Administration Total				**$167,533**
Landscape/Screening/Planting	375	LF	$85	$31,875
Entry Feature		LS	$30,000	
Street Lights	9	EA	$1,250	$11,250
8 Ft concrete Hike and Bike Trail	16000	SF	$9	$144,000
City Park Impact Fees		Lot		
City Throughfare Impact Fees		Lot		
Cluster Box Unit Mailboxes (CBU)	63	Lot	$175	$11,025
Easement Acquisition		LS	$5,000	
Franchise Utility Installation		Lot	$2,500	
Miscellaneous Developer Costs				**$198,150**

PROJECT GRAND TOTAL **$3,282,834**

Total Lots =	**63**
Cost Per Lot =	**$52,108**
Cost Per Acre =	**$187,805**

*** This estimate has been completed on limited information and should be used for project evaluation. Prior to making financial commitments based on this estimate, these numbers should be verified by Engineering Concepts & Design L.P.

*** No assumptions have been made for the following items: Contractor Mobilization, Entry Features, Landscaping, Irrigation, Screening Walls, Land Cost, Impact Fees, or Franchise Utilities Including Electric, Cable, Phone, etc.

Due to the extreme market volatility that we are presently experiencing from a lack of cement production and resin shortages it is likely that market prices will be 10%-30% higher than shown in this estimate if construction occurs in 2021. ECD will NOT be resposible for any cost overruns and/or funding shortages.

Client Name:	**SRP Development, LLC**	
Project Name:	**Prairie Creek Phase 3**	
ECD Project No.:	**02150**	
Estimate Date:	**25-Apr-22**	
Lots:	**63**	
Acres:	**17.48**	AutoCAD file Used/Date: Z:\PROJECTS\02150 - Prairie Creek Estates Ph 3\dwg\Old Tipton Files\4804-FP
Density:	**3.60**	Average Prices Used: All

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Engineers Opinion Of Probable Construction Cost

Overall Price Modifier 1.00

Grading

Grading Price Modifier 1.00

Description	Quantity	Unit	Unit Price	Item Amount
Grading - Site Work - Clearing & Grubbing	17.48	AC	$1,000.00	$17,480
Grading - Site Work - Tree Removal & Disposal	1	LS	$5,000.00	$5,000
Grading - Dirt Work - On-site Balanced Cut and Fill (Uncl. Exc.)	24,900	CY	$1.85	$46,065
Grading - Dirt Work - Swale and Fine Grade Lots	63	EA	$100.00	$6,300
Grading - Dirt Work - Rough Lot Benching	63	EA	$100.00	$6,300
Grading - Dirt Work - Moisture Conditioning - 5' Deep	63	EA	$1,000.00	$63,000
Grading - Dirt Work - 6 mil Poly Membrane	63	EA		
Grading Total				**$144,145**
Grading Total Cost per Lot				**$2,288**

Erosion Control

Erosion Control Price Modifier 1.00

Description	Quantity	Unit	Unit Price	Item Amount
Erosion Control - SWPPP - Plan / Permit	1	LS	$1,100.00	$1,100
Erosion Control - SWPPP - Inspections - Weekly or Event - Weekly or Event	40	Wk	$82.00	$3,280
Erosion Control - SWPPP - Project Sign	1	EA	$170.00	$170
Erosion Control - SWPPP - NOI	1	EA	$410.00	$410
Erosion Control - Miscellaneous - Stabilized Construction Entrance/Exit	1	EA	$1,700.00	$1,700
Erosion Control - Inlets - Curb Inlet Protection -	11	EA	$160.00	$1,760
Erosion Control - Drainage - Rock Check Dam - Each	3	EA	$1,000.00	$3,000
Erosion Control - Drainage - Silt Fence - NO Wire	7,500	LF	$1.50	$11,250
Erosion Control - Drainage - Silt Fence - With Wire Backing	6,400	LF	$1.70	$10,880
Erosion Control - Drainage - Curlex - 4'	7,600	LF	$0.67	$5,092
Erosion Control - Grassing - Seeding - Square Yard	70,000	SY	$0.10	$7,000
Erosion Control - Miscellaneous - Maintenance	63	Lot	$75.00	$4,725
Erosion Control - Miscellaneous - Sales Tax	1	LS	$3,400.00	$3,400
Erosion Control Total				**$53,767**
Erosion Control Total Cost per Lot				**$853**

Client Name:	**SRP Development, LLC**
Project Name:	**Prairie Creek Phase 3**
ECD Project No.:	**02150**
Estimate Date:	**25-Apr-22**
Lots:	**63**
Acres:	**17.48**
Density:	**3.60**

ENGINEERING CONCEPTS & DESIGN, L.P.
Civil Engineering / Project Management / Construction Services
Firm Registration #F-001145
201 Windco Circle, Wylie, TX, 75098
972.941.8400 www.ecdlp.com Fax :972.941.8401

AutoCAD file Used/Date: Z:\PROJECTS\02150 - Prairie Creek Estates Ph 3\dwg\Old Tipton Files\4804-FP

Average Prices Used: All

Engineers Opinion Of Probable Construction Cost

Overall Price Modifier **1.00**

Drainage Price Modifier **1.30**

Drainage

Description	Quantity	Unit	Unit Price	Item Amount
Storm - RCP - Class III - 18"	50	LF	$65.00	$3,250
Storm - RCP - Class III - 21"	519	LF	$72.00	$37,368
Storm - RCP - Class III - 24"	159	LF	$80.00	$12,720
Storm - RCP - Class III - 30"	157	LF	$100.00	$15,700
Storm - RCP - Class III - 36"	377	LF	$150.00	$56,550
Storm - RCP - Class III - 48"	401	LF	$250.00	$100,250
Storm - RCBC - PreCast - 10' x 5' - Sextuple	58	LF	$6,035.00	$350,030
Storm - Headwalls - Type A = TxDOT (PW) - 21"	1	EA	$1,200.00	$1,200
Storm - Headwalls - Type B - 21"	1	EA	$1,200.00	$1,200
Storm - Headwalls - Type B - 30"		EA	$2,860.00	
Storm - Headwalls - Type B - 36"	1	EA	$2,200.00	$2,200
Storm - Headwalls - Type B - 42"		EA	$3,770.00	
Storm - Headwalls - Type B - 48"	1	EA	$3,500.00	$3,500
Storm - Headwalls - RCBC - Type B = TxDOT (SETB-FW-S) - 10' x 5' - Sextuple	2	EA	$100,000.00	$200,000
Storm - Inlets - Standard Curb - 10'	12	EA	$3,200.00	$38,400
Storm - Inlets - Wye - 5' x 5'	1	EA	$3,500.00	$3,500
Storm - General - Grouted Rock Riprap Type "A" - 6"-12" Dia - 12" Thick	197	SY	$65.00	$12,805
Storm - General - Grouted Rock Riprap Type "A" - 20" Dia - 18" Thick	901	SY	$85.00	$76,621
Storm - General - Trench Safety	1,721	LF	$1.82	$3,132
Drainage Total				**$918,426**
Drainage Total Cost per Lot				**$14,578**

Client Name:	**SRP Development, LLC**		
Project Name:	**Prairie Creek Phase 3**		
ECD Project No.:	**02150**		
Estimate Date:	**25-Apr-22**		
Lots:	**63**		
Acres:	**17.48**	AutoCAD file Used/Date:	Z:\PROJECTS\02150 - Prairie Creek Estates Ph 3\dwg\Old Tipton Files\4804-FP
Density:	**3.60**	Average Prices Used:	All

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CIVIL ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES
FIRM REGISTRATION #F-001145
201 WINDCO CIRCLE, WYLIE, TX, 75098
972.941.8400 WWW.ECDLP.COM FAX :972.941.8401

Engineers Opinion Of Probable Construction Cost — **Overall Price Modifier** **1.00**

Water

Water Price Modifier **1.30**

Description	Quantity	Unit	Unit Price	Item Amount
Water - PVC - C 900 - 8"	3,822	LF	$58.00	$221,676
Water - Valves - Gate - 8"	10	EA	$1,300.00	$13,000
Water - General - Cut Tee into Existing Water Line - 8" - 8" x 6"	1	EA	$1,500.00	$1,500
Water - Fittings - Cast Iron Fittings	2.2	TON	$4,700.00	$10,340
Water - Fittings - Fire Hydrant Assembly	9	EA	$4,000.00	$36,000
Water - General - Services - 1" with Meter Box	63	EA	$600.00	$37,800
Water - General - Pressure Test & Disinfection - Linear Foot	3,822	LF	$0.84	$3,210
Water - General - Trench Safety (water)	3,822	LF	$0.10	$382
Water - General - Remove Plug & Connect to Existing Water	1	EA	$990.00	$990
Water Total				**$324,899**
Water Total Cost per Lot				**$5,157**

Sanitary Sewer

Sanitary Sewer Price Modifier **1.30**

Description	Quantity	Unit	Unit Price	Item Amount
Sewer - PVC - SDR 35 - 8"	3,338	LF	$58.00	$193,604
Sewer - Manholes & Junction Boxes - Circular - 4' Dia - Standard	9	EA	$2,500.00	$22,500
Sewer - Manholes & Junction Boxes - Circular - Extra Depth - 4' Dia	3.47	VF	$230.00	$798
Sewer - Fittings - Laterals - 4"	63	EA	$600.00	$37,800
Sewer - Fittings - Clean Outs - With Cast Iron Cover - 4"	1	EA	$680.00	$680
Sewer - Backfill - Concrete Encasement	20	LF	$41.00	$820
Sewer - Miscellaneous - Connections - Existing Manhole	2	EA	$1,600.00	$3,200
Sewer - General - Pressure Test - Linear Foot	3,338	LF	$0.84	$2,804
Sewer - General - Trench Safety (san. swr.)	3,338	LF	$0.10	$334
Sewer - General - Television Inspection	3,338	LF	$0.85	$2,837
Sanitary Sewer Total				**$265,377**
Sanitary Sewer Total Cost per Lot				**$4,212**

Client Name:	**SRP Development, LLC**
Project Name:	**Prairie Creek Phase 3**
ECD Project No.:	**02150**
Estimate Date:	**25-Apr-22**

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Lots:	**63**
Acres:	**17.48**
Density:	**3.60**

AutoCAD file Used/Date: Z:\PROJECTS\02150 - Prairie Creek Estates Ph 3\dwg\Old Tipton Files\4804-FP
Average Prices Used: All

Engineers Opinion Of Probable Construction Cost **Overall Price Modifier** **1.00**

Paving

Paving Price Modifier **1.30**

Description	Quantity	Unit	Unit Price	Item Amount
Paving - Concrete - Streets - 6" - 3500 psi	13,630	SY	$45.00	$613,350
Paving - Concrete - Sidewalks/Ramps - 4" x 4'	5,549	SF	$5.00	$27,745
Paving - Concrete - Sidewalks/Ramps - Barrier Free Ramp - Single	6	EA	$1,400.00	$8,400
Paving - Subgrade Prep - 6"	14,480	SY	$3.50	$50,680
Paving - Subgrade Prep - Lime Material	261	TON	$200.00	$52,200
Paving - Connections - Connect to Existing Street Header	31	LF	$12.00	$372
Paving - Connections - Dowel to Existing Concrete	31	LF	$14.30	$443
Paving - Signage - Stop Sign (R1-1)	2	EA	$850.00	$1,700
Paving - Signage - Street Name Blade (Installed Complete)	14	EA	$450.00	$6,300
Paving - Traffic Control - Management (Installation, Maintenance, Reset, & Removal)	1	LS	$2,400.00	$2,400
Paving - Traffic Control - Signs, Devices & Barricades for Const.	1	LS	$1,600.00	$1,600
Paving Total				**$765,190**
Paving Total Cost per Lot				**$12,146**

In providing opinions of probable construction cost, the client understands that the design professional has no control over costs or the price of labor, equipment, materials, or over the contractor's method of pricing, and that the opinions or probable construction costs provided herein are to be made on the basis of the design professional's qualifications and experience. The client should also understand that quantities are based on available preliminary information and can and will change once engineering design is completed. The design professional makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bids or actual costs.

APPENDIX C
LEGAL DESCRIPTION

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 N0.21, KAUFMAN COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 16.339 ACRE TRACT DESCRIBED AS TRACT Ill 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 THESOUTHWEST 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-MENITIONED 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 PEET 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 DEL TA 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 DEL TA 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 MUTES 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 OP 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 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.

APPENDIX D
DIAGRAMS OF THE AUTHORIZED IMPROVEMENTS

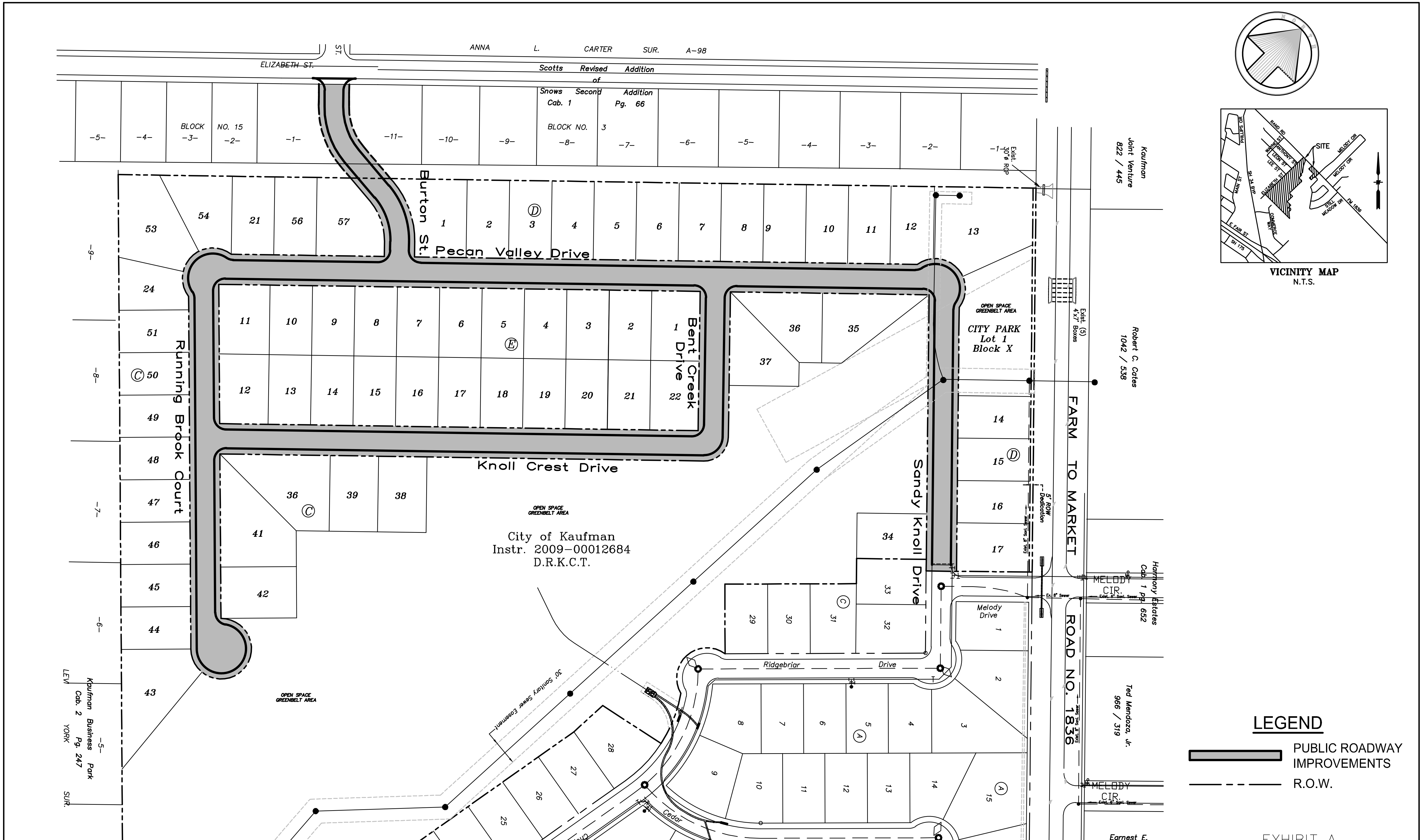
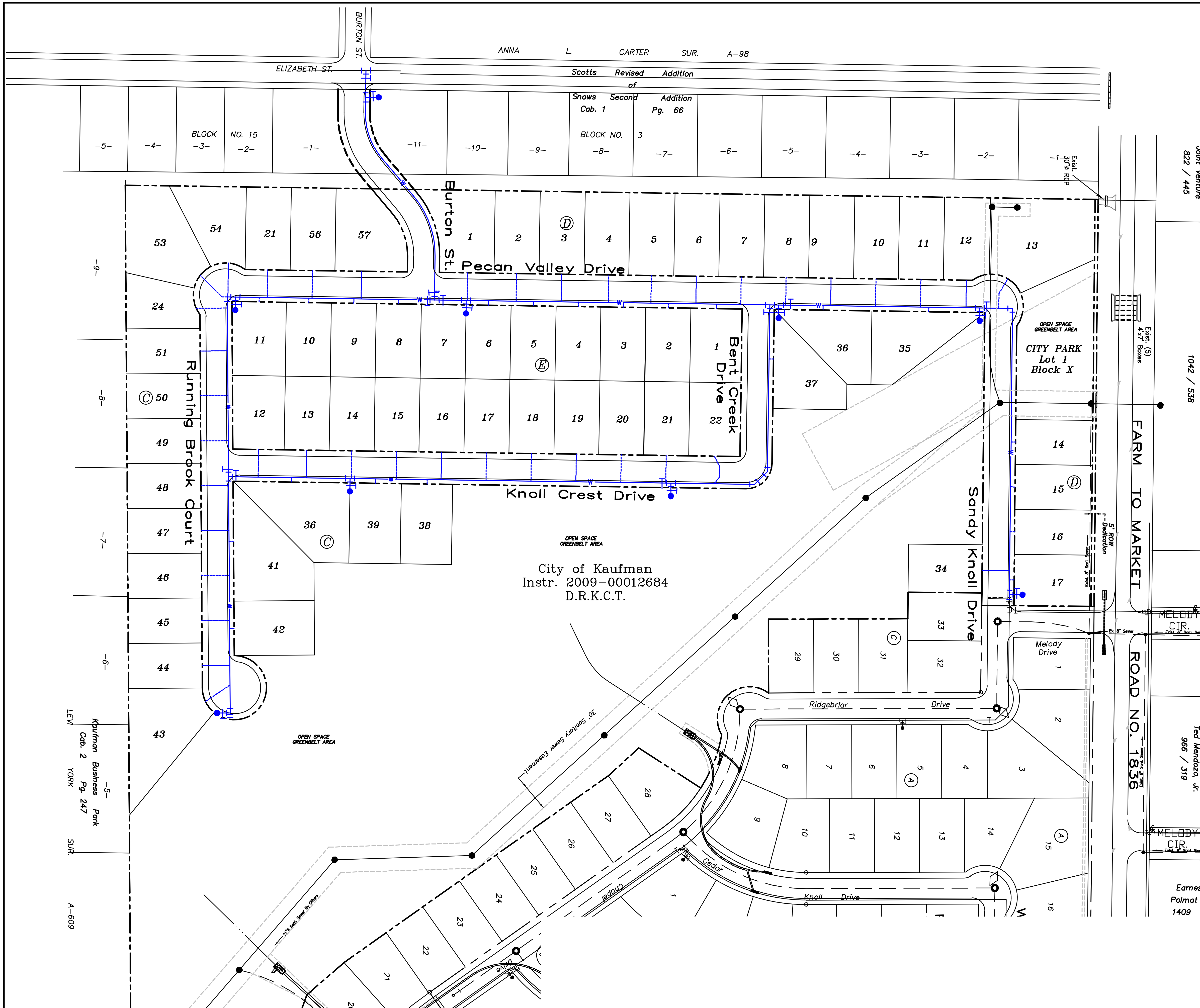
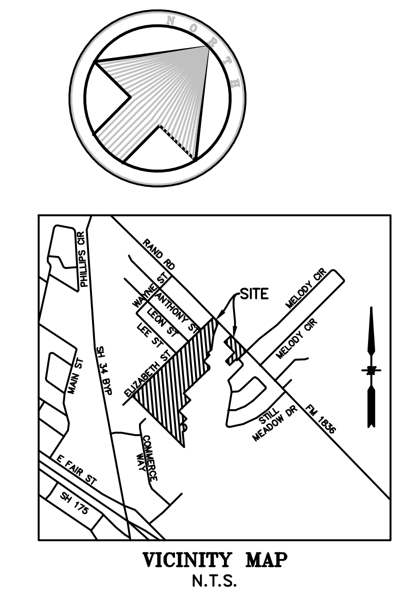


EXHIBIT A

ROADWAY IMPROVEMENTS						
PRAIRIE CREEK ESTATES PHASE 3						
KAUFMAN, TEXAS						
ENGINEERING CONCEPTS & DESIGN, L.P. ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES TEXAS FIRM REG. NO. 001145 201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098 (972) 941-8400 FAX (972) 941-8401						
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ECD, LP.	ECD, LP.	5/10/2022	1"=150' H.	ECD, LP.		1





LEGEND

PUBLIC WATER IMPROVEMENTS

R.O.W.

EXHIBIT B

WATER IMPROVEMENTS

PRAIRIE CREEK ESTATES PHASE 3

KAUFMAN, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.

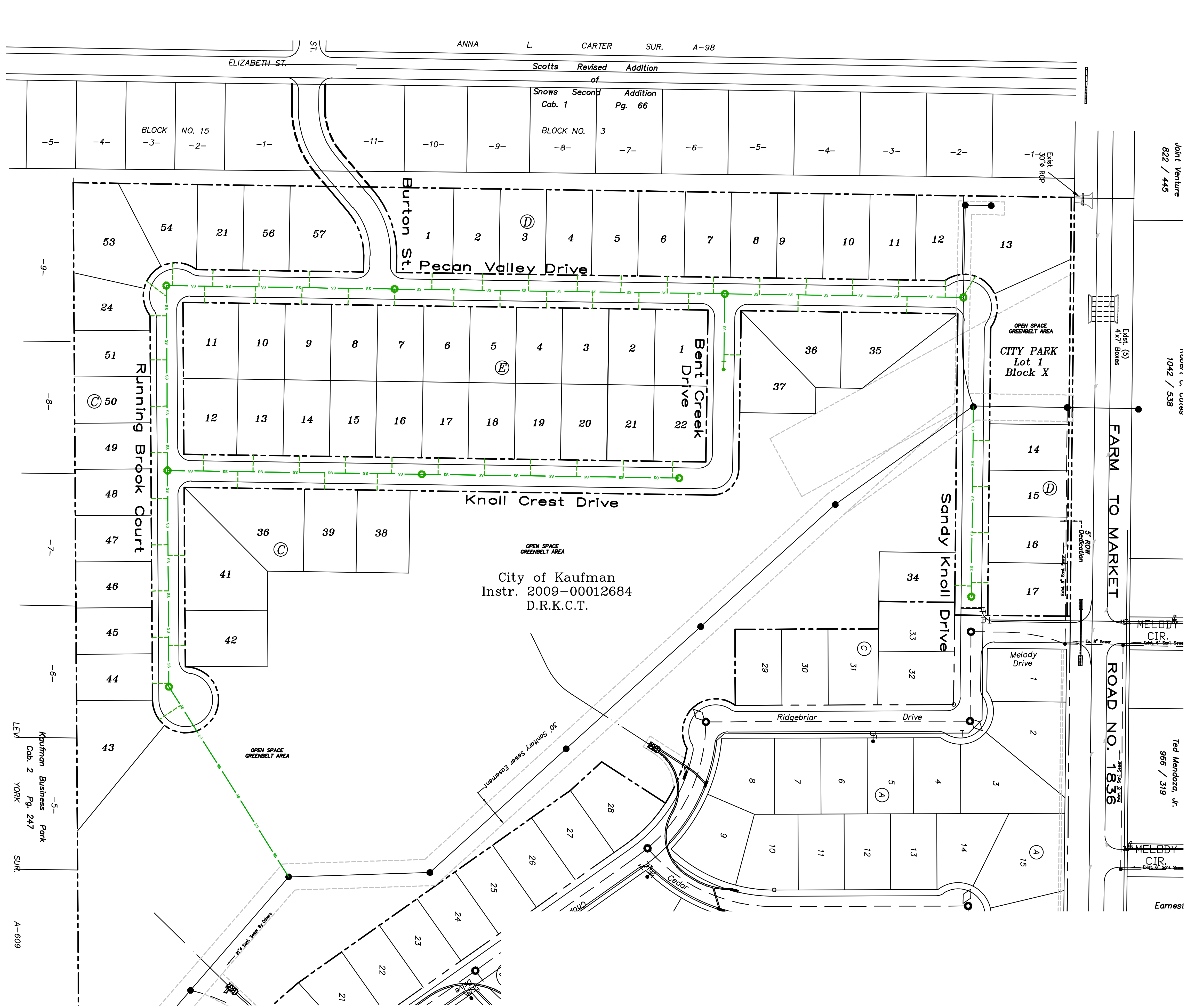
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES

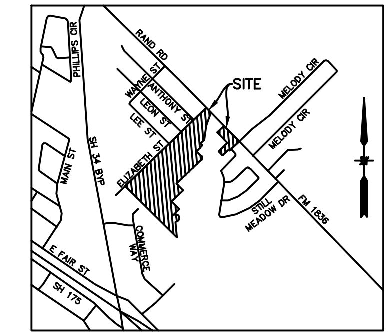
TEXAS FIRM REG. NO. 001145

201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098

(972) 941-8400 FAX (972) 941-8401

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ECD, LP.	ECD, LP.	5/10/2022	1"=150' H.	ECD, LP.	4804-DPEC	2





VICINITY MAP
N.T.S.

LEGEND

SS	PROPOSED SANITARY SEWER
	R.O.W.

EXHIBIT C

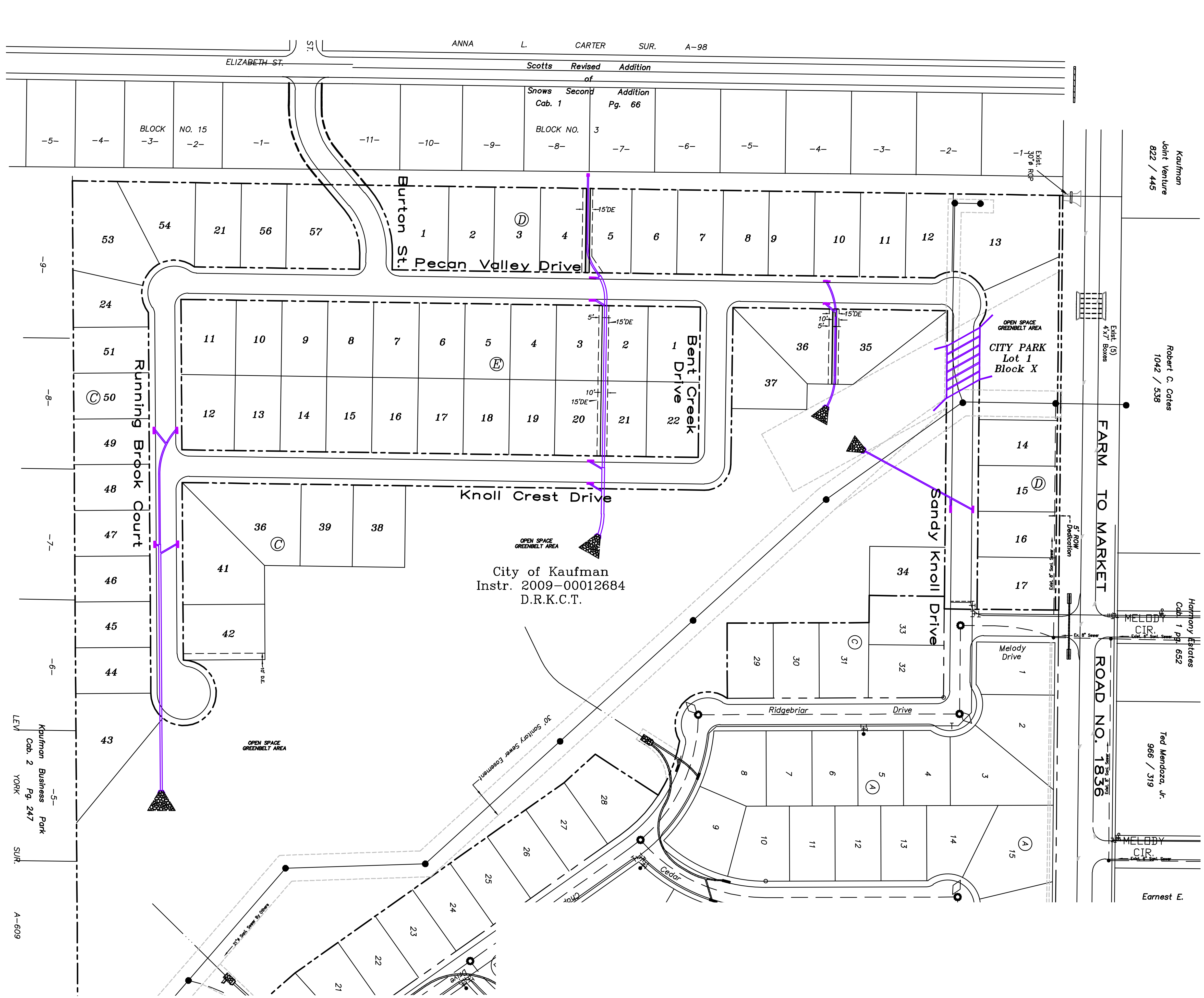
SANITARY SEWER IMPROVEMENTS

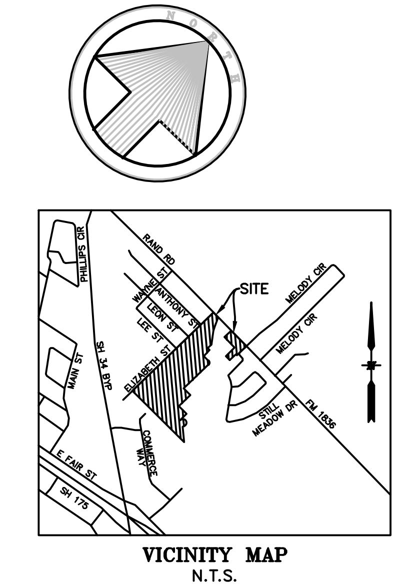
PRAIRIE CREEK ESTATES PHASE 3

KAUFMAN, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ECD, LP.	ECD, LP.	5/10/2022	1"=150' H.	ECD, LP.	4804-DPEC	3





LEGEND

PROPOSED PUBLIC STORM

DRAINAGE EASEMENT

R.O.W.

EXHIBIT D

STORM SEWER IMPROVEMENTS

PRAIRIE CREEK ESTATES PHASE 3

KAUFMAN, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ECD, LP.	ECD, LP.	5/10/2022	1"=150' H.	ECD, LP.	4804-DPEC	4

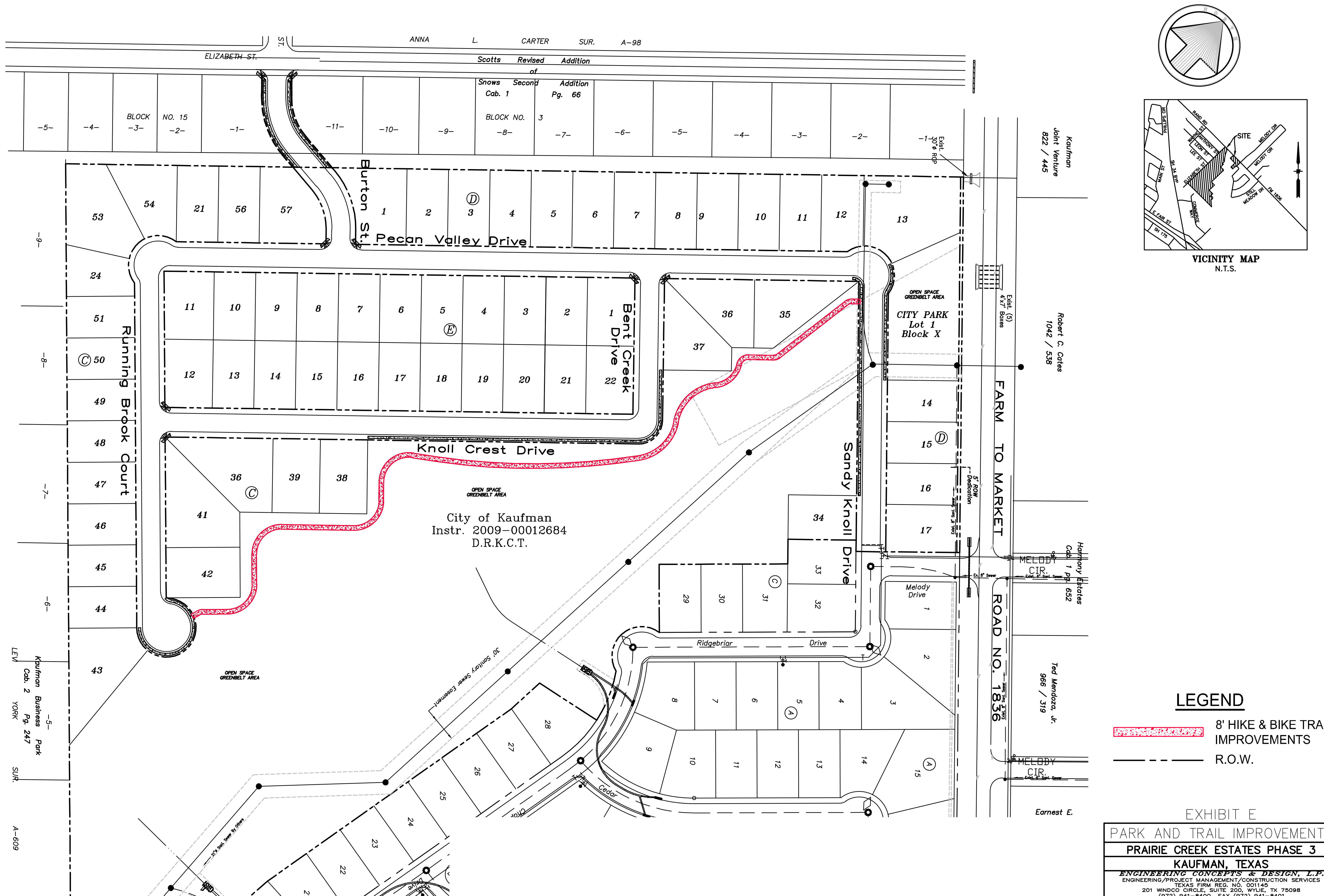


EXHIBIT E

PARK AND TRAIL IMPROVEMENTS						
PRAIRIE CREEK ESTATES PHASE 3						
KAUFMAN, TEXAS						
ENGINEERING CONCEPTS & DESIGN, L.P. ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES TEXAS FIRM REG. NO. 001145 201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098 (972) 941-8400 FAX (972) 941-8401						
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ECD, LP.	ECD, LP.	5/10/2022	1"=150' H.	ECD, LP.		1

APPENDIX E
PID DISCLOSURE

AFTER RECORDING RETURN TO:

____

____

____

____

_____________________][1]

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
CITY OF KAUFMAN, TEXAS
CONCERNING THE FOLLOWING PROPERTY

____

STREET ADDRESS

LOT TYPE _____ PRINCIPAL ASSESSMENT: $______

As the purchaser of the real property described above, you are obligated to pay assessments to the City of Kaufman, Texas (the "City"), for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within ***Kaufman Public Improvement District No. 2*** (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City. The exact amount of each annual installment will be approved each year by the City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

[1] To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Kaufman County.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:	DATE:
SIGNATURE OF PURCHASER	SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:	DATE:
SIGNATURE OF SELLER	SIGNATURE OF SELLER][2]

[2] To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:	DATE:
______________________	______________________
SIGNATURE OF PURCHASER	SIGNATURE OF PURCHASER

STATE OF TEXAS §
§
COUNTY OF KAUFMAN §

The foregoing instrument was acknowledged before me by______________________ and ____________________, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this ________________, 20__.

Notary Public, State of Texas][3]

[3] To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Kaufman County.

The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:	DATE:
____________________________	____________________________
SIGNATURE OF SELLER	SIGNATURE OF SELLER

STATE OF TEXAS §
§
COUNTY OF KAUFMAN §

The foregoing instrument was acknowledged before me by ____________________and _________________ , known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this_________________ , 20__.

Notary Public, State of Texas][4]

[4] To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Kaufman County.

APPENDIX F
ASSESSMENT PER LOT, PROJECTED LEVERAGE AND PROJECTED TAX RATE EQUIVALENTS

Appendix F

For purposes of calculating and allocating the Assessments, the Assessed Property has been classified in one of three Lot Types.

"Lot Type 1" means lots identified as such on the Assessment Roll, being lots typically with a Lot width of approximately 70 feet.

A) Proposed Development

Table F-1 shows the proposed residential units to be developed within the PID.

Table F-1
Proposed Development within the PID

Description	Proposed Development	
Lot Type 1 (70 Ft)	63	Units
Total	**63**	**Units**

B) Allocation of Assessments to Lots within the PID

The total amount of the Reimbursement Agreement, which represents the total Assessment to be allocated on all Parcels within the PID is $1,106,000 As shown above, there are a total of 63 residential units, resulting in an Assessment per Lot of $17,555.56 (i.e. $1,106,000 ÷ 63 = $17,555.56).

Table F-2 sets forth the Assessment per dwelling unit within the PID.

Table F-2
Assessment Per Unit

Description	Planned No. of Lots	Assessment per Lot		Total Assessments
Lot Type 1 (70 Ft)	63	$17,555.56	Per Lot	$1,106,000
Total	**63**			**$1,106,000**

The projected leverage calculated based on the estimated finished lot values and home values for each unit is shown in Table F-3.

Table F-3
Projected Leverage

Description	Planned No. of Units	Estimated Finished Lot Value per unit	Projected Home Value per unit	Assessment per Lot	Leverage (Lot Value)	Leverage (Home Value)
Lot Type 1 (70 Ft)	63	$66,000	$330,000	$17,555.56	3.76	18.80

The projected tax rate equivalent per unit calculated based on the estimated finished lot values and home values for each unit is shown in Table F-4.

Table F-4
Estimated Tax Rate Equivalent per Lot

Description	Planned No. of Lots	Estimated Finished Lot Value per Lot	Projected Home Value per Lot	Projected Average Annual Installment per Lot	Tax Rate Equivalent (per $100 Lot Value)	Tax Rate Equivalent (per $100 Home Value)
Lot Type 1 (70 Ft)	63	$66,000	$330,000	$1,432.68	$2.17	$0.43

The Assessment and Annual Installments for each Parcel or Lot located within the PID is shown on the Assessment Roll, attached as Appendix G, and no Assessment shall be changed except as authorized by this Service and Assessment Plan and the PID Act.

APPENDIX G
ASSESSMENT ROLL

Appendix G-1
Assessment Roll

Parcel	**All Parcels**
Assessment	**$1,106,000**
No. of Lots	**63**

Year	Principal	Interest[1]	Administrative Expenses[2]	Total Annual Installment
1	$18,000	$53,309	$18,500	$89,809
2	$19,000	$52,442	$18,870	$90,312
3	$19,000	$51,526	$19,247	$89,773
4	$20,000	$50,610	$19,632	$90,242
5	$21,000	$49,646	$20,025	$90,671
6	$22,000	$48,634	$20,025	$90,659
7	$23,000	$47,573	$20,025	$90,598
8	$24,000	$46,465	$20,025	$90,490
9	$25,000	$45,308	$20,025	$90,333
10	$26,000	$44,103	$20,025	$90,128
11	$28,000	$42,850	$20,025	$90,875
12	$29,000	$41,500	$20,025	$90,525
13	$30,000	$40,102	$20,025	$90,127
14	$32,000	$38,656	$20,025	$90,681
15	$33,000	$37,114	$20,025	$90,139
16	$35,000	$35,523	$20,025	$90,548
17	$36,000	$33,836	$20,025	$89,861
18	$38,000	$32,101	$20,025	$90,126
19	$40,000	$30,270	$20,025	$90,295
20	$42,000	$28,342	$20,025	$90,367
21	$44,000	$26,317	$20,025	$90,342
22	$46,000	$24,196	$20,025	$90,221
23	$48,000	$21,979	$20,025	$90,004
24	$50,000	$19,666	$20,025	$89,691
25	$53,000	$17,256	$20,025	$90,281
26	$55,000	$14,701	$20,025	$89,726
27	$58,000	$12,050	$20,025	$90,075
28	$61,000	$9,254	$20,025	$90,279
29	$64,000	$6,314	$20,025	$90,339
30	$67,000	$3,229	$20,025	$90,254
Total	**$1,106,000**	**$1,004,874**	**$596,900**	**$2,707,773**

1 - The interest amounts are based on an interest rate of 4.82% for years 1 through 5 and an interest rate of 4.82% thereafter and will be updated at the time of levy.
2 - The Administrative Expenses shown include the estimated district administration costs and will be updated in Annual Service Plan Updates.

Appendix G-2
Assessment Roll by Lot Type

Parcel Assessment — **Lot Type 1 (70 Ft)** **$17,555.56**

Year	Principal	Interest[1]	Administrative Expenses[2]	Total Annual Installment
1	$286	$846	$294	$1,426
2	$302	$832	$300	$1,434
3	$302	$818	$306	$1,425
4	$317	$803	$312	$1,432
5	$333	$788	$318	$1,439
6	$349	$772	$318	$1,439
7	$365	$755	$318	$1,438
8	$381	$738	$318	$1,436
9	$397	$719	$318	$1,434
10	$413	$700	$318	$1,431
11	$444	$680	$318	$1,442
12	$460	$659	$318	$1,437
13	$476	$637	$318	$1,431
14	$508	$614	$318	$1,439
15	$524	$589	$318	$1,431
16	$556	$564	$318	$1,437
17	$571	$537	$318	$1,426
18	$603	$510	$318	$1,431
19	$635	$480	$318	$1,433
20	$667	$450	$318	$1,434
21	$698	$418	$318	$1,434
22	$730	$384	$318	$1,432
23	$762	$349	$318	$1,429
24	$794	$312	$318	$1,424
25	$841	$274	$318	$1,433
26	$873	$233	$318	$1,424
27	$921	$191	$318	$1,430
28	$968	$147	$318	$1,433
29	$1,016	$100	$318	$1,434
30	$1,063	$51	$318	$1,433
Total	**$17,556**	**$15,950**	**$9,475**	**$42,981**

1 - The interest amounts are based on an interest rate of 4.82% for years 1 through 5 and an interest rate of 4.82% thereafter and will be updated at the time of levy.
2 - The Administrative Expenses shown include the estimated district administration costs and will be updated in Annual Service Plan Updates.

Meeting Date: 7/25/2022 **Date: 07/22/2022** **Item #: 14.** **Dept.: Administration**

Ordinance

SUBJECT:

Consider and take appropriate action on Ordinance O-19-22, an ordinance of the City Council of the City of Kaufman, Texas, providing for the release of a portion of the City's Extraterritorial Jurisdiction ("ETJ") and reduction thereof to exclude parcels identified in Exhibit "A" to the Ordinance (Kaufman County Property ID Numbers 216709, 178171,3536, and 3533) updating the official City Boundary Map to reflect the reduction in ETJ.

BACKGROUND:

The affected property owners have requested this deannexation. In addition, the Kaufman County Precinct Commissioner and Mayor of Scurry have both requested this action. This action will save the property owners significant development dollars.

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff recommends approval of Ordinance O-19-22 as presented.

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

ORDINANCE O-19-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, PROVIDING FOR THE RELEASE OF A PORTION OF ITS EXTRATERRITORIAL JURISDICTION AND REDUCTION THEREOF TO EXCLUDE THOSE ETJ PARCELS MORE SPECIFICALLY IDENTIFIED IN EXHIBIT "A"; UPDATING THE OFFICIAL CITY BOUNDARY MAP; MAKING FINDINGS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 42.023 of the Texas Local Government Code, as amended, a municipality may reduce its extraterritorial jurisdiction by written consent via a resolution or ordinance; and

WHEREAS, that section of the Texas Local Government Code further provides that said written consent must be by ordinance or resolution; and

WHEREAS, Kaufman has agreed to release and reduce its ETJ by releasing four (4) parcels, more particularly described in Exhibit "A", hereto "ETJ Parcels" from the ETJ of the City of Kaufman, so that development may occur in the area to be released and reduced; and

WHEREAS, based upon the location of the ETJ Parcels, Kaufman anticipates that upon its release of the ETJ Parcels, those ETJ Parcels will be located within the ETJ of Scurry; however, upon release, the City of Kaufman makes no representations regarding the future designation of those ETJ Parcels as being included within the ETJ of any specific municipality; and

WHEREAS, based upon the records of Kaufman County, the City Council has determined that all of the ETJ Parcels to be released and reduced pursuant to this Ordinance are contiguous and generally adjacent to Kaufman's existing municipal boundaries and located within the Kaufman ETJ; and

WHEREAS, the City Council desires to release, relinquish and discontinue the ETJ Parcels identified herein from its extraterritorial jurisdiction, as referenced in this Ordinance, and have determined that such action serves the public health, safety and welfare of the public.

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

SECTION 1. Incorporation of Premises. All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Release of ETJ. The City of Kaufman hereby releases the ETJ Parcels, more specifically described in Exhibit "A" attached hereto and incorporated, and reduces its extraterritorial jurisdiction to exclude the ETJ Parcels described in **Exhibit A**.

SECTION 3. Boundary Map. The City Secretary is hereby directed to amend the City's official boundary and extraterritorial jurisdiction map to incorporate the changes effected by this Ordinance and to file copies with the County Clerk of Kaufman County, Texas.

SECTION 4. Cumulative Repealer. This Ordinance shall be cumulative of all other ordinances of the City of Kaufman. Any and all ordinances, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 5. Severability. If any section, subsection, clause, phrase or provision of this Ordinance, or the 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 or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption in accordance with state law and Charter.

PASSED AND APPROVED this ___ day of _______________, 2022.

____
JEFF JORDAN
MAYOR

ATTEST:

____
JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

____
PATRICIA A. ADAMS
CITY ATTORNEY

EXHIBIT "A"

Release of ETJ Parcels

The properties in reference are:

- Parcel ID 216709: 2.99 acres out of the Antonio Cherino Survey, Abstract No. 81, Kaufman Extra-Territorial Jurisdiction, Kaufman County, Texas, addressed as 7441 Shady Lane, Scurry, TX 75158, owned by Basil Glen Huddleston and Lanita Belle Blalock-Huddleston.

- Parcel ID 178171: 7.01 acres out of the Antonio Cherino Survey, Abstract No. 81, Kaufman Extra-Territorial Jurisdiction, Kaufman County, Texas, addressed as 7401 Shady Lane, Scurry, TX 75158, owned by Basil Glen Huddleston, Lanita Belle Blalock-Huddleston, and Joshua Michael Blalock.

- Parcel ID 3536: 18.10 acres out of the Antonio Cherino Survey, Abstract No. 81, Kaufman Extra-Territorial Jurisdiction, Kaufman County, Texas, addressed as County Road 4082, Scurry, TX 75158, owned by Monique Annette Braudrick.

- Parcel ID 3533: 1 acre out of the Antonio Cherino Survey, Abstract No. 81, Kaufman Extra-Territorial Jurisdiction, Kaufman County, Texas, addressed as 7715 Shady Lane, Scurry, TX 75158, owned by Monique Annette Braudrick.

Basil Glen Huddleston
7401 Shady Ln
Scurry Tx. 75158
Telephone 469-719-1948

Email (thehaybalevenue@gmail.com)

Ref: Kaufman County Property ID 178171 and 216709

Andrew Bogda, AICP
Planning Manager
209 S. Washington Street
Kaufman, Texas 75142
Phone: 972-932-2216 x11

Andrew:

We appreciate you understanding in our needs for our business.

This letter is requesting the city of Kaufman release above reference of it's ETJ to the city of Scurry Tx. At the time of release, we are requesting the city of Scurry, Texas to annex us into the jurisdiction of the city. Your cooperation Is very much appreciated.

Basil Glen Huddleston

Lanita Belle Blalock-Huddleston
7401 Shady Ln
Scurry Tx. 75158
Telephone 940-390-5183

Email (thehaybalevenue@gmail.com)

Ref: Kaufman County Property ID 178171 and 216709

Andrew Bogda, AICP
Planning Manager
209 S. Washington Street
Kaufman, Texas 75142
Phone: 972-932-2216 x11

Andrew:

We appreciate you understanding in our needs for our business.

This letter is requesting the city of Kaufman release above reference of it's ETJ to the city of Scurry Tx. At the time of release, we are requesting the city of Scurry, Texas to annex us into the jurisdiction of the city. Your cooperation Is very much appreciated.

Lanita Belle Blalock-Huddleston

Lanita Belle Blalock-Huddleston

Joshua Michael Blalock
7401 Shady Ln
Scurry Tx. 75158
Telephone 214-418-4242

Email (thehaybalevenue@gmail.com)

Ref: Kaufman County Property ID 178171

Andrew Bogda, AICP
Planning Manager
209 S. Washington Street
Kaufman, Texas 75142
Phone: 972-932-2216 x11

Andrew:

We appreciate you understanding in our needs for our business.

This letter is requesting the city of Kaufman release above reference of it's ETJ to the city of Scurry Tx. At the time of release, we are requesting the city of Scurry, Texas to annex us into the jurisdiction of the city. Your cooperation Is very much appreciated.

Joshua Blalock

Joshua Michael Blalock

Monique Braudrick
7715 Shady Lane
P.O. Box 469
Scurry, Texas 75158
972-742-2236
monique.braudrick@alston.com

June 28, 2022

Mr. Andrew Bogda, AICP
Planning Manager
City of Kaufman
209 S. Washington Street
Kaufman, Texas 75142

Re: Kaufman County Property ID 3533 & 3536

Mr. Bogda:

This letter is requesting that the City of Kaufman, Texas release the above-referenced properties of their ETJ to the City of Scurry, Texas. At the time of release, I am requesting the City of Scurry, Texas to annex us into the jurisdiction of the city. Thank you for your cooperation.

Sincerely,

Monique Braudrick

Monique Braudrick

Meeting Date: 7/25/2022 | **Date: 07/21/2022** | **Item #: 15.** | **Dept.: Administration**

Action Item

SUBJECT:

Discussion regarding a proposed cost of living increase to the City of Kaufman's Compensation and Step Schedule.

BACKGROUND:

Council has asked for the budget impact of a proposed COLA (Cost of Living Allowance) that would be applied to the city's Step Pay schedule. Attached represents the dollar impact of COLA increases at 2%, 3%, 4% and 5%.

Author:
Mike Slye, City Manager

Reviewed:
Mike Slye, City Manager

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

Recommendation: Staff is seeking direction from Council.

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

Step Pay Plan COLA Analysis

		FY2023 Base Budget	2%	3%	4%	5%
General Fund	$	4,583,111.00	75,359	112,406	150,082	187,759
Utility Fund	$	1,420,113.00	22,151	33,226	44,301	55,377
Hotel/Motel Fund	$	22,867.00	386	578	771	964
Payroll with no step adjustment	*$*	*6,026,091.00*	97,896	146,210	195,154	244,100

City of Kaufman

GUIDELINES FOR NEW MURALS & GHOST SIGN RESTORATION

Background

In early 2022, some business owners and residents approached City officials and staff regarding a desire to install murals in the downtown area. Numerous research studies suggest that murals can contribute to a positive community atmosphere, add character to a neighborhood, celebrate local culture and community identity, and can even enhance property values. In addition, the restoration of ghost signs (historical, faded, painted signs) can contribute to historic preservation and restoration efforts. As an initial step towards a more comprehensive public art program, the City of Kaufman Zoning Ordinance was amended (Ordinance No. _________) to allow mural signs and the restoration of ghost signs within the Central Business District (CBD).

Review and Approval Process

The applicant for a new mural or ghost sign restoration shall be either the owner of the property where the sign is to be located or their authorized agent.

1. An applicant for a new mural or restoration of a ghost sign shall first meet with the Downtown Design Review Committee to review their plans (including a dimensioned rendering of the proposed sign, current photos of the building with the mural location indicated, a map or site plan of the location, information on materials to be used, and contractor/artist information). Assuming the proposed mural or ghost sign restoration complies with applicable regulations and guidelines, a Certificate of Appropriateness shall be issued within 10 days.
2. After the Certificate of Appropriateness is issued, the applicant shall apply for a sign permit for the mural or ghost sign restoration.

Guidelines for New Murals

Mural artwork will be assessed for the following:

- <u>Originality</u>: Murals should be original works of art.
- <u>Non-commercial</u>: Murals should not contain a commercial message, including name, logo, slogan, service/product, etc. associated with a business, except as part of an approved sponsorship and limited to no more than 5% of the mural.
- <u>Aesthetic or cultural value</u>: As they will be located in the Central Business District, murals will be highly visible to the public and should add beauty and interest to the location in which they are placed. Murals should also reflect the community's character, culture, heritage, or identity.
- <u>Public art</u>: As public art, the mural should be designed for the public realm and suitable for all audiences.

- Context: The mural should be designed to site conditions and may reflect on the local history or culture associated with the specific location. The mural should be durable to withstand weathering, should be appropriate for the building on which it is located, should not detract from the historic character or architectural attributes of a building, and should be designed for vehicular and pedestrian traffic alike.

Sponsorship/Dedication

Signs can be sponsored by, or dedicated to, an individual, entity, or group. The location and design of the sponsorship recognition shall be included in the application materials and approved along with the sign permit. The sponsorship recognition shall be limited to no more than 5% of the total surface area of the mural and shall be limited to “Sponsored by” or “Dedicated to”, along with the sponsor name and/or logo.

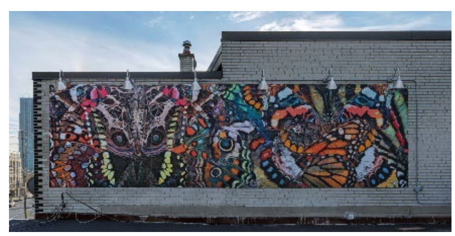
Application of Murals

- Surface Preparation: To ensure long-term durability of the mural, the surface on which it is placed should be carefully inspected for peeling or loose paint, broken or loose concrete, cracked stucco, or any signs of water damage. Any issues should be remedied by an appropriate professional prior to installation of the mural. Safety hazards and access challenges should be considered as well.

- Appropriate Surfaces: Appropriate surfaces include painting directly on the building (in certain circumstances) or the application of pre-painted panels, boards, or sheets to a building.

  Paint may be applied directly to:
  - Concrete walls
  - Stucco walls
  - Previously-painted brick walls.

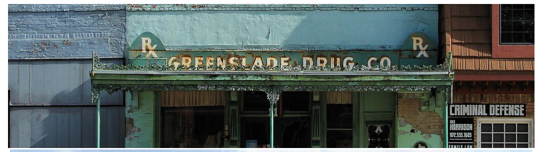
  Unpainted brick should never be painted on directly. Alternatives to painting directly on the surface include:
  - Aluminum panels/sheets
  - Aluminum composite sheets
  - Cement board
  - Digitally-printed polyester fabric



  These alternatives have several advantages, including lessening the chance of moisture damage to the building surface, easier access and fewer hazards during mural creation (especially when mural creation involves participation of the community), and easier maintenance and/or removal. It is strongly recommended that an engineer or other building professional be consulted when adding a panel, board, or sheet to the building to ensure it is attached to the building in a way that protects the structural integrity and historic character of the building and ensures the long-term durability of the mural. This is particularly important in the case of a heavier panel.

- Installation: Before installation of a mural, the surface should be clean, dry, in good repair, and free of any loose material. Surfaces should not be power-washed, but should be cleaned using soft pressure or chemical washes. Adequate time should be allotted to ensure the surface is thoroughly dried before mural application/installation. When installing panels directly onto brick, there should be adequate distance between the brick and the panel to allow moisture in the brick to be expelled. In addition, drilling should not be done directly into the brick, but into the mortar instead.

Restoration of Ghost Signs



The requirements for the restoration of ghost signs will vary depending on the materials of the building and the sign, the historic state of the building, and the amount of repair needed. In most cases, ghost signs were painted directly onto the building, in which case it is acceptable to repaint directly onto the surface. When restoring the sign, care should be made to protect the historic integrity of the sign, following the same pattern and color scheme used on the original sign. Additional art should not be added around or within the original ghost sign. Similar to a mural, the surface should be appropriately prepared prior to ghost sign restoration.

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 Contract Awarded 042522	2,3,4
Thoroughfare Plan Update	Development Serv	TBD	10/23/2018	In Progress	2,5
Bldg Standards Commission Ordinance	Development Serv	9/1/2019	10/23/2018	BSC to review	4
South Pointe	Development Serv		2/3/2021	Civil Plans under Review	2,3,4
Subdivision Ordinance Update	Development Serv	1/27/2020	10/23/2018	In progress	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
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	TPWD Grant Awarded	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	TPWD Grant Awarded	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
Comprehensive Plan	Admin		8/26/2020	Need to update plan	2,3,4,5
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 Rehab Completed	4,5
Body Cameras	PD		2/2/2021	Grant Awarded	1,3,5
Annual Report	Admin		2/24/2021	Planning Phase	3
Shannon Park Updates	Admin/PW	4/26/2021	4/26/2021	Contract Awarded 042522	3,4,5
Inclusive Park	Admin/PW		4/29/2021	TPWD Grant Awarded	3,4,5
Connector Road	Admin		4/29/2021	County Partnership	2,3,5
AMI	Admin/PW		4/29/2021	Installation underway	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
Sports Complex Parking Lot Paving	PW/Admin	4/25/2022	4/26/2022	To be scheduled	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
TIRZ #2	Admin		8/6/2020	PPFP Approved 082420	2,3,4
Tabor Parkway Expansion	PW/Admin			Complete	2,3,5
IT Services RFP	Admin		1/6/2022	Contract award 2/28/22	1,5
Marlow Development	Development Serv	4/22/2019	10/23/2018	Construction Underway	2
Recodification of City Ordinances	Admin	11/13/2018	10/23/2018	Franklin Review	5
Kaufman Estates	PW/Admin	10/28/2019		No Action	5

July 10, 2022

To: City of Kaufman

From: Ashley Berryhill, Finance Director

Re: June 2022 Demand and Response Ridership Report

TRIP INFORMATION:

	S	O	N	D	J	F	M	A	M	J	J	A	TOTAL
Trips	175	243	183	223	173	135	163	222	192	195			**1,904**
No. Service Days	21	21	20	20	20	16	23	20	21	21			**203**
Avg. Daily Trips	8.3	11.6	9.2	11.2	8.7	8.4	7.1	11.1	9.1	9.3			**9.4**

NO. OF TRIPS	PURPOSE
20	Adult Dayhab
8	Education
1	Government
9	Medicaid
34	Medical
73	Nutrition (Senior Center)
29	Other (adult-day care, beauty salon, friend's homes, etc.)
0	Shopping
21	Work
0	Contract Services
0	Vaccination Appointments

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

155 *E &D Total Rides*

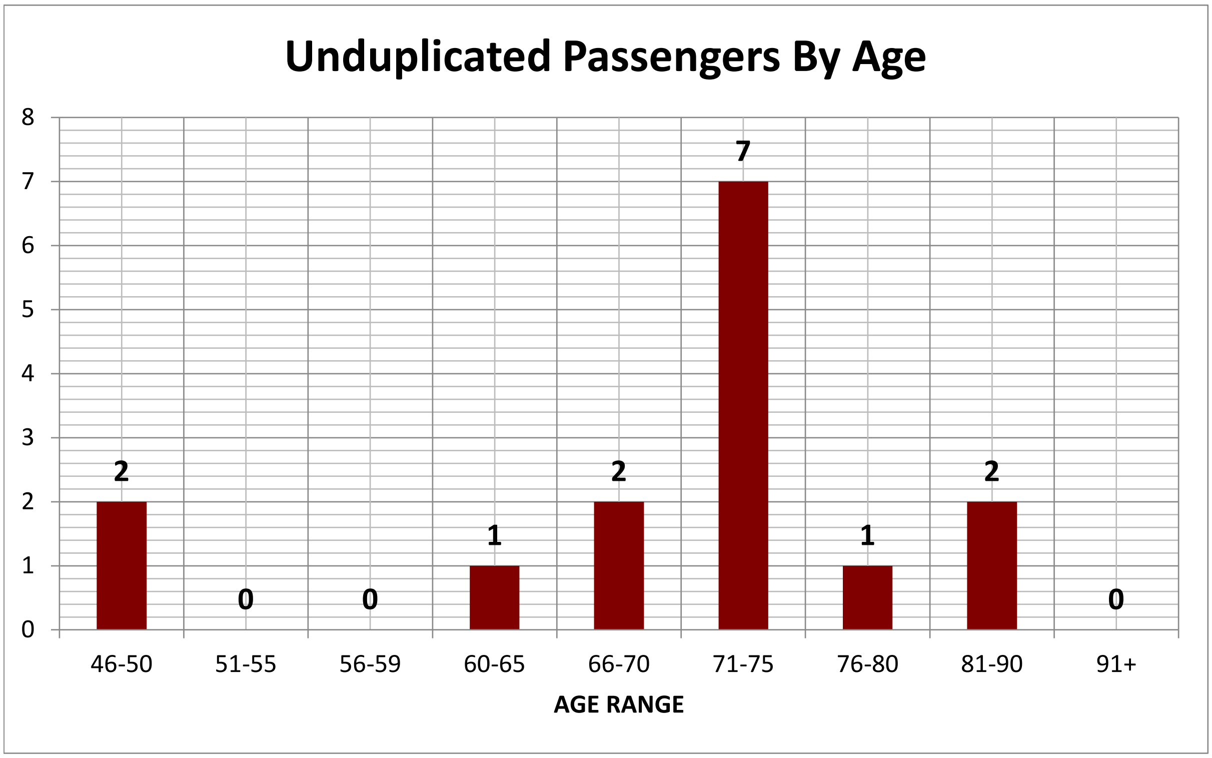
E & D Percent of Total Trips – 79%

MONTHLY UNDUPLICATED PASSENGERS
23
YEAR TO DATE UNDUPLICATED PASSENGERS
106

	Trip Total
KAUFMAN TO KAUFMAN	106
KAUFMAN TO OUTSIDE	74
OUTSIDE TO KAUFMAN	15
	195

NOSHOW/CANCEL	71
DENIALS	4
Month to Month Unduplicated	23
YTD Unduplicated	106

June 2022 Total D & R Trips	**195**



STAR TRANSIT
Phone: 877-631-5278 | Fax: 972-563-0048 | Website: STARtransit.org
PO Box 703 | Terrell | TX 75160

July 10, 2022

To: Kaufman County

From: Ashley Berryhill, Finance Director

Re: June 2022 Demand and Response Ridership Report

TRIP INFORMATION:

	S	O	N	D	J	F	M	A	M	J	J	A	TOTAL
Trips	1,588	1,340	1,180	1,195	1,144	993	1,623	1,587	1,663	1,528			**13,841**
No. Service Days	21	21	20	20	20	16	23	20	21	21			**203**
Avg. Daily Trips	*75.6*	*63.8*	*59.0*	*59.8*	*57.2*	*62.1*	*70.6*	*79.4*	*79.2*	*72.8*			***68.2***

	Trip Origin Total
COTTONWOOD	0
COMBINE	5
CRANDALL	38
FORNEY	404
GRAYS PRARIE	0
GUN BARRELL	0
HEARTLAND	0
KAUFMAN	195
KEMP	44
MABANK	32
OAK GROVE	0
OAK RIDGE	0
POST OAK	0
ROSSER	11
SCURRY	63
TERRELL	736
Subtotal	*1,528*

Terrell Senior Terraces	862
Terrell State Hospital	0

KAUFMAN COUNTY TOTALS	
TOTAL TRIPS	**1,528**
NO SHOW & CANCELS	**780**

D/R-KAUFMAN COUNTY	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	TOTALS
CHARTER	0	0	0	0	0	0	0	0	0	0	0	0	**0**
(UPT) Unlinked Passenger Trips	**1,588**	**1,340**	**1,180**	**1,195**	**1,144**	**993**	**1,623**	**1,587**	**1,663**	**1,528**			**13,841**
ADH	206	121	135	86	79	59	103	80	82	88			**1,039**
CONT	0	18	0	0	0	0	0	0	0	0			**18**
EDU	12	3	6	0	2	10	21	35	17	30			**136**
GOV	0	0	0	3	3	1	52	56	0	1			**116**
MDE	21	26	15	25	35	18	32	32	32	38			**274**
MED	733	757	575	583	560	481	725	670	728	644			**6,456**
NUT	194	132	199	178	163	128	236	310	363	348			**2,251**
OTH	92	78	45	75	38	43	71	35	84	49			**610**
SHP	145	76	95	91	84	88	119	95	82	95			**970**
VACC	2	0	0	0	0	0	0	0	0	0			**2**
WORK	183	129	110	154	180	165	264	274	275	235			**1,969**
	1,588	**1,340**	**1,180**	**1,195**	**1,144**	**993**	**1,623**	**1,587**	**1,663**	**1,528**	**0**	**0**	**13,841**
	0	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	
KAUF DR TOTAL (+TSH, Charter)	*1,588*	*1,340*	*1,180*	*1,195*	*1,144*	*993*	*1,623*	*1,587*	*1,663*	*1,528*	*0*	*0*	***13,841***
	0	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	

CONTRACTED SERVICES	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	TOTALS
Charter	0	0	0	0	0	0	0	0	0	0			**0**
Terrell State Hospital	0	0	0	0	0	0	0	0	0	0			**0**
Terrell Senior Terraces	46	32	58	50	42	52	58	42	84	62			**526**
Medicaid	21	26	15	25	35	18	32	32	32	38	0	0	**274**
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0			**0**
	67	*58*	*73*	*75*	*77*	*70*	*90*	*74*	*116*	*100*	*0*	*0*	***800***

	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	TOTALS
Adjusted Trip Total	1,521	1,282	1,107	1,120	1,067	923	1,533	1,513	1,547	1,428	0	0	**13,041**
	*Trip Totals without Contracted Services												

ELDERLY AND DISABLED	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	TOTALS
> = 60	876	859	666	726	658	594	914	862	924	850			**7,929**
DIS <60	400	311	340	287	296	255	396	342	367	349			**3,343**
E & D	*1,276*	*1,170*	*1,006*	*1,013*	*954*	*849*	*1,310*	*1,204*	*1,291*	*1,199*	*0*	*0*	**11,272**
% of Trip Total	80%	87%	85%	85%	83%	85%	81%	76%	78%	78%	#DIV/0!	#DIV/0!	

	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	TOTALS
GENERAL PUBLIC	67	58	73	75	77	70	90	74	116	100	0	0	**800**
% of Total	4%	4%	6%	6%	7%	7%	6%	5%	7%	7%	#DIV/0!	#DIV/0!	

Subscription Trips	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	TOTALS
County Subscription Trips	1,007	836	816	820	851	727	1,158	1,100	1,174	1,064			**9,553**
Percent Subs of Total Trips	63%	62%	69%	69%	74%	73%	71%	69%	71%	70%	#DIV/0!	#DIV/0!	

Can/NoShow	119	94	71	99	110	85	78	104	117	90			**967**
Advanced Cancel	545	424	636	695	723	684	400	505	500	690			**5,802**
	664	*518*	*707*	*794*	*833*	*769*	*478*	*609*	*617*	*780*	*0*	*0*	**6,769**

DENIALS	113	140	198	195	139	101	55	55	38	49			**1,083**

July 8, 2022

To: Kaufman County

From: Ashley Berryhill, Finance Director

Re: June 2022 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	1,378	1,262	1,132	1,549	1,350	1,590	1,655			**14,075**
Service Days	21	21	20	20	20	16	23	20	21	21			**203**
Avg. Daily Trips	65.0	66.2	70.3	68.9	63.1	70.8	67.3	67.5	75.5	78.8			**69.3**

KPIs

Download

Completed Boardings	Avg. Boardings Per Service Hr.	Boarding Cancellations	Boarding Cancellations (No-Show)	Cancellation Percentage	Cancellation Percentage (No Show)
1655	1.83	774	71	31.86 %	2.92 %

Total Requests	Completed Requests	No Drivers Available Requests	Request Cancellations	Request Cancellations (No Show)	Avg. # of Requests per Rider	Avg. Travel Duration
2323	1584	5	734	68	6.9	12.86 min

Avg. Travel Distance	Mean Wait Time	Median Wait Time	Bookings from Admin Panel	Bookings from Rider Mobile App	Bookings from Rider Web	Flag Down Bookings
4.26 mi	30.33 min	15.58 min	81.63 %	18.25 %	0 %	0.12 %

Avg. # Riders per Request
1.04

CareFlite

CareFlite City of Kaufman Response Summary
June 2022

Response Summary:

	Responses	Transports	Exceptions	Compliance %	Transport %
Priority 1 <8:59	36	26	1	97%	**72%**
Priority 2 <11:59	81	48	4	95%	**59%**
Priority 3 <14:59	21	17	1	95%	**81%**
Emergency Transfers<0:29:59	103	100	60	42%	**97%**
Non-Emergency Transfers<0:15	49	48	11	78%	**98%**
Helicopter	19	19			
Totals	**309**	**258**		**96.00%**	**70.81%**

Transport Summary:

	Number	Percentage
Baylor Scott and White Dallas	7	3%
Baylor Scott and White Sunnyvale	1	0%
Baylor Scott and White Lakepointe Rowlett	0	0%
Baylor Scott and White Lakepointe Forney	0	0%
Childrens Medical Center	9	4%
Dallas Regional Medical Center	5	2%
Medical City Dallas	7	3%
Parkland	3	1%
Texas Health-Dallas	85	36%
Texas Health- Kaufman	65	27%
Texas Health -Plano	0	0%
Texas Health-Rockwall	0	0%
UT Health- Athens	1	0%
UT Health- Tyler	0	0%
UT Health- Cedar Creek	0	0%
VA Medical Center Dallas	0	0%
Other Hospitals	14	6%
Nursing home, residence, other	42	18%
	239	**100%**

	Number	% of Total
Patient Refusal/Treat No Transport	22	43%
Pt is DOS	0	0%
Cancellation- No Patient	29	57%
	51	100%

Average Response Time City Wide--Emergency Calls	0:06:02

Last 100 Calls	Responses	Exceptions	
Priority 1	100	6	94%
Priority 2	100	4	96%
Priority 3	100	3	97%

KAUFMAN FIRE DEPARTMENT

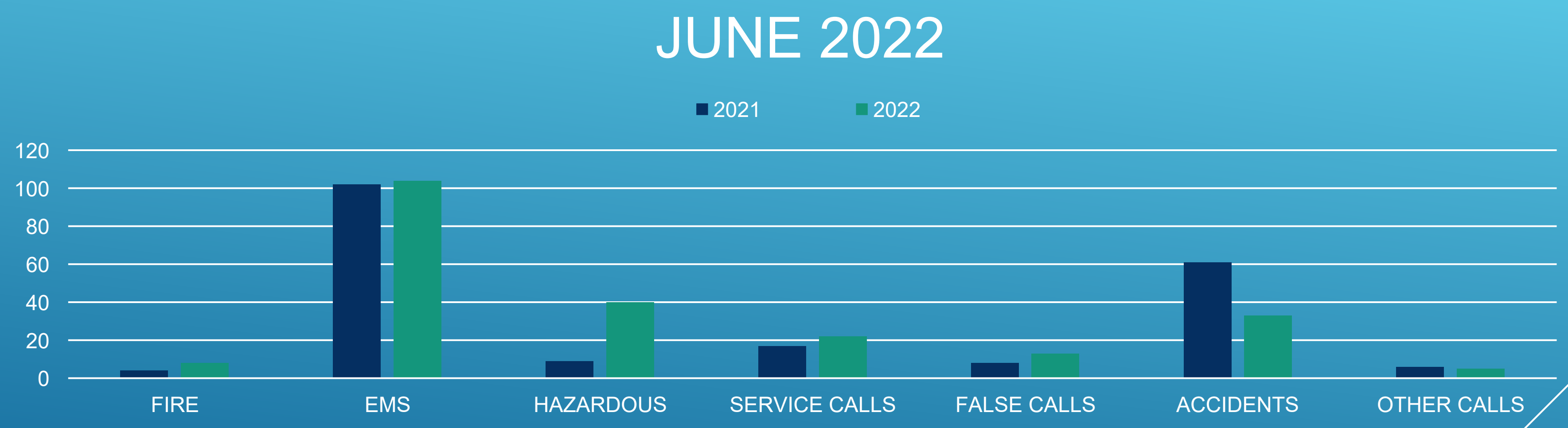
MONTHLY DASHBOARD REPORT

JUNE 2022

KAUFMAN FIRE DEPARTMENT
MONTHLY DASHBOARD REPORT
JUNE 2022

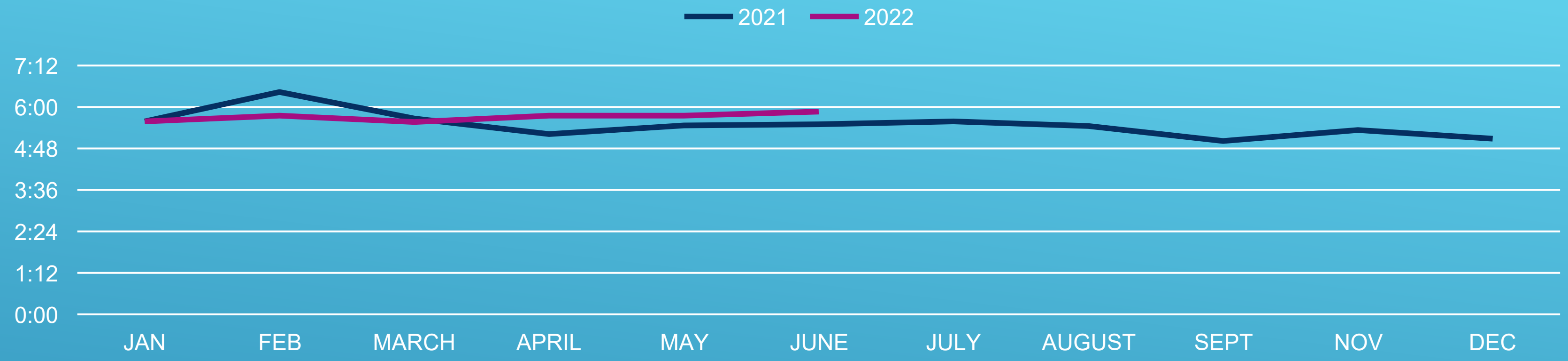
FIRE JUNE 2022 ACTIVITY

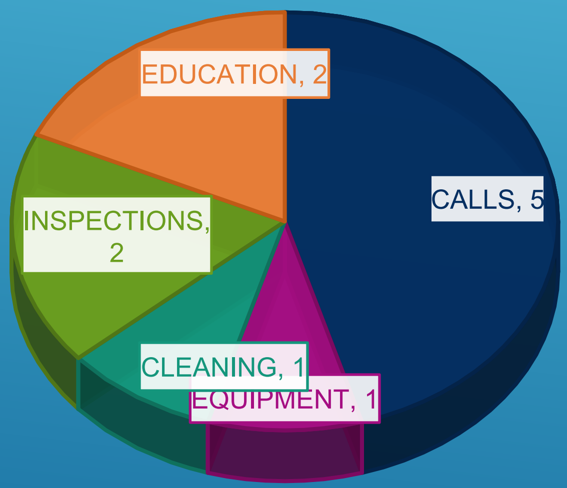
	2021 JUNE	2022 JUNE	MONTHLY INCREASE	FISCAL YTD OCT. 20 TO JUNE 21	FISCAL YTD OCT. 21 TO JUNE 22	FISCAL YTD INCREASE
FIRE CALLS	12	14	17%	71	127	79%
RESCUE & EMERGENCY MEDICAL SERVICES	93	110	18%	909	894	-2%
HAZARDOUS CONDITIONS	9	10	11%	145	158	8%
SERVICE / GOOD INTENT CALLS	15	15	0%	121	144	16%
FALSE ALARMS	6	7	17%	57	80	29%
ACCIDENTS	34	37	9%	396	360	-10%
OTHER INCIDENTS	2	5	150%	65	65	0%
TOTAL CALLS	**171**	**198**	**16%**	**1764**	**1828**	**2%**



KAUFMAN FIRE DEPARTMENT
MONTHLY DASHBOARD REPORT
JUNE 2022

MONTHLY RESPONSE TIMES



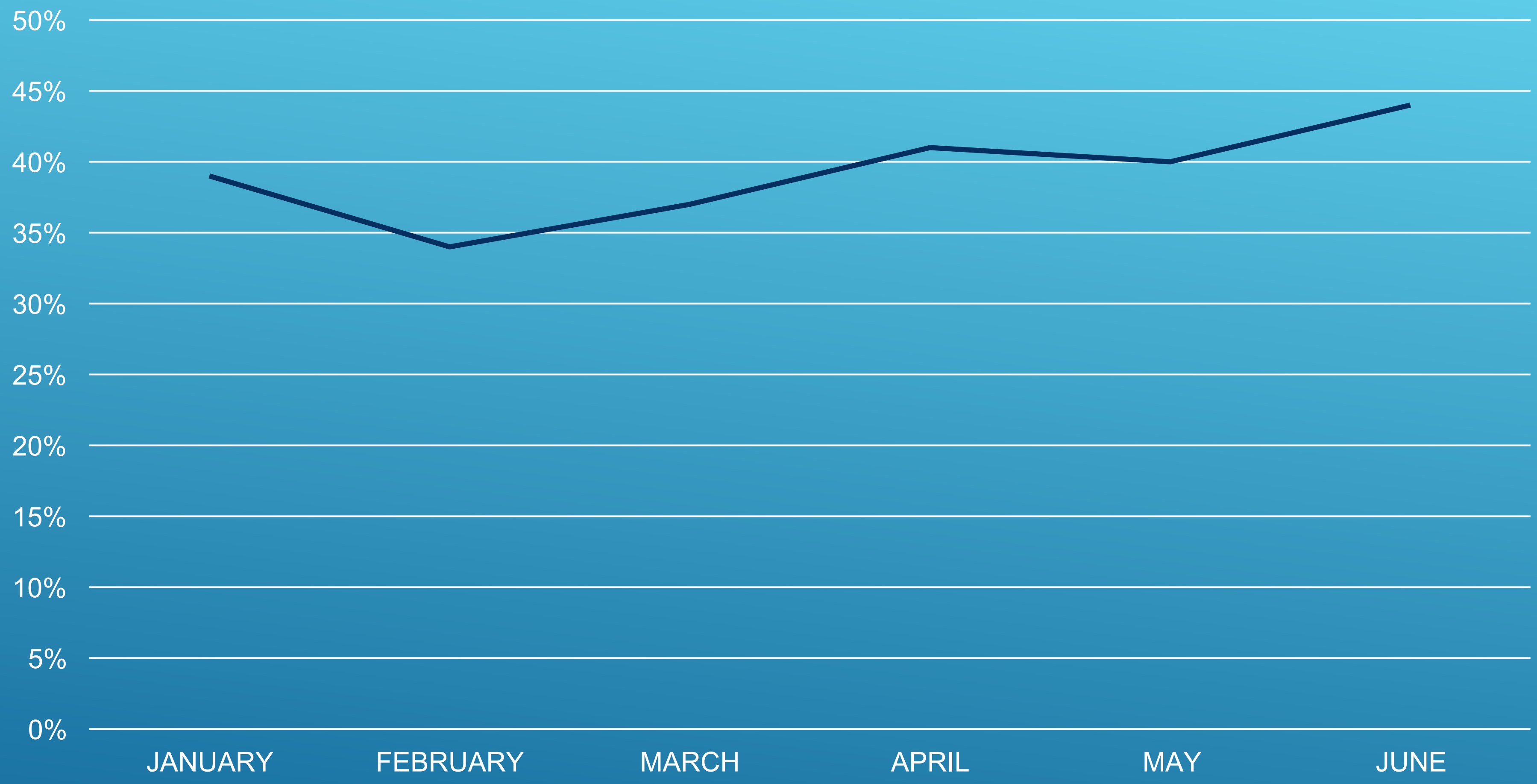


SHIFT HOURLY UTILIZATION 44 %

NFPA NATIONAL STANDARDS 25% TO 30% MAXIMUM

KAUFMAN FIRE DEPARTMENT
MONTHLY DASHBOARD REPORT
JUNE 2022

MONTHLY HOURLY UTILIZATION



KAUFMAN FIRE DEPARTMENT
MONTHLY DASHBOARD REPORT
JUNE 2022

JUNE PREVENTION REVIEW

3 DEVELOPMENT PLANS REVIEWED

CONDUCTED 17 FIRE SAFETY INSPECTIONS

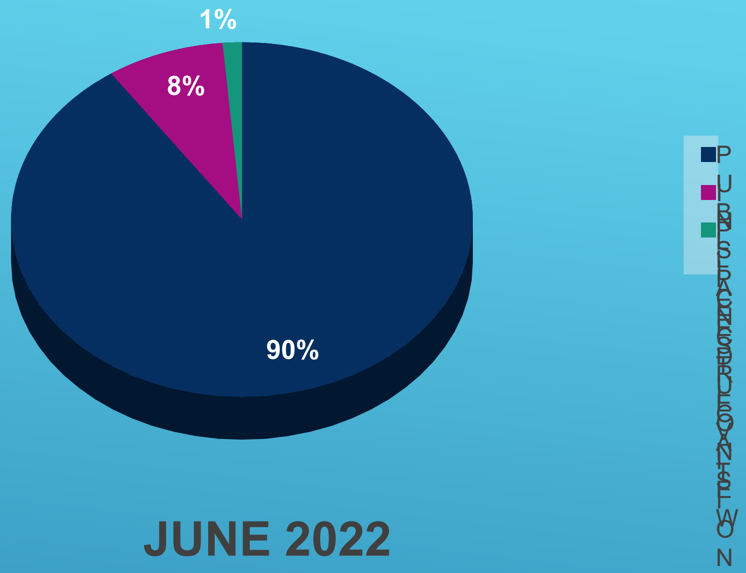
CONDUCTED 3 FIRE ALARM ACCEPTANCE TEST

PERFORMED 2 CONSTRUCTION SITE FIRE SPRINKLER HYDRO TESTS

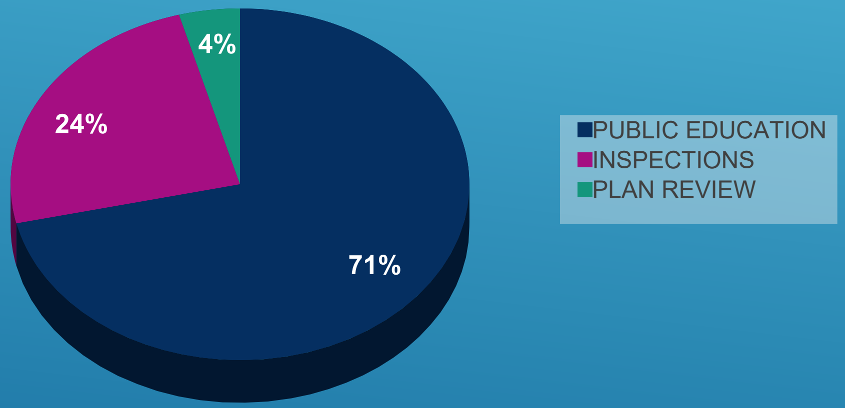
PASSED OUT FIRE PREVENTION MATERIALS TO 50 CITIZENS

5 FIRE HYDRANTS WERE CHECKED

YEARLY 2021



JUNE 2022



KAUFMAN FIRE DEPARTMENT
MONTHLY DASHBOARD REPORT
JUNE 2022

PERSONNEL CONTINUNING EDUCATION

FIRE

WILDLAND FIREFIGHTING REFRESHER

T. JONES COMPLETED HIS STATE DRIVER/OPERATOR COURSE

EMS

AIRWAY EMERGENCIES

J. HATCHER COMPLETED HIS ADVANCED CARDIAC LIFE SUPPORT COURSE

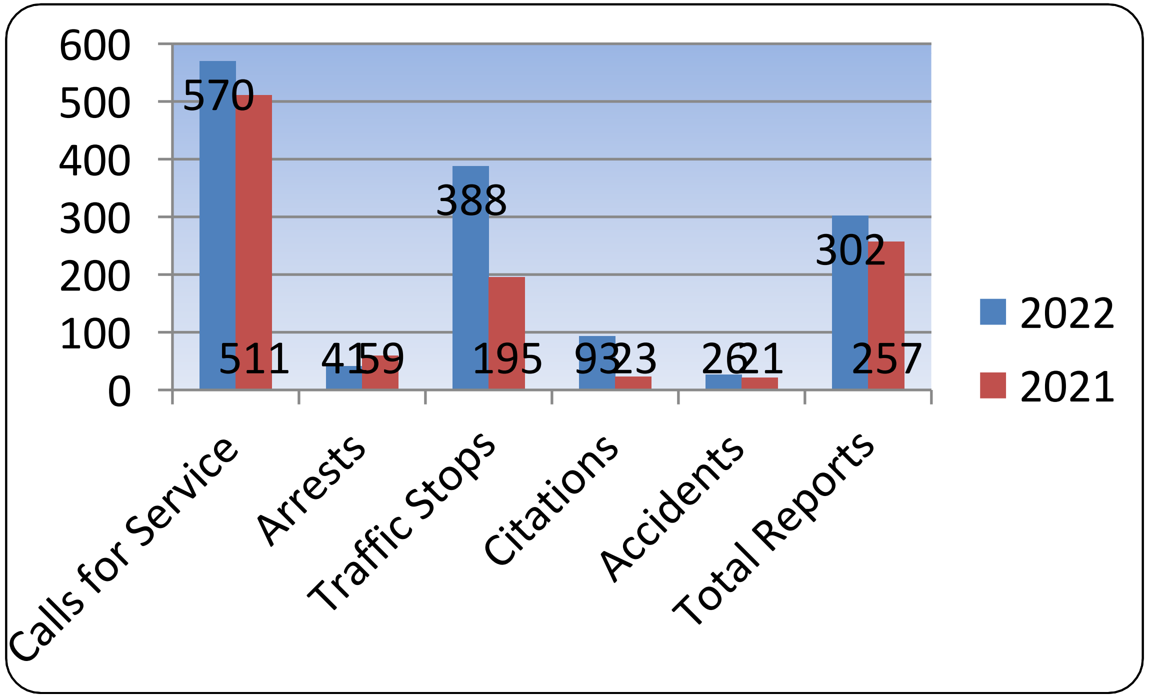
KAUFMAN POLICE DEPARTMENT
PATROL ACTIVITYJUNE 2022

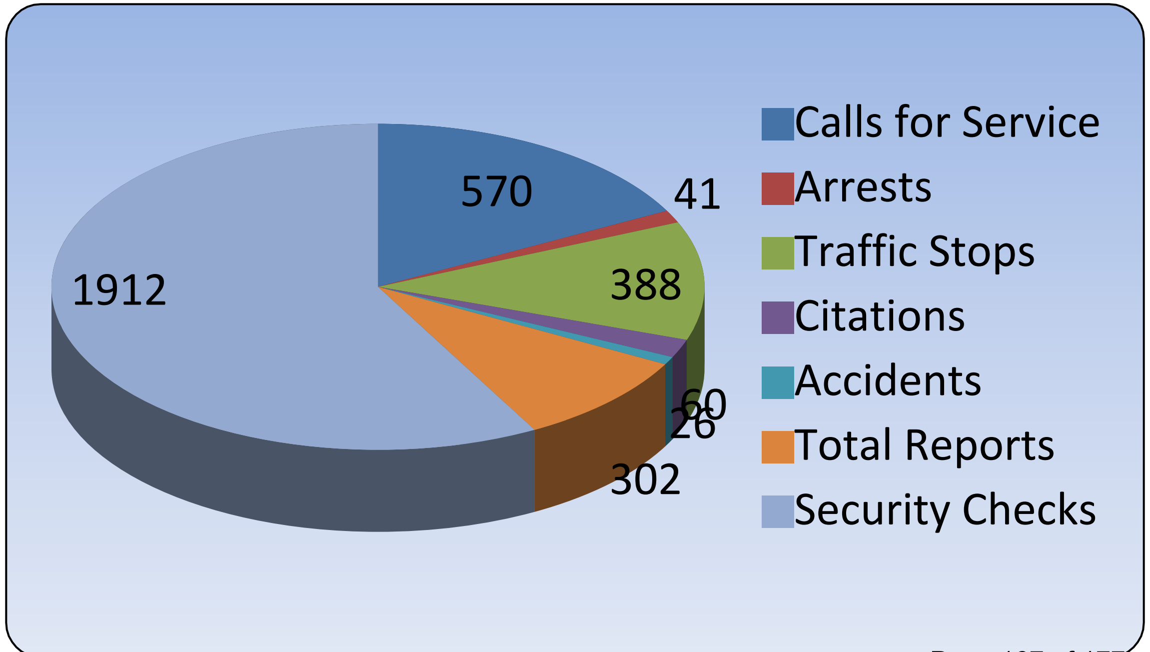
June 2022, Kaufman Police Department's Patrol Division Activity:

- **570** Calls For Service, Including Accidents
- **26** Traffic Accidents
- Completed **1912** Homes, Parks, & Business Checks
- Completed **388** Traffic Stops
- Completed **262** Incident Reports
- Completed **302** Reports
- Made **41** Arrests
- Average monthly response time to calls is **4:09** minutes.

Other points of interest include:

- Utilized the radar trailer on FM 1388 .





Community Engagement June 2022

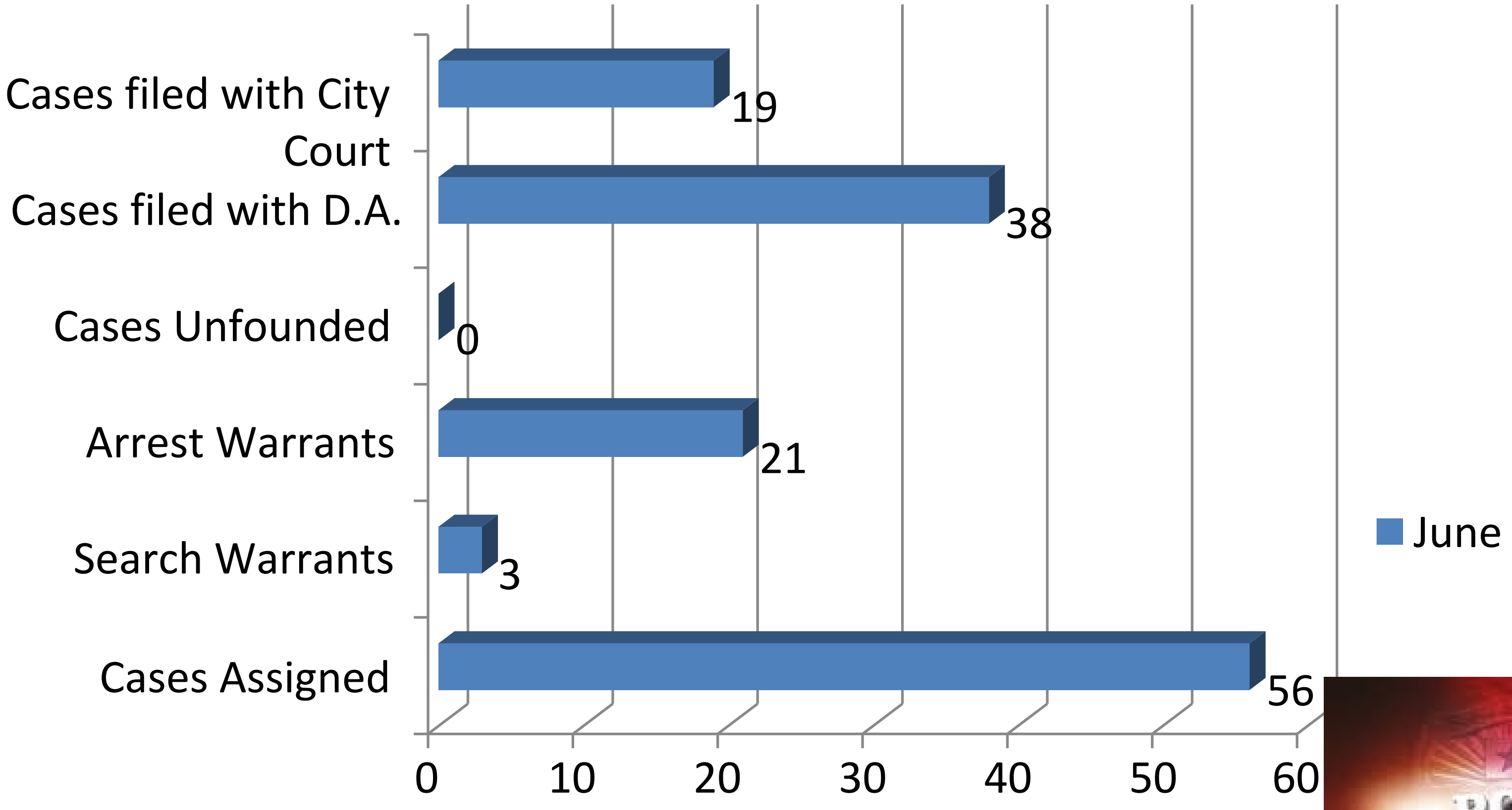
Social Media Posts, Facebook Followers 11,930.

Events attended by Kaufman Police Department employees:

•Promoted Kaufman County Clean up event on June 4th.
•Shared Thunderstorm Warnings.
•Shared local Blood Drive.
•Posted details about Kaufman County Crime Stoppers Program.
•Fun posts about National Donut Day.
•Community member Brenda Smith brought us some donuts for National Donut Day.
•Officer Taylor Huddle received his career achievements Police Commendation Award Ribbons from Chief Edwards.
•Sergeant Edward Boteo received his career achievements Police Commendation Award Ribbons from Chief Edwards.
•Sergeant Johnny Law received his career achievements Police Commendation Award Ribbons from Chief Edwards.
•Received goodies from Marie Morgan with Plumbing Unique Inc of Kaufman.
•Held a meeting with area Law Enforcement Agencies to start Alert Active Shooter Training before new school year.
•Posted Kaufman Red, White and Boom Event information.
•Kaufman Police Association 17th Annual Kids Fishing Tournament.
•Posting Animals when recovered by Animal Control in a attempt to locate owners, to help reduce the shelter population.
•C-Life Youth Ladies brought us some cookies.
•Girl Scout Troop #174 brought us some cookies.
•Posting area Scams as we are advised of them occurring in the area.
•Posted planned road closures for the Red , White and Boom Events.
•Posting Neighborhood Crime Alerts as crimes occur in areas in and around the City.
•Posting Heat and Burn Ban notices for the citizens as they are released.
•Posting reminders to check vehicles and never leave children or animals in the cars.
•We have been supporting our area youth lemonade stands as we find them and share the information to our community.

KAUFMAN CRIMINAL INVESTIGATIONS ACTIVITY JUNE 2022

Kaufman Criminal Investigations Division
June 2022



	Cases Assigned	Search Warrants	Arrest Warrants	Cases Unfounded	Cases filed with D.A.	Cases filed with City Court
June	56	3	21	0	38	19

KAUFMAN POLICE DEPARTMENT

JUNE 2022

Year to Date - Offenses Known to Police for June 2022

Printed On: 7/18/2022

Agency: TX1290200 - KAUFMAN PD

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Animal Cruelty, Total					-
Arson, Total				1	-100.00%
Assault Offenses, Total	22	14	2.50	27	-18.52%
Aggravated Assault	9	5	1.02	3	200.00%
Intimidation				1	-100.00%
Simple Assault	13	9	1.48	23	-43.48%
Bribery, Total					-
Burglary/Breaking and Entering, Total	3	1	0.34	7	-57.14%
Counterfeiting/Forgery, Total	1		0.11	2	-50.00%
Destruction/Damage/Vandalism of Property, Total	8		0.91	11	-27.27%
Drug/Narcotic Offenses, Total	96	90	10.90	104	-7.69%
Drug Equipment Violations	32	32	3.63	21	52.38%
Drug/Narcotic Violations	64	58	7.27	83	-22.89%
Embezzlement, Total	1		0.11		-
Extortion/Blackmail, Total					-
Fraud Offenses, Total	2	1	0.23	10	-80.00%
False Pretense/Swindle/Confidence Game					-
Credit Card/Automatic Teller Machine Fraud				2	-100.00%
Welfare Fraud					-
Wire Fraud					-
Hacking/Computer Invasion					-
Identity Theft					-
Impersonation	2	1	0.23	8	-75.00%
Gambling Offenses, Total					-
Betting/Wagering					-
Operating/Promoting/Assisting Gambling					-
Sports Tampering					-
Gambling Equipment Violations					-
Homicide Offenses, Total					-
Murder and Nonnegligent Manslaughter					-
Negligent Manslaughter					-
Human Trafficking, Total					-
Human Trafficking, Commercial Sex Acts					-
Human Trafficking, Involuntary Servitude					-
Kidnapping/Abduction, Total	1		0.11		-
Larceny/Theft Offenses, Total	24	4	2.73	61	-60.66%
Motor Vehicle Theft, Total	1		0.11	7	-85.71%

Year to Date - Offenses Known to Police for June 2022

Printed On: 7/18/2022

Agency: TX1290200 - KAUFMAN PD

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Pornography/Obscene Material, Total	5		0.57		-
Prostitution Offenses, Total					-
Assisting or Promoting Prostitution					-
Prostitution					-
Purchasing Prostitution					-
Robbery, Total	1		0.11		-
Sex Offenses, Total	2		0.23	2	0.00%
Fondling	1		0.11	2	-50.00%
Rape	1		0.11		-
Sexual Assault with an Object					-
Sodomy					-
Sex Offenses, Non-Forcible, Total					-
Statutory Rape					-
Incest					-
Stolen Property Offenses, Total	1		0.11	2	-50.00%
Weapons Law Violations, Total	1	1	0.11	7	-85.71%
Group A Offense, Total	169	111	19.20	241	-29.88%
Crimes Against Person, Total	25	14	2.84	29	-13.79%
Crimes Against Property, Total	42	6	4.77	101	-58.42%
Crimes Against Society, Total	102	91	11.59	111	-8.11%
Officers Killed or Assaulted YTD	**2**			**0**	-

KAUFMAN POLICE DEPARTMENT
ANIMAL CONTROL REPORT JUNE 2022

June 2022, Kaufman Animal Control Responded To-

- 76 Calls For Service
- 4 Follow-up Calls
- Warnings Issued – 6
- Citations Issued – 0
- Traps Set - 2

Animals Captured	Animals Turned Over
On Calls – 16	To Owner – 0
On View – 0	To Humane Society – 14

Dead Animals Recovered: - 5
Non-Domestic Animals Captured – 0

Note: The Humane Society Cedar Creek Lake Shelter closed down for 1 week due to over population and a cat disease outbreak and area had to be deep cleaned.

AUGUST 2022

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

SEPTEMBER 2022

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

OCTOBER 2022

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

NOVEMBER 2022

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

DECEMBER 2022

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