



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, NOVEMBER 21, 2022 -
5:30 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

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

Chairman Jordan called the TIRZ #1 meeting to order at 5:33 PM. Boardmembers present were Jeff Jordan, Mike Hunt, Charles Gillenwater, Barry Ratcliffe, and Matt Phillips. Chairman Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, City Secretary Jessie Hanks, Economic Development Director Stewart McGregor, Planning Manager Andrew Bogda, Fire Captain Jeremy Hatcher, and Police Sergeant Jason Stastny.

TIRZ #1 ITEMS

1. Consider and make a recommendation to the City Council on the Second Amended and Restated TIF Residential Development Reimbursement Agreement by and between Reinvestment Zone Number One, City of Kaufman, Texas, and Georgetown KF, Ltd.; and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye presented the proposed Second Amended and Restated TIF Residential Development Reimbursement Agreement. He outlined the proposed amendments and the effects of the amendments.

Board Member Gillenwater made a motion to approve the Second Amended and Restated TIF Residential Development Reimbursement Agreement by and between Reinvestment Zone Number One, City of Kaufman, Texas, and Georgetown KF, Ltd. as presented. The motion was seconded by Board Member Ratcliffe and passed 5/0.

TIRZ #1 ADJOURNMENT

There being no further business, Chairman Jordan adjourned the meeting at 5:42 PM.

PLEDGE OF ALLEGIANCE

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

Mayor Jordan called the City Council meeting to order at 5:46 PM. Councilmembers present were Jeff Jordan, Matt Phillips, Charles Gillenwater, Quattro Borders, Carole Aga and Patty Patterson. Councilmember Parker arrived at 5:56 PM. Mayor Jordan declared a quorum present. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Attorney Patricia Adams, City Secretary Jessie Hanks, Economic Development Director Stewart McGregor, Development Services Director Andrew Bogda, Fire Chief Ronnie Davis, Fire Captain Jeremy Hatcher, Fire Lieutenant Ferris Watson, and Police Sergeant Jason Statsny, Police Officer Brantley Chewing, and Police Officer Rowdy Miers.

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.

RECOGNITION

2. Business of the Month- Denny's

Mr. McGregor presented Denny's with the November Business of the Month.

3. Police Department- Academy Graduate presentation and discussion

Sergeant Statsny introduced Officer Brantley Chewning and Officer Rowdy Miers. Both officers had their badges pinned on by their respective family members.

4. Fire Department- Lieutenant- Ferris Watson

Chief Davis and Captain Hatcher introduced Ferris Watson as the new Fire Lieutenant.

5. Development Services- FAICP Planning Excellence Award

Mr. Slye recognized Development Services for receiving the FAICP Planning Excellence Award.

PROCLAMATION

6. Fair Housing Month- April 2023

Mayor Jordan read and proclaimed the month of April 2023 as Fair Housing Month.

CONSENT AGENDA

7. Consider and take appropriate action on the minutes from the October 24, 2022, Work Session and Regular City Council Meeting.
8. Consider and take appropriate action on Resolution R-38-22, a resolution of the City Council of the City of Kaufman, Texas accepting public improvements for Prairie Creek Phase III; establishing the warranty period for the public improvements; providing for the incorporation of premises; and providing an effective date.
9. Consider and take appropriate action on Resolution R-40-22, a resolution of the City Council of the City of Kaufman, Texas, authorizing an amendment to Resolution R-01-19, authorizing participation in various Cooperative Purchasing Programs.

Councilmember Aga made a motion to approve consent Agenda items 7-9 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

END OF CONSENT AGENDA

PUBLIC HEARING

10. Conduct a public hearing on the levy of assessments within Phases #2A and 2B of the City of Kaufman Public Improvement District No. 1 (Georgetown Development).

- a. Presentation.

Mr. Slye reviewed the purpose of the public hearing related to the proposed levy of assessments within Phases 2A and 2B of the City of Kaufman Public Improvement District No. 1.

- b. Public Hearing.

Mayor Jordan opened the public hearing at 6:04 PM. There being no speakers present, Mayor Jordan closed the public hearing at 6:05 PM.

DISCUSSION/ACTION ITEMS

11. Consider and take appropriate action on Ordinance O-38-22, an ordinance of the City Council of the City of Kaufman, Texas, approving a Service and Assessment Plan and Assessment Roll for Phases #2A-2B for the Kaufman Public Improvement District No. 1 (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 penalties and interest on delinquent assessments; providing for severability and providing an effective date.

Mayor Pro-Tem Phillips made a motion to approve Ordinance O-38-22, an ordinance of the City Council of the City of Kaufman, Texas, approving a Service and Assessment Plan and Assessment Roll for Phases #2A-2B for the Kaufman Public Improvement District No. 1 (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 penalties and interest on delinquent assessments; providing for severability and providing an effective date. as presented. The motion was seconded by Councilmember Patterson and passed 7/0.

12. Consider and take appropriate action on Ordinance O-39-22, an ordinance of the City Council of the City of Kaufman, Texas, approving and authorizing the issuance and sale of the City of Kaufman Special Assessment Revenue Bonds, Series 2022 Kaufman Public Improvement District No. 1 Phases #2A-2B Project); approving and authorizing an indenture of trust, a bond purchase agreement, limited offering memorandum, a continuing disclosure agreement, and other agreements and documents in connection therewith; making findings with respect to the issuance of such bonds; and providing an effective date

Nick Bulaich, Managing Director for Hilltop Security, presented the bond ordinance and how it will function. He also reviewed the numbers for the bonds to be issued.

Councilmember Borders made a motion to approve Ordinance O-39-22, an ordinance of the City Council of the City of Kaufman, Texas, approving and authorizing the issuance and sale of the City of Kaufman Special Assessment Revenue Bonds, Series 2022 Kaufman Public Improvement District No. 1 Phases #2A-2B Project); approving and authorizing an indenture of trust, a bond purchase agreement, limited offering memorandum, a continuing disclosure agreement, and other agreements and

documents in connection therewith; making findings with respect to the issuance of such bonds; and providing an effective date. The motion was seconded by Councilmember Parker and passed 7/0.

13. Consider and take appropriate action on the First Amended and Restated Georgetown at Kings Fort Development Agreement entered into by and between Georgetown KF, Ltd., and the City of Kaufman, Texas; and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye presented the First Amended and Restated Georgetown at Kings Fort Development Agreement. He reviewed the purpose of the amendment.

Councilmember Phillips made a motion to approve the First Amended and Restated Georgetown at Kings Fort Development Agreement entered into by and between Georgetown KF, Ltd., and the City of Kaufman, Texas; and authorizing the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Aga and passed 7/0.

14. Consider and take appropriate action on the Facilities Agreement between the City of Kaufman, Texas and Georgetown KF, Ltd., for the installation of public improvements and facilities for the Georgetown Development-Phase 2A and Phase 2B; and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye outlined the proposed Facilities Agreement for Georgetown Development Phases 2A and 2B.

Councilmember Gillenwater made a motion to approve the Facilities Agreement between the City of Kaufman, Texas and Georgetown KF, Ltd., for the installation of public improvements and facilities for the Georgetown Development-Phase 2A and Phase 2B; and authorizing the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Patterson and passed 7/0.

15. Consider and take appropriate action on the Kaufman Public Improvement District No. 1, Phases 2A-2B Construction, Funding, and Acquisition Agreement; and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye reviewed the purpose of the Kaufman Public Improvement District No. 1, Phases 2A-2B Construction, Funding, and Acquisition Agreement.

Councilmember Aga made a motion to approve the Kaufman Public Improvement District No. 1, Phases 2A-2B Construction, Funding, and Acquisition Agreement; and authorizing the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Parker and passed 7/0.

16. Consider and take appropriate action on the Second Amended and Restated TIF Residential Development Reimbursement Agreement by and between Reinvestment Zone Number One, City of Kaufman, Texas, and Georgetown KF, Ltd.; and authorizing the Mayor or his designee to execute the necessary documents.

Mr. Slye gave a brief summary of the Second Amended and Restated TIF Residential Development Reimbursement Agreement.

Councilmember Aga made a motion to approve the Second Amended and Restated TIF Residential Development Reimbursement Agreement by and between Reinvestment Zone Number One, City of Kaufman, Texas, and Georgetown KF, Ltd.; and authorizing the Mayor or his designee to execute the necessary documents. The motion was seconded by Councilmember Parker and passed 7/0.

17. Presentation and discussion regarding an overview of Section 3 in relation to the TxCDBG Grant No. CPC-21-0058.

Mr. Slye gave a presentation regarding an overview of Section 3 in relation to the TxCDBG Grant No. CPC-21-0058.

18. Consider and take appropriate action on Resolution R-41-22, a resolution of the City Council of the City of Kaufman, Texas, regarding Civil Rights and adopting the following policies:
 - a. Citizens Participation Plan and Grievance Procedures
 - b. Excessive Force Policy
 - c. Fair Housing Policy Form
 - d. Section 504 Policy and Grievance Procedures
 - e. Code of Conduct Policy

Mr. Slye presented the various procedures and policies associated with the resolution.

Councilmember Gillenwater made a motion to approve Resolution R-41-22, a resolution of the City Council of the City of Kaufman, Texas, regarding Civil Rights and adopting the following policies:

- a. Citizens Participation Plan and Grievance Procedures
- b. Excessive Force Policy
- c. Fair Housing Policy Form
- d. Section 504 Policy and Grievance Procedures
- e. Code of Conduct Policy

The motion was seconded by Councilmember Patterson and passed 7/0.

19. Consider and take appropriate action on Resolution R-42-22, a resolution of the City Council of the City of Kaufman, Texas, approving an authorized signatory in matters pertaining to TxCDBG Grant No. CPC-21-0058.

Mr. Slye outlined who the authorized signatories would be for matters pertaining to TxCDBG Grant No. CPC-21-0058.

Councilmember Parker made a motion to approve Resolution R-42-22, a resolution of the City Council of the City of Kaufman, Texas, approving an authorized signatory in matters pertaining to TxCDBG Grant No. CPC-21-0058. The motion was seconded by Councilmember Phillips and passed 7/0.

20. Consider and take appropriate action on the award of bid and contract to AquaGreen Global, LLC for the construction of pedestrian paving and landscape/irrigation improvements for the Kaufman Downtown Square and authorizing the Mayor or his designee to execute necessary documents.

Mr. Slye informed Council about the bid process and the bids received for the Downtown Landscape Project.

Mayor Jordan made a motion to award the bid and contract to AquaGreen Global, LLC for the construction of pedestrian paving and landscape/irrigation improvements for the Kaufman Downtown Square and authorizing the Mayor or his designee to execute necessary documents. The motion was seconded by Councilmember Aga and passed 7/0.

21. Consider and take appropriate action on an amendment to the agreement for Emergency Medical Services between the City of Kaufman and CareFlite; and authorizing the Mayor or his designee to execute necessary documents

Mr. Holder presented the proposed amendments to the EMS contract with CareFlite.

Councilmember Aga made a motion to approve an amendment and extension to the agreement for Emergency Medical Services between the City of Kaufman and CareFlite until May 31, 2023; and authorizing the Mayor or his designee to execute the necessary documents. The motion was seconded by Councilmember Patterson and passed 7/0.

APPOINTMENT

22. Consider and take appropriate action on the appointment of three (3) members to the Planning and Zoning Commission for two-year terms to expire in November 2024 and the appointment of one (1) member to the Planning and Zoning Commission for a term expiring in November 2023.

Mayor Jordan made a motion to reappointment Burton Brown, Richard Dunn, and Kathy Thorpe for 2-year terms to expire in November 2024, and the appointment of Derril Deaton to fill an unexpired term set to expire in November 2023. The motion was seconded by Councilmember Aga and passed 7/0.

23. Consider and take appropriate action on Resolution R-39-22, a resolution of the City of Kaufman, Texas, appointing a member to the Kaufman Central Appraisal District Board of Directors.

Councilmember Aga made a motion to approve Resolution R-39-22, a resolution of the City of Kaufman, Texas, appointing John Zaby to the Kaufman Central Appraisal District Board of Directors to represent the City of Kaufman and Kaufman ISD. The motion was seconded by Councilmember Patterson and passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

24. Receive an update and discussion regarding the following:
- a. Melody Circle Update
 - b. Freeman Farms Update
 - c. KISD/Highland Meadow Off-Site Utilities Update
 - d. Christmas on the Square- December 3rd from 12 pm to 8 pm
 - e. FY22 Performance Measures
 - f. Discussion Items Report (DIR)
 - g. STAR Transit Ridership Report- October 2022
 - h. Careflite Compliance Report- October 2022
 - i. Fire Department Monthly Report- October 2022
 - j. Police Department Monthly Report- October 2022

k. Development Services Monthly Report- October 2022

l. Monthly Calendars Attached

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

EXECUTIVE SESSION

Mayor Jordan recessed into the Executive Session to discuss the following at 6:48 PM.

25. 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. To deliberate the purchase, exchange, lease, or value of real property regarding: Property ID # 3700; 112 S. Jackson St.
 - b. Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING. (1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1): Project Pegasus
 - c. Sec. 551.074: Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

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

Mayor Jordan reconvened into open session at 7:25 PM.

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

Mayor Pro-Tem Phillips made a motion to authorize the City Manager to negotiate the purchase of Property ID 3700 as discussed in the Executive Session. The motion was seconded by Councilmember Gillenwater and passed 7/0.

Mayor Pro-Tem Phillips made a motion to authorize the Mayor to sign all necessary documents for the sale, purchase, and closing of the transaction including purchase and sale agreements, deed, and any other documents required by the title company for the property located at 112 S. Jackson St. subject to the review and approval of the City Attorney. The motion was seconded by Councilmember Borders and passed 7/0.

Mayor Pro-Tem Phillips made a motion to approve the sale to the KEDC of the property located at 112 S. Jackson St., Kaufman, Texas 75142, from the City of Kaufman, as an independent foundation, for sale to Tony Collins Art, Inc. for economic development purposes. The motion was seconded by Councilmember Patterson and passed 7/0.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:28 PM.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**

