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## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 06, 2019 - **5:00 PM**

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

**I. CALL PUBLIC MEETING TO ORDER**

**II. EXECUTIVE SESSION.**

**THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**III. ADJOURN EXECUTIVE SESSION**

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**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS**

**VII. PROCLAMATIONS**

**p.9 1.** Police Memorial Week

**p.11 2.** Lyme Disease Awareness Month

**p.13 3.** National Safe Boating Week

**p.15 4.** Older Americans Month

**VIII. OPEN FORUM**

## IX. CONSENT AGENDA

- p.17** 1. Consider approval of the minutes from the April 15, 2019 regular city council meeting, and take any action necessary.
- p.35** 2. **Z2019-007** - Consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary (**2nd Reading**).
- p.41** 3. **Z2019-008** - Consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary (**2nd Reading**).
- p.52** 4. Consider authorizing the City Manager and subcommittee to begin planning work with local Arts and Historical organizations related to hotel occupancy tax projects, and take any action necessary.
- p.55** 5. Consider authorizing the City Manager to execute an interlocal agreement with Dallas County for Law Enforcement Sharing via the Dallas County Adult Information System for use by Rockwall Fire Department when conducting fire investigations, and take any action necessary.
- p.68** 6. **P2019-018** - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.
- p.76** 7. **P2019-019** - Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.
- p.82** 8. Consider approval of a Hotel Occupancy Tax subcommittee recommendation for funding \$1,400 for the Rockwall Area Chamber of Commerce bid for the TCCE conference, and take any action necessary.
- p.94** 9. Consider approval of a resolution authorizing an update to the impact fee program for roadway, water, and wastewater facilities and appointing a Capital Improvements Advisory Committee (CIAC), and take any action necessary.

**p.98 10.** Consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed \$79,420., to be funded by the General Engineering Services Budget, and take any action necessary.

**p.118 11.** Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action necessary.

#### **X. APPOINTMENT ITEMS**

**p.123 1.** Appointment with the city's Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.

#### **XI. ACTION ITEMS**

**p.125 1. Z2019-006** - Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary **(2nd Reading)**.

**p.135 2.** Discuss and consider granting permission for an alcohol waiver associated with the City's May 18, 2019 Founders Day Festival at Harry Myers Park in accordance with Chapter 30, Article I, Sec. 30 -2, "Regulated Activities in Parks" of the Code of Ordinances, and take any action necessary.

**p.137 3.** Discuss and consider submitting two nominees for a possible award for an outstanding senior who is making a difference in our senior community at the request of Meals on Wheels Senior Services, and take any action necessary.

#### **XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

##### **1. Departmental Reports**

**p.140** Building Inspections Monthly Report - March 2019

**p.153** Fire Department Monthly Report - March 2019

**p.160** GIS Division Monthly Report - March 2019

**p.162** Harbor PD Monthly Report - March 2019

**p.164** Internal Operations Department Monthly Report - March 2019

- p.166** Meals on Wheels Senior Services Quarterly Report
- p.168** Police Department Monthly Activity Report - March 2019
- p.171** Recreation Monthly Report - March 2019
- p.177** Rockwall Animal Adoption Center Monthly Report - March 2019
- p.181** STAR Transit Monthly Report - March 2019

## **2. City Manager's Report**

### **XIII. EXECUTIVE SESSION**

**THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

### **XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

### **XV. ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3<sup>rd</sup> day of May, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

---

Kristy Cole, City Secretary  
or Margaret Delaney, Asst. to the City Sect.

---

Date Removed

Rockwall,



Texas

## Proclamation

*Whereas*, more than 900,000 law enforcement officers serve in communities across the U.S., including the 85 sworn, dedicated members of the Rockwall Police Department; and

*Whereas*, since the first recorded police death in 1791, there have been over 21,000 law enforcement officers killed in the line of duty and 21,910 names are currently engraved on the walls of the National Law Enforcement Officers Memorial; and

*Whereas*, according to the FBI's Uniform Crime Report, 60,211 assaults against law enforcement officers occurred in 2017, resulting in 17,476 injuries; and

*Whereas*, a total of 1,582 law enforcement officers died in the line of duty during the past 10 years, which is an average of one death every 55 hours, and 158 law enforcement officers were killed in the line of duty in 2018; and

*Whereas*, 371 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 158 officers killed in 2018 and 213 officers killed in previous years; and


*Whereas*, May 15 is designated as Peace Officers Memorial Day, in honor of fallen officers and their families, and U.S. flags are flown at half-staff that day.

*Now, Therefore*, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **May 12-18, 2019** as

### **POLICE MEMORIAL WEEK**

in the City of Rockwall, and urge all citizens to honor the memories of law enforcement officers killed in the line of duty and to applaud the service of law enforcement officers who continue to protect our communities and help safeguard our democracy.

*In Witness Whereof*, I hereunto affix my hand and official seal this 6th day of May, 2019.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

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Rockwall,



Texas

## Proclamation

*Whereas*, Lyme disease is caused by a bacteria, is found in 45% of the common black-legged deer ticks in TX, which transmit the disease, and is the fastest growing vector-borne disease in the U.S.; and

*Whereas*, the risk of contracting Lyme disease is present year-round with fewer than 50% of patients being able to recall a tick bite; and

*Whereas*, Lyme disease is a complex, multi-system illness which can be easily treated with antibiotics if caught early, but it can cause severe disability and even death if left untreated; and

*Whereas*, ticks that carry Lyme disease may also carry at least 15 other pathogens, many of them transmitted within minutes of being bitten, with one tick bite frequently resulting in multiple infections including bacteria, parasites, and viruses which can all be potentially fatal; and

*Whereas*, Lyme disease is believed to infect more than 300,000 people annually in the U.S., but, as an underreported illness, the actual number of people in Texas is likely 10 times the reported number of cases; and

*Whereas*, testing for Lyme disease remains only 50% accurate, with the average patient going two or more years before getting a proper diagnosis; and

*Whereas*, new science, treatment and testing guidelines have been released from the Agency for Healthcare Research and Quality National Guidelines Clearinghouse, but it is believed that many doctors in Texas are still following outdated guidelines for Lyme disease; and

*Whereas*, the TX Lyme Coalition, TX Lyme Disease Association and the NTX Lyme Group have provided advocacy for patients since 1999 and work to educate the public about the signs, symptoms, treatment, and prevention of Lyme disease.

*Now, Therefore*, I, Jim Pruitt, Mayor of Rockwall, do hereby proclaim **May, 2019** as:

### **LYME DISEASE AWARENESS MONTH**

In the City of Rockwall and encourage all of our citizens to educate themselves about symptoms of early and late stage Lyme disease and practice preventative techniques.

*In Witness Whereof*, I hereunto set my hand and official seal this 6<sup>th</sup> day of May, 2019.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

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Rockwall,



Texas

## Proclamation

*Whereas*, for nearly 90 million Americans, including many local citizens in our lakeside community, boating is a popular recreational activity, allowing families and friends time together while boating, sailing, paddling, and fishing; and

*Whereas*, during National Safe Boating Week, we want to bring special attention to this pastime and remind recreational boaters of a few tips to ensure that they and their loved ones are safe and responsible while exploring our nation's waterways; and

*Whereas*, on average, 650 people die each year in boating-related accidents in the U.S. with approximately three-fourths of these fatalities being caused by drowning; and

*Whereas*, modern life jackets are more comfortable, attractive, and wearable than styles of the past, and a significant number of boaters whose lives were lost annually due to drowning would be alive today had they worn a life jacket; and

*Whereas*, the U.S. Coast Guard Auxiliary, Flotilla 5-10, Division 5, District 8CR, which represents Lake Ray Hubbard, supports programs which result in our waterways having a safe, accident free record, providing valuable tips and information to help ensure your activities don't result in tragedy.

*Now, Therefore*, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of **May 18-24, 2019**, as

### SAFE BOATING WEEK

in the City of Rockwall and urge all residents to institute safe boating practices and "Wear It" this week and throughout the entire boating season.



*In Witness Whereof*, I hereunto affix my hand and official seal this 6<sup>th</sup> day of May, 2019.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

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Rockwall,



Texas

## Proclamation

*Whereas*, the City of Rockwall includes a growing number of older Americans who enrich our community through their diverse life experiences; and

*Whereas*, Rockwall is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

*Whereas*, Rockwall recognizes the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional well-being for the benefit of all; and

*Whereas*, the City of Rockwall can enhance the lives of older Americans in our community by:


- promoting home and community-based services that support independent living;
- involving older adults in community events and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

*Now, Therefore*, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the month of **May, 2019** as

### **OLDER AMERICANS MONTH**

in the City of Rockwall and urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community.

*In Witness Whereof*, I hereunto affix my hand and official seal this 6<sup>th</sup> day of May, 2019.

  
Jim Pruitt, Mayor

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## **ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, April 15, 2019 - 5:00 PM**

**City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

### **I. CALL PUBLIC MEETING TO ORDER**

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and City Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

### **II.**

**THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

### **III. ADJOURN EXECUTIVE SESSION**

Council adjourned from Executive Session at 5:55 p.m.

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### **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

### **V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

Indication was given that no action was needed as a result of Executive Session.

### **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM FOWLER**

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

## **VII. PROCLAMATIONS**

### **1. Public Safety Telecommunications Week**

Mayor Pruitt called forth Assistant Police Chief Kirk Aldridge and several Dispatch staff members. He then read and presented them with this proclamation, thanking them for all they do for the safety of our police and fire staff and the public.

### **2. National Day of Prayer**

Mayor Pruitt indicated that he will give this proclamation at the Mayor's Prayer Breakfast on Thurs., May 2 at The Center.

### **3. Motorcycle Safety & Awareness Month**

Mayor Pruitt called forth several motorcyclists who requested this proclamation in recognition of Motorcycle Safety & Awareness Month. He then read and presented them with this proclamation, encouraging all drivers to be observant and respectful of motorcyclists driving on the roadways.

## **VIII. OPEN FORUM**

Paul Davis (777 Paul Davis Lane) came forth and shared that he lives in McLendon-Chisholm; however, he owns property in Rockwall, including property on Cullins Road. Mr. Davis generally expressed opposition to the proposed zoning pertaining to case Z2019-005.

Don Braswell  
2041 Chisholm Trail

Mr. Braswell indicated that he lives within the county, about 200' from the proposed zoning change (Z2019-005) and the proposed PID. He has concerns about the existing floodplain and how additional development, both homes and expansion of roadways, will adversely impact the area. Furthermore, he is concerned about the increased traffic and congestion as well as density, and reduced setbacks if this development comes to fruition. He encouraged the city to not allow this development, as it deviates from the city's 2040 Comprehensive Plan.

Leslie Wilson  
535 Cullins Road  
Rockwall, TX

Mrs. Wilson expressed that a lot of people here tonight are frustrated because they have not yet gotten an opportunity to speak about the proposed PID and related zoning change (Z2019-005). She indicated that she and others will come forth later in the meeting, during the proper time, to share their thoughts.

Janice Morchower  
144 Westwood  
Rockwall, TX 75032

Ms. Morchower came forth and indicated that she lives in Windmill Ridge subdivision. She expressed concern about the creek that flows into the park area. It serves as runoff for Ralph Hall Parkway, and

the creek is littered with trash and tall reeds. There are trees that are ‘downed’ in the park, and they have been like that for a while. The litter, she indicated, is inhibiting the water flow. Mayor Pruitt introduced Ms. Morchower to Andy Hesser, Parks Director, indicating that he is the proper staff person to address her concerns.

Ed Kohorst  
831 Cullins Road  
Rockwall, TX

Mr. Kohorst came forth and indicated that he and his wife, Olivia, have lived at this location on fifteen acres for twenty-five years. It is a mixture of tall grass, dense woods and gently rolling hills. He spoke about the many different variations of wildlife that live in and around his property and the creek that runs less than 50 yards from the western edge of the proposed Highgate development. He believes that this development will cause the creek to overflow its bank, flood the nearby wooded area and destroy the wildlife habitat that live there. He generally expressed concern about this development potentially being approved by the City.

Kristi Mase  
1160 Skylar Drive  
Rockwall, TX 75032

Ms. Mase indicated that she worked as an Admin. Assistant at Rockwall High School, and students often sit on the floor in the lunch room because of overcrowding. She believes these 500+ homes will further adversely impact overcrowding that is already present within the school district.

Craig **Koziol**  
281 Willowcrest  
Rockwall, TX

Mr. Koziol came forth and expressed that he is adamantly opposed to the proposed zoning change associated with the potential Highgate development.

Prycilla Bento  
2002 S. Lakeshore Drive  
Rockwall, TX

Mrs. Bento came forth and shared concerns related to unsustainable development and “urban sprawl.” She expressed concerns about traffic, flooding, infrastructure, and school overcrowding, among other things.

## **IX. CONSENT AGENDA**

1. Consider approval of the minutes from the April 1, 2019 regular city council meeting, and take any action necessary.
2. Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

3. Consider authorizing the purchase of two submersible pumps from Control Specialists L.P in an amount not to Exceed \$38,000 to replace two pumps at The Harbor, with one pump in the amount of \$18,000 to be funded from The Harbor General Fund Budget and the balance of \$20,000 for the second pump to be funded from General Fund Reserves, and take any action necessary.
4. **P2019-016** - Consider a request by Kevin Patel of Triangle Engineering, LLC for the approval of a replat for Lot 2 of the Cain Properties #1 Addition being a 1.233-acre parcel of land identified as a portion of Lot 1 and Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action necessary.
5. **P2019-010** - Consider a request by Michael Duval of G&A/McAdams on behalf of John Delin of RW Ladera, LLC for the approval of a final plat for Lot 1, Block A and Lot 1, Block B, Ladera Rockwall Addition being a 47.694-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for General Retail (GR) and Single-Family 7 (SF-7) District land uses, situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast and northwest corners of the intersection of SH-66 and John King Boulevard, and take any action necessary.

**Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (#1, 2, 3, 4, and 5). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays. Mayor Pruitt then reordered the agenda to address Appointment Item #2.**

#### **X. APPOINTMENT ITEMS**

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

**Chairman of the city's Planning & Zoning Commission, Johnny Lyons, came forth and briefed the Council on recommendations of the Commission regarding planning-related items on tonight's meeting agenda. Following brief, clarifying discussion, Council took no action related to this appointment item.**

2. Appointment with the Lakeshore Composite Squadron of the Civil Air Patrol to report on community activities for the 2018-2019 school year, and take any action necessary.

**Representatives from the local Civil Air Patrol squadron came forth and briefed the Council on community-related activities that the group either spearheaded or was involved in during the year 2018. Following their brief presentation, Mayor Pruitt thanked the group for all the good its members do within our community.**



## **XI. PUBLIC HEARING ITEMS**

1. Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of a Public Improvement District (PID) on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

**City Attorney Frank Garza provided a briefing regarding how a PID petition request must be handled and how PID assessments and associated fees/taxes work. It is required that a public hearing be held by city council after receipt of a legitimate PID petition. The proposed district boundaries must be identified along with a PID petition, and this one does identify those. The lots within the PID would be charged / assessed fees in an amount up to \$17 million to pay for the needed public improvements. The city will have up to six months to either accept or decline the PID.**

**Mayor Pruitt thanked Mr. Garza for his briefing and associated explanations. Mayor Pruitt shared that this development is actually a proposed 2 units per acre, and “low density” is actually defined as 2.5 units per acre within the Hometown 2040 Comprehensive Plan. He went on to explain that the city’s comp plan was approved after a two year process that included a lot of public input opportunities.**

**Mr. Donahue  
15443 Knoll Trail, Suite 130  
Dallas, TX 75248**

**Mr. Donahue came forth and shared that he would like to delay the PID presentation until May to allow additional time for him to meet with and work with citizens to address their concerns. Mayor Pruitt shared that he and the council members are not going to accommodate his request to delay this topic. Mayor Pruitt invited Mr. Donahue to proceed with his presentation regarding the PID; however, Mr. Donahue gave indication that he was choosing to not proceed with making said presentation.**

**At the request of Councilman Johannesen, Mr. Garza clarified that this PID petition does not ask or require the city to pay for any aspects of the public improvements. The city would in no way be liable to repay the PID bonds that are issued – only the property owners within the PID would be “on the hook” for repayment of the public improvements.**

**Craig Koziol  
281 Willowcrest  
Rockwall, TX 75032**

**Mr. Koziol came forth and asked Mr. Garza, City Attorney, if this development would cause property taxes to increase for those homeowners who do not live within the development. Mr. Garza indicated that no, they would not.**

**Thomas Cosby**

**2025 Chisholm Trail  
Rockwall, TX 75032**

**Mr. Cosby shared that he believes the density of this area should match that of the adjacent homes already in existence. He believes the infrastructure should already be in place before the homes are built. He is generally opposed to this request.**

**Karen Cosby  
2025 Chisholm Trail  
Rockwall, TX 75032**

**Mrs. Cosby came forth and shared that she is generally opposed to this PID request. She believes that the integrity of the adjacent homes around the area would be negatively impacted.**

**Leslie Wilson  
535 Cullins Road  
Rockwall, TX**

**Mrs. Wilson shared that she has lived at this location for almost twenty-two years, and her property is very special to her and her family. She is concerned about her home and property potentially ending up being backed up to homes with this type of density. She is strongly opposed to approval of this PID.**

**Dennis Hillery  
143 Pelican Cove  
Rockwall, TX**

**Mr. Hillery came forth and shared that he has some concern about the financing. He asked for clarification on the bonds, pointing out that it would be \$17 million, plus the cost of the bonds, plus interest over a 30 year period. The mayor indicated that a lender would issue the bonds, and the land itself would secure the bonds.**

**Aaron Bruning  
2002 Chisholm Trail  
Rockwall, TX**

**Mr. Bruning shared that his property is adjacent to this proposed PID. He pointed out that this developer has been in the news recently for some things that have occurred in the city of Rowlett. He encouraged the Council to consider those things when deciding on this proposal. Also, he has concerns about traffic and associated accidents. He believes that increased traffic causes concerns for emergency responders by hindering their ability to reach those who have called for assistance, especially the aging population.**

**Howard Haddock  
155 Willowcrest  
Rockwall, TX**

**Mr. Haddock shared that he and many others are adamantly opposed to this development, as the lots will be 'postage stamped' lots. He strongly urged the Council to reject this proposal.**

**Olivia Casey  
831 Cullins Road  
Rockwall, TX**

**Mrs. Casey came forth and expressed concern about potential approval of this PID request. She believes the cost for the property owners who will eventually live there and be taxed will be too costly. She believes establishing this PID will set a dangerous precedence. It sounds like corporate welfare, and she is strongly opposed to it.**

**Bob Wacker  
309 Featherstone Drive  
Rockwall, TX**

**Mr. Wacker came forth and indicated that he served on the council appointed committee that reviewed and updated the city's comprehensive plan. He apologized for potentially having misled some of the people with whom he has communicated on social media (i.e. "Next Door"). He went on to share a story about a personal experience he had with his own homeowners association having to pay back a notably smaller loan within the Stonecreek subdivision. He indicated that the loan essentially cost each homeowner about \$1800 to pay back. He pointed out that the \$17 million loan associated with this PID will be exponentially more costly.**

**Joan Haddock  
155 Willowcrest  
Rockwall, TX**

**Mrs. Haddock indicated that she prefers horses over houses (as far as what is located next door to her). She went on to quote a phrase from the city's 2040 Comprehensive Plan that generally states that a development should be equal to or of higher quality to the existing, surrounding area.**

**Scott Harman  
280 Willowcrest  
Rockwall, TX**

**Mr. Harman is concerned about the area that is located within the floodplain within this proposed development.**

**Councilman Hohenshelt interjected and clarified that the density of this proposed development is within the city's zoning requirements, and the developer could – by right – build this subdivision even without the PID being approved.**

**Mr. Harman shared that he has concerns about the higher density development eventually costing school district taxpayers more money in school district taxes and taxes over all (i.e. additional fire, police and emergency personnel). He would love for this area to remain a horse farm forevermore; however, he and others do realize that at some point the property will likely be developed.**

**Carol Byrd  
707 Cullins Road  
Rockwall, TX**

Mrs. Byrd shared that she has lived at this location for more than thirty years, and she moved here from north Dallas. She believes that some of how the city is growing is good (i.e. medical facilities), but some of the growth concerns her and makes her sad. She is concerned about the 'run off' that she has continually experienced on her property, stating that her barn and driveway have been flooded out several times. She urged the Council to consider the type of development that residents would like to see and not see.

Leslie Hope  
530 Cullins Road  
Rockwall, TX

Ms. Hope shared that she and her husband moved here in 2016. She has concerns about 545 homes potentially being constructed in this area, especially when there will only be two-lane roads to travel. She worries that Cullins Road might be a means for ingress and egress pertaining to this subdivision. She and everyone else who has spoken this evening are opposed to this PID and this subdivision.

James Nichols  
241 Willowcrest  
Rockwall, TX

Mr. Nichols shared that he is fairly new to Rockwall and moved here about two years ago from Dallas. He is concerned that there are no pedestrian walkways in and around this area, and that is especially concerning as it pertains to a future park in this area.

Mayor Pruitt pointed out that the citizens of Rockwall approved the purchase of a "south" community park several years ago on a bond election.

Ed Burzair  
2175 Arrowhead Court  
Rockwall, TX

Mr. Burzair pointed out that this developer would still need approval from both the Planning & Zoning Commission and the Council if this subdivision were to come to fruition. He believes that the PID is not even necessary, as the developer could just roll in the cost of the infrastructure into the cost of the homes/lots.

Sergio Bento  
2002 S. Lakeshore Drive  
Rockwall, TX

Mr. Bento shared a story about his experience with Globe Life Park in Arlington and concerns related to that developer. He generally expressed the belief that the developer not giving his presentation this evening signifies a certain level of disrespect because it disallows those in attendance this evening to hear and see – 'straight from the horse's mouth' – what is being proposed. He is generally strongly opposed to this PID and this proposed development.

Stan Jeffus  
1903 S. FM 549  
Rockwall, TX

Mr. Jeffus came forth and shared concerns related to this proposed PID. He does not believe that this proposal is in line with the true intent and design of a "PID." He believes the developer is 'taking advantage' by proposing this PID.

Jennifer Drake  
205 Darrin Drive  
Rockwall, TX

Ms. Drake came forth and shared that she is a realtor, and she hears about a lot of homebuyers not understanding that they are buying in a "MUD" or a "PID," and they end up not being able to afford their home(s) over time. She has seen developers throwing in a lot of 'incentives' – for example, free washer and dryers – to encourage buyers to buy within a PID or a MUD. She believes this is deceiving to home buyers. She has a lot of concerns if this PID were to be approved, and she generally spoke in opposition of its approval.

Janice Morchower  
144 Westwood  
Rockwall, TX

Ms. Morchower shared that she is a realtor too, and she also has concerns about this PID being approved. She wonders if a traffic impact analysis (TIA) will be required associated with this proposed development. Indication was given that before the Planning & Zoning Commission takes action on the zoning case, the TIA would have to be completed and the results shared.

Carol Gardner  
759 Winding Ridge Lane  
Rockwall (County)

Mrs. Gardner expressed concern about additional noise that will accompany this development if this PID is approved. She also has concerns about Mr. Donahue not presenting this evening.

Dan Bobst came forth and shared that this gentleman is not being transparent, as evident by him not presenting this evening. He does not believe the Council should approve something from someone who is not being transparent.

Cody Barrick  
5459 S. FM 549  
Rockwall, TX

Mr. Barrick has not been real familiar with a PID prior to this case; however, now that he knows more about it, it appears to him to be a form of 'taxation without representation.' He is opposed to approval of this PID. He knows that development will likely happen in the future

Mayor Pruitt moved to deny this PID request. Councilman Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pruitt called for a break, recessing the public meeting at 7:59 p.m. and reconvening it at 8:13 p.m.

2. **P2019-013** - Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

Planning Manager David Gonzales briefed the Council on details pertaining to this request for a residential replat. Twenty-nine notices were sent out to adjacent property owners within 200', and one reply in favor and one reply in opposition have been received back by staff.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the public hearing.

Councilmember Hohenshelt moved to approve this request (P2019-013). Mayor Pro Tem Fowler seconded the motion. Councilman Trowbridge pointed out that approval of this type of request leads to more density within the downtown historic district. The motion passed by a vote of 7 ayes to 0 nays.

3. **Z2019-005** Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary **(1st Reading)**.

Following brief, clarifying comments from the city attorney, Mayor Pro Tem Fowler moved to postpone this item until the May 20 city council meeting. Councilman Trowbridge seconded the motion, which passed by a vote of 6 in favor with 1 against (Pruitt).

4. **Z2019-006** - Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall,

Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary **(1st Reading)**.

Planning Manager, David Gonzales provided background information pertaining to this agenda item. The subject property is a 42.61-acre tract of land located at the terminus of Aluminum Plant Road, which is located at the southwest quadrant of the intersection of East Washington Street and Airport Road. The property was annexed on February 7, 1983 by Ordinance No. 83-06. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. In January 2019, the applicant, Carolina Molina of Alvaplast US, Inc. (SPR Packaging), requested approval of a site plan for the purpose of expanding SPR's existing operations. This request was for the first phase of a multi-phase expansion plan. On March 18, 2019, the Planning and Zoning Commission approved the requested site plan [Case No. SP2019-004] for Phase 1 for the purpose of constructing an approximately 78,615 SF single-story, warehouse facility (i.e. SPR Packaging) on an 11.3736-acre portion of the subject property. Currently, the subject property is vacant with the exception of Columbia Extrusion Corporation's existing structures located on the west side of the subject property (i.e. 8.97-acre portion). The applicant, Mark Pross of Pross Design Group, has submitted a request for a Specific Use Permit (SUP) to allow for structures exceeding 60-feet in height to be located within a Light Industrial (LI) District. The applicant is requesting to allow for a maximum overall height of 100-feet for structures (i.e. *high bay extruders*) that will be located in the areas identified as Phases 2, 3, 4 and 5 as depicted on the concept plan (i.e. *Exhibit 'B'*) contained in the draft SUP ordinance. This area will house the high bay extruders necessary for SPR's business operations. The applicant has stated to staff that SPR's business involves the production of flexible packaging products through a process called extrusion. The extrusion of certain plastics require additional height to process, and SPR has set a maximum height of 100-feet from grade for these structures.

Ninety-nine notices were mailed out to property owners located within 500' of the property, and the Park Place HOA was also notified. Staff has received six notices and three emails in favor of the request, two notices and two emails opposing it and one email that appeared 'undecided' regarding the request.

The president of SPR - Ignacio Echavarri 1480 Justin Road ((on behalf of) the applicant) - came forth and addressed the Council concerning this request for an SUP. He shared that his company has been in Rockwall for nearly eleven years. He went on to explain the expansion of his company outside of Europe (Spain), starting in 2014, through purchase of the SPR company in Rockwall. He explained that the company previously acquired adjacent land for future expansion. The company plans for expansions once every eight to ten years since the company continues to grow (it had fifty employees when first acquired, but it will soon have over 200 employees). He wants to expand while also being respectful of neighbors.

Mayor Pruitt opened the public hearing. Following clarification from the city attorney pertaining to the potential conditions associated with approval of this SUP, he asked if anyone would like to come forth and speak at this time.

Jean Conway  
435 Jordan Farm  
Rockwall, TX

Ms. Conway came forth and shared that SPR has been a really good neighbor, and they have tried to accommodate height limits and minimize any negative, visible sight lines. She cautioned Council that

approving this request may set a precedence if and when other, similar requests come forth in the future, perhaps elsewhere in the city.

David  
1020 Saint Charles Court  
Rockwall, TX

Mr. David expressed that he lives in the Park Place subdivision. He has done a lot of research and study on SPR and how these structures may visually impact 'line of sight' for him and others in his neighborhood. He explained that SPR has been a good neighbor in many ways. However, he does have some concerns about this particular request. He pointed out that, eventually, what SPR is requesting (including future expansions) will result in structures that span about 1,000 feet in length. And, eventually, said structures will visually impact Park Place. He encouraged Council to only approve what they intend to build currently and then consider future expansion requests and future high structures when the time comes, at a later date.

Bill Bricker  
505 Westway Drive  
Rockwall, TX

Mr. Bricker came forth and expressed that he has been part of this plant since 1981. It has been there since the 1950s and was officially zoned in 1983. Columbia previously owned the plant, and he is responsible for this company and others. He indicated that he sold previous ownership of this plant to SPR, and he manages leases of the buildings in and around this area. He clarified that his comments tonight are his own, and they are not representative of SPR, Columbia or any other company. He indicated that when he sold the company, he went to great effort to ensure that SPR would be a good neighbor. He shared that SPR has no emissions and no noise, and they've committed to stay 500' away from the edge of the Park Place subdivision. He was initially alarmed about the proposed 100' height; however, he thereafter studied the sight lines, and he does not believe it will be an egregious view. He went on to generally express that he does not have great concerns about approval of this request.

Phillip Wagner of the Rockwall Economic Development Corporation came forth and shared that the impact of the height of the structures will be minimal. He went on to share brief details pertaining to the economic benefit and taxable value that will be associated with this expansion, both of which he feels merit consideration by the Council. He is generally in support of the Council approving this request. He went on to briefly explain the incentive that SPR may be able to receive (5-6% of the total investment).

There being no one else wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

Following additional, lengthy discussion, Councilmember Daniels moved to approve Z2019-006. Councilman Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 19-XX  
SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE



CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 nays (Trowbridge and Macalik).

5. **Z2019-007** - Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary **(1st Reading)**.

Planning Manager, David Gonzales provided background information pertaining to this agenda item. The applicants, Ruben Garcia and Brandon Mullins, have submitted a request for a Specific Use Permit (SUP) to allow a *Commercial Amusement/Recreation (Outdoor)* land use in conjunction with an existing craft/microbrewery located within a Light Industrial (LI) District. The applicant is requesting to operate an outdoor entertainment area that includes a stage and seating areas. This will be located at the rear of the property and will be enclosed by an eight (8)-foot wooden fence. Notices were sent out to 27 property owners within 500' of the subject property owners. Staff received two notices in favor of the request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he closed the public hearing. Councilman Trowbridge moved to approve Z2019-007 as recommended by the P&Z Commission and including staff recommendations. Councilman Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 19-XX  
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE

PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

6. **Z2019-008** - Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary (**1st Reading**).

Planning Manager David Gonzales provided background information concerning this agenda item. On June 17, 2013, the City Council approved a PD Development Plan (Ordinance No. 13-16) allocating 399 urban residential units (i.e. condominiums) to the subject property. These units were tied to a concept plan that showed two (2) condominium buildings being constructed on the subject property, one (1) adjacent to Lakefront Trail consisting of 349-units and one (1) adjacent to the Harbor Fountain consisting of 50-units. In addition, the plan indicated two (2) retail/restaurant strip centers would be constructed adjacent to Lake Front Trail and Harbor Heights Drive. These areas were eventually developed with a hotel (i.e. Spring Hill Suites) in 2016. On December 18, 2017, the City Council approved an amendment to this plan allowing the number of units to be increased to a total 450-units, which would increase the number of units for the building adjacent to Lakefront Trail to 375-units and for the building adjacent to the Harbor Fountain to 75-units. In addition, the City Council added a strict construction schedule for both buildings as part of the PD Development Plan ordinance. If the dates in the construction schedule are not met, the increased units (the additional 51-units) would be clawed back through an expiration clause in the ordinance. The owners of both properties agreed to the construction schedule as part of this case. On March 15, 2019, the applicant submitted an application requesting to amend the *PD Development Plan* approved under *Ordinance No. 17-64*. The applicant has stated that the purpose of this application is to [1] change the pedestrian access easement that extends from Lakefront Trail to the Harbor Fountain to a one-way private drive and pedestrian access easement, and [2] to change the construction schedule for *Harbor Village* project (*identified as Building ① in the draft ordinance*). Forty-one notices were mailed to property owners located within 500' of the property, and two nearby HOAs were notified as well. Staff has received no notices back concerning this request. On April 9, 2019, the Planning and Zoning Commission approved the applicant's request to amend the Development Plan contained in Ordinance No. 17-64 by a vote of 5-2, with Commissioners Logan and Womble dissenting.

Jim Ziegler  
6205 Wichita Trail  
Flower Mound, TX

Mr. Ziegler came forth and answered brief, clarifying questions from the Council. Thereafter, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. Mayor Pruitt then moved to approve Z2019-008. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64 & PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22]* AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS (\$2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously (7 ayes, 0 nays).

## **XII. ACTION ITEMS**

1. Discuss and consider authorizing Dallas Skydive Center to perform a parachute jump in a designated area of Harry Myers Park as part of the Founders Day Festival, and take any action necessary.

Mayor Pro Tem Fowler moved to allow Dallas Skydive Center to perform this requested parachute jump at the city's upcoming Founders Day Festival. Councilman Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider a height variance request for a pole sign at White Tiger Taekwondo located at 55 East I30 and take any action necessary.

Building Official, Jeffrey Widmer, provided brief comments concerning this request. He explained that the applicant feels this business needs additional visibility since it sits so low down adjacent to IH-30. He pointed out that, in order to be approved, this request requires a  $\frac{3}{4}$  majority vote of Council. Councilmember Daniels expressed concern about potential approval of this request, pointing out that other, similar variance requests have been denied by Council in the past (i.e. Applebee's). Some council members recollected, however, that some past applicants have in fact received height variance approvals along the IH-30 corridor.

Following brief discussion, Councilman Hohenshelt moved to deny the height variance request. Councilmember Johannesen seconded the motion, which failed by a vote of 3 in favor with 4 against (Macalik, Pruitt, Fowler and Daniels).

Councilman Daniels then moved to approve the height variance request for the pole sign. Councilmember Macalik seconded the motion, which resulted in a vote of 4 in favor with 3 against (Trowbridge, Hohenshelt, and Johannesen). Since this item required a  $\frac{3}{4}$  majority vote of Council in order to pass, it is considered to have failed.

3. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. **(2nd reading)**

See item #4 below, as the mayor chose to address them both at once.

4. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. **(2nd reading)**

Mayor Pruitt moved to approve items #3 and #4. Councilmember Hohenshelt seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 19-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

**XIII. EXECUTIVE SESSION**

**THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

- 1.** Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
- 2.** Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
- 3.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**Council did not reconvene in Executive Session following the close of the public meeting agenda.**

**XV. ADJOURNMENT**

**The meeting was adjourned at 9:29 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6<sup>TH</sup> DAY OF MAY, 2019.**

**ATTEST:**

\_\_\_\_\_  
**JIM PRUITT, MAYOR**

\_\_\_\_\_  
**KRISTY COLE, CITY SECRETARY**

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**CITY OF ROCKWALL**

**ORDINANCE NO. 19-20**

**SPECIFIC USE PERMIT NO. S-207**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A COMERCIAL AMUSEMENT/RECREATION (OUTDOOR) LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 5.02, Light Industrial (LI) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject

to the following additional conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Amusement/Recreation (Outdoor)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *Commercial Amusement/Recreation (Outdoor)* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of this ordinance; and,
- 3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: March 15, 2019

2<sup>nd</sup> Reading: May 6, 2019

**Exhibit 'A':**  
**Legal Description:**

*Lot 1-F, Bodin Industrial Addition*



**Exhibit 'A':**  
**Legal Description:**

*Lot 1-F, Bodin Industrial Addition*



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CITY OF ROCKWALL

ORDINANCE NO. 19-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64* & PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS (\$2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Jim Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a Planned Development (PD) Development Plan within Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that *Ordinance No. 17-64*, Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

**SECTION 1.** That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 17-64*;

**SECTION 2.** That any portion of *Ordinance No.'s 11-43 & 13-16* in conflict with this ordinance shall be subject to the requirements of this ordinance;

**SECTION 3.** That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by amending the PD Development Plans approved with *Ordinance No.'s 11-43 & 13-16* and the official zoning map of the City of Rockwall so as to approve a PD Development Plan for the *Subject Property*; and,

**SECTION 4.** That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

**SECTION 5.** That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

## **5.1 CONSTRUCTION SCHEDULE**

### *Building Adjacent to Lakefront Trail (i.e. Building ①)*

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on May 6, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to Lakefront Trail (*indicated as ① on Exhibit 'B' of this ordinance and consisting of 375 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 26 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to Lakefront Trail -- indicated as ① on Exhibit 'B' of this ordinance -- to 349 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 26 allocated condominium units.

### *Building Adjacent to the Harbor Fountain (i.e. Building ②)*

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on June 1, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to the Harbor Fountain (*indicated as ② on Exhibit 'B' of this ordinance and consisting of 75 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 25 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to the Harbor Fountain -- indicated as ② on Exhibit 'B' of this ordinance -- to 50 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 25 allocated condominium units.

### *Commencement of Construction and Continuous Construction*

Once a building permit has been issued for either property (*i.e. Building ① or Building ②*), the developer/property owner shall have six (6) months to commence construction on the site in accordance with Section 10-116 of Article III, *Building Code*, of Chapter 10, *Buildings and Building Regulations*, of the Municipal Code of Ordinances (*i.e. Section [A] 105.5, Expiration, of the International Building Code*). Once construction has commenced, construction must be continuous during the regular workweek unless construction is delayed due to delays

beyond the control of the developer/property owner. Such delays shall include, but not be limited to, fires, floods, labor disputes, epidemics, abnormal weather conditions, acts of God or any preference, priority or allocation order duly issued by the Federal Government. Abnormal weather delays are those that are beyond what is normal for the climate and time of year. If construction of the site has not commenced within six (6) months of the issuance of a building permit, or construction is not continuous, City staff shall provide a report, to the Planning and Zoning Commission and City Council indicating the progress of the development and possible revocation of the permit. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the permit for additional allocated condominium units (*i.e. reducing the number of units for either project back to the numbers approved under Ordinance No. 13-16*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional allocated condominium units.

## 5.2 DEVELOPMENT CONDITIONS

- 1) Development of this property shall generally conform to the *PD Development Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed PD Site Plan that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;
- 3) The proposed multi-family development adjacent to Lakefront Trail (*indicated as ① on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 375 condominium units. The proposed multi-family development adjacent to the Harbor Fountain (*indicated as ② on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 75 condominium units.
- 4) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a subdivision plat;
- 5) The architectural design of all buildings within the two (2) affected Subdistricts (*i.e. the Harbor Residential Subdistrict and the Harbor Link Mixed-Use Subdistrict*) shall conform to the Harbor District Guidelines (*i.e. Resolution 10-40*), all applicable ordinances associated with Planned Development District 32 (PD-32) [*as amended*], and to the Unified Development Code;
- 6) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB);
- 7) The private street and pedestrian access easement extending from Lakefront Trail to the proposed multi-family development adjacent to the Harbor Fountain (*indicated as ② on Exhibit 'B' of this ordinance*), will be required to be located within a *Pedestrian Access Easement* on the final plat and shall be constructed in accordance with the street cross section and concept plan depicted in *Exhibit 'C'* of this ordinance; and
- 8) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development to support their use.

**SECTION 6.** The official zoning map of the City of Rockwall, Texas be corrected to reflect the changes in zoning described in this ordinance;

**SECTION 7.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 8.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 9.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 10.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

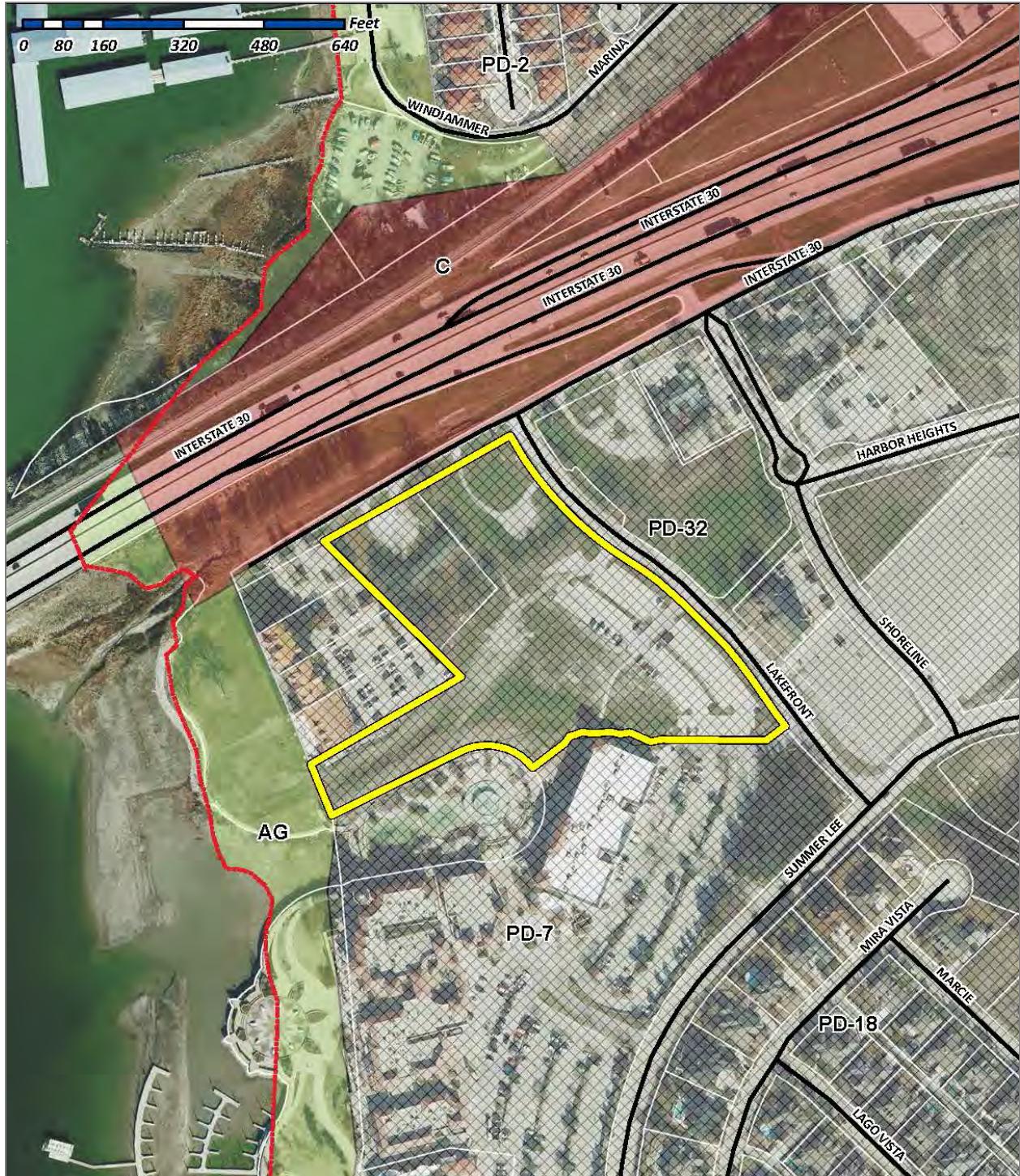
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: April 15, 2019

2<sup>nd</sup> Reading: May 6, 2019



**Exhibit 'A':**  
**Legal Description**



Legal Description: Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas

**Exhibit 'A':**  
***Legal Description***

*Legal Description:* *Tract 16 of the M. J. Barksdale Survey, Abstract No. 11*

Being a tract of land situated in the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, and being a 1.225-acre tract out of a 55.200-acre tract as recorded in *Volume 59, Page 383*, deed records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a point on the southeast line of Interstate Highway 30, said point being 286.50-feet more or less, from the north corner of said 55.20-acre tract, a 3/8" iron rod found for corner;

*THENCE*, South 38 Degrees 29 Minutes 38 Seconds East, leaving the said southeast line of Interstate Highway 30, a distance of 254.63-feet to a 5/8" iron rod found for corner;

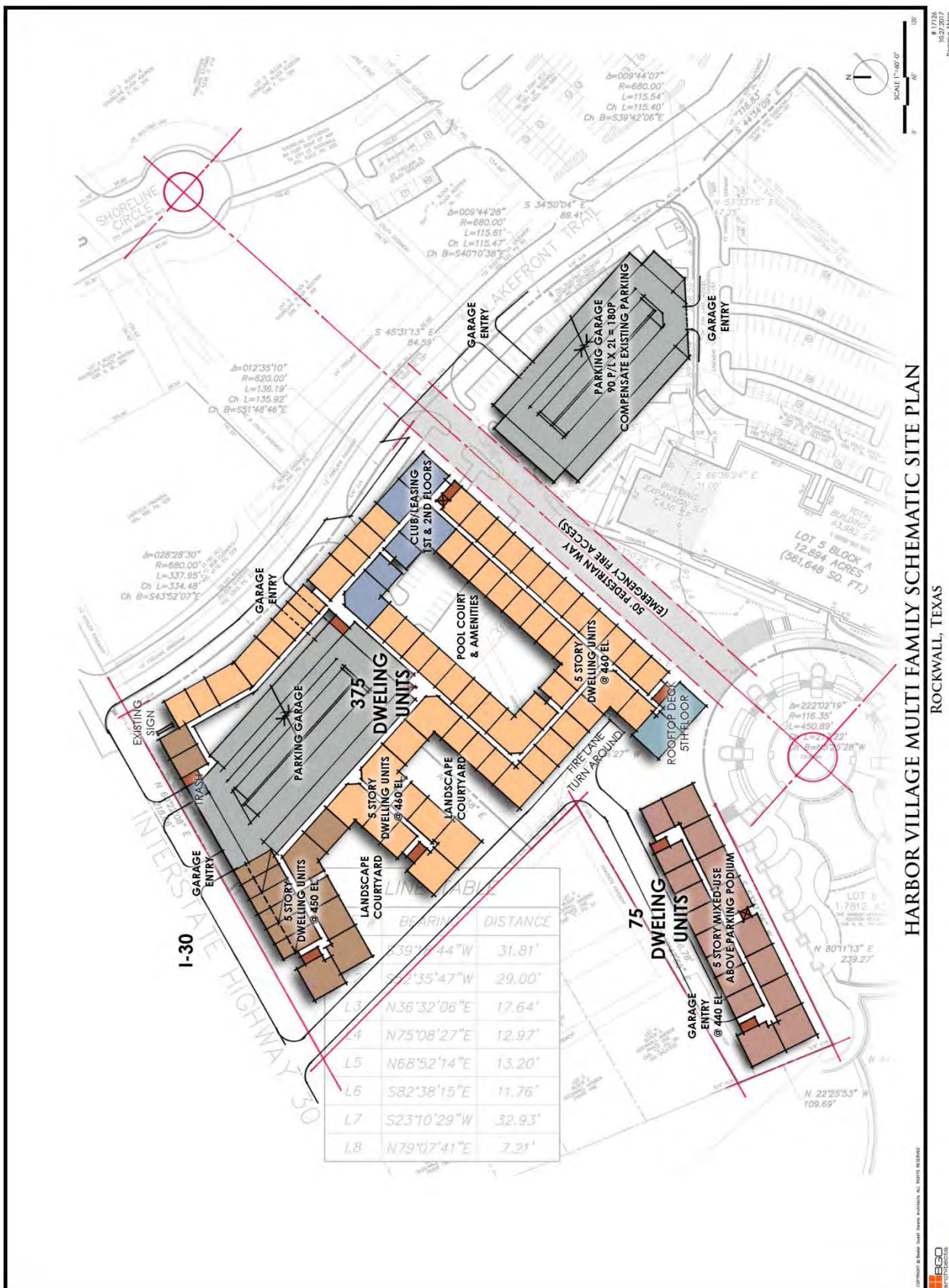
*THENCE*, South 44 Degrees 24 Minutes 14 Seconds West, a distance of 176.46-feet to a 1/2" iron rod found for corner;

*THENCE*, North 43 Degrees 48 Minutes 20 Seconds West, a distance of 311.10-feet to a point on the southeast line of the Interstate Highway 30, a 3/8" iron rod set for corner;

*THENCE*, North 50 Degrees 48 Minutes East, along the southeast line of Interstate Highway 30, a distance of 206.43-feet to the *PLACE OF BEGINNING* and containing 53,371.640 SF or 1.225-acres of land, more or less.

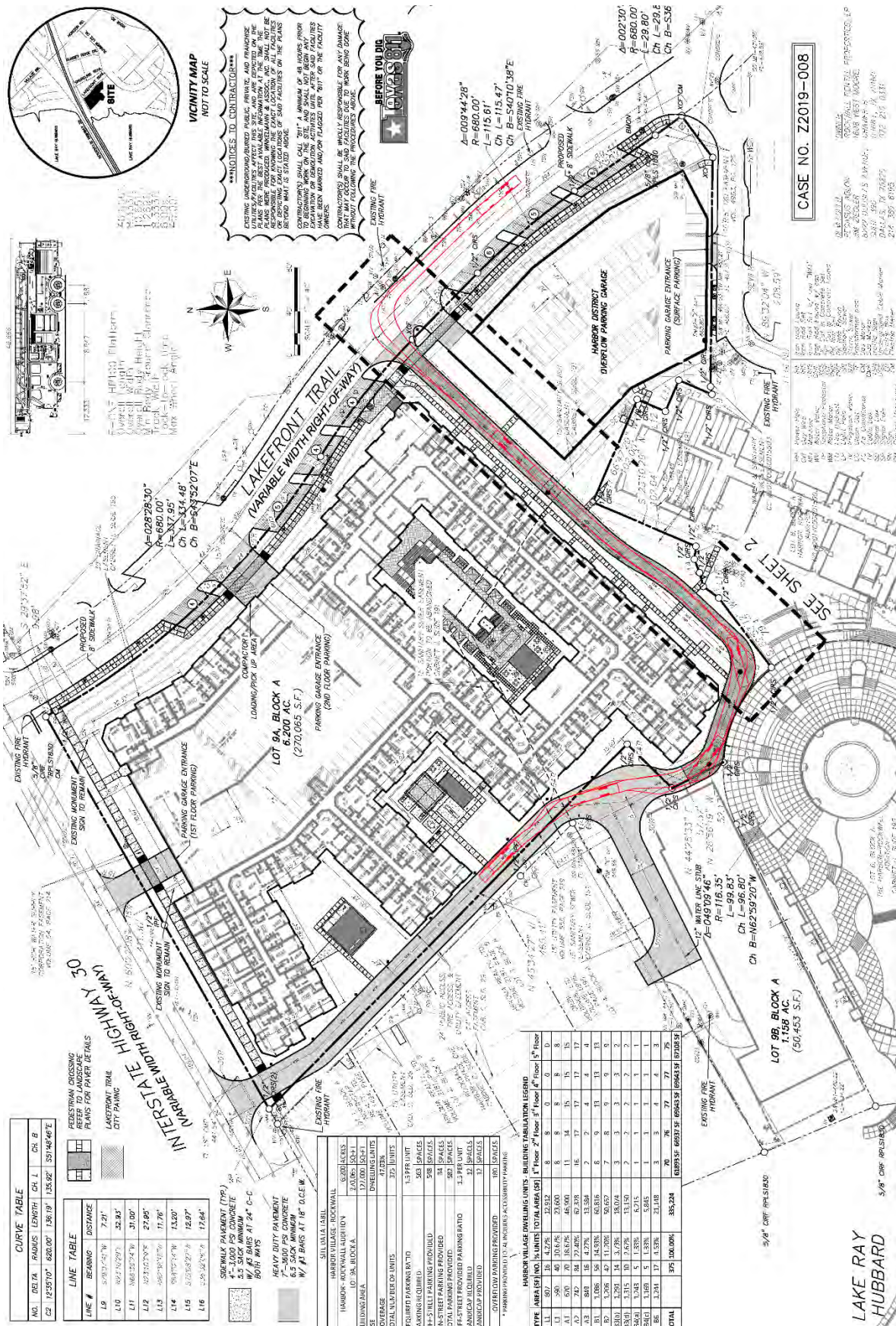


**Exhibit 'B':**  
*PD Development Plan*



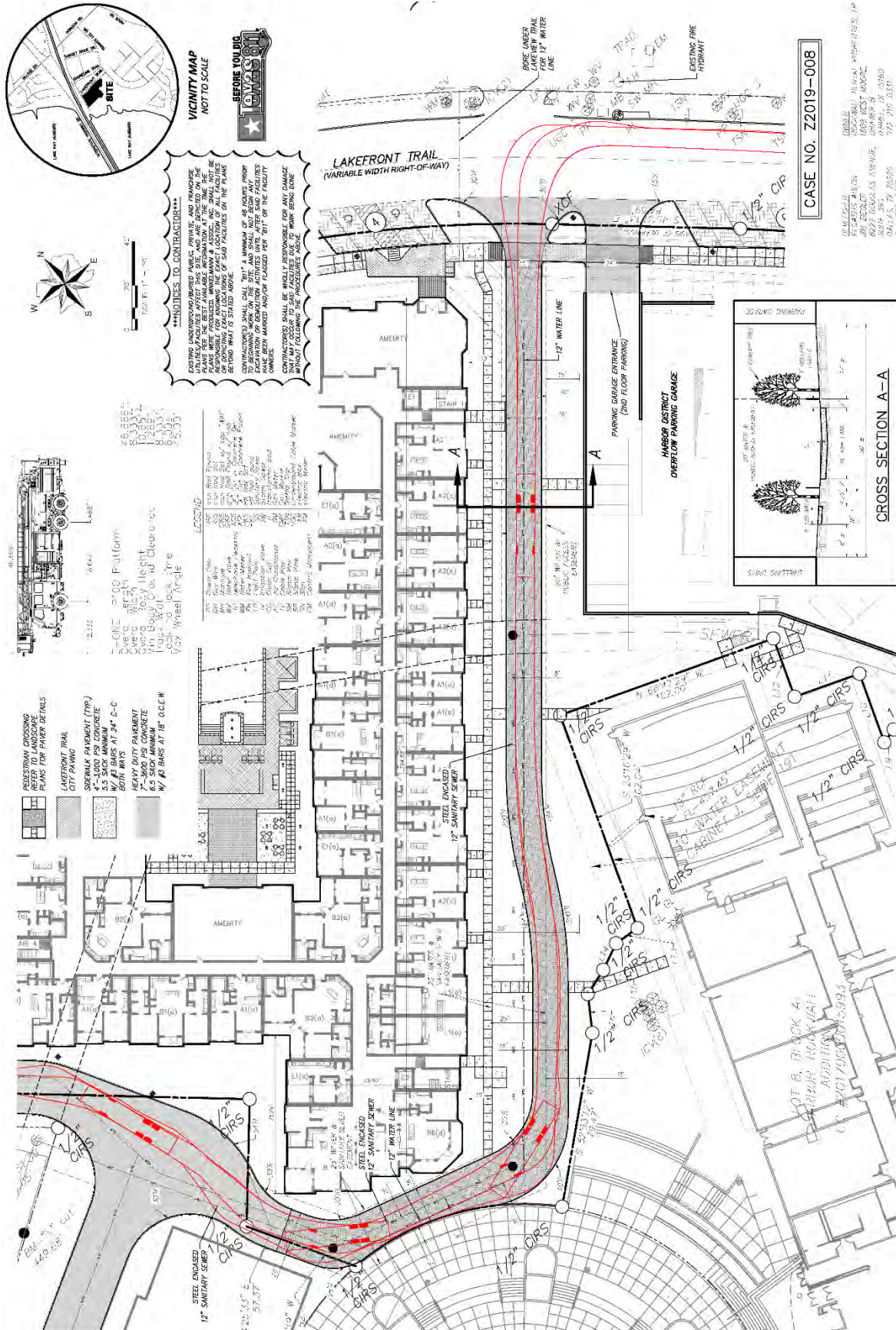


### *Private Street and Pedestrian Access Easement*

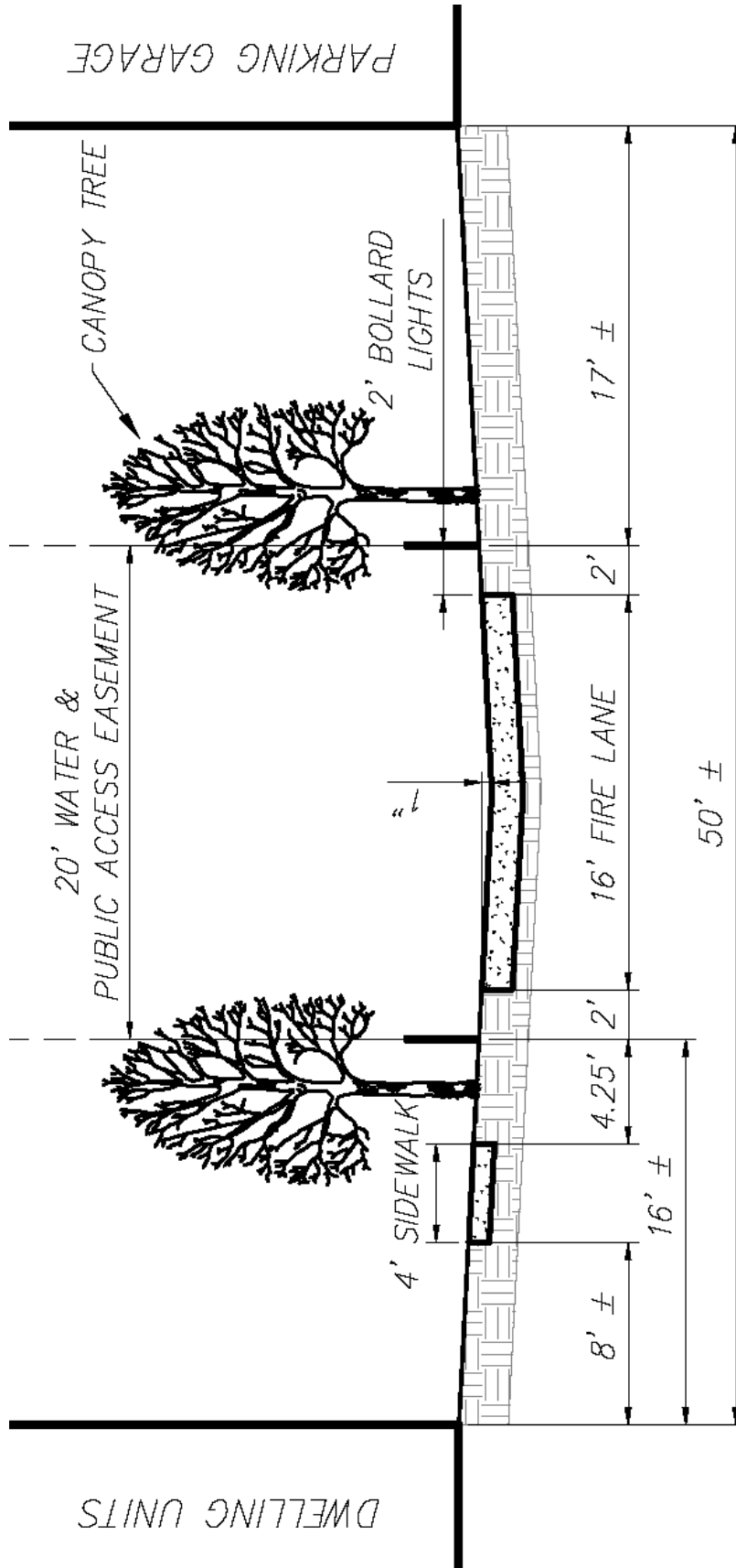




# **Exhibit 'C':** **Private Street and Pedestrian Access Easement**



**Exhibit 'C':**  
*Private Street and Pedestrian Access Easement*



# CROSS SECTION A-A

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## MEMORANDUM

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**TO:** Mayor and City Council

**FROM:** Rick Crowley, City Manager

**DATE:** May 3, 2019

**SUBJECT:** Agenda Item – HOT Recommendations

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We will be checking with each of you on Monday night regarding scheduling a special work session for the purpose of meeting with representatives of the CVB related groups. Meeting with these groups was a request at the last meeting when the Council received my HOT Fund recommendations.

One of those recommendations involved initiation of meetings with local Arts and Historical groups. I have provided below that specific recommendation as it was presented in the report. The purpose of this agenda item is to request Council authorization to proceed with these local groups with the subcommittee of Council members that has been discussed now – and in advance of further decisions that the Council may make on which, if any, of the other recommendations that the Council may ultimately approve. These local meetings may take some time, and I would like to get started on that work.

### Recommendation IV.

#### Enhance and Further Develop Strategies for the Arts and Historic Preservation

To address the use of HOT funds for the Arts in the **Strategic Plan for Use of Hotel Occupancy Tax Funds**, the City should move forward with planned meetings (involving three (3) designated Council Members) with representatives of the **combined local arts groups**, and prior to development of arts-related aspects of this plan, the input obtained from these meetings should be considered.

The City should pursue similar, simultaneous (but separate) meetings with representatives of **local historic preservation groups** to be held for the same purpose as the arts meetings but from a historic preservation perspective.



Certain limitations relative to proportions of annual revenues are specified in State Law including:

Expenditures for the Arts can be “not more than 15%”

Expenditures for Historical Preservation may be “not more than 50% if none is allocated for a convention center”

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## MEMORANDUM

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**TO:** Mayor and City Council  
**Cc:** Rick Crowley, City Manager  
Mary Smith, Assistant City Manager  
**FROM:** Kenneth Cullins, Fire Chief  
**DATE:** April 30, 2019  
**SUBJECT:** Interlocal Agreement with Dallas County to access their Adult Information Database

---

Dallas County administers a database known as the Adult Information System that can potentially be used by Rockwall Fire Department Investigators as they work cases. For Council's consideration is authorization for City Manager Rick Crowley to enter into an Interlocal Agreement with Dallas County that will provide access to the information in said database. The document has been reviewed by city attorney Frank Garza, and he is agreeable to the language contained in the agreement. There is no cost associated with the access.

M-2

**COURT ORDER  
2018-0760**

**ORIGINAL**



Sheriff's Office - 2018 Data Sharing via Dallas County Adult Information System

On a motion made by Commissioner Mike Cantrell, District 2, and seconded by Commissioner Dr. Theresa M. Daniel, District 1, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 7/3/2018  
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby approve the MOU/ILA for data sharing via the Dallas County Adult Information System with other local governments and authorizes the County Judge to sign this agreement.

Done in open court July 3, 2018, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge  
Commissioner Dr. Theresa M. Daniel, District 1  
Commissioner Mike Cantrell, District 2  
Commissioner John Wiley Price, District 3  
Commissioner Dr. Elba Garcia, District 4  
OPPOSED: None  
ABSTAINED: None  
ABSENT: None

Recommended by: Ryan Brown  
Originating Department: Budget

**MEMORANDUM OF UNDERSTANDING /INTERLOCAL AGREEMENT  
("MOU/ILA")  
AMONG PARTICIPATING LOCAL GOVERNMENTS  
FOR LAW ENFORCEMENT DATA SHARING VIA  
DALLAS COUNTY ADULT INFORMATION SYSTEM**

**I.  
PARTIES**

This MOU/ILA is entered by and among the undersigned participating local governments of the State of Texas ("Participating Local Governments"), acting by and through their respective governing bodies or their respective local law enforcement agencies and Dallas County, Texas ("Dallas County"), pursuant to and under authority of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code to share law enforcement incident data through Dallas County Adult Information System ("AIS"). The undersigned Participating Local Governments and any and all other Participating Local Governments of the State of Texas adopting this MOU/ILA upon execution by their governing body or their respective local law enforcement agency as provided for herein may be referred to in this MOU/ILA individually as "Party" and collectively as "Parties."

**II.  
RECITALS**

**WHEREAS**, the Participating Local Governments of the State of Texas desire to fully share and commonly use certain Data owned by Dallas County for the management of public safety response activities during both emergency and non-emergency operations; and

**WHEREAS**, "Data" shall mean the created and/or submitted data, records and/or information by the Participating Local Governments and Dallas County that is being shared under this ILA for purposes of public safety and agency inquiries; and

**WHEREAS**, this MOU/ILA, including all addenda, amendments, exhibits and attachments hereto, sets forth the policies, practices and responsibilities of the Participating Local Governments; and

**WHEREAS**, the Participating Local Governments recognize and adhere to Dallas County's licensing rights to AIS; and

**WHEREAS**, the Participating Local Governments, acting by and through their respective governing bodies or respective local law enforcement agency, individually and collectively, do hereby adopt and find the foregoing premises as findings.

**NOW, THEREFORE**, in consideration of the promises, inducements, covenants, agreements, conditions and other good and valuable consideration, the receipt and sufficiency of which is



hereby acknowledged, the Participating Local Governments approving this MOU/ILA agree as follows:

### **III.**

#### **PARTICIPATION BY ADDITIONAL PARTICIPATING LOCAL GOVERNMENTS**

Any local government or respective local law enforcement agency may participate in this MOU/ILA with the mutual administrative approval of Dallas County. Each Participating Local Government will be required to approve and agree to the terms and conditions of this MOU/ILA. The participation of additional Participating Local Governments shall not require the approval of other Participating Local Governments.

### **IV.**

#### **TERM AND WITHDRAWAL**

- A. Unless otherwise stated, this MOU/ILA shall remain in effect from the time of its authorized signing until a mutual agreement to terminate by all parties occurs.
- B. A Participating Local Government may withdraw from this MOU/ILA at any time and for any reason by giving thirty (30) days prior written notice to Dallas County. In the event of withdrawal or termination (voluntarily or involuntarily) by a Participating Local Government from this MOU/ILA, the Participating Local Government shall bear all costs and expenses related to this MOU/ILA and its withdrawal or termination. In no event, shall Dallas County be responsible to the Participating Local Government for any cost or expenses incurred in connection with this MOU/ILA.
- C. Immediate termination of this MOU/ILA shall occur for the Participating Local Government (including, without limitation, the Participating Local Government's employee, officer, subcontractor, agent, or volunteer), who violates any of the security and access provisions in effect for this MOU/ILA. Such Participating Local Government is responsible for correcting the security violation, and for any damages or cost incurred as a result of such violation. That Participating Local Government may re-participate subject to Dallas County's discretionary administrative approval and after such violation has been corrected so as to prevent future and further violation of the security measures.
- D. The withdrawal or termination of a Participating Local Government from this MOU/ILA does not constitute a withdrawal or termination by the Participating Local Government from any other interlocal government projects.
- E. The withdrawal or termination of a Participating Local Government from this MOU/ILA does not affect the validity of this MOU/ILA as to the remaining Participating Local Governments.

V.  
**DATA OWNERSHIP, ACCESS, SECURITY AND STORAGE**

- A. Ownership of Data. It is the intention of the Parties that Dallas County will remain the custodian and owner for the Data that was created in or submitted for AIS, unless expressly agreed in writing otherwise.
- B. Use and Disclosure of Data. The Parties acknowledge and agree that the Data shall not be used by the Parties other than in connection with the performance of this MOU/ILA, as required by law, or as contemplated by the Parties under this MOU/ILA. Additionally the Parties agree that the Data shall not be disclosed, sold, assigned, leased or otherwise provided to third parties, or commercially exploited by or on behalf of the other Parties, their employees, officers, agents, subcontractors, invitees, or assigns in any respect without the express written approval of Dallas County. Dallas County shall share and report the Participating Local Governments' Data in accordance with the law.
- C. Responding to the Public's Requests for Information or Data. Dallas County shall be responsible for responding to the requests for any AIS Data. In the event a Participating Local Government receives a request for Data belonging Dallas County, the request must be forwarded by the receiving Party to Dallas County within three (3) business days of receipt. Participating Local Governments shall contractually bind other entities or subcontractors who have access to AIS under this MOU/ILA to observe the same restrictions on the use and disclosure of Data belonging Dallas County in accordance with this MOU/ILA.
- D. Data Storage. Dallas County shall provide a secured redundant data storage for law enforcement Data covered under this MOU/ILA. Data storage is backed up nightly by Dallas County Technical Services and by Dallas County Database Administration. Database audit records will be retained by the system for one year. The Dallas County Database Administration will provide support to the AIS data bases and/or data warehouse.
- E. Security and Access of Data.
- 1) Each Participating Local Government must define and set security and access rules for itself that will limit access or use of database to specified law enforcement personnel, for law enforcement purposes only, and that will minimally meet the standards outlined in the sample Security and Access of Data Procedure outlined in Exhibit A, which is attached and incorporated into this MOU/ILA for all purposes by reference.
  - 2) Dallas County shall require every Participating Local Government's agents, employees, contractors, or subcontractors who will have access or potentially have access to Criminal Justice Information (CJI) pursuant to this MOU/ILA to maintain compliance with the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Security Policy 5.6, as amended. All Parties to this



MOU/ILA are responsible for their individual compliance with the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Security policy and the Texas Department of Public Safety policies, as amended.

Furthermore, Dallas County in its sole discretion shall make a determination based upon Texas Commission on Law Enforcement (TCOLE) peace officer criminal history screening rules (Title 37, Texas Administrative Code, Chapter 217) to determine eligibility for systems access for all Participating Local Government's agents, employees, contractors, or subcontractors related to this MOU/ILA. This shall include criminal background checks and fingerprint identification.

- F. Survival. The provisions of this Article V shall survive any termination, cancellation, withdrawal, or expiration of this ILA.

## **VI. MAINTENANCE AND HELPDESK**

AIS was built with hardware and software redundancy. Unless there is a production problem, new software release upgrade, and/or regulatory updates, the system runs "24/7." Participating Local Governments will report any access and software problems through their respective AIS Administrators. The AIS Administrators will be able to report problems through contacting the Dallas County Help Desk on the AIS Contact List.

Any system down issue must be first addressed with Participating Local Government IT and/or Network Services before they may be reported to the Dallas County Help Desk. Dallas County IT Network Services will report any system-down occurrence and subsequent back-to-running status to each Party's AIS Administrator for the Party's internal distribution.

Access password and I.D. problems will be handled by the Party's AIS Administrator. Functional access in the AIS is dependent upon role and responsibilities of the law enforcement position. Unless Dallas County has provided network access or internet pipes to AIS, each Participating Local Government is responsible for its interface software and network at its sole cost and expense.

Dallas County shall:

- Provide a minimum of 256 bit encryption security
- Provide Backup databases
- Maintain hardware, AIS, and databases
- Provide limited "training to the trainers"



## **VII.**

### **WARRANTIES**

No Party to this MOU/ILA warrants the availability, accuracy, quality, reliability or fitness for a particular purpose of any Data made available under this MOU/ILA. Third party warranties or guarantees may inure to the benefit of the parties to a particular project if such are contractually secured as part of such project; however, no Party to this MOU/ILA shall be held liable for a warranty or guarantee offered by a third party, if any. All conditions, representations and warranties, whether express, implied, statutory or otherwise, including, without limitation, any implied warranty or merchantability, fitness for a particular purpose, or non-infringement of third party rights, are hereby disclaimed by all Parties to this MOU/ILA to the maximum extent permitted by applicable law.

Survival. This Article VII. shall survive any termination, cancellation, withdrawal, or expiration of this MOU/ILA.

## **VIII.**

### **LIMITATIONS OF USE OF AIS**

The AIS and related resources that have been made accessible through this MOU/ILA, shall only be used for the specific purpose under this MOU/ILA, and shall not be made available to other persons or entities not a Party to this MOU/ILA. No party may license, sublicense, lease, sell, resell, transfer, assign, or distribute a resource, license, or intellectual property being used under this MOU/ILA except as may be permitted by this MOU/ILA or another controlling written agreement.

Survival. The provisions of this Article VIII shall survive any termination, cancellation, withdrawal, or expiration of this MOU/ILA.

## **IX.**

### **NOTICE**

Any and all notices to be given under this MOU/ILA by a Participating Local Government shall be deemed to have been given if reduced to writing and delivered in person or mailed by overnight or certified mail, return receipt requested, postage pre-paid, to the Parties at the addresses set forth on the signatory pages below or to such other addresses designated in writing to all the Participating Local Governments. Any notice required hereunder shall be deemed to have been given three (3) days subsequent to the date it was so delivered or mailed.

## **X.**

### **AMENDMENT**

This MOU/ILA may not be amended except in a written instrument specifically referring to this MOU/ILA and signed by the Parties hereto. Any modification, alteration, addition or deletion to

the terms of this MOU/ILA which are required by changes in federal or state law are automatically incorporated herein without written amendment to this MOU/ILA and shall be effective on the date designated by said law.

#### **XI. CURRENT REVENUE**

The Parties hereby warrant that all payments, expenditures, contributions, fees, costs, and disbursements, if any, required of each Party hereunder or required by any other agreements, contracts and documents executed, adopted, or approved pursuant to this MOU/ILA, which shall include any exhibit, attachment, addendum or associated document, shall be paid from current revenues and resources available to each paying Party. The Parties hereby warrant that no debt is created by this MOU/ILA.

#### **XII. FISCAL FUNDING**

The obligations of the Participating Local Governments pursuant to this MOU/ILA are contingent upon the availability and appropriation of sufficient funding. Any Party may withdraw from this MOU/ILA without penalty in the event funds are not available or appropriated. However, no Party will be entitled to a refund of amounts previously contributed in the event of withdrawal for lack of funding, unless expressly agreed in writing by the affected Parties.

#### **XIII. APPLICABLE LAW**

**This MOU/ILA shall be expressly subject to the participating Parties' sovereign immunity and other governmental immunity and all applicable federal and state law.** This MOU/ILA shall be governed by and construed in accordance with the laws of the State of Texas. Venue shall lie exclusively in Dallas County, Texas.

#### **XIV. SEVERABILITY**

In the event that one or more of the provisions contained in the MOU/ILA shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of the MOU/ILA shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provisions of this MOU/ILA, which shall remain in force and effect.

#### **XV. ASSIGNMENT**

The Parties may not assign their respective rights and duties under this MOU/ILA without the prior written consent and/or approval of the remaining Participating Local Governments, even if



such assignment is due to a change in ownership or affiliation. Any assignment attempted without such prior consent and approval by the remaining Participating Local Governments shall be null and void.

Survival. The provisions of this Article XV shall survive any termination, cancellation, withdrawal, or expiration of this MOU/ILA.

## **XVI. ENTIRE AGREEMENT**

This MOU/ILA, including any and all exhibits, attachments, and addendums incorporated as a part hereof, shall constitute the entire agreement relating to the subject matter herein between the Parties and supersedes any prior agreement or other agreement concerning the subject matter of this transaction, whether oral or written. Each Party acknowledges that the other Parties, or anyone acting on behalf of the other Parties, have made no representations, inducements, promises or agreements, orally or otherwise, unless such representations, inducements, promises or agreements are embodied in this MOU/ILA, expressly or by incorporation.

## **XVII. RESPONSIBILITIES**


All Parties agree to be responsible each for their own negligent acts or omissions, or other tortious conduct in the course of performance of this MOU/ILA without waiving any sovereign immunity, governmental immunity or other defenses available to the Parties under federal or State law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities. All Parties agree that any such liability or damages occurring during the performance of this MOU/ILA caused by the joint or comparative negligence of the Parties, or their employees, agents or officers, shall be determined in accordance with comparative responsibility laws of Texas.

[SIGNATORY PAGES SHALL FOLLOW]

**XVIII.**  
**BINDING AGREEMENT, AUTHORITY, PARTIES BOUND**

By signing this page, each Participating Local Government or Party represents that it has the full right, power and authority to enter and perform this *Memorandum of Understanding/Interlocal Agreement ("MOU/ILA") Among Participating Local Governments for Law Enforcement Data Sharing Via Dallas County Adult Information System* in accordance with all of the terms and conditions, and that the execution and delivery of this MOU/ILA has been made by an authorized representative of each Party to validly and legally bind the same Party to all terms, performances and provisions set forth in this MOU/ILA.

**COUNTY OF DALLAS**

  
Name: Clay Lewis Jenkins

Title: Dallas County Judge

Date: July / 3rd / 20 18

Contact Name & Address: Stanley Victrum, CIO

Dallas County Information Technology

1201 Elm Street, Suite 2400-A

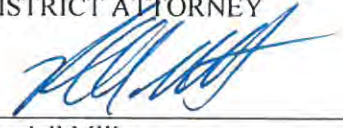
Dallas, Texas 75207

Phone: (214) 653-7603

Email: alice.sweet@dallascounty.org

APPROVED AS TO FORM\*:

FAITH JOHNSON  
DISTRICT ATTORNEY

  
Randall Miller  
Assistant District Attorney

\*By law, the district attorney's office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a lease, contract, or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

**XVIII.**  
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COUNTY/CITY/TOWN OF \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / 20\_\_\_\_

Contact Name & Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone: (\_\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_



## **EXHIBIT A**

### **GENERAL SECURITY AND ACCESS OF DATA PROCEDURES**

The following list serves as minimum requirements for the security and access of law enforcement data via AIS pursuant to this MOU/ILA among the Participating Local Governments.

- Each Participating Local Government (“PLG”) must actively take responsibility for the management and the security of the Data. Data sharing among PLGs via the Dallas County Adult Information System (“AIS”) will depend on adhering to professional standards, integrity, communication, and cooperation.
- Each PLG must establish review and approval procedures for its user access. Each PLG must assign a unique AIS ID and Password to each authorized user for purposes of an audit trail.
- Under each PLG’s highest local executive authority, the respective AIS Administrator controls and maintains the user access to AIS. The AIS Administrator will:
  - Only authorize access to employees of Administrator’s PLG, and maintain a current list of authorized users
  - Review and update all of the ORG-IDs system tables and individual user’s access, roles, and permissions
  - Ensure PLG’s sensitive public integrity reports are correctly flagged and/or encrypted in AIS
  - Immediately cancel user’s access to AIS when user is no longer associated with PLG or is placed on administrative leave
  - Act as primary contact to Dallas County Help Desk on access problems and / or application issues
  - Act as the main contact for testing support, update notification, and testing of new releases and production issues
  - Organize all appropriate training
  - Monitor AIS use and abuse by its own users

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# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council  
**DATE:** May 6, 2019  
**APPLICANT:** Bill Bricker, *Columbia Development Company, LLC*  
**CASE NUMBER:** P2019-018; *Park Place West, Phase III Addition*

---

### **SUMMARY**

Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.

### **PLAT INFORMATION**

- ☑ The applicant is requesting to replat Park Place West, Phase III Addition for the purpose of combining four (4) lots (*i.e. Lots 13 & 14, Block C and Lots 7 & 8, Block D*) into two (2) lots (*i.e. Lots 25, Block C, and Lot 14, Block D*), and to adjust various drainage and sanitary sewer easements (*i.e. re-align the easements*) in the subdivision.
- ☑ On October 18, 2004, the City Council approved *Ordinance 04-59 [Case No. Z2004-034]*, which established the development standards for the Park Place Subdivision (*i.e. Planned Development District 59 (PD-59)*). This was amended on December 11, 2006, by *Ordinance 06-51 [Case No. Z2006-023]*.
- ☑ On April 16, 2018, the City Council approved a final plat laying out 82 lots and establishing the Park Place West, Phase III Addition.
- ☑ The proposed replat generally conforms to the concept plan approved by the City Council on December 11, 2006 under *Case No. Z2006-023 [Ordinance No. 06-51]*.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.



## **CONDITIONS OF APPROVAL**

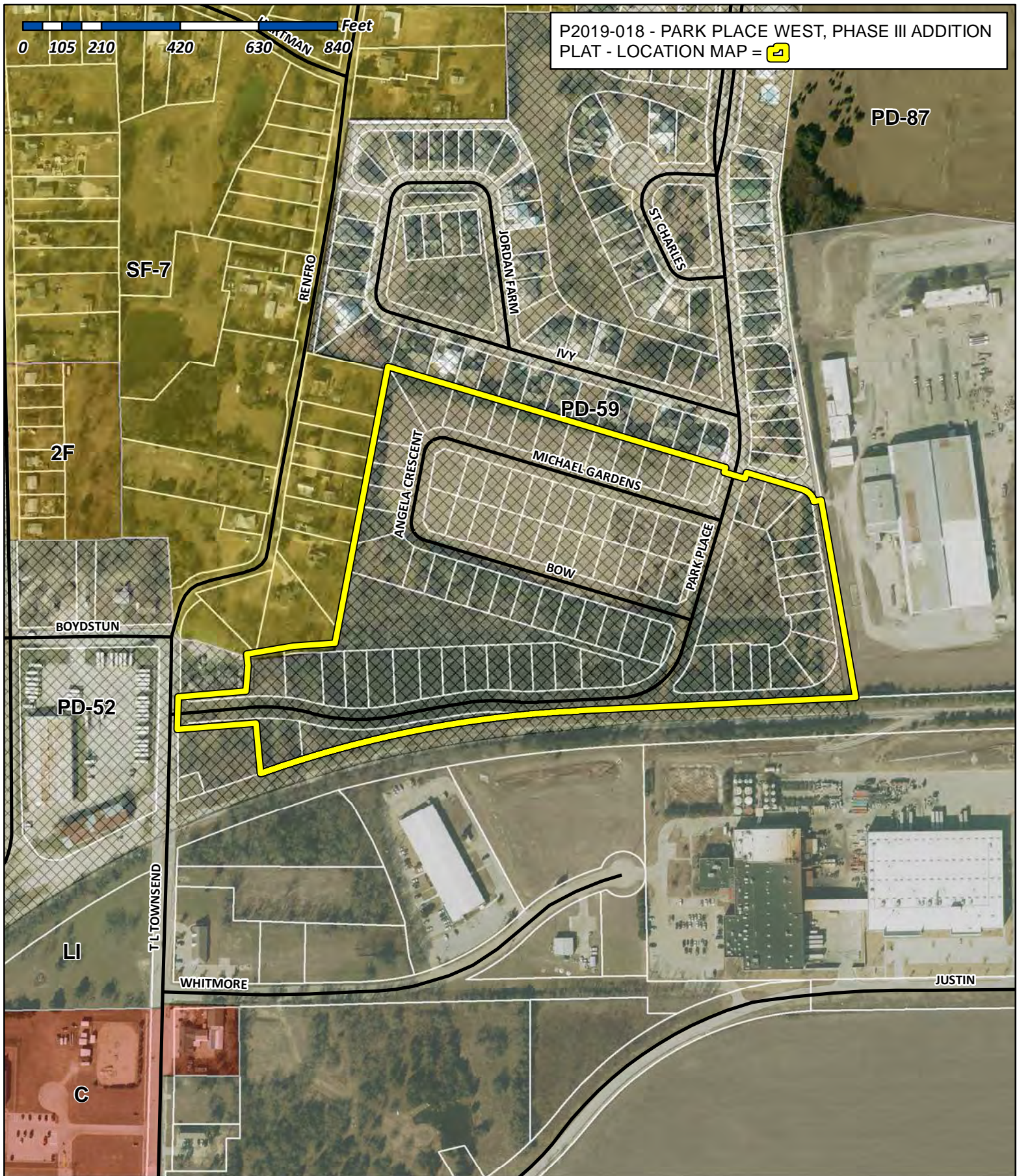
If the City Council chooses to approve the *replat* for *Park Place West, Phase III Addition*, staff would propose the following conditions of approval:

- (1) The *replat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On April 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the *replat* with staff's *Conditions of Approval* passed by a vote of 6-0 with Commissioner Logan absent.





## City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75032  
 (P): (972) 771-7745  
 (W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

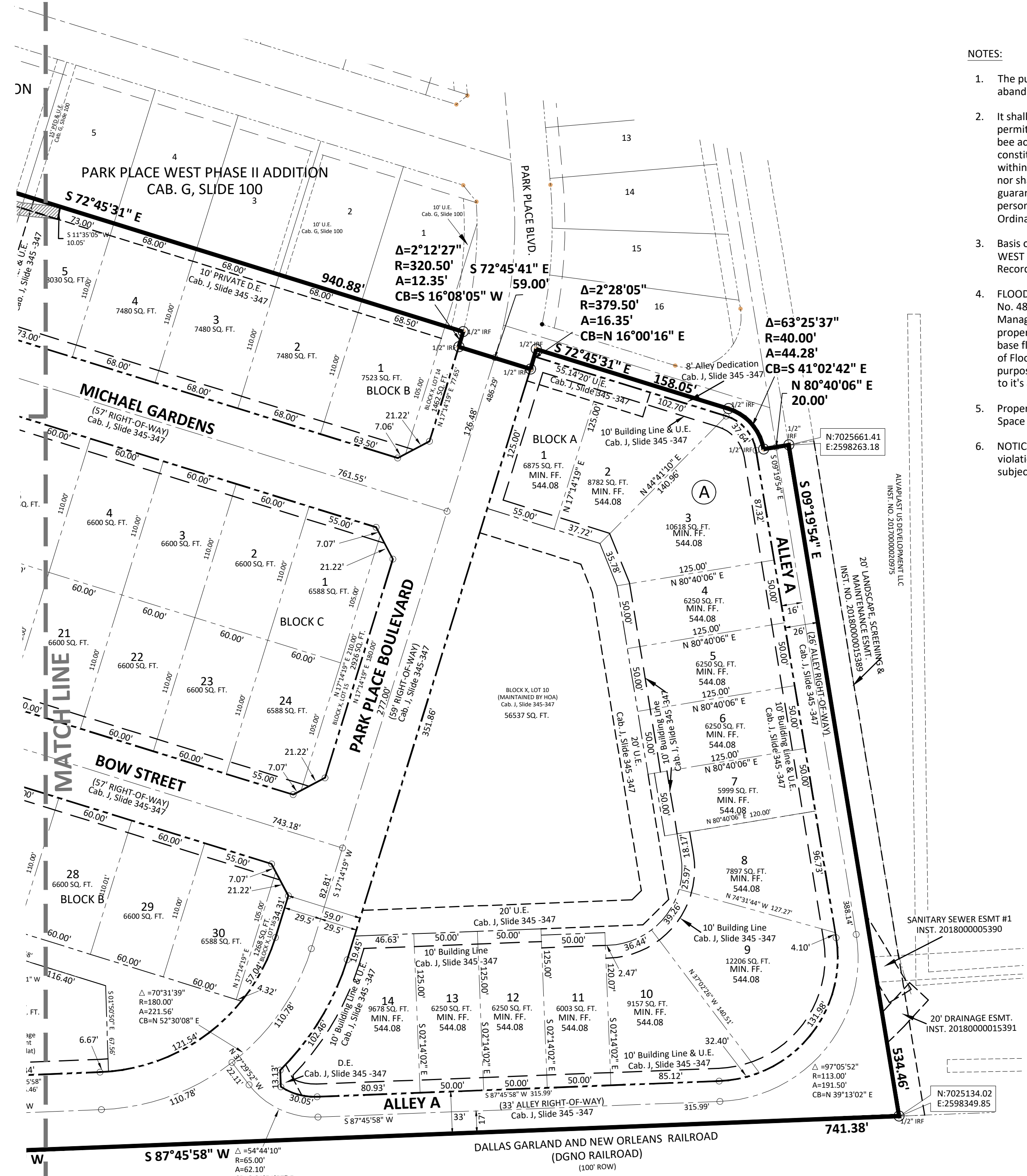
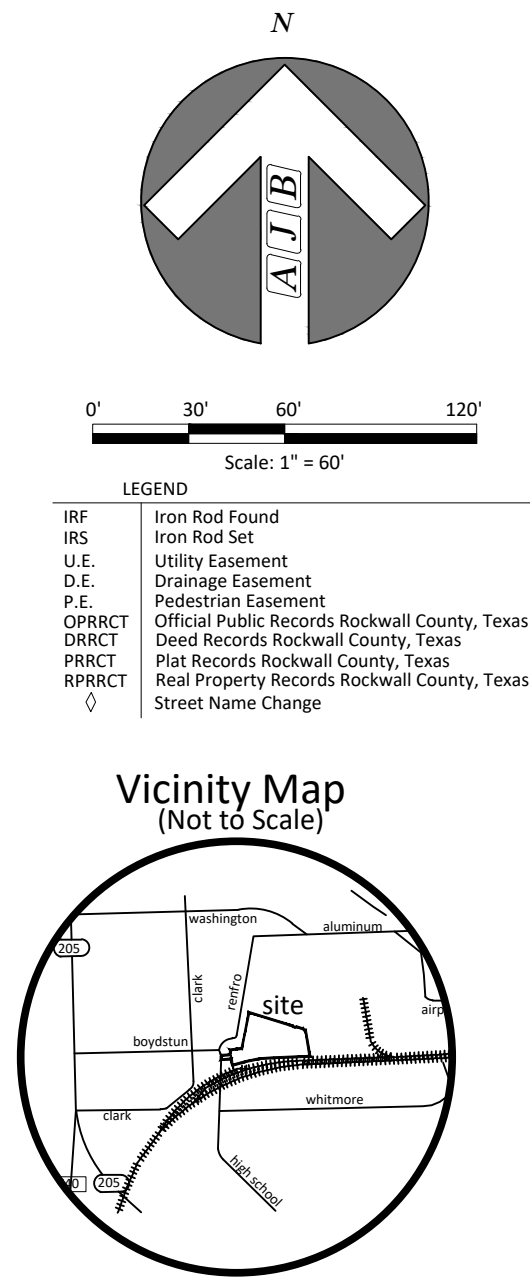








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- NOTES:
- The purpose of this Amending Plat is to combine 4 lots into 2 lots, abandon easement and dedicate easement.
  - It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
  - Basis of Bearings: Bearings are based on the Final Plat of PARK PLACE WEST PHASE III ADDITION recorded in Cabinet J, Slide 345 - 347, Plat Records Rockwall County, Texas.
  - FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "A" which is the area of 100-year flood with base flood elevations and flood hazard factors determined. The location of Flood Zone "A" shown hereon is approximate and is for informational purposes only and shall not create liability on the part of the Surveyor as to its accuracy.
  - Property owner/HOA is responsible for all maintenance and repair of Open Space and Drainage Easements.
  - NOTICE: Selling a portion of this addition by metes and bounds is a violation of city subdivisions ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.

Case No.: P  
AMENDING PLAT  
PARK PLACE WEST PHASE III ADDITION  
BEING 85 LOTS ON 24.439 ACRES OF LAND LOCATED  
IN THE R. BALLARD SURVEY, ABSTRACT NO. 29  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE III ADDITION, RECORDED IN  
CABINET J, SLIDE 345-347, PLAT RECORDS, ROCKWALL COUNTY, TEXAS  
AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner: COLUMBIA DEVELOPMENT COMPANY, LLC 305 PARK PLACE BLVD. ROCKWALL, TEXAS 75087 bill@colventures.com	
Scale: 1" = 60'	Checked By: A.J. Bedford
Date: April 10, 2019	P.C.: Cryer/Spradling
Technician: Bedford	File: PARK PLACE PHASE III REPLAT 2019
Drawn By: Bedford	Job No. 668-001
GF No.	
301 N. Alamo Rd. * Rockwall, Texas 75087 (972) 722-0225, www.ajbedfordgroup.com, ajb@ajbedfordgroup.com	

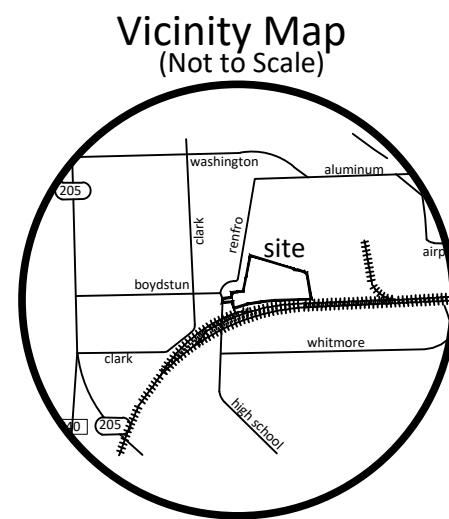
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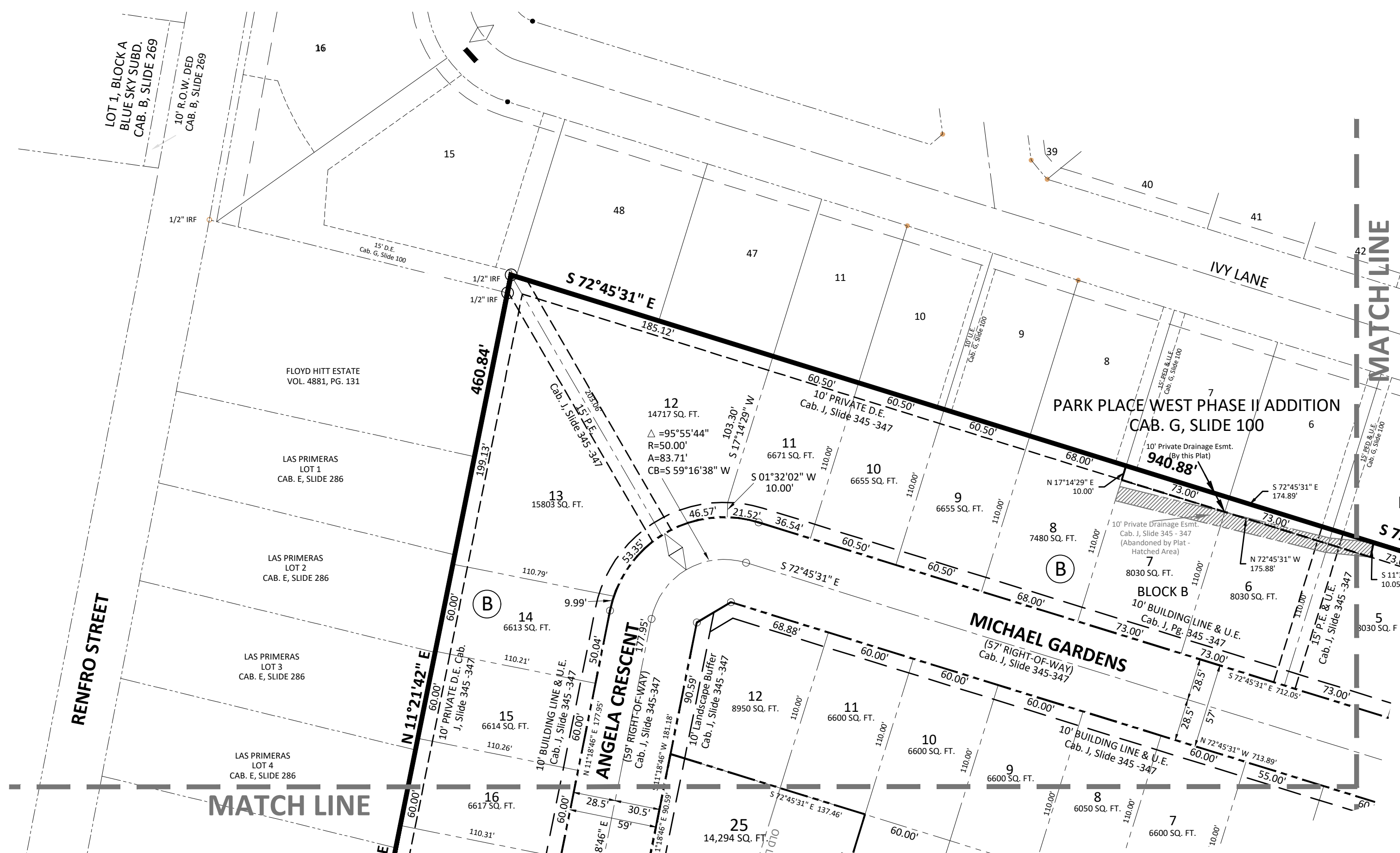
Engineer:  
TOMDEN ENGINEERING, L.L.P.  
214-679-1679  
tjones@tomden.com

TBPLS REG10118200





BLOCK "X" LOT AREAS		
LOT #	AREA	DESCRIPTION
LOT 10	56,532 SQ. FT. 1.298 AC	HOA PARK AREA
LOT 11	82,045 SQ. FT. 1.883 AC	DRAINAGE & OPEN SPACE ESMT
LOT 12	14,713 SQ. FT. 0.338 AC	DRAINAGE, UTILITY & OPEN SPACE ESMT
LOT 13	18,666 SQ. FT. 0.428 AC	DRAINAGE, UTILITY & OPEN SPACE ESMT
LOT 14	1,462 SQ. FT. 0.034 AC	HOA LANDSCAPE AREA
LOT 15	2,926 SQ. FT. 0.067 AC	HOA LANDSCAPE AREA
LOT 16	1,267 SQ. FT. 0.029 AC	HOA LANDSCAPE AREA



Owner:  
COLUMBIA DEVELOPMENT COMPANY, LLC  
305 PARK PLACE BLVD.  
ROCKWALL, TEXAS 75087    972-722-2439  
bill@colveatures.com

Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	PARK PLACE PHASE III REPLAT 2019
Job. No.	668-001
GF No.	

301 N. Alamo Rd. \* Rockwall, Texas 75087  
(972) 722-0225 . [www.albedfordgroup.com](http://www.albedfordgroup.com) [ajb@albedfordgroup.com](mailto:ajb@albedfordgroup.com)

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Of: 4

**AJ Bedford Group, Inc.**  
Registered Professional Land Surveyors

Engineer:  
TOMDEN ENGINEERING, L.L.P.  
214-679-1679  
tiones@tomden.com

OWNER'S CERTIFICATE

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS COLUMBIA DEVELOPMENT COMPANY, LLC, are the owners of a **24.439 acre** tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas and being all of the FINAL PLAT for PARK PLACE WEST PHASE III ADDITION according to the plat recorded in Cabinet J, Slide 348 of Official Public Records of Rockwall, County Texas and being more particularly described as follows:

**BEGINNING** at a 1” iron pipe found for the westerly southwest corner of said PARK PLACE WEST PHASE III ADDITION and being located in the east line of T. L. TOWNSEN DRIVE (variable width);

**THENCE** along the east line of said T.L. TOWNSEND DRIVE, **NORTH 01°55'48” EAST** a distance of **86.63** feet to a ½ inch iron rod found for corner;

**THENCE** departing the east line of said T.L. TOWNSEND DRIVE, **NORTH 85°33'40” EAST** a distance of **182.12** feet to a ½ inch iron rod found for the southeast corner of Lot 1, Block A of Richard Harris Subdivision No. 6 recorded in Cabinet B, Slide 340, Official Public Records of Rockwall County, Texas;

**THENCE NORTH 04°30'38” WEST** a distance of **69.54** feet to a ½ inch iron rod found for corner;

**THENCE NORTH 05°42'23” WEST** a distance of **29.95** feet to a ½ inch iron rod found for corner;

**THENCE NORTH 80°56'29” EAST** a distance of **126.45** feet to a ½ iron rod found for corner;

**THENCE NORTH 86°39'04” EAST** a distance **111.01** feet to a ½ inch iron rod found for corner;

**THENCE NORTH 11°14'14” EAST** a distance of **291.65** feet to a ½ inch iron rod found for corner;

**THENCE NORTH 11°11'42” EAST** a distance of **460.84** feet to a ½ inch iron rod found for the westerly northwest corner of said *PARK PLACE WEST PHASE III, ADDITION*;

**THENCE** along the north line of said *PARK PLACE WEST PHASE III, ADDITION* as follows:

**SOUTH 72°45'31” EAST** a distance of **940.88** feet to a ½ inch iron rod found for the beginning of a non-tangent curve to the right having a radius of 320.50 feet and a chord bearing of South 16°08'05” West;

**Continuing** said non-tangent curve to the right through a central angle of **02°12'27”** for an arc length of **12.35** feet to a ½ inch iron rod found for corner;

**NORTH 17°08'59” EAST** a distance of **59.00** feet to a ½ inch iron rod found for the beginning of a non-tangent curve to the left having a radius of 379.50 feet and a chord bearing of North 16°00'16” East;

**Continuing** with said non-tangent curve to the left through a central angle of **02°28'02”** for an arc length of **16.35** feet to a ½ inch iron rod found in the south line of an alley dedication for *PARK PLACE PHASE III*;

**THENCE** along the south line of said alley dedication, **SOUTH 72°45'31” EAST** a distance of **158.05** feet to a ½ inch iron rod found for the beginning of a curve to the right having radius of 40.00 feet and a chord bearing of South 41°02'42” East;

**THENCE** with said curve to the right through a central angle of **63°25'37”** for an arc length of **44.28** feet to a ½ inch iron found for corner;

**THENCE NORTH 80°40'06” EAST** a distance of **20.00** feet to ½ inch iron rod found for corner;

**THENCE SOUTH 09°19'54” EAST** a distance of **534.46** feet to a ½ inch iron rod found for the southeast corner of said *PARK PLACE PHASE III* and being located in the north line of DALLAS GARLAND AND NEW ORLEANS RAILROAD (100' wide);

**THENCE** along the south line of said *PARK PLACE PHASE III* and the north line of said *DALLAS GARLAND AND NEW ORLEANS RAILROAD*, **SOUTH 87°45'58” WEST** a distance of **741.38** feet to ½ inch iron rod found for the beginning of a curve to the left having a radius of 2915.08 and a chord bearing of South 79°22'43” West;

**THENCE** continuing with the south line of said *PARK PLACE PHASE III* and the north line of said *DALLAS GARLAND AND NEW ORLEANS RAILROAD* said curve to the left through a central angle of **17°03'11”** for an arc length of **867.62** feet to a ½ inch iron rod found for the southerly southwest corner of said *PARK PLACE PHASE III*;

**THENCE** departing the north line of said *DALLAS GARLAND AND NEW ORLEANS RAILROAD* and continuing with the south line of said *PARK PLACE PHASE III*, **NORTH 04°28'08” WEST** a distance of **134.71** feet to a 5/8 inch iron rod set for corner;

**THENCE** continuing with the south line of said *PARK PLACE PHASE III*, **SOUTH 85°56'53” WEST** a distance of **210.88** feet to the **PLACE OF BEGINNING**;

**CONTAINING** within these metes and bounds **24.439 acres** or **1,064,546** square feet of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:  
STATE OF TEXAS  
COUNTY OF ROCKWALL

We, **COLUMBIA DEVELOPMENT COMPANY, LLC**, the undersigned owners of the land shown on this plat, and designated herein as **PARK PLACE PHASE III ADDITION** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **PARK PLACE PHASE III ADDITION** subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;

7. Property owner is responsible for maintenance, repair, and replacement of all detention/drainage facilities in easements;

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

COLUMBIA DEVELOPMENT COMPANY, LLC

Name:  
Title:

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2019

Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this \_\_\_\_ day of \_\_\_\_\_, 2019.

Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Austin J. Bedford  
Registered Professional Land Surveyor No. 4132  
jay@ajbedfordgroup.com  
A.J. Bedford Group, Inc.  
301 North Alamo Road  
Rockwall, Texas 75087

Case No.: P  
AMENDING PLAT  
PARK PLACE WEST PHASE III ADDITION  
BEING 85 LOTS ON 24.439 ACRES OF LAND LOCATED  
IN THE R. BALLARD SURVEY, ABSTRACT NO. 29  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE III ADDITION, RECORDED IN  
CABINET J, SLIDE 345 -347, PLAT RECORDS, ROCKWALL COUNTY, TEXAS  
AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:  
COLUMBIA DEVELOPMENT COMPANY, LLC  
305 PARK PLACE BLVD.  
ROCKWALL, TEXAS 75087  
bill@colventures.com

Scale: 1" = 60'  
Date: April 10, 2019  
Technician: Bedford  
Drawn By: Bedford

Checked By: A.J. Bedford  
P.C.: Cryer/Spradling  
File: PARK PLACE PHASE III REPLAT 2019  
Job. No. 668-001  
GF No.

301 N. Alamo Rd. \* Rockwall, Texas 75087  
(972) 722-0225 , www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet:  
4  
Of: 4

Engineer:  
TOMDEN ENGINEERING, L.L.P.  
214-679-1679  
tjones@tomden.com

**AJ Bedford Group, Inc.**  
Registered Professional Land Surveyors

TBPLS REG#10118200



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# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Mayor and City Council  
**DATE:** May 06, 2019  
**APPLICANT:** Mike Samples  
**CASE NUMBER:** P2019-019; *Lot 11, Block A, 205 Business Park Addition*

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### SUMMARY

Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.

### PLAT INFORMATION

- ☑ The objective of this request is to final plat Lot 11, Block A, of the 205 Business Park Addition for the purpose of constructing a 4,837 SF metal building, and to add the necessary drainage easements for the development of this site. The subject property is a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128 and is addressed as 125 National Drive. According to the City's historic zoning maps, the property has been zoned Heavy Commercial (HC) District since at least April 5, 2005.
- ☑ On August 31, 1999, the City Council approved an ordinance [*i.e. Ordinance No. 99-33*] annexing the subject property, and other properties along National Drive.
- ☑ On July 10, 2018, the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2018-018*] and forwarded a recommendation of approval for certain variances associated with the material composition and articulation of the structure. These variances were approved by the City Council on July 16, 2018.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *- conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

### CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for *Lot 11, Block A, 205 Business Park Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this site plan shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On April 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat for *Lot 11, Block A, 205 Business Park Addition* with staff conditions passed by a vote of 6 to 0 with Commissioner Logan absent.

0 25 50 100 150 200 Feet

P2019-019 - LOT 11, BLOCK A, 205 BUSINESS PARK  
FINAL PLAT - LOCATION MAP = 

AG

NATIONAL

HC

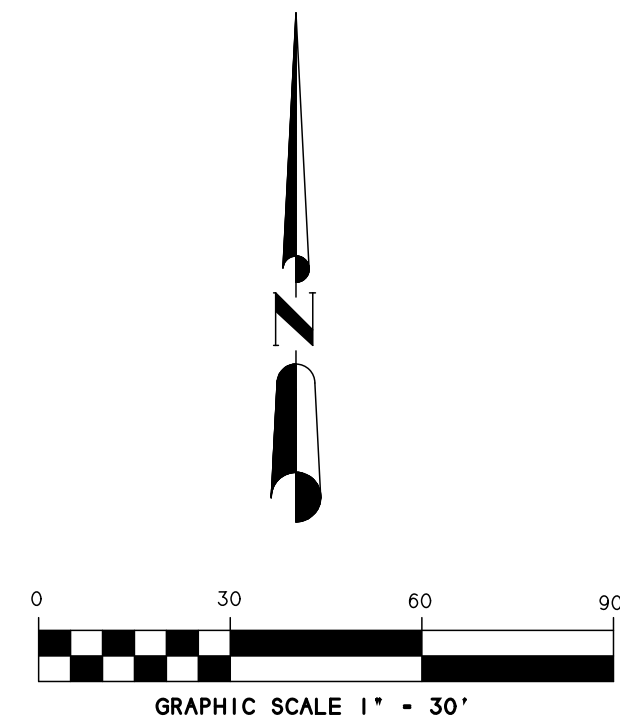
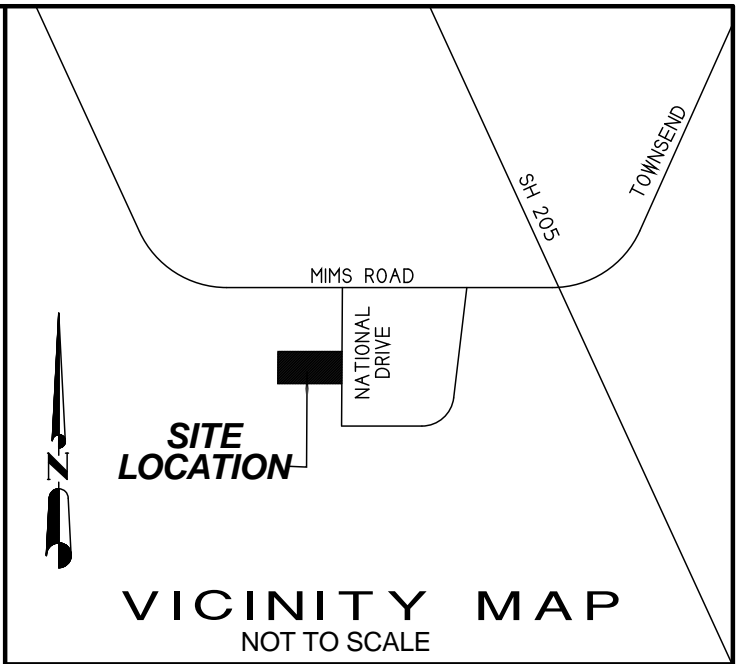
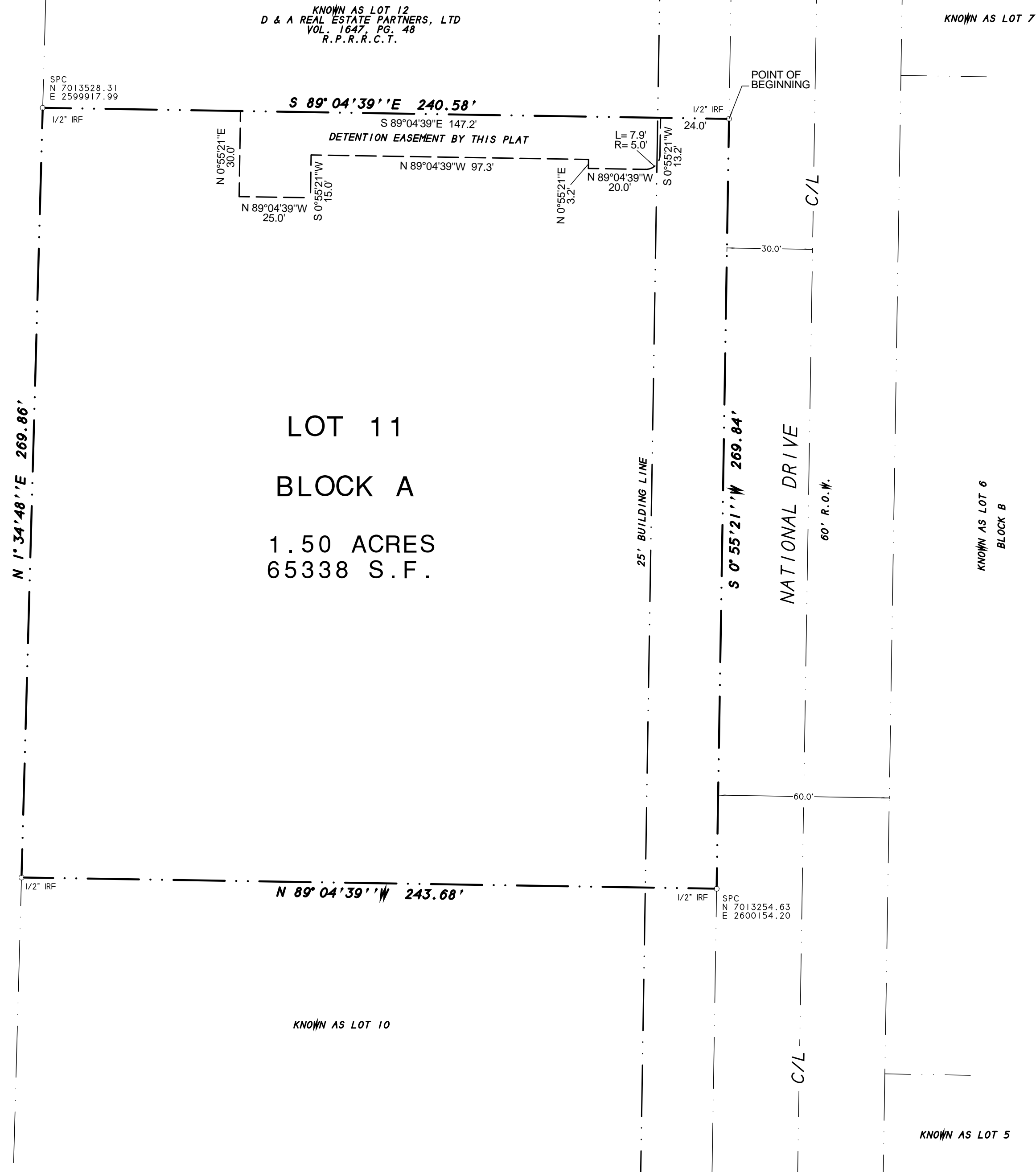


## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





FINAL PLAT  
**205 BUSINESS PARK  
LOT 11, BLOCK A**  
BEING A 1.50 ACRES OR 65,338 S.F. TRACT  
( 1 LOT )  
OUT OF THE J.R. JOHNSON SURVEY, A-128  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:  
RACK PARTNERS LTD  
3021 RIDGE ROAD, SUITE A  
ROCKWALL, TEXAS 75032

SYMBOL LEGEND			
TV	GAS	TEL	FF
TELEVISION	METER	PHONE	POLE
CABLE	ROD	FIRE	HYDRANT
ELEC	BOX	WATER	LP
ELECTRIC	SUBSURFACE	WATER	IRON ROD FOUND
METER	JUNCTION	POLE	1 CORNER
FORCE	EASEMENT LINE	PROPERTY LINE	PROVINE TANK

**H.D. Fetty Land Surveyor, LLC**  
Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE APRIL 15, 2019  
SCALE 1" = 30' FILE # 20180300-RP  
CLIENT RACK

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
  - 4) THE PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING, REPAIR, AND REPLACEMENT OF THE DETENTION AND DRAINAGE EASEMENT STRUCTURES.



OWNER'S CERTIFICATE  
(Public Dedication)  
STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS RACK PARTNERS LTD, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the J.R. JOHNSON SURVEY, ABSTRACT NO. 126, City of Rockwall, Rockwall County, Texas, and being known as Lot 11, Block A of ROCKWALL 205 BUSINESS PARK ADDITION, and being the same tract of land as described in a Warranty deed to RACK PARTNERS LTD, dated September 14, 2006 and being recorded in Volume 4757, Page 139 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at 1/2" iron rod found for corner in the west right-of-way line of National Drive, a 60 foot right-of-way at the northeast corner of Lot 11, Block A, said Rack Partners LTD tract;

THENCE S. 00 deg. 55 min. 21 sec. W. along said right-of-way line, a distance of 269.84 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 04 min. 39 sec. W. along the south line of Lot 11, a distance of 243.68 feet to a 1/2" iron rod found for corner at the southwest corner of Lot 11;

THENCE N. 01 deg. 34 min. 48 sec. E. a distance of 269.86 feet to a 1/2" iron rod found for corner at the northwest corner of Lot 11;

THENCE S. 89 deg. 04 min. 39 sec. E. along the north line of Lot 3, a distance of 240.58 feet to the POINT OF BEGINNING and containing 65,338 square feet or 1.50 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as 205 BUSINESS PARK, LOT 11, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

DAVID OSBORN  
FOR RACK PARTNERS LTD

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DAVID OSBORN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



Harold D. Fetty, III  
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of 205 BUSINESS PARK, LOT 11, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

FINAL PLAT  
**205 BUSINESS PARK  
LOT 11, BLOCK A**  
BEING A 1.50 ACRES OR 65,338 S.F. TRACT  
( 1 LOT )  
OUT OF THE J.R. JOHNSON SURVEY, A-128  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:  
RACK PARTNERS LTD  
3021 RIDGE ROAD, SUITE A  
ROCKWALL, TEXAS 75032

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND											
TV	GAS	TEL	PH	PP							
CABLE RISER	METER	PIPER	HYDRANT	POWER							
ELECTRIC	ELECTRIC	WATER	WATER	WATER							
METER	BOX	WATER	WATER	WATER							
	JUNCTION	WATER	WATER	WATER							
	BOX	WATER	WATER	WATER							
		WATER	WATER	WATER							
		WATER	WATER	WATER							
		WATER	WATER	WATER							
		WATER	WATER	WATER							

SURVEY DATE APRIL 15, 2019  
SCALE 1" = 30' FILE # 20180300-RP  
CLIENT RACK

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## MEMORANDUM

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**TO:** Mayor and Council Members

**FROM:** Hotel Occupancy Tax Sub-committee Members  
Mary Smith, Assistant City Manager

**DATE:** April 26, 2019

**SUBJECT:** Texas Chamber of Commerce Executives Conference Bid

---

The City received an application for hotel occupancy taxes from the Chamber of Commerce as they prepare to bid on the Texas Chamber of Commerce Executives annual conference in June 2021. The Chamber will prepare and present a short video about Rockwall and have an exhibit at the conference in El Paso in June 2019. Attendees will vote on the location for the 2021 conference among those vying for the event and the results will be announced at the end of this year's conference. Their total request is for \$1,00.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	\$ 17,904
Budgeted Revenues	833,000
Previously Allocated Funding	<u>(510,960)</u>
Projected Fund Balance	\$ 339,944

Subcommittee members, Dana Macalik, Kevin Fowler, and Bennie Daniels can answer any questions the Council may have regarding their recommendation. Council is asked to consider approval of the funding as recommended by the subcommittee.



April 26, 2019

Ms. Mary Smith  
C/O Rockwall City Council  
City of Rockwall Finance Office  
385 South Goliad  
Rockwall, TX 75087

Dear Mary and City Council Members:

This packet includes (1) request for Hotel Occupancy Tax funds and it is:

Funds to Promote Rockwall as host city for 2021 TCCE Annual Convention- \$1400

Total	\$1,400
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The Rockwall Area Chamber and Visitor Center is pleased to apply for this funding to promote Rockwall, TX as the official host City for the TCCE (Texas Chamber of Commerce Executives) 2021 Annual Conference.

TCCE has a rich history of offering top notch professional development educational opportunities and we believe that Rockwall is the ideal location to host this group in 2021.

The funds requested will be used this June at the 2019 TCCE Annual Convention in El Paso, TX. They will be used to produce a video and to participate in a booth as required by TCCE to offer our presentation.

Please call me if you have any questions regarding this request.

Sincerely,

Darby Burkey

President/CEO

Rockwall Area Chamber of Commerce & Visitors Center  
697 East Interstate 30, Rockwall Texas, 75087  
972.771.5733  
Communications@RockwallChamber.org



**City of Rockwall**  
*The New Horizon*

## Hotel Occupancy Tax

### Program Year 2019

### Application

MUST BE TYPED or PRINTED

**DELIVER TO:**

City of Rockwall Finance Office  
Attn: Lea Ann Ewing  
385 S. Goliad St., Rockwall, TX 75087  
972-771-7700 [lewing@rockwall.com](mailto:lewing@rockwall.com)

**Organization Name:** Rockwall Area Chamber of Commerce & Visitor Center  
**Name of Event:** 2021 TCCE Annual Convention (Texas Chamber of Commerce Executives) \*Presentation with use of requested funds to occur at 2019 TCCE Annual Convention  
**Date(s) of Event:** June 20, 2019  
**Funding Request \$:** \$1400  
**Website Address:** [www.visitrockwall.com](http://www.visitrockwall.com)  
**Mailing Address:** 697 E I-30; Rockwall, TX 75087  
**Physical Address:** Same  
**Telephone:** 972.771.5733 **Fax:**  
  
**Primary Contact Name:** Shaun Kirkland (Marketing & Communications Manager)  
**(Project Director)** Assisting with creative development for project  
**Mailing Address:** 697 E I-30; Rockwall, TX 75087  
  
**Email Address:** [Shaun@rockwallchamber.org](mailto:Shaun@rockwallchamber.org)  
**Telephone:** 972.771.5733 **Fax:**  
  
**Secondary Contact Name:** Darby Burkey, President /CEO  
**(President/ Board Chairman)**  
**Mailing Address:** 697 E I-30; Rockwall, TX 75087  
  
**Email Address:** [darby@rockwallchamber.org](mailto:darby@rockwallchamber.org)  
**Telephone:** 972.771.5733 OR 214.460.5361 **Fax:**

- ▶ COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ▶ INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

X      Advertising/Tourism      Requested funding amount \$ \$1400



7. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).  
This presentation is specifically marketed to TCCE leadership and attendees of the 2019 Annual Conference. There will be approximately 300 in attendance.
8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
- a) Separate checking account without combining with any other revenues or maintained in any other bank account or
  - b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

9. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number
Exhibit E	W-9 Form <a href="https://www.irs.gov/pub/irs-pdf/fw9.pdf">https://www.irs.gov/pub/irs-pdf/fw9.pdf</a>
Exhibit F	Form 1295 <a href="https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm">https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm</a>

*We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.*

President/Board Chairman:  
Date

Darby Burkey  
Print Name

  
Signature

Event/Program Director:  
Date

Shaun Kirkland  
Print Name

  
Signature

Both signatures are required for application to be considered complete.

**EXHIBIT A****Hotel Occupancy Tax Funding Request  
Event/Program Budget - Program Year 2019**

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall Area Chamber of Commerce & Visitor Center  
 Event/Program Name: Presentation to secure 2021 TCCE Annual Conference  
 Requested Funding: \$ 1400.

Expenses (for this project only)	Total Expenses	HOT Funds Request		
1. Personnel				
Administrative				
Artistic				
Technical				
Other personnel				
2. Fees for outside professional service				
Administrative				
Artistic	\$650	\$650		
Technical				
3. Space Rental	\$750	\$750		
4. Equipment Rental				
5. Travel/Transportation				
6. Promotion/Printing				
7. Costumes/Royalties				
8. Other (supplies, postage etc.)				
9. Sub-Totals				
10. Total Expenses	\$1400	\$1400		

Total Revenues				
Revenues (for this project only)				
1. Total Amount of HOT fund request	\$1400			
2. Admissions (ticket and concessions)				
3. Donations				
4. Organizational funds budgeted				
5. Grants (State)				
6. Other (list):				
7. Other (list):				
8. Other (list):				
9. Other (list):				
10. Total income and contributions				
11. Total In-Kind				
12. Total Revenues				

Financial Information (for this project only)				
Fiscal Year (Oct 1 <sup>st</sup> - Sept 30 <sup>th</sup> )	2016 actual	2017 actual	2018 actual	2019 Projected
Total Revenues				
Total Expenses				\$1400
Total Hotel funds awarded				

Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount \$**  
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount \$**  
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2018 – Sept. 30, 2019) that you are requesting Hotel Tax funding. What is your event and why are you having it?  
We will be presenting and pitching the concept of Rockwall to secure and be officially named the host city of the 2021 TCCE Annual Convention. This presentation will take place at the 2019 TCCE Conference in El Paso, TX on Thursday, June 20, 2019.
3. How does the event/program meet the definition of the categories listed in Item No. 1 above (promotion of tourism and the hotel industry in the City of Rockwall)?  
This project directly supports tourism and our hotel industry by bringing in approximately 300 visitors to our City that will be needing and securing lodging. There will be an official hotel block set up to track the attendance and record of monies spent while at the hotel generated specifically for this event in 2021. There will be ample 'free time' for visitors to experience other amenities that Rockwall has to offer, such as our Harbor District and beautiful Historic Downtown District.
4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?  
No      Name location: The solicitation presentation will be held in El Paso, TX
5. Will your organization provide special event insurance coverage for the event/program if held on City property?  
N/A      Name of Insurance Company:
6. Provide 3 years attendance history for the above listed programs, activities, exhibits or event described in Item No. 2 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms



## **2019 Executive Committee**

### **Exhibit D**

#### **Darby Burkey, President**

Rockwall Area Chamber of Commerce & Visitor Center

697 E I-30

Rockwall, TX 75087

972.771.5733

#### **Sylvia Sotelo Kidd, Chair**

Ebby Halliday Realtors

2900 Ridge Road

Rockwall, TX 75032

972.771.8163

#### **Katy Miller, Chair- Elect**

Baylor, Scott & White- Lake Pointe

6800 Scenic Drive

Rowlett, TX 75088

972.412.2273

Rockwall Area Chamber of Commerce & Visitors Center  
697 East Interstate 30, Rockwall Texas, 75087  
972.771.5733  
[Communications@RockwallChamber.org](mailto:Communications@RockwallChamber.org)



**Richard Redig, Past Chair**

Blue Ribbon News

PO Box 697

Rockwall, TX 75087

214-342-8000 X 1121

**Mike Conway, Treasurer**

Conway Company- CPA's, PC

603 South Goliad

Rockwall, TX 75087

972.771.1065

**Jason Linscott, Secretary**

Texas Health Presbyterian Rockwall

3150 Horizon Road

Rockwall, TX 75032

469.698.1000

Rockwall Area Chamber of Commerce & Visitors Center  
697 East Interstate 30, Rockwall Texas, 75087  
972.771.5733  
[Communications@RockwallChamber.org](mailto:Communications@RockwallChamber.org)





District Director  
Internal Revenue Service

Date NOV 19 1974 In reply refer to:  
A:1427:309:R  
DAL:EO:74-92

The Rockwall Chamber of Commerce  
104 West Rusk Street  
P. O. Box 92  
Rockwall, Texas 75087

I. R. Code:  
Address Inquiries with District  
Director of Internal Revenue:  
Accounting Period Ending:

Section 501(c)(6)  
Dallas, Texas  
June 30

Gentlemen:

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above. Any changes in operations from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to file Form 990, Return of Organizations Exempt from Income Tax, only if your gross receipts each year are normally more than \$5,000. If a return is required it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, to a maximum of \$5,000, for the failure to file the return on time.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (Social Security taxes) on remuneration of \$50 or more to each of your employees during a calendar quarter and,

The Rockwall Chamber of Commerce

unless excepted, you are also liable for tax under the Federal Unemployment Tax Act on remuneration of \$50 or more to each of your employees during a calendar quarter if, during the current or preceding calendar year, you have one or more employees at any time in each of 20 calendar weeks or pay wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

As a chamber of commerce, charitable contributions to you are not deductible by donors. You should advise your contributors to that effect.

If we may be of further assistance, please contact Roy H. Schellenberg, 214-749-3693.

This is a determination letter.

Sincerely yours,

*A. W. McCaless*  
A. W. McCaless  
District Director



## Office of the Secretary of State

### CERTIFICATE OF FILING OF

ROCKWALL CHAMBER OF COMMERCE, INC.  
File Number: 58671301

The undersigned, as Secretary of State of Texas, hereby certifies that the Nonprofit Periodic Report for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 05/13/2013

Effective: 05/13/2013



A handwritten signature in black ink, appearing to read "John Steen".

John Steen  
Secretary of State

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# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** May 6, 2019

**SUBJECT:** Water, Wastewater, and Roadway Impact Fee Study

---

On April 1, 2019, the City Council approved a contract for professional services with Freese & Nichols, Inc. for the purpose of updating the City's impact fees for roadway facilities. In addition, the Engineering Department has engaged Bickoff, Hendricks & Carter LLP for the purpose of updating impact fees for water and wastewater facilities. Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (TLGC) requires that the City Council appoint a Capital Improvements Advisory Committee (CIAC) to serve in advisory capacity to the City Council. In past updates, the City Council has appointed the Planning and Zoning Commission as the CIAC. According to Section 395.058 of the TLGC:

*If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity.*

Currently, Commissioners John Womble, Tracey Logan, and Jerry Welch meet the requirements of being a representative from the real estate, development, and/or building industry. As an alternative, Chapter 395.058 of the TLGC states that the City Council can appoint an ad-hoc committee of at least five (5) members where a minimum of 40% of the memberships consists of representatives of the real estate, development, or building industries. In addition, the committee would need to consist of a minimum of one (1) representative from the City's Extraterritorial Jurisdiction (ETJ).

Since the City's Planning and Zoning Commission meets the requirements of the TLGC, City staff would recommend that the City Council consider appointing the Planning and Zoning Commission as the CIAC as opposed to an ad-hoc committee; however, this is a discretionary decision for the City Council. Should the City Council choose to appoint the Planning and Zoning Commission, staff has included a resolution attached to this memorandum that would make this appointment. If the City Council has any questions, staff will be available at the May 6, 2019 City Council meeting.



**CITY OF ROCKWALL**

**RESOLUTION NO. 19-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AUTHORIZING AN UPDATE TO THE IMPACT FEE PROGRAM FOR ROADWAY, WATER, AND WASTEWATER FACILITIES AND APPOINTING THE PLANNING AND ZONING COMMISSION AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.**

**WHEREAS**, the City of Rockwall currently imposes impact fees for roadway, water, and wastewater facilities pursuant to its authority granted under Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (“Ch. 395 of the TLGC”) and Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the City of Rockwall Municipal Code of Ordinances; and

**WHEREAS**, the City Council of the City of Rockwall intends to update its Land Use Assumptions, Impact Fees, and Capital Improvements Plan pursuant to the procedures contained in *Ch. 395 of the TLGC*; and

**WHEREAS**, the City Council of the City of Rockwall appoints the Planning and Zoning Commission as the Capital Improvements Advisory Committee (CIAC) in accordance with the requirements of *Ch. 395 of the TLGC*, and charges them to advise the City Council on the imposition of impact fees; and

**WHEREAS**, at least one (1) member of the Planning and Zoning Commission is a member of the development, real estate, and/or building industry; and

**WHEREAS**, the City Council of the City of Rockwall has determined that the use of impact fees facilitates quality development that is in accordance with the OURHometown Vision 2040 Comprehensive Plan, and the use of impact fees further promotes health, safety, and general welfare for the City of Rockwall and its citizens.

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

**SECTION 1. RECITALS.** The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

**SECTION 2. CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.** The Planning and Zoning Commission is hereby appointed as the Capital Improvements Advisory Committee (CIAC), and is authorized to work with City staff to provide recommendations to the City Council on the imposition of impact fees.

**SECTION 3. AUTHORIZATION.** The Director of Planning and Zoning and the City Engineer/Director of Public Works are directed to commence the update of the Land Use Assumptions, Impact Fees, and Capital Improvements Plan, and procure such planning, engineering, and/or legal consultation deemed necessary to update the impact fee program for roadway, water, and wastewater facilities. This shall be paid for by the impact fees to be collected under the impact fee program.

**SECTION 4. EFFECTIVE DATE.** This *Resolution* shall be effective immediately following its passage and approval by the City Council.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

**APPROVED:**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Amy Williams, P.E., Director of Public Works/City Engineer

**DATE:** April 29, 2019

**SUBJECT:** Professional Engineering Services Contract  
Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project

---

The City of Rockwall performed a Wastewater Flow Monitoring Study to develop an accurate wastewater system model of the City. The Wastewater Flow Monitoring Study allowed for actual observed flows to be used to assist the City in identifying wastewater lines that need upsizing due to capacity constraints. As a result of the study, 1,400 linear foot section of wastewater line in the Turtle Cove Subdivision and 1,150 linear foot section in the Windmill Ridge Subdivision were identified as needing to be upsized. The Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project would upsized the existing wastewater lines from 10-inch to 12-inch diameter and a 6-inch to 8-inch diameter respectively.

Staff requested a proposal from Birkhoff, Hendricks and Carter, L.L.P. to provide the engineering design and specifications for this project. The engineering fee for the rehabilitation for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project is \$79,420.00. The funding for the engineering of the project will be provided by the General Engineering Services Budget. Staff requests City Council consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed \$79,420.00, to be paid for out of Engineering and Sewer Operations Consulting Budget, and take any action necessary.

If you have any questions, please advise.

AJW:jmw

Attachments

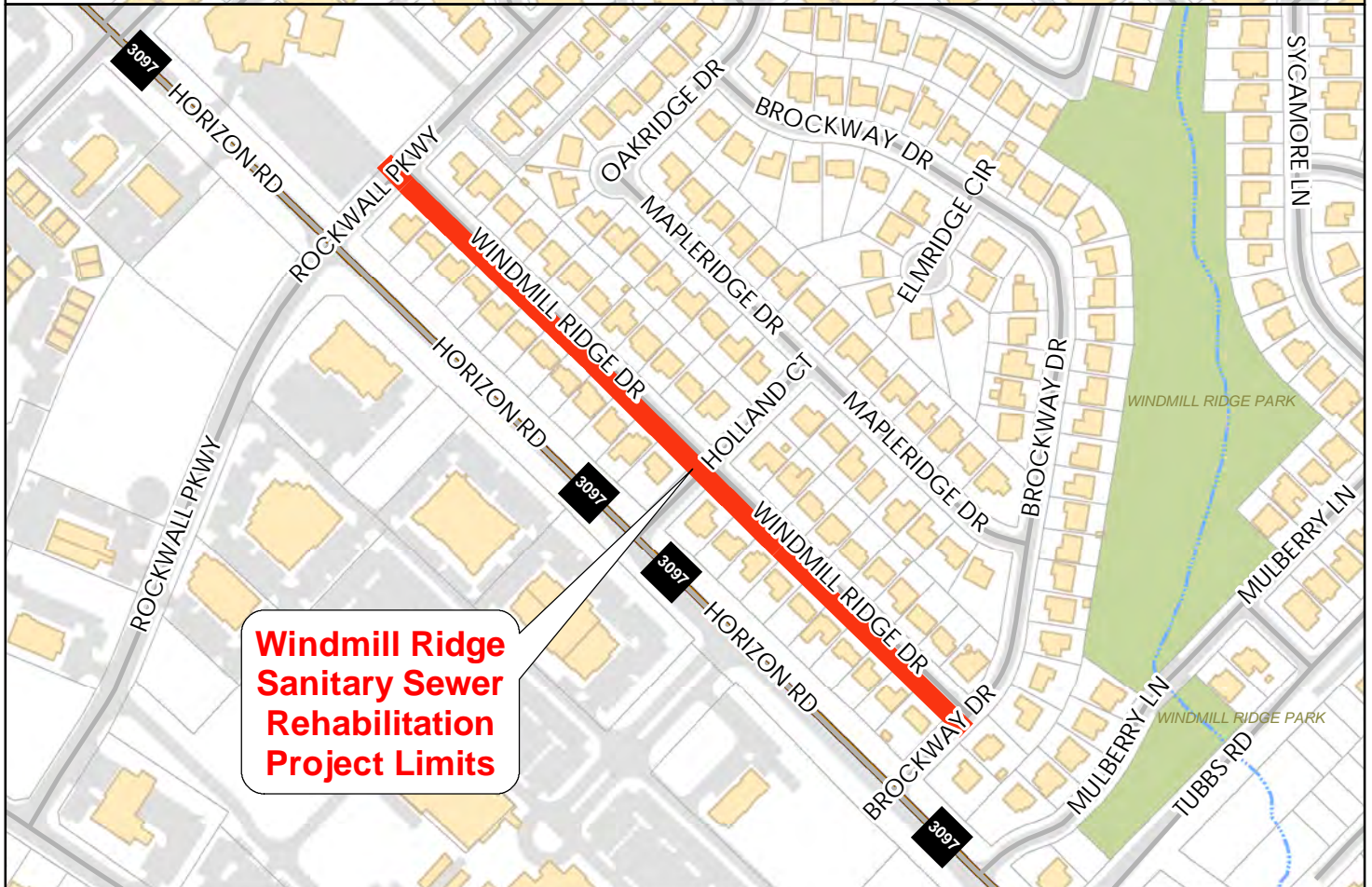
Cc: Jeremy White, P.E. CFM, Civil Engineer  
File



**Turtle Cove  
Sanitary Sewer  
Rehabilitation  
Project Limits**



**Windmill Ridge  
Sanitary Sewer  
Rehabilitation  
Project Limits**



**City of  
Rockwall**



0 50 100 Feet  
Date: 4/30/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and/or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

**Turtle Cove & Windmill Ridge  
Sanitary Sewer Rehabilitation Project**



STATE OF TEXAS

COUNTY OF ROCKWALL



## PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

### 1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

### 2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Seventy-Nine Thousand Four-Hundred and Twenty dollars (\$79,420.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

### 3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

### 4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

### 5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases,



computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory  
Employer's Liability – \$100,000  
Bodily Injury by Disease - \$500,000 (policy limits)  
Bodily Injury by Disease - \$100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

\$2,000,000 General aggregate limit

\$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

\$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars (\$1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

## **7. INDEMNIFICATION**

**ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.**

**ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS (\$1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.**

### **8. Addresses for Notices and Communications**

#### **CITY**

**Amy Williams, P.E.**  
**Director of Public Works/City Engineer**  
City of Rockwall  
385 S. Goliad Street  
Rockwall, Texas 75087

#### **ENGINEER**

**Derek B. Chaney, P.E., R.P.L.S.**  
**Partner**  
Birkhoff, Hendricks & Carter, L.L.P.  
11910 Greenville Ave., #600  
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.



9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

**CITY** may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

**Engineer**, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning



the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

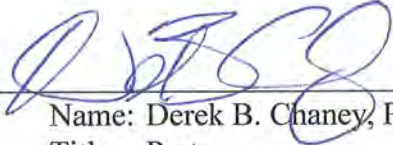
If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 24<sup>th</sup> day of April 2019.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
A Texas Limited Liability Partnership  
TPBE Firm No. 526  
TBPLS Firm No. 100318-00

By:   
Name: Derek B. Chaney, P.E., R.P.L.S.  
Title: Partner

EXECUTED in triplicate originals on this \_\_\_\_ day of \_\_\_\_\_ 201\_\_.

ATTEST:

City of Rockwall, Texas

\_\_\_\_\_  
Richard Crowley  
City Manager



# ATTACHMENT "A"

## Scope of Services

### Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation

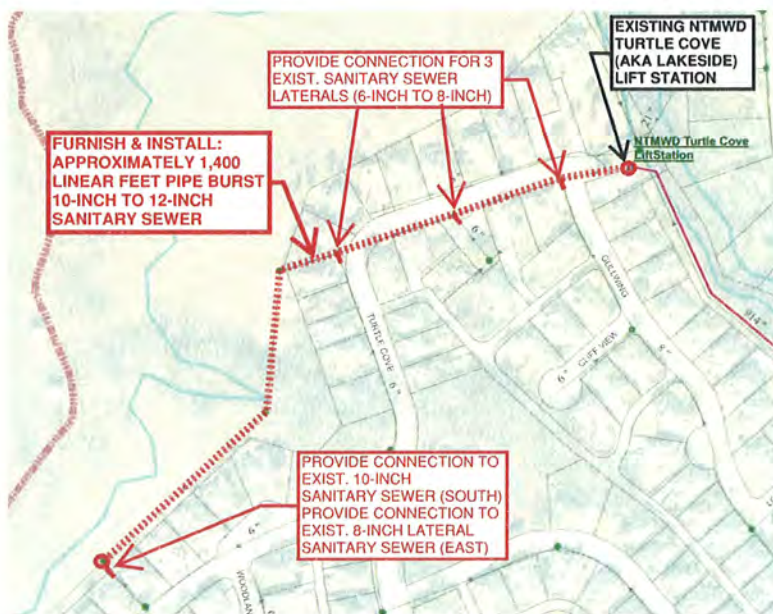
#### Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to provide engineering design services in connection with the following wastewater collection system improvements:

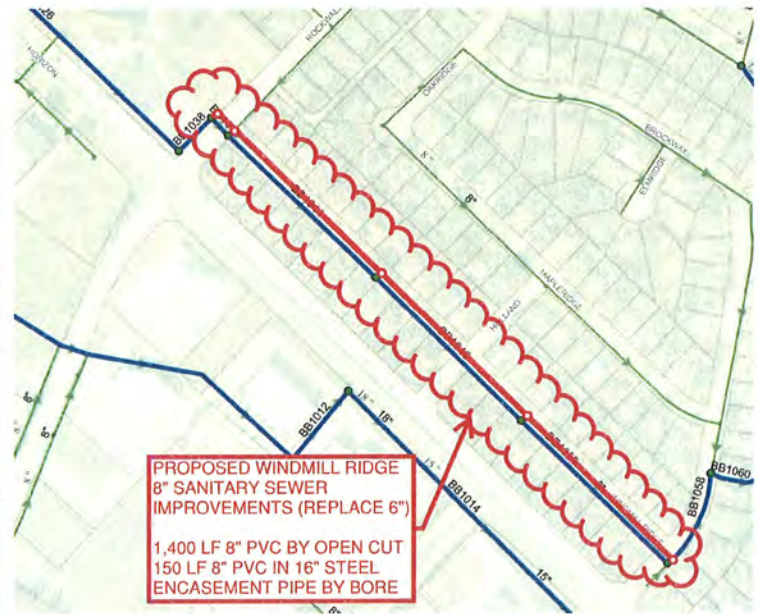
- A) Turtle Cove Sanitary Sewer Rehabilitation: The proposed rehabilitation includes pipe bursting of approximately 1,400 linear feet of existing 10-inch diameter sanitary sewer to 12-inch diameter. The proposed project limits are from the existing Turtle Cove (Lakeside) Lift Station near the intersection of Turtle Cove Boulevard and Gullwing Drive to a point northwest of the intersection of Turtle Cove Boulevard and Woodland Way.
- B) Windmill Ridge Sanitary Sewer Improvements: The proposed improvements include replacement of approximately 1,550 linear feet of 6-inch diameter sanitary sewer with 8-inch pipe. The proposed project limits are from Rockwall Parkway to Brockway Drive.

The Consultant will provide Construction plans, project specifications and bidding documents as required for the project to support the City of Rockwall during the design and advertising/bidding phases. Project location maps are provided below.

#### PROJECT LOCATION MAPS



TURTLE COVE SANITARY SEWER REHABILITATION



WINDMILL RIDGE SANITARY SEWER IMPROVEMENTS

## **BASIC SERVICES**

### **1. Preliminary Design Phase**

#### **1.1. Project Management**

- 1.1.1. Conduct project kickoff meeting with Consultant Project Manager and City Staff.
- 1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a Project schedule update. PSU will be attached to the monthly invoice.
- 1.1.3. Prepare and submit project schedule to City staff.

#### **1.2. Preliminary Design**

- 1.2.1. Review record documents, and other pertinent information related to proposed project provided by the City.
- 1.2.2. Review City master plans, design standards, specifications, construction details, that may impact the design. Review of documents will include, but not limited to, the following:
  - (a) City of Rockwall Master Thoroughfare Plan
  - (b) City of Rockwall Water/Wastewater Master Plan
  - (c) City of Rockwall Standards of Design and Construction
  - (d) City of Rockwall Trail Master Plan
- 1.2.3. Develop base map showing existing Right-of-Way (ROW), property lines, known easements, and known utilities in the vicinity of the proposed improvements.
- 1.2.4. Delineate the service area basin for the sanitary sewer and calculate average and peak wastewater design flows.
- 1.2.5. Establish preliminary alignment for proposed sanitary sewer, and if required a location of insertion and receiving pits for pipe bursting.
- 1.2.6. If needed, develop temporary sewage bypassing plan based on calculated design flows.
- 1.2.7. Assess and consider primary benefits and drawbacks to the use of both open-cut and alternate pipe-bursting installation methods for construction of the Windmill Ridge Sanitary Sewer Improvements. If requested by the City, an alternate installation method will be allowed and incorporated into the Construction Plans and Bidding Documents during the Final Design Phase.

### **2. Final Design Phase**

#### **2.1. Project Management**

- 2.1.1. Conduct progress meetings at 60% and 90% completion to monitor the development of the project regarding project status, coordination issues and discuss City review comments of the plans.
- 2.1.2. Prepare and send PSU to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a project schedule update. Invoice will be sent at end of the month with PSU.
- 2.1.3. Conduct up to two (2) project site visits.



## 2.2. Submittals

2.2.1. Submit 60% and 90% progress submittals to the City for review and comment. The following will be required for each submittal:

- (a) Construction Plans
  - i. Two (2) Full Size copies – 22-inch x 34-inch
  - ii. Two (2) Half Size copies – 11-inch x 17-inch
  - iii. Electronic PDF copy
  - iv. Electronic PDF copy– Scanned City comments previous submittal
- (b) Engineer's Opinion of Probable Construction Cost
  - i. Two (2) Copies and electronic PDF copy
- (c) 90% only – Project Specifications and Bidding Documents
  - i. Two (2) Copies and electronic PDF copy

## 2.3 Construction Plans

- (a) Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction.
- (b) Plan sheets will include additional documentation, notation, and clarification required by the City's Project Manager.
- (c) Each stage of the construction plan review process will address City comments from previous submittals.
- (d) Below is a table of the required construction plan sheets and at which submittals they are required.

Plan Sheets	60%	90%
Cover Sheet w/ Location Map and Sheet Index	X	X
Legend Sheet	X	X
General Notes Sheet	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X
Erosion Control Plan (1"=40' scale)		X
Sanitary Sewer Plan/Profiles (1"=20'H, 1"=5'V scale)	X	X
Construction Details		X

- (e) Establish the location of existing public utilities based upon information provided by the City, and field survey information. (60%)
- (f) Prepare proposed wastewater plans and profiles. (60%)
- (g) Show approximate horizontal and vertical location of utility crossings along the proposed route from record drawings and field surveys of manholes. (90%)
- (h) Design required lateral and service connections to the existing sanitary sewer system. (90%)
- (i) Identify location of insertion and receiving pits; if required. (60%)
- (j) Identify required pavement repair in disturbed areas. (90%)
- (k) Prepare sanitary sewer details as required to clarify intent of design. (90%)
- (l) Compile applicable City Standard details and modify standard details as needed. (90%)
- (m) Prepare erosion control plan. (90%)

- 2.4 Franchise Utility Coordination
- (a) Obtain list of franchise utility contacts from the City. (60%)
  - (b) Provide electronic PDF set of preliminary construction plans adequate for franchise utility relocation via email to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their utilities. (60%)
  - (c) Notify the City if any relocations are required. (90%)
  - (d) Conduct coordination with the franchise utilities if any relocations are required. (90%)
- 2.5 Specifications/Construction Contracts (90%)
- Prepare general notes, specifications, and bidding documents in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare proposal and bid schedule of applicable items.
- 2.5.1 Contract documents will include the following:
- (a) City of Rockwall standard construction contract forms
  - (b) Notice to bidders
  - (c) Special instructions to bidders
  - (d) Bid Schedule (Bid-Tab) – Electronic for Bidding
  - (e) Standard construction contract
  - (f) Performance bond
  - (g) Payment bond
  - (h) Maintenance bond
  - (i) Certificate of insurance
  - (j) General conditions
  - (k) Special conditions
  - (l) Technical specifications
  - (m) Permits for work as may be required from the City of Dallas or North Texas Municipal Water District (NTMWD)
- 2.6 Engineer's Opinion of Construction Cost (60% and 90%)
- Generate tabulation of proposed quantities of work and formulate an engineer's opinion of probable construction cost based on historic bidding data of similar projects.
- 2.7 Agency Permitting/Coordination (City to coordinate with those not listed as applicable)
- 2.7.1 City of Dallas - Consultant to coordinate with the City of Dallas on items related to the project for work within the Lake Ray Hubbard Takeline. This shall include up to one coordination meeting, one construction plan submittal at 60% and permit submittals as required to achieve acceptance of proposed improvements.
- 2.7.2 NTMWD - Consultant to coordinate with the NTMWD on items related to the project where any improvements cross or connect to any NTMWD System pipe or facility. This shall include up to one coordination meeting, construction plan submittal at 60% and permit submittals as required to achieve acceptance of proposed improvements.



### 3 Bidding Phase

- 3.1 Furnish the City with one 11-inch x 17-inch set of final construction plans, and one set of final Bidding Documents and Specifications for use during the bidding phase. Documents shall also be provided to the City in electronic PDF format.
- 3.2 City will be responsible for advertisement of the project in the Local Paper
- 3.3 Consultant will upload plans and specifications to the project bidding distribution site CivCast.
- 3.4 Respond to contractor questions and provide design clarifications in Addenda format.
- 3.5 Attendance at the pre-bid meeting, if requested by the City.
- 3.6 The Consultant will prepare addenda to answer questions of the plans and specifications. The Consultant will provide the City with sealed, signed and dated addenda. The Consultant will upload the addenda to CivCast. All addenda will be posted a minimum of 24-hours before the bid opening.
- 3.7 The Consultant will respond to questions submitted from potential bidders and provided by the City to the Consultant a minimum of 72-hours before the bid opening.
- 3.8 Attendance of Bid Opening
- 3.9 Complete tabulation of bids; checking for mathematical errors and unbalanced bids. (Bid documents to be provided to Consultant by the City).
- 3.10 Provide bid tabulation, in PDF format, to City via email and to Contractors who submitted bids via CivCast.
- 3.11 Obtain experience record and references from the apparent lowest bidder. Check references of apparent low bidder. Formulate opinion from information received and provide a letter of recommendation for award of a construction contract.
- 3.12 Return Bid Bonds to bidders.

NOTE: As directed by the City, the Construction Phase Scope of Work has been excluded from this agreement. Pending availability of funds, it is the City's intention to authorize the Construction Phase Scope of Work in or around October 2019 via a separate agreement.

## **ADDITIONAL SERVICES**

For the following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an as-needed basis, and invoiced based on effort and expenses incurred.

### **4 Design Surveys**

- 4.1 Consultant will prepare and send a “Request for Right of Entry for Surveying” and “Start of Engineering Design Notice” documents to property owners immediately adjacent to the proposed project route via regular U.S. Postal Service. Templates for documents and information for property owners will be provided by the City
- 4.2 Complete Property Research using Rockwall County records
  - 4.2.1 Obtain plat information from County records or as provided by the City
  - 4.2.2 Gather existing ROW (Right of Way) and easement information from Rockwall County records, and other records provided by the City.
- 4.3 Consultant will submit request to Texas 811 for location of franchise utilities.
- 4.4 Topographic and Design Survey
  - 4.4.1 The limits of the survey corridor will generally parallel the City’s existing sanitary sewers proposed for improvements as identified on the project location maps on Page 8. The width of the survey will be confined either to the City’s existing sanitary sewer easement (extending an additional 10-feet each side of easement pending permission from right of entry request) or from building line to building line within existing right-of-way areas. If applicable, an additional survey will be performed within an approximately 40-foot radius in the vicinity of each insertion or receiving pit.
  - 4.4.2 Establish horizontal control points at approximately 500-foot maximum spacing.
  - 4.4.3 Establish two (2) temporary vertical control benchmarks in the vicinity of the project route.
  - 4.4.4 Perform a field survey to identify and locate existing topographic elements along the proposed sanitary sewer route. Topographic elements shall be tied down horizontally and vertically. The field survey shall include, but is not limited to the following:
    - (a) Property corner monumentation (that can be located)
    - (b) Existing pavement, driveways, curbs, sidewalks, barrier free ramps, and signs.
    - (c) Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and flow line elevations)
    - (d) Existing driveway culverts and swales (flowlines, sizes and types)
    - (e) Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, utility poles, utility markers, other public utilities and franchise utilities
    - (f) Traffic Signal poles and cabinets, pull boxes
    - (g) Roadway Signs (excluding temporary signs)
    - (h) Trees, including species and caliper (2 inch caliper and larger)
    - (i) Landscape planters, shrubs, rocks and other features.
    - (j) Buildings and permanent structures
    - (k) Retaining, fencing and screening walls
    - (l) Fence limits and material types (excluding temporary fences)
    - (m) Mailboxes (types – wood, brick, stone)
    - (n) Other applicable physical features that could impact design and are located within the ROW



- (o) Observe and determine existing manhole condition from limited visual inspection (above ground).
- 4.5 Perform up to one site visit for the purposes of reviewing the provided survey in the field and determining the need for any additional surveys.

## **5 Easement Document Preparation**

- 5.1 Prepare easement documents (metes and bounds description and graphic exhibits) for proposed utility or temporary construction easements as required by the project. Preparation of up to two (2) easement documents are included in the budget.
- 5.2 Individual parcel easement documents shall be prepared on 8.5-inch x 11-inch paper size, and both an electronic PDF copy and two (2) set of originals sealed, dated, and signed by a Registered Professional Land Surveyor shall be provided to the City.
  - 5.2.1 Graphic exhibits shall contain the following:
    - (a) Parcel number
    - (b) Area required
    - (c) Area remaining
    - (d) Legal description
    - (e) Current owner
    - (f) Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
    - (g) All physical features
  - 5.2.2 Metes and bounds descriptions of the easement parcel will be prepared and provided on a separate sheet from the graphic exhibit, and each type of easement shall be described separately.
- 5.3 The Consultant shall provide easement documents to the City and/or their assigned Land Rights Acquisition Agent.

# ATTACHMENT “B”

## Payment Schedule

Compensation for Basic Services in Tasks 1-3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	<u>Task</u>	<u>Fee</u>
	<b><u>BASIC SERVICES</u></b>	
1.	Preliminary Design Phase	\$ 11,100.00
2.	Final Design Phase	\$ 35,000.00
3.	Bidding Phase	\$ 5,800.00
	<b>Basic Services Subtotal:</b>	<b>\$ 51,900.00</b>
Compensation for special services under Tasks 4-5 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on \$170.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.		
	<b><u>ADDITIONAL SERVICES</u></b>	
4.	Design Surveys	\$ 14,700.00
5.	Easement Document Preparation (2 included)	\$ 5,600.00
	<b>Additional Services Subtotal*</b>	<b>\$ 20,300.00</b>
	<b>ENGINEERING SERVICES CONTINGENCY** (To be 10% of Services)</b>	<b>\$ 7,220.00</b>
	<i>** (This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)</i>	
	<b>Project Total*</b>	<b>\$ 79,420.00</b>

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

## ATTACHMENT “C”

### Project Schedule

Notice to Proceed .....	May 6, 2019
Begin Field Surveys .....	May 13, 2019
Complete Field Surveys .....	May 17, 2019
Submit 60% Plans to City for Review .....	June 17, 2019
Receive 60% Review Comments from City .....	July 1, 2019
Submit 90% Plans to City for Review .....	July 22, 2019
Receive 90% Review Comments from City .....	August 5, 2019
Complete 100% (Final) Plans & Specifications .....	August 19, 2019
Advertise Project .....	August 26 & Sept 2, 2019
Receive Bids .....	September 9, 2019
Award Construction Contract .....	September 16, 2019
Construction (Not This Contract) .....	October – December 2019

## **ATTACHMENT “D”**

### **Sub-Consultants**

Sub-Consultant work is not anticipated based on the scope of services for this project.



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**City of Rockwall**  
*The New Horizon*  
**MEMORANDUM**

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**TO: City Council**

**FROM: Joey Boyd, Assistant City Manager**

**DATE: April 23, 2019**

**SUBJECT: Oncor Electric Delivery Distribution Cost Recovery Factor Denial Resolution**

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On April 8, 2019, Oncor Electric Delivery Company LLC (“Oncor” or “Company”) filed an Application for Approval to Amend its Distribution Cost Recovery Factor (“DCRF”) to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of \$29,433,804.

The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor (“OCSC”) to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

**Purpose of the Resolution:**

The purpose of the Resolution is to deny the DCRF application proposed by Oncor.

**Explanation of “Be It Resolved” Paragraphs:**

1. This section authorizes the City to participate with OCSC as a party in the Company’s DCRF filing, PUC Docket No. 49427.
2. This section authorizes the hiring of Lloyd Gosselink Rochelle and Townsend, PC and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

3. This paragraph finds that the Company's application is unreasonable and should be denied.

4. This section states that the Company's current rates shall not be changed.

5. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.

6. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

7. This section provides that Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

**CITY OF ROCKWALL, TEXAS**  
**RESOLUTION NO. 19-11**

**A RESOLUTION OF THE CITY OF ROCKWALL, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**

**WHEREAS**, the City of Rockwall, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

**WHEREAS**, the City is a member of the Steering Committee of Cities Served by Oncor ("OCSC" or "Cities"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

**WHEREAS**, on or about April 8, 2019 Oncor filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 49427, seeking to increase electric distribution rates by approximately \$29,433,804; and

**WHEREAS**, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

**WHEREAS**, Cities are coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

**WHEREAS**, Cities' members and attorneys recommend that members deny the DCRF.

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

**Section 1.** That the City is authorized to participate with OCSC in PUC Docket No. 49427; and

**Section 2.** That subject to the right to terminate employment at any time, the City of Rockwall hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC; and



**Section 3.** That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied; and

**Section 4.** That the Company shall continue to charge its existing rates to customers within the City; and

**Section 5.** That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor; and

**Section 6.** That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required; and

**Section 7.** That a copy of this Resolution shall be sent to Matthew C. Henry, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Legal Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725; and

**Section 8.** That this resolution shall take effect immediately from and after its adoption and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS THIS 6<sup>th</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
**Jim Pruitt, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kristy Cole, City Secretary**

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## MEMORANDUM

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**TO:** Honorable Mayor and City Council Members

**FROM:** Kristy Cole, City Secretary / Assistant to the City Manager

**DATE:** May 3, 2019

**SUBJECT:** YAC year-end program presentation and recognition of graduating seniors

---

Members of the city's Youth Advisory Council will be making a presentation to Council on Monday evening to recap their experiences while participating in the program this school year. In addition, the following six (of twelve) YAC students will soon be celebrating their high school graduation.

***Emily Williams***

Emily will be graduating from Rockwall High School and attending Dallas Baptist University to obtain a business degree. She opened an online women's boutique last year, so hopes to work for her online boutique full-time and expand the business. After graduating from DBU, Emily plans to attend graduate school and obtain her MBA.

***Caleb Davis***

After homeschool graduation, Caleb plans to attend Baylor University and become an Entrepreneurship and Marketing double major. While in college he hopes to start a business and let it grow while completing his studies. After college he wants to stay in the Dallas area, expand his business while pursuing his hobbies and starting a family.

***Addison Schale***

Addison will soon be a Rockwall High School graduate. Thereafter, she will be attending Collin College for one year and then transfer to Dallas Baptist University. She plans to major in education and one day return to Rockwall High School to teach.

***Brenden Ivey***

Brenden will be graduating from Rockwall High School and attending Stephen F. Austin to pursue a degree in Public Administration. After college, he hopes to work in local government and perhaps pursue a career within higher levels of government thereafter.

***Kendall Braddock***

After graduation from Rockwall High School, Kendall plans to attend Blinn College for a year and then transfer to A&M next fall. She plans to study agriculture leadership and development in hopes of becoming an event planner.

***Nick Alverson***

Upon graduation from RHS, Nick plans to attend Collin College to become certified as an EMT. Thereafter, he will attend the Fire Science Academy in McKinney to become a firefighter. He hopes to eventually become a certified paramedic and serve as a firefighter/paramedic as his future career.

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# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** May 6, 2019

**SUBJECT:** Z2019-006; *SUP for SPR*

---

On April 15, 2019, the City Council voted to approve the applicant's request for a Specific Use Permit (SUP) to allow buildings that exceed 60-feet height in a Light Industrial (LI) District by a vote of 5-2, with Council Members Macalik and Trowbridge dissenting. This will be the second reading of the ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 19-19

SPECIFIC USE PERMIT NO. S-207

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) to allow for structures that will exceed 60-feet in height within the *Light Industrial (LI) District* on an 42.61-acre tract of land, identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned *Light Industrial (LI) District*, generally located at the terminus of Aluminum Plant Road, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

**Section 1.** That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing structures that will exceed 60-feet in height within the *Light Industrial (LI) District* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

**Section 2.** That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.01, Light Industrial (LI) District*, and *Section 7.03, Non-Residential District Development*

*Standards, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:*

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an office/ warehouse/manufacturing facility that exceeds 60-feet in height on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

- 1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,
- 2) The maximum overall height of the buildings and/or structures shall not exceed 100-feet, as depicted in *Exhibit 'C'* of this ordinance; and,
- 3) The building elevations depicted in *Exhibit 'C'* are for reference to the height of the extruder bays for all phases (*i.e. phase 2, 3, 4, & 5*), and do not represent approved building elevations. Any building elevations associated with the project shall be subject to the requirements of the Unified Development Code (UDC), review by the Architectural Review Board, and approval by the Planning and Zoning Commission [*and City Council if applicable*]; and,
- 4) Future expansion of the site [*i.e. Phases 3, 4, and 5*] should have all silos placed on the southern portion of the subject property, adjacent to the railroad tracks, as depicted in *Exhibit 'B'* of this ordinance; and,
- 5) The subject property shall provide and maintain a landscape screening buffer along the western and northern property boundaries [*i.e. Overall Landscape Plan*], as depicted in *Exhibit 'D'* of this ordinance and shall be constructed with Phase 1 of the development.

## **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

**Section 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**Section 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

**Section 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and

every day such offense shall continue shall be deemed to constitute a separate offense.

**Section 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**Section 8.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

---

Jim Pruitt, Mayor

**ATTEST:**

---

Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

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Frank J. Garza, City Attorney

1<sup>st</sup> Reading: April 15, 2019

2<sup>nd</sup> Reading: May 6, 2019



**Exhibit 'A':**  
***Legal Description***

**BEING** A 42.6035 ACRE PARCEL OF LAND SITUATED IN THE N. BUTLER SURVEY ABSTRACT NO. 20 AND THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; SAID 42.6035 ACRE TRACT BEING ALL OF 11.3736 ACRE OF TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO ALVAPLAST U.S., INC., A DELAWARE CORPORATION RECORDED IN INSTRUMENT NUMBER 20150000002739 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING PART OF 98.319 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO COLUMBIA EXTRUSION CORPORATION, DATED DECEMBER 22, 1988 AND RECORDED IN VOLUME 444, PAGE 102 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING A PART OF LOT 1 IN BLOCK 1 OF INDALLOY ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET "D", SLIDE 273 OF THE PLAT RECORDS OF ROCKWALL COUNTY TEXAS; SAID 42.6035 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF INDUSTRIAL BOULEVARD (A 65-FOOT WIDE RIGHT-OF- WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

**THENCE** SOUTH 00° 07' 36" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND THE EAST LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT FOR A DISTANCE OF 788.63 FEET TO A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF UP/DALLAS GARLAND N.E. RAILROAD (A 100-FOOT WIDE RIGHT-OF-WAY); SAID POINT BEING THE SOUTHEAST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

**THENCE** SOUTH 88° 36' 50" WEST DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND ALONG THE SAID NORTH LINE OF UP/DALLAS GARLAND N.E. RAILROAD AND THE SOUTH LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT, FOR A DISTANCE OF 584.08 FEET TO THE SOUTHWEST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT AND THE SOUTHEAST CORNER OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF AFORESAID 98.319 ACRE TRACT DESCRIBED IN DEED TO COLUMBIA EXTRUSION CORPORATION;

**THENCE** SOUTH 88° 32' 20" WEST CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD AND THE SOUTH LINE OF SAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND PASSING AND PASSING APPROXIMATELY AT A DISTANCE OF 332.77 FEET THE SOUTHWEST CORNER OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR A TOTAL DISTANCE OF 578.23 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 21774.77 FEET WITH A CENTRAL ANGLE OF 00° 58' 11" AND A CHORD BEARING SOUTH 88° 05' 13" WEST AT A DISTANCE OF 368.51 FEET;

**THENCE** SOUTHWESTERLY AND FOLLOWING ALONG SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR AN ARC DISTANCE OF 368.52 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 88° 04' 12" WEST CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR A DISTANCE OF 101.65 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 09° 24' 49" WEST DEPARTING THE SAID NORTH LINE OF UP/DALLAS GARLAND N.E. RAILROAD FOR A DISTANCE OF 1039.14 FEET TO A POINT FOR CORNER IN THE EAST BOUNDARY LINE OF PARK PLACE WEST II, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE AMENDED PLAT THEREOF RECORDED IN CABINET "G", SLIDE 100 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS;

**THENCE** NORTH 04° 52' 54" WEST ALONG THE EAST LINE OF SAID PARK PLACE WEST ADDITION FOR A DISTANCE OF 207.14 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 81° 27' 00" EAST LEAVING THE EAST LINE OF SAID PARK PLACE WEST ADDITION FOR A DISTANCE OF 408.12 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 83° 23' 14" EAST AND PASSING AT A DISTANCE OF 216.91 FEET THE WEST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND CONTINUING ON FOR A TOTAL DISTANCE OF 274.94 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 85° 37' 16" EAST FOR A DISTANCE OF 435.64 FEET TO A POINT FOR CORNER IN THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND THE WEST LINE OF 7.497 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL COMMUNITY PLAYHOUSE AND RECORDED IN VOLUME 4239, PAGE 203 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS;

**THENCE** SOUTH 06° 42' 50" EAST ALONG THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND THE WEST LINE OF SAID 7.497 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL COMMUNITY PLAYHOUSE, FOR A DISTANCE OF 360.89 FEET TO A POINT FOR CORNER AT THE END OF A 50' WIDE STREET DEDICATION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS BY DEED RECORDED IN VOLUME 67, PAGE 116 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS

**THENCE** SOUTH 06° 22' 45" EAST CONTINUING ALONG THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION FOR A DISTANCE OF 50.93 FEET TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID

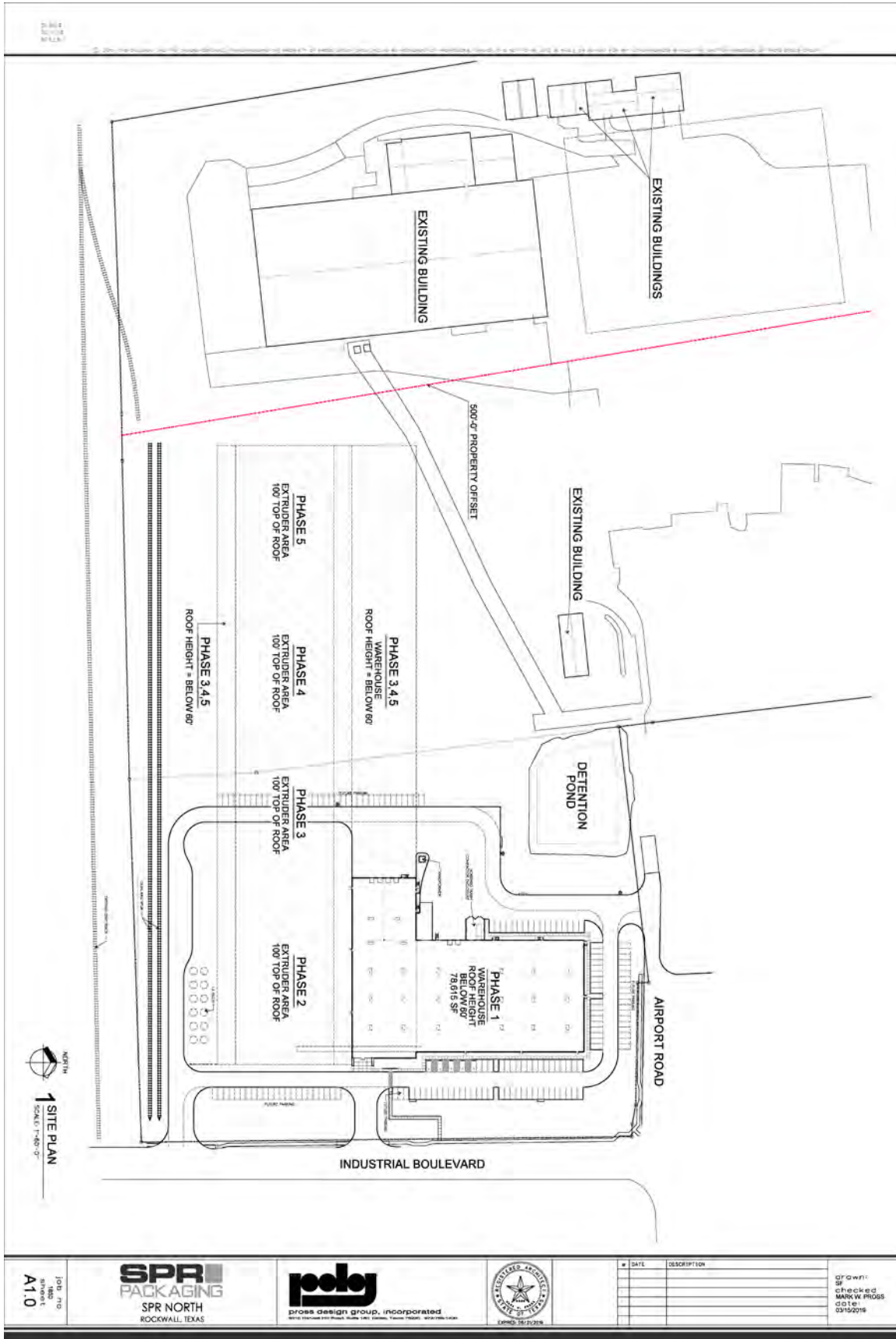
**Exhibit 'A':**  
*Legal Description*

AIRPORT ROAD; SAID POINT ALSO BEING THE NORTHWEST CORNER OF AFORESAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

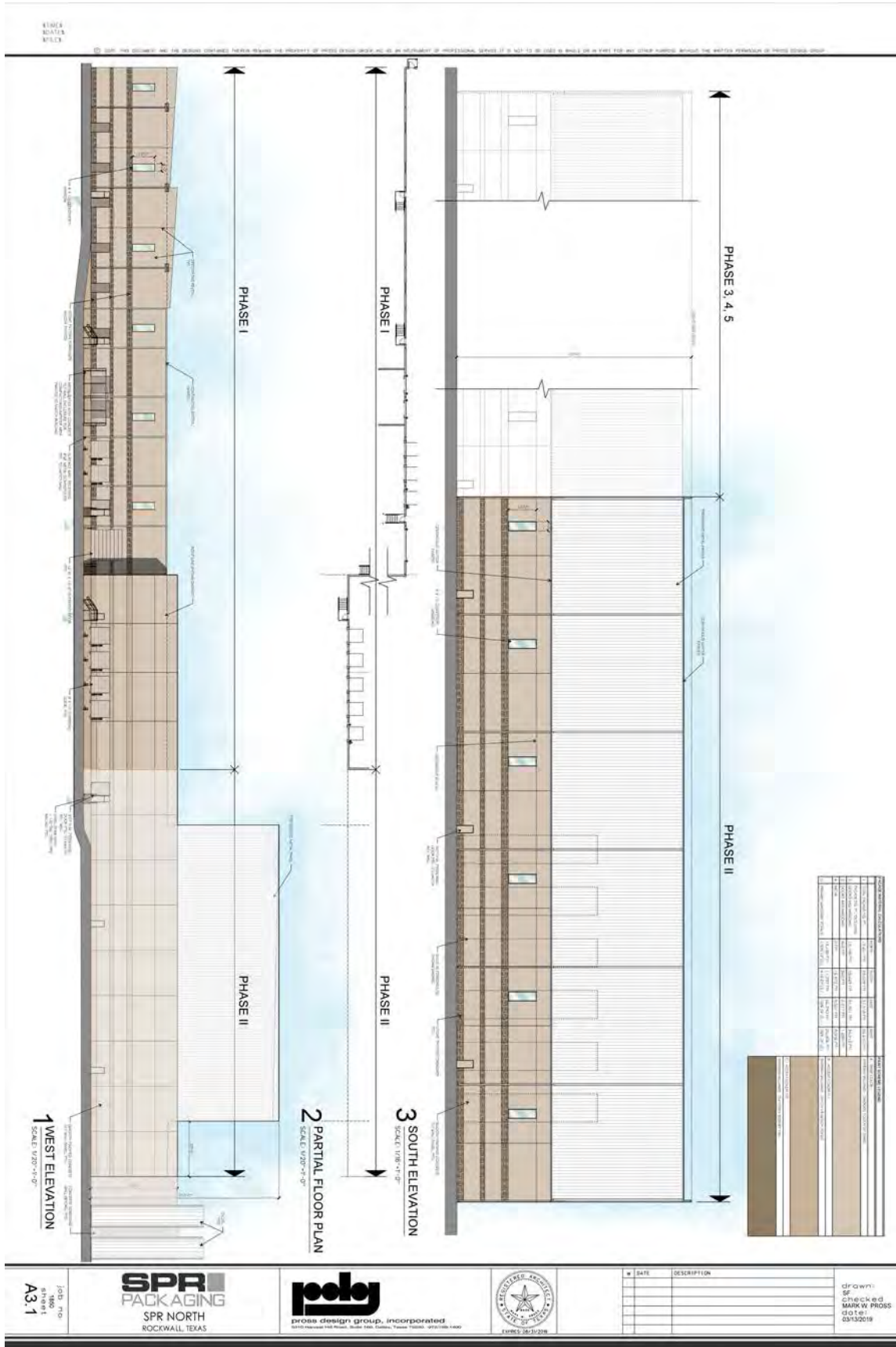
**THENCE** DEPARTING THE WEST LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT AND THE EAST LINE OF SAID LOT 1 IN BLOCK 1 AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID AIRPORT ROAD, THE FOLLOWING COURSES AND DISTANCES NUMBERED **(1) THROUGH (5)**;

- 1.** NORTH 83° 53' 38" EAST FOR A DISTANCE OF 413.66 FEET TO A POINT FOR CORNER;
- 2.** SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 17.89 FEET TO A POINT FOR CORNER;
- 3.** SOUTH 88° 37' 46" EAST FOR A DISTANCE OF 195.72 FEET TO A POINT FOR CORNER;
- 4.** SOUTH 79° 05' 55" EAST FOR A DISTANCE OF 32.05 FEET TO A POINT FOR CORNER;
- 5.** SOUTH 88° 51' 14" EAST FOR A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.6035 ACRES OF LAND, MORE OR LESS.

**Exhibit 'B':**  
**Conceptual Site Plan**

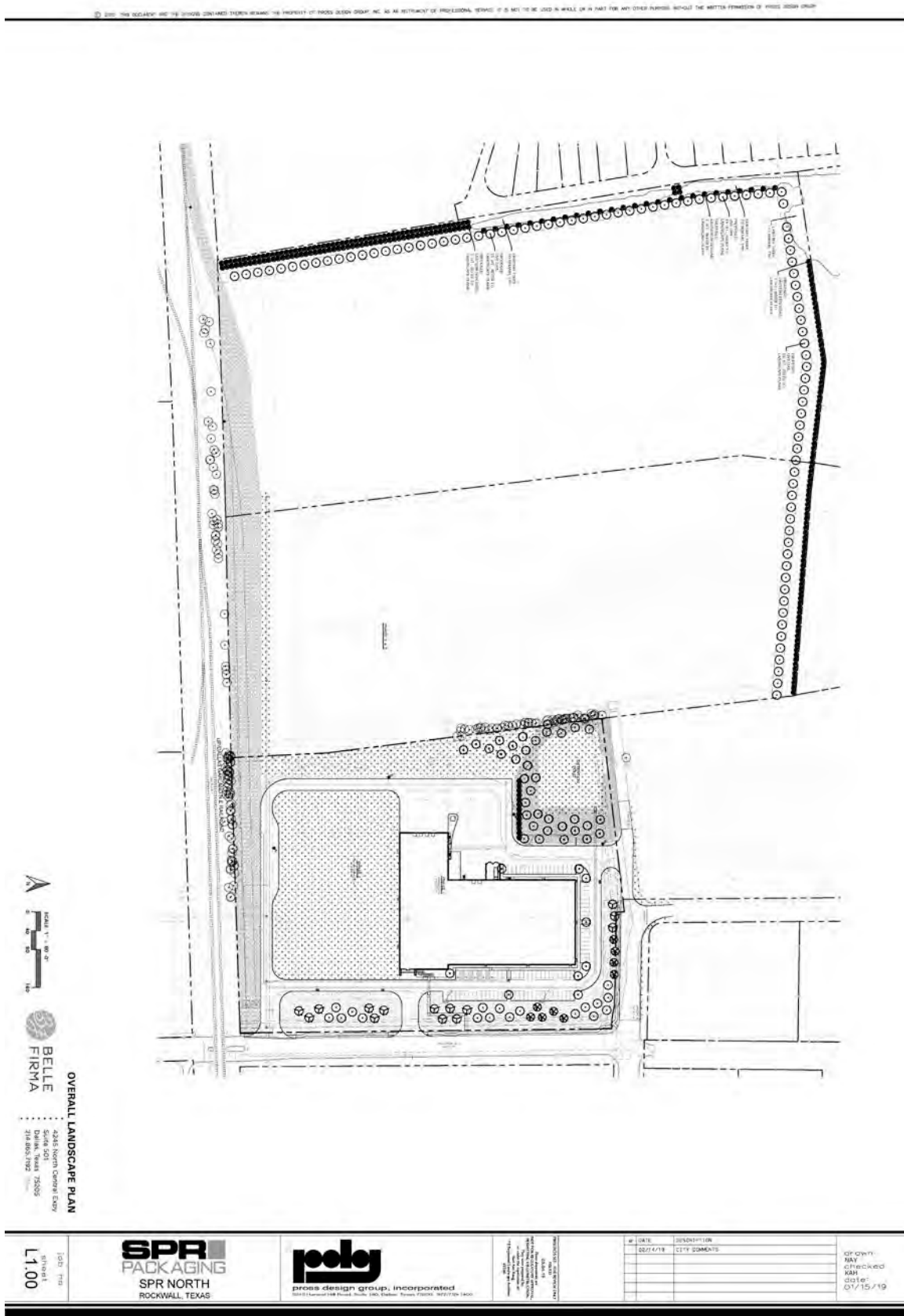


# **Exhibit 'C':** **Concept Building Elevation Phasing Plan**





# Exhibit 'D': Landscape Screening Plan



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## **CITY OF ROCKWALL, TEXAS MEMORANDUM**

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**TO:** Honorable Mayor and City Council

**CC:** Rick Crowley, City Manager  
Joey Boyd, Assistant City Manager  
Mary Smith, Assistant City Manager

**FROM:** Andy Hesser, Director of Parks and Recreation

**DATE:** April 15

**SUBJECT:** ALCOHOL WAIVER FOR 2019 FOUNDERS DAY FESTIVAL

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The 2019 City of Rockwall Founders Day will be held at Harry Myers Park on Saturday, May 20th beginning at 10:00am and concluding around 9:00pm. This will be the fifteenth consecutive Founders Day Festival which started in 2004 when the City celebrated its 150<sup>th</sup> birthday.

Similar to last year, we have the opportunity for two major headline acts this year. Joey Ely and Ray Wylie Hubbard. Both have national level notoriety and multiple hit songs.

In 2014, the City Council amended sec. 30-2, Regulated Activities in Parks which permitted the possession and consumption of alcohol in Harry Myers Park for City-sponsored events as designated by the City Council. Since the Founders Day Festival was held on the Square for eight years prior to the 2014 festival, patrons have been permitted to bring their own alcoholic beverages to the festival. When the venue location changed in 2014, the Council amended the ordinance to minimize conflict due to past history. Since 2014, there have been no major alcohol related incidents that required Police Department intervention.

With the 2019 festival just a few weeks away, the Council has the discretion to designate the event as a City-sponsored event where the possession and consumption of alcohol would be permitted. The designation must be granted annually and expires at the conclusion of the event and can be limited to all or a portion of Harry Myers Park. As with all previous Founders Day Festivals, coordination and planning has already begun with the police and fire departments.

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April 21, 2019

Dear Mayor Jim Pruitt and Council Members,

May is National Older Americans Month, a federally proclaimed annual celebration. Meals on Wheels Senior Services are honoring Rockwall County seniors, programs, and volunteers serving our elderly community. The National Theme this Year is: **Connect, Create and Contribute!!** Enclosed is the information from the Federal Website. Please submit two nominees for an award for an outstanding senior who is making a difference in the senior community. Please call the office at:

972-771-9514 or send e-mail to:  
rockwallmow@hotmail.com

We are having the proclamations and awards presented at a reception on Friday, May 24th, 1:00p.m. at the Divine Peace Church Fellowship Hall, 203 Fannin Street, Rockwall, TX 75087. Thank you for your time! The Seniors of Rockwall County really appreciate all your efforts.

Sincerely,

  
Margie VerHagen  
Executive Director

## OLDER AMERICANS MONTH 2019: CONNECT, CREATE, CONTRIBUTE

Each year, more and more older adults are making a positive impact in and around Rockwall County. As volunteers, employees, employers, educators, mentors, advocates, and more, they offer insight and experience that benefit the entire community. That's why Older Americans Month (OAM) has been recognizing the contributions of this growing population for 56 years.

Led by the [Administration for Community Living](#) (ACL) each May, OAM provides resources to help older Americans stay healthy and independent, and resources to help communities support and celebrate their diversity.

This year's OAM theme, *Connect, Create, Contribute*, encourages older adults and their communities to:

- **Connect** with friends, family, and local services and resources.
- **Create** through activities that promote learning, health, and personal enrichment.
- **Contribute** time, talent, and life experience to benefit others.

Meals on Wheels Senior Services will celebrate OAM by promoting ways that community members of *all* ages can take part in helping Rockwall County thrive. We encourage you to:

Communities that support and recognize older adults are stronger! Join us in strengthening our community – this May and throughout the year. Visit the official [OAM website](#) for ideas and inspiration, and follow ACL on [Twitter](#) and [Facebook](#).

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City of Rockwall  
*The New Horizon*

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# **Building Inspections Department Monthly Report**

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## **March 2019**

### **Permits**

**Total Permits Issued: 316**

Building Permits: 73

Contractor Permits: 243

**Total Permit Values: \$ 15,038,209.73**

Building Permits: \$11,727,980.60    Contractor Permits: \$3,310,229.13

**Total Fees Collected: \$288,576.03**

Building Permits: \$269,872.53

Contractor Permits: \$18,703.50

### **Board of Adjustment**

**Board of Adjustment Cases**

**2**



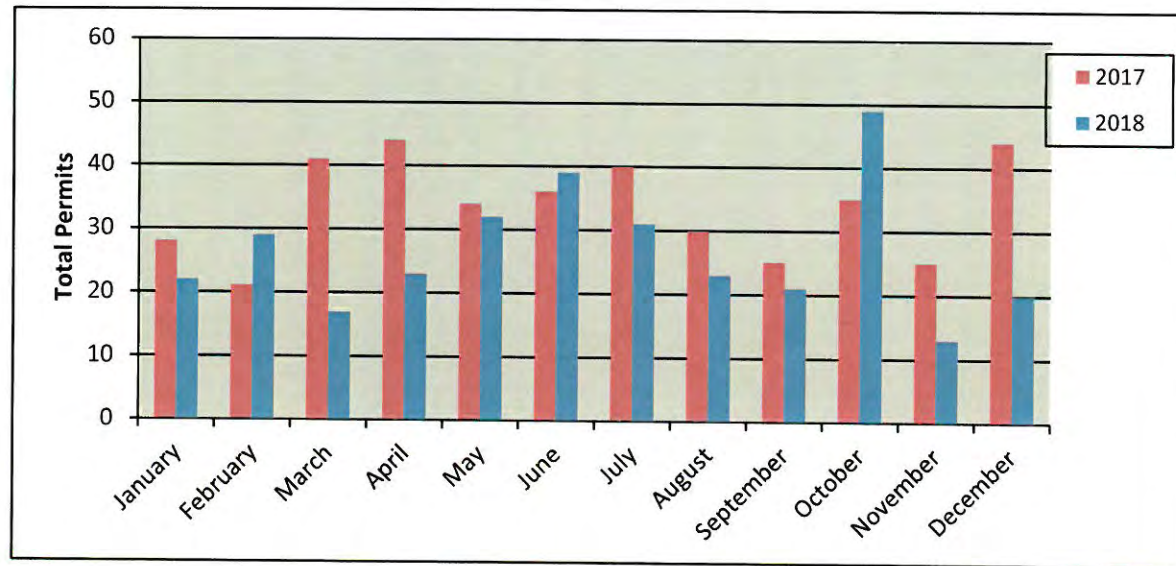
City of Rockwall  
**PERMITS ISSUED - Summary by Type and Subtype**  
For the Period 3/1/2019 thru 3/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	\$0.00	\$151.00
	2	\$0.00	\$101.00
30 DAY BANNER	1	\$0.00	\$50.00
CO	11	\$0.00	\$829.50
BUSINESS	4	\$0.00	\$301.50
INTERIOR	5	\$0.00	\$376.50
NEW CONSTRUCTION	1	\$0.00	\$75.00
SHELL	1	\$0.00	\$76.50
COMM	23	\$1,813,765.60	\$9,997.27
ELECTRICAL	1	\$50,000.00	\$1,122.00
FENCE	2	\$17,000.00	\$70.70
INTERIOR COMP	1	\$285,000.00	\$2,235.08
IRRIGATION	2	\$8,350.00	\$71.40
MECHANICAL	1	\$40,000.00	\$565.34
MISCELLANEOUS	1	\$5,246.60	\$35.70
PLUMBING	5	\$5,200.00	\$261.23
REMODEL	7	\$624,000.00	\$5,528.72
ROOF	3	\$778,969.00	\$107.10
MISCELLANEOUS	3	\$0.00	\$0.00
ELECTRICAL	3	\$0.00	\$0.00
NONPROFIT SIGN	1	\$0.00	\$0.00
	1	\$0.00	\$0.00
SIGNAGE	11	\$312,339.50	\$834.00
DEVELOPMENT	1	\$1,439.50	\$76.50
WALL	10	\$310,900.00	\$757.50
SINGLE FAMILY	253	\$12,912,104.63	\$276,259.01
ACC BLDG	6	\$100,582.00	\$1,529.40
ADDITION	2	\$141,000.00	\$1,444.91
CONCRETE	6	\$12,900.00	\$517.05
ELECTRICAL	6	\$45,842.50	\$1,042.72
FENCE	34	\$101,100.00	\$1,204.00
IRRIGATION	26	\$61,300.00	\$927.50
MECHANICAL	17	\$199,702.00	\$3,805.97
NEW	45	\$10,294,717.00	\$255,441.72
PATIO COVER	8	\$197,835.00	\$2,663.33
PLUMBING	36	\$71,757.57	\$2,678.64
REMODEL	3	\$79,600.00	\$993.67
RETAINING WALL	3	\$27,000.00	\$106.40
ROOF	41	\$662,795.94	\$1,460.90
SWIM POOL	15	\$891,936.23	\$2,265.00
WINDOWS	5	\$24,036.39	\$177.80
SPECIAL EVENT	11	\$0.00	\$505.25
	11	\$0.00	\$505.25
Totals:	316	\$15,038,209.73	\$288,576.03

## New Residential Permits

## Calendar Year

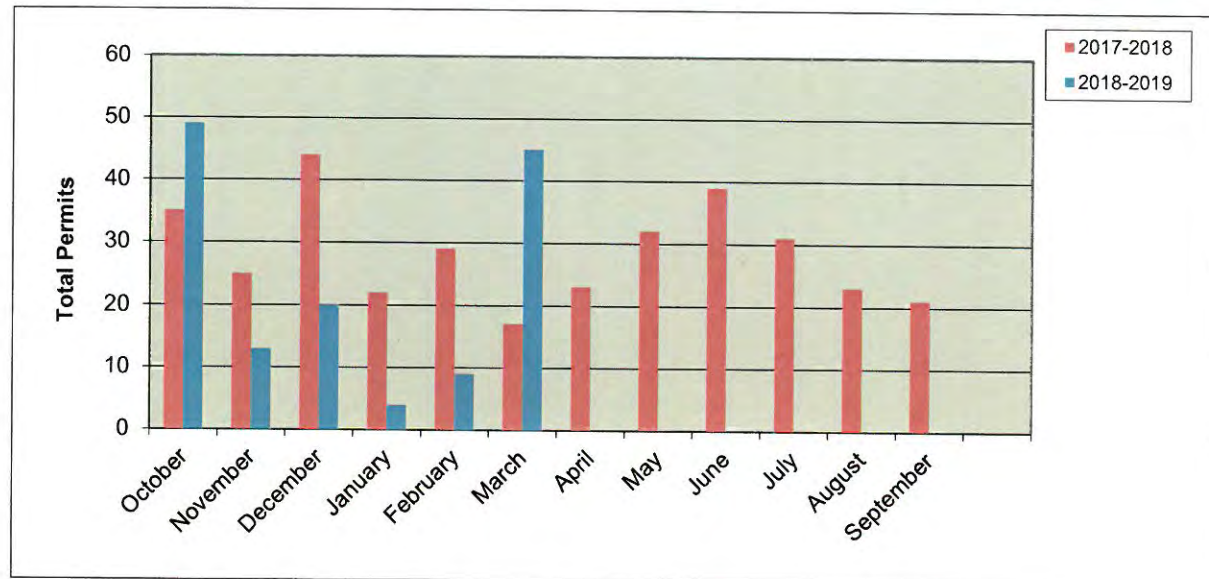
Year		
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
<b>Totals</b>	<b>403</b>	<b>319</b>



## New Residential Permits

## Fiscal Year

Year		
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	
May	32	
June	39	
July	31	
August	23	
September	21	
<b>Totals</b>	<b>341</b>	<b>140</b>

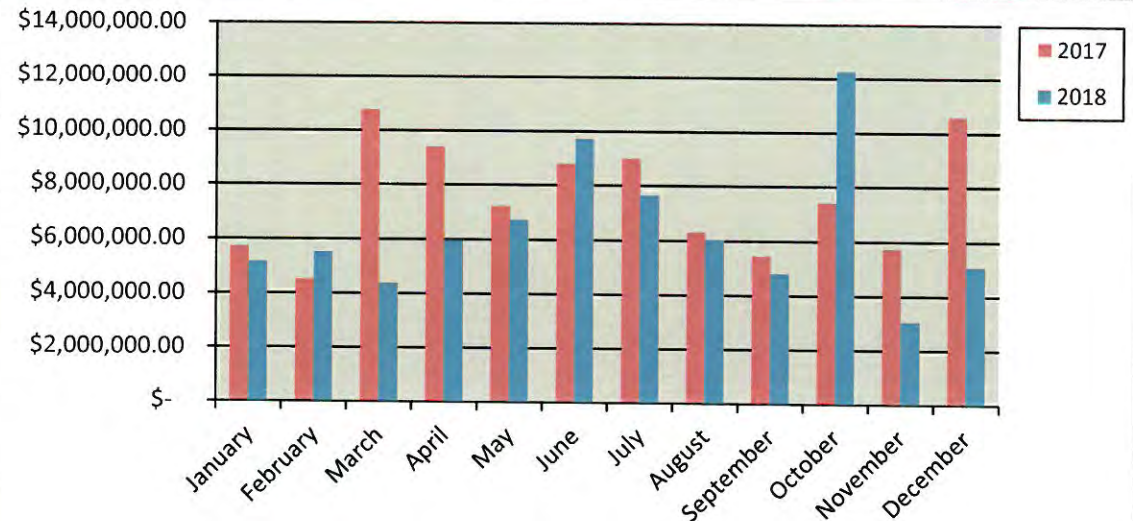




## New Residential Value

## Calendar Year

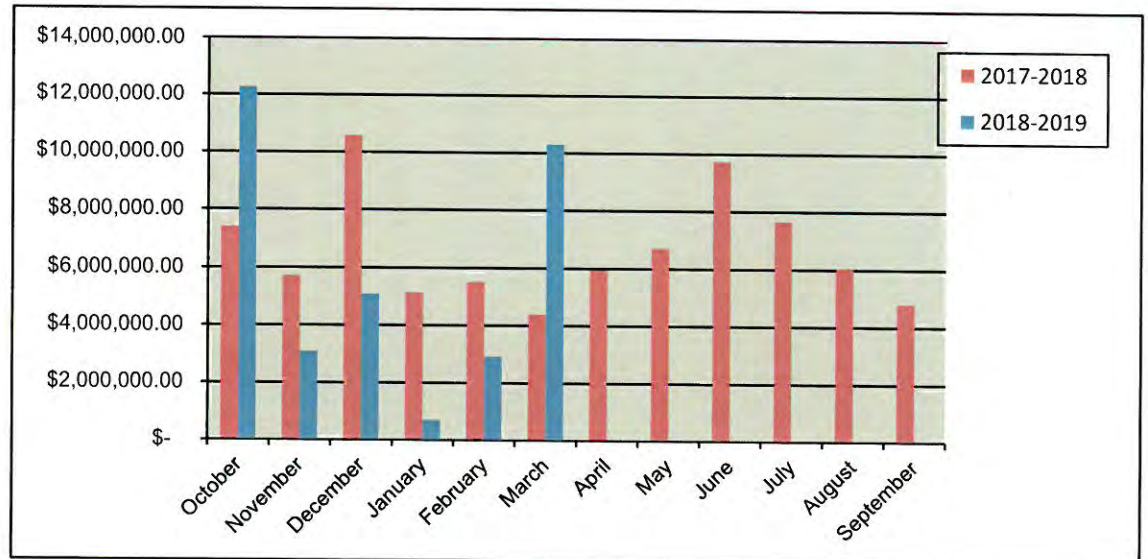
Year		
	2017	2018
January	\$ 5,698,431.00	\$ 5,145,624.00
February	\$ 4,497,500.00	\$ 5,505,704.00
March	\$ 10,740,233.00	\$ 4,374,886.00
April	\$ 9,394,785.27	\$ 5,946,813.00
May	\$ 7,210,632.79	\$ 6,706,301.00
June	\$ 8,782,481.00	\$ 9,728,069.00
July	\$ 8,983,999.47	\$ 7,660,917.00
August	\$ 6,295,770.00	\$ 6,049,208.00
September	\$ 5,443,098.00	\$ 4,799,404.00
October	\$ 7,402,565.06	\$ 12,263,973.00
November	\$ 5,722,063.00	\$ 3,064,499.00
December	\$ 10,576,719.30	\$ 5,072,758.00
<b>Totals</b>	<b>\$ 90,748,277.89</b>	<b>\$ 76,318,156.00</b>



## New Residential Value

## Fiscal Year

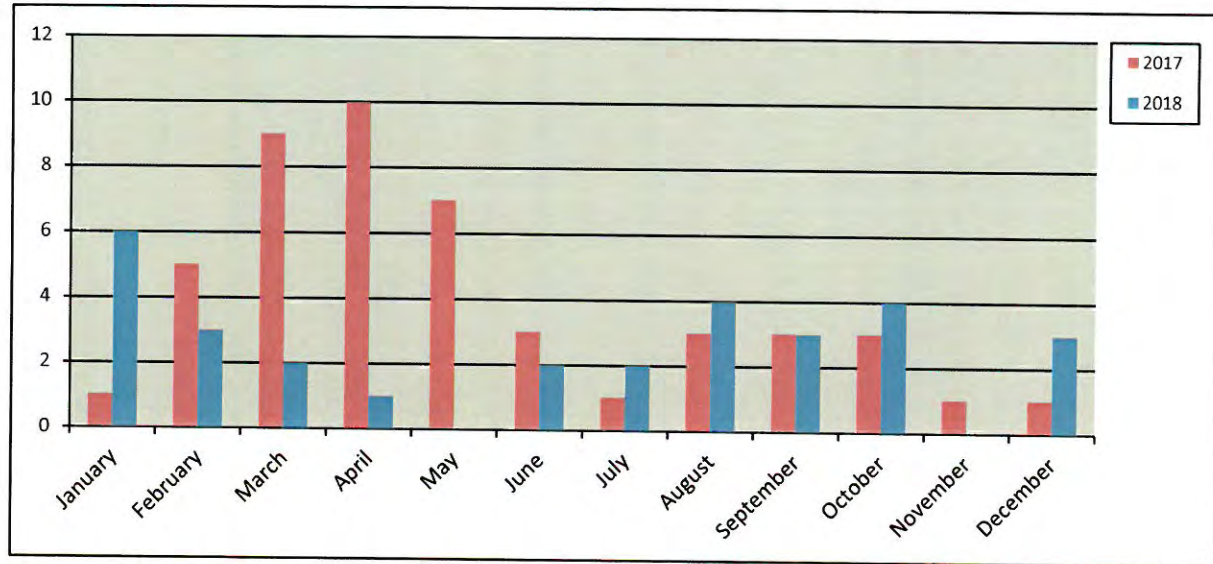
Year		
	2017-2018	2018-2019
October	\$ 7,402,565.06	\$ 12,263,973.00
November	\$ 5,722,063.00	\$ 3,064,499.00
December	\$ 10,576,719.30	\$ 5,072,758.00
January	\$ 5,145,624.00	\$ 681,618.00
February	\$ 5,505,704.00	\$ 2,897,344.85
March	\$ 4,374,886.00	\$ 10,294,717.00
April	\$ 5,946,813.00	
May	\$ 6,706,301.00	
June	\$ 9,728,069.00	
July	\$ 7,660,917.00	
August	\$ 6,049,208.00	
September	\$ 4,799,404.00	
<b>Totals</b>	<b>\$79,618,273.36</b>	<b>\$ 34,274,909.85</b>



## Residential Remodel Permits

## Calendar Year

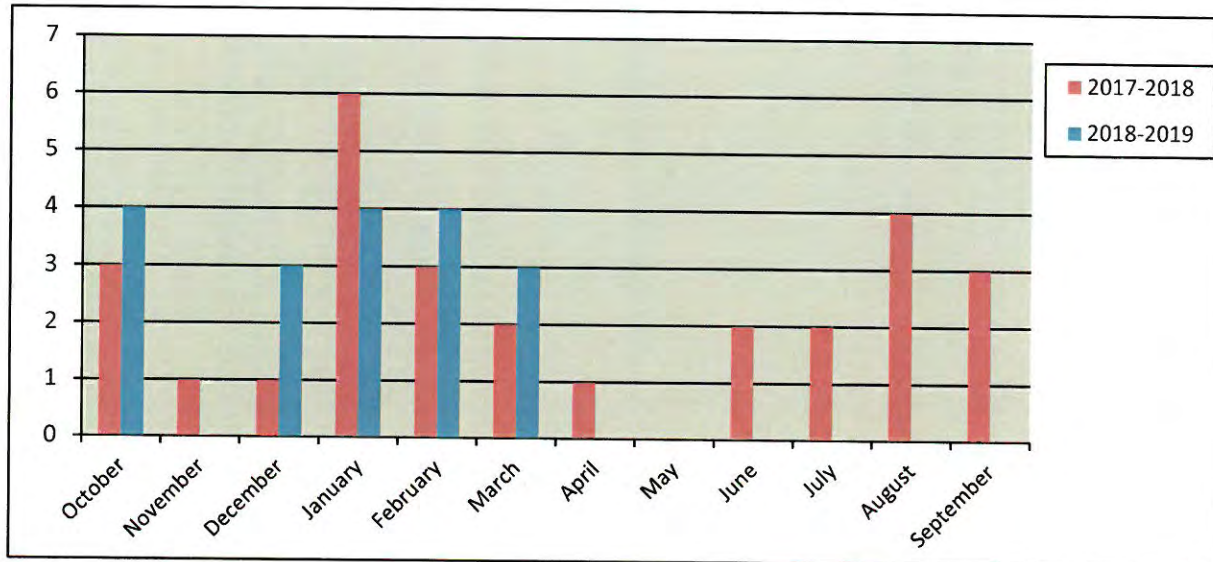
Year		
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
<b>Totals</b>	<b>47</b>	<b>30</b>



## Residential Remodel Permits

## Fiscal Year

Year		
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	
May	0	
June	2	
July	2	
August	4	
September	3	
<b>Totals</b>	<b>28</b>	<b>18</b>

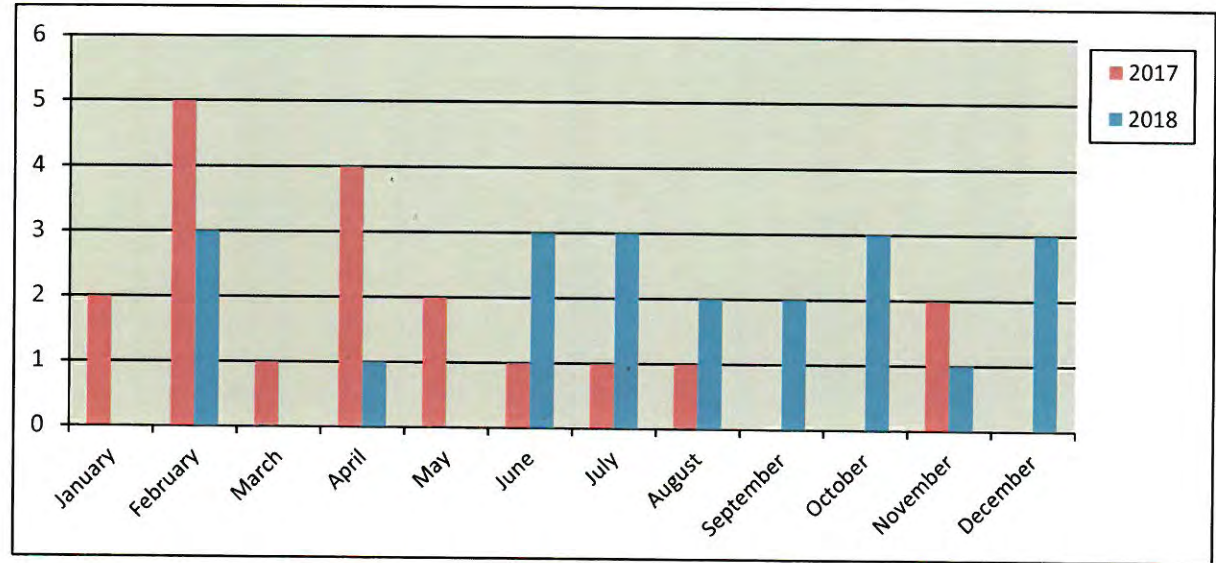




## New Commercial Permits

## Calendar Year

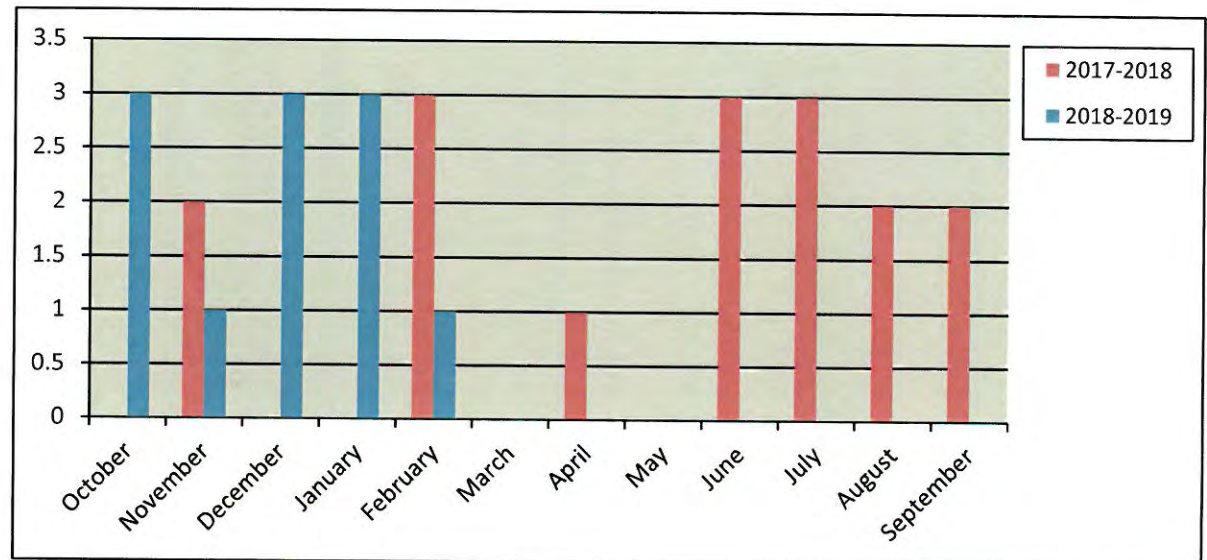
Year		
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
<b>Totals</b>	<b>19</b>	<b>21</b>



## New Commercial Permits

## Fiscal Year

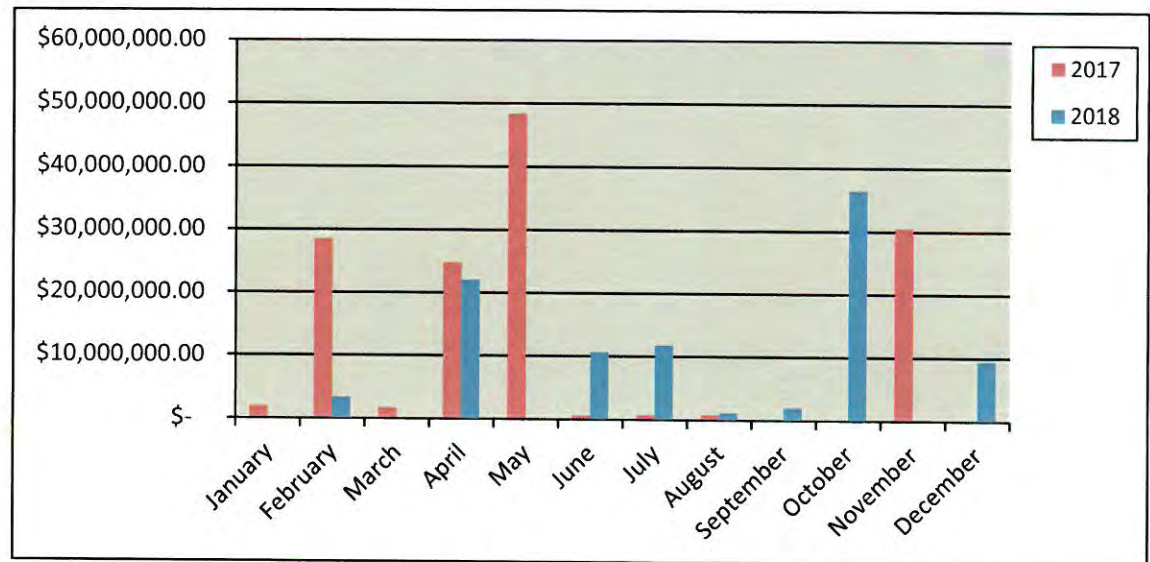
Year		
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	
May	0	
June	3	
July	3	
August	2	
September	2	
<b>Totals</b>	<b>16</b>	<b>11</b>



## New Commercial Value

## Calendar Year

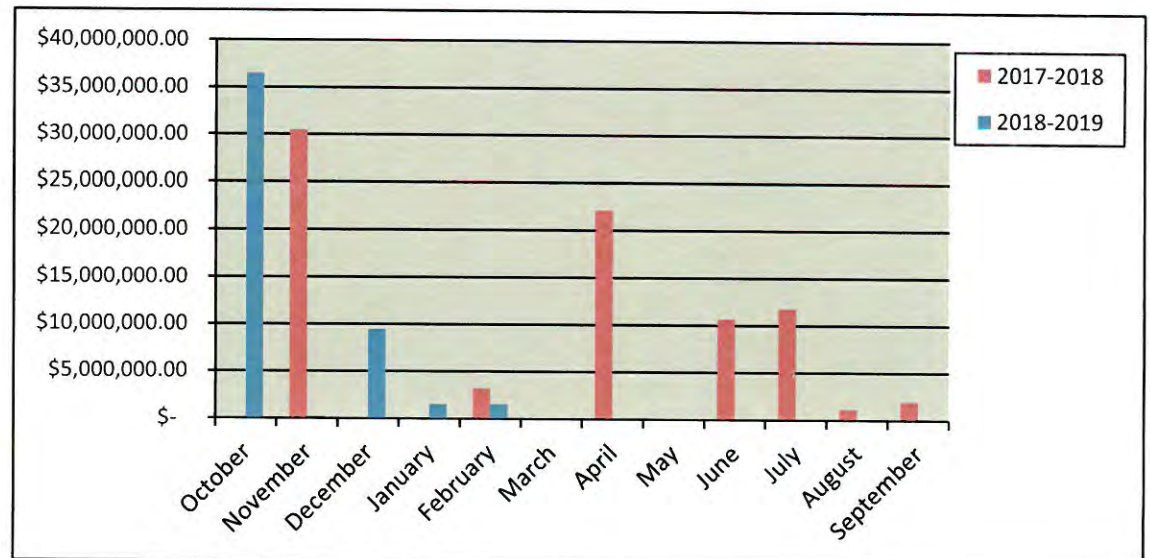
Year		
	2017	2018
January	\$ 1,800,000.00	-
February	\$ 28,400,000.00	\$ 3,221,771.00
March	\$ 1,599,026.00	-
April	\$ 24,650,000.00	\$ 22,000,000.00
May	\$ 48,300,000.00	-
June	\$ 569,400.00	\$ 10,602,430.88
July	\$ 700,000.00	\$ 11,712,500.00
August	\$ 726,506.00	\$ 1,111,950.00
September	-	\$ 1,930,813.00
October	-	\$ 36,425,000.00
November	\$ 30,390,000.00	\$ 180,000.00
December	-	\$ 9,427,800.00
<b>Totals</b>	<b>\$ 137,134,932.00</b>	<b>\$ 96,612,264.88</b>



## New Commercial Value

## Fiscal Year

Year		
	2017-2018	2018-2019
October	-	\$ 36,425,000.00
November	\$ 30,390,000.00	\$ 180,000.00
December	-	\$ 9,427,800.00
January	-	\$ 1,530,000.00
February	\$ 3,221,771.00	\$ 1,500,000.00
March	-	-
April	\$ 22,000,000.00	
May	-	
June	\$ 10,602,430.88	
July	\$ 11,712,500.00	
August	\$ 1,111,950.00	
September	\$ 1,930,813.00	
<b>Totals</b>	<b>\$ 80,969,464.88</b>	<b>\$ 49,062,800.00</b>

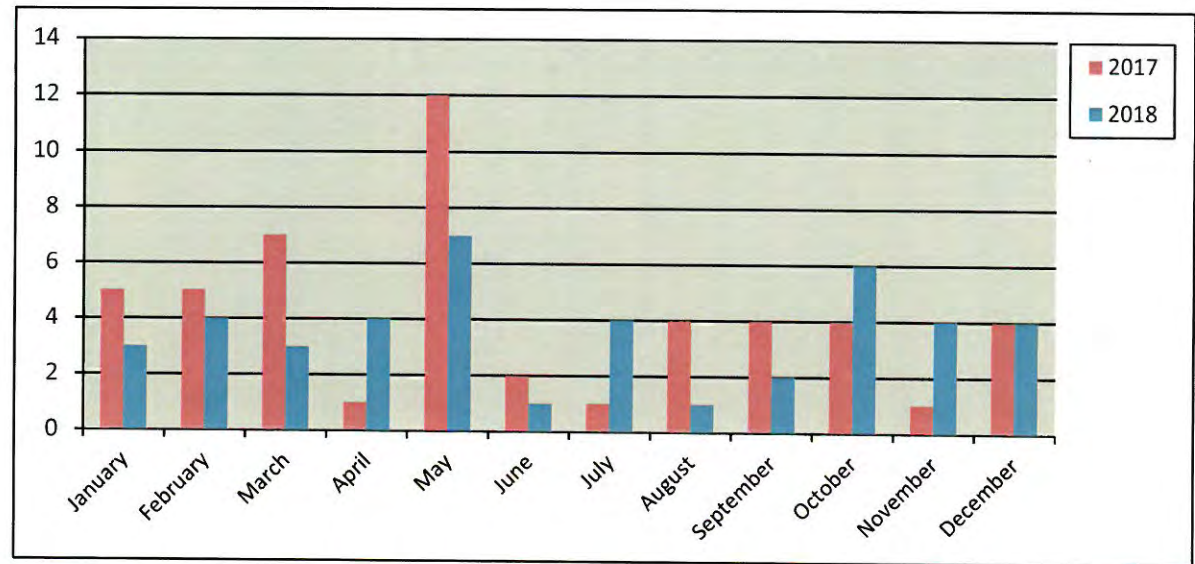




## Commercial Remodel Permits

## Calendar Year

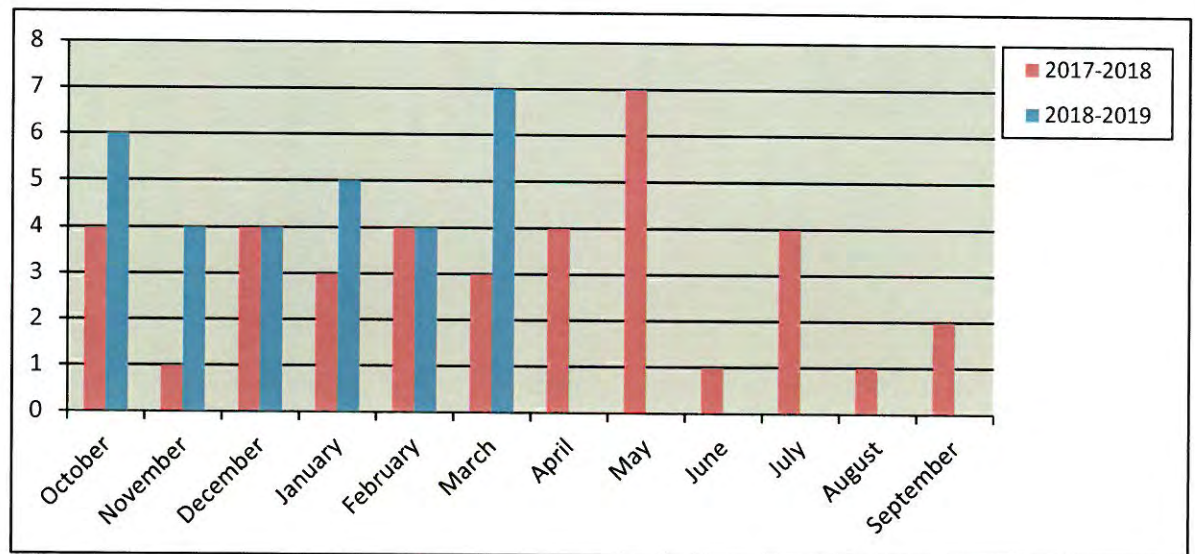
Year		
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
<b>Totals</b>	<b>50</b>	<b>43</b>



## Commercial Remodel Permits

## Fiscal Year

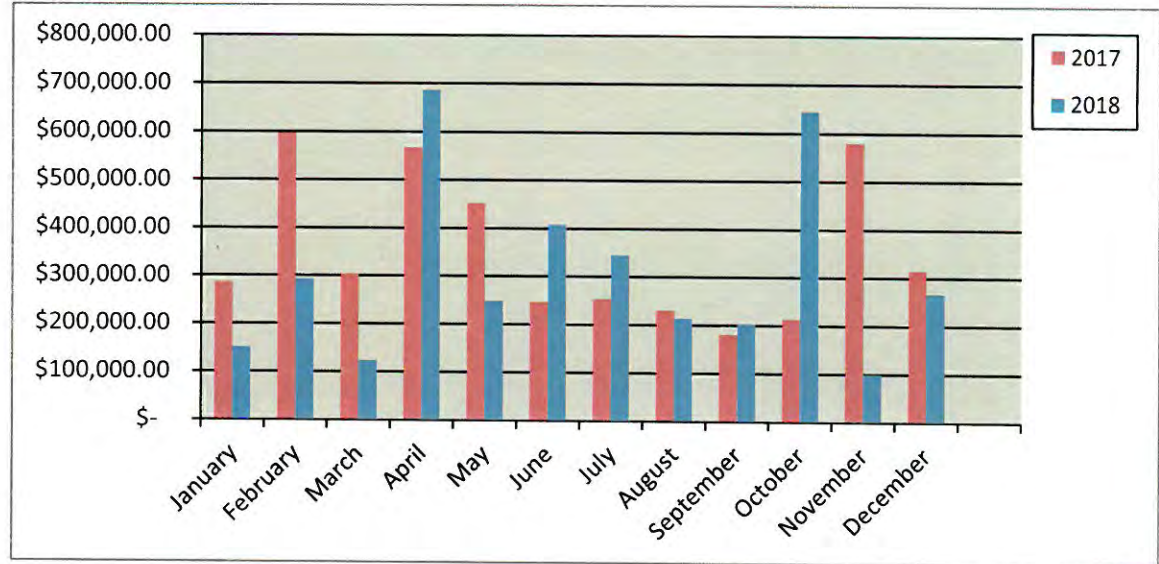
Year		
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	
May	7	
June	1	
July	4	
August	1	
September	2	
<b>Totals</b>	<b>38</b>	<b>30</b>



## Total Fees Collected

## Calendar Year

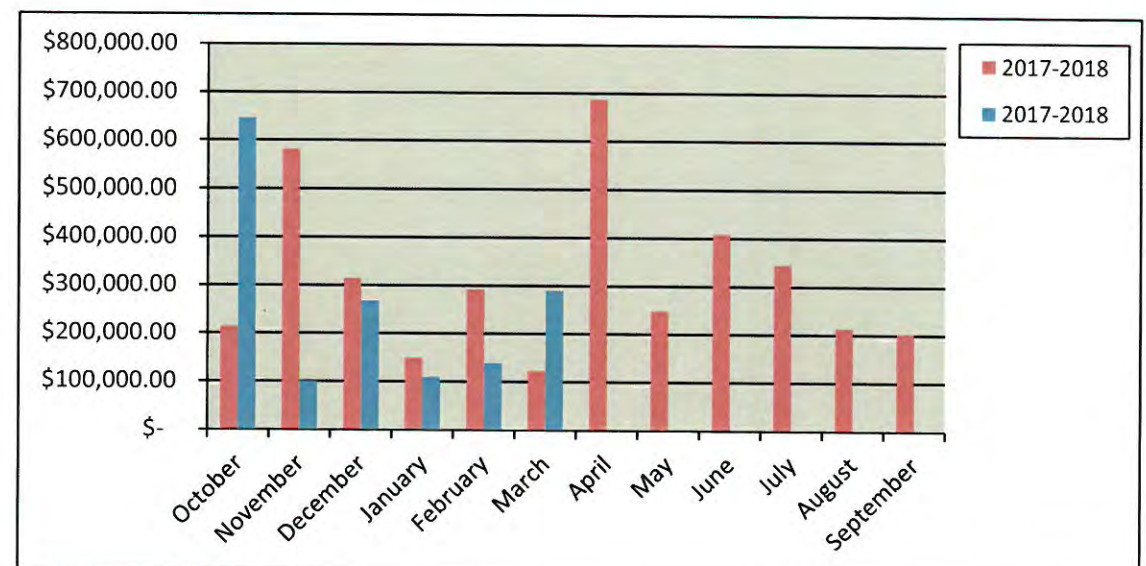
Year		
	2017	2018
January	\$ 284,774.34	\$ 149,088.54
February	\$ 595,848.26	\$ 291,324.78
March	\$ 302,406.79	\$ 122,271.28
April	\$ 566,291.24	\$ 686,154.89
May	\$ 451,389.66	\$ 247,465.55
June	\$ 244,930.08	\$ 406,799.91
July	\$ 252,374.52	\$ 343,682.23
August	\$ 229,266.56	\$ 212,643.16
September	\$ 180,561.41	\$ 201,855.47
October	\$ 212,560.59	\$ 645,511.95
November	\$ 579,208.80	\$ 99,983.92
December	\$ 313,423.19	\$ 266,328.43
<b>Totals</b>	<b>\$ 4,213,035.44</b>	<b>\$ 3,673,110.11</b>



## Total Fees Collected

## Fiscal Year

Year		
	2017-2018	2017-2018
October	\$ 212,560.59	\$ 645,511.95
November	\$ 579,208.80	\$ 99,983.92
December	\$ 313,423.19	\$ 266,328.43
January	\$ 149,088.54	\$ 108,325.23
February	\$ 291,324.78	\$ 137,260.79
March	\$ 122,271.28	\$ 288,576.03
April	\$ 686,154.89	
May	\$ 247,465.55	
June	\$ 406,799.91	
July	\$ 343,682.23	
August	\$ 212,643.16	
September	\$ 201,855.47	
<b>Totals</b>	<b>\$ 3,766,478.39</b>	<b>\$ 1,545,986.35</b>





**City of Rockwall**  
**PERMITS ISSUED**  
**For the Period 3/1/2019 thru 3/31/2019**

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2018-0043	CO	2268 Lakeshore Dr. N 104	0.00	76.50	76.50
04/04/2018	INTERIOR	0124-0000-0008-04-0R			
03/06/2019	Active	Ideal Dental Rockwall			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	MedTech Construction, Inc.	P.O. Box 2497, Rockwall, TX 75087	(972) 226-3332
BUS OWNER	Deca Dental Grp.	12770 Merit Dr., Dallas, TX 75251	(972) 361-0600
CONTRACTOR	MedTech Construction, Inc.	P.O. Box 2497, Rockwall, TX 75087	(972) 226-3332
ELEC CONTR	Big Sky Electric	P. O. BOX 2558, Rockwall, TX 75032	(214) 729-4080
INSP RPT EMAIL	MedTech Construction, Inc.	P.O. Box 2497, Rockwall, TX 75087	(972) 226-3332
MECH CONTR	WILLARD HEATING & A/C	207 E US Hwy 80, Forney, TX 75126	(972) 564-9785
OWNER	ARKOMA, DEVELOPMENT, ROCKWALL, TX 75087		
PLB CONTR	BACON PLUMBING	295 RANCH TRAIL, ROCKWALL, TX 75087	(972) 722-4006

CO2019-0021	CO	2020 Industrial	0.00	75.00	75.00
01/28/2019	BUSINESS	4824-0000-0002-00-0R			
03/14/2019	Active	Warehouse-Pro			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Billy Self	1830 IH 30, ROCKWALL, TX 75087	(800) 706-5202
BUS OWNER	Billy Self	1830 IH 30, Rockwall, TX 75087	(800) 706-5202
OWNER	Rockwall Steel Co, Inc.	PO Box 159, ROCKWALL, TX 75087	(214) 545-5400

CO2019-0022	CO	106 N San Jacinto St	0.00	76.50	76.50
01/30/2019	BUSINESS	4820-000K-0005-B0-0R			
03/25/2019	Active	Ava Rey			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Susan Grove	603 Amelia Ct., ROCKWALL, TX 75087	(219) 670-7960
BUS OWNER	Susan Grove	106 N San Jacinto, ROCKWALL, TX 75087	(219) 670-7960
OWNER	JS2 Properties LLC	1717 Main St. Suite 2950, Dallas, TX 75201	(214) 673-9418

CO2019-0025	CO	1945 N Goliad St.	0.00	75.00	75.00
02/19/2019	NEW CONSTRUCTION	0124-0000-0008-04-0R			
03/04/2019	Active	Starbucks			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	GSO Architects	5310 Harvest Hill Rd, Dallas, TX 75230	(972) 392-6017
BUS OWNER	Tabitha Sherman	1945 N Goliad St., Rockwall, TX 75087	(972) 383-5608
CONTRACTOR	DBGC LLC	410 Glencrest Cir., Coppell, TX 75019	(972) 998-0329
ELEC CONTR	Puckett Electric Co, Inc.	2602 Industrial Ln., Garland, TX 75041	(972) 864-0020
INSP RPT EMAIL	DBGC LLC	410 Glencrest Cir., Coppell, TX 75019	(972) 998-0329
MECH CONTR	N/A		
OWNER	ARKOMA, DEVELOPMENT, ROCKWALL, TX 75087		
PLB CONTR	BACON PLUMBING	295 RANCH TRAIL, ROCKWALL, TX 75087	(972) 722-4006

**City of Rockwall**  
**PERMITS ISSUED**  
**For the Period 3/1/2019 thru 3/31/2019**

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2019-0028	CO	3301 N Goliad St 109	0.00	75.00	75.00
02/25/2019	INTERIOR	0030-0000-0004-01-OR			
03/22/2019	Active	TSO Rockwall			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Reid Robertson	3301 N. Goliad St. #109, ROCKWALL, TX 75087	(432) 230-5615
BUSINESS	TSO Rockwall	3301 N. Goliad St.. #109, Rockwall, TX 75087-7194	(972) 430-9977
OWNER	Emersons Commercial Real E	17776 Preston Rd. Suite 100, Dallas, TX 75252	(972) 738-0122

CO2019-0029	CO	3201 Capital Blvd.	0.00	76.50	76.50
02/27/2019	SHELL	0125-0000-0002-01-OR			
03/13/2019	Active	Lollicup USA Inc. ( SHELL CO )			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Alan Yu	6185 Kimball Ave., Chino, CA 91708	(626) 965-8882
OWNER	HITT, FAMILY LIMITED P/	, ROCKWALL, TX 75032	

CO2019-0030	CO	709 Rusk St W B	0.00	75.00	75.00
03/05/2019	INTERIOR	5120-0000-0001-00-OR			
03/08/2019	Active	Ray Hubbard Postal Center			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Tracey Partridge	285 Ole Wagon Road, Quinlan, TX 75474	(972) 771-3677
BUS OWNER	Tracey Partridge	709 Rusk St W , B, Rockwall, TX 75087	(972) 771-3677
OWNER	KARAMAND, LP	, ROCKWALL, TX 75087	

CO2019-0032	CO	1520 IH 30 E	0.00	75.00	75.00
03/07/2019	BUSINESS	0024-0000-0004-04-OR			
03/28/2019	Active	M & P Concrete, LLC			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Michael Mershawn	1520 IH 30 E, ROCKWALL, TX 75087	(214) 500-6603
BUS OWNER	Michael Mershawn	1520 IH 30 E, ROCKWALL, TX 75087	(214) 500-6603
BUSINESS	M & P Concrete, LLC	1520 IH 30 E, ROCKWALL, TX 75087	(214) 500-6603
OWNER	Rockwall Credit Services, LL	PO Box 1870, Rockwall, TX 75087	(972) 771-1522

CO2019-0033	CO	2091 Summer Lee Dr 111	0.00	75.00	75.00
03/08/2019	BUSINESS	3809-000A-0002-00-OR			
03/18/2019	Active	Giovanni			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Argon Dika	250 Convention Dr. # 725, Fairview, TX 75225	(469) 769-1968
BUS OWNER	Argon Dika	2091 Summer Lee Dr. 111, Rockwall, TX 75032	(469) 769-1968
OWNER	MARIAH, BAY DEVELOPN	, ROCKWALL, TX 75087-0369	



**City of Rockwall**  
**PERMITS ISSUED**  
**For the Period 3/1/2019 thru 3/31/2019**

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0036	CO	3201 Capital Blvd.	0.00	75.00	75.00
03/14/2019	INTERIOR	0125-0000-0002-01-0R			
03/29/2019	Active	Lollicup USA Inc.			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Alan Yu	6185 Kimball Ave., Chino, CA 91708	(626) 965-8882
BUSINESS	Lollicup USA Inc.	3201 Capital Blvd., Rockwall, TX 75032	(469) 421-1400
OWNER	Global Well Investment Gro	6185 Kimbell Ave, Chino, CA 91708	(626) 965-8882

CO2019-0037	CO	104 E Rusk	0.00	75.00	75.00
03/15/2019	INTERIOR	4820-000M-0004-00-0R			
03/19/2019	Active	Ami Kristin Studio			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Ami Pitre	104 E Rusk St., Rockwall, TX 75087	(972) 597-0003
BUS OWNER	Ami Pitre	104 E Rusk St., Rockwall, TX 75087	(972) 597-0003
OWNER	HENDRICKS, BARBARA S	, ROCKWALL, TX 75032	

<b>Total Valuation:</b>	<b>0.00</b>
<b>Total Fees:</b>	<b>829.50</b>
<b>Total Fees Paid:</b>	<b>829.50</b>

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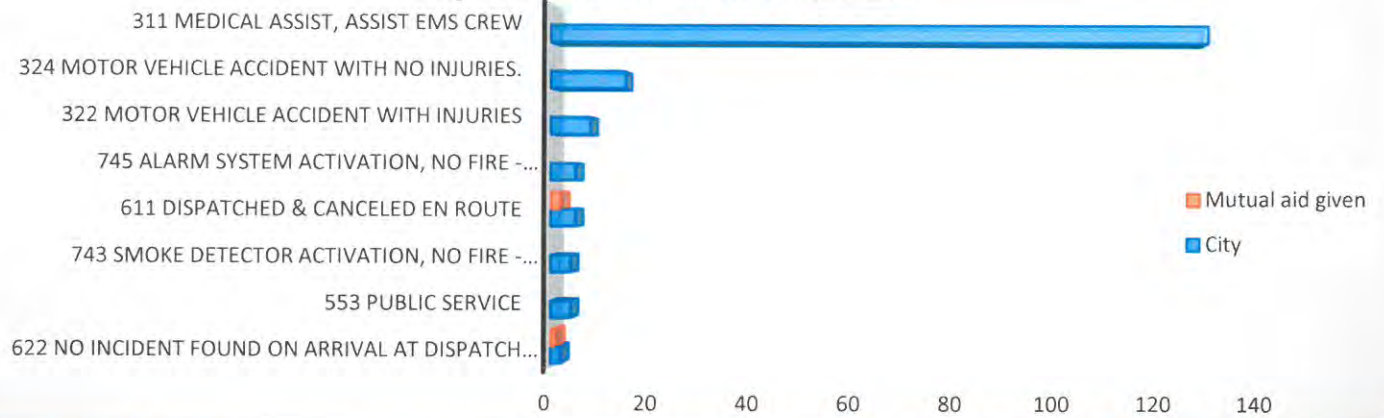




**ROCKWALL FIRE  
DEPARTMENT**

Monthly Report  
March 2019

## Top 10 Calls March 2019

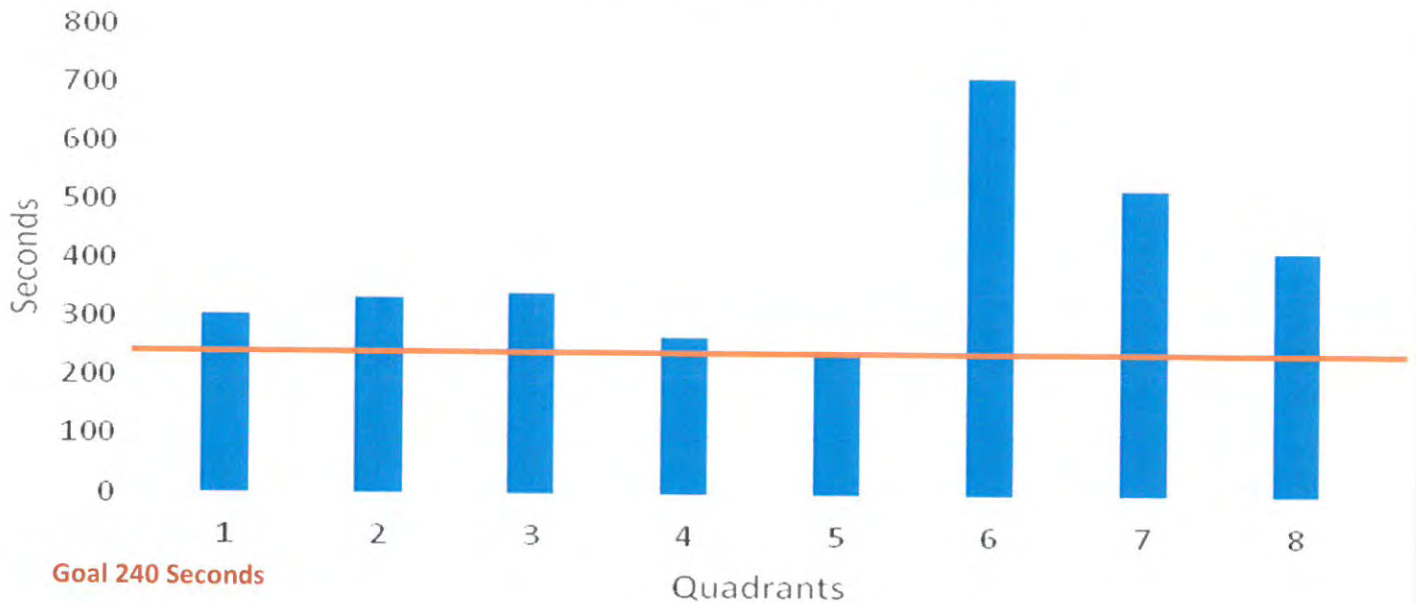


March 2019- All Calls		
Situation Type	Mutual aid given	City
111 Building fire	1	3
311 Medical assist, assist EMS crew		132
322 Motor vehicle accident with injuries		8
412 Gas leak (natural gas or LPG)		6
611 Dispatched & canceled en route	2	5
622 No incident found on arrival at dispatch address	1	2
733 Smoke detector activation due to malfunction		10
735 Alarm system sounded due to malfunction		6
743 Smoke detector activation, no fire - unintentional		4
745 Alarm system activation, no fire - unintentional		5
411 Gasoline or other flammable liquid spill		1
131 Passenger vehicle fire (cars, pickups, SUV's)		1
651 Smoke scare, odor of smoke		3
324 Motor vehicle accident with no injuries.		15
671 HazMat release investigation w/no HazMat		2
154 Dumpster or other outside trash receptacle fire		1
444 Power line down		1
522 Water or steam leak		1
550 Smoke Detector Battery Change/Install		15
553 Public service		4
715 Local alarm system, malicious false alarm		2
736 CO detector activation due to malfunction		1
113 Cooking fire, confined to container		1
142 Brush or brush-and-grass mixture fire		1
143 Grass fire		1
151 Outside rubbish, trash or waste fire		2
342 Search for person in water		1
353 Removal of victim(s) from stalled elevator		2
441 Heat from short circuit (wiring), defective/worn		1
460 Accident, potential accident, other		2
510 Person in distress, other		1
550 Public service assistance, other		1
600 Good intent call, other		1
653 Smoke from barbecue, tar kettle		1
700 False alarm or false call, other		1
741 Sprinkler activation, no fire - unintentional		5
742 Extinguishing system activation		2
744 Detector activation, no fire - unintentional		2
<b>Totals</b>	<b>4</b>	<b>253</b>



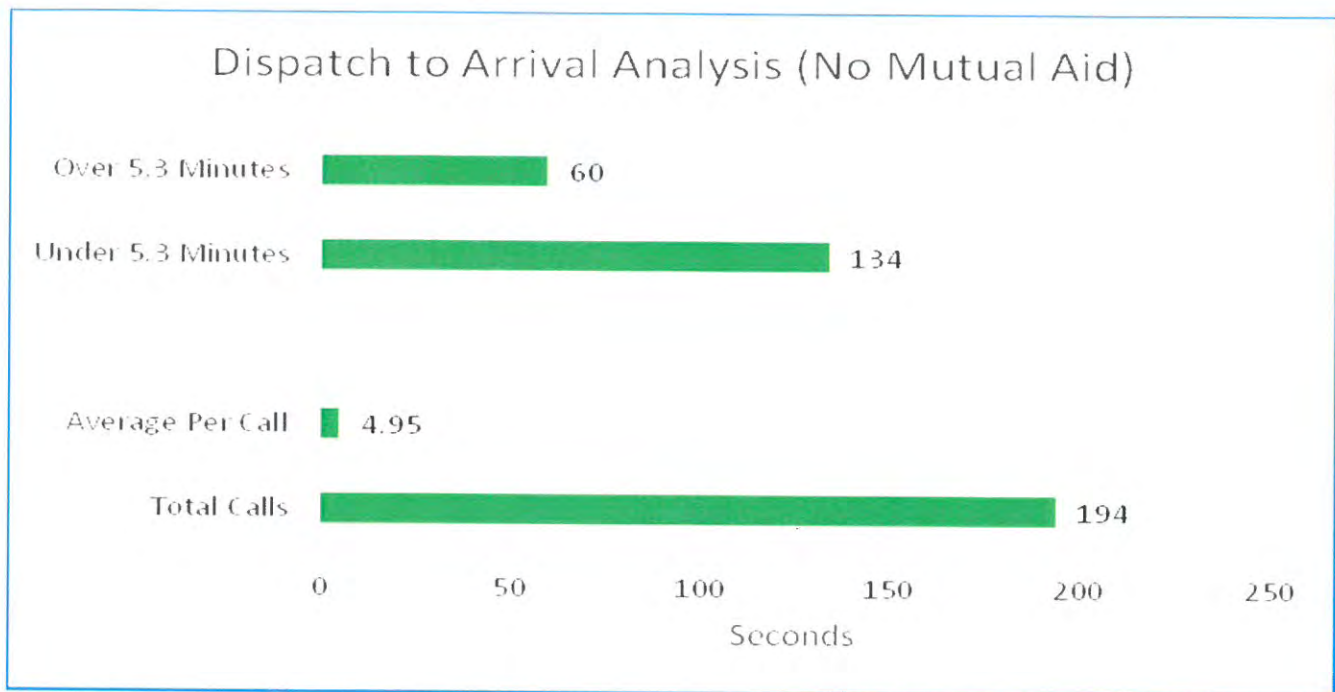
# Travel Time March 2019

## 90% of Calls for March 2019



Travel Time Analysis- <i>By District</i> (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls					
	<u>100s</u>					
81%	On Scene in	4.0	minutes or less	54	3.12	27.84%
	<u>200s</u>					
80%	On Scene in	4.0	minutes or less	59	3.30	30.41%
	<u>300s</u>					
65%	On Scene in	4.0	minutes or less	31	3.63	15.98%
	<u>400s</u>					
80%	On Scene in	4.0	minutes or less	30	3.45	15.46%
	500s					
67%	On Scene in	4.0	minutes or less	3	3.36	1.55%
	600s					
0%	On Scene in	4.0	minutes or less	6	8.27	3.09%
	700s					
13%	On Scene in	4.0	minutes or less	8	5.90	4.12%
	800s					
0%	On Scene in	4.0	minutes or less	3	6.38	1.55%
	900s					
	On Scene in	4.0	minutes or less	0		
155 Total Calls				194		155

## March Dispatch to Arrival Analysis



<u><b>Dispatch to Arrival Analysis-(No Mutual Aid)</b></u>				<b>Total Calls</b>
66%	On Scene in	5.3	minutes or less	134
77%	On Scene in	6.0	minutes or less	163
85%	On Scene in	7.0	minutes or less	166
93%	On Scene in	8.0	minutes or less	182
94%	On Scene in	9.0	minutes or less	184
99%	On Scene in	16.3	minutes or less	194
	Total Calls		194	





City of Rockwall  
*The New Horizon*

# Total Dollar Losses

March 2019

Print Date/Time: 04/23/2019 14:37

Login ID: rockisdean

Layer: All

Areas: All

ORI Number: TX504

Incident Type: All

Station: All

Rockwall Fire Department

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$5,000.00	\$1,000.00	\$0.00	\$10,000.00	\$98,060.00
Total Content Loss:	\$0.00	\$0.00	\$0.00	\$0.00	\$60,236.00
Total Property Pre-Incident Value:	\$232,918.92	\$1,000,000.00	\$0.00	\$3,833,918.92	\$98,060.00
Total Contents Pre-Incident Value	\$139,751.35	\$0.00	\$0.00	\$139,751.35	\$58,836.00
Total Losses:	\$5,000.00	\$1,000.00	\$0.00	\$10,000.00	\$5,000.00
Total Value:	\$372,670.27	\$1,000,000.00	\$0.00	\$3,973,670.27	\$156,896.00



# Fire Marshal Division

## Monthly Report - March 2019

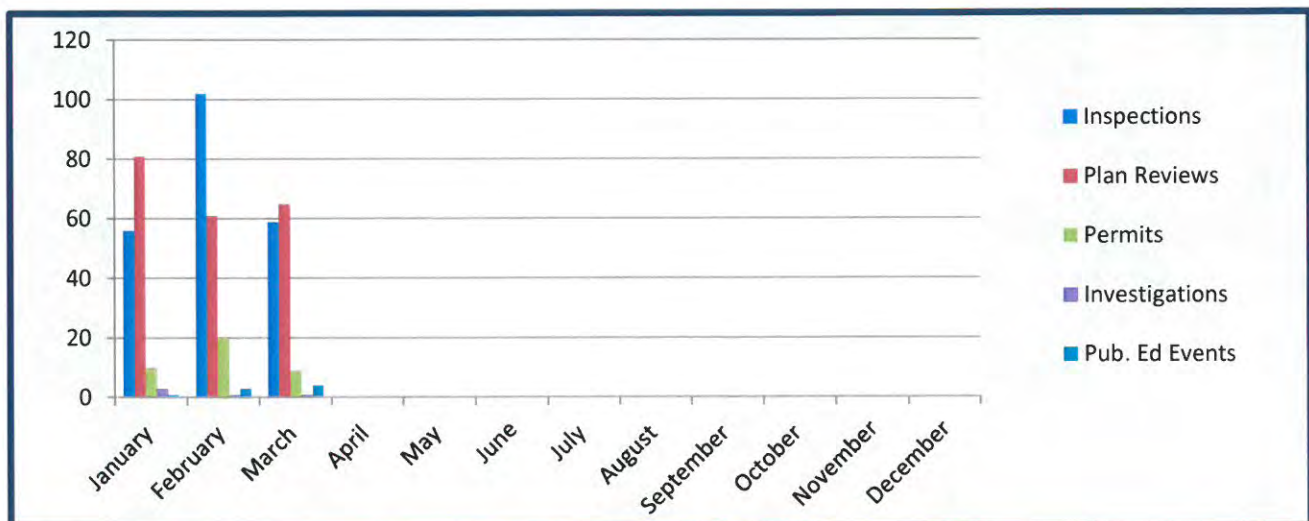
Inspection Status Report	
Finaled Inspections	31
Pending Inspections	28
<b>Total for the Month</b>	<b>59</b>

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	1
<b>Total for the Month</b>	<b>1</b>

Plan Review Report	
CO	11
COMM	29
Engineering	4
Plat	10
Site Plan	2
Single Family	1
Special Event	3
Zoning	5
<b>Total for the Month</b>	<b>65</b>

Fire Permit Report	
Access Control - Doors	1
Fire Alarm	2
Fire Sprinkler	2
Fireworks	1
Kitchen Suppression	1
Special Hazzard	1
Temp Aboveground Tank	1
<b>Total for the Month</b>	<b>9</b>

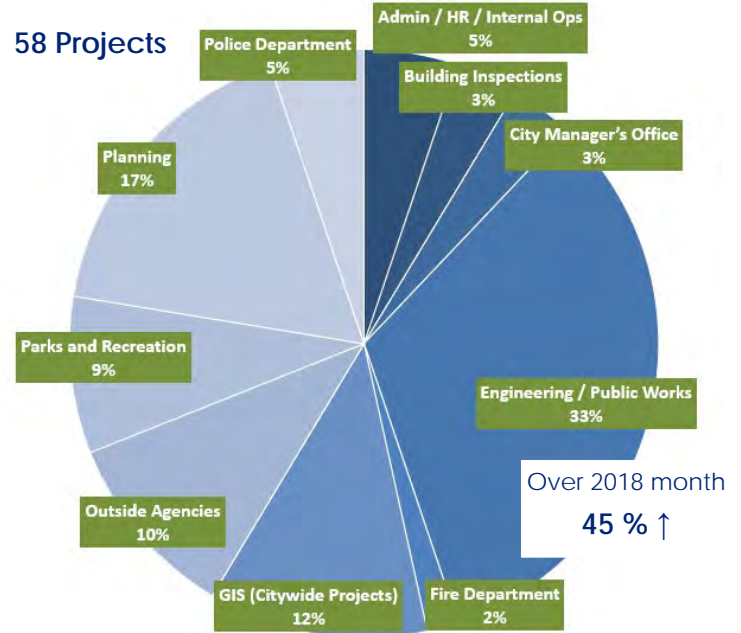
Public Education Events	
<b>Total for the Month</b>	<b>4</b>



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**Key Projects:**

- (1) **Outside Agencies / Citizens.** COG911 changes, NTMWD - Utility data for F&N, BHC data request, Storm Data - Cobb Fendley, Census tract changes, Data request - Jones and Carter
- (2) **Engineering/Public Works.** Ridge Road West mail-out, Russwood mail-out, Alley Closure mail-out X2, Rockwall service area map, West Boydston mail-out, Consultant data information, Lakedale and Lakeshore mail-out, Woodpark mail-out, Signage count, TCEQ meter information, Work order / service request totals, Pressure zone area map, Update utilities, Open records request - Cityworks, Flood management layer updates, City owned vacant land, Outfall count, CityWorks training, Flushing and sample sites
- (3) **Planning Department.** Aluminum Plant Rd exhibit (SPR), Downtown parking lot design, Zoning case property aerial image Comparison, Land Use Assumptions 2019 review, Breezy Hill Road alignment X2, FLU case map, PowerPoint maps, HOA layer and online map, Annexation A2018-005 map, Built-vacant numbers
- (4) **GIS.** 911 Addressing, GPS Technician job opening, Trak-it cases - reconnect, Street Name Issues - Somerset Park, Cityworks PLL contract, New GIS brochure, Meter account linking
- (5) **Police / Fire.** Fire district hydrant calculations, PD Search and Rescue maps, Funeral procession map, Sex offender map 1040 Signal Ridge
- (6) **Admin / Int. Ops..** Fire Station alerting system Street name update, Nash St renaming, Downtown parking spots updates
- (7) **Bldg. Inspections.** Williams St mail-out, South Nash, Nicole and Renee mail-outs
- (8) **City Mangers Office.** Shores crosswalk, City facility planning
- (9) **Parks and Rec.** Parks 10 minute walking analysis, Disc golf points map, 4th of July parade route map, Baseball maps w/Base line lengths, Founders Day vendor map

**Monthly Project Request by Department:**

Admin / HR / Internal Ops	3
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	2
Neighborhood Improvement Services	0
Engineering / Public Works	19
Finance / Utility Billing	0
Fire Department	1
GIS (Citywide Projects)	7
IT	0
Main Street Program	0
Outside Agencies	6
Parks and Recreation	5
Planning	10
Police Department	3
REDC	0
<b>Total</b>	<b>58</b>



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# Rockwall Police Department

## Harbor District Call For Service

March 2019

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CITY OF ROCKWALL  
INTERNAL OPERATIONS DEPARTMENT  
FACILITY MAINTENANCE REQUESTS FOR SERVICE  
MARCH 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	4	4	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	15	15	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	2	0	100%
ENGINEERING	2	2	0	100%
FINANCE	2	2	0	100%
FIRE DEPARTMENT	22	22	0	100%
INTERNAL OPERATIONS	121	121	0	100%
MUNICIPAL COURT	14	14	0	100%
PARKS & RECREATION	22	22	0	100%
PLANNING & ZONING	3	3	0	100%
POLICE DEPARTMENT	39	39	0	100%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	255	255	0	100%



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**FY2019 City of Rockwall In kind values /Meals2nd Quarter  
Meals on Wheels Senior Services**

Jan-19 Days served 22			Feb-19 Days served 20			Mar-19 Days served 21		
ROUTES	MILES	\$	ROUTES	MILES	\$	ROUTES	MILES	\$
A	110	\$62.70	A	100	\$56.00	A	115	\$62.10
B	220	\$125.40	B	200	\$112.00	B	230	\$128.80
C	675	\$384.75	C	680	\$380.80	C	695	\$389.20
E	630	\$359.10	E	620	\$347.20	E	635	\$355.60
F& K	410	\$233.70	F& K	400	\$224.00	F& K	415	\$232.40
H	260	\$148.20	H	250	\$140.00	H	265	\$148.40
I&J	1220	\$695.40	I&J	1150	\$655.50	I&J	1240	\$683.20
RM & R	310	\$176.70	RM & R	301	\$168.56	RM & R	316	\$176.96
3835		\$2,185.95	3701		\$2,084.06	3911		\$2,176.66
HOURS		\$	HOURS		\$	HOURS		\$
A	23	\$320.16	A	20	\$278.40	A	21	\$292.32
B	33	\$459.36	B	30	\$417.60	B	32	\$445.44
C	23	\$320.16	C	20	\$278.40	C	21	\$292.32
E	23	\$320.16	E	20	\$278.40	E	21	\$292.32
F & K	44	\$612.48	F & K	42	\$584.64	F & K	42	\$584.64
H	23	\$320.16	H	20	\$278.40	H	21	\$292.32
I&J	28	\$389.76	I&J	25	\$348.00	I&J	21	\$292.32
RM & R	33	\$459.36	RM & R	30	\$417.60	RM & R	32	\$445.44
230		\$3,201.60	207		\$2,881.44	211		\$2,937.12
\$ Value in kind volunteer services		\$5,387.55	\$ Value in kind volunteer services		\$4,965.50	\$ Value in kind volunteer services		\$5,113.78
Total January In-kind value(only for Nutrition program)			Total February In-kind value (only for Nutrition program)			Total March In-kind value (only for Nutrition program)		
<b>ROCKWALL PROGRAM MEALS</b> <b>2,511</b> Home Delivered and Disabled <b>437</b> Congregate Centers			<b>ROCKWALL PROGRAM MEALS</b> <b>2,230</b> Home Delivered and Disabled <b>404</b> Congregate Centers			<b>ROCKWALL PROGRAM MEALS</b> <b>2,391</b> Home Delivered and Disabled <b>397</b> Congregate Centers		
Total purchased Meals		2,948	Total purchased Meals		2,634	Total Purchased Meals		2,788
<b>THANK YOU FOR YOUR SUPPORT</b>  <b>Sincerely, Margie VerHagen E.D.</b>						Total meals Program <b>8,370</b>		
						<b>In-kind VALUE Donated 2nd Quarter FY19</b> Total \$ 15,466.83 Volunteer Miles & Hours <b>166</b>		

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# Rockwall Police Department

## Monthly Activity Report

March-2019

ACTIVITY	CURRENT MONTH MARCH	PREVIOUS MONTH FEBRUARY	YTD 2019	YTD 2018	YTD % CHANGE
----------	------------------------	----------------------------	-------------	-------------	-----------------

### PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	1	2	5	2	150.00%
Robbery	1	0	1	0	100.00%
Aggravated Assault	1	2	5	5	0.00%
Burglary	6	4	12	8	50.00%
Larceny	41	41	137	163	-15.95%
Motor Vehicle Theft	2	4	11	9	22.22%
<b>TOTAL PART I</b>	<b>52</b>	<b>53</b>	<b>171</b>	<b>187</b>	<b>-8.56%</b>
<b>TOTAL PART II</b>	<b>153</b>	<b>132</b>	<b>439</b>	<b>467</b>	<b>-6.00%</b>
<b>TOTAL OFFENSES</b>	<b>205</b>	<b>185</b>	<b>610</b>	<b>654</b>	<b>-6.73%</b>

### ADDITIONAL STATISTICS

FAMILY VIOLENCE	18	15	51	42	21.43%
D.W.I.	21	17	59	49	20.41%

### ARRESTS

FELONY	36	37	115	106	8.49%
MISDEMEANOR	76	60	201	202	-0.50%
WARRANT ARREST	8	10	27	26	3.85%
JUVENILE	1	4	7	17	-58.82%
<b>TOTAL ARRESTS</b>	<b>121</b>	<b>111</b>	<b>350</b>	<b>351</b>	<b>-0.28%</b>

### DISPATCH

CALLS FOR SERVICE	1440	1276	4192	3856	8.71%
-------------------	------	------	------	------	-------

### ACCIDENTS

INJURY	12	6	30	40	-25.00%
NON-INJURY	54	67	178	151	17.88%
FATALITY	0	0	0	0	0.00%
<b>TOTAL</b>	<b>66</b>	<b>73</b>	<b>208</b>	<b>191</b>	<b>8.90%</b>

### ROCKWALL NARCOTICS UNIT

	Number of Cases	6
	Arrests	5
	Arrest Warrants	2
	Search Warrants	
	Seized	
	Methamphetamine	19 Kilograms
	Heroin	34 Grams
	THC Oil	15 Grams



## Rockwall Police Department

### Dispatch and Response Times

March 2019

#### Police Department

Average Response Time		
<b>Priority 1</b>		Number of Calls <b>73</b>
Call to Dispatch	0:01:25	
Call to Arrival	0:06:22	
% over 7 minutes	30%	
Average Response Time		
<b>Priority 2</b>		Number of Calls <b>259</b>
Call to Dispatch	0:03:32	
Call to Arrival	0:10:26	
% over 7 minutes	63%	
Average Response Time		
<b>Priority 3</b>		Number of Calls <b>60</b>
Call to Dispatch	0:05:26	
Call to Arrival	0:13:44	
% over 7 minutes	63%	

#### Average dispatch response time goals are as follows:

Priority 1: 1 Minute

Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes

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# MARCH 2019 MONTHLY REPORT



**ROCKWALL PARKS  
& RECREATION**

## PARTICIPATION



SPRING BREAK ROCK CAMP: 77 PARTICIPANTS



BRINNER WITH THE BUNNY: 100 PARTICIPANTS



WOOFSTOCK: 70 DOGS REGISTERED  
93 DOGS SEEN

### MONTHLY OVERVIEW

MAR '19

Part Time Labor Hours	<b>520.5</b>
Program Offerings	<b>20</b>
Program Participants	<b>285</b>
Resident Participants	<b>178</b>
Non-Resident Participants	<b>107</b>
Programs that Made	<b>20</b>
Cancelled Programs	<b>0</b>
% of Programs Cancelled	<b>0%</b>

### FEE BASED RESIDENT VS NON-RESIDENT

9 programs

**62%**

**38%**

# VOLUNTEER IN THE PARKS (V.I.P.)



SPRING BREAK ROCK CAMP  
SNAP PROM  
RBSL TRYOUTS  
RBSL OPENING CEREMONIES

TOTAL # OF  
VOLUNTEER  
HOURS

# OF VOLUNTEERS	28
# OF VOLUNTEER HOURS	3

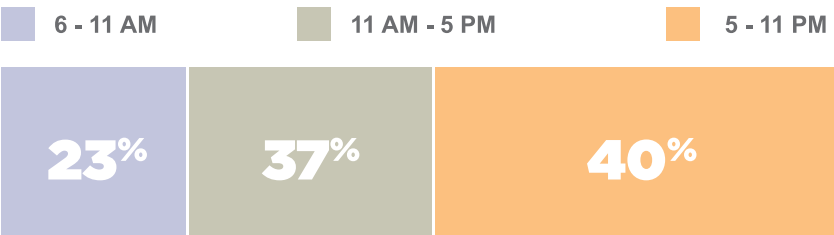
84



HMCC	MAR '19
Time Blocks Rented	60
Monthly Revenue	\$2400

## HMCC RENTAL ACTIVITY BY TIME BLOCK

60 Rentals



PAVILIONS	MAR '19
Time Blocks Rented	29
Monthly Revenue	\$1160

## PAVILION RENTAL ACTIVITY BY TIME BLOCK

29 Rentals





# PARKS



## **FACILITY MANAGEMENT:**

Myers Disc Golf Renovation

## **FACILITY UPGRADE:**

New fence installation at Myers Pool



## **FACILITY ADDED FEATURE:**

Pickle Ball Court Shade Structure and Pickleball court cleaning and sodding



## MARKETING

### FACEBOOK PAGE LIKES



FEB

GAIN OR LOSS

**+44**

MAR

**+195**

TOTAL LIKES THRU 3/31/2019



**12,509**

### ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

FEB

ACCOUNTS

**7928**

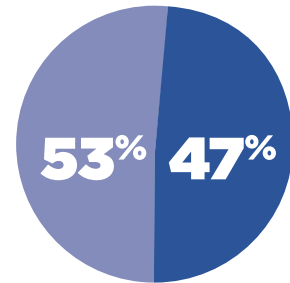
GAIN OR LOSS

**+105**

MAR

**8037**

**+109**



**RESIDENT VS NON-RESIDENT  
ACCOUNTS**

### PLAYROCKWALL.COM PERFORMANCE METRICS

# PLAYROCKWALL.COM

## PAGEVIEWS

Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of March 2019.

**98,952**

## SESSIONS

Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com

**18,882**

## USERS

Visitors to playrockwall.com

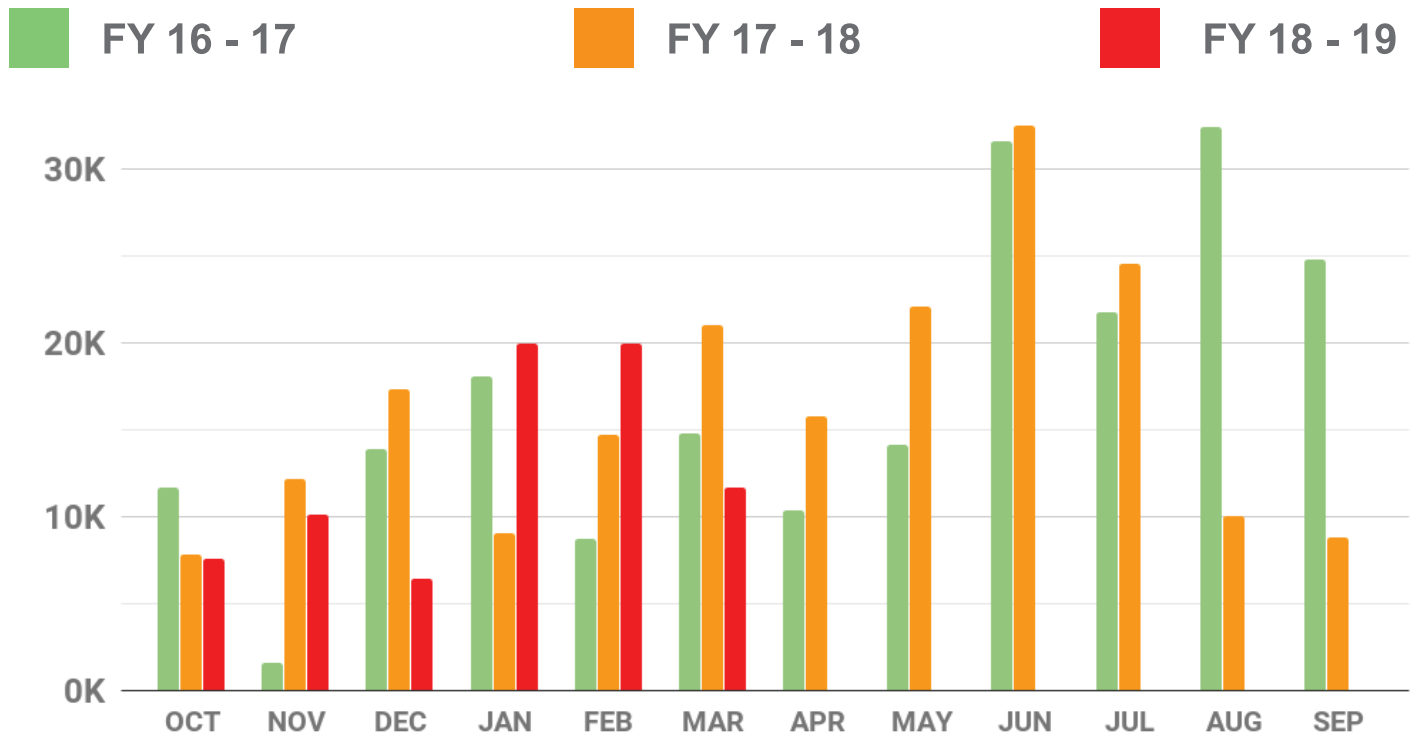
**13,028**

**174**

# REVENUE

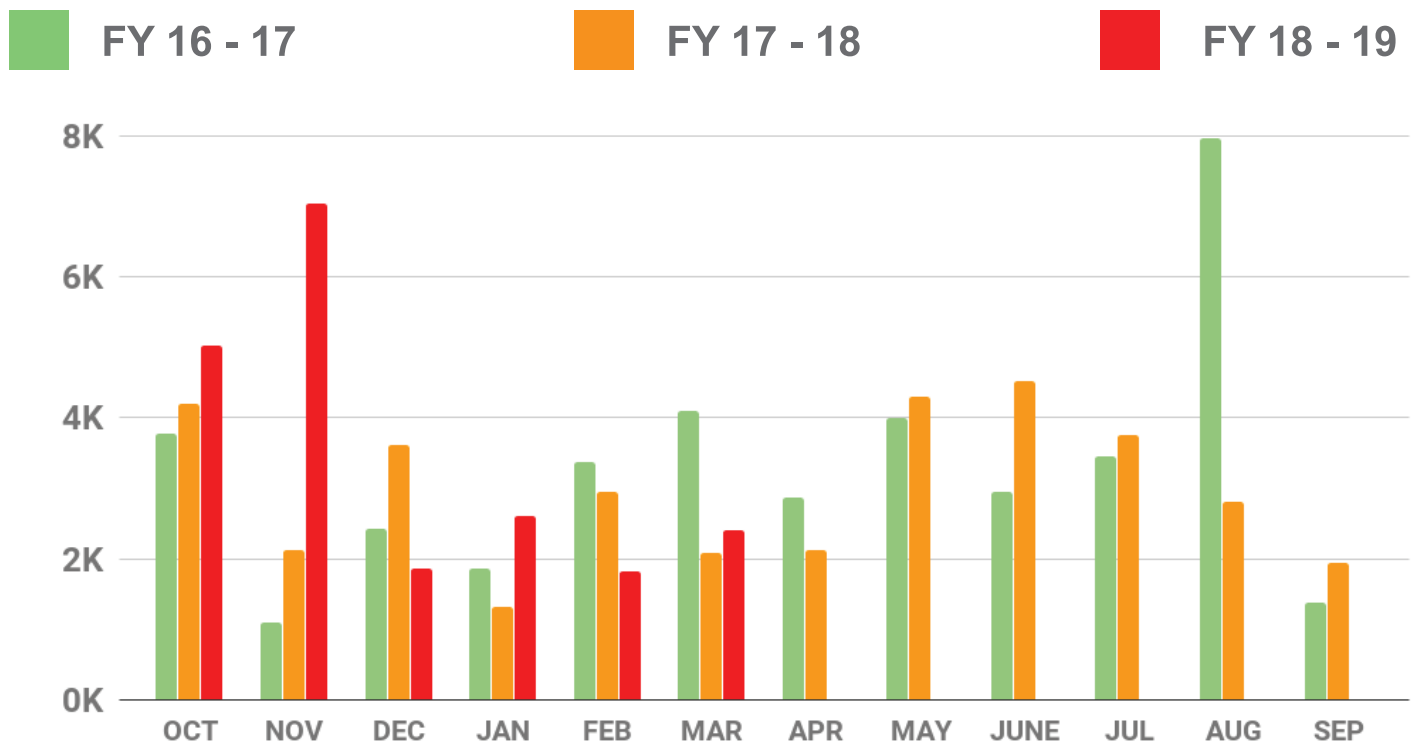
## FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



## FACILITY REVENUE BY MONTH

3 fiscal years



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**Rockwall Adoption Center**  
**2019 Animal Statistics**

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
<b>Jan '19</b>	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	<b>97%</b>
<b>Feb '19</b>	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	<b>96%</b>
<b>March '19</b>	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	<b>100%</b>
<b>April '19</b>								
<b>May '19</b>								
<b>June '19</b>								
<b>July '19</b>								
<b>August '19</b>								
<b>September '19</b>								
<b>October '19</b>								
<b>November '19</b>								
<b>December '19</b>								

# Rockwall Animal Adoption Center

## PROFIT AND LOSS

March 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	5,040.00
4112 Adoption Fee - Cat	920.00
4113 Adoption Fee - Other	50.00
<b>Total 4100 Adoption Fee</b>	<b>6,010.00</b>
4200 Impound Fee	640.00
4300 Owner Surrender	862.00
4350 Quarantine Fee	280.00
4400 Direct Public Support	
4410 Corporate Contributions	106.54
<b>Total 4400 Direct Public Support</b>	<b>106.54</b>
4650 Medical	992.00
4700 General Donations	5,334.00
47200 Program Income	
47230 Membership Dues	75.00
<b>Total 47200 Program Income</b>	<b>75.00</b>
<b>Total Income</b>	<b>\$14,299.54</b>
GROSS PROFIT	<b>\$14,299.54</b>
Expenses	
5200 - Shelter Expense	
5201 - Canine Food	27.93
5203 - Medication	4,473.07
5204 - Feline Food	323.26
5209 - Shelter Supplies	559.56
5220 - Truck Maintenance	223.26
<b>Total 5200 - Shelter Expense</b>	<b>5,607.08</b>
5300 - Veterinary Expense	9,033.31
5400 - Professional Services	3,430.34
65000 5000 - Administrative Expense	
5002 - Website	178.96
5004 - Paypal/Intuit fee	223.76
5005 - Postage	40.02
5006 - Bank Fees	108.96
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	24,872.95
5055 - Payroll Tax	1,924.26
5056 - 401K Employer/Healthcare	855.98
5099 - Misc	1,034.10
65040 5001 - Supplies	90.92
65050 5060 -Telephone, Telecomm	240.00
<b>Total 65000 5000 - Administrative Expense</b>	<b>29,834.41</b>
<b>Total Expenses</b>	<b>\$47,905.14</b>

	TOTAL
NET OPERATING INCOME	\$ -33,605.60
NET INCOME	\$ -33,605.60

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April 5, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: March 2019 Demand and Response Ridership Report

**TRIP INFORMATION:**

MONTH	NO. OF SERVICE DAYS	TRIPS
MARCH	21	2,333

Non-Service Days: None

NO. OF TRIPS	PURPOSE
1,445	Contract Service
29	Education
0	Government
42	Medicaid
228	Medical
22	Nutrition (Senior Center)
264	Other (adult-day care, beauty salon, friend's homes, etc.)
172	Shopping
131	Work

MARCH UNDUPLICATED PASSENGERS
89
YEAR TO DATE UNDUPLICATED PASSENGERS
213

<b>Adjusted Trip Total</b>	846
----------------------------	-----

\*Trip Totals without Contracts or Medicaid

> = 60	470
DIS >60	161
	631
% E & D Trip Total	75%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **10,220**

(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: MARCH 2018 TRIP TOTAL= 2,060 (13% INCREASE)



ROCKWALL CITY	1Q	2Q	3Q	4Q	PURPOSE TOTALS
CONTRACT	1,015	1,936	1,445	0	4,396
EDU	77	74	29	0	180
GOV	5	8	0	0	13
MDE	219	245	42	0	506
MED	632	605	228	0	1,465
NUT	34	43	22	0	99
OTH	544	594	264	0	1,402
SHP	533	380	172	0	1,085
WORK	464	479	131	0	1,074
	3,523	4,364	2,333	0	10,220

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333						10,220	1,460

CONTRACT	709	306	0	0	335	1,601	1,445						4,396	628
EDU	0	41	36	12	17	45	29						180	26
GOV	1	2	2	4	2	2	0						13	2
MDE	62	69	88	90	90	65	42						506	72
MED	171	235	226	200	203	202	228						1,465	209
NUT	10	11	13	17	12	14	22						99	14
OTH	130	247	167	161	209	224	264						1,402	200
SHP	171	139	223	135	148	97	172						1,085	155
WORK	159	175	130	124	190	165	131						1,074	153
TOTAL DR TRIPS	1,413	1,225	885	743	1,206	2,415	2,333	0	0	0	0	0	10,220	852

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Medicaid	62	69	88	90	90	65	42	0	0	0	0	0	506	42
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445						4,396	628
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	375	88	90	425	1,666	1,487	0	0	0	0	0	4,902	409

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Adjusted Trip Total	642	850	797	653	781	749	846	0	0	0	0	0	5,318	43,511

\*Trip Totals without Contracts or Medicaid

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
> = 60	345	477	393	375	424	447	470						2,931	419
DIS <60	142	167	137	108	156	115	161						986	141
	487	644	530	483	580	562	631	0	0	0	0	0	3,917	326
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
GENERAL PUBLIC	155	206	267	170	201	187	215	0	0	0	0	0	1,401	117
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21						142

NoShow/Cancel	527	474	476	370	456	369	483						3,155
UNDUPLICATED M2M	82	88	94	80	91	78	89						602
UNDUPLICATED YTD		114	144	161	187	202	213						1,021

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	323	440	360	319	437	388	438						2,705
Percent Subs of Total Trips	23%	36%	41%	43%	36%	16%	19%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
SUBS Can/NoShow	119	136	210	211	261	201	235						1,373

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