

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Monday, May 19, 2025 at 7:00 p.m.***

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Patrick Souter, Mayor Pro Tem, Council Member Place 2
Tres Atkins, Council Member Place 1
Chris Wright, Council Member Place 3
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***

5. ***Consent Agenda***

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of May 5, 2025
 - b. Minutes of the Special City Council meeting of May 12, 2025
 - c. Event application for Juneteenth Day Parade and Celebration to be held June 19, 2025 at Lee Penn Park
 - d. Event application for Summer Soul Affair event to be held at Railyard Park on July 5, 2025
 - e. Event application for Hispanic Heritage event to be held September 6, 2025 at Railyard Park
 - f. Event application for Walk to End Alzheimer's event to be held October 11, 2025 at Getzendaner Park
 - g. Receive Fiscal Year 2025 2nd Quarter Financial Report
 - h. Supplemental appropriation for FY 2025 Water Operations and Maintenance Budget
 - i. City Council liaison appointments to Boards and Commissions
6. ***Introduce*** Honorary Council Member
 7. ***Present*** Proclamation recognizing May 18-24, 2025 as "National Public Works Week"

8. **Public Hearing** on a request by Ryan McIntosh, Trinity Partners, for a Site Plan for the Plaza at Bessie Coleman, located directly south of 1650 N US Highway 77 (Property ID: 223131) – Owner: Bomac Wax Investments LLC (SP-222-2024)
9. **Consider** approving SP-222-2024
10. **Consider** Development Agreement for SP-222-2024
11. **Public Hearing** on a request by David Ruble, Altered Grounds Coffee Roasters, LLC, for a Specific Use Permit (SUP) for a Food Manufacturing (Coffee Roasting) use within a Light Industrial-2 (LI-2) zoning district located at 401 South Flat Street, Suite 1 & 2 (Property ID 170566) - Owner: Clover Properties LLC (ZDC-48-2025)
12. **Consider** proposed Ordinance approving ZDC-48-2025
13. **Consider** tax rate equivalent increase for Waxahachie Public Improvement District No. 1
14. **Consider** Professional Services Agreement Amendment Number 1 for the US 77 Water Main Extension Phase I Project
15. **Consider** proposed Ordinance approving alley abandonment at North Grand Avenue, Poplar Street, and North Central Street.
16. **Consider** proposed Ordinance approving alley abandonment at E. Ross and Penn Street
17. **Consider** authorizing the petition to abandon portion of University St Right-of-Way
18. **Consider** Parkhill Fuel Farm Engineering Agreement for Mid-Way Regional Airport self-fueling station
19. **Convene** into Executive Session to consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code
20. **Reconvene** and take any necessary action
21. Comments by Mayor, City Council, City Attorney and City Manager
22. Adjourn

The City Council reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

City Council
May 5, 2025

(5a)

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, May 5, 2025 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Bonnie Bond, Ellis County Christian Women's Job Corp, gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Michelle Haye, President of Historic Waxahachie, 411 E. Marvin, Waxahachie, Texas, thanked City staff for their support during a recent architectural stroll held in Waxahachie, Texas. The event, the first of its kind, was a success, drawing two-thirds of its attendees from out of town.

Alex Freeman, 321 Lakeshore Drive, Waxahachie, Texas, introduced himself and conveyed his interest in serving on a board and engaging in community involvement.

Dominik Lange, 2567 Bells Chapel Road, Waxahachie TX, 75165, member of the Waxahachie Skate Park Initiative, expressed his support for a skatepark in Waxahachie, highlighting the positive impact it would have on both the local community and surrounding areas.

Alex Lohmann, 801 W Main Street, Waxahachie, TX 75165, echoed the comments of Dominik Lange and voiced his support for the development of a skate park in Waxahachie. He also endorsed Alex Freeman for service on a City board, commission, or committee.

5. Consent Agenda

- a. Minutes of the City Council meeting of April 21, 2025
- b. Minutes of the City Council work session of April 21, 2025
- c. Event application for the Oaks Young Adults Pop Up Service to be held May 12, 2025 at Railyard Park

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- d. Event application for Fall for Hachie – Benny and Boneless Storybook Adventure Walkthrough to be held in Downtown Waxahachie October 4, 11, 18, 19, 25, 26, and 31st
- e. Event application for the Navarro College PTA Program 5k Run to be held October 25, 2025 at Getzendaner Park
- f. Proposed Ordinance approving a request by Edmund Zamorano, for a Petition for ETJ Release for approximately 8.6 acres, located at 3838 S US Highway 287 (Property ID 303112, 303113, 303114, 303115, 303116, 303117) – Owner: Del Z Enterprise (ETJ-PTN-55-2025)
- g. Proposed Ordinance approving a request by Jonathan Markert, for a Petition for ETJ Release for approximately 1.849 acres, located at 451 S Ring Road (Property ID 274665) – Owner: Jonathan Markert & Lindsay Markert (ETJ-PTN-56-2025)
- h. Proposed Ordinance approving a request by Nathan Petty, for a Petition for ETJ Release for approximately 32.899 acres, located directly west of 1832 FM 66 (Property ID 182189) – Owner: HRB Global LTD (ETJ-PTN-57-2025)
- i. Appointment to fill unexpired terms on the Park Board
- j. Budget transfer to East Ross and Kaufman Street Reconstruction Project
- k. Contract for replacement of a pump motor at Raw Water Pump Station Number 2 and supplemental appropriation

ORDINANCE NO. 3619

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF AN APPROXIMATELY 8.6 ACRE TRACT OF LAND, LOCATED AT 3838 S US HIGHWAY 287, KNOWN AS PROPERTY ID 303112, 303113, 303114, 303115, 303116 303117, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3620

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1.849 ACRE TRACT OF LAND, LOCATED AT 451 S RING ROAD KNOWN AS PROPERTY ID 274665, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3621

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF AN APPROXIMATELY 32.899 ACRE TRACT OF LAND, LOCATED DIRECTLY WEST OF 1832 FM 66, KNOWN AS PROPERTY ID 182189, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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Action:

Chris Wright moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Patrick Souter and carried unanimously (5-0).

6. Introduce Honorary Council Member

There was not an Honorary Council Member in attendance.

7. Recognize Donna Insixiegnmay for earning the Certified Emergency Manager designation

Thomas Griffith, Emergency Management Coordinator, recognized Donna Insixiegnmay for earning the Certified Emergency Manager designation. She was approved by the Certification Commission during the February 2025 review meeting to receive the Certified Emergency Manager (CEM[®]) credential. The CEM[®] designation is the highest honor of professional achievement available from the International Association of Emergency Managers (IAEM), which has in its membership more than 6,000 emergency managers representing professionals whose goals are saving lives and protecting property and the environment during emergencies and disasters. The new class of CEM's join the 4,447 other emergency managers who were approved for the designation since January 1993 bringing the total number of Certified Emergency Managers to 4,470.

8. Recognize Waxahachie's "Keep Texas Beautiful Silver Affiliate" status

Kyle Cooper, Senior Director of Parks and Recreation, recognized Waxahachie's "Keep Texas Beautiful Silver Affiliate" status. Keep Waxahachie Beautiful (KWB) has achieved the Silver Star Affiliate status from Keep Texas Beautiful (KTB), recognizing the city's outstanding commitment to environmental stewardship and community enhancement. This designation, awarded to only a select number of KTB affiliates, acknowledges KWB's proactive efforts in areas such as litter prevention, recycling, beautification, and waste reduction. To attain this status, KWB demonstrated active community engagement, effective program implementation, and consistent participation in KTB-endorsed activities. The Silver Star recognition highlights Waxahachie's dedication to fostering a cleaner, greener, and more vibrant community through collaborative initiatives and volunteer involvement.

9. Recognize Becky Kauffman for receiving the Ruth Lester Award from the Texas Historical Commission

Mayor Wallace recognized Becky Kauffman for receiving the Ruth Lester Lifetime Achievement Award from the Texas Historical Commission, presented by the Texas Historical Commission. The award is given to just one person in Texas each year for outstanding work in historic preservation.

Ms. Kauffman has spent over 40 years protecting Waxahachie's history. She founded Historic Waxahachie Inc., served on the Heritage Preservation Commission for over 20 years, and authored the policies that preserve and protect our historic resources. Through her advocacy, knowledge, and passion, Ms. Kauffman has changed this city for the better.

10. Present Proclamation recognizing May as “National Preservation Month”

Council Member Patrick Souter read a proclamation recognizing May as “National Preservation Month.”

11. Hear presentation of Insurance Service Office (ISO) 1 classification

Fire Chief Ricky Boyd and State Fire Marshal Debra Knight recognized the City of Waxahachie for achieving an ISO Class 1 rating which denotes that a fire department has attained the highest level of fire protection, placing it among the top 1% of fire departments nationwide. This prestigious designation is awarded by the Insurance Services Office (ISO) based on a comprehensive evaluation of a community's fire protection capabilities. The assessment considers several critical factors: emergency communications, fire department, water supply, and community risk reduction. Achieving a Class 1 rating reflects a community's commitment to safety and preparedness.

Mayor Pro Tem Chris Wright noted this recognition can lead to lower insurance premiums for homeowners and businesses, as insurers often use ISO ratings to determine coverage costs. However, it's important to note that actual premium reductions depend on individual insurance carriers and policies.

An ISO Class 1 rating serves as a testament to a fire department's excellence in providing fire protection and emergency services to its community.

12. Public Hearing on a request by Ray Porter for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined area use within a Commercial (C) zoning district located at 105 Lucas Street (Property ID 189027) – Owner(s): Ray Porter & Wanda Porter (ZDC-133-2024)

Trenton Robertson, Senior Director of Planning, presented the Item. The applicant is requesting a Specific Use Permit (SUP) to construct accessory structures exceeding 1,000 square feet in combined floor area at 105 Lucas Street. The subject property has three existing accessory structures totaling approximately 2,155 square feet in size located at the rear of the property. The applicant is proposing to keep all existing accessory structures in addition to the carport accessory structure requested with this SUP application.

According to the Ellis County Appraisal District, the existing primary structure is approximately 1,782 square feet, and the proposed accessory structure is approximately 576 square feet. The applicant has noted that the carport is desired at this time to shield personal vehicles from fallen tree debris, as there is no garage for the home. The accessory structure is proposed to be comprised of either wooden beams or 4” steel posts and a bronze metal roof. The applicant is proposing to expand the existing gravel driveway to access the accessory structure as opposed to installing a new concrete driveway.

With this application, the property owner is requesting deviations from the Waxahachie Zoning Ordinance to allow the structure to encroach within the typical front setback requirement of 25'. The site plan shows the proposed to be located approximately 12' from the front property line, but the applicant has confirmed that the structure will be a minimum of 15' from the property line

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when constructed, if this SUP is approved. This confirmation has addressed a previous staff concern that the structure may conflict with a future 15' Utility Easement established at the time of platting. The property owner requests to utilize a "Survey Plat" of the property for building permitting purposes as opposed to the typical requirement for a Plat for the property. The Planning & Zoning Commission provided a recommendation of approval for the SUP request, with the condition that the property is replatted. The elimination of the requirement for the property to be replatted would result in a 15' Utility Easement not being established at this time. If City Council opts to permit the use of a "Survey Plat" for building permitting purposes, the motion to approve the SUP request will need to specifically revise recommended condition 3 below.

1. The accessory structure shall not be used for commercial purposes.
2. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
3. The applicant shall replat the subject property prior to the issuance of a building permit for the accessory structure.
4. The applicant shall obtain all necessary permits for construction and demolition from the City of Waxahachie Building Department prior to the construction of the accessory structure.

Mayor Wallace opened the Public Hearing at approximately 7:40 p.m.

There being no others to speak for or against ZDC-133-2024, Mayor Wallace closed the Public Hearing at approximately 7:40 p.m.

13. Consider proposed Ordinance approving ZDC-133-2024

ORDINANCE NO. 3622

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT ACCESSORY STRUCTURES EXCEEDING 1,000 SQUARE FEET IN COMBINED FLOOR AREA USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 105 LUCAS STREET, BEING PROPERTY ID 189027, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-133-2024, a Specific Use Permit (SUP), subject to the conditions of the staff report, changing staff condition number 3 to allow the owner to submit the existing survey in lieu of replatting the property, and authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 14. Public Hearing on a request by Robert Morgan, Robert Morgan Construction for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use within a Future Development (FD) zoning district located at 3349 Howard Road (Property ID 176528) – Owner(s): Robert & Kristy Pennock (ZDC-39-2025)**

(9a)

Mr. Robertson presented the Item. The applicant requested a Specific Use Permit (SUP) for an accessory structure exceeding 1,000 square feet in combined floor area use at 3349 Howard Road. The subject property has two existing accessory structures used for storing lawncare items and a boat. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 1,000 square feet in combined floor area use requires a SUP to be approved by the City Council.

According to the Ellis County Appraisal District, the subject property currently has an existing primary structure of approximately 3,528 square feet, and the proposed accessory structure has 698 square feet of air-conditioned space with a covered porch of 318 square feet, totaling 1,016 square feet. The accessory structure features an exterior façade and roof that provides a modern element to the existing home, while complimenting the characteristics of the existing home. The proposed accessory structure will be utilized as a pool house for their grandchildren so that they will not have to walk to the primary structure. The location of the proposed accessory structure meets the typical setback requirements of the City of Waxahachie Zoning Ordinance. It is also important to note that there are several existing accessory structures of comparable size within 0.5 miles of the subject property. Plumbing and electrical work are proposed for the accessory structure; however, the property owners are aware that the accessory structure shall not be separately metered. The property owners have confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be separately sold or leased from the existing primary structure.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. Staff has received two (2) letters of support and two (2) letters of opposition and noted the two (2) letters of opposition were received from the same household.

Mayor Wallace opened the Public Hearing at approximately 7:43 p.m.

There being no others to speak for or against ZDC-39-2025, Mayor Wallace closed the Public Hearing at approximately 7:43 p.m.

15. Consider proposed Ordinance approving ZDC-39-2025

ORDINANCE NO. 3623

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT ACCESSORY STRUCTURES EXCEEDING 1,000 SQUARE FEET IN COMBINED FLOOR AREA USE WITHIN A FUTURE DEVELOPMENT (FD) ZONING DISTRICT, LOCATED AT 3349 HOWARD ROAD, BEING PROPERTY ID 176528, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 7 OF THE WAXAHACHIE LAKE ESTATES SECTION ONE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-39-2025, a Specific Use Permit (SUP), subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

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16. Consider proposed Ordinance repealing existing Chapter 31, “Taxicabs,” of the City of Waxahachie Code of Ordinances by replacing it with a new Chapter 31, “Taxicabs and Limousines”

City Attorney Terry Welch presented the Item. He reviewed the proposed amendments to the city’s taxicab ordinance that would prohibit individuals from obtaining a license if they have, within the past 10 years, been convicted or received deferred adjudication for driving while intoxicated or under the influence of drugs. The amendments also bar applicants who have ever been convicted or received deferred adjudication for a range of serious offenses, including kidnapping, unlawful restraint, human smuggling, reckless discharge of a firearm, human trafficking, various prostitution- and child-related sex crimes, aggravated assault, sexual assault, aggravated sexual assault, certain types of disorderly conduct, or any felony or offense involving moral turpitude, as defined in the Texas Penal Code.

ORDINANCE NO. 3624

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, REPEALING EXISTING CHAPTER 31, “TAXICABS,” OF THE OF CITY OF WAXAHACHIE CODE OF ORDINANCES BY REPLACING IT WITH A NEW CHAPTER 31, “TAXICABS AND LIMOUSINES”; MAKING FINDINGS; PROVIDING CUMULATIVE/REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve an ordinance repealing existing Chapter 31, “Taxicabs” and replacing it with Chapter 31 “Taxicabs and Limousines” as presented. Motion was seconded by Travis Smith and carried unanimously (5-0).

17. Consider closing lake parks during summer holiday weekends

Gumaro Martinez, Executive Director of Parks and Leisure Services, presented the Item. During holiday weekends, the lake parks become overcrowded, leading to unsafe conditions, verbal/physical altercations, parking issues, and significant litter accumulation. These situations have generated numerous complaints from Waxahachie residents. The Waxahachie Police Department has also expressed concerns about the inability to manage the large crowds and maintain public safety.

After thorough consideration, staff feel that closing the lake parks for the summer holiday weekends is the most effective solution. Last year, members of the Council and Waxahachie Community Development Corporation supported closing the lake parks for Labor Day Weekend. This action would help prevent accidents and altercations, as well as minimize the impact to the local residents during peak holiday usage. Moreover, it would alleviate the operational strain on city staff and law enforcement, who would otherwise be managing the large crowds and dealing with the aftermath of the holiday weekend. Closing the lake parks for these holiday weekends is expected to save an estimated \$19,500 in additional staffing costs.

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Council Members confirmed that the closure will impact only public access to the lake parks. They expressed support for the closure request, citing safety concerns, and discussed the possibility of exploring a long-term solution that could allow city residents access during holiday weekends.

Action:

Chris Wright moved to approve the closing of Boat Dock Park, Jetty Park, and Spring Park May 23, 2025 – May 26, 2025, July 4, 2025 – July 6, 2025, and August 29, 2025 – September 1, 2025. Motion was seconded by Patrick Souter and carried unanimously (5-0).

18. Consider contract for replacement of cranes at Jefferson Lift Station

Kumar Gali, Senior Director of Utilities, presented the Item. The Jefferson Lift Station is one of the largest lift stations of the City's wastewater collection system and houses seven large pumps that pump the City's wastewater flows into the Howard Road Wastewater Treatment Plant. The current crane and steel support structure providing access to Pumps No.1 through No.5 has exceeded its service life and the crane and steel support structure for Pumps No.8 and No.9 was damaged from a recent grass fire. To ensure continued accessibility for maintenance of the seven pumps, staff proposes replacement of two steel structures and hoist cranes at the lift station. The scope of the agreement includes all necessary materials, labor, and equipment required for the installation of the new steel structures and hoist cranes.

The replacement of the steel structures and hoist cranes is an approved project in the Utility Department's FY 2025 Operations and Maintenance Budget for \$300,000. The contract with Staples Construction Company is \$227,675 and staff is requesting a construction contingency of \$20,000, for a total of \$247,675.

Council Member Patrick Souter expressed concerns regarding the contingency amount. City Manager Michael Scott responded by noting that all change orders are thoroughly reviewed by staff. Mayor Pro Tem Wright requested a review of past contracts that included contingency funds, along with information on how often those funds were utilized.

Action:

Tres Atkins moved to approve a contract with Staples Construction Company, Inc. in the amount of \$227,675 and an additional contingency of \$20,000 for the replacement of two steel structures and hoist cranes at Jefferson Lift Station and authorize the City Manager to execute all the necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

19. Consider Professional Services Agreement for Northeast Trunk Sewer Expansion Project

Mr. Gali presented the Item. This project consists of design and engineering of wastewater infrastructure improvements from Jefferson Lift Station to Grove Creek Lift Station to provide additional wastewater capacity for future growth and development in Grove Creek, Cole Creek and Lower Mustang Creek wastewater basins. The professional services agreement includes survey, engineering, right-of-way acquisitions, and bidding phase services for the proposed 48-inch parallel wastewater interceptor from the Jefferson Street Lift Station to intersection of Parks School House Road and Whitewater Drive.

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This project is an approved Capital Improvement Project and the \$1,900,000 design services agreement will be funded through the 2023 and 2024 Wastewater Bond Sales.

Action:

Chris Wright moved to approve a professional services agreement in the amount of \$1,900,000 with Half Associates for the design services of the first three phases of the Northeast Trunk Sewer Expansion project and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

20. Consider contract for replacement of outdoor lighting at Howard Road Wastewater Treatment Plant

Mr. Gali presented the Item. The outdoor lighting infrastructure at the Wastewater Treatment Plant was installed in 2005 and has deteriorated due to age. Staff recommends replacing 53 existing light poles and fixtures at the plant to enhance the safety of personnel working in operational areas, particularly during night shifts and low-light conditions. The scope of the agreement includes all materials, labor, and equipment necessary to replace the 53 existing light poles and fixtures.

The replacement of the outdoor lighting infrastructure is an approved project in the FY 2025 Wastewater Treatment Operations and Maintenance budget for the amount of \$100,000. The additional \$25,189 will be funded from the \$72,325 savings realized from the purchase of Jefferson Lift Station cranes included in FY 2025 Wastewater Treatment Operations and Maintenance budget.

Action:

Tres Atkins moved to approve a contract with Facility Solutions Group, Inc. in the amount of \$125,189 for the replacement of outdoor lighting infrastructure at the Howard Road Wastewater Treatment Plant and authorize the City Manager to execute all the necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

21. Convene into Executive Session to consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code

City Council did not convene into Executive Session.

22. Reconvene and take any necessary action

No action taken.

23. Comments by Mayor, City Council, City Attorney and City Manager

City Council and City Management commended staff for their efforts and contributions to the success of the Cinco de Mayo Festival held this past weekend.

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Council Member Travis Smith congratulated the Convention and Visitors Bureau for its efforts in helping Waxahachie secure sponsorship for the 2025 Crossroads of Texas GO TEXAN Country Festival, by the Texas Department of Agriculture.

Council Member Tres Atkins recognized the hard work and dedication of Donna Insixiegnmay and Becky Kauffman, and acknowledged the significant impact the sponsorship by the Texas Department of Agriculture will have on the community.

Council Member Patrick Souter thanked Alex Freeman for introducing himself, and expressed appreciation to the Keep Waxahachie Beautiful Committee for their service. He also commended Fire Chief Ricky Boyd, the Fire Department, Emergency Communications, and the Utilities Department for their efforts in helping the City achieve an ISO 1 rating. Additionally, he recognized Becky Kauffman for her dedication and expertise in historic preservation.

Mayor Pro Tem Chris Wright echoed the comments shared by fellow Council Members. He thanked Dominik Lange for his attendance and expressed appreciation to the Fire Department for their high school program at Waxahachie High School.

Mayor Billie Wallace echoed the Council's remarks, noting that the Cinco de Mayo celebration was a great event and commending staff and first responders for a job well done. She also extended congratulations to all individuals recognized by the City Council.

24. Adjourn

There being no further business, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

A special meeting of the Mayor and City Council of the City of Waxahachie, Texas was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, May 12, 2025 at 12:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Patrick Souter, Mayor Pro Tem, Council Member Place 2
Tres Atkins, Council Member Place 1
Chris Wright, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Mayor Wallace gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

None.

5. Administer Oath of Office to Council Member Place 4 and Council Member Place 5

City Secretary Amber Villarreal administered the Oath of Office to Billie Wallace, Council Member Place 4 and Travis Smith, Council Member Place 5.

6. Organization of City Council

Action:

Chris Wright moved to nominate Billie Wallace to serve as Mayor of the City of Waxahachie. Motion was seconded by Patrick Souter and carried unanimously (5-0).

Action:

Chris Wright moved to nominate Patrick Souter to serve as Mayor Pro Tem of the City of Waxahachie. Motion was seconded by Patrick Souter and carried unanimously (5-0).

7. Comments by Mayor, City Council, City Attorney and City Manager

Mayor Pro Tem Patrick Souter commended the smooth and efficient appointment process for both the Mayor and Mayor Pro Tem roles, expressing his optimism about continuing to move forward with the same spirit of collaboration and efficiency.

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Council Member Chris Wright expressed his gratitude to the Waxahachie Police Department for the recent success of their Cops and Kids Picnic.

Deputy City Manager Albert Lawrence congratulated Billie Wallace and Travis Smith on their reelection to the City Council and extended a warm welcome to Patrick Souter in his new role as Mayor Pro Tem.

City Manager Michael Scott echoed Deputy City Manager Lawrence's remarks and extended his appreciation to Council Member Chris Wright for his dedicated service as Mayor Pro Tem.

Mayor Billie Wallace thanked Chris Wright for his three years of dedicated service as Mayor Pro Tem and congratulated Patrick Souter on his new appointment to the role. She also expressed her gratitude to the Council Members for their accomplishments over the years and shared her enthusiasm for continuing their work together.

8. Adjourn

There being no further business, the meeting adjourned at 12:13 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



Date submitted

Applicant Information

Applicant name: Waxahachie Branch NAACP 6240

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: P.O. Box 478 Waxahachie, TX 75168

Host organization name: Same As Above

Alternate contact that will be on-site during the event.

On-site contact name: Betty Square Coleman Cell: _____

About the Event

Event name: Juneteenth Day Parade, Food, Fun, Fellowship Lee Penn Park

Date: Thursday, June 19, 2025

Location: Lee Penn Park on Getzendaner Avenue City

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: Unknown Average 300+

Description of event: Black American History Celebration

	Date(s)	Start Time:	End Time:
Event Date	<u>6/19/2025</u>	<u>8:00am.</u>	<u>5:00 p.m.</u>
Event Set-up	<u>06/18/2025</u>	<u>5:00 p.m.</u>	<u>Until Finished</u>
Event Breakdown			

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Same As Above

(50)



Choose the best description of the event:

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other:

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Run / Walk:

Please provide the start time for each distance (if applicable)

N/A 1 mile _____ 5K _____ Other distance _____

Please indicate your expected attendance: _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) **Request for services is not a guarantee that staff/volunteers will be available.**

Event staff How many: _____ Date(s) & time(s): _____

Volunteers How many: _____ Date(s) & time(s): _____

Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: 3 or More Date(s) & time(s): 6/19/2025

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: Getzender → MLK

If Possible: → Getzender → PK Sch House Rd
Street closings to begin on date: 6/19/2025 Start time: 10:00 am End time: Perry Street To Getzender 5:00 PM

Will any businesses be impacted by the proposed road closure? Yes No

City Equipment:

Are you requesting the use of City equipment? Yes No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____



(50)

City of Waxahachie
City Secretary's Office

Special Event Application

Other:

Where should equipment be dropped off & picked up? Lee Penn PARK Getzenlander Street

When will the equipment be set-up?

Date: 6/19/2025 Time: 5:00 P.M.

When will the equipment be removed?

Date: SAME Time: SAME

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

City of Waxahachie

Explain services in detail:

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Betty Aguana Colona
Signature

4/17/2025
Date

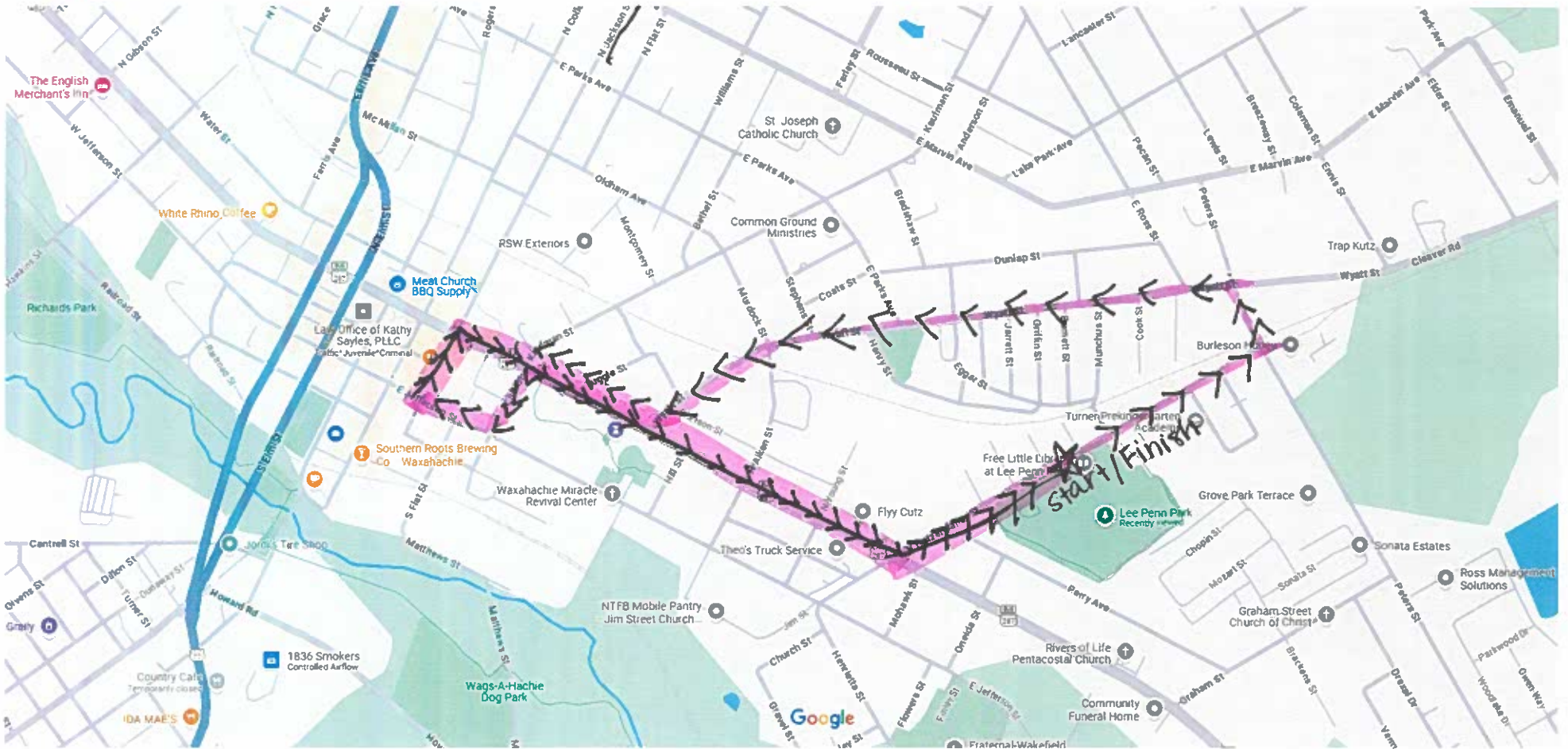
Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Betty Aguana Colona
Signature

4/17/2025
Date

Email completed Special Events Application and site map to Jami Bonner at Jami.Bonner@waxahachie.com.



(56)

(50)



124 FM876, Waxahachie, TX 75167
972-938-1570
txdot.gov

May 5, 2025

Waxahachie Branch NAACP 6240
P.O. Box 478
Waxahachie, TX 75168

Dear Betty Square Coleman:

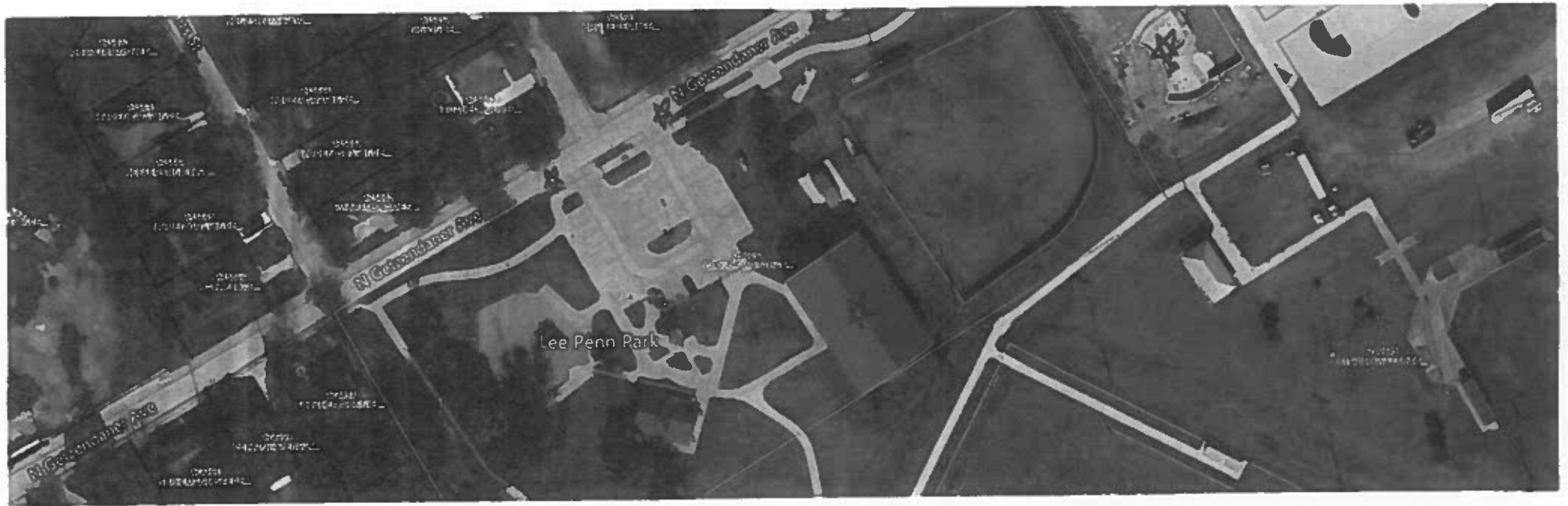
Please make reference to your email concerning the Juneteenth Day Parade procession scheduled for Thursday, June 19, 2025. The route is approved for the Juneteenth Day Parade, with the assistance of the Waxahachie Police Department to control traffic. If there is a traffic delay longer than 10 minutes, the parade/march will be stopped to allow traffic to clear. Uniformed police officers, with vehicles and flashing lights, must maintain traffic control at the intersections for safety of parade participants and the traveling public. Officers should remain in place until the parade has cleared the intersection.

Approval for any activity on city streets must be obtained from the City of Waxahachie. We appreciate your continued emphasis on the safety of the travelling public. If you have any questions, please call me at 972-938-1570.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Anthony".

Michael Anthony
Ellis County Maintenance Supervisor



★ Applicant requests to utilize the park, concession stand, + have access to the pool, if available. + Restrooms

(5c)

Route: 10am Line up @ Lee Penn Park
11am Parade begins

Option 1

Lee Penn Park → Parks Schoolhouse Road → Watt Street → MLK → Cliff Street →
Jefferson Street → Getzendaner Street (ends at Lee Penn Park)



(52)

(5c)

The applicant requests the following equipment and resources:

- Applicant will be available at 7:00 on June 19th to accept the following:
 - 20 x 20 High Peak Marquee Tent (1)
 - 10' x 10' High Peak Tent (3)
 - Solid Tent Sidewall (40)
 - 6 ft Rectangular Table (10)
 - Table Setup and Breakdown (10)
 - White Folding Chair (40)
 - Chair Setup and Breakdown (40)
 - 12' x 12' Stage (1)
 - Stage Stairs (1)
- Ice and ice chests.
- Concession stand is available for storage / food preparation. The windows cannot be open due to safety concerns.

(5c)

- Please provide a TxDOT letter of approval for the use of MLK Jr. Blvd (parade)
 - Juan Peredes - juan.paredes@txdot.gov
 - Michael Anthony - Michael.Anthony@txdot.gov
- Insurance requirement – Please provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an “additional insured” in the amount of \$1 million on both pages. Please list the event date and location on the certificate and submit as soon as possible.
- Food vendors must obtain the required health permits. Contact Melony Jordan, Health Inspector, at (469) 309-4134.
 - ALL food trucks are required to have a current valid mobile food permit from the City of Waxahachie or obtain a temporary food establishment permit. All non-mobile food vendors are required to obtain a temporary food establishment permit to offer any items for human consumption even if items are given away without charge. Applications as well as payment can be submitted online.

(5c)

Bonner, Jami

From: Cooper, Kyle
Sent: Tuesday, April 22, 2025 3:29 PM
To: Bonner, Jami; Joe Wisner; Boyd, Ricky; Griffith, Thomas; Donna Insixiengmay; Megan Womack; Martinez, Gumaro; Barnes, Bradley; Massey, Morgan; Garten, Kevin; Jordan, Me'Lony; Muniz, Vanessa; Massey, Matt; Stoker, Justin; Mosley, Laurie; Tuley, Eleana
Cc: Scott, Michael; Villarreal, Amber; Lawrence, Albert
Subject: RE: Event Application 6/19/25 Juneteenth Day Parade, Food, Fun, Fellowship

Parks will provide the requested tents, tables, chairs, and stage, along with two maintenance workers to assist with ice and litter control. The concession stand will not be available, as it failed inspection on 3/24/2025 and has been tagged as an unsafe structure. However, the cinder block concession stand located in the center of the park is available for storage and food preparation. The pool will be open for public use but will not be available for reservation. The event organizer will need to be available during load-in for the requested rental items.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
City of Waxahachie
469-309-4277
972-268-4549
Kyle.Cooper@waxahachie.com

From: Bonner, Jami
Sent: Thursday, April 17, 2025 4:40 PM
To: Joe Wisner <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>; Megan Womack <megan.womack@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Massey, Morgan <morgan.massey@waxahachie.com>; Garten, Kevin <kevin.garten@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Muniz, Vanessa <vanessa.muniz@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Stoker, Justin <justin.stoker@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Tuley, Eleana <eleana.tuley@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>
Subject: Event Application 6/19/25 Juneteenth Day Parade, Food, Fun, Fellowship

For your review / comments. Thank you.

FYI – Dr. Rasheed has picked up an event application for a Juneteenth event, but it has not yet been returned to me. At this time, I'm not aware of the date he is planning the event for.

We value your feedback! Please take a moment to complete our [customer satisfaction survey!](#)

(56)

Bonner, Jami

From: Joe Wiser
Sent: Tuesday, April 22, 2025 5:32 PM
To: Bonner, Jami
Subject: RE: Event Application 6/14/25 Juneteenth Parade

PD will provide two officers for security at the event and a car to lead the parade. I will speak with our Honor Guard regarding their availability.

From: Bonner, Jami
Sent: Tuesday, April 22, 2025 4:21 PM
To: Joe Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>; Megan Womack <megan.womack@waxahachiepd.org>; Guinn, Danielle <danielle.guinn@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Stoker, Justin <justin.stoker@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Massey, Morgan <morgan.massey@waxahachie.com>; Garten, Kevin <kevin.garten@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Muniz, Vanessa <vanessa.muniz@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application 6/14/25 Juneteenth Parade

For your review / comments.

This event application is for a Juneteenth parade hosted by the Ellis County African American Museum & Library scheduled for June 14th. The NAACP also submitted an application (already shared for review) for a separate parade on June 19th.

- The parade participants will line up at Wyatt St. and Peters St. at 9:00 am. At 10:00 – 10:30 am, the parade will proceed west on Wyatt, turn right on MLK, turn left on Rogers and the parade will end at Railyard Park.
- The applicant will request a letter of permission from TxDOT for the use of MLK Jr. Blvd.
- Last year, a PD squad car led the parade and a Fire engine followed. Please let me know if you recommend this practice again. If so, we'll need Streets staff to close / reopen cross streets as the parade proceeds on the route.
- The applicant plans to contact Chief Wiser to request participation from the PD's Color Guard.

The Ellis County African American Museum & Library will also host activities at Railyard Park on June 14th, which have already been approved by City Council. Thank you.

We value your feedback! Please take a moment to complete our [customer satisfaction survey!](#)

(5c)

Bonner, Jami

From: Boyd, Ricky
Sent: Monday, April 21, 2025 11:21 AM
To: Bonner, Jami
Cc: Brown, Marcus; Muetzenberg, Robby; Emerson, Jacob; Sodek, Larry; Townley, Tony; Joe Wisner
Subject: RE: Event Application 6/19/25 Juneteenth Day Parade, Food, Fun, Fellowship

Yes, I think it has worked well in the past so I recommend we stick with this practice.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue

214-463-9335

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Monday, April 21, 2025 11:07 AM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>
Cc: Brown, Marcus <MBrown@waxahachiefire.org>; Muetzenberg, Robby <RMuetzenberg@waxahachiefire.org>; Emerson, Jacob <JEmerson@waxahachiefire.org>; Sodek, Larry <LSodek@waxahachiefire.org>; Townley, Tony <TTownley@waxahachiefire.org>; Joe Wisner <JWiser@waxahachiepd.org>
Subject: RE: Event Application 6/19/25 Juneteenth Day Parade, Food, Fun, Fellowship

It was not part of the application; however, in recent years, this has been a condition of approval instead of closing all streets. Has this approach been effective and efficient? Would you recommend continuing with the use of a squad car leading and a fire engine following the parade?

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Monday, April 21, 2025 10:22 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>
Cc: Brown, Marcus <MBrown@waxahachiefire.org>; Muetzenberg, Robby <RMuetzenberg@waxahachiefire.org>; Emerson, Jacob <JEmerson@waxahachiefire.org>; Sodek, Larry <LSodek@waxahachiefire.org>; Townley, Tony <TTownley@waxahachiefire.org>; Joe Wisner <JWiser@waxahachiepd.org>
Subject: FW: Event Application 6/19/25 Juneteenth Day Parade, Food, Fun, Fellowship

No comments.

Do they want us to participate in the parade by having a fire engine as the last entry? We've done this the last several years but I did not see that request in the application.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue

214-463-9335

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, April 17, 2025 4:40 PM
To: Joe Wisner <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>; Megan Womack



Date submitted 4/28/25

Applicant Information

Applicant name: K.Avett Music Group, LLC.

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 502 Stillwater Dr., Waxahachie, TX 75165

Host organization name: Railyard Park

Alternate contact that will be on-site during the event.

On-site contact name: Kevin Franklin Cell: _____

About the Event

Event name: Summer Soul Affair

Location: Railyard Park

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: 2000

Description of event: Summer Soul Affair returns for its second outdoor festival, bringing a family-friendly evening of music, food and fun. Enjoy a soulful live performance by K Avett

and an energetic R&B throwback set from DJ/drummer duo, Branoofunck. The festival will also feature a delicious variety of food trucks, a vibrant mix of vendors, line dancing, raffles,

and a live DJ to keep the energy high all evening. Hosted by actor/comedian Draper Winston, this exciting event is the perfect way for the community to wrap up the July 4th weekend!

How many times has this event been hosted before?

1st time 2 – 4 times 5 or more times Location: _____

Choose the best description of the event:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input checked="" type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |



Event activities include (check all that apply):

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other:

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

\$50 vendor fee

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	7/5/25	7:00pm	10:00pm
Event Set-up	7/5/25	1:00pm	7:00pm
Event Breakdown	7/5/25	10:00pm	12:00am

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile

_____ 5K

_____ Other distance

Please indicate your expected attendance: _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

[Sample Downtown Event/Festival Boundary Map](#)

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: 6 Date(s) & time(s): 7/5/25 - 2pm-12am

Volunteers How many: N/A Date(s) & time(s): N/A

Private security How many: N/A Date(s) & time(s): N/A

Company name: N/A

Contact name and number: N/A

Off duty police How many: N/A Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: _____

College Street in front of Railyard Park

Street closings to begin on date: 7/5/25 Start time: 2:00pm End time: 12:00am

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: N/A Barricades How many: 6

Other: N/A

Where should equipment be dropped off & picked up? Railyard Park



(5d)

When will the traffic equipment be set-up?

Date: 7/5/25

Time: 2:00pm

When will the traffic equipment be removed?

Date: 7/5/25

Time: 12:00am

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Railyard Park

Explain services in detail:

Bands & DJ sound systems plus power for vendors where needed

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

K.Avett Music Group, LLC. Digitally signed by K Avett Music Group, LLC.
Date: 2025.04.28 08:25:25 -05'00'

4/28/25

Signature

Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

K.Avett Music Group, LLC. Digitally signed by K Avett Music Group, LLC.
Date: 2025.04.28 08:25:51 -05'00'

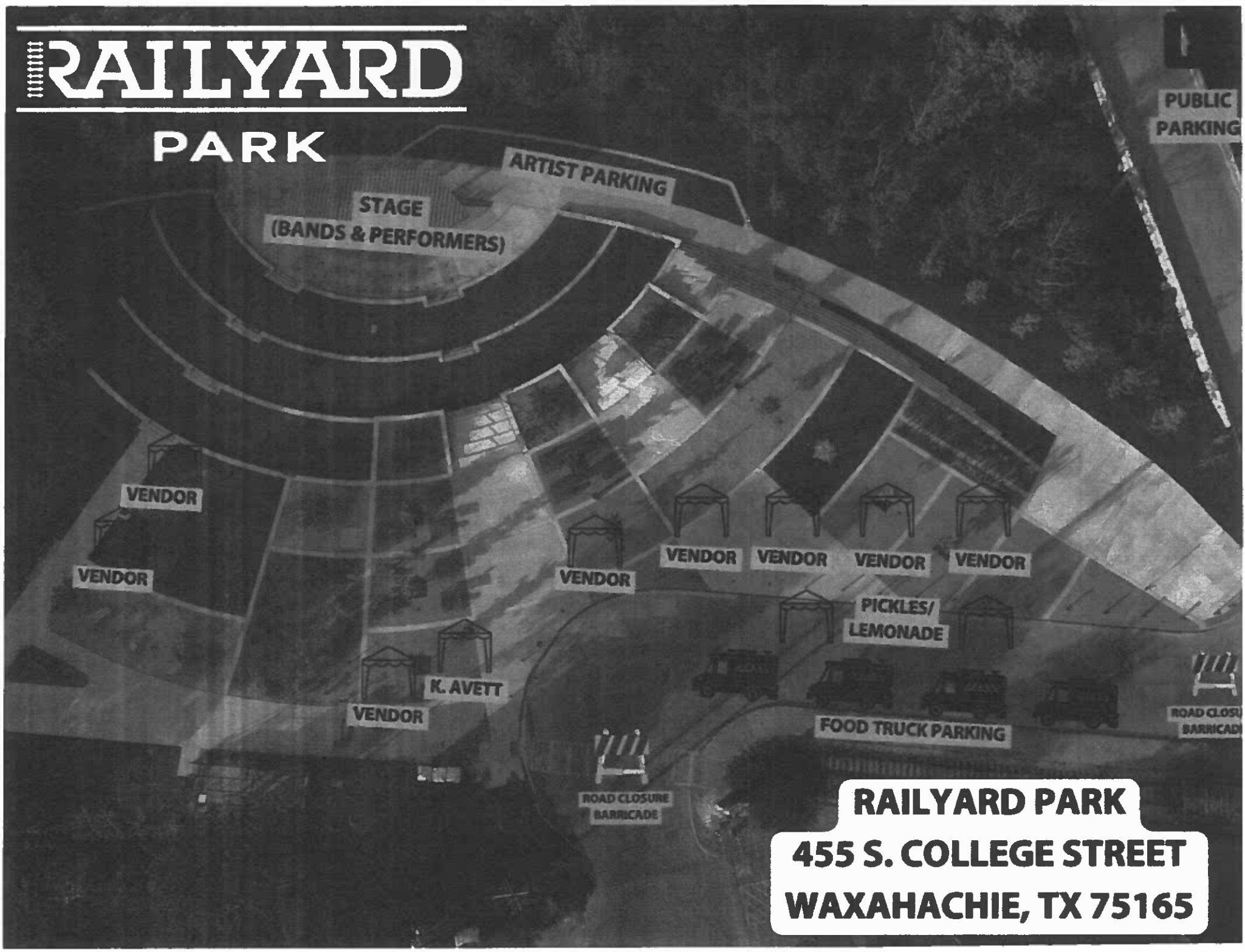
4/28/25

Signature

Date

RAILYARD

PARK



RAILYARD PARK
455 S. COLLEGE STREET
WAXAHACHIE, TX 75165

(5d)

Bonner, Jami

From: Bonner, Jami
Sent: Tuesday, May 13, 2025 11:49 AM
To: K.Avett Music Group, LLC
Cc: Guinn, Danielle; Mosley, Laurie; Villarreal, Amber
Subject: RE: Summer Soul Affair – Billboard, Banner, and Application Status

Good morning Kande,

Thank you for submitting your event application for the "Summer Soul Affair," scheduled for Saturday, July 5th at Railyard Park. City staff has reviewed the application and offers the following feedback:

- **Power Supply:** Food vendors will be required to provide their own power sources. Merchandise and other vendors are also strongly encouraged to supply their own electricity, as the existing infrastructure at Railyard Park is limited and often unreliable.
- **Health Permits:** All food and beverage vendors must obtain a valid health permit no later than five (5) days prior to the event. These permits must be displayed in a clearly visible location at each vendor booth during the event.
- **Security Recommendation:** Police Chief Joe Wiser will recommend to City Council that, should the application be approved, the applicant be required to hire four (4) police officers to provide security for the event. While alcohol is not indicated on the application, the open and unfenced nature of the event makes it likely that some attendees may bring their own. Given the expected crowd size of approximately 2,000 people, this presents a potential public safety concern.
- **Insurance Requirement:** If the application is approved by City Council, the applicant must provide liability insurance as specified in the special event application.

If you have any questions, feel free to reach out. Your application is scheduled for final consideration on the May 19th City Council agenda.

We value your feedback! Please take a moment to complete our [customer satisfaction survey](#)!

JAMIBONNER

ASSISTANT CITY SECRETARY

PO BOX 757, WAXAHACHIE, TX 75168

(469)309-4005

WWW.WAXAHACHIE.COM



We have temporarily relocated to the Charles Beatty Municipal Services Building at 408 S. Rogers St. (across from City Hall)

From: Mosley, Laurie <Imosley@waxahachiecvb.com>
Sent: Tuesday, May 13, 2025 11:14 AM

(5e)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 5/8/25

Applicant Information

Applicant name: Cynthia Herrera

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 418 W. Franklin St

Host organization name: Ellis County Hispanic Organization

Alternate contact that will be on-site during the event.

On-site contact name: Yvette Mendoza Cell: _____

About the Event

Event name: Hispanic Heritage Event

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 1,000

Description of event: Hispanic Festival

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Railyard Park

Choose the best description of the event:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input checked="" type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	9-6-25	3:00pm	11:00pm
Event Set-up	9-6-25	12:00pm	3:00pm
Event Breakdown	9- 25 ⁶ / 9- 25 ⁹ 25	11:00pm	12:00 am

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile

_____ 5K

_____ Other distance

Please indicate your expected attendance: _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.

(50)



Food / Beverage:

- Will the event offer food/beverages? Yes No
- Will event require any food preparation on-site? Yes No
- Will alcohol be served/sold? Yes No

Sample Downtown Event/Festival Boundary Map

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

- Event staff How many: 6 Date(s) & time(s): 9-8-25 12:00pm - 12:00am ^{9/9/25}
- Volunteers How many: 6 Date(s) & time(s): 9-8-25 12:00pm - 12:00am ^{9/9/25}
- Private security How many: 6 Date(s) & time(s): 9-8-25 3:00pm - 11:30pm

Company name: Safe Venues

Contact name and number: Rosie Quinones 469-348-4490 / 214-893-7999

Off duty police How many: 1 Date(s) & time(s): 9-8-25 - 3:30pm - 11:30pm

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: Chance Huckaber Phone number: 469-309-4426

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: From Rogers st

to College up to curve @ feed store

Street closings to begin on date: 9-8-25 Start time: 12:00pm End time: 1:00am 9-9-25

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 2 Barricades How many: ?

Other: Porta Pottys (cleaned), Trash cans, bags, cleanup crew

Where should equipment be dropped off & picked up? Railyard park

(56)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 9-6-25

Time: 12:00pm

When will the traffic equipment be removed?

Date: 9-7-25

Time: 12:30am ~~9-7-25~~ 9-7-25

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

4-10x10

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Cynthia H. Herrera
Signature

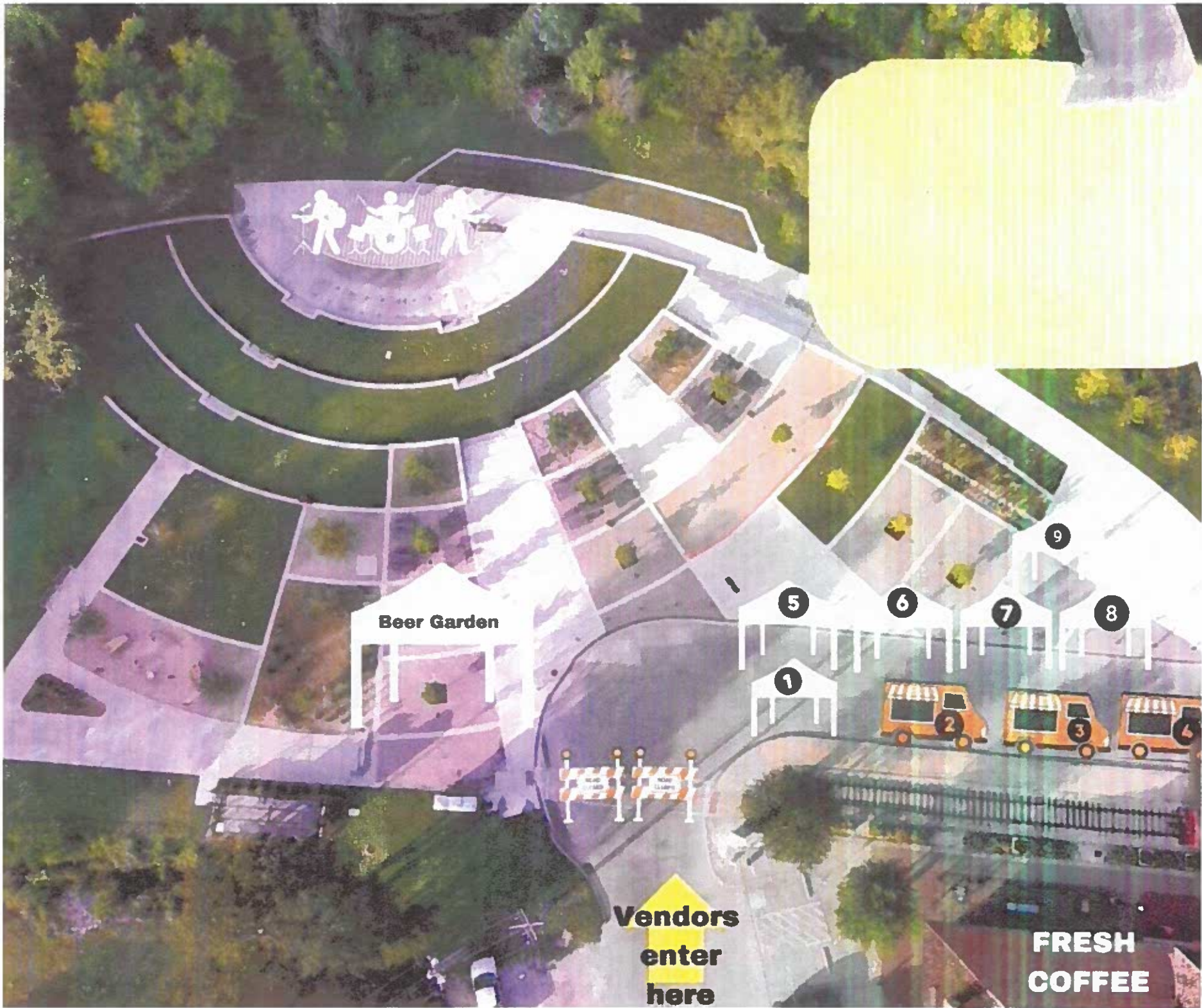
5/8/25
Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Cynthia H. Herrera
Signature

5/8/25
Date



(52)

Beer Garden

5

6

7

8

9

1

2

3

4

Vendors
enter
here

FRESH
COFFEE

(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted

Applicant Information

Applicant name: Brandon Cofield

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 5000 Quorum Dr. #530 Dallas, TX 75254

Host organization name: Alzheimer's Association

Alternate contact that will be on-site during the event.

On-site contact name: Brandon Cofield Cell: _____

About the Event

Event name: Walk to End Alzheimer's

Date: 10/11/25

Location: Getzendaner Park

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: 350

Description of event: Opening ceremony and sponsor tents at the park. Route around park on trail.

Route distances: 1 mile and 3 mile. Route TBD.

	Date(s)	Start Time:	End Time:
Event Date	10/11/25	8:00am	11:00am
Event Set-up	10/11/25	6:00am	7:30am
Event Breakdown	10/11/25	11:00am	11:30am

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Downtown Waxahachie/Ellis County



Choose the best description of the event:

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other:

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Entry by participation or registration fee
- Free & open to the general public
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Free to register, although donations encouraged. All participants must be registered.

Run / Walk:

Please provide the start time for each distance (if applicable)

9:30 1 mile 9:30 5K _____ Other distance

Please indicate your expected attendance: 350

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) **Request for services is not a guarantee that staff/volunteers will be available.**

Event staff How many: 1 Date(s) & time(s): 6-10am (at least contact info in case electricity isn't working)

Volunteers How many: 25 Date(s) & time(s): _____

Private security How many: 0 Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: 2 Date(s) & time(s): 9/20 7:30-11:30am

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: _____

TBD

Street closings to begin on date: 10/11/25 Start time: 9:00am End time: 12:00pm

Will any businesses be impacted by the proposed road closure? Yes No

City Equipment:

Are you requesting the use of City equipment? Yes No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 20 Barricades How many: 4



Other: _____

Where should equipment be dropped off & picked up? Getzendaner Park

When will the equipment be set-up?

Date: 10/11/25

Time: 7:00am

When will the equipment be removed?

Date: 10/11/25

Time: 11:30am

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes: 15 - 10x10

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier: _____

Explain services in detail:

Request use of electricity/plug for mics/sound equipment and start

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Signature Bonnie Bonner

01/17/2025
Date

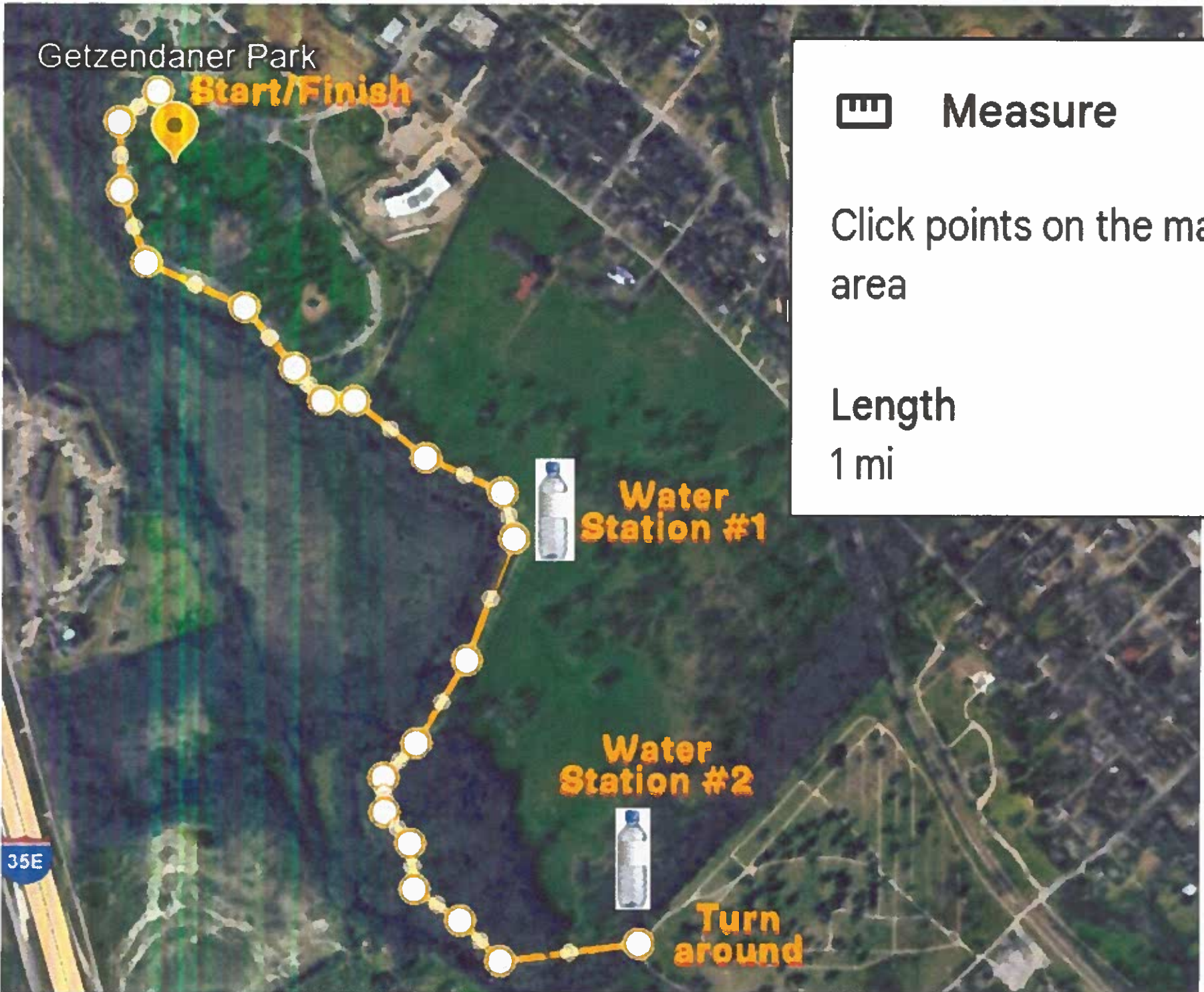
Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Signature Bonnie Bonner

01/17/2025
Date

Email completed Special Events Application and site map to Jami Bonner at Jami.Bonner@waxahachie.com.



Measure











Click points on the map area

Length

1 mi

(5f)

Map Legend

- Bathrooms 
- Porta potties (If needed) 
- Sponsors 
- Registration 
- Programs 
- Kid Zone 
- Champions 
- Volunteers 
- Refreshments 
- Flowers 

Sponsors:

- 1 Brookdale
- 2 TBD
- 3 TBD
- 4 TBD
- 5 TBD
- 6 TBD
- 7 TBD
- 8 Edward Jones
- Kid Zone Sponsor: YMCA?

Main St

Parking

Learning Garden

START

Food Truck

Food Truck

Getzendaner

Promise Garden

Stage/podium

achie Creek
arking West

(16)

(5a)



Memorandum

To: Honorable Mayor and City Council
From: Chad Tustison, Finance Director
Thru: Michael Scott, City Manager
Date: May 19, 2025
Re: Fiscal Year 2025 Second Quarter Financial Report

I am pleased to present the Second Quarter Financial Report for Fiscal Year 2025, covering the period of October 2024 through March 2025. This report highlights the General Fund, Water and Wastewater funds, Waxahachie Community Development Corporation (WCDC) Fund, Hotel/Motel Fund and the Tax Increment Refinance Zone (TIRZ) Fund. This report compares actual revenue collections and expenses incurred during the year to the approved budget.

General Fund

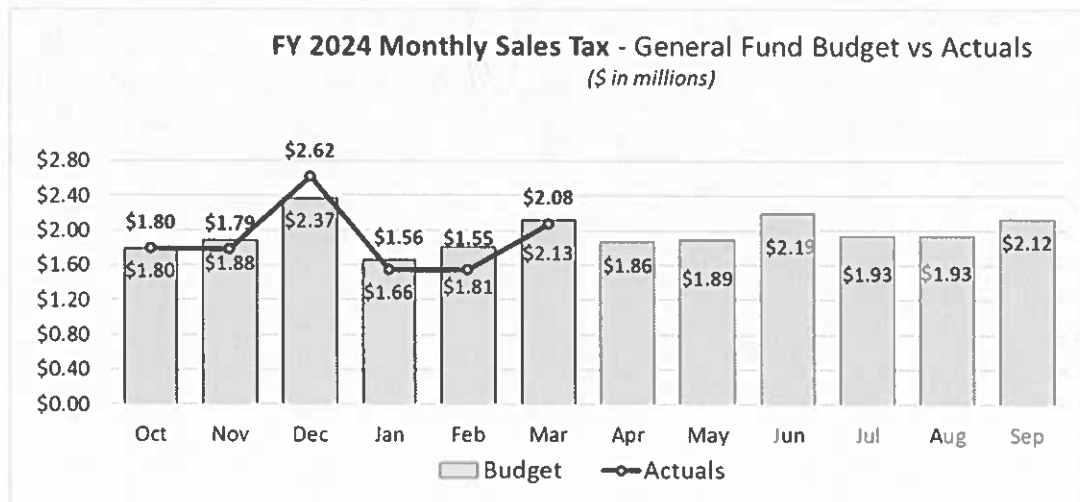
- The City's General Fund accounts for activities commonly associated with municipal government such as police and fire protection, parks and recreation, routine street maintenance, and library services. This fund is supported by property tax, sales tax, user fees, permits and other miscellaneous revenues. Overall, revenues have performed better than anticipated and expenses are within budget.
- **Property tax collections** account for approximately 40% of the City's budgeted revenue. Through the second quarter, property taxes in the City's General Fund amount to \$25.9 million, or 98% of the budget. The

(50)

majority of collections occur from December through March as property tax payments become due. In addition to current-year collections, this revenue also includes delinquent payments from prior years and associated penalties and interest.

- **Sales tax** is the second largest revenue source, accounting for 36% of the City's General Fund. Of the 8.25 cents for every dollar of taxable sales, the state of Texas collects 6.25 cents, while 1.5 cents are distributed to the City's General Fund, and 0.5 cents goes to the WCDC fund.

Through the second quarter, collections in the General Fund total \$11.4 million, or 48% of the budget. The budget was developed with a projected increase in sales tax of 4% over the prior year. Through two quarters, actual collections are 2% over last year and 2% below budget.

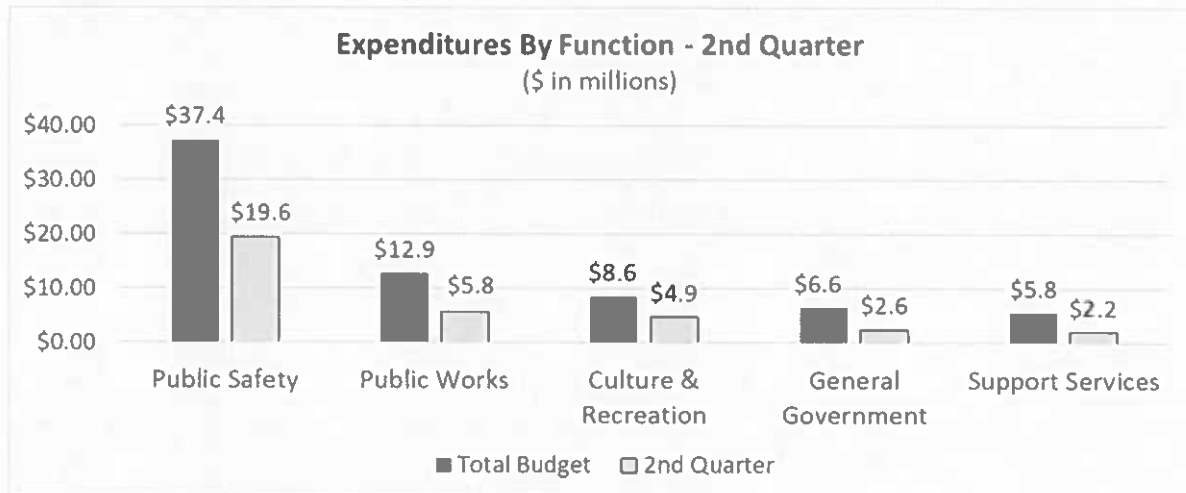


- Other major revenue sources include Franchise Fees, Licenses and Permits, Charges for Service, Miscellaneous revenue and Transfers In. Franchise fees are collected from local utility companies to pay for the use of the City's right-of-way. Franchise fees are typically paid following the close of the prior quarter. Building permits for residential and commercial building activity continue to be stronger than anticipated.

Miscellaneous revenue is trending higher mainly as a result of interest income from higher yields on the City's invested funds. Additionally, this category includes unanticipated legal settlement payments, auction proceeds and an enhanced procurement rebate program.

(59)

- **Expenditures** in the General Fund for the second quarter total \$35.1 million, or 49% of the budget. The following chart compares the budget for each City function to the actual expenditures through the second quarter.



- In the area of Public Works, spending is on track as the City continues work on the street and sidewalk projects included in the budget. As the year progresses and contracts are authorized and executed, these funds are anticipated to be spent at the budgeted levels.
- In the areas of General Government and Support Services, the majority of the lag in spending is due to savings from vacant positions and the timing of purchases.

Other Funds

- The Water and Wastewater Funds account for all revenues and expenditures associated with the operation and maintenance of the City's water distribution and wastewater treatment activities. For the Water and Wastewater Funds, revenues and expenses are in line with the budget.
- The WCDC fund accounts for revenues and expenses associated with the Waxahachie Community Development Corporation in operating the Civic Center and Sports Complex, promoting economic development, and implementing quality of life improvements throughout the community. This fund is mainly funded by ½ cent sales tax and user fees. Overall, revenues and expenses are within budget. Similar to the General Fund, sales tax is up 2% over last year and 2% under budget.

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- The Hotel/Motel Tax Fund receives the proceeds from a 7% hotel occupancy tax available to be used to promote tourism and the convention and hotel industry. The City uses the fund to operate the Convention and Visitor's Bureau and various smaller non-city organizations that promote the arts and historic tourism and preservation. Due to strong room occupancy rates and room rates, revenues from hotel/motel taxes are coming in above budget. Expenditures are lagging slightly due to the timing of the quarterly transfers to the Arts Council, which represents 25% of hotel revenue collections.

Investment Activity

- As part of the financial management of the City, cash balances in the City's various funds are invested and earn interest. This interest income can be used to fund operating costs, capital projects, and service debt. These funds are invested in accordance with the City's Investment Policy and are in full compliance with the Texas Public Funds Investment Act. The majority of City funds are invested in LOGIC, a AAA rated local government investment pool. In the second quarter of the fiscal year, the City's investments earned a total of \$2.87 million.
- Additional summary information related to the second quarter financial and investment activity can be found in the attachments to this report.

(5g)



CITY OF WAXAHACHIE QUARTERLY FINANCIAL REPORT

FISCAL YEAR 2025 - 2nd QUARTER

(October 1, 2024 - March 30, 2025)

GENERAL FUND SUMMARY

	ACTUALS FY 2024	BUDGET FY 2025	2nd Quarter FY 2025	QTR ACTUAL AS % OF BUDGET
REVENUES				
Property Tax	\$25,082,210	\$26,515,000	\$25,912,076	98%
Sales Tax	22,535,567	23,572,000	11,381,000	48%
Franchise Fees	5,317,181	5,495,500	1,756,879	32%
Licenses & Permits	2,724,188	1,817,600	1,127,435	62%
Charges for Service	3,285,758	2,773,400	1,059,652	38%
Miscellaneous	3,146,587	1,733,500	2,463,501	142%
Transfers In	13,825,094	4,324,380	2,040,454	47%
Total Revenues	\$75,916,584	\$66,231,380	\$45,740,998	69%
EXPENDITURES BY FUNCTION				
Public Safety	\$32,085,239	\$37,395,572	\$19,581,511	52%
Public Works	11,666,287	12,920,792	5,842,861	45%
Culture & Recreation	6,238,360	8,617,505	4,904,235	57%
General Government	11,007,308	6,613,694	2,638,372	40%
Support Services	3,936,902	5,754,274	2,174,597	38%
Total Expenditures	\$64,934,096	\$71,301,837	\$35,141,576	49%

* Quarterly actual figures are preliminary and unaudited

* Budget figures includes budget amendments since October 1, 2024 and prior-year encumbrances

(59)



CITY OF WAXAHACHIE QUARTERLY FINANCIAL REPORT

FISCAL YEAR 2025 - 2nd QUARTER

(October 1, 2024 - March 30, 2025)

OTHER FUNDS SUMMARY

	ACTUALS FY 2024	BUDGET FY 2025	2nd Quarter FY 2025	QTR ACTUAL AS % OF BUDGET
WATER FUND				
Revenues	\$20,312,990	\$22,671,600	\$10,656,631	47%
Expenses	19,939,012	23,369,166	11,612,087	50%
WASTEWATER FUND				
Revenues	\$14,254,526	\$16,694,052	\$7,939,909	48%
Expenses	12,247,430	16,022,214	7,581,153	47%
WAXAHACHIE COMMUNITY DEVELOPMENT FUND (WCDC)				
Revenues	\$8,563,115	\$9,007,970	\$4,450,152	49%
Expenses	7,793,298	9,323,832	5,765,105	62%
HOTEL / MOTEL FUND				
Revenues	\$1,185,896	\$1,226,250	\$590,245	48%
Expenses	979,454	1,099,317	461,208	42%
TAX INCREMENT FINANCE ZONE FUND (TIRZ 1)				
Revenues	\$812,878		\$859,268	-
Expenses	504,065		54,110	-

* Quarterly actual figures are preliminary and unaudited

* Budget figures includes budget amendments since October 1, 2021 and prior-year encumbrances

CITY OF WAXAHACHIE
 Quarterly Investment Report
 as of March 31, 2025

Account Type	Purchase Date	Maturity Date	Book Value	Market Value	Fund Distribution
LOGIC	N/A	On Demand	258,557,610	258,557,610	All Funds
First Financial Bank	N/A	On Demand	4,151,070	4,151,070	All Funds
Totals			262,708,681	262,708,681	

Total interest earned for this quarter: \$ 2,869,677
 Total interest earned fiscal year to date: \$ 5,758,106

This report complies with the requirements of the public investment law and covers all the funds of the City of Waxahachie that are subject to that law.



 Chad Tustison, Finance Director and Investment Officer

(59)

(5h)



Memorandum

To: Honorable Mayor and City Council
From: Kumar Gali, Senior Director of Utilities
Thru: Michael Scott, City Manager
Date: May 19, 2025
Re: Consider Supplemental Appropriation for the FY 2025 Water Operations and Maintenance Budget

Motion: "I move to approve a supplemental appropriation in the amount of \$100,000 from the Water Fund unrestricted reserve to provide additional funding for miscellaneous pavement repairs and authorize the City Manager to execute all the necessary documents."

Item Description: Consider approving a supplemental appropriation in the amount of \$100,000 from the Water Fund unrestricted reserve to provide additional funding for miscellaneous pavement repairs.

Item Summary: City staff requests an additional \$100,000 from the Water Fund unrestricted reserve for miscellaneous pavement repairs. Due to the amount of utility repairs performed this fiscal year and the increase cost to replace the pavement (concrete and asphalt), the crews have utilized approximately 90-percent of the budget allocated in FY-2025, resulting in an insufficient balance to cover the needs for the remainder of the fiscal year.

Fiscal Impact: Staff requests a supplemental appropriation of \$100,000 from the Water Fund unrestricted reserve to provide additional funding for the miscellaneous pavement repairs throughout the rest of the year.

(5i)



Memorandum

To: City Council
 From: Mayor Billie Wallace
 Thru: Michael Scott, City Manager 
 Date: May 19, 2025
 Re: City Council Liaison Appointments to Boards and Commissions

Recommended Motion: "I move to approve the City Council liaison appointments as presented."

Item Summary: Each year, the Mayor appoints City Council members to serve as liaisons to various Boards and Commissions. Liaison appointments serve for a term of one year and are reviewed annually, after the reorganization of City Council. The appointments below are effective May 19, 2025 upon adoption by the City Council.

Waxahachie Community Development Corp.	Billie Wallace
Economic Development Commission	Billie Wallace
TIRZ	Billie Wallace
North Central Texas Housing Finance Corp.	Billie Wallace

COG Representative	Chris Wright
Firemen's Relief & Retirement Fund	Chris Wright
Senior Center Committee	Chris Wright
Library Board	Chris Wright

Planning & Zoning Commission	Patrick Souter
Heritage Preservation Commission	Patrick Souter
Cemetery Board	Patrick Souter
Waxahachie Partnership, Inc.	Patrick Souter
Animal Care Advisory Committee	Patrick Souter

Park Board	Travis Smith
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(7)

Economic Development Commission
Impact Fee Advisory Committee
Keep Waxahachie Beautiful Committee

Travis Smith
Travis Smith
Travis Smith

Mid-Way Airport Board
Waxahachie Housing Authority
Zoning Board of Adjustments

Tres Atkins
Tres Atkins
Tres Atkins

Annual Boards and Commissions Review Committee

All Council Members

Boards and Commissions Unexpired Term
Vacancies

Mayor and Mayor Pro Tem

(7)

PROCLAMATION

WHEREAS, public works professionals focus on public infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the residents of Waxahachie, Texas; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our public transportation, water supply, water treatment, wastewater collection, wastewater treatment, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Waxahachie, Texas to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association.

NOW THEREFORE, be it resolved that I, Billie Wallace, Mayor of the City of Waxahachie, along with the entire City Council, do hereby designate the week May 18–24, 2025 as

“NATIONAL PUBLIC WORKS WEEK”

and urge all citizens to join with representatives of the American Public Works Association, government agencies, City’s Public Works and Utility departments in activities, events, and ceremonies designed to pay tribute to our public works and utility professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life.

Proclaimed this 19th day of May 2025.

MAYOR

ATTEST:

CITY SECRETARY

(8+9)

Planning & Zoning Department
Zoning Staff Report



Case: SP-222-2024

MEETING DATE(S)

Planning & Zoning Commission: May 13, 2025
City Council: May 19, 2025

CAPTION

Public Hearing on a request by Ryan McIntosh, Trinity Partners, for a **Site Plan** for the Plaza at Bessie Coleman, located directly south of 1650 N US Highway 77 (Property ID: 223131) – Owner: Bomac Wax Investments LLC (SP-222-2024)

RECOMMENDED MOTION

"I move to approve SP-222-2024, a Site Plan for the Plaza at Bessie Coleman, subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on May 13, 2025, the Commission voted 5-1 to recommend approval of case number SP-222-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Site Plan to allow for the construction of the Plaza at Bessie Coleman, a multi-tenant retail center with a total of 47,249 square feet of retail space anchored by Sprouts Farmers Market. The existing Planned Development (PD) zoning for the property requires the Planning & Zoning Commission and City Council to provide Site Plan approval prior to development.

CASE INFORMATION

Applicant: Ryan McIntosh, Trinity Partners
Property Owner(s): Bomac Wax Investments LLC
Site Acreage: 8.53 acres
Current Zoning: Planned Development-Commercial (PD-42-C) – Ord. 1528
Requested Zoning: Planned Development-Commercial (PD-42-C) – Ord. 1528, with Site Plan

SUBJECT PROPERTY

General Location: Directly south of 1650 N US Highway 77
Parcel ID Number(s): 223131
Existing Use: Undeveloped

(8+9)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-42-C	Academy, Raising Canes
East	PD-64-SF-3	Country Meadows Subdivision
South	PD-1-C & PD-42-C	Belk, Boot Barn, Ellis County Music Center
West	O & GR w/ SUP	Waxahachie YMCA, Expedient Urgent Care

Future Land Use Plan:

Local Commercial & Residential Neighborhood

Comprehensive Plan:

Local Commercial: The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Residential Neighborhood: This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such duplex, cottage courts, and townhomes. Both residential and commercial uses need to be context sensitive. Commercial uses in this placetype may be a small pop up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods.

Thoroughfare Plan:

The subject property is accessible via Bessie Coleman Blvd only.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant proposes a Site Plan to allow for development of a Sprouts Farmers Market and three (3) multi-tenant retail buildings on approximately 8.53-acres of a 17.7-acre tract at the southeast corner of Bessie Coleman Boulevard and Highway 77. The subject property is currently situated in a Planned Development-42-Commercial (PD-42-C) zoning district. The PD zoning district allows for the development of "Retail Stores & Shops" Land Uses, with the approval of a Site Plan by the Planning & Zoning Commission and City Council.

Proposed Use:

The development is proposed to be anchored by a Sprouts Farmers Market. Sprouts is a supermarket brand that specializes in natural and organic foods. Typical Sprouts operating hours are 7:00am to 10:00pm. Sprouts Farmers Market does not currently intend to provide an online pick-up on the site and no Outdoor Storage or Display uses are proposed with this application. No specific users for the multi-tenant buildings have been identified with this Site Plan Application. However, the site is designed to accommodate users ranging from retail stores, restaurant, and medical offices.

Site Design & Phasing:

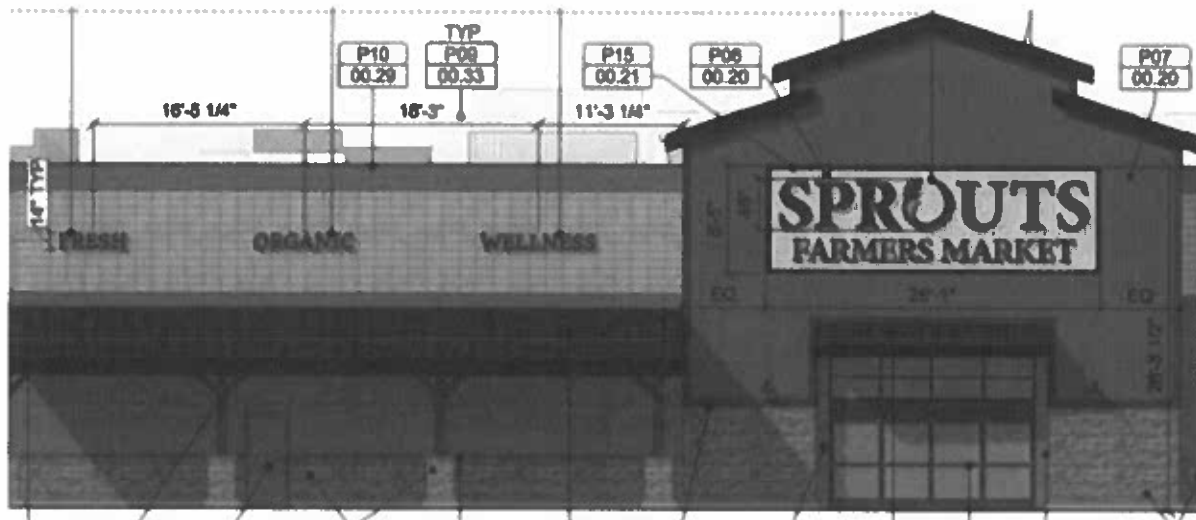
The applicant has provided a Site Plan for the subject property, which is designed around a 23,299 square-foot structure that will house Sprouts Farmers Market. The Site Plan also includes three (3) multi-tenant retail buildings with a combined footprint of 24,024 square feet. Each building is proposed to be situated on an individual lot. The Sprouts Farmers Market is proposed to be constructed with the first phase of development, with the multi-tenant retail buildings following in later phases. Access between lots is proposed to be facilitated by the establishment of mutual access easements across the major internal drive-aisles connecting each lot. The Site Plan also identifies 3 remaining lots, totaling approximately 7-acres outside the floodplain, that are not proposed to be developed at this time. The property owner will return for Site Plan approval at the time each of these remaining lots are proposed to be developed.

The proposed Site Plan meets the minimum parking requirement of 301 parking spaces. The site has also been designed to meet the minimum setback requirements of the Commercial (C) zoning district. However, it is important to note that the primary building is situated approximately 254' from the nearest adjacent single-family residential lot at its closest point to the east. The product loading area and trash compactor for the site are screened from view of the right-of-way (ROW) by the buildings on site and are located approximately 260' from the nearest adjacent single-family residential lot. The trash compactor and product loading area are proposed to be screened from interior drive-aisles by a 6' wall.

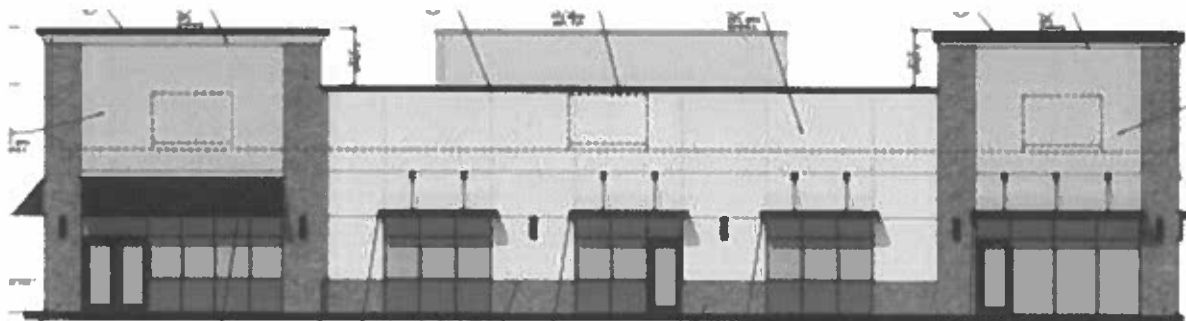
(8+9)

Elevation/Façade Plan:

The applicant has provided an Elevation/Façade Plan for the proposed multi-tenant retail buildings and the Sprouts Farmers Market. The primary exterior construction materials proposed for the development feature split face concrete masonry units (CMUs), stone veneer, and stucco, with minor EIFS and siding accents. All buildings on the subject property are proposed to utilize an earth tone color palette; which is designed to complement the color palette of the Sprouts brand. All proposed structures meet the typical articulation requirements of the Waxahachie Zoning Ordinance. Enhanced articulation is proposed at several key locations to ensure that all roof-mounted equipment is fully screened from view. Exhibit B, along with the images below, can be referenced for additional detail regarding the proposed elevations.



Proposed Sprouts Front Façade (West Facing Highway 77)



Proposed Multi-Tenant Retail Front Façade

Access & Traffic:

The applicant has provided a preliminary TIA with this application to identify options to accommodate the traffic generated by the proposed development. The preliminary TIA is currently under review by the Public Works & Engineering Department and is required to be approved prior to Platting the subject property. The TIA has identified several potential improvements to the road network in the surrounding area, including dedicated turn lanes, that are being evaluated by Staff. TxDOT has indicated that installation of a traffic signal at the Bessie Coleman Boulevard and Highway 77 intersection will not be permitted with Phase 1 of the proposed development. As additional phases of the project develop, traffic and potential roadway improvements will continue to be evaluated.

(8+9)

Screening:

The applicant proposes to install a 6' masonry screening wall approximately 50' from the eastern property line. The proposed screening wall adheres to the requirements of the Waxahachie Zoning Ordinance for non-residential development adjacent to existing single-family residences. The screening wall is situated on the western edge of an overhead electric easement, which results in a 50' open space buffer between the screening wall and adjacent residential property lines.

Lighting:

The applicant has provided a Photometric Plan (attached as Exhibit F) for the proposed development that demonstrates compliance with the Waxahachie Lighting and Glare Standards. All light fixtures are proposed to be shielded and directed downwards to eliminate light trespass and glare onto adjacent residential property. All proposed light poles are restricted to a maximum height of 20'.

Landscaping:

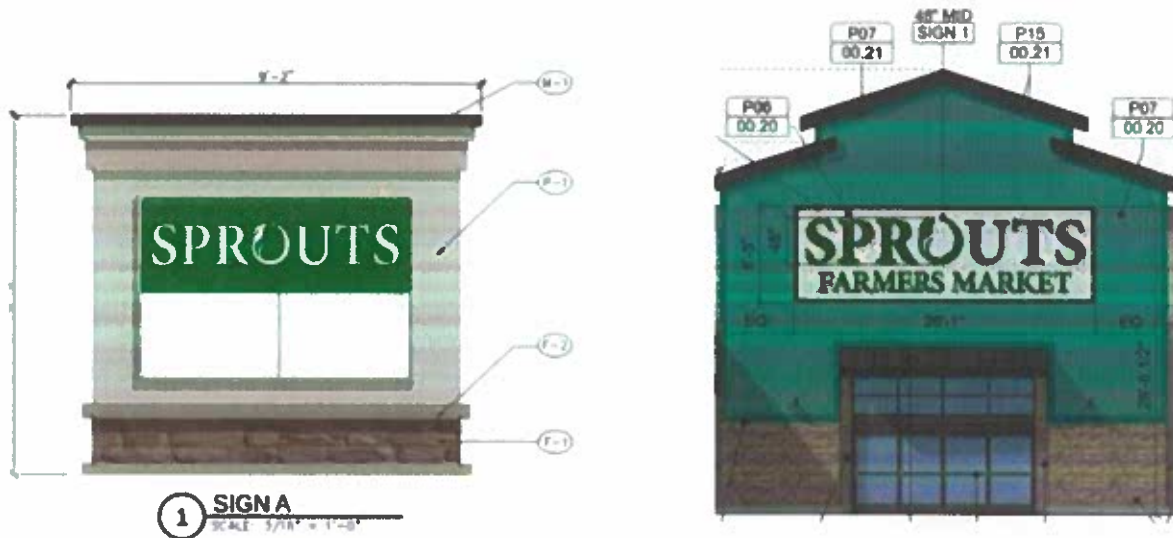
The applicant has provided a Landscape Plan (Exhibit D) that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. The applicant has clustered required canopy and ornamental trees along the western and northern property lines; which are the most visible portions of the development. The proposed landscape design for the site is similar to the recently approved BJ's Wholesale Club development in this regard. A permanent irrigation system will be installed for all landscape areas.

Drainage & Utilities:

The applicant has provided preliminary utility and grading plans to identify the proposed utility and drainage infrastructure necessary to facilitate the development. The preliminary plans have demonstrated the feasibility of the infrastructure design for the development, based on the proposed site plan. The applicant proposes to improve existing drainage infrastructure on the site to account the additional run-off from the proposed development. The final utility and grading plans will be reviewed and approved by the Public Works and Engineering Department with a future Civil Construction Permit.

Signage:

The applicant has proposed several single and multi-tenant monument signs for the subject property along with specific wall signs for the Sprouts Farmers Market. The proposed signs meet the size and dimension requirements of the Waxahachie Zoning Ordinance and may be viewed in detail with Exhibit E below. The applicant has submitted a separate SUP Application (ZDC-14-2025) for 30' unified lot sign at the southeast corner of Bessie Coleman Boulevard and US Highway 77. This application is scheduled for consideration at the May 27th Planning & Zoning Commission and June 2nd City Council meetings.



Trail Dedication:

The Parks and Recreation Department has requested the applicant install a 6' sidewalk along the southern boundary of the subject property, adjacent to the floodplain. The purpose of this sidewalk is to provide a connection point to the Mustang Creek Trail that the City is currently constructing south of the subject property. The long-term goal for this area is to develop and uninterrupted trail network from Mustang Creek Park to the YMCA to facilitate direct pedestrian access from the North Grove Area to the YMCA. The construction of a sidewalk connection on the subject property is a crucial part of the intended trail network. The YMCA is currently preparing development plans that include a 6' sidewalk extension to the western edge of Highway 77. Staff recommends that construction of the 6' sidewalk as requested by the Parks and Recreation Department be a condition of approval of the Site Plan Application. Staff supports the waiver of cash-in-lieu of park land dedication fees, if the sidewalk is constructed. The standard commercial cash-in-lieu of park land dedication fee is \$600.00 per acre.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Site Plan request, subject to the conditions noted below.

Conditions:

1. As part of the development of Phase 1, the applicant shall construct a 6' sidewalk from the south western property line to the south eastern property line for future connection to the Mustang Creek Park Trail. The applicant shall dedicate a pedestrian easement covering the location of the sidewalk. Construction of the sidewalk shall be completed prior to the issuance of the first Certificate Occupancy (CO) in Phase 1.
2. A mutually agreed upon Development Agreement requiring adherence to the proposed Elevation/Façade Plan shall be executed between the property owner and the City in conjunction with the Site Plan.

ATTACHED EXHIBITS

1. Development Agreement
2. Exhibit A - Location Map
3. Exhibit B - Elevation/Façade Plan
4. Exhibit C - Site Plan
5. Exhibit D - Landscape Plan
6. Exhibit E - Signage Plan
7. Exhibit F - Photometric Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant is required to provide the City with a hard copy of the signed Development Agreement within 30-days.
 - a. Once the development agreement is recorded, the applicant can apply for a Plat Application with the Planning Department, Civil Construction Permit(s) with the Public Works & Engineering Department, and Building Permit(s) from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Planning Manager

zking@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

STATE OF TEXAS	§	<u>DEVELOPMENT AGREEMENT FOR</u>
	§	<u>PLAZA AT BESSIE COLEMAN</u>
COUNTY OF ELLIS	§	

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the City of Waxahachie, Texas ("City"), and Bomac Wax Investments LLC ("Developer") (individually, a "Party" and collectively, the "Parties") to be effective (the "Effective Date") on the latest date executed by a Party.

WHEREAS, the City is a home-rule municipal corporation, located in Ellis County, Texas, organized and existing under the laws of the State of Texas; and

WHEREAS, Developer is developing in the City retail stores and shops on approximately 8.53 acres of land generally located at the southeast corner of N US Highway 77 and Bessie Coleman Boulevard, Parcel Number 223131 in the City (the "Property"), and a legal description and depiction of the Property is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the foregoing Property received site plan approval by the City Council on or about May 19, 2025, when the City Council approved Site Plan Application SP-222-2024 for the Property, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in the Development, as may be amended, and as more fully described herein.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

1. Development Standards. For any structure built on the Property following the Effective Date, it shall comply with the elevations and building materials requirements contained in Exhibit B, attached hereto and incorporated herein. The Parties agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Nothing in this Agreement shall be deemed to modify or otherwise amend any zoning regulation duly adopted by the City, previously or in the future.

2. Covenant Running with the Land. The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

3. **Applicability of City Ordinances.** Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable City ordinances and building/construction codes. Further, Developer shall plat the Property prior to the submission of any applications for any building permit.

4. **Rough Proportionality.** Developer hereby agrees that any land or property donated and/or dedicated to the City pursuant to this Agreement, including but not limited to any dedication of right-of-way along either N US Highway 77 and/or Bessie Coleman Boulevard, whether in fee simple or otherwise, including any easements (as may be reflected in any Final Plat), including any utility and/or access easements, relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the City further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of roadway services to the Property.

5. **Exactions/Infrastructure Costs.** Both the City and Developer have been represented by legal counsel in the negotiation of this Agreement and been advised or each has had the opportunity to have legal counsel review this Agreement and advise them, regarding Developer's and the City's rights under Texas and federal law. Developer and the City hereby waive any requirement that the other retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions are roughly proportional or roughly proportionate to the proposed development's anticipated impact. Developer specifically reserves its right to appeal the apportionment of municipal infrastructure costs in accordance with § 212.904 of the Texas Local Government Code and any exemptions from impact fees under current or future law; however, notwithstanding the foregoing and to the extent permitted by law, Developer hereby releases the City from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

6. **Default.** No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in

accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

7. **Venue**. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Ellis County, Texas.

8. **Notice**. Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City: The City of Waxahachie
 408 S. Rogers Street
 Waxahachie, Texas 75165
 Attention: City Manager

If to Developer: Bomac Wax Investments LLC
 508 Wagonwheel Court,
 Colleyville, TX 76034
 Attention: Bradford H. Bowen

9. **Prevailing Party**. In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

10. **Entire Agreement**. This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

11. **Savings/Severability**. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

12. **Binding Agreement**. A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

13. **Authority to Execute**. This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The City warrants and represents

that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

14. Filing in Deed Records. This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Ellis County, Texas.

15. Mediation. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

16. Notification of Sale or Transfer; Assignment of Agreement. Except with respect to a sale or transfer to a related entity of Developer, Developer shall notify the City in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the City, but upon written notice to the City) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become an Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. Except with respect to a sale or transfer to a related entity of Developer, a copy of each assignment shall be provided to the City within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement and/or the building has been constructed on the Property as provided in this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon such transfer. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

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

18. Effect of Recitals. The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent

of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

19. **Consideration**. This Agreement is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

20. **Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

21. **Amendment**. This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

22. **Waiver of Texas Government Code § 3000.001 et seq.** With respect to any structures or improvements constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

23. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date referenced herein.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

(10)

CITY:

THE CITY OF WAXAHACHIE, TEXAS

By: _____

Name: Michael Scott

Title: City Manager

STATE OF TEXAS)
)
COUNTY OF ELLIS)

This instrument was acknowledged before me on the ___ day of _____, 202__, by Michael Scott, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

Notary Public, State of Texas
My Commission Expires: _____

(10)

DEVELOPER:

BOMAC WAX INVESTMENTS LLC, a Texas
(corporation)

By: _____

Name: _____

Title: _____

STATE OF _____)

_____)

COUNTY OF _____)

This instrument was acknowledged before me on the ___ day of _____, 202__, by _____ in his/her capacity as _____ of _____, a _____, known to be the person whose name is subscribed to the foregoing instrument, and that he/she executed the same on behalf of and as the act of Developer.

Notary Public, State of _____

My Commission Expires: _____

(10)

EXHIBIT A

(Property Legal Description)

Property Description: Ellis County Appraisal District Parcel Number 223131.

(10)

EXHIBIT A - LOCATION MAP



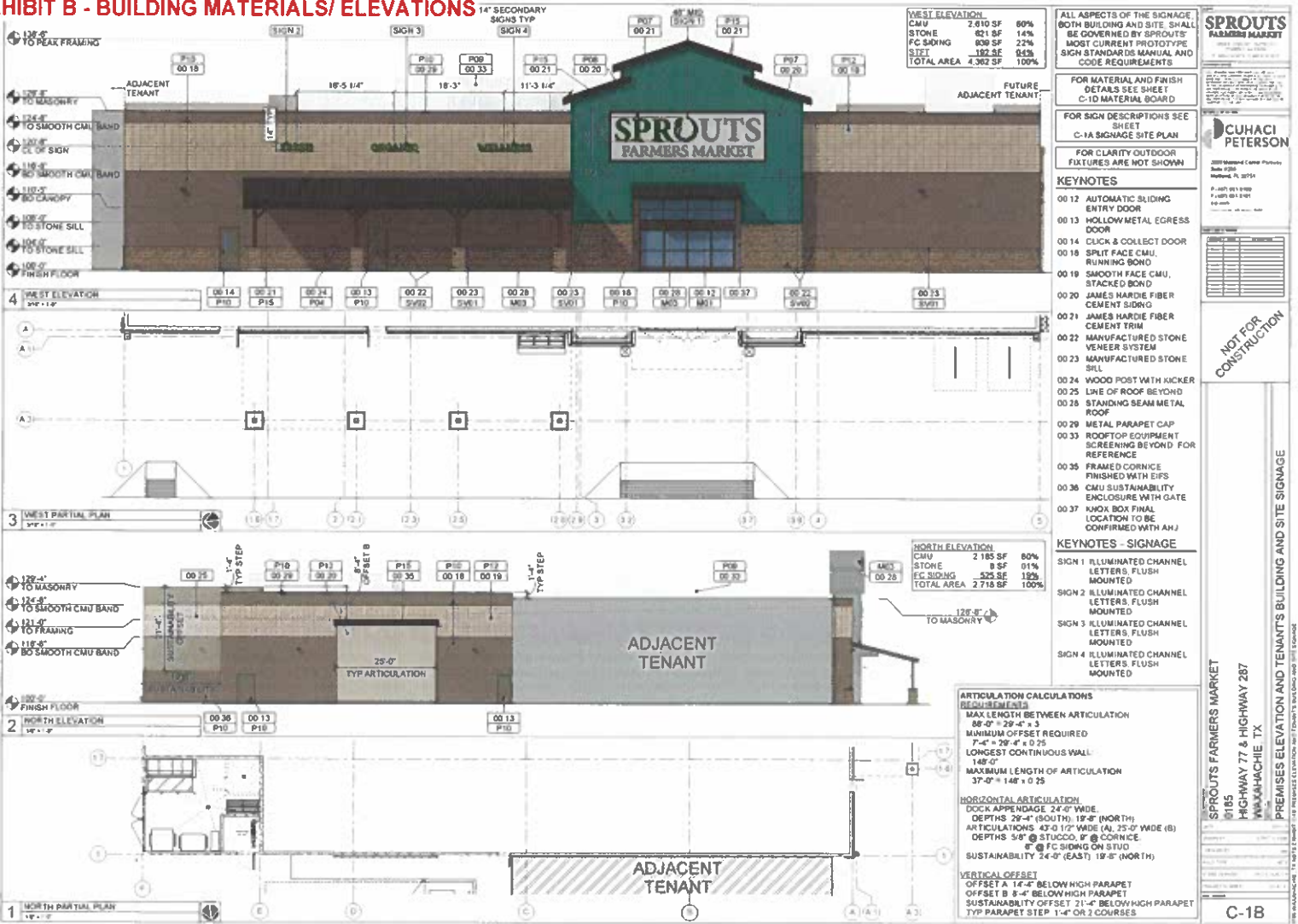
(10)

EXHIBIT B

(Building Materials/Elevations)

(10)

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS



SPROUTS FARMERS MARKET

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-10 MATERIAL BOARD

FOR SIGN DESCRIPTIONS SEE SHEET C-1A SIGNAGE SITE PLAN

FOR CLARITY OUTDOOR FIXTURES ARE NOT SHOWN

KEYNOTES

00 12 AUTOMATIC SLIDING ENTRY DOOR

00 13 HOLLOW METAL EGRESS DOOR

00 14 CLUCK & COLLECT DOOR

00 18 SPLIT FACE CMU RUNNING BOND

00 19 SMOOTH FACE CMU, STACKED BOND

00 20 JAMES HARDIE FIBER CEMENT SIDING

00 21 JAMES HARDIE FIBER CEMENT TRIM

00 22 MANUFACTURED STONE VENEER SYSTEM

00 23 MANUFACTURED STONE SILL

00 24 WOOD POST WITH KICKER

00 25 LINE OF ROOF BEYOND

00 26 STANDING SEAM METAL ROOF

00 29 METAL PARAPET CAP

00 33 ROOFTOP EQUIPMENT SCREENING BEYOND FOR REFERENCE

00 35 FRAMED CORNICE FINISHED WITH EIFS

00 36 CMU SUSTAINABILITY ENCLOSURE WITH GATE

00 37 KNOX BOX FINAL LOCATION TO BE CONFIRMED WITH AHJ

KEYNOTES - SIGNAGE

SIGN 1 ILLUMINATED CHANNEL LETTERS, FLUSH MOUNTED

SIGN 2 ILLUMINATED CHANNEL LETTERS, FLUSH MOUNTED

SIGN 3 ILLUMINATED CHANNEL LETTERS, FLUSH MOUNTED

SIGN 4 ILLUMINATED CHANNEL LETTERS, FLUSH MOUNTED

CUHACI PETERSON

2020 Standard Contract Documents
 Book 4750
 11/2019 04-1-0000
 11/2019 04-1-0001
 00-0000

NOT FOR CONSTRUCTION

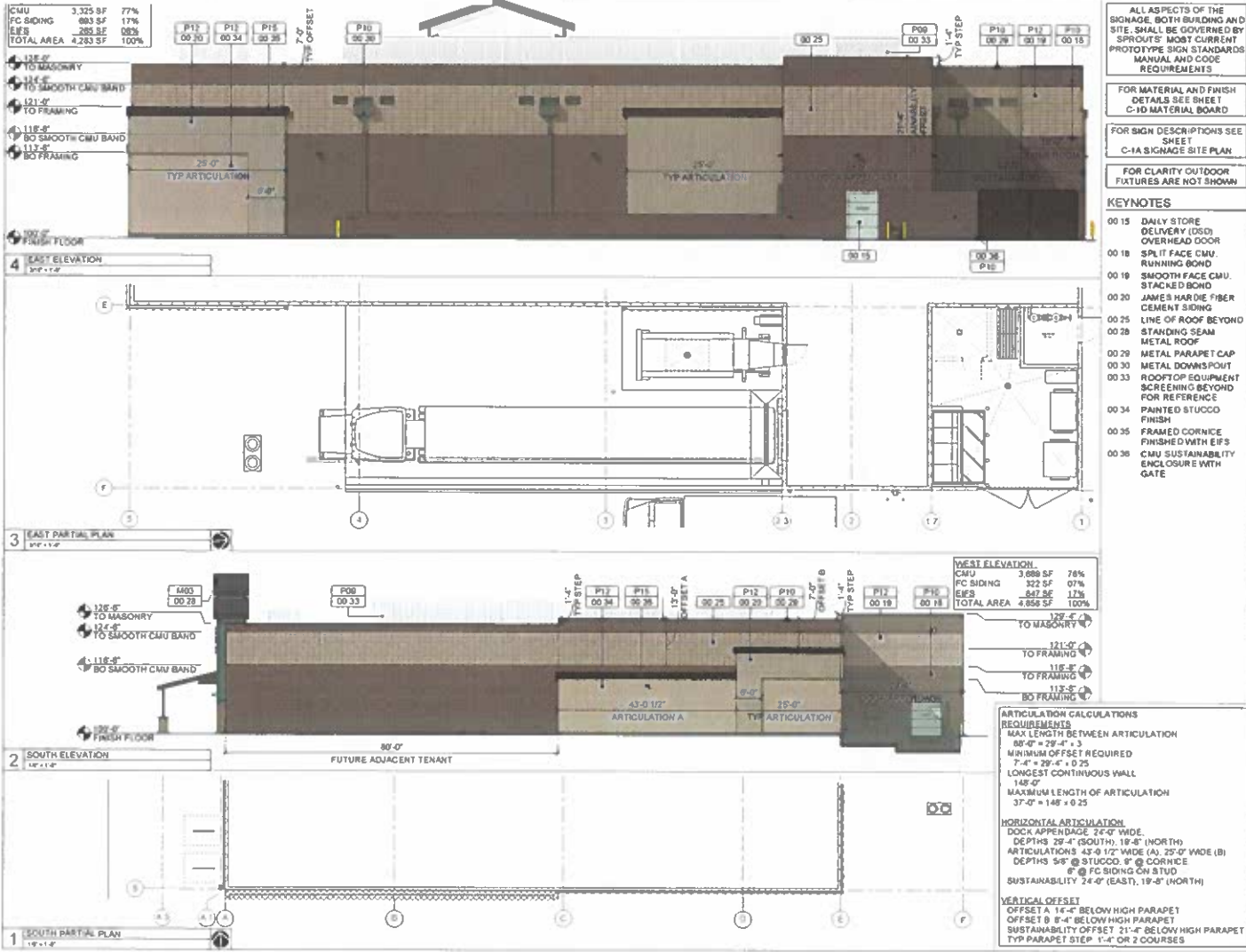
SPROUTS FARMERS MARKET
 0185
 HIGHWAY 77 & HIGHWAY 287
 WAXAHACHIE, TX

PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

C-1B

(10)

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS



ALL ASPECTS OF THE SIGNAGE, BOTH BUILDING AND SITE, SHALL BE GOVERNED BY SPROUTS' MOST CURRENT PROTOTYPE SIGN STANDARDS MANUAL AND CODE REQUIREMENTS.

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-10 MATERIAL BOARD.

FOR SIGN DESCRIPTIONS SEE SHEET C-1A SIGNAGE SITE PLAN.

FOR CLARITY OUTDOOR FIXTURES ARE NOT SHOWN.

- KEYNOTES**
- 00 15 DAILY STORE DELIVERY (DSD) OVERHEAD DOOR
 - 00 18 SPLIT FACE CMU, RUNNING BOND
 - 00 19 SMOOTH FACE CMU, STACKED BOND
 - 00 20 JAMES HARDIE FIBER CEMENT SIDING
 - 00 25 LINE OF ROOF BEYOND STANDING SEAM METAL ROOF
 - 00 28 METAL PARAPET CAP
 - 00 30 METAL DOWNSPOUT
 - 00 33 ROOFTOP EQUIPMENT SCREENING BEYOND FOR REFERENCE
 - 00 34 PAINTED STUCCO FINISH
 - 00 35 FRAMED CORNICE FINISHED WITH EIFS
 - 00 36 CMU SUSTAINABILITY ENCLOSURE WITH GATE

SPROUTS FARMERS MARKET

8000 Sprouts Center Parkway
Waxahachie, TX 75165
P: 972.941.1700
F: 972.941.1701

CUHACI PETERSON

3000 West Loop Parkway
Waxahachie, TX 75165
P: 972.941.1700
F: 972.941.1701

NOT FOR CONSTRUCTION

SPROUTS FARMERS MARKET
80185 HIGHWAY 77 & HIGHWAY 287
WAXAHACHIE, TX
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

C-1C

(10)

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS

ALL ASPECTS OF THE SIGNAGE, BOTH BUILDING AND SITE, SHALL BE GOVERNED BY SPROUTS' MOST CURRENT PROTOTYPE SIGN STANDARDS MANUAL AND CODE REQUIREMENTS.

SPROUTS FARMERS MARKET
10000 W. 10th St., Suite 100
Midland, TX 79701
P: 409.709.1100
F: 409.709.1101
www.sproutsfarmersmarket.com

CUHACI PETERSON
2000 Diamond Center Parkway
Suite 2000
Midland, TX 79701
P: 409.709.1100
F: 409.709.1101
www.cuhaci.com



STANDING SEAM METAL ROOFING

BERRIDGE
"AGED BRONZE"
(M03)



PAINTED METAL DECK

PPG 1025-1
COMMERCIAL WHITE
(P09)



PAINT

PPG 1142-6
"JERICHO JADE"
(P07)



PAINT

PPG 1000-5
"BEAR CUB"
(P10)



PAINT

PPG 1024-4
"MOTH GRAY"
(P12)



PAINTED CMU

SMOOTH FACE
(P12)



PAINT

PPG 1006-7
"METROPOLIS"
(P15)



WOOD POST

STAINED FLOOD
SEMI-TRANSPARENT
"707 TABACCO"
(P04)



STONE VENEER

CORONADO STONE
OLD WORLD LEDGE
"MONARCH"
(SV02)



SILL

CORONADO STONE
900 SERIES
"GREY"
(SV01)



STOREFRONT FINISH

AGED BRONZE
(M01)



PAINTED CMU

SPLIT FACE
(P10)

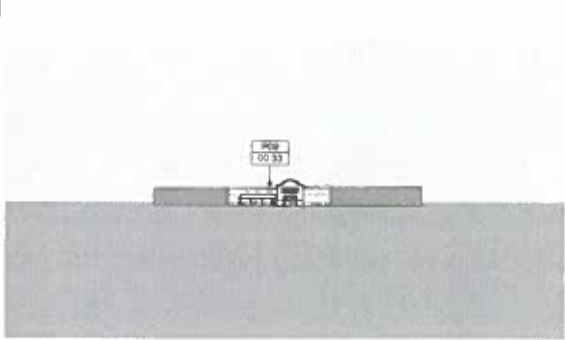
NOT FOR CONSTRUCTION

SPROUTS FARMERS MARKET
0185
HIGHWAY 77 & HIGHWAY 287
WAXAHACHIE, TX
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

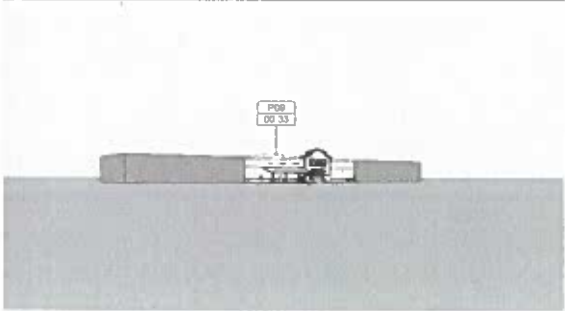
C-10

(10)

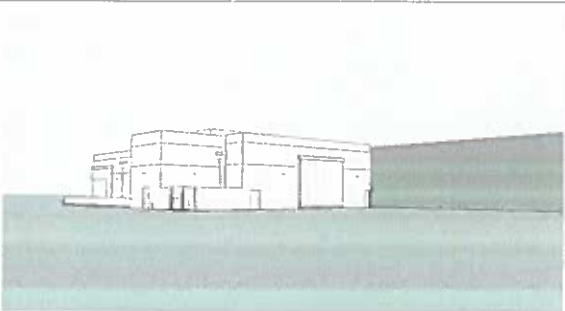
EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS



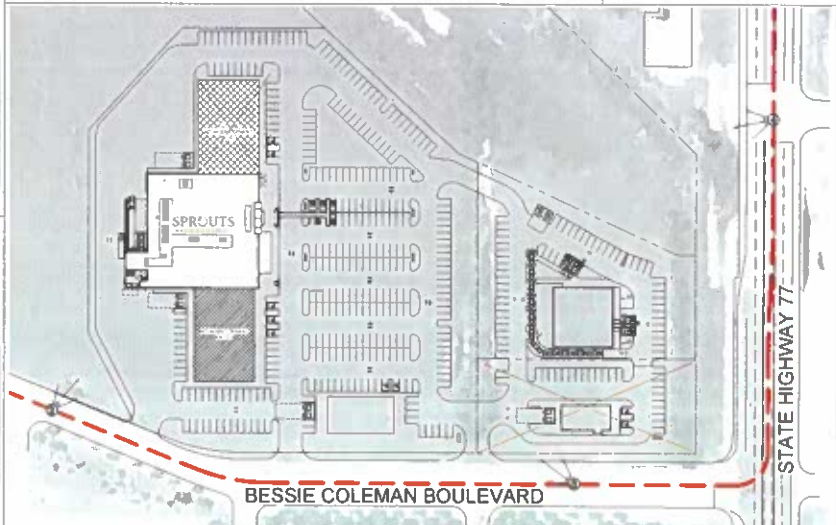
4 FROM US HIGHWAY 77
HTS



3 FROM BESSIE COLEMAN BLVD
HTS



2 FROM BESSIE COLEMAN BLVD
HTS



1 LINE OF SIGHT PLAN
1" = 100'

EQUIPMENT LOCATIONS AND HEIGHTS APPROXIMATED FROM TYPICAL SPROUTS MECHANICAL ROOF EQUIPMENT LAYOUT

PERSPECTIVES ARE TAKEN AT AN ELEVATION ABOVE GRADE OF 5'-0"

KEYNOTES
00 33 ROOFTOP EQUIPMENT SCREENING BEYOND FOR REFERENCE

SPROUTS
FARMERS MARKET

3000 Westwood Center Parkway
Suite 2700
Houston, TX 77057
P: 281.466.1100
F: 281.466.1101
www.sprouts.com

CUHACI
PETERSON

3000 Westwood Center Parkway
Suite 2700
Houston, TX 77057
P: 281.466.1100
F: 281.466.1101
www.sprouts.com

NO.	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

SPROUTS FARMERS MARKET
0185
HIGHWAY 77 & HIGHWAY 287
WAXAHACHIE, TX
LINE OF SIGHT EXHIBIT
C-1F

(10)

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS

SECTION
 BUILDING ELEVATION BETWEEN APPROXIMATE
 20'-0" x 11' = 53'-0"
 WINDOW CENTER AND CENTER OF OFFSET
 20'-0" x 8'-0" = 3'-0"
 OFFSET A = 12'-0" WINDOW 2'-0" OFFSET
 OFFSET B = 20'-0" WINDOW 2'-0" OFFSET
 OFFSET C = 18'-0" WINDOW 1'-0" OFFSET

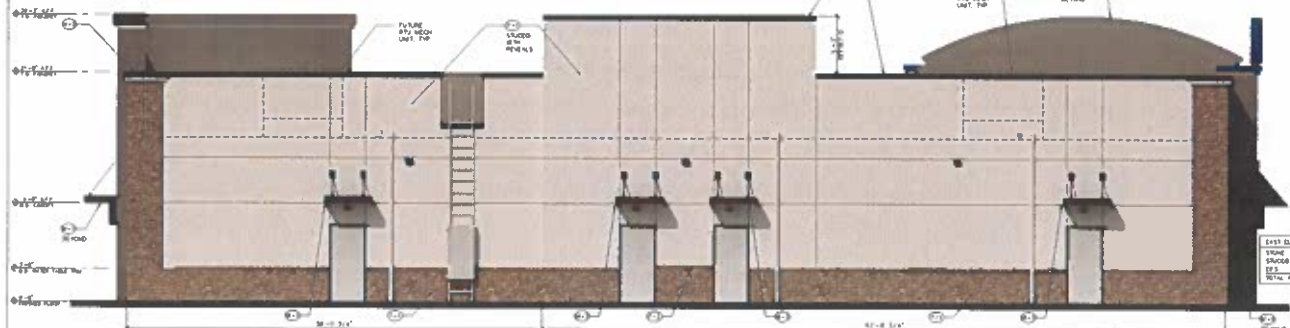
GENERAL
 WINDOW APPROXIMATE
 20'-0" x 8'-0" = 3'-0"
 OFFSET B = 1'-0" OFFSET

FINISH LEGEND

ITEM	FINISH
1	STONE MASONRY
2	CONCRETE
3	PAINT FINISH
4	PAINT FINISH
5	PAINT FINISH
6	PAINT FINISH
7	PAINT FINISH
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100	PAINT FINISH

EXTERIOR FINISH SCHEDULE

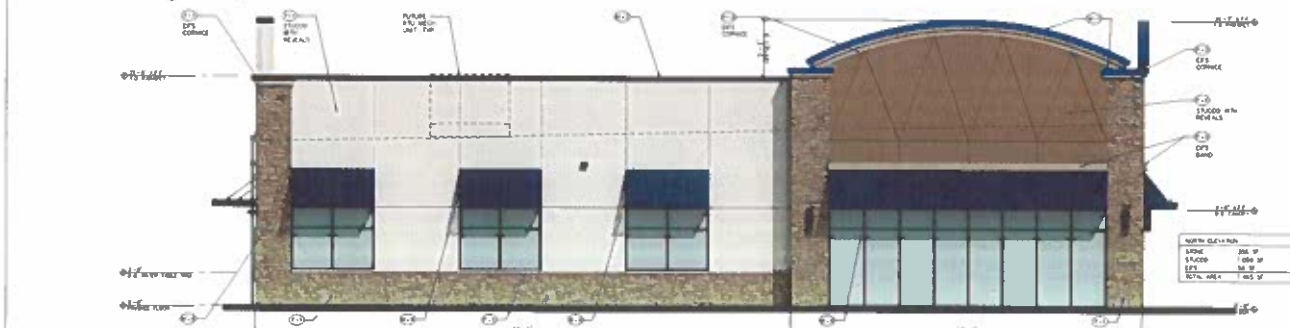
ITEM	COLOR	MANUFACTURER	REMARKS
1	CONCRETE	CONCRETE	CONCRETE
2	STONE MASONRY	STONE MASONRY	STONE MASONRY
3	PAINT FINISH	PAINT FINISH	PAINT FINISH
4	PAINT FINISH	PAINT FINISH	PAINT FINISH
5	PAINT FINISH	PAINT FINISH	PAINT FINISH
6	PAINT FINISH	PAINT FINISH	PAINT FINISH
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98	PAINT FINISH	PAINT FINISH	PAINT FINISH
99	PAINT FINISH	PAINT FINISH	PAINT FINISH
100	PAINT FINISH	PAINT FINISH	PAINT FINISH



1 EAST ELEVATION
 SCALE: 1/4" = 1'-0"

EAST ELEVATION

STONE	495 SF	21%
CONCRETE	1495 SF	78%
PAINT	11 SF	1%
TOTAL AREA	2400 SF	100%



2 NORTH ELEVATION
 SCALE: 1/4" = 1'-0"

NORTH ELEVATION

STONE	285 SF	12%
CONCRETE	2015 SF	88%
PAINT	10 SF	1%
TOTAL AREA	2310 SF	100%

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 PERMITTING OR
 CONSTRUCTION

FRANZ
 ARCHITECTS

1000 West Loop West, Suite 1000
 Fort Worth, Texas 76102

SHELL BUILDING A
 180 HWY 77 & BESSE COLEMAN
 WAXAHACHIE, TX

DATE: 10/15/2018
 DRAWN BY: JACOB
 CHECKED BY: JACOB

A2.1
 EXTERIOR ELEVATIONS

(10)

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS



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CONSTRUCTION

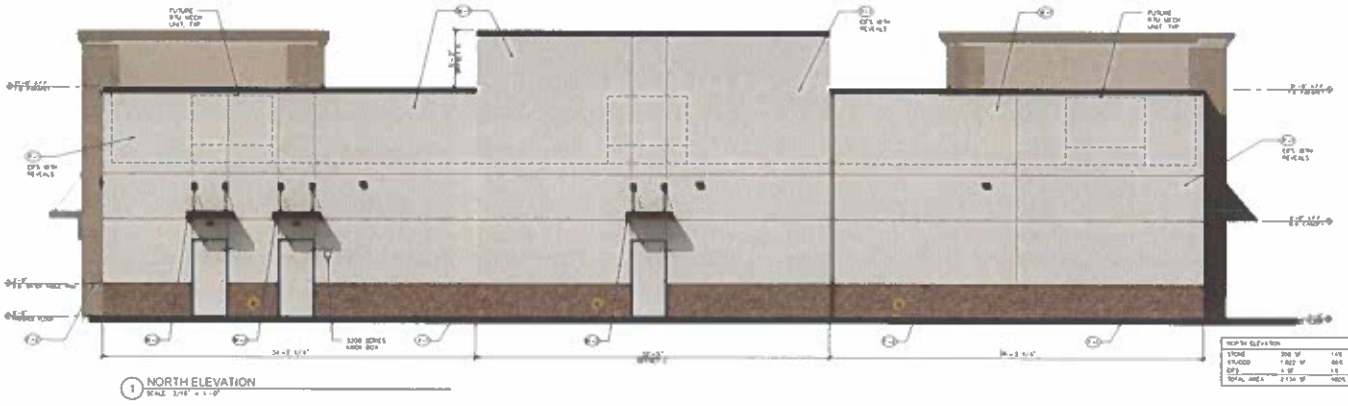
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architects

SHELL BUILDING B
HWY 77 & BESSIE COLEMAN
WAXAHACHIE, TX

Project No. 240000000
Sheet No. 10

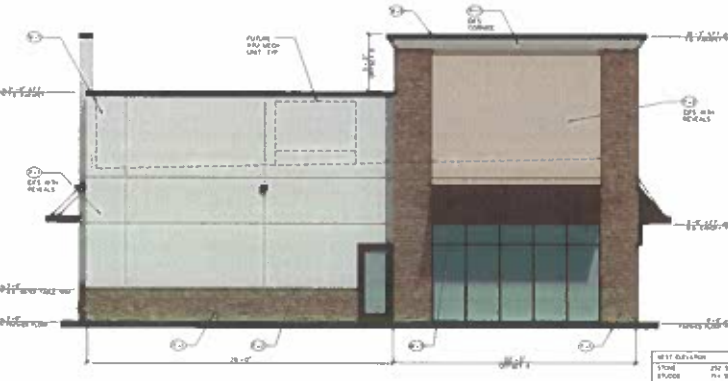
A2.0
EXTERIOR
ELEVATIONS

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS



1 NORTH ELEVATION
SCALE 3/16" = 1'-0"

NORTH ELEVATION	111
STONE	206 SF
STUCCO	742 SF
EIFS	111 SF
EIFS 8 1/2\"/>	
EIFS 12\"/>	
TOTAL AREA	2,134 SF



2 WEST ELEVATION
SCALE 3/16" = 1'-0"

WEST ELEVATION	214
STONE	111 SF
STUCCO	71 SF
EIFS	71 SF
TOTAL AREA	253 SF

GENERAL NOTES
 1. FINISH LINE BETWEEN APPROXIMATION
 2. FINISH LINE BETWEEN APPROXIMATION
 3. FINISH LINE BETWEEN APPROXIMATION
 4. FINISH LINE BETWEEN APPROXIMATION
 5. FINISH LINE BETWEEN APPROXIMATION
 6. FINISH LINE BETWEEN APPROXIMATION
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 8. FINISH LINE BETWEEN APPROXIMATION
 9. FINISH LINE BETWEEN APPROXIMATION
 10. FINISH LINE BETWEEN APPROXIMATION

ITEM	COLOR	MANUFACTURER	REMARKS
1) STONE MASONRY	OLD WORLD LIME MASONRY	CONCRETE STONE	INSTALL PER MANUFACTURER'S RECOMMENDATIONS
2) STUCCO	ANTIQUE GREY	CONCRETE STONE	-
3) PAINT	PRO PAINTS	PRO PAINTS	FIELD COLOR
4) PAINT	PRO PAINTS	PRO PAINTS	ACCENT COLOR
5) METAL	PRO PAINTS	PRO PAINTS	-
6) METAL	PRO PAINTS	PRO PAINTS	-
7) METAL	PRO PAINTS	PRO PAINTS	-
8) METAL	PRO PAINTS	PRO PAINTS	-
9) METAL	PRO PAINTS	PRO PAINTS	-
10) METAL	PRO PAINTS	PRO PAINTS	-
11) METAL	PRO PAINTS	PRO PAINTS	-
12) METAL	PRO PAINTS	PRO PAINTS	-
13) METAL	PRO PAINTS	PRO PAINTS	-
14) METAL	PRO PAINTS	PRO PAINTS	-
15) METAL	PRO PAINTS	PRO PAINTS	-
16) METAL	PRO PAINTS	PRO PAINTS	-
17) METAL	PRO PAINTS	PRO PAINTS	-
18) METAL	PRO PAINTS	PRO PAINTS	-
19) METAL	PRO PAINTS	PRO PAINTS	-
20) METAL	PRO PAINTS	PRO PAINTS	-

FINISH LEGEND	
STONE	STUCCO
EIFS	EIFS 8 1/2\"/>
EIFS 12\"/>	

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 FOR
 PERMITTING OR
 CONSTRUCTION

FRANZ
 ARCHITECTS
 1000 DALLAS STREET
 SUITE 100
 DALLAS, TEXAS 75201
 (214) 761-1111
 WWW.FRANZARCHITECTS.COM

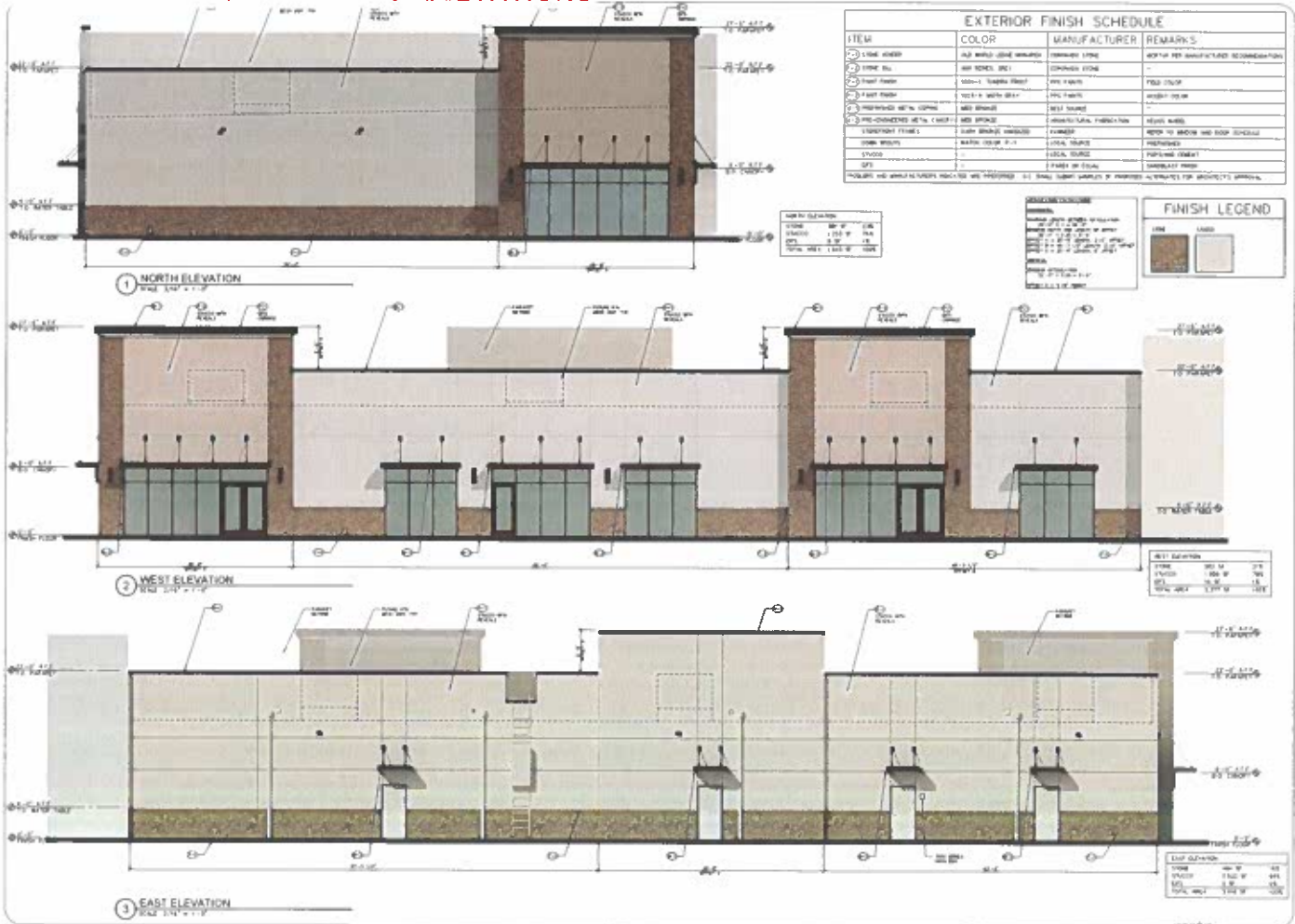
SHELL BUILDING B
 HWY 77 & BESSIE COLEMAN
 WAKAHACHIE, TX

Project No. 21000
 Drawing No. 21000-01
 Sheet No. 10 of 10

A2.1
 EXTERIOR
 ELEVATIONS

(10)

EXHIBIT B - BUILDING MATERIALS/ ELEVATIONS



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OR
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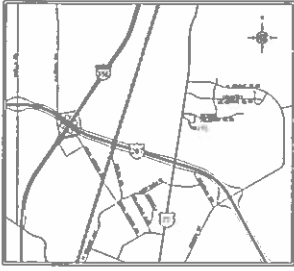
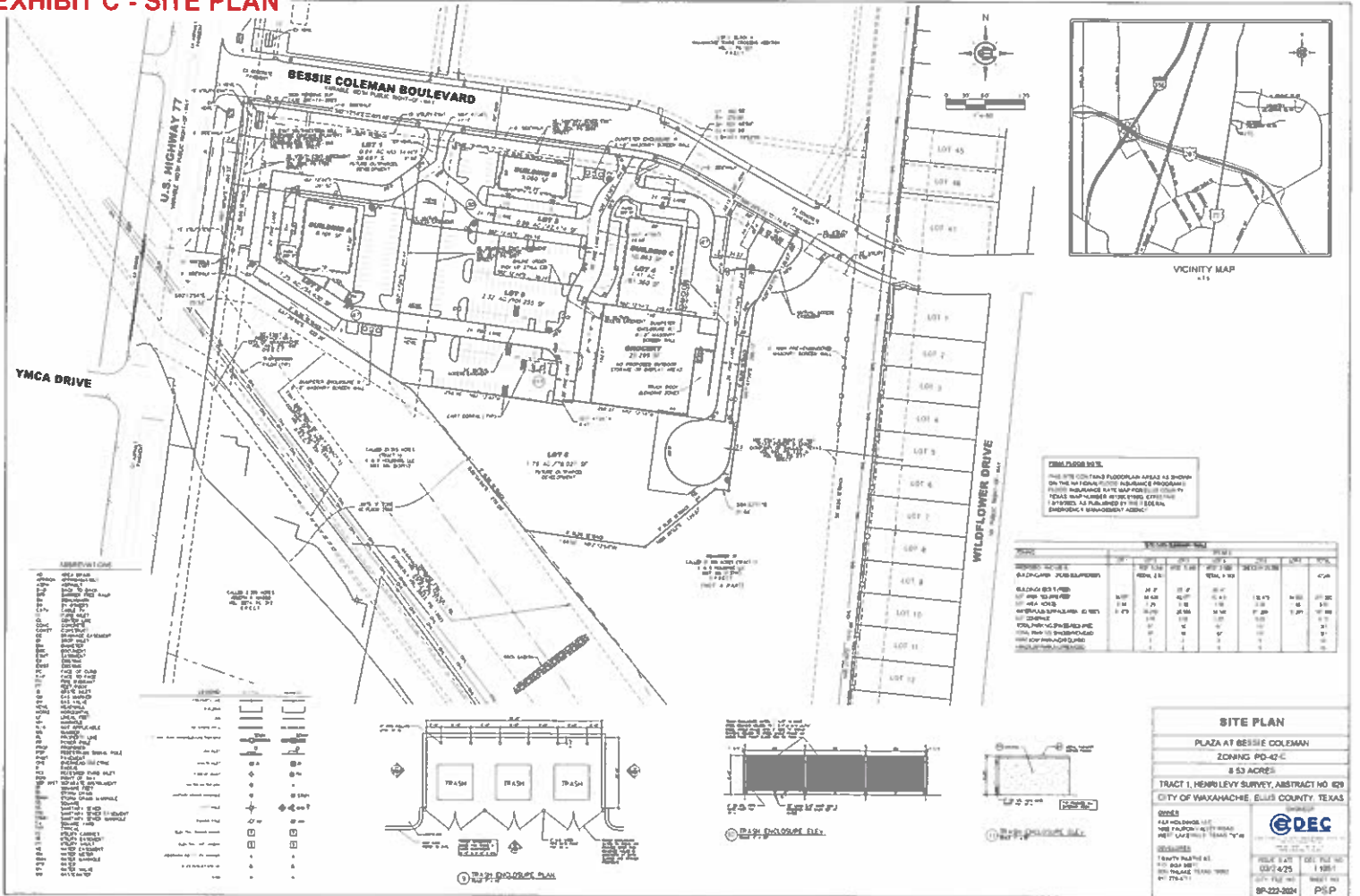
FRANZ
architects

SHELL BUILDING C
1101 HWY 77 & BESSIE COLEMAN
WIMAMACHE, TX

DATE: 10/1/2024
SCALE: 1/8" = 1'-0"

A2.0

EXHIBIT C - SITE PLAN



DISCLAIMER:
THIS SITE PLAN AND FLOORPLAN ARE AS SHOWN ON THE CITY OF WAXAHACHE PLANNING DEPARTMENT'S PUBLIC INFORMATION AND MAPS FOR THE CITY OF WAXAHACHE. THE CITY OF WAXAHACHE DOES NOT WARRANT THE ACCURACY OF THIS SITE PLAN AND FLOORPLAN. THE CITY OF WAXAHACHE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

NO.	DESCRIPTION	AMOUNT	PERCENT	TOTAL
1	BLDG	10,000	10.0%	10,000
2	PAVING	5,000	5.0%	5,000
3	LANDSCAPING	2,000	2.0%	2,000
4	UTILITIES	1,000	1.0%	1,000
5	OTHER	1,000	1.0%	1,000
TOTAL		19,000	19.0%	19,000

SITE PLAN
PLAZA AT BESSIE COLEMAN
ZONING PD-42-C
8.53 ACRES
TRACT 1, HENRI LEVY SURVEY, ABSTRACT NO. 829
CITY OF WAXAHACHE, TARRANT COUNTY, TEXAS

OWNER:
1524 HOLDEN LANE
WAXAHACHE, TEXAS 76798
PHONE: 817-939-1111
FAX: 817-939-1112

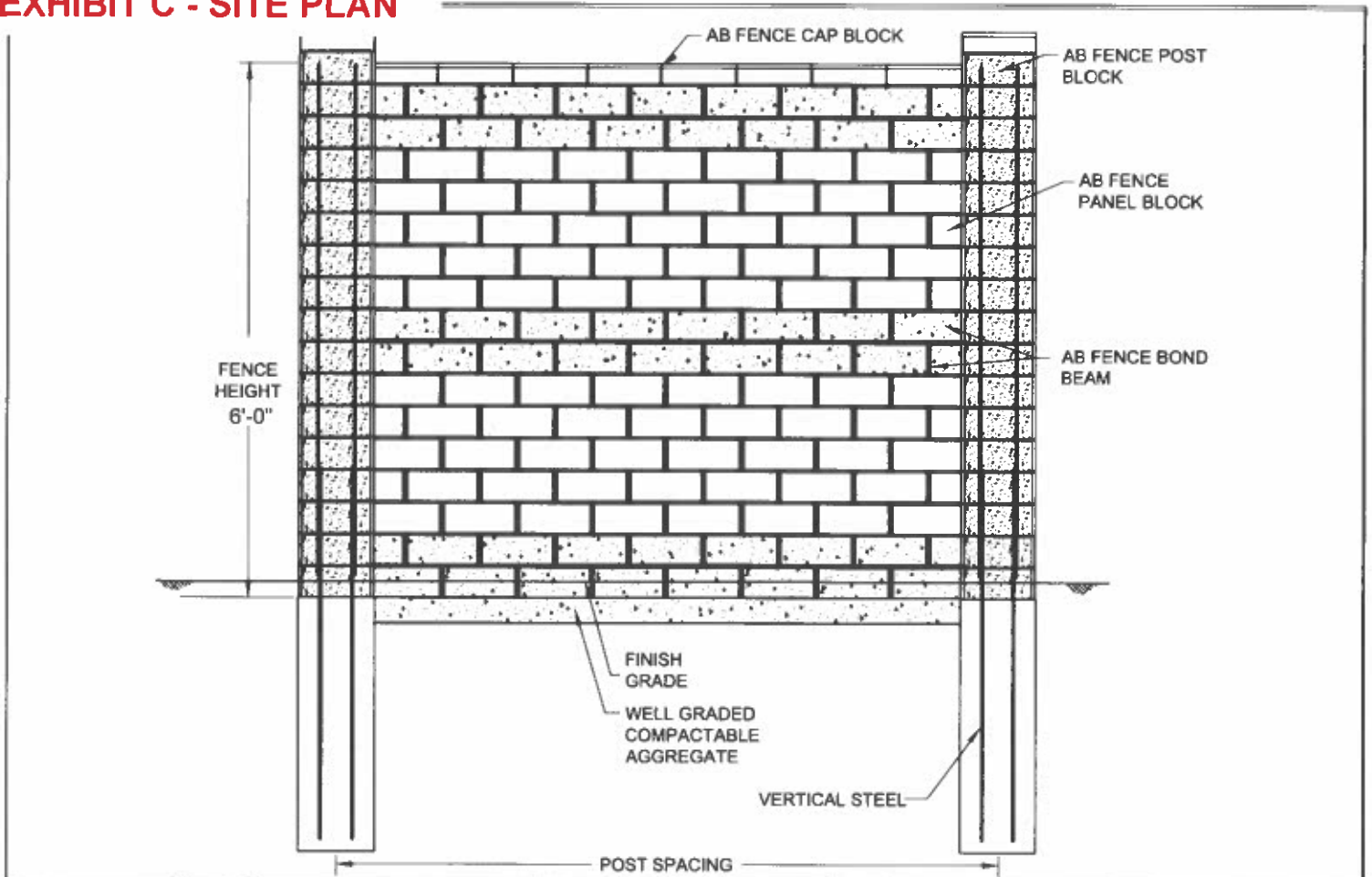
DESIGNER:
18401 PARKWAY #11
DALLAS, TEXAS 75244
PHONE: 214-691-1111
FAX: 214-691-1112


DATE: 03/14/25
SCALE: 1" = 100'-0"

PROJECT: 88-222-3024
PHASE: P/S/P

(10)

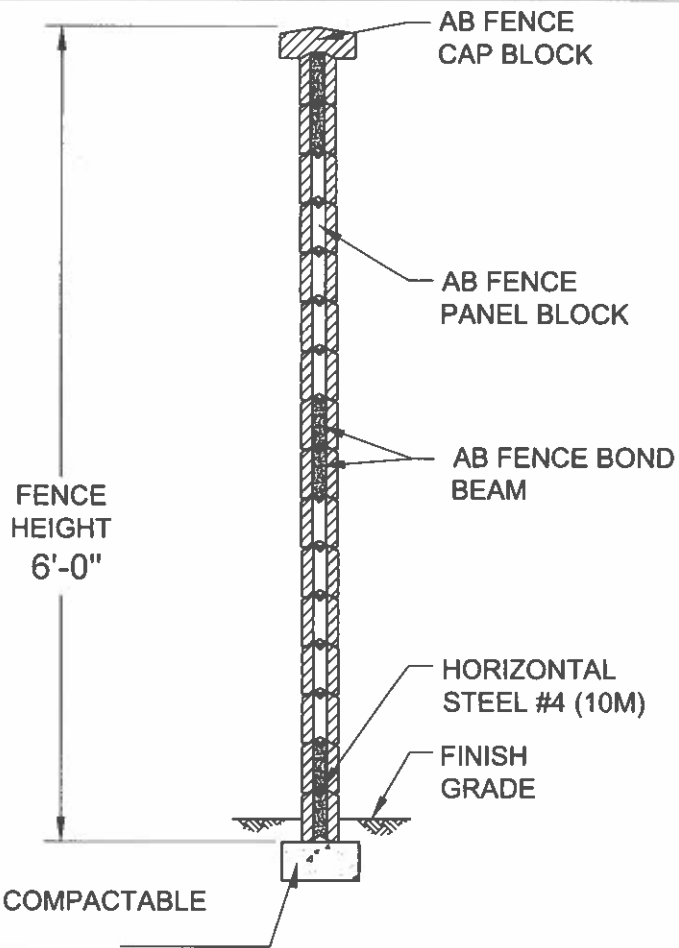
EXHIBIT C - SITE PLAN



Designed By:	Title: AB FENCE PANEL ELEVATION	Date:
Checked By:	 The purpose of this drawing is for preliminary design only. This drawing should not be used for final design or construction without the certification of a professional engineer registered in the state in which the fence will be built. The accuracy and use of details contained in this document are the sole responsibility of the user. The user must verify each detail for accuracy as they pertain to their particular project. © 2005 Allan Block	Project No:
Scale: NOT TO SCALE		Drawing No:

(10)

EXHIBIT C - SITE PLAN



WELL GRADED COMPACTABLE AGGREGATE

FENCE HEIGHT
6'-0"

AB FENCE
CAP BLOCK

AB FENCE
PANEL BLOCK

AB FENCE BOND
BEAM

HORIZONTAL
STEEL #4 (10M)

FINISH
GRADE


Designed By:	Title: AB FENCE PANEL SECTION	Date:
Checked By:	 <p>The purpose of this drawing is for preliminary design only. This drawing should not be used for final design or construction without the certification of a professional engineer registered in the state in which the wall will be built. The accuracy and use of details contained in this document are the sole responsibility of the user. The user must verify each detail for accuracy as they pertain to their particular project. © 2005 Allan Block</p>	Project No:
Scale: NOT TO SCALE		Drawing No:

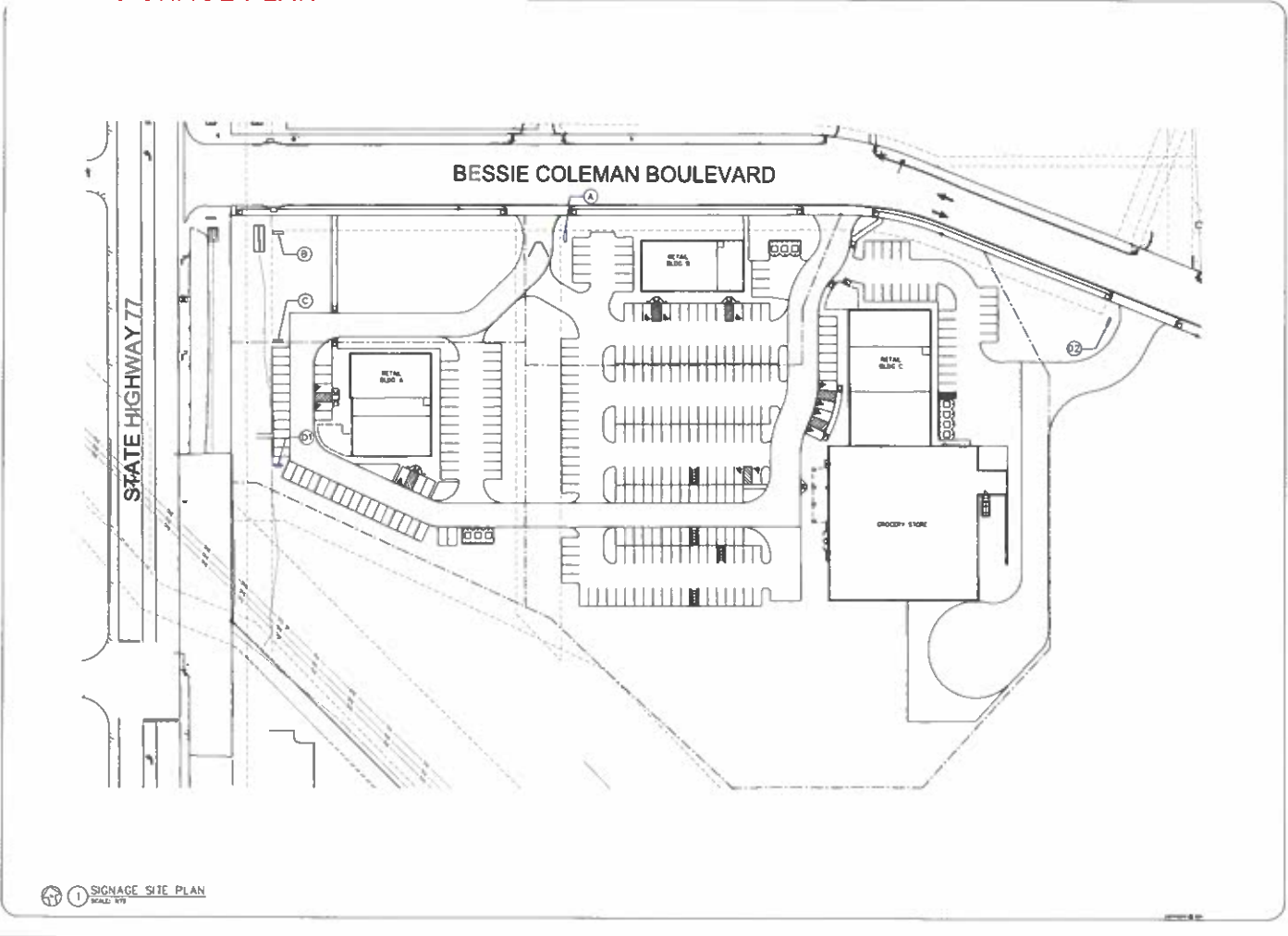
EXHIBIT C - SITE PLAN

(1b)



(10)

EXHIBIT E - SIGNAGE PLAN



1 SIGNAGE SITE PLAN
SCALE: 1/8" = 1'-0"

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FOR
REGULATORY
APPROVAL,
PERMITTING OR
CONSTRUCTION



SHELL BUILDINGS
TBD HWY 77 & BESSIE COLEMAN
WYMANACHIE, TX



Prepared by: []
Checked by: []
Date: []
Scale: []
Revision No: []

SG-1
2/1/20

(10)

EXHIBIT E - SIGNAGE PLAN



STONE VENEER
CORONADO STONE
OLD WORLD LEDGE
"MONARCH"
F-1



SILL
CORONADO STONE
900 SERIES
"GREY"
F-2



PAINT
PPG 1009-1
"TUNDRA FROST"
P-1

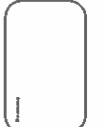


PREFINISHED METAL
BERRIDGE
"AGED BRONZE"
M-1

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FOR
REGULATORY
APPROVAL,
PERMITTING OR
CONSTRUCTION



SHELL BUILDINGS
180 HWY 77 & BESSIE COLEMAN
WAKAHACHE, TX

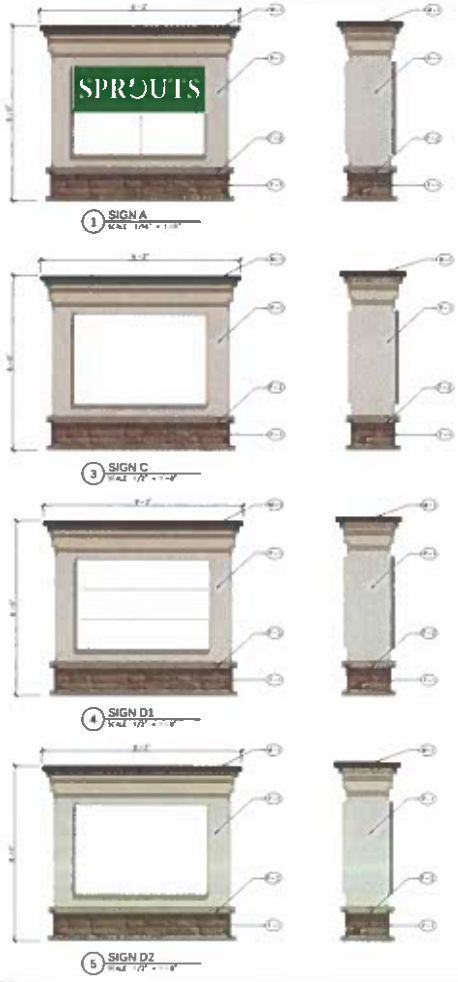


Prepared by: [blank]
Date: 07/26/2011
Sheet No: [blank]
Project No: [blank]



(10)

EXHIBIT E - SIGNAGE PLAN



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PERMITTING OR
CONSTRUCTION

FRANZ
ARCHITECTS

1000 West 10th Street, Suite 100
Waco, Texas 76798

SHELL BUILDINGS
TBD HWY 71 & BESSE COLEMAN
WANAHACHE, TX

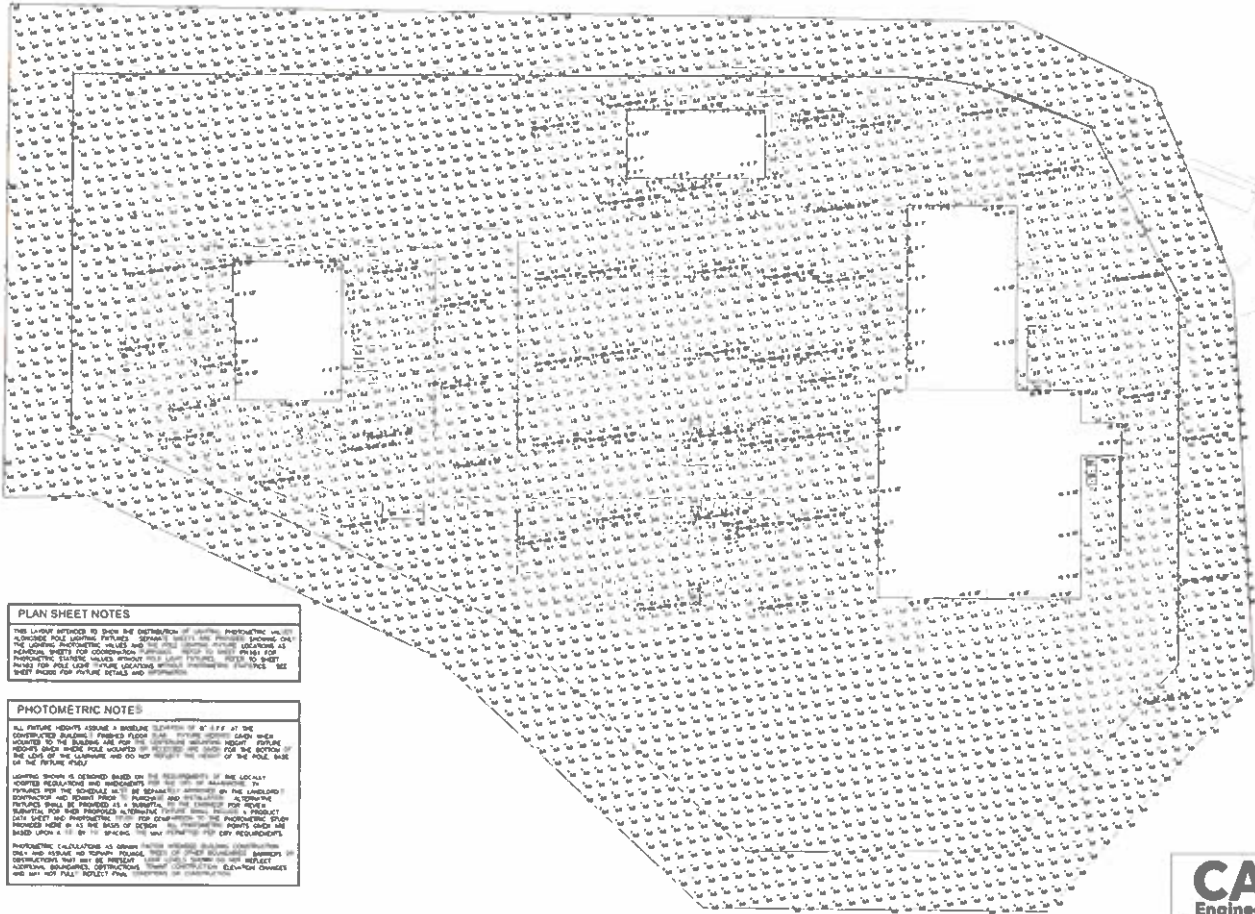
Project No. _____
Date: _____

Scale: _____
Sheet No. _____

SG-3
Sheet 1 of 1

(10)

EXHIBIT F - PHOTOMETRIC PLAN



PLAN SHEET NOTES

THIS LAYOUT INTENDS TO SHOW THE DISTRIBUTION OF LIGHTING FIXTURES AND TO APPROXIMATE FOOT CANDLE VALUES. SEPARATE SHEETS WILL BE PROVIDED SHOWING ONLY THE LIGHTING FIXTURE VALUES AND THE FOOT CANDLE VALUES LOCATED IN ADJACENT SHEETS FOR COMPLETION. CONTRACTOR SHALL BE RESPONSIBLE FOR PHOTOMETRIC FIXTURE VALUES AND FOOT CANDLE VALUES. REFER TO SHEET PHOT-1 FOR FUTURE LOCATIONS AND FOOT CANDLE VALUES. SEE THESE SHEETS FOR FUTURE DETAILS AND DIMENSIONS.

PHOTOMETRIC NOTES

ALL FIXTURE HEIGHTS ASSUME A MOUNTING HEIGHT OF 15 FT. AT THE CONTRACTOR'S BUILDING. FINISHED FLOOR PLAN. FIXTURE HEIGHTS SHALL BE ADJUSTED TO THE BUILDING AND THE CONTRACTOR'S BUILDING. FIXTURE HEIGHTS SHALL BE ADJUSTED TO THE FINISHED FLOOR PLAN. FIXTURE HEIGHTS SHALL BE ADJUSTED TO THE FINISHED FLOOR PLAN. FIXTURE HEIGHTS SHALL BE ADJUSTED TO THE FINISHED FLOOR PLAN.

LIGHTING DESIGN IS BASED ON THE REQUIREMENTS OF THE LOCALITY. ALL CODES, REGULATIONS AND ORDINANCES FOR THE CITY OF WAXAHACHE, TEXAS. CONTRACTOR AND OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

PHOTOMETRIC CALCULATIONS AS SHOWN ARE BASED ON THE ASSUMPTIONS THAT THE SYSTEM IS OPEN. THESE VALUES SHOULD BE ADJUSTED TO REFLECT ANY CHANGES, MODIFICATIONS, OR OTHER CONDITIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

1 SITE PHOTOMETRIC PLAN

CASE
Engineering Inc.

1000 W. WYOMING ST. SUITE 100
WAXAHACHE, TX 76798
940.241.1111

PRELIMINARY NOT TO BE USED FOR REGULATORY APPROVAL PERMITTING OR CONSTRUCTION



MULTI-TENANT SITE DEVELOPMENT
180 HWY 77 & BESSE COLEMAN
WAXAHACHE, TX

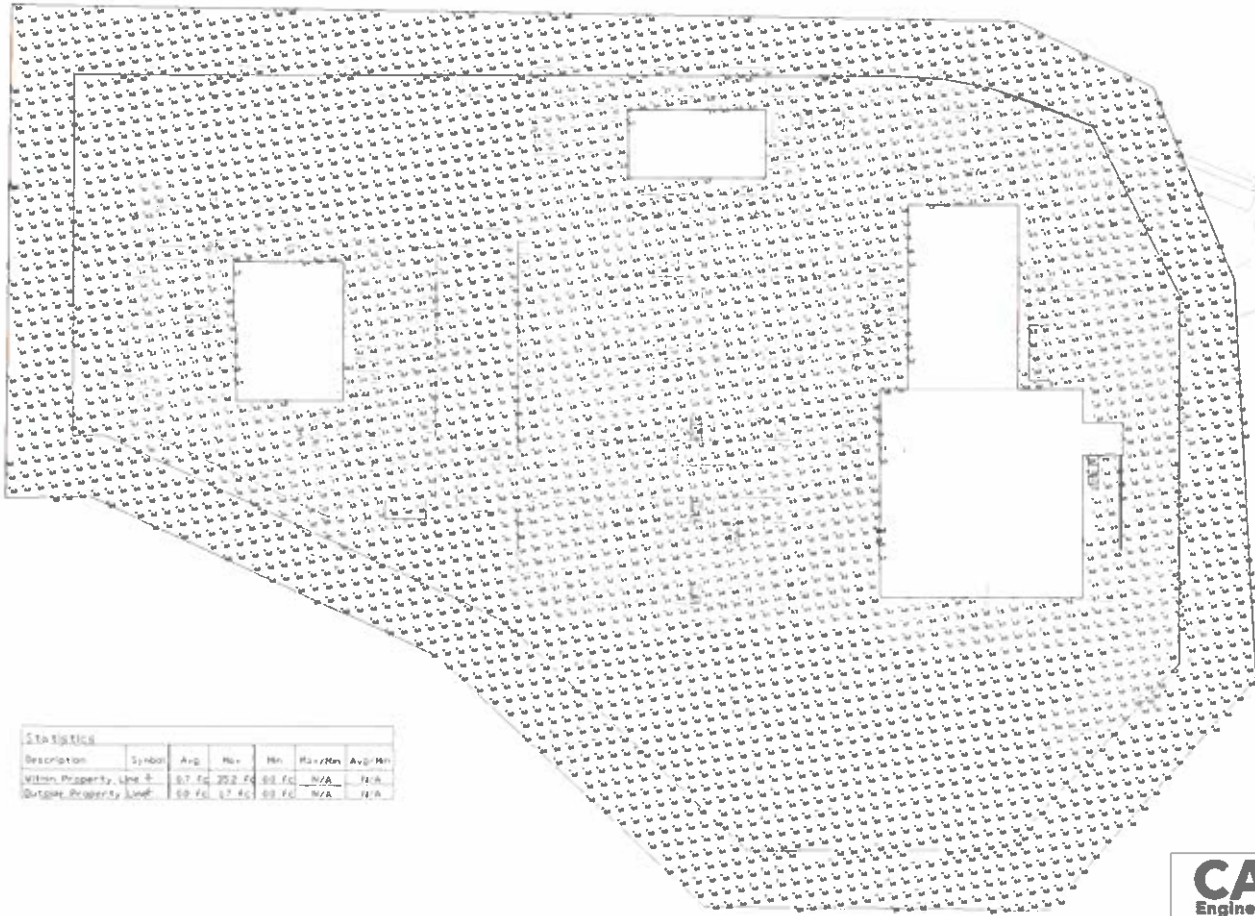
PHOTO

PHOTO

PH100

(10)

EXHIBIT F - PHOTOMETRIC PLAN



STATISTICS						
Description	Symbol	Avg	N+	N-	R+/-Rn	Avg/N+
Wilson Property Line	S	5.7 fc	252.76	63.76	N/A	N/A
Outdoor Property Line	W	59.76	27.76	59.76	N/A	N/A

1 SITE PHOTOMETRIC POINT VALUES LAYOUT

CASE
Engineering Inc.
7400 Main Street
W. Spring, TX 77381
15420 KATE (E. AL. TRB. 427) NO. F. 2009

PRELIMINARY
NOT TO BE USED
FOR
REGULATORY
APPROVAL
OR
CONSTRUCTION

FRANZ
architects
1500 West Loop West, Suite 1000
Houston, Texas 77027

MULTI-TENANT SITE DEVELOPMENT
TRB HWY 77 & BESSIE COLEMAN
WAXAHACHIE, TX

Project: _____
Date: 07/20/2016
Drawn by: _____
Checked by: _____

PH101

(10)

EXHIBIT F - PHOTOMETRIC PLAN



POLE MOUNTING NOTES

POLE LIGHT FIXTURES AS DESIGNED FOR USE WITH HUBBELL 155-1111-10-0-0 POLE. NO CLEARANCE FROM 20' TO 24' TALL.

HEIGHTS ARE LISTED AROUND IN FEET AND INCHES. SPEEDS FOR THE AROUND 20' TO 24' AND LEGALLY APPROVED OR INSTRUCTIONS.

1 SITE POLE LIGHT FIXTURE LAYOUT 20

CASE
Engineering Inc.

1414 North Court
10000
10000
10000

10000
10000
10000

PRELIMINARY
NOT TO BE USED
FOR
REGULATORY
APPROVAL,
PERMITTING OR
CONSTRUCTION



MULTI-TENANT SITE DEVELOPMENT

TBD HWY 77 & BESSIE COLEMAN
WAKAHACHIE, TX

10000
10000
10000

PH102

(10)

EXHIBIT F - PHOTOMETRIC PLAN

Symbol	Label	Quantity	Catalog Number	Description	Number of Lamps	Lumens Per Lamp	Wattage
□	T3-16L-53-HS	4	NV-1-T3-16L-53-300	NV-1 site fixture with version 1 back shields	1814	20	
□	T4-16L-53-HS	4	NV-1-T4-16L-53-300	NV-1 site fixture with version 1 back shields	1923	20	
□	T4-16L-35-HS	1	NV-1-T4-16L-35-300	NV-1 site fixture with version 1 back shields	1270	10	
□	T4-16L-1-HS	2	NV-1-T4-16L-1-300	NV-1 site fixture with version 1 back shields	2011	50	
□	T3-16L-4-HS	3	NV-1-T3-16L-4-300	NV-1 site fixture with version 1 back shields	1445	10	
□	T3-16L-35-HS	1	NV-1-T3-16L-35-300	NV-1 site fixture with version 1 back shields	1264	10	
□	T4-16L-1-HS	5	NV-1-T4-16L-1-300	NV-1 site fixture with version 1 back shields	2011	50	
□	T4-16L-35-HS	2	NV-1-T4-16L-35-300	NV-1 site fixture with version 1 back shields	1270	10	
□	T4-16L-1-HS-90D	1	NV-1-T4-16L-1-300	NV-1 site fixture with version 1 back shields	2011	50	
□	T4-16L-7-HS	38	NV-1-T4-16L-7-300	NV-1 site fixture with version 1 back shields	2543	50	
□	T3-16L-1-HS	6	NV-1-T3-16L-1-300	NV-1 site fixture with version 1 back shields	2150	50	
○	F	24	PS642-0230	6" 27w Direct/Indirect Cylinder	1	2020	50.0
□	T4-16L-4-HS-D	4	NV-1-T4-16L-4-300	T4 stooped fixture	1	2494	42
□	T4-16L-4-HS-90D	2	NV-1-T4-16L-4-300	NV-1 site fixture with version 1 back shields	1471	42	
□	H1	20	*TOP 30	CROSS-TOUR 26w WALL MOUNT LED	1	2150	25.5
□	T4-32-7-HS	2	NV-1-T4-32L-7-300	NV-1 site fixture with version 1 back shields	5081	75	
□	T4-32-1-HS	2	NV-1-T4-32L-1-300	NV-1 site fixture with version 1 back shields	7602	100	
○	K	2	T4-32-1-HS-LED2025-300	DOWN LIGHT ONLY (K12-1-375-300)	1	3000	25



PRODUCT SPECIFICATIONS

GENERAL

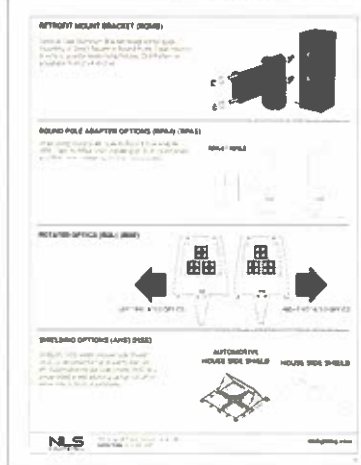
FINISHES

INSTALLATION

WARRANTY

CONTACT

NOTES



PRELIMINARY NOT TO BE USED FOR REGULATORY PERMITTING OR CONSTRUCTION

FRANZ architects
 1000 West Loop West, Suite 1000
 Houston, Texas 77027

MULTI-TENANT SITE DEVELOPMENT
 TBD HWY 77 & BESSIE COLEMAN
 WAXAHACHIE, TX

Prepared By: [Blank]
 Checked By: [Blank]

SHEET
PH200
 10/15/2020 10:00 AM

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-48-2025

MEETING DATE(S)

Planning & Zoning Commission: May 13, 2025
City Council: May 19, 2025

CAPTION

Public Hearing on a request by David Ruble, Altered Grounds Coffee Roasters, LLC, for a **Specific Use Permit (SUP)** for a Food Manufacturing (Coffee Roasting) use within a Light Industrial-2 (LI-2) zoning district located at 401 South Flat Street, Suite 1 & 2 (Property ID 170566) - Owner: Clover Properties LLC (ZDC-48-2025)

RECOMMENDED MOTION

"I move to approve ZDC-48-2025, a Specific Use Permit (SUP) for a Food Manufacturing (Coffee Roasting) use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on May 13, 2025, the Commission voted 6-0 to recommend approval of case number ZDC-48-2025, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests approval of a specific use permit for a Food Manufacturing (Coffee Roaster) use.

CASE INFORMATION

Applicant: David Ruble, Altered Grounds Coffee Roasters, LLC
Property Owner(s): Clover Properties LLC
Site Acreage: 0.344 acres
Current Zoning: Light Industrial-2 (LI-2)
Requested Zoning: LI-2 with a SUP for a Food Manufacturing use

SUBJECT PROPERTY

General Location: 401 S. Flat St, Suite 1 & 2
Parcel ID Number(s): 170566
Existing Use: Office Warehouse
Development History: The subject property is platted as Lot N 75, Block 26 of the Old Town Waxahachie addition. The existing building was constructed in 2001.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Storage
East	LI-2	City of Waxahachie Street Department
South	LI-2	Warehouse
West	PD-CA	Ellis County Jail

Future Land Use Plan:

Mixed-Use Neighborhood

Comprehensive Plan:

It is most appropriate to think of the Downtown placetype as a modification of the mixed-use neighborhood placetype. Waxahachie benefits from an attractive historic core and this placetype serves to preserve and allow for incremental improvement of that area. The core of Downtown is ripe for quality vertical mixed-use development. New single-family homes are generally discouraged here as denser housing types are desired in downtown to provide more patrons to support the abundance of local businesses downtown. Attached and stacked housing is appropriate, since the downtown core is predominantly developed, denser housing will most likely occur on the fringes or edges of downtown. Active rooftops, sidewalk cafes, and parklets are an opportunity to further activate the downtown core.

Thoroughfare Plan:

The primary access to the subject property is from South Flat Street, and East Madison Street.

Site Image:



PLANNING ANALYSIS

The Applicant requests a SUP for a Food Manufacturing use (Altered Grounds Coffee Roasters, LLC) within the Light Industrial-2 (LI-2) zoning district located at 401 S. Flat Street, Suite 1 & 2. A Food Manufacturing Land Use requires a SUP to be approved by City Council per the City of Waxahachie Zoning Ordinance.

Planning Analysis (continued):

David Rubble, the owner of Altered Grounds Coffee Roasters, LLC, is a locally-based coffee roaster who focuses on roasting high-quality, ethically sourced, green coffee beans, while also packaging them for retail, wholesale, and direct-to-customer sales. The business owner anticipates no more than two deliveries each week to their business of either green coffee beans, or orders that have been made for packaging materials. All deliveries are expected to be received via FedEx, UPS, Amazon, or similar third-party delivery, not 18-wheelers. The proposed business will be staffed by two (2) employees during the hours of 7:00 a.m. to 5:00 p.m., Monday-Saturday. This is not proposed to be a retail location that is open to the general public for walk-in purchases.

The proposed use does meet the minimum parking requirements and minimum landscape requirements per the City of Waxahachie Zoning Ordinance. The Applicant is not requesting any deviations from the City's Code of Ordinances.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. Staff has received no letters in support and no letters of opposition for the SUP request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP, subject to the conditions listed below.

Conditions:

1. This SUP shall remain with the applicant for this specific location, only. If the applicant moves to another location or Altered Grounds Coffee Roasters, LLC closes, this SUP will be terminated immediately. The applicant will need to open a stand-alone coffee roaster with a new SUP.
2. The applicant shall amend this SUP should they decide to expand the footprint of the coffee roasting business.
3. This property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to operating at the subject property.

ATTACHED EXHIBITS

1. SUP Ordinance
2. Exhibit A - Location Map
3. Exhibit B - Site Plan
4. Exhibit C - Floorplan
5. Exhibit D - Operational Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can apply for building permits from the Building and Community Services Department

STAFF CONTACT INFORMATIONPrepared by:

Caleb Ensley

Planner

caleb.ensley@waxahachie.comReviewed by:

Trenton Robertson, AICP

Senior Director of Planning

Trenton.Robertson@waxahachie.com

(12)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A FOOD MANUFACTURING OR PROCESSING (COFFEE ROASTING) USE WITHIN THE LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT, LOCATED AT 401 SOUTH FLAT STREET, SUITES 1 & 2, BEING PROPERTY ID 170566, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT N 75, BLOCK 26 OF THE OLD TOWN WAXAHACHIE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as LI-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-48-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from LI-2 to LI-2, with a SUP in order to permit a food processing use on the following property: 401 S Flat Street, Suites 1 & 2, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, Floorplan attached as Exhibit C, and the Operational Plan attached as Exhibit D.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

(12)

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A FOOD MANUFACTURING OR PROCESSING (COFFEE ROASTING) USE IN A LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The use shall conform as approved by the City Council under case number ZDC-48-2025
2. Permission to operate a Food Manufacturing or Processing (Coffee Roasting) use is restricted exclusively to Altered Grounds Coffee Roasters, LLC. Approval to operate a Food Manufacturing or Coffee Roasting use at this location will not transfer to another Food Manufacturing or Coffee Roasting establishment or owner of the subject property.
3. The applicant shall amend this SUP should they decide to expand the footprint of the coffee roasting business.
4. Altered Grounds Coffee Roasters, LLC shall obtain a new Certificate of Occupancy to reflect the Food Manufacturing or Processing Land Use that notes this SUP by name and number before operating.
5. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
6. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C – Floor Plan, Exhibit D – Operation Plan.
7. This use shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, Exhibit C –Floorplan, and Exhibit D – Operational Plan. Where regulations are not specified in Exhibits B, C, and D or this Zoning Ordinance, the regulations of the Light Industrial-2 (LI-2) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(12)

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 19th day of May, 2025.

MAYOR

ATTEST:

City Secretary



SURVEY PLAT

EXHIBIT B SITE PLAN



PLACE OF BEGINNING
SPC
N 82°54'37" E
E 2478792.81'



DESCRIPTION

Being a 0.918 acre tract of land situated in the City of Waxahachie, Ellis County, Texas, and being ALL of Block No. 26, THE 1898 OFFICIAL MAP OF THE CITY OF WAXAHACHIE, TEXAS, RECORDED IN CABINET A SLIDE 117-136 MAP RECORDS, ELLIS COUNTY, TEXAS, AS SUPERSEDED BY THE OFFICIAL MAP OF THE CITY OF WAXAHACHIE, TEXAS, AS A REVISION OF THE PHILLIPS HARRIS OFFICIAL MAP OF 1890 AND THE TEXAS TITLE & LOAN CO. MAP OF 1922, RECORDED IN CABINET T A, SLIDE 181 MAP RECORDS, ELLIS COUNTY, TEXAS ADOPTED BY THE CITY COUNCIL, FEBRUARY 5, 1948, being the same tract described in General Warranty Deed as Michael Leonard Sullivan also known as Leon Sullivan recorded as instrument 1718041, Real Public Records, Ellis County, Texas, and being more particularly described by name and known as follows:

BEHAVING to a 3/4 inch iron pipe found by the north-west of said Block 26, and also of beginning having Texas State Plane Coordinate North Central Texas Zone 4302 NAD 83 of North 86°28'17.34" East, East 2478792.81 feet and being the angle of bearings for the description:

THENCE South 63°54'37" East with the north line of said Block 26, being the south line of E. Madison Street, a distance of 200.00 feet to a 1/2" iron rod set for corner at the northeast corner of Block 26.

THENCE South 26°14'15" West with the East line of said Block 26, a distance of 200.00 feet to a 1/2" iron rod set for corner at the southwest corner of said Block.

THENCE North 63°54'37" West with the East line of said Block 26, same being the northern line of Old Burlington Northern Santa Fe Railroad Right-of-Way, a distance of 200.00 feet to a 1/2" iron rod set for corner at the south-west corner of said Block 26.

THENCE North 26°14'15" East with the West line of said Block 26, same being the east line of S. Flat Street, a distance of 200.00 to the place of beginning and containing 0.918 acre of land.

To Town Square T89 G.F. No. 020-40520

I hereby certify this plat, after comparison thereto, or in order with the original and true and signature, to be a true representation of a field survey performed on the ground under my direction and supervision.

WR Lee RLS 2038
DATE 03 27 2020



As prepared showing the property as shown herein, this plat is subject to a completed state approval. When all areas of 100 sq. feet or more are shown in continuity, they are shown in the field survey boundary and shown on the Texas Professional Survey Map (PSM), and effective date applicable.

NOTE: BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 NORTH CENTRAL ZONE, WITH AS DERIVED FROM THE TOWNSHIP NETWORK.

SHIELDS & LEE
SURVEYORS
401 FORTBERRY AVENUE, WAXAHACHIE, TEXAS 75090
PH: 817-864-6666 FAX: 817-864-6667
E: shields@shieldsandlee.com

401-403 Flat Street
City of Waxahachie, Ellis County, Texas

Drawn by: [Signature]
SP No: 42387

(12)

- All existing walls, doors, and windows to remain as is.
- No new wall are to constructed
- Suite 1 = 526 SF
- Suite 2 = 725 SF
- 1,251 sf combined

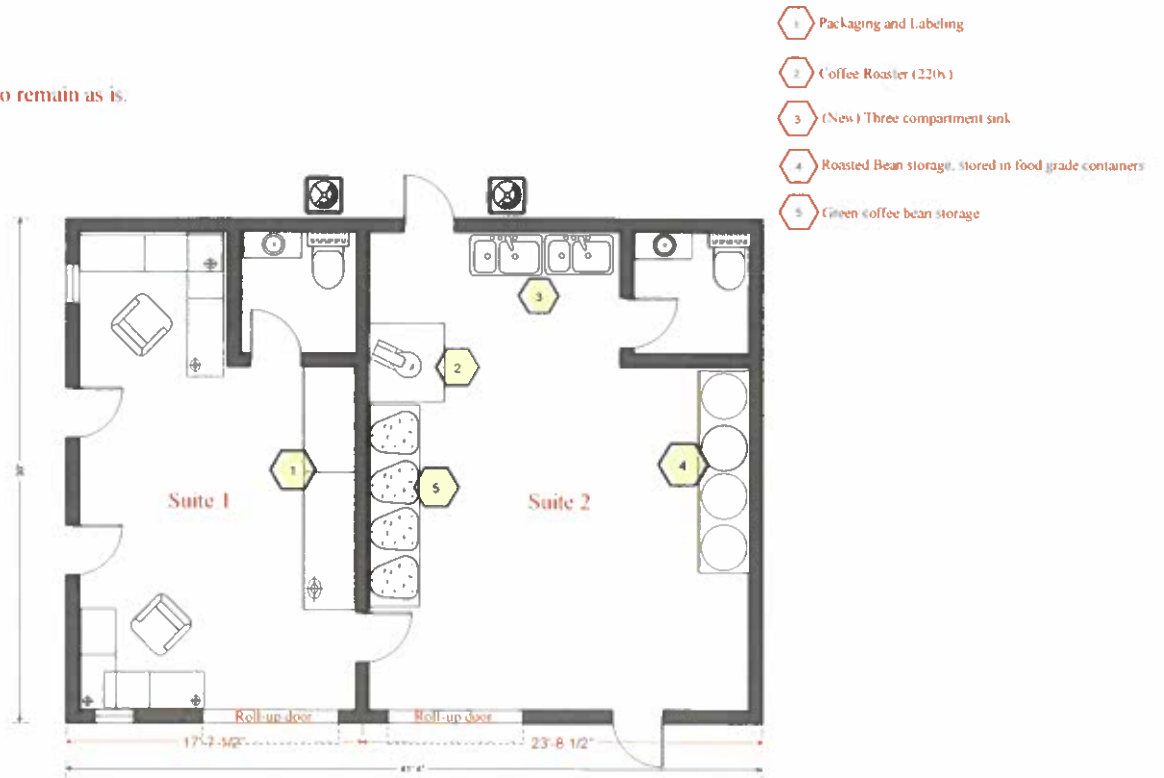


EXHIBIT C FLOORPLAN

Altered Grounds Coffee Roasters, LLC
401 S. Flat St. Waxahachie, TX 75165
rev. 1

Rev.2

Operations Plan for Altered Grounds Coffee Roasters, LLC

1. Business Overview

Company Name: Altered Grounds Coffee Roasters, LLC

Location: 401 S Flat St, suite 1 & 2 Waxahachie, TX 75165

Hour of operations: Monday through Saturday 7:00AM to 5:00PM

Employees: Total of 2 employees

Objective & Scope: To roast high-quality, ethically sourced green coffee beans and then package them for retail, wholesale, and direct-to-customer sales

- This is not to be a Coffee shop that makes and sells coffee drinks
- Altered Grounds Coffee Roaster, LLC primary intentions is to use this property as a business
- We expect no more than two deliveries each week to our business of either green coffee beans from our farmers, or orders that we have made for more packaging materials needed. All deliveries are expected to be received via FedEx, UPS, Amazon, or third-party delivery

2. Supply Chain & Sourcing

2.1 Coffee Bean Sourcing

- Establish relationships with sustainable coffee farmers and cooperatives (focus on Fair Trade, Direct Trade, Organic, etc.)
- Work with importers to ensure a steady supply of green coffee beans
- Maintain an inventory system to track origins, harvest season, and quality ratings

2.2 Other Supplies

- Packaging materials (bags, labels, boxes)
- Roasting equipment and maintenance supplies
- Cleaning and Safety materials

3. Production & Roasting Process

3.1 Facility & Equipment

- Coffee Roaster
- Destoners, and packaging equipment
- Grinders (if offering pre-ground options)

3.2 Roasting Workflow – Expected daily production rates for this coffee roasting machine are 50lbs of roasted coffee per business day

- **Bean Inspection:** Check raw beans for defects and dispose of any unwanted beans
- **Roasting Process:** Follow standardized roast profiles for consistency
- **Cooling:** Allow roasted beans to cool before packaging
- **Quality Control:** Sample roasts for consistency and flavor

4. Quality Control

- Conduct cupping sessions for each batch to ensure flavor consistency
- Monitor moisture levels, roast profiles, and bean uniformity
- Maintain strict cleaning schedules for equipment
- Track customer feedback and adjust roasting profiles accordingly

5. Packaging & Distribution

5.1 Packaging Process

- Use airtight, resealable bags with degassing valve
- Label with roast date, origin, and flavor notes
- Offer various sizes (10oz, 2lb, 5lb) and custom packaging for wholesale accounts

5.2 Storage & Inventory Management

- Store roasted beans in food grade containers to maintain freshness
- There will be no form of outside storage on this property from Altered Grounds Coffee Roasters, LLC
- Implement a First-In, First-Out (FIFO) inventory system.
- Track supply levels weekly to prevent shortages

5.3 Distribution Channels

- Retail: Sell via company website, Farmers' markets, and coffee shops
- Wholesale: Supply to cafés, restaurants, and specialty retailers.
- Subscription Services: Offer direct-to-consumer subscriptions with fresh deliveries

6. Sales & Customer Service

6.1 Order Fulfillment & Distribution

- Process online and wholesale orders within 24-48 hours
- Partner with reliable shipping providers (UPS, FedEx, USPS)
- Offer local delivery for cafés and restaurants.
- Orders can be picked up at this location as well.

6.2 Customer Support

- Provide responsive email and phone support
- Manage customer inquiries via social media and website chat
- Offer training and resources

7. Compliance & Sustainability

7.1 Regulatory Compliance

- Adhere to FDA food safety regulations and local health codes.
- Maintain necessary business licenses and permits

7.2 Sustainability Initiatives

- Use compostable or recyclable packaging
- Partner with local organizations for sustainability efforts

8. Growth Strategy

- Increase roasting capacity as demand grows
- Develop new blends and seasonal offerings
- Expand into grocery store distribution



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Michael Scott, City Manager
Date: May 19, 2025
Re: Consider Tax Rate Equivalent Increase for Waxahachie Public Improvement District No. 1

Recommended Motion: "I move to approve a PID rate adjustment for the Waxahachie PID No. 1 for an amount not to exceed \$0.797 per \$100 of assessed value."

Item Description: Consider approving a one-time increase in PID Tax Rate Equivalent for Saddlebrook Estates. The developer, 287 Waxahachie, L.P. is seeking to increase the current rate of \$0.22-\$0.29 to \$0.797 per \$100 of assessed value. This increase impacts future home purchases in the development and does not affect the existing homes PID rates.

Item Summary: The City of Waxahachie accepted Public Improvement District No. 1 in 2007. This PID was created to offset infrastructure costs and public open space areas. A proposed PID rate adjustment is proposed by the developer due to increased infrastructure costs over the years. To help justify the increased PID rate, the developer is proposing an estimated \$7 million increase to the amenities in existing and proposed new areas at their own cost. The increased amenities will encourage future homebuyers and are further detailed in the accompanying letter from the developer.

Fiscal Impact: The rate increase will impact future home buyers in the Saddlebrook Development. Current homeowners with purchases at the time of the existing PID will not be affected by this increase. The impact will be incurred on any new lot in the development.



May 8, 2025

Mr. Shon Brooks
Executive Director of Development Services
City of Waxahachie
408 S Rogers St.
Waxahachie, TX 75165

Re: Waxahachie Public Improvement District #1 – PID Assessment Increase

Dear Mr. Brooks,

287 Waxahachie, L.P and/or an affiliate (the "Developer") is the owner and developer of Saddlebrook Estates located within the City of Waxahachie (the "City") and within the Waxahachie Public Improvement District No. 1 (the "PID"). The PID was created by the City in 2007. Following the PID's creation, PID assessments have been levied on the first three phases of Saddlebrook at a certain PID tax rate equivalent (the "PID TRE"), which varied by lot type.

Since the first series of PID bonds were issued for the initial phase of development, development costs for the residential lots have nearly tripled. The table below shows the historical price increases for public infrastructure eligible to be financed through the PID. Please note that the table below does not include the private development costs necessary for each phase of the development.

PID Phase	# of Lots	Total Public Costs	Cost/Lot
1	209	\$ 2,382,600	\$ 11,400
2	121	\$ 1,782,157	\$ 14,729
3	253	\$ 7,455,027	\$ 29,467
4	341	\$ 11,532,432	\$ 33,819

As the development costs have risen, the Developer is requesting an increase to the PID TRE on future lot levies to not exceed **\$0.797** per \$100 of assessed value (subject to state law requirements). For context, the PID TRE in previous phases ranged from \$0.22 to \$0.29 per \$100 of assessed value, primarily driven by rising home values. For clarification, the increased PID levy will only affect future lots and the future home buyers within Saddlebrook, not any current homeowners.

Although a greater PID TRE is being requested, the Developer proposes, at its sole cost and expense, to construct additional amenities that will serve the Saddlebrook Estates community (the "Additional Amenities"). We believe that these proposed Additional Amenities will encourage future homebuyers to purchase homes in Saddlebrook despite the larger PID TRE. The amenities have been carefully planned in collaboration with the HOA, reflecting homeowner feedback and insights drawn from amenity usage in comparable communities.

The Additional Amenities are included as "Exhibit A" to this letter; however, they are more detailed in that certain Saddlebrook Estates Agreement for the Construction and Reimbursements of Advances to be entered into between the Developer and the City (the "Construction and Reimbursement Agreement"), which a draft of the Construction and Reimbursement Agreement has been provided to the City. The Additional Amenities are proposed to be installed in phases as the Development progresses. Some of the Additional Amenities are proposed to be installed within existing parks, while some are proposed in future parks in future phases. There are three phases to the Additional Amenities, and they are broken out below.

The Phase 1 Additional Amenities shall include the following:

- (a) Additional playground
- (b) Enhancements/upgrades to existing playground
- (c) Shade structure covering both playgrounds
- (d) Shade added around existing pool
- (e) Lighted seating area
- (f) Upgraded Landscaping
- (g) New Monumentation within the median of Dartmoor Drive
- (h) New irrigation and landscaping at the entry way of Dartmoor Drive
- (i) Feature landscape at intersection of Pimlico Drive and Highway 287
- (j) Upgraded irrigation and landscaping at the entry way of Pimlico Drive

The Phase 3/4 Additional Amenities shall include the following:

- (a) Amenity building with restrooms, fitness room, and meeting rooms
- (b) Parking lot extension
- (c) Pickleball Courts
- (d) Sports Court
- (e) Splash pad
- (f) Exercise stations adjacent to trail
- (g) Fishing Pier (at pond)

The Phase 7 Additional Amenities shall include the following:

- (a) Restroom Building
- (b) Swimming Pool
- (c) Shade Structures
- (d) Pickleball Courts
- (e) Sports Court
- (f) Playground with Shade
- (g) Parking Lot
- (h) Trail around pond
- (i) Fire Pit, with seating area
- (j) Landscape and Irrigation

In total, we believe the costs associated with these improvements are over \$7 million. Once the improvements are completed, the Additional Amenities will be owned and maintained by the Saddlebrook Estates Homeowners' Association ("HOA"). All residents will be able to enjoy the Additional Amenities, including residents in previous phases of Saddlebrook that will retain the existing lower assessment on their property. Because of the phased nature of the improvements, we believe

(13)

that the HOA can maintain these improvements without an increase in HOA dues for the existing or future residents.

Again, the higher PID TRE only impacts future residents of Saddlebrook. Current residents of Saddlebrook that already have an assessment levied on their property will not have any change to their current PID levy.

Based on our research and experience in the DFW market, we have found that the higher PID TRE does not adversely affect the marketability or affordability of homes for prospective buyers. Our analysis indicates that the increased PID TRE is consistent with comparable communities that offer similar amenities and lifestyle benefits to their residents.

In summary, we believe the proposed Additional Amenities will enhance the overall quality of life in Saddlebrook Estates, benefiting both current and future residents. Existing residents will enjoy upgraded features within the current parks, while future phases will introduce thoughtfully designed new amenities. These enhancements go beyond the current community standards, offering a more enriched and enjoyable living experience for new homeowners.

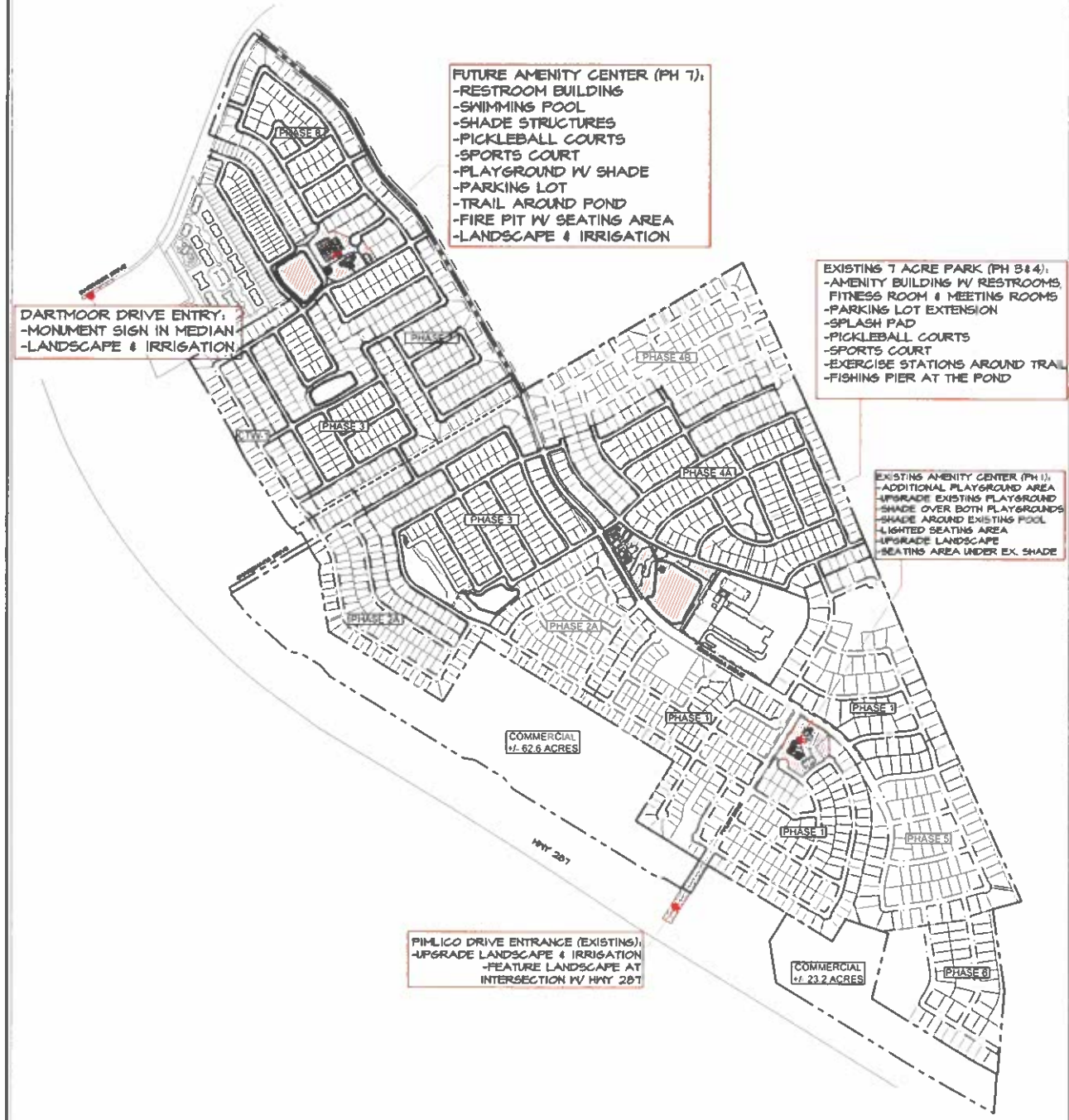
Sincerely,

Jake Finch
Scarborough Lane Development
jfinch@scarboroughlanedevlopment.com
cell – (214) 802-4660

(13)

"Exhibit A"
Depiction of Additional Amenities

(13)



FUTURE AMENITY CENTER (PH 7):

- RESTROOM BUILDING
- SWIMMING POOL
- SHADE STRUCTURES
- PICKLEBALL COURTS
- SPORTS COURT
- PLAYGROUND W/ SHADE
- PARKING LOT
- TRAIL AROUND POND
- FIRE PIT W/ SEATING AREA
- LANDSCAPE & IRRIGATION

DARTMOOR DRIVE ENTRY:

- MONUMENT SIGN IN MEDIAN
- LANDSCAPE & IRRIGATION

EXISTING 7 ACRE PARK (PH 3 & 4):

- AMENITY BUILDING W/ RESTROOMS, FITNESS ROOM & MEETING ROOMS
- PARKING LOT EXTENSION
- SPASH PAD
- PICKLEBALL COURTS
- SPORTS COURT
- TRAIL AROUND POND
- EXERCISE STATIONS AROUND TRAIL
- FISHING PIER AT THE POND

EXISTING AMENITY CENTER (PH 1):

- ADDITIONAL PLAYGROUND AREA
- UPGRADE EXISTING PLAYGROUND
- SHADE OVER BOTH PLAYGROUNDS
- SHADE AROUND EXISTING POOL
- LIGHTED SEATING AREA
- UPGRADE LANDSCAPE
- SEATING AREA UNDER EX. SHADE

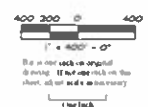
COMMERCIAL
w/ 62.6 ACRES

COMMERCIAL
w/ 23.2 ACRES

PIMLICO DRIVE ENTRANCE (EXISTING):

- UPGRADE LANDSCAPE & IRRIGATION
- FEATURE LANDSCAPE AT INTERSECTION W/ HWY 287

Saddlebrook Estates - Amenity Improvements
City of Waxahachie, Ellis County, Texas



1" = 100' - 0"
 If a note indicates original drawing, it has been checked on the sheet, all other notes are advisory.
 1 inch

(13)



PICKLEBALL & BASKETBALL COURTS



LIGHTED SEATING AREA

FITNESS AREAS AROUND PARK



EXISTING SEATING AROUND POND



Saddlebrook Estates - Amenity Improvements
 City of Waxahachie, Ellis County, Texas



All dimensions are approximate.
 Drawings are not to scale. All dimensions are in feet unless otherwise noted.

(13)

PICKLEBALL, TENNIS & BASKETBALL COURTS



SWIMMING POOL WITH SHADE



PROPOSED CONCRETE SIDEWALKS AROUND POND

PROPOSED CONCRETE PARKING LOT

PROPOSED CONCRETE SIDEWALKS AROUND AMENITY CENTER

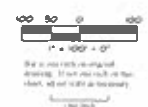


PLAYGROUND WITH SHADE



AMENITY CENTER RESTROOM BUILDING

Saddlebrook Estates - Amenity Improvements
City of Waxahachie, Ellis County, Texas



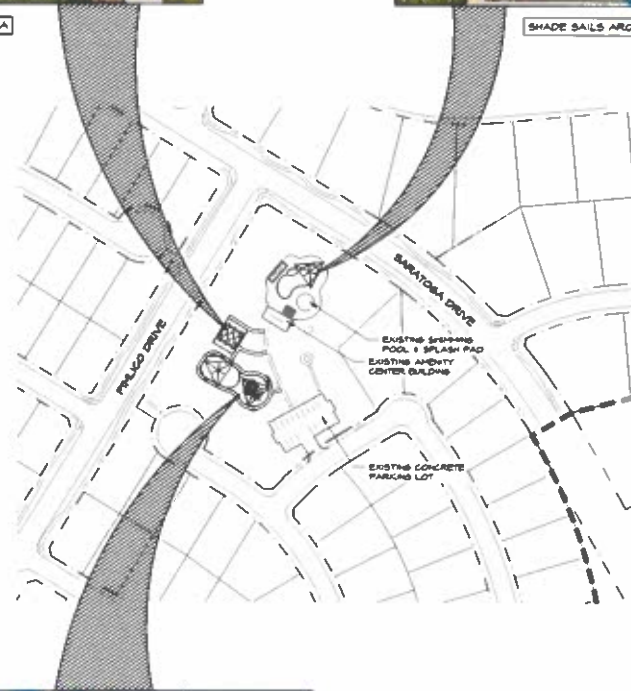
(13)



LIGHTED SEATING AREA



SHADE SAILS AROUND SWIMMING POOL



PLAYGROUND WITH SHADE

Saddlebrook Estates - Amenity Improvements
City of Waxahachie, Ellis County, Texas



See notes back on original drawing. If not the scale on this sheet, all are valid as necessary.

(14)



Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, Senior Director of Utilities

Thru: Michael Scott, City Manager

Date: May 19, 2025

Re: Consider Professional Services Agreement Amendment Number 1 for the US 77 Water Main Extension Phase I Project

Motion: "I move to approve Professional Services Agreement Amendment Number 1 with Teague Nall & Perkins, Inc. for the US 77 Water Main Extension Phase 1 Project in the amount of \$71,000 to be funded from 2019 Water Bond savings and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a professional services agreement amendment in the amount of \$71,000 for the design services related to water line improvements along proposed SPUR 394.

Item Summary: As part of the TxDOT design of SPUR 394, TxDOT is requiring the City to relocate the existing water lines by making them deeper and installing casing pipe across their ROW. The City has the following water lines that need to be replaced based on this TxDOT requirement, due to the age and materials of these lines:

- At SPUR 394 and Howard Road Intersection: Replace an 18-inch domestic water and two 20-inch raw water mains for approximately 1,300 linear feet each (the approximate width of the ROW at this intersection).
- SPUR 394 and Old Italy Road: Replace a 10-inch water line with a 12-inch water line for approximately 200 linear feet.

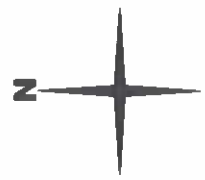
Staff recommends amending the US 77 Water Main Extension Phase I Professional Services contract with Teague Nall & Perkins for the engineering design of these improvements in order to keep the High School water line and TxDOT's SPUR 394 project moving forward in a timely manner. This amendment and improvements will not delay the water line construction completion in relation to the High School opening in 2027.

Fiscal Impact: The US 77 Water Main Extension Phase I project is funded from the Water Impact Fees in the amount of \$225,300. Staff recommends transferring \$71,000 from the 2019 Water Bond Fund savings to cover the additional design services for water main casings. With the approval of Amendment Number 1, the total professional services agreement with Teague Nall & Perkins, Inc. will be increased to \$296,300.

(14)



Old Italy and Howard Road Water Main Casings US 77 Water Main Extension Phase 1 Project



(15)



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, Executive Director of Public Works & Utilities

Thru: Michael Scott, City Manager

Date: May 19, 2025

Re: Consider Alley Abandonment at North Grand Avenue, Poplar Street, and North Central Street

Motion: "I move to approve the ordinance for the alley abandonment between North Grand Avenue, Poplar Street, and North Central Street and authorize the City Manager to execute all the necessary documents."

Item Description: Consider approving the ordinance for the alley abandonment between North Grand Avenue, Poplar Street, and North Central Street.

Item Summary: Some residents brought to the City's attention their concern regarding the maintenance of the vegetation in certain alleys. A portion of these alleys have fences, structures, and/or trees which makes it impossible for the City to access.

These alleys do not serve a public purpose, but a power line does run through a portion of the alley. Therefore, a public utility easement will be recorded prior to the Deed recording to these property owners. The properties at 202 North Grand Avenue and 206 North Grand Avenue have driveways off North Grand Avenue so a private access easement will be executed before the Deeds for the abandoned alley are executed.

(15)

The remainder of the property owners will accept their half of the alley along their property. The Deed includes language that the sale of the main property includes their portion of the abandoned alley, however, no structures can be installed in the abandoned alley property until the alley is platted into the main property.

Fiscal Impact: The City initiated alley abandonment survey cost \$17,200 (11 lots) and was paid from the Public Works Department Operating Fund.

CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG POPLAR STREET, GRAND AVENUE AND NORTH CENTRAL STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas ("City"), is a duly organized political subdivision and home-rule municipality of the State of Texas; and

WHEREAS, the City, by virtue of a prior dedication, owns a certain unused portion of a street/alley known as Grand Avenue, North Central Street, & Poplar Street, which street/alley is located within the corporate limits of the City; and

WHEREAS, Section 311.001(a) of the Texas Transportation Code generally provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, Section 311.007 of the Texas Transportation Code provides the authority for a home-rule municipality to vacate, abandon or close a street or alley within the municipality; and

WHEREAS, the City has received a petition from an abutting landowner requesting that the City abandon and close an unused portion of Grand Avenue, North Central Street, & Poplar Street; and

WHEREAS, the City Council of the City of Waxahachie, Texas ("City Council"), finds and determines that the unused portion of W. Main Street & Poplar Street which consists of approximately 0.453 acres. The overall alley abandonment is shown on Exhibit A, attached hereto and incorporated herein for all purposes (hereinafter referred to as the "Unused Road ROW"), should be abandoned, vacated, and closed; and

WHEREAS, the City Council finds that the Unused Road ROW should be abandoned and vacated as a roadway/alley, and that any and all rights that the City may have in the Unused Road ROW should be released, which abandonment and vacation the City Council has determined is in furtherance of the public health, safety and welfare of the City; and

WHEREAS, the Unused Road ROW contains private parking access along Lot 4A Block 12 West End Addition, Private Access Easement shall be provided by separate instrument by the City of Waxahachie prior to the ROW abandonment; and

WHEREAS, the Unused Road ROW contains franchise utilities, thereby a Utility Easement shall be provided by separate instrument by the City of Waxahachie prior to the ROW abandonment; and

WHEREAS, the City Council also finds, pursuant to Texas Local Government Code Section 272.001(b)(2), that it is appropriate for the City to deed to the adjacent property owner along the Unused Road ROW their respective portion of the Unused Road ROW, with approximately 0.453 acres to be deeded to the owners of the abutting properties along the Unused Road ROW, and to authorize the City Manager to execute such real estate conveyance documents and other related documents to accomplish such property transfer.

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

SECTION 1

All of the above premises are hereby found to be true and correct legislative findings of the City Council and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, any and all rights and interests that the City may have in the Unused Road ROW, the overall alley abandonment is shown on *Exhibit A*, attached hereto are hereby abandoned and vacated by the City for street, roadway, alley, and public travel purposes, and the City hereby disclaims any interest in the Unused Road ROW.

SECTION 3

The City Manager, or his designee, is hereby authorized to execute all documents necessary to transfer all title and property interests that the City has in the Unused Road ROW to the abutting property owners as described in this Ordinance, and the City hereby authorizes such transfers.

SECTION 4

All ordinances, orders or resolutions heretofore passed and adopted by the City Council are hereby repealed to the extent that said ordinances, resolutions, or parts thereof, are in conflict herewith.

SECTION 5

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6

This Ordinance shall take effect and be in full force from and after its passage, as provided by the laws of the State of Texas, and the City Charter of the City of Waxahachie.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THIS _____ TH DAY OF _____, 2025.

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary

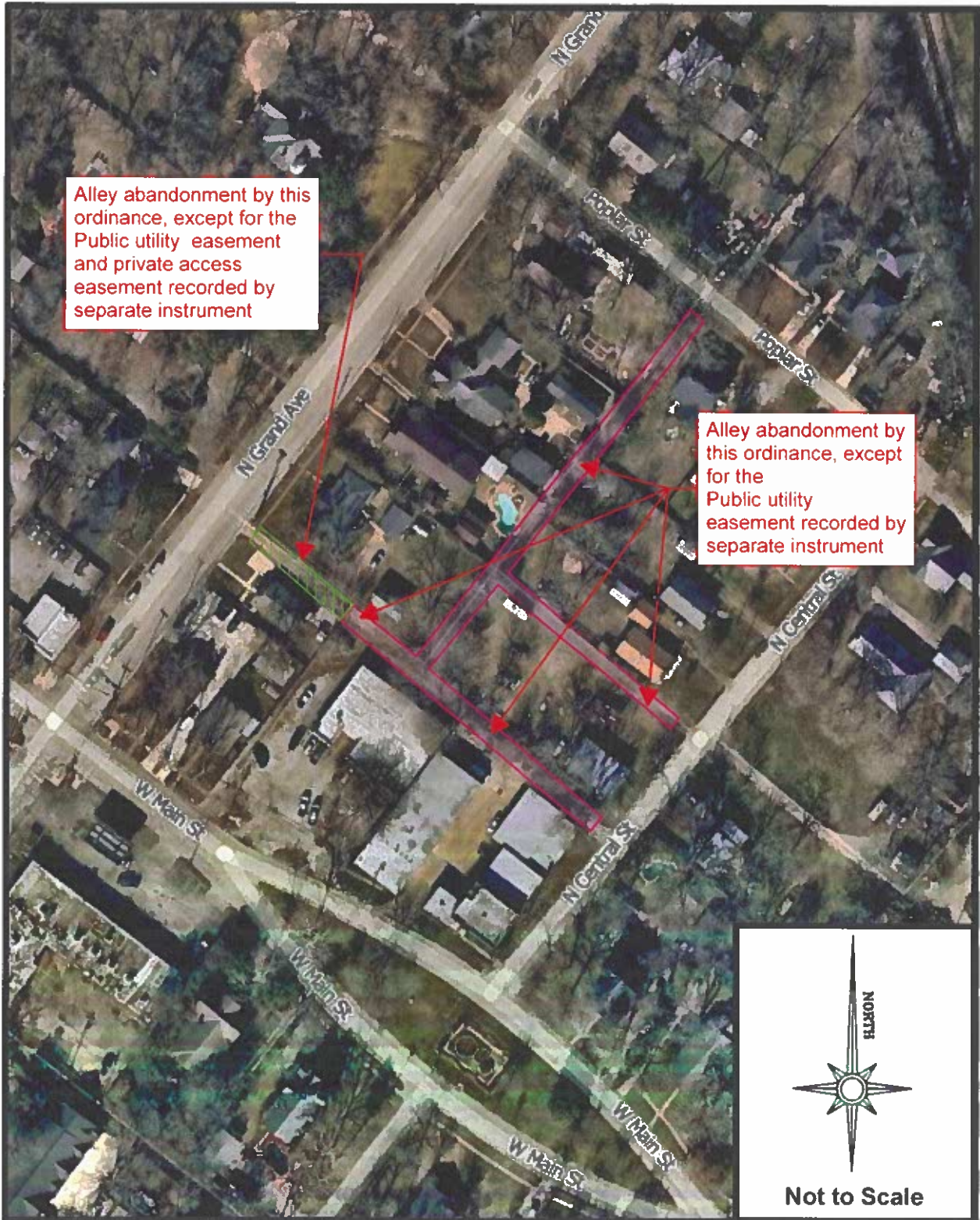
Terry Welch, City Attorney

(15)

EXHIBIT "A"
(Survey of the portion of the Alley to be Abandoned)

Exhibit A

Grand Ave, Poplar St, and Central St Alley Abandonment



(16)



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, Executive Director of Public Works & Utilities

Thru: Michael Scott, City Manager

Date: May 19, 2025

Re: Consider Alley Abandonment at East Ross Street and Penn Street

Motion: "I move to approve the ordinance for the alley abandonment between East Ross Street and Penn Street and authorize the City Manager to execute all the necessary documents."

Item Description: Consider approving the ordinance for the alley abandonment between East Ross Street and Penn Street.

Item Summary: The City is initiating Right-of-Way abandonment to alleys without public purposes at the following locations:

- Alley running North/South between East Ross Street and Penn Street and west of the properties adjacent to Brown Street (referred hereafter as the Penn Alley).
- Alley running East/West south of 110, 112 and 114 East Ross Street (referred hereafter as the E. Ross Alley).

The current Penn Alley has a fence across it that prevents cross traffic. It is currently used as a driveway for the property on 110 East Ross St and a separate driveway for the duplex at 101 Penn Street. The property owners along Brown Street have provided in writing that they don't have interest in their half of the alley. 300 Brown Street does not want their half of the alley, but also does not want it abandoned. City staff still recommends abandoning the Penn Alley and to

(14)

dedicate it to 110 East Ross St and 101 Penn Street as shown on the attached exhibit.

The E. Ross Alley was vegetated but the property owner at 112 East Ross Street has recently constructed an access to the rear of his property. The duplex property owner along Penn Street provided in writing that he is not interested on getting half of this alley. The property owner at 114 East Ross Street was not interested on any portion of the alley, but was agreeable to allow property at 112 East Ross Street to get the full alley along her southern property line.

City staff recommends moving forward with abandoning the Penn Alley as follows and shown on the attached exhibit:

- 1) Dedicate to 110 East Ross Street the full alley along their southern property line
- 2) Dedicate to 112 East Ross Street the full alley along their southern property
- 3) Dedicate to 112 East Ross Street the entire alley along the 114 East Ross Street southern property line

There are no visible franchise utilities along these alleys to be abandoned. The franchise utilities companies were contacted repeatedly to determine if an easement was necessary. A blanket utility easement will be placed in the alleys for any existing utilities that may be in place.

The Deed includes language that the sale of the main property includes their portion of the abandoned alley and no structures can be installed in the abandoned alley property until the alley is platted into the main property.

Fiscal Impact: The City initiated alley abandonment survey cost was \$4,690 (3 lots) and paid from the Public Works Department Operating Fund.

(14)

CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG EAST ROSS STREET AND PENN STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas ("City"), is a duly organized political subdivision and home-rule municipality of the State of Texas; and

WHEREAS, the City, by virtue of a prior dedication, owns a certain unused portion of a street/alley known as East Ross Street and Penn Street, which street/alley is located within the corporate limits of the City; and

WHEREAS, Section 311.001(a) of the Texas Transportation Code generally provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, Section 311.007 of the Texas Transportation Code provides the authority for a home-rule municipality to vacate, abandon or close a street or alley within the municipality; and

WHEREAS, the City has received a petition from an abutting landowner requesting that the City abandon and close an unused portion of East Ross Street and Penn Street; and

WHEREAS, the City Council of the City of Waxahachie, Texas ("City Council"), finds and determines that the unused portion of East Ross Street and Penn Street which consists of approximately 0.326 acres. The overall alley abandonment is shown on Exhibit A, attached hereto and incorporated herein for all purposes (hereinafter referred to as the "Unused Road ROW"), should be abandoned, vacated, and closed; and

WHEREAS, the City Council finds that the Unused Road ROW should be abandoned and vacated as a roadway/alley, and that any and all rights that the City may have in the Unused Road ROW should be released, which abandonment and vacation the City Council has determined is in furtherance of the public health, safety and welfare of the City; and

WHEREAS, the Unused Road ROW contains franchise utilities, thereby a Utility Easement shall be provided by separate instrument by the City of Waxahachie prior to the ROW abandonment; and

WHEREAS, the City Council also finds, pursuant to Texas Local Government Code Section 272.001(b)(2), that it is appropriate for the City to deed to the adjacent property owner along the Unused Road ROW their respective portion of the Unused Road ROW, with approximately 0.326 acres to be deeded to the owners of the abutting properties along the Unused Road ROW, and to

(16)

authorize the City Manager to execute such real estate conveyance documents and other related documents to accomplish such property transfer.

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

SECTION 1

All of the above premises are hereby found to be true and correct legislative findings of the City Council and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, any and all rights and interests that the City may have in the Unused Road ROW, the overall alley abandonment is shown on *Exhibit A*, attached hereto are hereby abandoned and vacated by the City for street, roadway, alley, and public travel purposes, and the City hereby disclaims any interest in the Unused Road ROW.

SECTION 3

The City Manager, or his designee, is hereby authorized to execute all documents necessary to transfer all title and property interests that the City has in the Unused Road ROW to the abutting property owners as described in this Ordinance, and the City hereby authorizes such transfers.

SECTION 4

All ordinances, orders or resolutions heretofore passed and adopted by the City Council are hereby repealed to the extent that said ordinances, resolutions, or parts thereof, are in conflict herewith.

SECTION 5

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6

This Ordinance shall take effect and be in full force from and after its passage, as provided by the laws of the State of Texas, and the City Charter of the City of Waxahachie.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
WAXAHACHIE, TEXAS, THIS TH DAY OF _____, 2025.**

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary

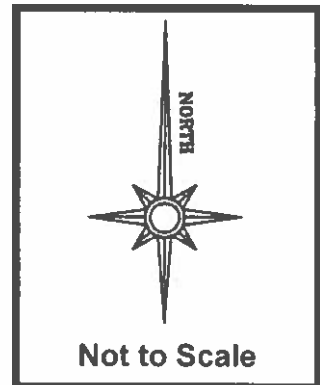
Terry Welch, City Attorney

EXHIBIT “A”
(Survey of the portion of the Alley to be Abandoned)

(16)

Exhibit A (16)

East Ross St. and Penn St. Alley Abandonment



(17)



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, Executive Director of Public Works & Utilities

Thru: Michael Scott, City Manager

Date: May 19, 2025

Re: Consider Petition to Abandon a portion of University Avenue Right-of-Way

Motion: "I move to approve the ordinance abandoning the University Avenue Right-of-Way along 1201 West Marvin Avenue and 1119 West Marvin Avenue properties and authorize the City Manager to execute all necessary documents."

Item Summary: James Poarch and Gregory Gerloff are requesting the City of Waxahachie to abandon a portion of University Avenue Right-of-Way along their property at 1201 West Marvin Avenue and 1119 West Marvin Avenue.

Item Description: James Poarch and Gregory Gerloff are requesting the City of Waxahachie to abandon a portion of University Avenue Right-of-Way along their property at 1201 West Marvin Avenue and 1119 West Marvin Avenue. The City does not have a public use for this portion of the Right-of-Way. There is a power line that serves the properties and a utility easement has been placed over this line for franchise utility purposes. City staff recommends the abandonment of this portion of the street Right-of-Way since it is currently closed to traffic and it does not provide access across the BNSF train tracks.

Fiscal Impact: No fiscal impacts to the City for the proposed alley abandonment.

CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG UNIVERSTIY STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas ("City"), is a duly organized political subdivision and home-rule municipality of the State of Texas; and

WHEREAS, the City, by virtue of a prior dedication, owns a certain unused portion of University Street, which street is located within the corporate limits of the City; and

WHEREAS, Section 311.001(a) of the Texas Transportation Code generally provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, Section 311.007 of the Texas Transportation Code provides the authority for a home-rule municipality to vacate, abandon or close a street or alley within the municipality; and

WHEREAS, the City has received a petition from an abutting landowner requesting that the City abandon and close an unused portion of University Street; and

WHEREAS, the City Council of the City of Waxahachie, Texas ("City Council"), finds and determines that the unused portion of University Street, which consists of a public street right-of-way along the property line of the property described as Lot 4 Block 17 of the University (ECAD Prop. ID# 176339) and Lot 1 Block 18 of the University (ECAD Prop. ID# 176340) and incorporated herein for all purposes (hereinafter referred to as the "Unused Road ROW"), should be abandoned, vacated, and closed; and

WHEREAS, the City Council finds that the Unused Road ROW should be abandoned and vacated as a roadway/alley, and that any and all rights (except the utility easement rights in the Unused Road ROW), that the City may have in the Unused Road ROW should be released, which abandonment and vacation the City Council has determined is in furtherance of the public health, safety and welfare of the City; and

WHEREAS, the Unused Road ROW contains franchise utilities, thereby a Utility Easement shall be retained by separate instrument and located within the limits of the Unused Road ROW; and

WHEREAS, the City Council also finds, pursuant to Texas Local Government Code Section 272.001(b)(2), that it is appropriate for the City to deed half of the alley to each of the adjacent property owners along the Unused Road ROW, and authorize the City Manager to execute such real estate conveyance documents and other related documents to accomplish such property transfer.

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

SECTION 1

All of the above premises are hereby found to be true and correct legislative findings of the City Council and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, any and all rights and interests that the City may have in the Unused Road ROW, as described in the attached *Exhibit A*, are hereby abandoned and vacated by the City for street, roadway, alley, and public travel purposes, and the City hereby disclaims any interest in the Unused Road ROW other than the Utility Easement rights, which the City expressly retains.

SECTION 3

The City Manager, or his designee, is hereby authorized to execute all documents necessary to transfer all title and property interests that the City has in the Unused Road ROW to the abutting property owners as described in this Ordinance, and the City hereby authorizes such transfers.

SECTION 4

All ordinances, orders or resolutions heretofore passed and adopted by the City Council are hereby repealed to the extent that said ordinances, resolutions, or parts thereof, are in conflict herewith.

SECTION 5

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6

This Ordinance shall take effect and be in full force from and after its passage, as provided by the laws of the State of Texas, and the City Charter of the City of Waxahachie.

(17)

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
WAXAHACHIE, TEXAS, THIS _____ DAY OF _____, 2025.**

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary

Terry Welch, City Attorney

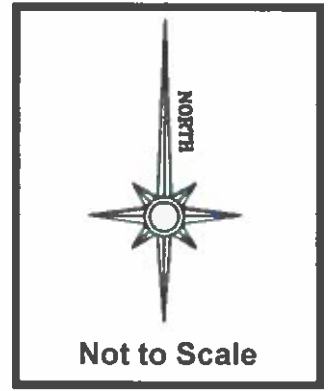
(17)

EXHIBIT A

(17)

Exhibit A

University Street Right-of-Way Abandonment



(18)



Memorandum

To: Honorable Mayor and City Council
From: Dustin Deel, Senior Director of Administrative Services
Thru: Michael Scott, City Manager *[Signature]*
Date: May 19th, 2025
Re: Consider Approval of Professional Services Agreement with Parkhill for Fuel Farm Engineering Services at Mid-Way Regional Airport

Motion: "I move to approve a Professional Services Agreement with Parkhill in the amount of \$144,652 for engineering services related to the Mid-Way Regional Airport Fuel Farm project and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of an agreement with Parkhill for professional engineering services to support the installation of new AvGas and jet fuel storage tanks at Mid-Way Regional Airport.

Item Summary: Mid-Way Regional Airport is seeking to install new above-ground fuel tanks to provide updated storage capacity for both AvGas and jet fuel. Parkhill will provide engineering and design services for the project, including preparation of a categorical exclusion document, geotechnical engineering, professional surveying, stormwater pollution prevention plan updates, Spill Prevention Control & Countermeasures (SPCC) planning, and the final design and bidding phase services.

This project is a joint effort between the Cities of Waxahachie and Midlothian as owners and operators of the airport.

- On April 10th, 2025, the Mid-Way Regional Airport Joint Airport Board voted 4-1 to recommended approval of the agreement with Parkhill.
- On May 13th, 2025 Midlothian City Council voted unanimously to recommend approval of the agreement with Parkhill.

Fiscal Impact: The total cost for engineering services is \$144,652. This project is funded through a 90/10 grant under the 2022 Infrastructure Investment and Jobs Act (IIJA) administered by the Federal Aviation Administration (FAA). The Airport Fund will initially pay 100% of the cost and the FAA will reimburse the fund 90% of the cost, with the remaining 10%—approximately \$14,465—to be covered by the Airport Fund.