

# AGENDA

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 **July 6, 2026 at 7:00 p.m.**

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Announcements/Presentations***
  - a. Introduce Honorary Council Member
5. ***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 three (3) minute time limit.***

*In order to be recognized during Public Comments or during a Public Hearing, please complete a Public Appearance Card located at the entrance of the meeting room. If you would like to speak on more than one Public Hearing item, please submit a separate card for each item. Please present the card(s) to the City Secretary, or their designee, by 6:50 p.m., ten minutes before the start of the 7:00 p.m. regular business meeting. [Online Public Appearance Cards](#) must be submitted by 4:00 p.m. on the day of the meeting.*
6. ***Consent Agenda***

All matters listed under Item 6, 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 June 15, 2026
  - b. Minutes of the City Council work session on June 22, 2026
7. ***Public Hearing*** on a request by Gina McLean, Nationwide Construction for a Specific Use Permit (SUP) for a Noxious Use within a Light Industrial-2 (LI-2) zoning district located at 4740 North Interstate 35E (Property ID 188456) – Owner(s): Nutrenare-Ag Inc (ZDC-183-2025)

8. **Consider** proposed Ordinance approving ZDC-183-2025
9. **Consider** Development Agreement for ZDC-183-2025
10. **Public Hearing** on a request by Tu-Hai Ngo, for a Specific Use Permit (SUP) for an Accessory Structure of 700+ sq. ft use within a Single Family-1 (SF-1) zoning district located at 5025 April Lane (Property ID 207630) – Owner(s): Tien Ngo (ZDC-53-2026)
11. **Consider** proposed Ordinance approving ZDC-53-2026
12. **Public Hearing** on a request by Brad Yates for a Zoning Change from a Commercial (C) zoning district to Planned Development-Multi Family-1 (PD-MF-1) zoning district, for a 6-unit townhome use, located directly south of 404 Cantrell Street, (Property ID 172321) - Owner: Colonial Group Restoration Inc. (ZDC-49-2025)
13. **Consider** proposed Ordinance approving ZDC-49-2025
14. **Public Hearing** on a request by Jennifer Smolka for a Specific Use Permit (SUP) for a Short-Term Rental (STR) use within a Single-family-2 (SF-2) zoning district located at 116 San Jacinto CT (Property ID 174917) - Owner: Smolka Holdings LLC Series D (ZDC-21-2026)
15. **Consider** proposed Ordinance approving ZDC-21-2026
16. **Consider** proposed Resolutions approving the acceptance of the 2025 State Homeland Security Program (SHSP) grants for SWAT Thermal Equipment, SWAT Communications, PWERT Light Tower, and Public Works Emergency Response Team (PWERT) Variable Message Sign for project year 2026
17. **Consider** FM 664 Water Transmission Main and Sanitary Sewer Project Change Order No. 2 in the amount of \$191,039.50
18. **Consider** construction contract for the Railyard Park Parking Lot Project in the amount of \$928,007.30
19. **Consider** supplemental appropriation for Airport Gate Security Enhancement Project in the amount of \$23,589.90
20. **Consider** award of contract and supplemental appropriation for construction administration services for the Mid-Way Regional Airport Fuel Farm Expansion in the amount of \$8,627
21. **Consider** proposed Resolution authorizing application for Texas Water Development Board Water Supply and Infrastructure Grant
22. **Consider** construction contract with J&K Excavation for drainage and paving repair work on John Arden Drive in an amount not to exceed \$120,870 and authorize a temporary road closure

23. **Public Hearing** on a request by applicant Owens Corning Insulating Systems, LLC., owner of property located at 3700 N. Interstate 35-E, Waxahachie, Texas, for a tax abatement agreement in support of an expansion of business operations including, but not limited to production line improvements estimated at \$56,000,000 within the City of Waxahachie Reinvestment Zone #33 at 3700 N. Interstate 35-E, Waxahachie, Texas
24. **Consider** proposed Ordinance designating a certain area within the taxing jurisdiction of the City of Waxahachie to be known as Reinvestment Zone #33; establishing the boundaries thereof; and providing for an effective date
25. **Consider** proposed Resolution approving Tax Abatement Agreement for Owens Corning Insulating Systems, LLC in support of expansion of business operations at 3700 N. Interstate 35-E, Waxahachie, Texas
26. **Public Hearing** to consider Resolution nominating Owens Corning Insulating Systems, LLC for the Texas Enterprise Zone Program
27. **Consider** proposed Resolution nominating Owens Corning Insulating Systems, LLC as a Texas State Enterprise Zone Project
28. **Convene** into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, as permitted by Texas Government Code Section 551.074; to consult with City Attorney regarding legal issues associated with City Code and Charter provisions and consultation with City Attorney regarding pending and anticipated litigation, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto
29. **Reconvene** and take any necessary action
30. Comments by Mayor, City Council, City Attorney and City Management
31. 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.**

### **ACCESSIBILITY STATEMENT**

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 ADA Coordinator at (469) 309-4000 or (TDD) 1-800-RELAY TX

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 June 15, 2026 at 7:00 p.m.

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

Others Present: Ricky Boyd, City Manager  
Shon Brooks, Assistant 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**

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

**4. Announcements/Presentations**

- a. Introduce Honorary Council Member
- b. Proclamation recognizing May 17-23, 2026 as “Parks and Recreation Month”
- c. Recognize Council Member Chris Wright as a 2026 Texas Municipal League Certified Municipal Official (CMO)

There was not an Honorary Council Member in attendance.

Mayor Wallace read a proclamation recognizing July as “Parks and Recreation Month.”

Mayor Wallace recognized Council Member Chris Wright as a 2026 Texas Municipal League Certified Municipal Official and applauded his commitment to professional development.

**5. Public Comments**

Darlene Miller, 240 Parks School House Road, Waxahachie, Texas, urged Waxahachie to prioritize a new animal shelter and explore partnerships with Ellis County and neighboring cities. Ms. Miller emphasized the benefits of a regional shelter, concerns about limited animal care resources, and the growing need for shelter services as more residents face financial hardship and animal abandonment increases.

Melissa Camacho, 1105 W. Main, Waxahachie, Texas, raised concerns about ongoing drainage and flooding problems that have caused repeated property damage, erosion, and potential structural

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impacts to several homes, including historic properties. Despite more than a year of communication with TxDOT, she has received no commitment that repairs will be made. Ms. Camacho asked the City to help coordinate with the appropriate agencies and pursue solutions to protect residents, property, and the neighborhood's historic character.

Cynthia Fuentes, 606 Williams, Waxahachie, Texas, praised the parks staff, particularly the management of the small dog park, and requested improvements including additional lighting, security cameras, better flea control, clearer signage separating large and small dog areas, and more handicap-accessible parking. Ms. Fuentes noted that fleas have become a significant problem and that large dogs entering the small dog park have created safety concerns for smaller pets.

## 6. Consent Agenda

- a. Minutes of the City Council meeting of June 1, 2026
- b. Minutes of the City Council Joint Work Session of May 26, 2026
- c. Minutes of the City Council Joint Work Session of June 4, 2026
- d. Event application for Hispanic Heritage event to be held September 26, 2026
- e. Appointment to the Park Board to fill an unexpired term
- f. Supplemental appropriation from the General Fund unrestricted reserve in the amount of \$19,646.26 to Salaries-Overtime for TIFMAS Deployment
- g. Supplemental appropriation from the General Fund unrestricted reserve in the amount of \$1,588.91 to Travel for TIFMAS Deployment reimbursement

### Action:

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

## 7. Public Hearing on a request by Terry Weaver for a Zoning Change from a Single Family-2 (SF-2) zoning district to a Two-Family (2F) zoning district, for a duplex use located at 525 Lake Park Avenue, (Property ID 171592) - Owner: Kotha Holdings Group LLC (ZDC-146-2025)

Trenton Robertson, Director of Planning, presented the Item and applicant Terry Weaver requested approval. The applicant proposes to rezone approximately 7.09-acres of an existing 8.122-acre tract at 525 Lake Park Avenue from a Single Family-2 (SF-2) zoning district to a Two-Family (2F) zoning district to allow for the development of 7 duplexes.

As a straight zoning change request, this proposal does not include any specific site plan or development standards to demonstrate how the subject property may develop. Instead, development of the subject property is proposed to follow the standards established by the 2F zoning district, as described by the Waxahachie Zoning Ordinance. The standards of the existing Waxahachie Zoning Ordinance would permit duplexes to be developed on lots a minimum of 9,000 square feet in size with a minimum front setback of 25' and side setback of 6'. Additionally, each dwelling unit is required to be a minimum of 900 square feet and to provide a minimum of two (2) paved parking spaces behind the front setback line. Structures developed under the base 2F zoning district would not be required to use any specific exterior construction materials, such as brick or stone, but would be subject to the architectural design requirements of Section 5.01 of the

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### Waxahachie Zoning Ordinance.

While no specific site plan is tied to this zoning change request, the applicant has provided a conceptual replat to demonstrate what a feasible duplex development could look like on the subject property. The provided exhibit demonstrates that a new street ending in a cul-de-sac would be necessary to provide access to the interior of the site due to the property's unique shape. The exhibit identifies seven (7) lots that could feasibly front the new street, with each lot containing a duplex structure with two dwelling units. These are shown as lots 4-10 in the conceptual exhibit. Lots 1-3 in the exhibit are located on the portion of the subject property that is proposed to remain as a Single-Family-2 zoning district and would be developed with typical single-family homes. The applicant has noted that if this request is approved, they are likely to utilize a layout similar to this conceptual subdivision when developing the property. However, it is important to note that if the zoning change is approved, more than seven (7) duplex structures could feasibly be developed on the subject property.

Staff has concern that the proposed straight 2F zoning request is inappropriate for the subject property due to inconsistency with the current zoning and established land use of the surrounding area (single-family). All property within an approximately ½ mile radius of the subject property is currently zoned single family, with the exception of the Hope Health Clinic on Coleman Street. Introducing a 2F zoning district on the subject property without appropriate design standards is likely to lead development that is incompatible with the adjacent neighborhood.

Staff recommends that the request be revised to include development standards that more closely align with the existing conditions of the surrounding area. Specifically, provisions that require each dwelling unit to be situated on an individually platted, fee simple lot and provisions that require approval of elevation/façade plans for each duplex by the Planning & Zoning Commission are recommended. These provisions would allow the development to be more closely aligned with the existing neighborhood by allowing for owner-occupancy of the duplexes and by ensuring the design of the duplexes is consistent with adjacent homes. These recommendations could be implemented directly as conditions added to approval of the zoning change request or by transitioning the request to a Planned Development application.

The applicant has acknowledged staff concerns and has requested to proceed to the Planning & Zoning Commission and City Council for consideration of the straight zoning change request. The applicant has noted that a straight zoning request is preferable due to the flexibility it provides to the property owner. However, the applicant has also noted that they are willing to consider and address any potential concerns that the Planning & Zoning Commission and City Council may have with the straight zoning request.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 38 notices were mailed to property owners within 200 feet of the request. Staff has received two (2) letters of support and one (1) letter of opposition to the Zoning Change request.

Based on the details provided in the Staff Report and the present status of the documents subject to the request, staff recommends approval of the Zoning Change request with the following conditions:

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1. Each duplex unit shall be situated on a single platted lot such that each lot only includes a single dwelling unit. Interior property lines between units may have a 0' side setback and may cross through the duplex structures.
2. Prior to development of the subject property, the owner shall be required to replat the subject property. The replat for the subject property shall be filed prior to the issuance of Building Permits for the subject property.
3. Prior to development of the subject property, the owner shall be required to receive approval of a site plan application by the Planning & Zoning Commission and City Council. The site plan shall include a detailed elevation/façade plan for each duplex structure. Approval of the site plan application, including the elevation/façade plan sheets, shall be at the sole discretion of the Planning & Zoning Commission and City Council.
4. The conditions of this change will follow that of a straight zoning change of SF-2 to 2F and not a Planned Development.

Mayor Wallace opened the Public Hearing at approximately 7:23 p.m.

Council members questioned whether approving a straight zoning change, rather than a Planned Development (PD), would allow too much flexibility for future construction without sufficient City oversight. Concerns were raised about density, affordability claims, traffic impacts, and potential precedent from similar developments, while staff explained the project could meet zoning requirements but typically PDs provide stronger design control. The developer proposed duplex-style homes with site plan and architectural review requirements, but Council members emphasized that straight zoning could allow future changes without returning to Council approval. Fire and Planning staff also discussed access and emergency response concerns, noting that ingress and egress requirements would need to meet code. Overall, the discussion centered on balancing housing development flexibility with ensuring adequate design control, infrastructure capacity, and long-term neighborhood impact.

There being no others to speak for or against ZDC-146-2025, Mayor Wallace closed the Public Hearing at approximately 7:39 p.m.

**8. Consider proposed Ordinance approving ZDC-146-2025**

**Action:**

*Chris Wright moved to deny ZDC-146-2025, without prejudice. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**9. Public Hearing on a request by Jeremy Nelson, Westfall Engineering, for a Specific Use Permit (SUP) for a Unified Lot Sign for a Child Daycare Center within a General (GR) zoning district located at 1328 and 1332 Brown Street (Property ID(s): 295112 and 295113) Owner(s): Buffalo Creek Plaza LLC (ZDC-23-2026)**

Mr. Robertson presented the Item and applicant Jeremy Nelson requested approval. The applicant requests approval of a Specific Use Permit (SUP) for a Unified Lot Sign associated with a Child Daycare Center (The Learning Experience) to be located on Lot 2 (1332 Brown Street). The Waxahachie Zoning Ordinance requires a SUP for a Unified Lot Sign to be approved by the City Council.

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As part of the SUP request, the applicant also seeks deviations from Section 5.01.b.iv.7.b.v, Exterior Construction Requirements, pertaining to the provision of a minimum of 30% glazing per elevation, and Section 5.08.d.ii.24.24, Sign Regulations, regarding the maximum permitted wall sign area.

The applicant proposes to develop a child daycare center (The Learning Experience) on Lot 1 (1328 Brown Street), with a unified lot sign to be installed on the adjacent property, Lot 2 (1332 Brown Street), which has frontage along Indian Drive and Brown Street. The proposed sign location is necessary because neither lot has direct access or frontage along Brown Street. Therefore, the applicant seeks approval of an offsite unified lot sign within the General Retail (GR) Zoning District; which is only permitted by SUP. The proposed sign location complies with the setback requirements established by the Waxahachie Zoning Ordinance.

The proposed unified lot sign will have an overall height of seven feet, nine inches (7'-9"), a width of nine feet (9'-0"), and a total sign area of approximately 69.75 square feet. The unified lot sign is proposed to be constructed of stone and stucco materials designed to complement the architectural style and exterior building materials of The Learning Experience. Additionally, the sign includes tenant panels intended to serve occupants of both Lots 1 and 2.

The applicant requests a deviation from Section 5.01.b.iv.7.b.v of the Waxahachie Zoning Ordinance to decrease the minimum requirement amount of glazing from 30% to the proposed amounts listed below:

- North Elevation 17.6%
- East Elevation 21.8%
- South Elevation 10.2%
- West Elevation 16.3%

The request for the deviation is based on national childcare safety standards, which discourage the use of glass due to child safety concerns, potential mold and moisture issues, and increased long-term maintenance requirements, while also supporting an improved architectural design.

The applicant also requests relief from Section 5.08.d.ii.24 of the Waxahachie Zoning Ordinance to exceed the maximum wall sign allowance of one (1) square foot per one (1) linear foot of building frontage due to the orientation of the building on the site. The rear elevation of the building faces west toward Brown Street, while the front elevation faces east. Based on the development proposal, a total of 115 square feet of wall signage is permitted by the Waxahachie Sign Regulations.

To ensure visibility and identification of the business from both directions, the applicant proposes to install wall signage on the front and rear elevations of the building. Each proposed wall sign is 115 square feet in size and would individually comply with the Waxahachie Zoning Ordinance if only one sign were installed; however, the applicant is proposing a total of two (2) wall signs. Additionally, the applicant proposes decorative signage elements on the columns located along the front elevation of the building.

Staff supports the requested deviation from the Sign Regulations of the City of Waxahachie Zoning Ordinance, as alternative design that can provide adequate site visibility to the subject property while remaining generally consistent with the intent of the ordinance, provided the applicant complies with the minimum glazing requirements.

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Staff's support for the signage deviation is contingent upon compliance with the building design and glazing requirements, as the proposed structure is intended to remain on site in perpetuity and should complement and enhance the surrounding development pattern. While signage on the structure may change as future tenants come and go, the building itself will remain. Accordingly, staff seeks to maintain a high-quality architectural appearance and ensure the structure retains long-term adaptability for future commercial occupancy.

To comply with State law under Local Government Code Chapter 211 and the City's public hearing notice requirements, nine (9) notices were mailed to property owners within 200 feet of the subject property. As of the publication date of this staff report, staff has received four (4) letters of support and zero (0) letters of opposition.

Mayor Wallace opened the Public Hearing at approximately 7:47 p.m.

Council members discussed the proposed development's design standards, particularly glazing (window coverage), signage, and façade appearance. Staff and the applicant discussed reducing glazing percentages and how design requirements might affect future building uses, with the applicant arguing for flexibility and Council members expressing concern about visual impact, consistency with City standards, and oversized signage. Several Council members pushed back on lowering glazing too far, calling parts of the design visually unappealing, while others emphasized sticking to established standards and Planning & Zoning Commission recommendations. Council clarified the glazing percentage calculations, but overall the discussion centered on whether to approve design deviations or maintain stricter architectural requirements to ensure consistency and long-term aesthetic quality.

There being no others to speak for or against ZDC-23-2026, Mayor Wallace closed the Public Hearing at approximately 8:00 p.m.

#### **10. Consider proposed Ordinance approving ZDC-23-2026**

**Action:**

*Chris Wright moved to approve ZDC-23-2026, for a Specific Use Permit of a Unified Lot Sign use for a Child Daycare Center, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents. Motion died due to lack of second.*

**Action:**

*Travis Smith moved to approve ZDC-23-2026, for a Specific Use Permit of a Unified Lot Sign use for a Child Daycare Center, subject to the conditions of the staff report, and to include the City standard minimum glazing requirements, authorizing the Mayor and/or City Manager to execute all documents. Motion was seconded by Tres Atkins and failed 2-3, with Billie Wallace, Patrick Souter, and Chris Wright voting in opposition.*

**Action:**

*Chris Wright moved to approve ZDC-23-2026, for a Specific Use Permit of a Unified Lot Sign use for a Child Daycare Center, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents. Motion was seconded by Patrick Souter and failed 2-3, with Billie Wallace, Travis Smith, and Tres Atkins voting in opposition.*

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**11. Consider Development Agreement for ZDC-23-2026**

No action taken.

**12. Public Hearing on a request by Stephanie Gienger, Kimley-Horn, for a Zoning Change to Amend Ordinance No. 3587 for the Woodland Cottages at Waxahachie to change the construction material of the masonry screening wall located at 2797 John Arden Drive (Property IDs 275156 and 313224) – Owner(s): Woodland Cottage Waxahachie LP (ZDC-52-2026)**

Mr. Robertson presented the Item and Travis Jones requested approval. The applicant requests approval of the amendment of the existing Planned Development (PD) to amend the construction material of the masonry screening wall from brick to concrete panels.

In September 2024, a Planned Development application (ZDC-120-2024) was approved for the property. This PD application for the Woodland Cottages at Waxahachie allowed for a 68-unit senior living (55+) community. The application featured a multifamily use only on the east side of Alliance Boulevard. The west side of Alliance Boulevard was reserved as a 3-acre General Retail (GR) tract.

In December 2024, an amended Planned Development application (ZDC-203-2024) was approved for the property. This PD application for the Woodland Cottages at Waxahachie replaced the 3-acre General Retail (GR) tract on the west side of Alliance Boulevard with an additional multifamily tract. The applicant proposed to develop the area west of Alliance Boulevard with seven (7) additional senior living (55+) units.

In April 2026, the applicant submitted this PD amendment application to change the approved construction masonry screening wall along the northern property line from traditional brick to solid concrete panels. The new concrete panel wall is proposed to be painted white. This is the only item proposed to be amended with this application.

Staff is concerned that the proposed change in material for the masonry screening wall will not provide the same quality as the product originally approved. The proposed material of concrete panels represents a downgrade from the previously approved brick screening wall installation. Additionally, the masonry screening walls are proposed only along the portions of the property adjacent to Oncor's facility to the north and Connect 4 Life Church to the south, rather than enclosing the subject property entirely with a masonry screening wall.

To comply with State law under Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 notices were mailed to property owners within 200 feet of the subject property. As of the publication date of this staff report, staff has received no letters of support and no letters in opposition.

Mayor Wallace opened the Public Hearing at approximately 8:13 p.m.

Council discussed the proposed changes from brick to concrete fencing and the use of metal fencing around the development. The applicant explained the preference for more open, landscaped designs to create a less enclosed, more neighborhood-friendly feel, rather than cost savings. Council members discussed existing fencing in nearby developments and generally

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supported the idea that less heavy masonry fencing could improve openness and aesthetics, though concerns about consistency and surrounding redevelopment were also noted.

There being no others to speak for or against ZDC-52-2026, Mayor Wallace closed the Public Hearing at approximately 8:16 p.m.

**13. Consider proposed Ordinance approving ZDC-52-2026**

**ORDINANCE NO. 3732**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2) TO PLANNED DEVELOPMENT-MULTIFAMILY-2 (PD-MF-2), WITH UPDATED CONSTRUCTION MATERIAL OF THE MASONRY SCREENING WALL, LOCATED AT 2797 JOHN ARDEN DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 13.66 ACRES KNOWN AS PROPERTY ID 275156 AND 313224 OF THE JONATHAN E. PRICE SURVEY, ABSTRACT 844, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Travis Smith moved to approve ZDC-52-2026. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**14. Consider Development Agreement for ZDC-52-2026**

**Action:**

*Travis Smith moved to approve the Development Agreement for ZDC-52-2026. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**15. Consider proposed Resolution supporting special street name sign markers for historic Freedmens Town**

Justin Stoker, Director of Public Works & Engineering, presented the Item. As verified by historic maps, Historic Freedmen's Town, is located generally between Kaufman Street and Aiken Street, and East Jefferson Street and the Union Pacific Railroad tracks. After meeting with members of the community, it is proposed to add special street name sign makers atop the normal street name signs recognizing the historic nature of the community within the city.

After reviewing maps and discussion with residents, it is proposed to add the special sign marker (or topper) above the street name signs at the following intersections:

- Dr. Martin Luther King, Jr Boulevard and Kaufman Street
- Dr. Martin Luther King, Jr Boulevard and Tuggle Street
- Dr. Martin Luther King, Jr Boulevard and Wyatt Street
- Dr. Martin Luther King, Jr Boulevard and Hill Street
- Dr. Martin Luther King, Jr Boulevard and Aiken Street
- Wyatt Street and Tuggle Street
- Frierson Street and Wyatt Street

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- Frierson Street and Aiken Street
- Jefferson Street and Cliff Street
- Jefferson Street and Hill Street
- Jefferson Street and Aiken Street

The signs can be made in-house for approximately \$700 in materials. These costs can be covered by the existing sign maintenance budget within the Streets Operations Fund.

#### **RESOLUTION NO. 1404**

### **A RESOLUTION OF THE CITY OF WAXAHACHIE RECOGNIZING HISTORIC FREEDMENS TOWN AND ITS PLACE IN CITY HISTORY**

#### **Action:**

*Chris Wright moved approve the resolution authorizing the installation of street name sign markers on select intersections to recognize Historic Freedmens Town and its place in city history. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

#### **16. Consider approval of supplemental appropriation for legal expenses for Mid-Way Regional Airport in the amount of \$40,000**

Dustin Deel, Director of Administrative Services, presented the Item. Under the current Airport Agreement, the City of Midlothian typically pays for legal expenses related to the Mid-Way Regional Airport. However, recent legal activity associated with an ongoing matter involving the Airport has resulted in legal costs that exceed what would normally be expected.

At the December 1<sup>st</sup>, 2025 Council meeting, City Council approved a supplemental appropriation to address these extraordinary legal expenses. Since that time, the legal matter has continued and required additional legal services beyond what was originally anticipated.

To address these additional costs, staff recommends a supplemental appropriation of \$40,000 from the Airport Reserve Fund to cover current and anticipated legal expenses associated with this matter. This budget adjustment will allow the Airport to remain financially prepared while ensuring legal services can continue uninterrupted.

This legal expense requires a supplemental appropriation from the Airport Reserve Fund in the amount of \$40,000 to be transferred into the Airport Budget because funding is not available in the current approved operating budget. Sufficient funds are available in the Mid-Way Regional Airport Reserve Fund to fully cover the cost.

#### **Action:**

*Travis Smith moved approve a supplemental appropriation in the amount of \$40,000 to the Mid-Way Regional Airport Fund for legal expenses. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

#### **17. Consider approval of supplemental appropriation from the Waxahachie Community Development Corporation Fund for When Hinges Creak, LLC Sponsorship for Holiday Events in the amount of \$38,895**

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Gumaro Martinez, Director of Parks & Recreation, presented the Item. At the April 21, 2026, WCDC board meeting, Alex and Jennifer Lohmann presented the board with an opportunity for the Lohmann's organization to program fall holiday events in various public spaces and facilities. The Lohmanns requested a sponsorship to host family-friendly events and seasonal pop-ups for the month of October. The proposal included a funding request of \$38,895 to cover hard costs such as generators, props, costumes, and power infrastructure.

The Parks Department worked with the city attorney to develop a facilities and park space use agreement between the City of Waxahachie and When Hinges Creak, LLC. The Lohmanns have agreed to the terms of the agreement, which is for a one-year term, any continuation of used beyond the term shall require a new agreement. The Lohmanns also agreed to maintain an inventory listing of equipment purchased with the funds and provide an end-of-season recap. The agreement allows the following facilities and public spaces to be programmed as such:

Waxahachie Nature Trail Area - October 2, 3, 9, 10, 16, 17, 23, 24, 30, 31  
Times: 7pm-10:30pm

Chautauqua Auditorium and Surrounding Grounds - October 14, 17, 21, 28, 30  
Times: Wednesdays: doors at 6:30pm movie at 7pm  
Fridays: doors at 7pm movie at 7:30pm  
Saturdays: matinee doors at 3:30pm movie at 4pm; doors at 7pm movie 7:30

Old Baylor Hospital Field (Live Action Pac-man) - October 23, 24, 29, 30  
Times: Thursdays 6pm-9pm  
Friday 7-10pm  
Saturday 7-10pm

The WCDC board approved the supplemental funding unanimously. The supplemental appropriation will increase the GL account 208-000-55274 – Sponsorships by \$38,895. The WCDC's unrestricted reserve fund balance has sufficient capacity for the supplemental appropriation.

**Action:**

*Tre Atkins moved to approve a supplemental appropriation of \$38,895 from the Waxahachie Community Development Corporation, unrestricted reserve fund balance for a sponsorship for When Hinges Creak, LLC and authorize the City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**18. Public Hearing and consider an Order by Council – Article XIII, Substandard Structures – 115 Elder Street**

Jason Watson, Director of Building and Community Services, presented the Item. Chapter 8, Article XIII, of the City of Waxahachie Code of Ordinances establishes minimum standards for residential and nonresidential structures and provides the legal framework for identifying, notifying, and abating substandard structures that pose a risk to public health, safety, and welfare. The article defines substandard conditions, authorizes inspections and notices by the director, and prescribes enforcement procedures culminating in City Council action when compliance is not achieved.

(ua)

The property located at 115 Elder Street has been inspected and determined to be a substandard structure as defined under Chapter 8, Article XIII. Notices and orders were issued in accordance with Section 8-60; however, the required corrective action has not commenced or completed within the timeframes prescribed by ordinance.

Pursuant to Section 8-61, when compliance is not achieved, the matter is brought before the City Council to determine whether to order the repair, removal, or demolition of the structure and whether the associated costs should be assessed against the property. Based on the condition of the structure at 115 Elder Street, staff has determined that demolition of the structure and removal of all associated debris is the appropriate corrective action. Rehabilitation is not considered feasible given the extent of deterioration and the conditions present.

Staff further recommends that Council find the structure to be substandard and a hazard to public health, safety, and welfare in accordance with Chapter 8, Article XIII.

Chapter 8, Article XIII, provides procedural safeguards, including notice to owners, lienholders, and mortgagees; the opportunity to be heard; the establishment of reasonable compliance timelines; and authority for the City to perform the work if compliance is not achieved. Should the City be required to undertake demolition and debris removal, the ordinance authorizes recovery of costs through assessment and lien against the property.

All notice and procedural requirements of Section 8-61, including subsection (c), have been satisfied.

Pursuant to Section 8-61(i), any requirement imposed by Council shall be reduced to writing and considered an order of Council, after which the City Secretary shall complete the filing, publication, and notice requirements prescribed by ordinance.

Funding for demolition and debris removal, should City action be required due to noncompliance, has previously been budgeted within existing departmental appropriations. Any costs incurred by the City may be assessed against the property in accordance with Chapter 8, Article XIII (Sections 8-57 through 8-64) of the City Code and applicable state law.

Mayor Wallace opened the Public Hearing at approximately 8:24 p.m.

Loretta Reagor, 208 Meagan Street, Waxahachie, Texas, requested additional time due to funding challenges. Council discussed whether to proceed with action or delay the decision, ultimately agreeing that more time should be granted. Council leaned toward a three-month continuance rather than six months, with staff noting the process had already been ongoing for about 3–4 months and could be scheduled for a follow-up hearing in September for an update and possible action.

There being no others to speak for or against, Mayor Wallace closed the Public Hearing at approximately 8:28 p.m.

(lea)

**Action:**

*Tres Atkins moved to extend a public hearing to September 21, 2026 pertaining to 115 Elder Street, in order to reassess progress on said property. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**19. Public Hearing and consider an Order by Council – Article XIII, Substandard Structures – 316 Wyatt**

Mr. Watson presented the Item. Chapter 8, Article XIII, of the City of Waxahachie Code of Ordinances establishes minimum standards for residential and nonresidential structures and provides the legal framework for identifying, notifying, and abating substandard structures that pose a risk to public health, safety, and welfare. The article defines substandard conditions, authorizes inspections and notices by the director, and prescribes enforcement procedures culminating in City Council action when compliance is not achieved.

The property located at 316 Wyatt Street has been inspected and determined to be a substandard structure as defined under Chapter 8, Article XIII. Notices and orders were issued in accordance with Section 8-60; however, the required corrective action has not commenced or completed within the timeframes prescribed by ordinance.

Pursuant to Section 8-61, when compliance is not achieved, the matter is brought before the City Council to determine whether to order the repair, removal, or demolition of the structure and whether the associated costs should be assessed against the property. Based on the condition of the structure at 316 Wyatt Street, staff has determined that demolition of the structure and removal of all associated debris is the appropriate corrective action. Rehabilitation is not considered feasible given the extent of deterioration and the conditions present.

Staff further recommends that Council find the structure to be substandard and a hazard to public health, safety, and welfare in accordance with Chapter 8, Article XIII.

Chapter 8, Article XIII, provides procedural safeguards, including notice to owners, lienholders, and mortgagees; the opportunity to be heard; the establishment of reasonable compliance timelines; and authority for the City to perform the work if compliance is not achieved. Should the City be required to undertake demolition and debris removal, the ordinance authorizes recovery of costs through assessment and lien against the property.

All notice and procedural requirements of Section 8-61, including subsection (c), have been satisfied.

Pursuant to Section 8-61(i), any requirement imposed by Council shall be reduced to writing and considered an order of Council, after which the City Secretary shall complete the filing, publication, and notice requirements prescribed by ordinance.

Funding for demolition and debris removal, should City action be required due to noncompliance, has previously been budgeted within existing departmental appropriations. Any costs incurred by the City may be assessed against the property in accordance with Chapter 8, Article XIII (Sections 8-57 through 8-64) of the City Code and applicable state law.

(ua)

Mayor Wallace opened the Public Hearing at approximately 8:29 p.m.

Council and staff discussed whether to proceed with a demolition lien on a deteriorated property that may have recently been sold at a courthouse auction. Mr. Watson noted the new owner has not yet received the deed, and there is uncertainty about ownership status. City Attorney Terry Welch explained that any lien would transfer to the new owner and demolition requirements typically include a waiting period, but the Council could delay or adjust action to confirm the sale status first. Council members also noted the structure is unsafe and in poor condition, with possible health concerns, and discussed whether to avoid waiving the lien to encourage timely demolition rather than delaying action due to potential redevelopment.

There being no others to speak for or against, Mayor Wallace closed the Public Hearing at approximately 8:32 p.m.

**Action:**

*Chris Wright moved to order the demolition and debris removal of the substandard structure located at 316 Wyatt Street pursuant to Chapter 8, Article XIII (Sections 8-57 through 8-64), specifically Section 8-61, of the City of Waxahachie Code of Ordinances, subject to whether the property has been sold or not before demolition can occur, and to authorize the City to perform the work and assess the costs against the property should the owner fail to comply within the time prescribed by Council. Motion was seconded by Travis Smith and carried unanimously (5-0).*

- 20. Consider Resolution determining the costs of Phase Five public improvements to be financed by the Waxahachie Public Improvement District No. 1, approving a Preliminary Service and Assessment Plan and Phase Five Assessment Roll and calling a public hearing to consider the levy of assessments in Phase Five**

Shon Brooks, Assistant City Manager, presented the Item. 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. Previously proposed rate increases included additional amenities, however, with the proposed rate remaining consistent with the original PID rate, the amenities will remain as originally designed.

The proposed rate will continue the development as currently operating and will not increase any services other than those due to the increase in future homes in the development.

**RESOLUTION NO. 1405**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS DETERMINING THE COSTS OF PHASE FIVE DISTRICT IMPROVEMENTS TO BE FINANCED BY THE WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT NO. 1; APPROVING A PRELIMINARY SERVICE AND ASSESSMENT PLAN, AS UPDATED FOR PHASES #4 AND #5 BONDS ON JUNE 15, 2026, INCLUDING A PROPOSED PHASE #5 ASSESSMENT ROLL; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR JULY 20, 2026 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN PHASE #5 OF THE PUBLIC IMPROVEMENT DISTRICT NO. 1; DIRECTING THE FILING OF THE PROPOSED PHASE #5 ASSESSMENT ROLL WITH THE CITY SECRETARY TO MAKE**

(lea)

**AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.**

**Action:**

*Tres Atkins moved to adopt a resolution determining the costs of Phase Five district improvements for the Waxahachie PID No. 1, approving the Preliminary Service and Assessment Plan, executing other matters related to the subject, and calling a public hearing for July 20, 2026 to consider an ordinance levying the assessments. Motion was seconded by Travis Smith and carried unanimously (5-0).*

- 21. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, as permitted by Texas Government Code Section 551.074; to consult with City Attorney regarding legal issues associated with City Code and Charter provisions and consultation with City Attorney regarding pending and anticipated litigation, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto**

Mayor Wallace announced at 8:45 p.m. the City Council would convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, as permitted by Texas Government Code Section 551.074; to consult with City Attorney regarding legal issues associated with City Code and Charter provisions and consultation with City Attorney regarding pending and anticipated litigation, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

- 22. Reconvene and take any necessary action**

The meeting reconvened at 9:33 p.m.

No action taken.

- 23. Comments by Mayor, City Council, City Attorney and City Management**

This item was discussed before Executive Session.

Council Member Chris Wright thanked the Parks and Recreation Department for its work on City events and festivals and acknowledged residents who provided public comments. He stated that the City is actively discussing a potential joint animal shelter with Ellis County and other communities, and that the project remains a high priority. He also said the City would look into the drainage concerns raised by residents, noting that drainage improvements in that area have been discussed as part of capital improvement planning. Regarding the dog park, he acknowledged

(lea)

concerns about fleas and handicap parking and said those issues would be reviewed. He concluded by praising the City's fully staffed and certified code enforcement team for their efforts.

Council Member Patrick Souter thanked the Parks Department for their hard work maintaining City facilities and managing challenges caused by recent heavy rains. He acknowledged the drainage concerns raised by West Main Street residents and assured them the City would follow up on the issue. He also congratulated Councilman Wright on receiving his CMO designation, recognizing his dedication, time commitment, and service to the city.

Mayor Pro Tem Travis Smith thanked Chief Joe Wisner and the Police Department for their work with the Junior Police Academy, praising the program's positive engagement with local youth. He also expressed appreciation for the department's ongoing community outreach efforts.

Council Member Tres Atkins praised the Parks Department for their dedication and excellent work serving the community. He acknowledged the drainage concerns raised by West Main Street residents, noting that he lives in the neighborhood and understands the issue firsthand, and said the City would explore ways it could help. He also confirmed that additional parking near the small dog park has been discussed and is planned.

City Manager Ricky Boyd thanked the Parks Department and City staff for their hard work and acknowledged Council support and professionalism across departments. He also recognized specific staff efforts, including work on street signs and departmental operations. Mr. Boyd reminded the Council about the upcoming Juneteenth celebration at Penn Park, noted that budget books would soon be distributed, and announced a budget workshop scheduled for June 22.

Mayor Billie Wallace congratulated Councilman Wright on his CMO designation and thanked staff members for their heavy workload on traffic, flooding, and community issues. She also recognized Monica Boyd's retirement and praised the Parks Department for its ongoing work in the community. Mayor Wallace emphasized that animal services remains a high city priority with upcoming meetings focused on its future, and she expressed appreciation for continued staff efforts to improve services and address community concerns.

#### **24. Adjourn**

There being no further business, the meeting adjourned at 9:33 p.m.

Respectfully submitted,  
Amber Villarreal, City Secretary

City Council  
June 22, 2026

(ub)

A Work Session of the Mayor and City Council of the City of Waxahachie, Texas was held at the Waxahachie Civic Center, Crape Myrtle Room, 2000 Civic Center Lane, on Monday, June 22, 2026 at 8:30 a.m.

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

Council Member Absent: Tres Atkins, Council Member Place 1

Others Present: Ricky Boyd, City Manager  
Shon Brooks, Assistant City Manager  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Billie Wallace called the meeting to order.

**2. Discuss City of Waxahachie Fiscal Year 2026-2027 Budget**

The City Council held a budget work session to review the preliminary fiscal year 2027 forecast, covering revenue projections, service enhancements, and capital needs across all funds.

Finance Director Chad Tustison reviewed the budget process and timeline. The budget development timeline runs from January to October, with the proposed budget to be presented in early August, followed by public hearings and adoption in September.

Mr. Tustison presented the budget development process of removing one-time expenses, adjusting for trends and known cost increases, updating personnel and benefits, and forecasting revenue based on trends and appraisal district data.

Property tax (37%) and sales tax (32%) are the largest general fund revenue sources. The forecast assumes a tax rate of 61¢ per \$100 valuation and a 4% sales tax growth. He explained that property tax revenue is determined by appraised value, exemptions, and tax rate, and noted that new improvements add about \$960,000 annually to the general fund.

The General Fund working forecast is \$79.4 million, with a structurally balanced budget achieved by using \$5.29 million in fund balance, while maintaining a healthy reserve of about \$33 million. The forecast includes \$2.8 million in new revenue, primarily from an expanded cost allocation plan for water/wastewater and other funds.

Service enhancements totaling \$4.16 million include 19 public safety positions, a vehicle replacement fund seed of \$2 million, and various equipment and facility upgrades across departments.

*The Council recessed at 9:30 a.m. and reconvened at 9:50 a.m.*

(ub)

- Fire Staffing & SAFER Grant: The Fire Department is pursuing additional staffing through both City funding and a pending SAFER grant to support four-person staffing and future station operations.
- Fire Dispatch Separation: Council reviewed plans to separate fire dispatch from police dispatch to improve operational efficiency and emergency response capabilities.
- Wildland Urban Interface Fire Truck: Staff requested a Type-3 booster truck to address increasing wildfire risks, with potential reimbursement opportunities offsetting the cost over time.
- Storm Water Fee & Master Plan: Council directed staff to seek proposals for a storm water master plan and fee structure to fund future drainage and flood mitigation projects.
- Water/Wastewater Fund & Rate Study: A utility rate study is underway, with a projected 4% rate increase being evaluated to support system growth and infrastructure needs.
- Cemetery Fund Sustainability: Staff highlighted long-term financial concerns with the cemetery fund, which is projected to become unsustainable without future adjustments or support.
- Hotel/Motel Tax & Additional Revenue Sources: Staff will research tourism-related revenue opportunities, including potential taxes and funding mechanisms that do not increase the burden on residents.
- Library HVAC Replacement: Council directed the library to utilize its building fund for HVAC replacement and return for supplemental funding if necessary.
- Senior Center Van Request: Council expressed interest in securing alternative funding sources for a Senior Center van to support transportation and community programming.
- Health Insurance & Cost of Living Adjustment: The proposed budget includes a 3% cost-of-living adjustment alongside an 11.6% increase in employee health insurance costs.

*{Mayor Pro Tem Travis Smith arrived at 10:17 a.m.}*

*The Council recessed at 10:57 a.m. and reconvened at 11:16 a.m.*

The Council continued reviewing multiple capital projects and operational requests for the upcoming budget, including parks improvements, special event programming, utility staffing, and fleet services.

- Park Pavilion Roof Repair & ADA Improvements: Repair the pavilion roof with a cedar-look composite material expected to last 30–40 years and add ADA-compliant ramps.
- Special Events Funding Plan: Council requested a detailed plan for the \$40,000 special events budget outlining specific events, locations, and per-event costs before approving funding.
- Playground Shade Structures: Staff are evaluating shade options for multiple parks, with Council preferring permanent hard structures or gazebo-style designs where feasible.
- Railyard Park Electrical Upgrades: Parking lot project savings may fund replacement of flood-prone in-ground electrical outlets with bollard-mounted outlets for vendors and events.
- Railyard Park Restrooms: Staff will explore a permanent restroom solution, but Council supports funding a mobile restroom trailer this year if a permanent option is not feasible.

(6b)

- Ferris Building AV System: Council requested a detailed breakdown of the estimated \$225,000 AV system cost before determining which features to include.
- City Arborist Position: Proposed arborist would manage city tree programs and assist Public Works operations, supported by a shared bucket truck for tree and traffic signal maintenance.
- Farmers Market Parking Lot Project: Council declined to fund the \$705,000 parking lot project, citing flood concerns, but may pursue ADA parking improvements near the dog park.
- Farmers Market Shade Structures and South Side Corridor Plan: Remove the Farmers Market shade structures and related improvements from TIRZ funding consideration, explore alternative funding sources, and evaluate incorporating the South Side Corridor Plan into the Parks Master Plan.
- Chautauqua Parking & Sidewalk Project Removed: The \$100,000 ADA parking and sidewalk project was removed from the budget due to potential future development and drainage concerns.
- Gray Crack Seal Machine Approved: Council supported a \$70,000 machine to seal concrete roads and extend pavement life.
- Animal Shelter Facility Evaluation: Staff will assess whether two existing buildings could support animal shelter services while complying with deed restrictions requiring educational uses.
- Utilities Engineer Position Deferred: Funding for a utilities professional engineer was postponed until expansion projects progress further and staffing needs can be reassessed.
- Fleet Services Coordinator Supported: Council expressed strong support for adding a fleet coordinator position to centralize vehicle management and build on existing cost-saving efforts.

Mr. Tustison emphasized that adding additional positions to the budget could create significant financial pressure in future budget cycles and urged the Council to carefully consider the long-term fiscal impacts of any staffing approvals.

*The Council recessed at 12:46 p.m. and reconvened at 1:14 p.m.*

Council and staff continued discussions regarding unfunded service enhancement requests for fiscal year 2027.

- WPI Board Revitalization & Downtown Plan: Council supported funding \$8,000 to revitalize the WPI board and develop a new five-year downtown strategic plan, including community engagement and board restructuring.
- Fire Training Pad Deferral: The proposed fire training pad was identified as a lower-priority item and will not be funded this year.
- Crime Analyst Position: The crime analyst position was recognized as valuable for data-driven policing but deferred due to budget constraints.
- Police Building Interior Painting: Council agreed to include interior painting in the budget as a three-year phased project, funding approximately one-third of the work each year.
- Regional Animal Shelter Partnership: Council directed staff to continue discussions with Ennis and Ellis County through a July 31 letter-of-intent deadline despite concerns about costs and partnership terms.

(ub)

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- TIRZ Boundary Reduction: Staff will develop a proposal to reduce the TIRZ to the downtown area, potentially returning approximately \$820,000 annually to the general fund.
- Firefighter Staffing & Budget Planning: Council supported funding six City-funded firefighters in the current budget while continuing to pursue a SAFER grant as a separate option for additional staffing.

City Manager Ricky Boyd expressed confidence in the current budget but acknowledged that next year may require a leaner approach. He noted that service enhancements were lower this year than last, and directors will be asked to give only essential needs if necessary.

### **3. Adjourn**

There being no further business, the meeting adjourned at 2:15 p.m.

Respectfully submitted,

Amber Villarreal,  
City Secretary

**Planning & Zoning Department** (7)  
**Zoning Staff Report**

**Case: ZDC-183-2025**



**MEETING DATE(S)**

*Planning & Zoning Commission:* June 9, 2026  
*City Council:* July 6, 2026

**CAPTION**

**Public Hearing** on a request by Gina McLean, Nationwide Construction for a Specific Use Permit (SUP) for a Noxious Use within a Light Industrial-2 (LI-2) zoning district located at 4740 North Interstate 35E (Property ID 188456 & 188457) – Owner(s): Nutrenare-Ag Inc & Martindale Enterprise Group Inc (ZDC-183-2025)

**RECOMMENDED MOTION**

*"I move to deny of ZDC-183-2025, a Specific Use Permit (SUP) for a Noxious Use at 4740 North Interstate 35E."*

**ACTION SINCE THE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting held on June 9, 2026, the Commission voted 6-1 to recommend denial of the SUP request.

**APPLICANT REQUEST**

The Applicant requests an approval of a SUP to expand their noxious use by adding additional chemicals to their inventory list.

**CASE INFORMATION**

*Applicant:* Gina McLean, Nationwide Construction  
*Property Owner(s):* Nutrenare-AG Inc & Martindale Enterprise Group Inc  
*Site Acreage:* 44.67 acres  
*Current Zoning:* Light Industrial-2 (LI-2)  
*Requested Zoning:* Light Industrial-2 (LI-2) with a SUP for a Noxious Use

**SUBJECT PROPERTY**

*General Location:* 4740 North Interstate 35E  
*Parcel ID Number(s):* 188456 & 188457  
*Existing Use:* A Nutrenare-AG facility currently occupies the subject property.

(7)

**Development History:**

4740 North Interstate 35E (Parcel ID: 188456) is currently platted as Lot 1, Block A of the CosmoCel Addition in 2015, and Parcel ID: 188457 is currently not a platted lot.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	HI	Vacant
East	C w/ SUP for Self-Storage facility	Vacant
South	HI	DFW Tank Cleaning
West	LI-2, FD w/ SUP for Trailer, Truck Sales or Rental	Ervin Trailer Center

**Future Land Use Plan:** Industrial

**Comprehensive Plan:** Industrial uses vary from the technology industry to manufacturing. The designated locations for heavier industrial uses are intended to keep them away from residential categories. These are located along roadways that have adequate capacity to serve the larger industrial vehicles. Required parking is encouraged to be placed behind structures to keep these areas more readily able to redevelop into more urban places over time. When uses are abutting a residential property, a separation should be provided such as a landscape buffer, deeper setback, and/or a screening wall.

**Thoroughfare Plan:** The subject property is accessible from the Interstate 35E frontage road

**Site Image:**



(7)

### **PLANNING ANALYSIS**

The Applicant requests approval of a Special Use Permit (SUP) to expand its existing noxious use by adding additional chemicals to its approved inventory. The property currently does not have an approved SUP authorizing a noxious use. Approval of this request would bring the existing operation into compliance while also allowing for the proposed expansion of the chemical inventory.

A noxious use requires approval of an SUP by the City Council to legally operate on the property. In addition to obtaining zoning compliance through approval of the SUP, the Applicant will be required to complete several site improvements to address existing deficiencies and bring the property into compliance with applicable City standards.

The proposed site improvements include installing landscaping in accordance with Section 5.04 of the Waxahachie Zoning Ordinance to provide the required landscape buffers and improve the overall appearance of the site. The Applicant will also construct an additional fire access route around the facility to improve emergency vehicle circulation and ensure adequate access for fire protection personnel during an emergency. Additional site improvements may include restriping or modifying parking and drive aisles, upgrading pavement where necessary, improving site circulation, and making any other modifications required through the City's development review process to ensure compliance with applicable zoning, engineering, and fire code requirements.

### **STAFF CONCERNS**

Despite the proposed site improvements meeting or exceeding all applicable City code requirements necessary to accommodate the proposed use of the subject property, staff remains concerned about the potential risks associated with the use and the possibility of long-term impacts to the community in the event of an emergency or disaster.

The subject property is located in close proximity to densely populated residential and commercial areas to the north, as well as critical transportation corridors including Interstate 35, U.S. Highway 77, and the BNSF railroad. In addition, the property is directly adjacent to South Grove Creek and is partially located within a FEMA-designated floodplain.

Given the volatility of the chemicals proposed to be stored onsite, a natural disaster or emergency event, such as a fire affecting the facility, could result in significant environmental damage, disruptions to regional transportation infrastructure, or the evacuation of nearby areas. Staff believe these potential impacts could have substantial negative consequences for the surrounding community.

### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property. Staff has received zero (0) letters of support and zero (0) letters of opposition to the proposed SUP.

### **RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends denial of the SUP request.

However, if the Commission chooses to recommend approval of the SUP request, staff recommends that the conditions below be added to the motion.

Conditions:

(7)

1. This SUP shall apply only to the applicant, the subject property, and the current inventory list submitted with this SUP application.
2. The applicant shall amend the SUP prior to expanding operations or adding chemicals or materials beyond the inventory list currently provided.
3. Any change to the use, storage methods, quantities, or handling of hazardous or noxious materials shall require review and approval by the City.
4. The applicant shall comply with all applicable federal, state, and local regulations related to the storage, handling, and disposal of hazardous or noxious materials.
5. The applicant shall maintain all required fire suppression, spill containment, and emergency response measures in accordance with Fire Department and applicable regulatory standards at all times.
6. The applicant shall provide updated emergency contact information and site emergency response plans to the City and Fire Department annually or upon any significant operational change.
7. The applicant shall obtain all required building permits and approvals from the City of Waxahachie Building & Community Services Department prior to operating with any additional inventory at the subject property.

**ATTACHED EXHIBITS**

1. Development Agreement
2. SUP Ordinance
3. Exhibit A – Location Map
4. Exhibit B – Building Materials/Elevations Plan
5. Exhibit C – Site Plan
6. Exhibit D – Landscape Plan
7. Exhibit E – Floorplan
8. Exhibit F – Hazardous Material Code Compliance Analysis
9. Exhibit G – Hazard Mitigation Plan
10. Exhibit H – Products List Details
11. Exhibit I – 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 INFORMATION**

*Prepared by:*

Oanh Vu

Senior Planner

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*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[troberson@waxahachietx.gov](mailto:troberson@waxahachietx.gov)

(8)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A NOXIOUS USE WITHIN A LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT, LOCATED AT 4740 NORTH INTERSTATE 35E, BEING PROPERTY ID 188456 & 188457, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A IN THE COSMOCEL 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 an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-183-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for denial 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 an SUP in order to permit a Noxious use on the following property: Lot 1, Block A of the Cosmocel Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit C.

### **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.

#### **Specific Use Permit**

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A NOXIOUS USE WITHIN A LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT**; the following standards and conditions are hereby established as part of this ordinance:

(8)

1. A mutually agreed upon Development Agreement will be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-183-2025.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Building Materials/Elevations Plan, Exhibit C – Site Plan, Exhibit D – Landscape Plan, Exhibit E – Floorplan, Exhibit F – Hazardous Material Code Compliance Analysis, Exhibit G – Hazard Mitigation Plan Draft, Exhibit H – Products List Details, and Exhibit I – Operational Plan.
4. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Elevation/Façade Plan (Exhibit B).
5. The Property Owner shall provide a permanent irrigation system(s) for all required landscape areas shown on Exhibit D - Landscape Plan and maintain or cause to be maintained the required landscaping at all times.
6. This SUP shall apply only to the applicant, the subject property, and the current inventory list submitted with this SUP application.
7. The applicant shall amend the SUP prior to expanding operations or adding chemicals or materials beyond the inventory list currently provided.
8. Any change to the use, storage methods, quantities, or handling of hazardous or noxious materials shall require review and approval by the City.
9. The applicant shall comply with all applicable federal, state, and local regulations related to the storage, handling, and disposal of hazardous or noxious materials.
10. The applicant shall maintain all required fire suppression, spill containment, and emergency response measures in accordance with Fire Department and applicable regulatory standards at all times.
11. The applicant shall provide updated emergency contact information and site emergency response plans to the City and Fire Department annually or upon any significant operational change.
12. The applicant shall obtain all required building permits and approvals from the City of Waxahachie Building & Community Services Department prior to operating with any additional inventory at the subject property.
13. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. TBD) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Building Materials/Elevations Plan, Exhibit C – Site Plan, Exhibit D – Landscape Plan, Exhibit E – Floorplan, Exhibit F

( 8 )

– Hazardous Material Code Compliance Analysis, Exhibit G – Hazard Mitigation Plan Draft, Exhibit H – Products List Details, and Exhibit I – Operational Plan.. Where regulations are not specified in Exhibits B, C, D, E, F, G, H and I in this Zoning Ordinance (Ordinance No. TBD) or the Development Agreement, the regulations of the Light Industrial-2 (LI-2) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.

14. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other 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 cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. 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 6<sup>th</sup> day of July, 2026

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary



# EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN



13 Exterior Production  
SCALE NTS



12 Interior Production (2)  
SCALE NTS



11 Interior Production (1)  
SCALE NTS



10 Interior Warehouse (2)  
SCALE NTS



9 Interior Warehouse (1)  
SCALE NTS



8 South Side - Mech. Room  
SCALE NTS



7 South Side - Production  
SCALE NTS



6 South Side - Dock  
SCALE NTS



5 East View - Access  
SCALE NTS



4 South East Corner  
SCALE NTS



3 South Side - Production  
SCALE NTS



2 South Side - Office  
SCALE NTS



1 Street View  
SCALE NTS

**NATIONWIDE CONSTRUCTION**  
 DESIGN - BUILD - CONSTRUCTION  
 715 S. Main Street, Suite 100  
 Waxahatchie, TX 75165  
 Phone (817) 475-0438 Fax (817) 475-0159  
 www.nationwideconstruction.com

OWNER:  
**NUTRENARE-AG**

AVEN, Houston, TX  
 Waxahatchie, TX 75165  
 pedro.gonzalez@nutrenare.com  
 pedro.gonzalez@nutrenare.com

Vicinity Map

**RovensaNext**  
 4740 N. Service Road I-35 E.  
 Waxahatchie, TX  
 ZDC - 183-2025

DATE ISSUED:  
 04/30/2021

REVISIONS:

SHEET CONTENTS:  
 Existing Exterior  
 And Interior  
 Elevations  
 SHEET NUMBER:  
**EX-C**

**EXHIBIT C - SITE PLAN**



**SITE SUMMARY:**

- Current Zoning - LI-2
- Proposed Use Nonsuch
- Total Site Acreage 45.258 acres
- Total Building Sq Ft - 95,482 Sq Ft
- Maximum building height - 35'-4" ( tallest parapet)

**PARKING CALCULATIONS:**

Section 35 - Off-street parking requirements

44. Office Space - EXISTING	1,300 sq ft Floor Area = (5,300/300) =	18 spaces
29. Industrial Light - EXISTING	1,000 sq ft Floor Area = (20,504/1000) =	21 spaces
29. Industrial Light - EXISTING	1,000 sq ft Floor Area = (1,979/1000) =	2 spaces
60. Warehouse - EXISTING	15,000 sq ft Floor Area = ((18,067-1,012 covered porch)/5000) =	4 spaces
60. Warehouse - EXISTING	1,000 sq ft Floor Area = ((27,501)-1,760 covered porch)/1000) =	28 spaces
Total Parking Spaces Required		73 spaces
Total Existing Parking Spaces Provided		87 spaces
EMPLOYEE COUNT = 10 WITH ADDITION OF 4 FOR NEW PRODUCT LINE		

Area of impervious surface BUILDINGS	= 92,788 sq ft impervious (Existing)
PAVING AREAS	= 83,411 sq ft impervious (Existing)
PAVING AREAS	= 25,490 sq ft impervious (NEW)
<b>TOTAL IMPERVIOUS AREA = 201,509 ± sq ft impervious / 1,971,827 ± sq ft land = 10%</b>	

FLOODPLAIN NOTE FROM FINAL PLAN  
 A PORTION OF THIS TRACT IS WITHIN THE 100 YEAR FLOODPLAIN PER FEMA MAP 488126C0095D  
 ZONE AE

**Lot Info and Owner Address**

**LEGAL DESCRIPTION**

ADDRESS 4740 INTERSTATE 35 EAST  
 WAXAHACHIE, TX 75166

COUNTY ELLIS

ADDITION OR SURVEY LOT 1 BLDG. A COMMERCIAL, 407070 CLBERT C NEWTON SURVEY, ABST 790 A JOHN SHAWER SURVEY, ABST 1500 1 1/2 ACRES ± 60 FT (ACRES) 19.539

ZONING LS-2

ADDITION (Intend to include the adjacent property proposed)  
 OR SURVEY CLBERT C NEWTON SURVEY, ABST 790 819.224 ± 60 FT (ACRES) 19.73

ZONING ns

<b>OWNER ADDRESS:</b> NUTRENARE-AG INC ABAO VILLAS, PIERING QUAY 4740 INTERSTATE 35 EAST WAXAHACHIE, TX 75166 PHONE: 872-723-7881	<b>ADJACENT PROPERTY:</b> North: Macmillan E Group Inc Zone: ns East: Laidlaw Floor & Glass LTD Zone: C South: ASPC LLC Zone: ns West: 435
--------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------

**NATIONWIDE CONSTRUCTION COMPANY**  
 DESIGN - BUILD - COMPANY  
 731 South 5th Avenue, Marshall TX 76663  
 Phone: (817) 473-0464 Fax: (817) 473-0159  
 www.nationwideconstruction.com

**OWNER: NUTRENARE-AG**

4740 N. Interstate 35  
 Waxahachie, TX 75166  
 paul@nutrena.com  
 paul@nutrena.com

Vicinity Map

**RovensaNext**  
 4740 N. Service Road I-35 E.  
 Waxahachie, TX  
 ZDC -183-2025

DATE ISSUED: 04/30/2021

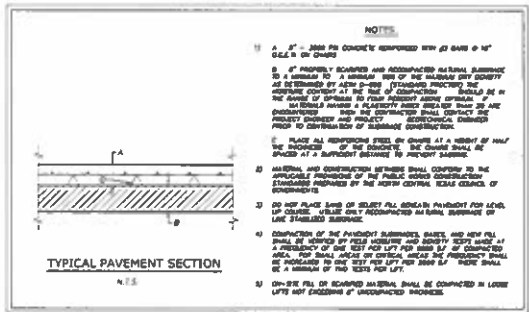
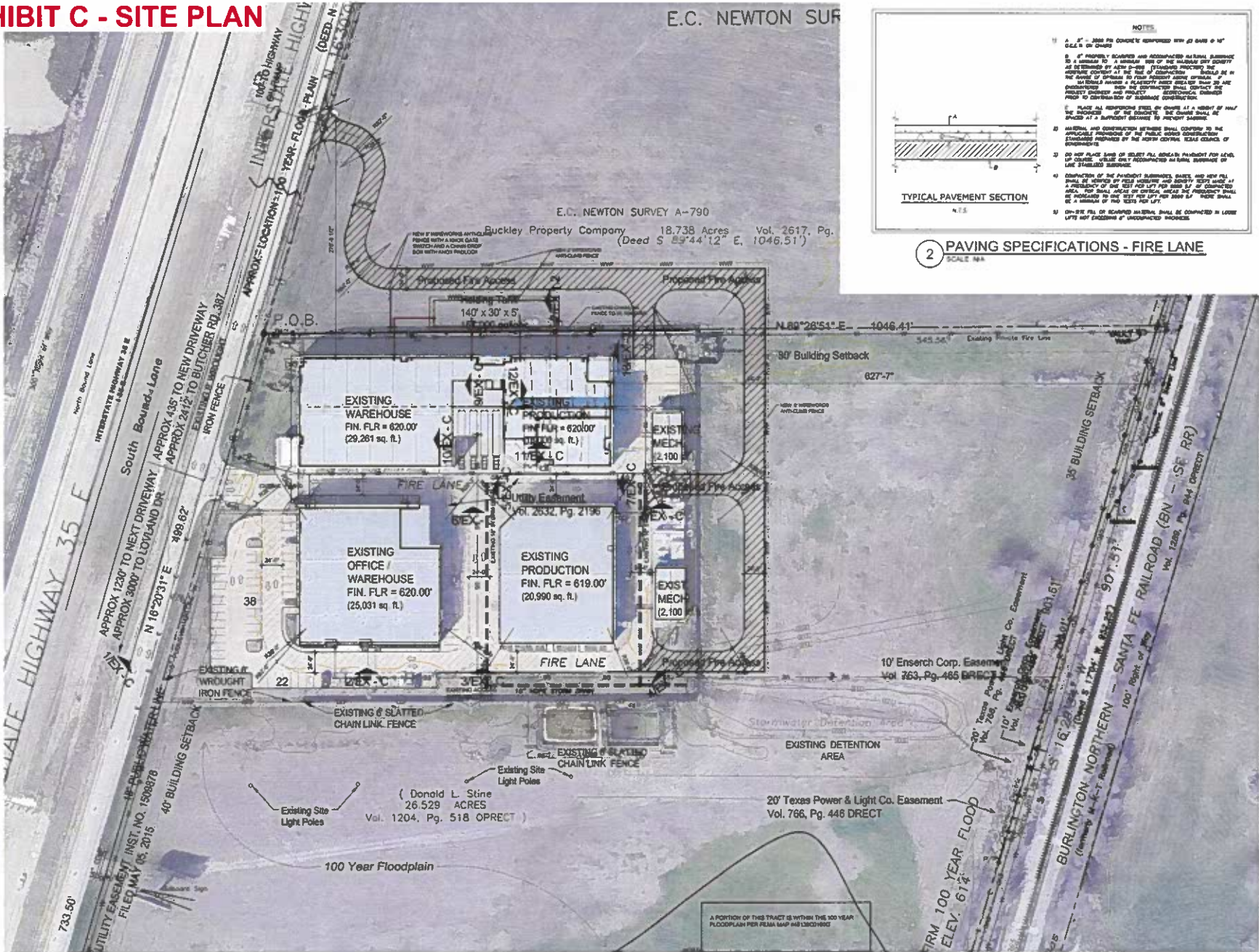
REVISIONS:

SHEET CONTENTS:

OVERALL SITE PLAN - PROPOSED

SHEET NUMBER: EX-A1.0

# EXHIBIT C - SITE PLAN



2 PAVING SPECIFICATIONS - FIRE LANE  
SCALE: N/A

1 SITE PLAN  
SCALE: 1" = 30'-0"

**OWNER**  
NUTRENARE AG

**NATIONWIDE CONSTRUCTION**  
DESIGN - BUILD - COMPANY  
771 South 9th Avenue, Marshall TX 75653  
Phone: (817) 473-0368 Fax: (817) 473-0159  
www.nationwideconstruction.com



**RovensaNext**  
4740 N. Service Road I-35 E.  
Waxahatchie, TX  
ZDC -183-2025

Geoffrey, Lisa Darmit - Managers

DATE ISSUED: 04/30/2026

REVISIONS:


SHEET CONTENTS:  
ENLARGED  
SITE PLAN - PROPOSED  
SHEET NUMBER:

EX-A1.1

(8)

# **WIREWORKS® ANTI-CLIMB**



**HIGH SECURITY  
WELDED WIRE  
FENCE SYSTEM**



**AMERISTARPERIMETER.COM | 888-333-3422**

Experience a safer and more open world

**AMERISTAR®**

**ASSA ABLOY**

# WIREWORKS® ANTI-CLIMB

High Security Welded Wire Mesh Fence

(8)



*Our polyester powder coated steel guarantees a maintenance-free and environmentally friendly fence.*



*WireWorks welded wire steel fence is backed by over 30 years of excellence in the fencing industry.*



## COLORS

Refer to color sample for actual color



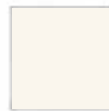
BLACK



BRONZE



SAND



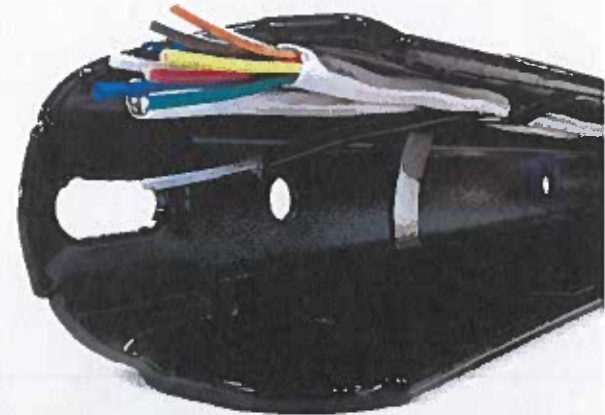
WHITE

## DESIGN INTEGRATION

The WireWorks Anti-Climb framework is a raceway for wiring, conduits and/or security cabling required around the perimeter of a project. This integrated design eliminates the need for costly trenching and boring, becoming a value-added solution for perimeter security upgrades.

**When installing these security elements, use WireWorks Anti-Climb as a platform:**

- Communication & Video Cables
- Access Control Wiring
- Intrusion Detection / Fiber-Optic Cables
- Conduits
- Anti-Ram Cabling (Stalwart)



*(Inside of rail shown above / view from protected side)*

# FABRICATION & DESIGN

(8)

WireWorks is Ameristar's premier line of welded wire fences and gates, perfect for projects that require unobstructed visibility. This fence system combines anti-climb and anti-cut resistance with aesthetics to deliver a value-added fence solution.



## WIRE PANELS

3" x .5" x 10.5 GA. (8')

3" x .5" x 8 GA. (10')

## RAILS

2" SQ. x 11 GA. IMPASSE II

## I-BEAM POSTS

3" x 2.75" x 12 GA. (8')

4" x 2.75" x 12 GA. (10')

## HEIGHTS

8' & 10'

## GATE OPTIONS

- Single Swing
- Double Swing
- Exodus Pedestrian Egress Gate
- Transport Cantilever
- Passport Rollgate

## GROUNDABLE OPTION | BARBWIRE BARBARMS OPTION (3 WIRE & 6 WIRE)



# Why Choose Ameristar?

## KNOWLEDGE AND EXPERIENCE

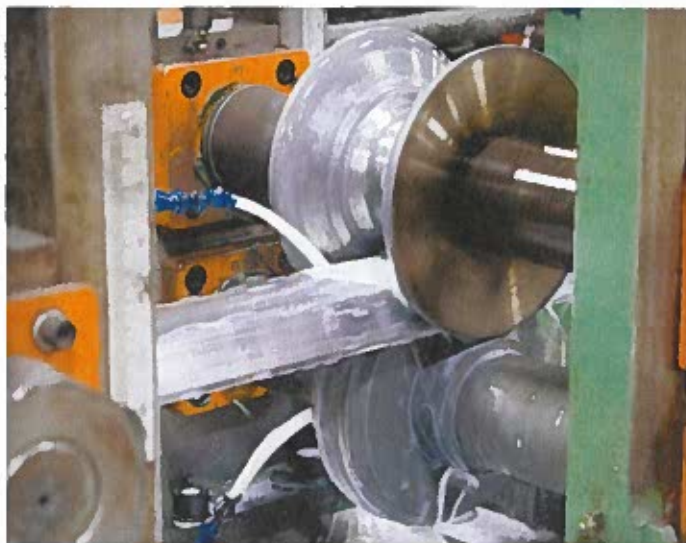
For over 30 years we've delivered aesthetically pleasing, high-quality and innovative fencing products with superior design strength and easy installation.

## PROVEN CAPABILITIES

Our integrated in-house processes, extensive raw materials and finished goods inventory translate into quality, on-time delivery.

## INDUSTRY LEADERSHIP

We continually raise the bar in manufacturing customer-focused solutions. Our high standards produce premium products that go beyond merely meeting minimum industry standards.




Scan to learn more about WireWorks® Anti-Climb.



**AMERISTARPERIMETER.COM | 888-333-3422**

Experience a safer and more open world

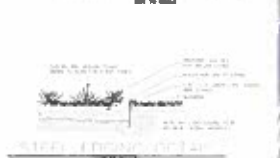
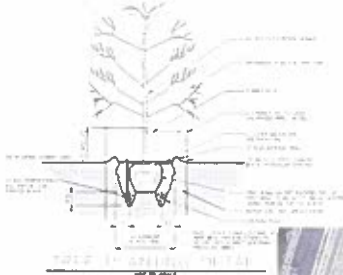
#6013 | 04/2024

# AMERISTAR®

# ASSA ABLOY

(8)

**EXHIBIT D - LANDSCAPE PLAN**



2 TREE DETAILS  
N.T.S.

**Landscaping Maintenance** The property owner, tenant or agent, shall be responsible for the maintenance of all landscaping in a healthy, neat, orderly and free-growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds and other such materials not a part of the landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size.

All existing irrigation lines to be checked and repaired as needed for existing areas and new lines provided for all new plantings as part of Construction Set. New system to be submitted for Permitting.

LANDSCAPE SYMBOLS				LANDSCAPE SCHEDULE				
EXISTING		NEW		MARK	COMMON NAME	BOTANIC NAME	QTY	REMARKS
ET1	EG1	T1	G1	T1	CEDAR ELM	ULMUS CRASSIFOLIA	37	4" caliper at time of planting
ET2	EG2	T2	G2	ET1	CEDAR ELM	ULMUS CRASSIFOLIA	17	
ES1	EG3	S1		T2	CRAPE MYRTLE	LAGERSTRÆMIA INDICA	20	3 - 1" caliper at time of planting
ES2				S1	CRAPE MYRTLE	LAGERSTRÆMIA INDICA	41	
				ES1	DWARF BURFORDHOLLY	ILEX CORNUTA BUFORDI NANA	118	New shrubs to be 24" min. at time of planting
				ES2	DWARF BURFORDHOLLY	ILEX CORNUTA BUFORDI NANA	116	
				EG1	GRASS	HYDROMULCH	10	
				G1	GRASS	HYDROMULCH		All disturbed areas to receive natural grass for stabilization
				EG2	MONDO GRASS	OPHIPOGON JAPONICUM		
				G2	MONDO GRASS	OPHIPOGON JAPONICUM		4" containers minimum - existing beds to be restocked
				EG3	SEASONAL COLOR	MIXED FLOWERS		4" containers minimum



1 LANDSCAPE PLAN  
SCALE 1" = 30'-0"

LANDSCAPE REQUIREMENTS	
<b>INTERIOR LANDSCAPE REQUIREMENTS</b>	
EXISTING BUILDINGS	
TOTAL SQUARE FT =	95,482 sq. ft.
<b>LANDSCAPE AREA</b>	
L1-2, BUILDINGS 10,000 sq. ft. OR GREATER = 15%	(95,482 sq. ft. x 15) = 14,322 sq. ft. (14,906 sq. ft. Existing)
<b>CANOPY TREES</b>	
1 Tree per 500 sq. ft. = (14,322 / 500) = 29 Required	29 Provided
<b>UNDERSTORY TREES</b>	
1 Tree per 250 sq. ft. = (14,322 / 250) = 58 Required	65 Provided
<b>SHRUBS</b>	
1 Shrub per 70 sq. ft. = (14,322 / 70) = 205 Required	213 Provided
<b>EXISTING GROUND COVER</b>	
15% of required area = (14,322 x 15) = 2,148 sq. ft. Required	2,224 sq. ft. Provided
<b>EXISTING SEASONAL COLOR</b>	
2% of required area = (14,322 x 2) = 286 sq. ft. Required	450 sq. ft. Provided
<b>STREET FRONTAGE REQUIREMENTS:</b>	
EXISTING SITE - 450' LINEAR FT. OF FRONTAGE	
<b>CANOPY TREES</b>	
1 Tree per 30' of Street Frontage - Existing Site 400/30 = 13	New Frontage - 233/30 = 8
	21 Trees Required
	21 Provided
<b>PARKING LOT REQUIREMENTS:</b>	
Parking Count - 69 Spaces provided (13 Sq. Ft. per space)	
	69 x 13 = 897 Sq. Ft.
<b>CANOPY TREES</b>	
2 Trees per 500 Sq. Ft. = 897/500 = 1.8 x 2 = 4 Required	4 Provided
<b>SHRUBS</b>	
10 Shrubs per 500 Sq. Ft. = 897/500 = 1.8 x 10 = 18 Required	38 Provided

Lot Information	
<b>LEGAL DESCRIPTION</b>	
AREA	1.156 0034 30 FT (ACRES) 26.629
ADDRESS	4740 INTERSTATE 35 EAST WAXAHACHIE, TX 75140
COUNTY	ELLIS
ADDFON	LOT 1, BLOCK 4, COMMERCIAL ADDITION
DE SURVEY	ELBERT L. HEWTON SURVEY # 4881 740 & JOHN BRAWLEY SURVEY # 4881 1500
ZONING	LL-2

**NATIONWIDE CONSTRUCTION**  
DESIGN - BUILD - COMPANY  
721 E. Interstate 35, Suite 1100  
Waxahachie, TX 75140  
Phone: (817) 234-0444 Fax: (817) 473-8026

**OWNER: NUTRENARE-AG**

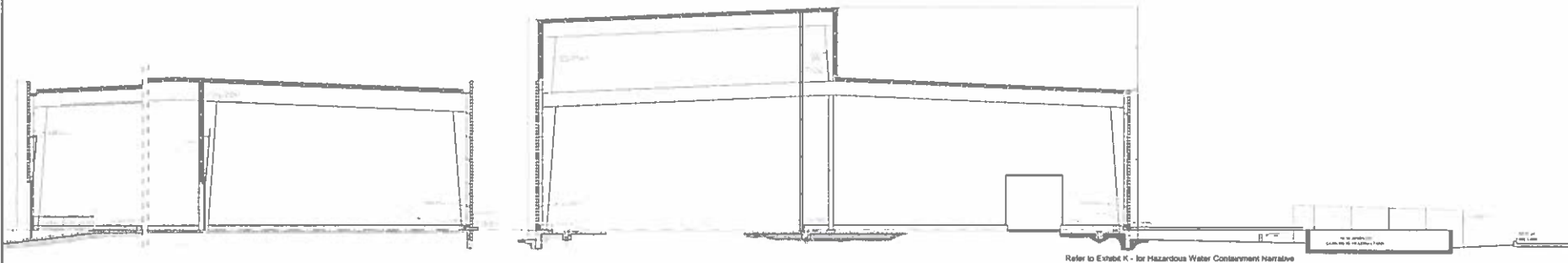
**RovensaNext**  
4740 N. Service Road I-35 E.  
Waxahachie, TX  
ZDC -163-2025

DATE ISSUED: 04/30/2022

REVISIONS:

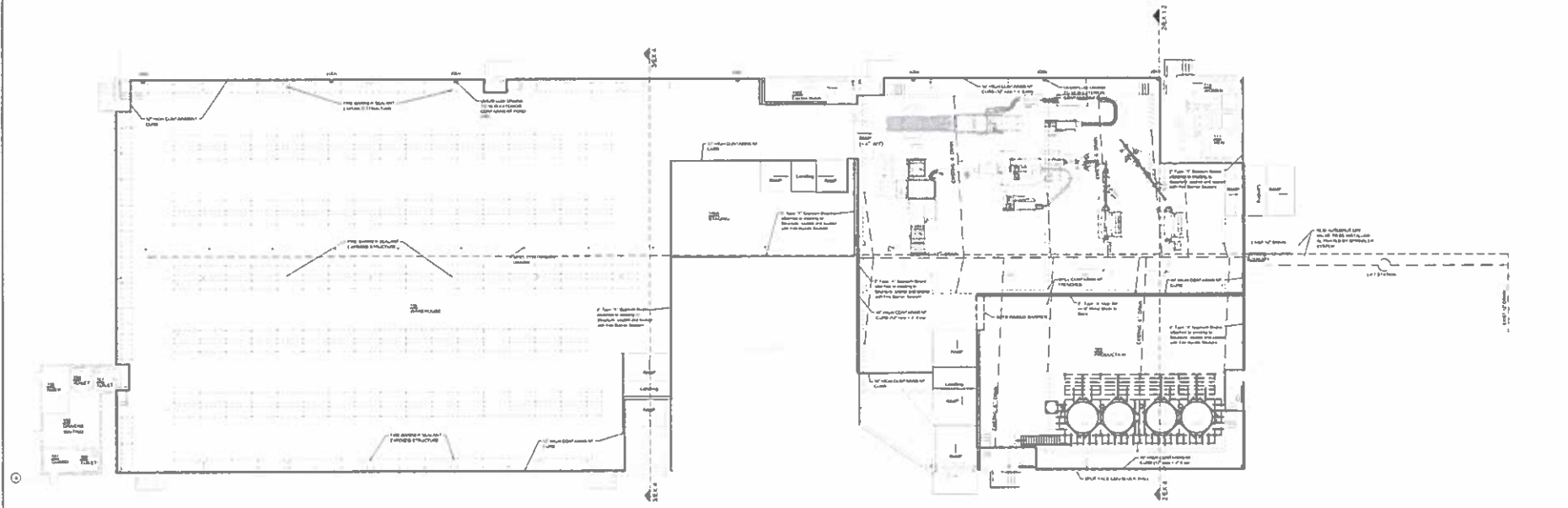
SHEET CONTENTS:  
PROPOSED LANDSCAPE PLAN  
SHEET NUMBER:  
**EX-B**

# EXHIBIT E - FLOORPLAN



3 Warehouse Section  
SCALE: 3/32" = 1'-0"

2 Production Section  
SCALE: 3/32" = 1'-0"



1 Building Plan  
SCALE: 1/16" = 1'-0"



OWNER:  
**NUTRENARE AG**  
4740 N. Service Road, Waxahachie, TX 75165  
phone: 972-477-3450  
email: info@nutrenare.com



Vicinity Map

**RovensaNext**  
4740 N. Service Road I-35 E.  
Waxahachie, TX  
ZDC - 183-2025

DATE ISSUED:  
**04/30/2022**

REVISIONS:


SHEET CONTENTS:  
Existing Floor Plan  
and Building Section

SHEET NUMBER:  
**EX-A1.1**

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

## Proposed Management of Emergency Firefighting Waters within Proposed Hazardous Materials Building – April 2026

Water resulting from emergency firefighting of the proposed hazardous materials storage warehouse and associated packing area and formulation room is proposed to be managed via the following facility changes (highlighted in the figures in Attachments 1 and 2):

1. Installation of containment curbs within the warehouse area and production area providing approximately 198,092 gallons of containment,
2. Construction of an approximately 157,080-gallon concrete tank to the north of the building with approximately 135,000-gallon working capacity (allowing freeboard for incidental rainwater),
3. Installation of standard curbing along the proposed fire access road to impede the 157,080-gallon concrete tank overflows from exiting the property, and
4. Installation of an automatic valve on the drainage line to the existing evaporator lift station.

Under routine operations, trenches within the production area of the building will route wash waters and/or spills to the evaporator sump system via gravity for management at the existing evaporator. When the fire alarm and/or sprinkler system is triggered, the proposed valve on the drain line from the hazardous materials building to the evaporator lift station will automatically close. Firewater will accumulate in the hazardous materials storage and production areas, with a new 12-inch to 16-inch curb (height varies between buildings) providing containment. The proposed overflow lines will be positioned approximately 3 to 5 inches below the top of the proposed building containment curbs. Once the accumulated firewater reaches the overflow lines, the excess firewater will flow by gravity to the new concrete tank proposed to be located to the north of the building. The 198,092 gallons of containment cited is the approximate volume stored prior to overflow.

The placement of the proposed fire access lane and curb provides additional protection in the event there is an overflow of the concrete tank during an event. The curbing along the proposed road would impede direct runoff of any overflow firewater towards South Grove Creek or towards the highway ditch.

The truck loading/unloading bays will not be connected to the containment system given these areas will not store hazardous materials and installing containment presents practical limitations. In the event of a fire, firewater from the truck bays would run off to the existing stormwater system.

The proposed concrete tank will be located to the north of the building, which is outside of regulatory flood zones (FEMA FIRM Panel 48139C0180G, effective 10/19/2023). Detailed construction drawings are not yet available for this tank (will be part of subsequent engineering phase), however, the following tank design criteria will be met:

- The tank will be surrounded by a security fence (WireWorks Anti-Climb).
- The tank will be coated or lined to enhance containment and protect from premature UV degradation (details to be confirmed with appropriate vendor considering material compatibility).
- The tank will not be constructed with a discharge valve (i.e., reduce likelihood of accidental releases).
- The working capacity of the tank will allow freeboard for incidental rainfall. The 25-year, 24-hour storm event (7.47 inches) per NOAA Atlas 14, Volume 11, Version 2 for Waxahachie, Texas was used to set freeboard requirements.

The facility will adopt a standard operating procedure for inspecting and draining accumulated rainwater from the tank once constructed. A draft / example operating procedure is included in Attachment 3. Key procedure concepts include:

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

RAMBOLL

(8)

- Tank inspections (visual, by facility personnel) will be scheduled on a routine basis and immediately following a significant rain event.
- Accumulated rainwater is planned to be released to surface water manually by pump only after facility inspection and confirmation that the emergency firefighting system has not been triggered.
- Accumulated solids (i.e., grass clippings, leaves) will be noted and removed.

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

RAMBOLL

(8)

## **Current Management of Wash Waters and Emergency Firefighting Waters in Existing Buildings**

A system of trenches extends throughout each production area in the existing southern building that captures and routes water via gravity through a 12-inch PVC line to the evaporator sump lift station. Under normal operations the lift station sends the collected waters to an evaporator (zero discharge). A 12-inch overflow pipe, which is valved normally closed, connects the lift station to the existing ponds to the south. The valve is programmed to automatically open when a building fire alarm is triggered allowing fire sprinkler water in the southern building to enter the south ponds. Accumulated water in the ponds is managed according to site procedures.

The existing ponds have a Polygamma EPDM liner, are surrounded by an earthen berm and security fence, and together provide approximately 125,280 gallons of containment. The ponds sit within the 100-year flood zone, per FEMA FIRM Panel 48139C0180G effective 10/19/2023, which has a base flood elevation (BFE) between 612.9 and 613.8 feet in this area. The earthen berms existing elevations are above the required elevations along all their contours, providing protection against 100-year floods entering and washing out these ponds.

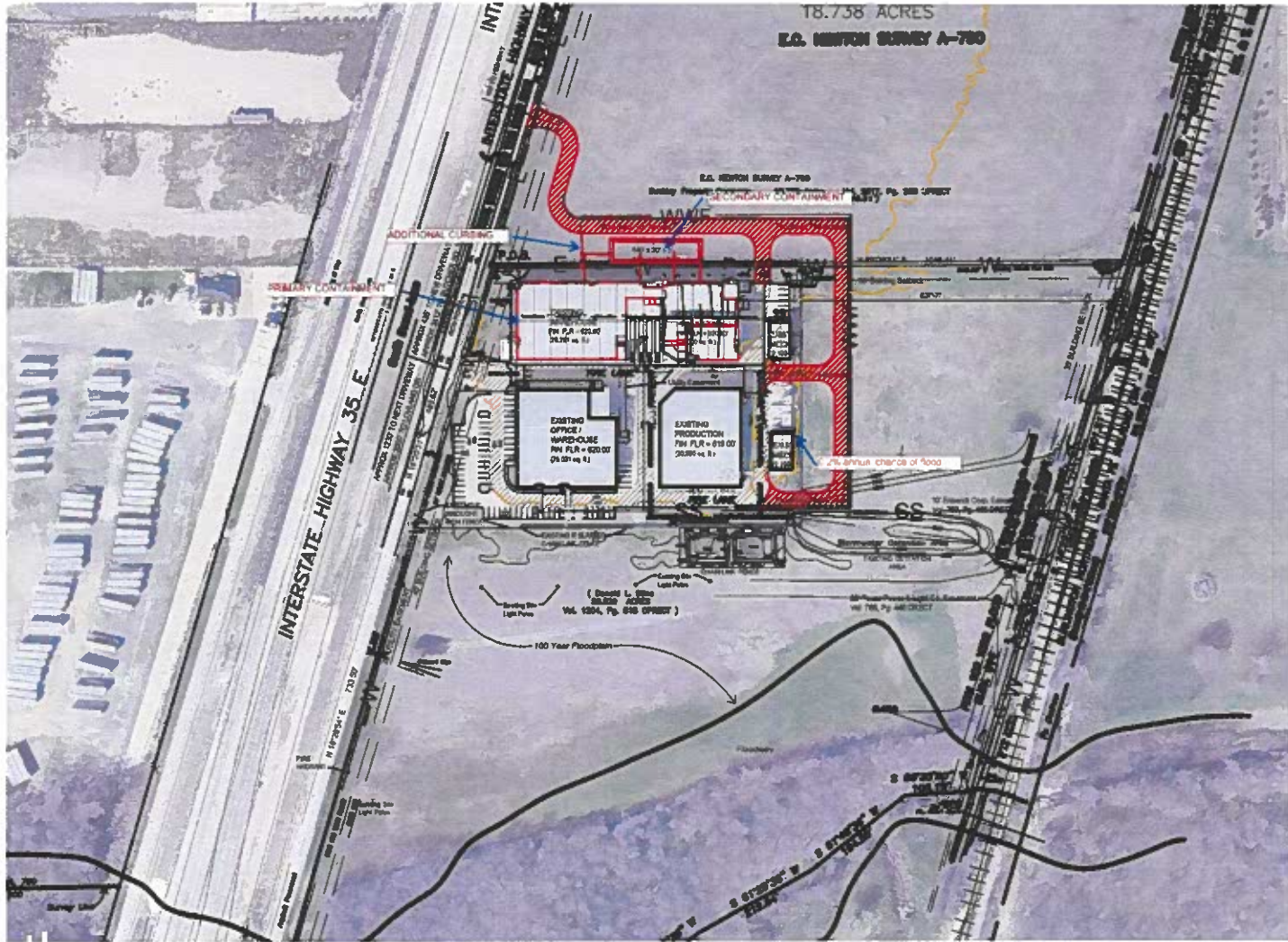
While routine washdown waters from the proposed hazardous material building will be managed in the existing evaporator system, any emergency fire water from the proposed hazardous material building is not planned to be managed in the south ponds (via installation of a new automatic valve and new concrete tank to the north).

EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



WATER

Attachment 1

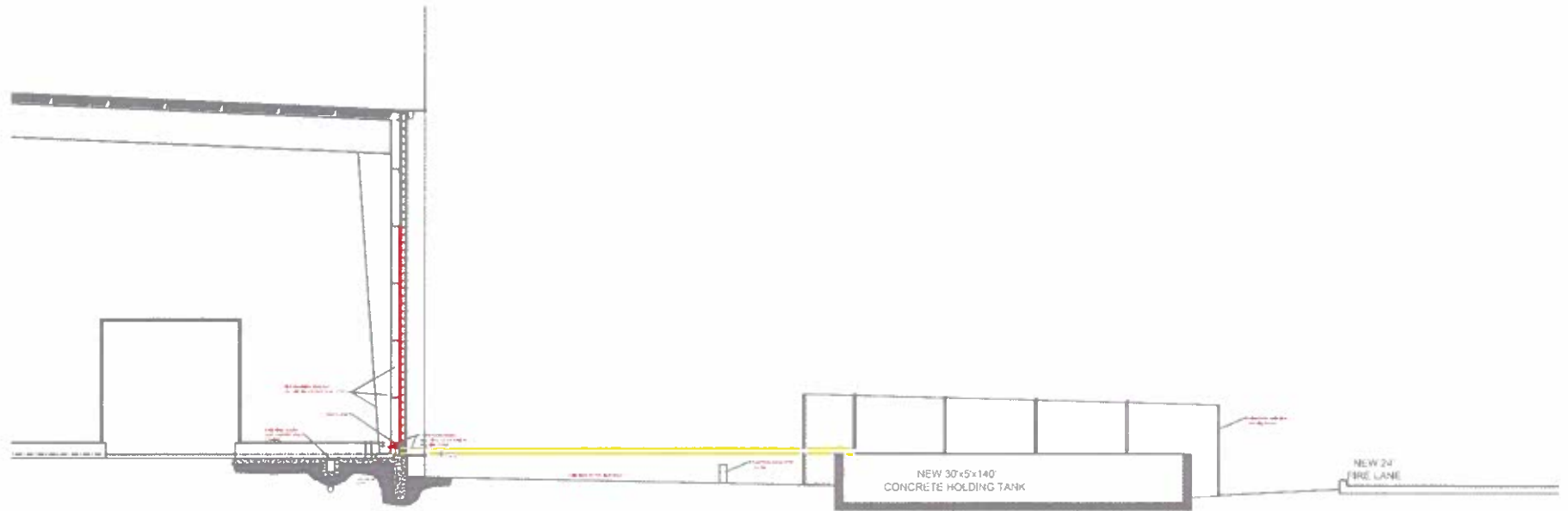


(8)

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



Attachment 2



## Attachment 3

**Title: Containment Tank Routine Operation**

Rev: 1

Effective Date: TBD – upon construction

Review Date: TBD

**Purpose:** This standard operating procedure (SOP) specifies inspection frequency and outlines the steps required to conduct routine tank inspections and safely release accumulated stormwater.

**Goal:**

Maintain the working capacity of the containment tank.

**Applicability:**

This procedure applies only to the inspection and discharge of stormwater. If any non-stormwater sources, including emergency firewater, are suspected to be present in the tank this procedure shall not apply.

**Responsibilities:**

- Operations is responsible for carrying out this procedure.

**Procedure:**

1. Twice per week and immediately following significant rain events facility personnel shall visually inspect the concrete containment tank for presence of accumulated rainwater and solid debris.
2. The discharge release area shall be inspected for erosion. If significant erosion at the discharge location is noted a maintenance ticket shall be submitted.
3. Accumulated rainwater shall be inspected according to the attached checklist, noting any issues or observations.
  - a. If the water meets inspection criteria for release (no indication of contamination), the discharge pump shall be operated to drain the tank.
  - b. If the water does not meet inspection criteria, separate arrangements shall be made to empty the tank.
4. Personnel shall ensure the pump is turned off after emptying the tank.
5. If solid debris have accumulated (i.e., grass clippings, leaves) a maintenance ticket shall be initiated to clean out the tank.
6. Any abnormalities noted shall be communicated to site management for the appropriate corrective action.

**Recordkeeping:**

1. Inspection checklists shall be maintained by Operations.

(8)

## Inspection Checklist

Name:		
Date & Time:		
Is water present in the tank?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Water Observations</b>		
Color	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes (describe the color)		
Clarity	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes (Clear/opaque/milky)		
Oil Sheen	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes (oily/silver/iridescent)		
Odor	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes		
Solids	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes		
Foam	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes		
Does accumulated water meet requirements for discharge? (no indication of industrial materials / pollution)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Tank, Valve, and Other Observations</b>		
Discharge Area	<input type="checkbox"/> Vegetation Overgrowth	<input type="checkbox"/> Erosion
	<input type="checkbox"/> Other:	<input type="checkbox"/> N/A

Other Observations:

---



---

Recommended Corrective Actions (solids removal, maintenance, etc.):

---



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(8)

## **Hazardous Materials Management Plan**

*Rovensa Next Waxahachie Facility*

**Prepared by:**

R.E.M. Risk Consultants

12005 Ford Road Suite 550,

Dallas, TX 75234

**Prepared for:**

Rovensa Next

**Date:**

March 10, 2026

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Submitted by:

A handwritten signature in blue ink, appearing to read "Benjamin Craig", is written over the printed name below.

Benjamin Craig, EI, CIH, CSP  
Principal/Vice President of Operations

This report is limited to information provided to R.E.M. Risk Consultants and observations of conditions present during the site investigations and/or from those conditions as presented in materials reviewed. The opinions and/or comments expressed by R.E.M. Risk Consultants are based on but not limited to reports/descriptions provided to R.E.M. Risk Consultants that are related to the facility/facility systems and experience of the consultants. This document does not constitute a final report. Addenda may be issued as more information becomes available. R.E.M. Risk Consultants reserves the right to revise, supplement, and otherwise amend this report as further information and evidence may be made known. R.E.M. work contained in this report is advisory in nature only and the responsibility for the use of the information developed during the work and the physical act of addressing the findings in the report and compliance with any local and federal regulations rest entirely with Rovensa Next. Rovensa Next will independently evaluate any actions taken to address the results of this Work to ensure it will not create unacceptable hazards and that safe practices are followed when any change is implemented.



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**1.0 PURPOSE AND SCOPE**

This Hazardous Materials Management Plan (HMMP) is designed to ensure the safe handling, storage, disposal, transportation of hazardous materials, including waste at the Waxahachie Rovensa Next facility, Nutrenare-AG (Nutri AG). The principal business activity at this site is the manufacture of biocontrol agricultural products. These products are formulated with water and other chemical compounds. There is a single formulation area and a single raw and finished good materials warehouse. The facility is equipped with fire sprinkler systems and an emergency alarm system.

This HMMP includes the facility description, list of emergency contacts, a building site plan, the HMIS Summary Report, the emergency action plan, and security information.

**2.0 FACILITY INFORMATION AND SITE PLAN**

**2.1 Facility Information**

The facility is owned and operated by Rovensa Next, a business unit made up of twelve different companies. This facility is with the Nutri-AG group, located in Ellis County, Texas. Other information is listed below:

<b>Hazardous Materials Management Plan Information</b>			
<b>FACILITY SITE MAIN CONTACTS</b>			
<b>FACILITY NAME</b>	<b>FACILITY ADDRESS (PHYSICAL AND MAILING)</b>	<b>POINT OF CONTACT (POC)</b>	<b>POC INFORMATION</b>
Nutrenare-AG	4740 Interstate 35 East, Waxahachie, TX 75165	Abad Villa	Title: Production Manager Phone (24 Hour): 214-609-6961 Phone (Other) 972-723-7881 Email: <a href="mailto:abad.villa@cosmocel.rovensa.com">abad.villa@cosmocel.rovensa.com</a>
Nutrenare-AG	4740 Interstate 35 East, Waxahachie, TX 75165	Pedro Goya	Title: Director of Mexico Supply and Operations Phone: 972-723-7881 Email: <a href="mailto:pedro.goya@cosmocel.rovensa.com">pedro.goya@cosmocel.rovensa.com</a>

**Table 1: Facility Site Main Contacts**



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<b>HMMP Information</b>		
<b>EMERGENCY CONTACTS</b>		
<b>CONTACT NAME</b>	<b>TITLE</b>	<b>24-HOUR PHONE</b>
Abad Villa	Production Manager	214-609-6961
Ellis County Fire Department Station #6	Emergency Response	911 469-309-7318 (non-emergency)
<b>BUSINESS INFORMATION</b>		
<b>REQUIREMENT</b>	<b>OBSERVATION</b>	
Location (Latitude/Longitude)	32.270947/-96.504208	
Number of Employees	Approximately 35	
Number of Shifts	2	
Hours of Operation	M-F 7 am to 11 pm	

**Table 2: Emergency Contacts and Business Information**

**2.2 Site Plan**

See APPENDIX A for the site plan, showing the locations of all building structures, outdoor chemical storage and use areas, parking lots, emergency exits, internal roads, storm and sanitary sewers, hazard classes, locations of all group H occupancies, hydrants, and

**2.3 Facility Storage Map – Confidential**

See APPENDIX B for the facility storage map that includes the following:

- Chemical storage and use areas
- Hazardous waste storage areas
- Location to meet emergency responders
- Facility evacuation meeting point locations
- The general purpose of other areas within the building
- Hazard classes in each area
- Locations of all Group H occupancies, control areas, and exterior storage and use areas
- Emergency exits
- Directional north identified.

**3.0 HAZARDOUS MATERIALS INFORMATION SYSTEM (HMIS)**

See APPENDIX C for the detailed HMIS. The legend is in Table 3 below.

<b>IFC Hazard Subclasses</b>	
<b>IFC ABBREVIATIONS</b>	
<b>Abbreviation</b>	<b>Definition</b>
C2	Class II Combustible
C3A	Class IIIA Combustible
C3B	Class IIIB Combustible
F1A	Class IA Flammable
F1B	Class IB Flammable
F1C	Class IC Flammable
TOX	Toxic
COR	Corrosive
OX4	Class 4 Oxidizer
OX1	Class 1 Oxidizer

**4.0 SITE SECURITY PLAN**

Hazardous material storage, dispensing, use and handling areas shall be secured against unauthorized entry and safeguarded in a manner approved by the fire code official. Chemical facilities deemed to be high risk by the US Department of Homeland Security shall be required to develop and implement security plans in accordance with the Chemical Facility Anti-Terrorism Standards set forth in DHS CFATS 6 CFR Part 27.

Currently, Nutri AG has 2,500 pounds of potassium nitrate exceeding the CFATS threshold for storage of 400 lbs.

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

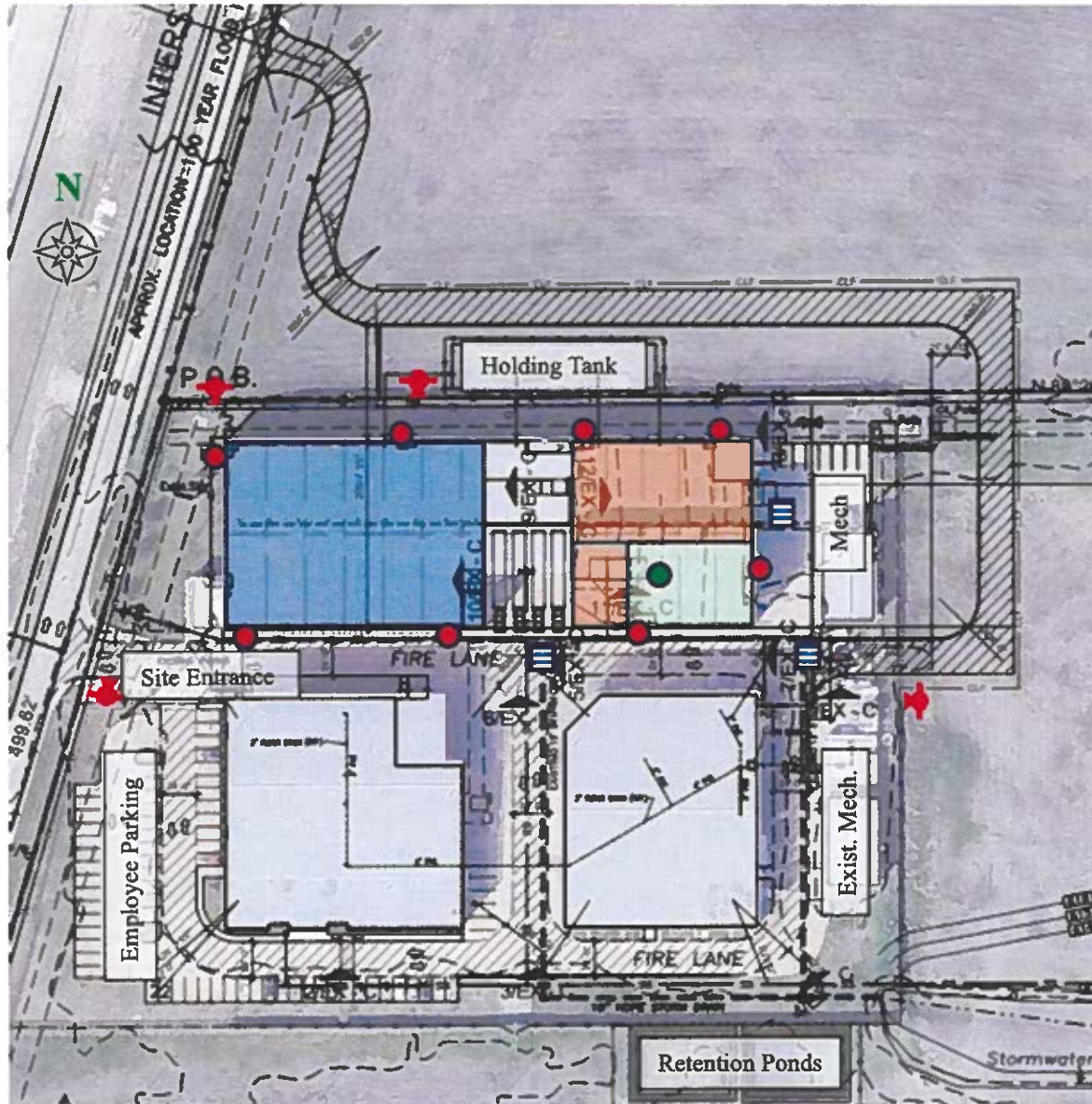


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## APPENDIX A: SITE PLAN

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

(8)



### Legend

- Raw and finished goods racking: H3/H4 occupancy. Includes flammables, combustibles, oxidizers, and toxics.
- Liquid products packaging: H3/H4 occupancy. Includes flammables, combustibles, oxidizers, and toxics.
- Liquid products formulation area: H2 occupancy with a 1-hour fire barrier. Includes flammables, combustibles, oxidizers, and toxics.
- Fire Hydrant
- Emergency Exit
- Storm Water Drain
- Sanitary Sewer



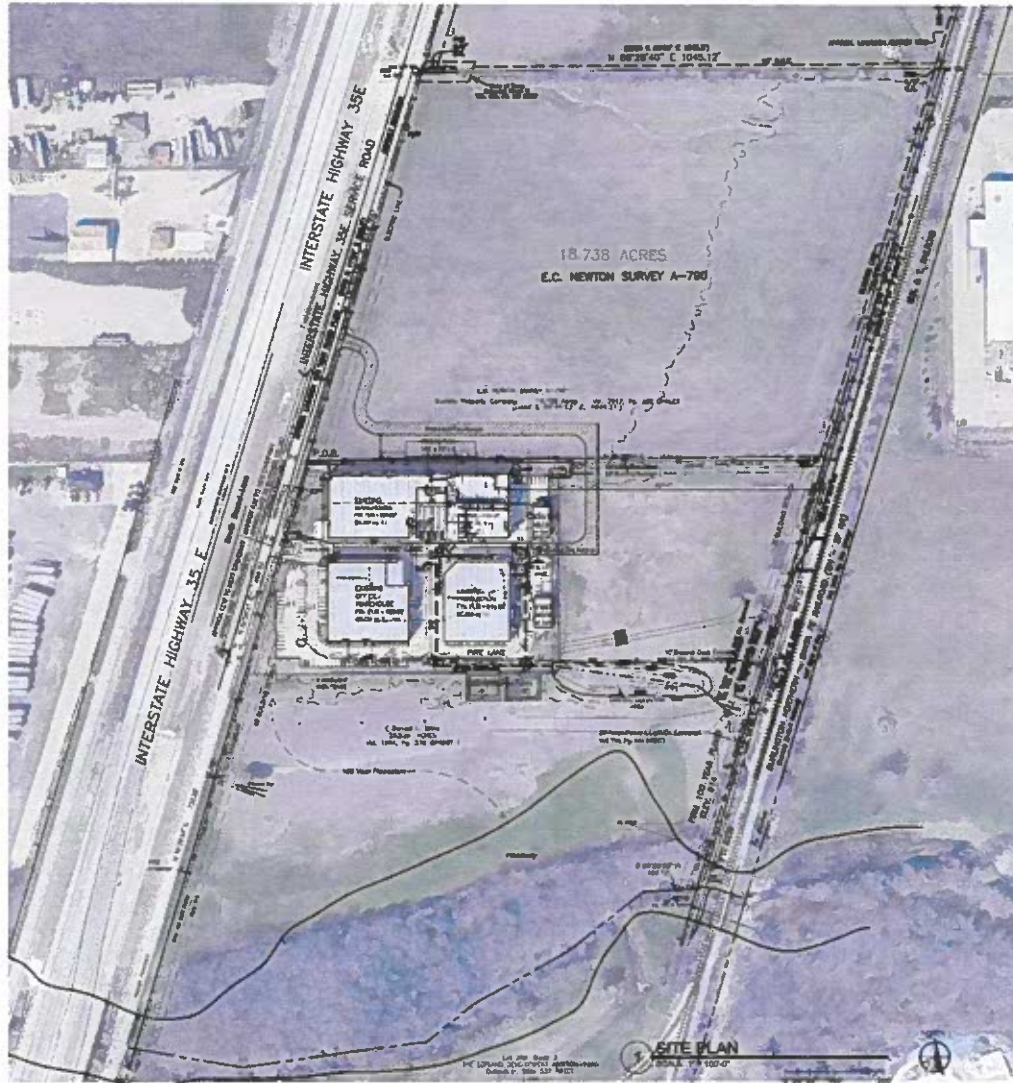
(8)

**APPENDIX B: SITE MAP**

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)



**SITE SUMMARY**

Current Zoning: (NO USE)  
 Proposed Use: **NOXIOUS**  
 Total Site Acreage: 15.750 acres  
 Total Building Sq. Ft.: 86,482 sq. ft.  
 Maximum Building Height: 11'-0" (limited present)

**PARKING CALCULATIONS:**

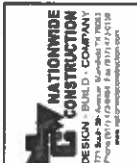
Section 39 - City street parking requirements

44 Office Space	1,845 sq. ft. per 1,000 sq. ft. floor area	16 spaces
29 Industrial Light	1,000 sq. ft. floor area	21 spaces
26 Industrial Light	1,000 sq. ft. floor area	3 spaces
10 Warehouse	5,000 sq. ft. floor area	4 spaces
10 Warehouse	1,000 sq. ft. floor area	20 spaces
<b>Total Parking Spaces Required</b>		<b>73 spaces</b>

Total Existing Parking Spaces Provided: 84 Spaces + 2 HOV + 1 HOV Van Accessible Space = 87 spaces  
 EMPLOYEE COUNT: 10 WITH ADDITIONAL 4 FOR HOV PRODUCT LINE

Area of impervious surface: BUILDINGS: 82,707 sq. ft. impervious (Loadings)  
 PAVING AREAS: 83,411 sq. ft. impervious (Loadings)  
 PAVED AREAS: 25,692 sq. ft. impervious (SEW)

**TOTAL IMPERVIOUS AREA: 191,810 sq. ft. impervious / 1,917,827 sq. ft. land = 10%**



**OWNER:**  
**NUTRENARE AG**

41211 Service Road 435E  
 Waco, TX 76798  
 817-771-1111  
 www.nutrenare.com



NOXIOUS USE PERMITTED BY THE CITY OF WACO, TEXAS  
 AS A RESULT OF THE PROPOSED HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL (TSD) FACILITY.  
 ZONING: NOXIOUS

**Lot Info and Owner Address**

**LEGAL DESCRIPTION:**

ADDRESS: 4740 N. SERVICE ROAD 435E EAST, WACAHOLIE, TX 76788

OWNER: Nutrena

ADDITIONAL PROPERTY: 4740 N. SERVICE ROAD 435E EAST, WACAHOLIE, TX 76788

**RovensaNext**  
 4740 N. Service Road 435 E.  
 Wacaholie, TX  
 ZDC-193-2025  
 Specific Use Permit - Noxious

**DATE ISSUED:**  
 03/02/2026

**REVISIONS:**

**SHEET CONTENTS:**  
 OVERALL SITE PLAN  
 SHEET NUMBER:  
**EX-A1.0**



(8)

**APPENDIX C: HAZARDOUS MATERIALS INVENTORY**

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
ENCOURAGE NANOCAL 244-F-0-F	(Calcium Carbonate-25%, Urea-8%)	(1317-65-3, 84133-50-6)	Formulation Area (H-2)		C3A	TOX						800 <sup>1</sup>	
ENCOURAGE CLASSIC 025-F-5-F	Mixture	Proprietary	Formulation Area (H-2)		C3A	TOX						800 <sup>1</sup>	
ENCOURAGE FORAGE 162-F-5-D	(Urea-8%, Sodium Molybdate-4%, Manganese Chloride-2%, Zinc Chloride-2%)	(57-13-6, 7631-95-0, 13446-34-9, 7646-85-7)	Formulation Area (H-2)		C3A							800 <sup>1</sup>	
ENCOURAGE NANOCAL 244-F-0-B	(Calcium Carbonate-25%, Urea-8%, Alcohol Ethoxylate-3%)	(1317-65-3, 57-13-6, 84133-50-6)	Formulation Area (H-2)		C3A	TOX						800 <sup>1</sup>	
HSMOC 108-F-8-G	Mixture	Proprietary	Formulation Area (H-2)		C3A							800 <sup>1</sup>	
MORTAR 369-F-11-A	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-13%)	(68131-40-8, 9004-82-4)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
OROBOOST 097-F-3-A	(Secondary Ethoxylated Alcohol-15%, Orange Oil-15%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2	TOX						800 <sup>1</sup>	
ORO-RZ 079-F-3-B	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Formulation Area (H-2)		C2	TOX						800 <sup>1</sup>	
PREV-AM 009-F-1-A	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2	TOX						4,400	

<sup>1</sup> Note that the actual quantity is not known. 800 gal is used as an approximation for the maximum quantity at any given time.

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
SKYHAWK 347-F-11-B	(Secondary Alcohol Ethoxylate-20%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
TRANSFORMER 079-F-1-A	(Secondary Alcohol Ethoxylate-20%)	(84133-50-6)	Formulation Area (H-2)		F1C							1,600	
VINTRE 009-F-2-E	(Secondary Alcohol Ethoxylate-8%, Orange Sweet Extract-8%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
WETCIT 009-F-1-C	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
1,2-Benzisothiazol-3-one	1,2-Benzisothiazol-3-one	2634-33-5	Warehouse (H-3/H-4)		TOX			15,000					
330 - Surfactant (Steol)	(Water-70%, Alkyl Ether Sulfate Sodium Salt-28%, Ethoxylated Alcohols-1%)	(7732-18-5, 68585-34-2, 68131-39-5)	Warehouse (H-3/H-4)		C3B				800 <sup>1</sup>				
460 - Surfactant (Steol)	(Sodium Laureth Sulfate-60%, Ethanol-15%, Ethoxylated Alcohols-3%)	(9004-82-4, 64-17-5, 68131-39-5)	Warehouse (H-3/H-4)		F1C				2				
Acetic Acid	Acetic Acid	64-19-7	Warehouse (H-3/H-4)		F1C	COR			480				
Alcohol Ethoxylate	Alcohol Ethoxylate	60828-78-6	Warehouse (H-3/H-4)		TOX				9,600				
ARETE	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
ARROYO	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-13%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
Calcium Nitrate Liquid	Calcium Nitrate Liquid	10124-37-5	Warehouse (H-3/H-4)		OX1				2,080				
Caprylic Acid	Caprylic Acid	124-07-2	Warehouse (H-3/H-4)		C3B				2,400				
CLASSIC 2.5GAL	(Urea-3%, Potassium Nitrate-3%, Alcohol Ethoxylate-3%)	(57-13-6, 7757-79-1, 84133-50-6)	Warehouse (H-3/H-4)		C3A	TOX			600				
CLASSIC 265GAL	(Urea-3%, Potassium Nitrate-3%, Alcohol Ethoxylate-3%)	(57-13-6, 7757-79-1, 84133-50-6)	Warehouse (H-3/H-4)	Yes	C3A	TOX			600				
Copper Oxide 75%	(Copper Oxide-75%)	(1317-38-0)	Warehouse (H-3/H-4)		TOX			8,000 <sup>2</sup>					
Copper Sulfate	Copper Sulfate	10026-24-1	Warehouse (H-3/H-4)		TOX			1,250					
Dodecylbenzenesulfonic Acid	Dodecylbenzenesulfonic Acid	27176-87-0	Warehouse (H-3/H-4)		COR				7,200				
EDTA Manganese Dipotassium	EDTA Manganese Dipotassium	68015-77-0	Warehouse (H-3/H-4)		TOX			20,000					
EDTA, Disodium Salt	Disodium Salt EDTA	6381-92-6	Warehouse (H-3/H-4)		TOX			4,500					
EDTA, Tetrasodium salt	Tetrasodium EDTA	10378-23-1	Warehouse (H-3/H-4)		TOX			4,500					
Ethanol	Ethanol	64-17-5	Warehouse (H-3/H-4)		F1B				1,100				
F112 / SUFCO	Copper (II) Sulfate Pentahydrate	7758-99-8	Warehouse (H-3/H-4)		TOX			10,000					

<sup>2</sup> Note that the actual quantity is not known. 8,000 lbs is used as an approximation for the maximum quantity at any given time.

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
GALACTEK 1QT	Mixture	Proprietary	Warehouse (H-3/H-4)		C2	COR			300				
GARLAND 2.5GAL	(Garlic Extract-20%)	(8000-78-0)	Warehouse (H-3/H-4)		F1C	TOX			1,200				
GARLAND 265GAL	(Garlic Extract-20%)	(8000-78-0)	Warehouse (H-3/H-4)	Yes	F1C	TOX			600				
GFA4 / GXF	Xanthan Gum	11138-66-2	Warehouse (H-3/H-4)		TOX			1,800					
Hydrogen Peroxide	Hydrogen Peroxide	7722-84-1	Warehouse (H-3/H-4)		OX2				800 <sup>1</sup>				
IDAI MAGNESSIUM 265GAL	(Malic Acid-5%)	6915-15-7	Warehouse (H-3/H-4)	Yes	COR				720				
IDAI PHOSPHORUM 265GAL	(Phosphoric Acid-65%, Malic Acid-5%)	(7664-38-2, 6915-15-7)	Warehouse (H-3/H-4)	Yes	COR				1,400				
IDAI POTASSIUM 265GAL	(Potassium Hydroxide-35%)	(1310-58-3)	Warehouse (H-3/H-4)	Yes	COR	TOX			1,000				
Isopropyl Alcohol	Isopropyl Alcohol	67-63-0	Warehouse (H-3/H-4)		F1B				20				
Isopropyl Myristate	Isopropyl Myristate	110-27-0	Warehouse (H-3/H-4)		C3B				18,000				
Lactic Acid	Lactic Acid	50-21-5	Warehouse (H-3/H-4)		COR				2,400				
LAKOTA 2.5GAL	(Secondary Alcohol Ethoxylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68439-46-3, 9004-82-4)	Warehouse (H-3/H-4)		C3A				1,200				
Methanol	Methanol	67-56-1	Warehouse (H-3/H-4)		F1B	TOX			2				

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
Methyl Sulfonyl Methane 98%	(Methylsulfonylmethane-98%)	(67-71-0)	Warehouse (H-3/H-4)		TOX			420					
Monoethanolamine	Monoethanolamine	141-43-5	Warehouse (H-3/H-4)		C3A	COR		570					
MORTAR	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-13%)	(68131-40-8, 9004-82-8)	Warehouse (H-3/H-4)	Yes	C2			1,700					
MOSD	Sodium Molybdate Dihydrate	10102-40-6	Warehouse (H-3/H-4)		TOX			20					
NANOCAL 2.5GAL	(Calcium Carbonate-25%, Alcohol Ethoxylate-3%, Urea-8%)	(1317-65-3, 84133-50-6, 57-13-6)	Warehouse (H-3/H-4)		C3A	TOX		1,200					
NANOCAL 265GAL	(Calcium Carbonate-25%, Alcohol Ethoxylate-3%, Urea-8%)	(1317-65-3, 84133-50-6, 57-13-6)	Warehouse (H-3/H-4)	Yes	C3A	TOX		1,800					
Orange Oil	Orange Oil	8028-48-6	Warehouse (H-3/H-4)		C2			9,600					
OROBOOST 2.5GAL	(Secondary Alcohol Ethoxylate-13%)	(68131-40-8)	Warehouse (H-3/H-4)		C2	TOX		1,200					
OROBOR N1 1000L	(Secondary Alcoholated Alcohol-8%, Orange Sweet Extract-8%, Sodium Tetraborohydrate Decahydrate-1%)	(84133-50-6, 8028-48-6, 1303-96-4)	Warehouse (H-3/H-4)	Yes	C2	TOX		800 <sup>1</sup>					
OROBOR N1 110L	(Secondary Alcoholated Alcohol-8%, Orange Sweet Extract-8%, Sodium Tetraborohydrate Decahydrate-1%)	(84133-50-6, 8028-48-6, 1303-96-4)	Warehouse (H-3/H-4)		C2	TOX		800 <sup>1</sup>					

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
ORO-HSMOC 2.5GAL	(Soybean Oil Methyl Ester-65%, Surfactant-13%)	(67784-80-9, 64366-70-7)	Warehouse (H-3/H-4)		C3A				1,400				
ORO-HSMOC 265GAL	(Soybean Oil Methyl Ester-65%, Surfactant-13%)	(67784-80-9, 64366-70-7)	Warehouse (H-3/H-4)	Yes	C3A				1,200				
ORO-RZ 10L	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX			800 <sup>1</sup>				
ORO-RZ 1QT	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
ORO-RZ 1QT	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
ORO-RZ 2.5GAL	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2				3,600				
ORO-RZ 265GAL	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)	Yes	C2				2,400				
ORVALE	(Secondary Alcohol Ethoxylate-20%, Sodium Lauryl Ether Sulfate-13%)	(68439-46-3, 9004-82-4)	Warehouse (H-3/H-4)		C2	TOX			800 <sup>1</sup>				
ORVALE 518-F-3-A	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX			800 <sup>1</sup>				
Phosphoric Acid 70/75% Solution	(Phosphoric Acid-75%)	(13598-36-2)	Warehouse (H-3/H-4)		COR				800 <sup>1</sup>				

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
Phosphorous Acid 98.5%	(Phosphoric Acid-98.5%)	(13598-36-2)	Warehouse (H-3/H-4)		COR				2,500				
PK ASSIST(GR) 2.5GAL	(Linear Alkylbenzene Sulfonic Acid-20%)	(68515-73-1)	Warehouse (H-3/H-4)		COR				600				
PK ASSIST(WH) 2.5GAL	Mixture	Proprietary	Warehouse (H-3/H-4)		COR				600				
PK ASSIST(WH) 265GAL	Mixture	Proprietary	Warehouse (H-3/H-4)	Yes	COR				600				
Potassium Nitrate	Potassium Nitrate	7757-79-1	Warehouse (H-3/H-4)		OX1			2,500					
PREV-AM 10L	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX		8,000 <sup>2</sup>					
PREV-AM 135GAL	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)	Yes	C2	TOX			160				
PREV-AM 2.5GAL	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX			4,400				
PREV-AM 265GAL	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)	Yes	C2	TOX			1,800				
Propionic Acid	Propionic Acid	79-09-4	Warehouse (H-3/H-4)		C2				10				
Propylene Glycol	Propylene Glycol	57-55-6	Warehouse (H-3/H-4)		C3B				5,400				
PTSA45	(Potassium Hydroxide-35%, Water-65%)	(1310-58-3, 7732-18-5)	Warehouse (H-3/H-4)		TOX				100				

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
S006 / S1134GA	(2,4,7,9-Tetramethyl-5-Decyne-4,7-Diol-15%, Maleic Anhydride Copolymer-65%, Alkylarylalkoxylate-15%, 2-Butoxyethanol-2%)	(126-86-3, 26762-29-8, 68439-49-6, 111-76-2)	Warehouse (H-3/H-4)		TOX			470					
SKYHAWK	(Secondary Alcohol Ethodylate-20%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2			1,200					
THYMIC 0.25GAL	(Thyme Oil-10%)	8007-46-3	Warehouse (H-3/H-4)		COR	TOX		800 <sup>1</sup>					
THYMIC 2.5GAL	(Thyme Oil-10%)	8007-46-3	Warehouse (H-3/H-4)		COR	TOX		1,200					
THYMIC 265GAL	(Thyme Oil-10%)	8007-46-3	Warehouse (H-3/H-4)	Yes	COR	TOX		1,900					
TRANSFORM ER 10L	(Secondary Alcohol Ethoxylate-20%)	84133-50-6	Warehouse (H-3/H-4)		F1C			800 <sup>1</sup>					
TRANSFORM ER 2.5GAL	(Secondary Alcohol Ethoxylate-20%)	84133-50-6	Warehouse (H-3/H-4)		F1C			1,000					
TRANSFORM ER 265GAL	(Secondary Alcohol Ethoxylate-20%)	84133-50-6	Warehouse (H-3/H-4)	Yes	F1C			540					
Triethanolamine	Triethanolamine	102-71-6	Warehouse (H-3/H-4)		C3B			960					
TurfRx OxyK	(Potassium Peroxomonosulfate-75%, Calcium Peroxide-8%)	(70693-62-8, 1305-79-9)	Warehouse (H-3/H-4)		OX4			8,000 <sup>2</sup>					
WETCIT	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)	Yes	C2			3,000					
WETCIT 009-F-3-W	(Secondary Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)		C2			800 <sup>1</sup>					

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
WETCIT 1000L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)	Yes	C2				800 <sup>1</sup>				
WETCIT 10L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
WETCIT 10L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
WETCIT 1L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
WETCIT 2.5GAL	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				4,400				
Wintergreen Oil	Wintergreen Oil	68917-75-9	Warehouse (H-3/H-4)		TOX				2,400				
Zinc Chloride	Zinc Chloride	7646-85-7	Warehouse (H-3/H-4)		COR	TOX			540				
Zinc Chloride Anhydrous	Zinc Chloride	7646-85-7	Warehouse (H-3/H-4)		TOX			4,500					

Table 3: HMIS inventory report.



(8)

<b>Hazardous Materials Inventory Statement Summary Report</b>					
<b>FORMULATION AREA</b>					
<b>IBC/IFC Hazard Class</b>	<b>Hazard Subclass</b>	<b>Inventory Amount</b>		<b>IBC/IFC MAQ</b>	
		<b>(Abbrev)</b>	<b>Solid (lb)</b>	<b>Liquid (gal)</b>	<b>Solid (lb)</b>
Combustible Liquid	C2	0	20,000 <sup>3</sup>	N/A	60 <sup>5</sup>
	C3A	0	12,570 <sup>4</sup>	N/A	160 <sup>5</sup>
	C3B	0	20,000 <sup>3</sup>	N/A	Not Limited <sup>6</sup>
Flammable Liquid	F1B	0	1,120 <sup>4</sup>	N/A	60 <sup>5</sup>
	F1C	0	6,220 <sup>4</sup>	N/A	60 <sup>5</sup>
	F1A, F1B, F1C	0	7,340 <sup>4</sup>	N/A	60 <sup>5</sup>
Toxic	TOX	97,570 <sup>4</sup>	19,990 <sup>4</sup>	250 <sup>5</sup>	25 <sup>5</sup>
Corrosive	COR	0	20,000 <sup>3</sup>	2,000 <sup>5</sup>	200 <sup>5</sup>
Oxidizer	OX1	2,500 <sup>4</sup>	2,080 <sup>4</sup>	Not Limited <sup>6</sup>	Not Limited <sup>6</sup>

**Table 4: HMIS summary report – formulation area.**

<sup>3</sup> Note that the material quantity represents a worst-case scenario in which all four of the 5,000 gal formulation tanks (20,000 gal in total) are in use containing materials of the identified hazard subclass.

<sup>4</sup> Note that the material quantity represents a worst-case scenario in which all of the material of the hazard subclass at the facility is inside of the formulation tanks.

<sup>5</sup> Note that the quantity is 100% greater than that presented in Table 5003.1.1(1) of the 2021 IFC as a result of the area being equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.

<sup>6</sup> Note that the quantity is not limited as a result of the area being equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.



(8)

<b>Hazardous Materials Inventory Statement Summary Report</b>					
<b>WAREHOUSE</b>					
<b>IBC/IFC Hazard Class</b>	<b>Hazard Subclass (Abbrev)</b>	<b>Inventory Amount</b>		<b>IBC/IFC MAQ</b>	
		<b>Solid (lb)</b>	<b>Liquid (gal)</b>	<b>Solid (lb)</b>	<b>Liquid (gal)</b>
Combustible Liquid	C2	0	49,770	N/A	240 <sup>5</sup>
	C3A	0	12,570	N/A	660 <sup>5</sup>
	C3B	0	27,560	N/A	Not Limited <sup>6</sup>
Flammable Liquid	F1B	0	1,120	N/A	240 <sup>5</sup>
	F1C	0	4,620	N/A	240 <sup>5</sup>
	F1A, F1B, F1C	0	5,740	N/A	240 <sup>5</sup>
Toxic	TOX	97,570	19,990	1,000 <sup>5</sup>	100 <sup>5</sup>
Corrosive	COR	0	23,610	10,000 <sup>5</sup>	1,000 <sup>5</sup>
Oxidizer	OX1	2,500	2,080	Not Limited <sup>6</sup>	Not Limited <sup>6</sup>

**Table 5: HMIS summary report – warehouse.**

(8)

## **Proposed Management of Emergency Firefighting Waters within Proposed Hazardous Materials Building**

Water resulting from emergency firefighting of the proposed hazardous materials storage warehouse and associated packing area and formulation room is proposed to be managed via the following facility changes:

1. Installation of containment curbs within the warehouse area and production area providing approximately 198,092 gallons of containment,
2. Construction of an approximately 157,080-gallon concrete tank to the north of the building with approximately 135,000-gallon working capacity (allowing freeboard for incidental rainwater),
3. Installation of standard curbing along the proposed fire access road to impede the 157,080-gallon concrete tank overflows from exiting the property, and
4. Installation of an automatic valve on the drainage line to the existing incinerator lift station.

Under routine operations, trenches within the production area of the building will route wash waters and/or spills to the incinerator sump system via gravity for management at the existing incinerator. When the fire alarm and/or sprinkler system is triggered, the proposed valve on the drain line from the hazardous materials building to the incinerator lift station will automatically close. Firewater will accumulate in the hazardous materials storage and production areas, with a new 12-inch to 16-inch curb (height varies between buildings) providing containment. Proposed gravity overflow lines will route excess firewater to the new concrete tank proposed to be located to the north. The proposed overflow lines will be positioned approximately 3 to 5 inches below the top of the proposed building containment curbs. The 198,092 gallons of containment cited is the approximate volume stored prior to overflow.

The proposed concrete tank will be located to the north of the building, which is outside of regulatory flood zones (FEMA FIRM Panel 48139C0180G, effective 10/19/2023). A security fence surrounding the tank is planned. The facility will employ operating procedures for the routine management of accumulated rainwater and the routine inspection and maintenance of the tank. The proposed concrete tank will not be constructed with a discharge valve and accumulated rainwater is planned to be released to surface water manually by pump only after facility inspection and confirmation that the emergency firefighting system has not been triggered. The tank will be coated or lined to enhance containment and protect from premature UV degradation (details to be confirmed with appropriate vendor). The placement of the proposed fire access lane and curb provides additional protection in the event there is an overflow of the concrete tank during an event. The curbing along the proposed road would impede direct runoff of any overflow firewater towards South Grove Creek or towards the highway ditch.

The truck loading/unloading bays will not be connected to the containment system given these areas will not store hazardous materials and installing containment presents practical limitations. In the event of a fire, firewater from the truck bays would run off to the existing stormwater system.

Key details of these proposed changes are shown in the figures in Attachments 1 and 2.

## **Current Management of Wash Waters and Emergency Firefighting Waters in Existing Buildings**

A system of trenches extends throughout each production area in the existing southern building that captures and routes water via gravity through a 12-inch PVC line to the incinerator sump lift station. Under normal operations the lift station sends the collected waters to an incinerator (zero discharge). A 12-inch overflow pipe, which is valved normally closed, connects the lift station to the existing ponds to the south. The valve is programmed to automatically open when a building fire alarm is triggered allowing fire sprinkler water in the southern building to enter the south ponds. Accumulated water in the ponds is managed according to site procedures.

The existing ponds have a Polygamma EPDM liner, are surrounded by an earthen berm and security fence, and together provide approximately 125,280 gallons of containment. The ponds sit within the 100-year flood zone, per FEMA FIRM Panel 48139C0180G effective 10/19/2023, which has a base flood elevation (BFE) between 612.9 and 613.8 feet in this area. The earthen berms are approximately 5 feet above grade and provide protection against 100-year floods entering and washing out the ponds.

While routine washdown waters from the proposed hazardous material building will be managed in the existing incinerator system, any emergency fire water from the proposed hazardous material building is not planned to be managed in the south ponds (via installation of a new automatic valve and new concrete tank to the north).

(8)

# EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



WATER

Attachment 1





(8)

**RAMBOLL**

Bright ideas.  
Sustainable change.

**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**

4740E

**Air and Water Analysis for  
Hypothetical Fire Event**



(8)

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

# Assessment Methodology

- ✓ Conduct Literature Research
  - to investigate fires in this industrial sector
- ✓ Apply Risk Assessment Methodology
  - to evaluate potential for adverse health/environmental effects from a fire
- ✓ Evaluate Potential Sensitive Populations
  - at downwind/downstream locations



(8)

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

### Agricultural Products Fire Research



Bulk solid  $\text{NH}_4\text{NO}_3$   
fertilizers



Explosion potential,  
sparked sector  
concerns



Facility and storage  
configuration



Bulk dry storage  
conditions, no  
sprinklers, and  
wooden structures



Surface water and chemical  
runoff potential



Threatens nearby  
water bodies

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

# Changes Invoked in Response to Fires

### Regulatory changes

---

Hazardous Materials Management Plan (IFC), Risk Management Program Safer Communities by Chemical Accident Prevention Rule (EPA)

### Firefighter response training

---

Annual visit to check safety measures, design and practice emergency plan, establish manual for poisoning methods and handling contact with each chemical in the facility

### Land use planning

---

Create standardized buffer zone to protect the community from operations and potential offsite impacts (e.g., NC ordinance requires minimum size (25-acres) with 400 ft buffer zone)

### Internal actions

---

Ensure proper storage of materials, adequately equip facility with fire-fighting materials, keep heat sources and combustible materials at a minimum onsite

## Fire Examples

### ***Winston Weaver, NC Fire***

- Stored ammonium nitrate
- High PM2.5 levels
- Multi-year study: No significant deposition in the area
- Zoning restrictions instituted

### ***Miller Chemical, PA Fire***

- Stored formulated chemicals
- DEP conducted air testing and indicated no harmful chemicals
- Firefighting water impacted nearby stream causing fish kill

(8)

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

# Rovensa Next Facility Operations

How this facility is different ...

### Liquid vs solid fertilizers

- Significant fires can occur at facilities storing bulk open solid fertilizer, unlike at Rovensa

### Chemical storage

- 45.3-acre site. No explosive dusts. Packaged liquid chemicals in storage racks, some flammable

### Structural integrity

- Age 2014/2022. Not readily combustible structures and presence of sprinklers decrease fire risk



**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**

**Conclusions From Literature Review**

Upgraded facility conditions not conducive to a devastating fire

Hazardous or toxic air emissions during fire have not been reported

Firewater applied can impact environment if not properly contained

**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**

# AIR PATHWAY

Hypothetical Fire

(8)

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

### Components of Air Exposure Pathway



Products of combustion in the form of smoke

- Organics: Mostly CO, CO<sub>2</sub>, PM and acid gases (HCl)
- Inorganics: NO<sub>x</sub>, SO<sub>2</sub>, other oxides



Meteorological conditions during the fire



Distance to and number of residents in the downwind direction

(8)

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

### Chemicals in Products

- Wide range of chemicals present that are adjuvants, nutrients, soil additives, bio-pesticides
- Some that are flammable and combustible, e.g., Transformer, Prev-Am.
  - Typical example of worst-case hazard class (flammable, Class IC) is the product Transformer, which contains a wetting agent, and is not considered toxic via inhalation
  - Worst case hazard class for combustible is a Class II product that has inhalation toxicity, Prev-Am, but is Category 4 via inhalation (the lowest toxicity category)
- Smoke from a fire can cause irritation
  - Small number of products contain chlorine (<5% of all SDS) but almost all Cl is inorganic and contained in non-combustible non-flammable products (bromine was present in one antimicrobial)
  - Experience from other fires (PA fire) show no toxic chemicals present. Buffer around the facility and distance to downwind residences are important factors affecting outcome.

### Rovensa Worst-Case Hazard Class Products



Flammable liquid  
*Class IC*

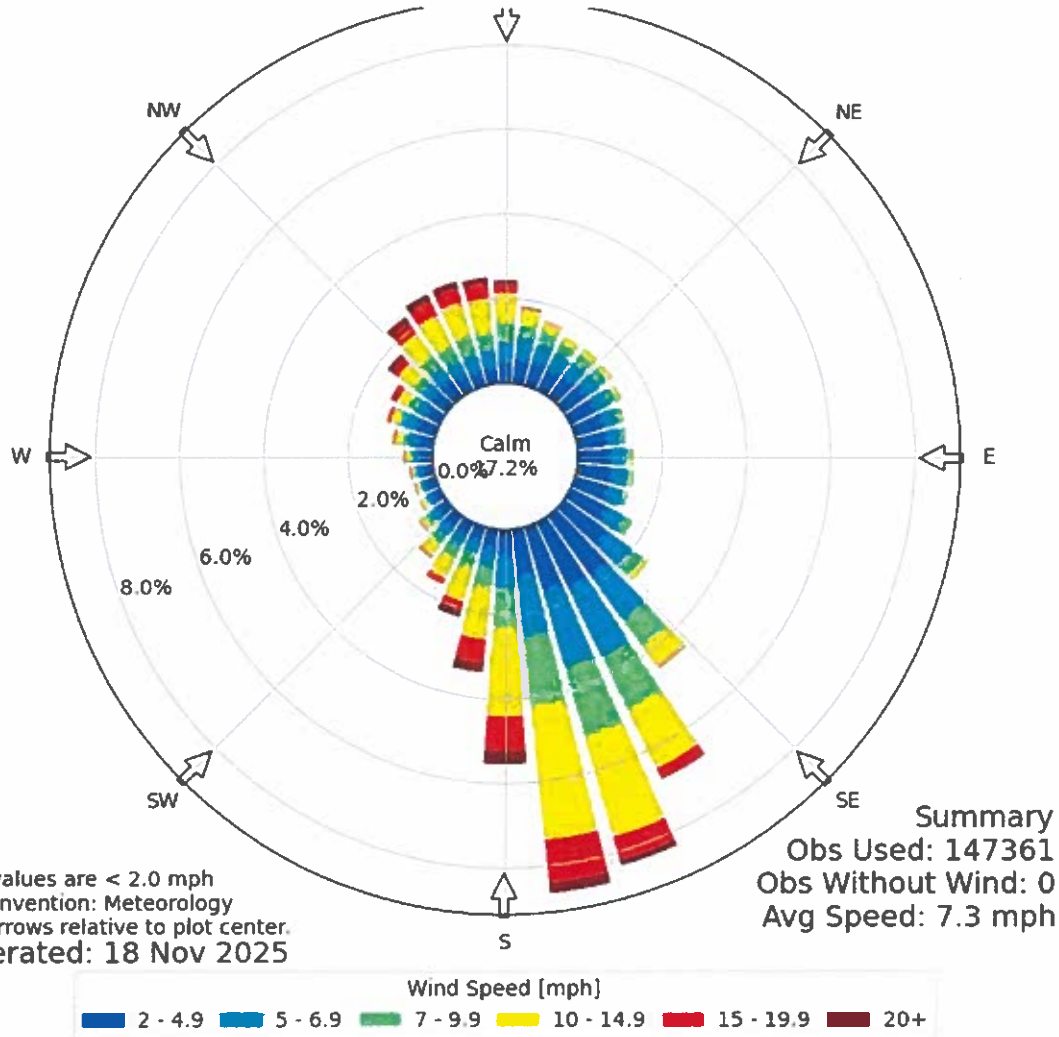


Combustible liquid  
*Class II*

(8)

Windrose Plot for [JWY] MIDLOTHIAN/WAXAC  
Obs Between: 01 Jan 2004 05:05 AM - 30 Dec 2024 11:55 PM America/Chicago

## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT



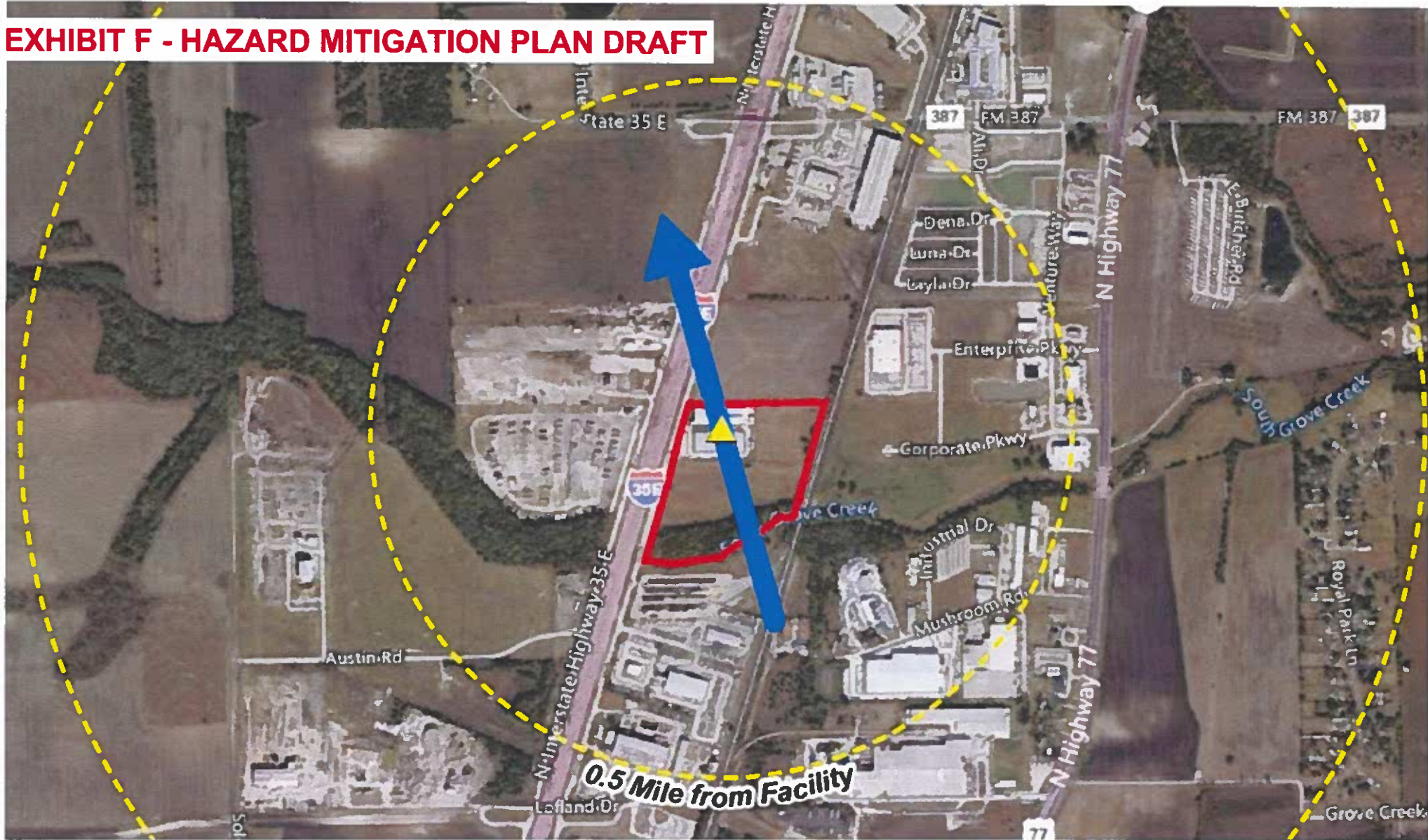
## Wind Rose Plot

Indicates direction **from** which wind blows

- JWY Midlothian/Waxac Station

- Measured between 01/2004 - 12/2024

**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**



## EXHIBIT F - HAZARD MITIGATION PLAN DRAFT

### Summary of Air Pathway Analysis

#### Conclusion of sector-based information and site-specific conditions

- Unlikely that the air pathway would produce significant/irreversible adverse health effects in the event of a fire

#### Favorable site-specific conditions

- Newer facility with no bulk dry fertilizer storage
- Predominant wind directions away from residential locations
- Nearest residences to the northeast, with winds blowing <5% of the time in that direction

#### Recommendations

- Focus should be in preventing a fire and in limiting the spread of a fire through appropriate storage and containment measures

(8)

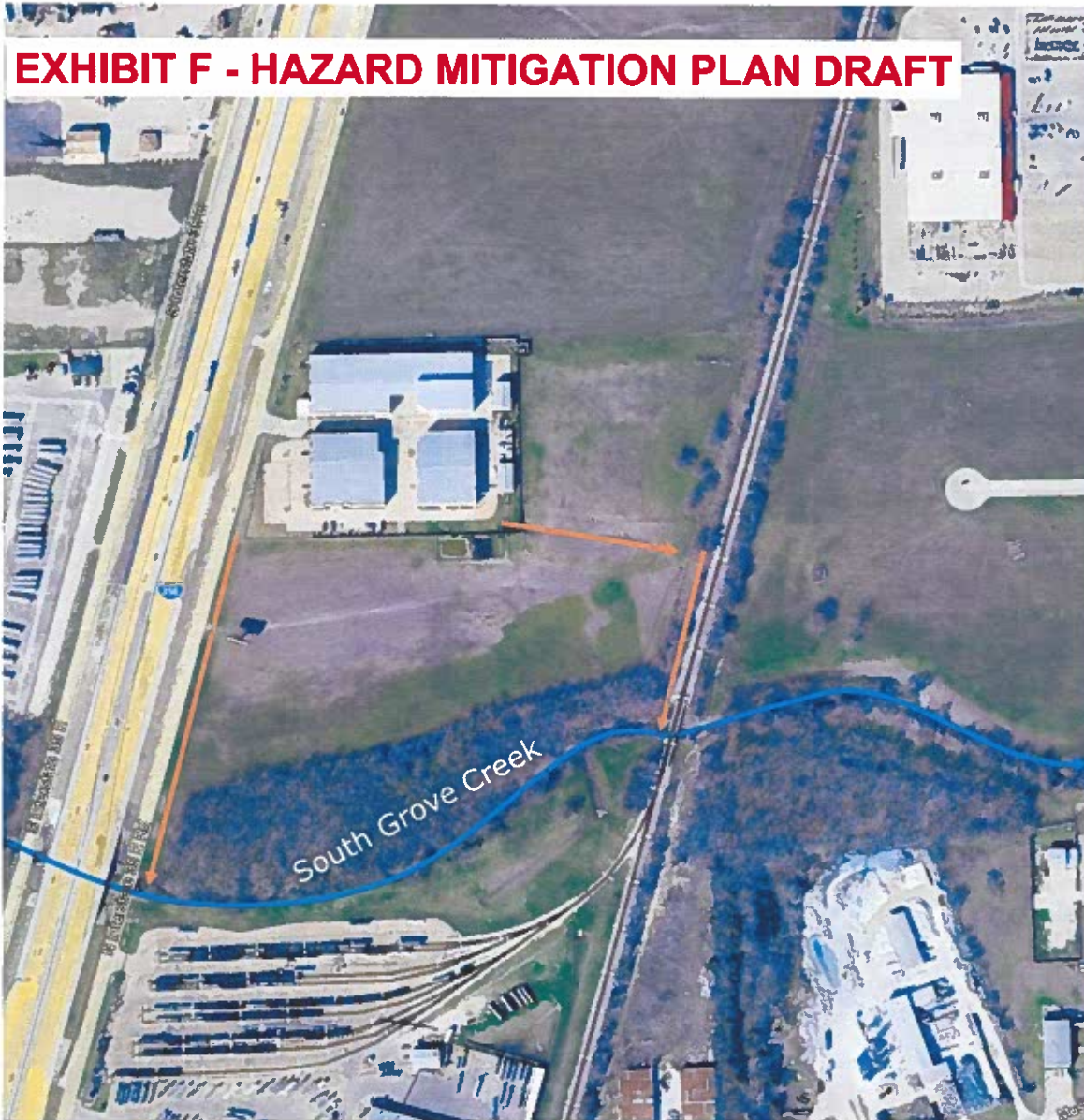
**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**

# WATER PATHWAY

Hypothetical Fire

(8)

**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**



## Likely Discharge Pathway

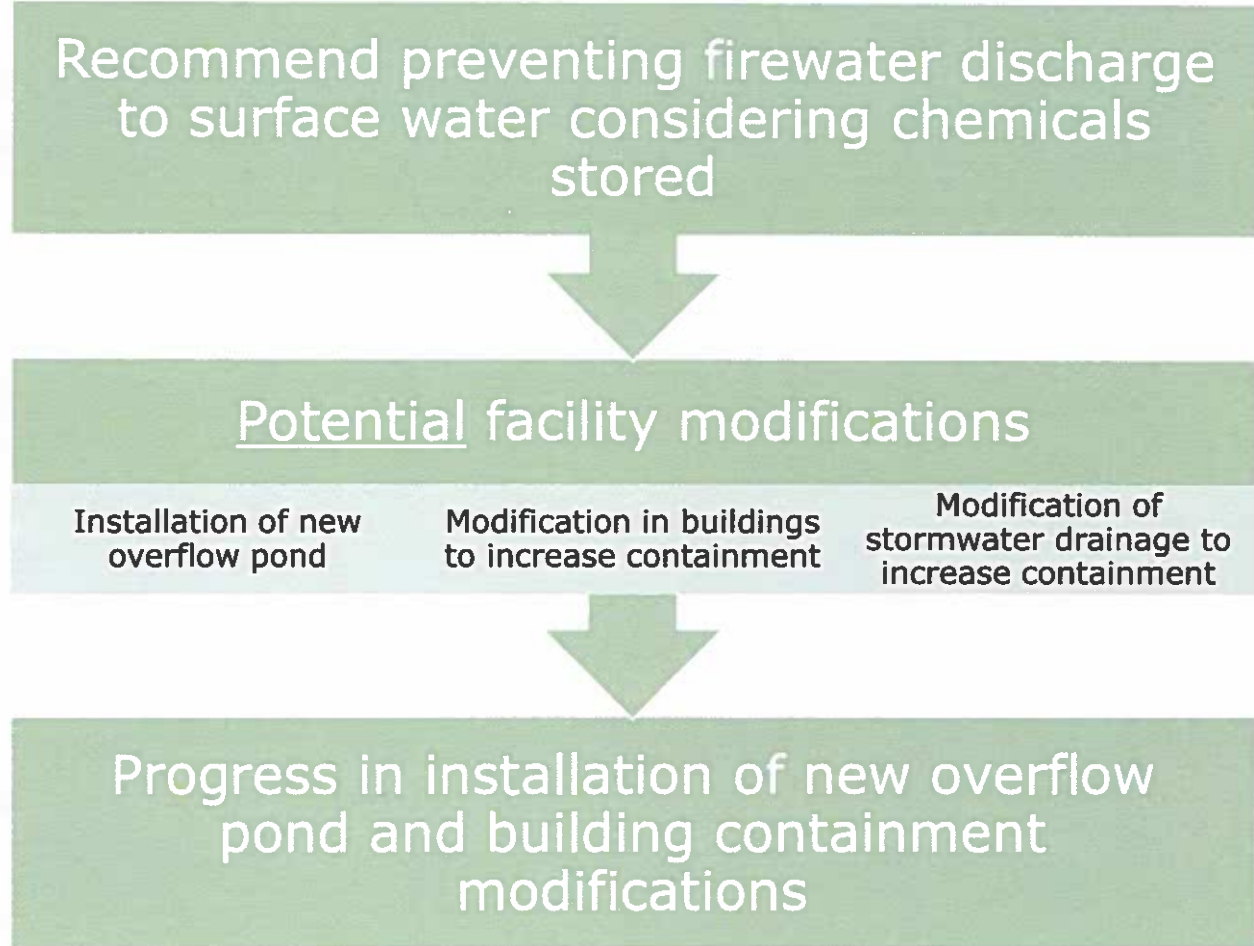
Flows south to South Grove Creek, then Grove Creek, then Red Oak Creek (Segment ID 0805A), and finally the Upper Trinity River (Segment ID 0805)



(8)

**EXHIBIT F - HAZARD MITIGATION PLAN DRAFT**

Summary of  
Water  
Pathway  
Analysis



Note: the details of the proposed modifications are found in facility drawings and attached descriptions.

# EXHIBIT G - PRODUCTS LIST DETAILS



(4)

## **Hazardous Materials Inventory Statement**

*Rovensa Next Waxahachie Facility*

**Prepared by:**

R.E.M. Risk Consultants  
12005 Ford Road Suite 550  
Dallas, TX 75234

**Prepared for:**

Rovensa Next  
4740 N S Interstate 35 E  
Waxahachie, TX 75165

**Date:**

December 17, 2025

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Submitted by:

A handwritten signature in black ink that reads "Trent Parker".

Trent Parker, PhD, EI

Senior Associate Process Safety Consultant

A handwritten signature in black ink that reads "Benjamin Craig".

Benjamin Craig, EI, CIH, CSP

Principal/Vice President of Operations

This report is limited to information provided to R.E.M. Risk Consultants and observations of conditions present during the site investigations and/or from those conditions as presented in materials reviewed. The opinions and/or comments expressed by R.E.M. Risk Consultants are based on, but not limited to reports/descriptions provided to R.E.M. Risk Consultants that are related to the facility/facility systems and experience of the consultants. This document does not constitute a final report. Addenda may be issued as more information becomes available. R.E.M. Risk Consultants reserves the rights to revise, supplement, and otherwise amend this report as further information and evidence may be made known. R.E.M. work contained in this report is advisory in nature only and the responsibility for the use of the information developed during the work and the physical act of addressing the findings in the report and compliance with any local and federal regulations rest entirely with Rovensa Next. Rovensa Next will independently evaluate any actions taken to address the results of this Work to ensure it will not create unacceptable hazards and that safe practices are followed when any change is implemented.

# EXHIBIT G - PRODUCTS LIST DETAILS



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# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

## 1.0 INTRODUCTION

R.E.M. Risk Consultants, LLC (“R.E.M.”) was retained to develop a hazardous materials inventory statement (HMIS) for the proposed Rovensa Next facility in Waxahachie, TX.

The warehouse occupancy is classified as H-3 and H-4 based on the hazardous material types and quantities stored. In addition, the formulation area is classified as an H-2 occupancy.

The HMIS was developed in accordance with Appendix H of the International Fire Code (2021) and consists of the HMIS inventory report and HMIS summary reports. The HMIS inventory report involves a list of all the hazardous materials throughout the facility, material quantities, and associated hazard class(es). Separate HMIS summary reports are provided for each Group H occupancy classification and involve the total quantities of each hazard class of material.

## 2.0 HMIS INVENTORY REPORT

The HMIS inventory report is shown in Table 2. Note that the warehouse is comprised of material storage while the formulation area is comprised of open systems. The hazard subclass abbreviations are in Table 1.

IFC Hazard Subclasses	
IFC ABBREVIATIONS	
Abbreviation	Definition
C2	Class II Combustible
C3A	Class IIIA Combustible
C3B	Class IIIB Combustible
F1A	Class IA Flammable
F1B	Class IB Flammable
F1C	Class IC Flammable
TOX	Toxic
COR	Corrosive
OX4	Class 4 Oxidizer
OX1	Class 1 Oxidizer

**Table 1:** IFC hazard subclass abbreviations.

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
ENCOURAGE NANOCAL 244-F-0-F	(Calcium Carbonate-25%, Urea-8%)	(1317-65-3, 84133-50-6)	Formulation Area (H-2)		C3A	TOX						800 <sup>1</sup>	
ENCOURAGE CLASSIC 025-F-5-F	Mixture	Proprietary	Formulation Area (H-2)		C3A	TOX						800 <sup>1</sup>	
ENCOURAGE FORAGE 162-F-5-D	(Urea-8%, Sodium Molybdate-4%, Manganese Chloride-2%, Zinc Chloride-2%)	(57-13-6, 7631-95-0, 13446-34-9, 7646-85-7)	Formulation Area (H-2)		C3A							800 <sup>1</sup>	
ENCOURAGE NANOCAL 244-F-0-B	(Calcium Carbonate-25%, Urea-8%, Alcohol Ethoxylate-3%)	(1317-65-3, 57-13-6, 84133-50-6)	Formulation Area (H-2)		C3A	TOX						800 <sup>1</sup>	
HSMOC 108-F-8-G	Mixture	Proprietary	Formulation Area (H-2)		C3A							800 <sup>1</sup>	
MORTAR 369-F-11-A	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-13%)	(68131-40-8, 9004-82-4)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
OROBOOST 097-F-3-A	(Secondary Ethoxylated Alcohol-15%, Orange Oil-15%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2	TOX						800 <sup>1</sup>	
ORO-RZ 079-F-3-B	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Formulation Area (H-2)		C2	TOX						800 <sup>1</sup>	

<sup>1</sup> Note that the actual quantity is not known. 800 gal is used as an approximation for the maximum quantity at any given time.

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
PREV-AM 009-F-1-A	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2	TOX						4,400	
SKYHAWK 347-F-11-B	(Secondary Alcohol Ethoxylate-20%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
TRANSFORMER 079-F-1-A	(Secondary Alcohol Ethoxylate-20%)	(84133-50-6)	Formulation Area (H-2)		F1C							1,600	
VINTRE 009-F-2-E	(Secondary Alcohol Ethoxylate-8%, Orange Sweet Extract-8%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
WETCIT 009-F-1-C	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Formulation Area (H-2)		C2							800 <sup>1</sup>	
1,2-Benzisothiazol-3-one	1,2-Benzisothiazol-3-one	2634-33-5	Warehouse (H-3/H-4)		TOX			15,000					
330 - Surfactant (Steol)	(Water-70%, Alkyl Ether Sulfate Sodium Salt-28%, Ethoxylated Alcohols-1%)	(7732-18-5, 68585-34-2, 68131-39-5)	Warehouse (H-3/H-4)		C3B				800 <sup>1</sup>				
460 - Surfactant (Steol)	(Sodium Laureth Sulfate-60%, Ethanol-15%, Ethoxylated Alcohols-3%)	(9004-82-4, 64-17-5, 68131-39-5)	Warehouse (H-3/H-4)		F1C				2				
Acetic Acid	Acetic Acid	64-19-7	Warehouse (H-3/H-4)		F1C	COR			480				
Alcohol Ethoxylate	Alcohol Ethoxylate	60828-78-6	Warehouse (H-3/H-4)		TOX				9,600				

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
ARETE	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
ARROYO	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-13%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
Calcium Nitrate Liquid	Calcium Nitrate Liquid	10124-37-5	Warehouse (H-3/H-4)		OX1				2,080				
Caprylic Acid	Caprylic Acid	124-07-2	Warehouse (H-3/H-4)		C3B				2,400				
CLASSIC 2.5GAL	(Urea-3%, Potassium Nitrate-3%, Alcohol Ethoxylate-3%)	(57-13-6, 7757-79-1, 84133-50-6)	Warehouse (H-3/H-4)		C3A	TOX			600				
CLASSIC 265GAL	(Urea-3%, Potassium Nitrate-3%, Alcohol Ethoxylate-3%)	(57-13-6, 7757-79-1, 84133-50-6)	Warehouse (H-3/H-4)	Yes	C3A	TOX			600				
Copper Oxide 75%	(Copper Oxide-75%)	(1317-38-0)	Warehouse (H-3/H-4)		TOX			8,000 <sup>2</sup>					
Copper Sulfate	Copper Sulfate	10026-24-1	Warehouse (H-3/H-4)		TOX			1,250					
Dodecylbenzenesulfonic Acid	Dodecylbenzenesulfonic Acid	27176-87-0	Warehouse (H-3/H-4)		COR				7,200				
EDTA Manganese Dipotassium	EDTA Manganese Dipotassium	68015-77-0	Warehouse (H-3/H-4)		TOX			20,000					
EDTA, Disodium Salt	Disodium Salt EDTA	6381-92-6	Warehouse (H-3/H-4)		TOX			4,500					

<sup>2</sup> Note that the actual quantity is not known. 8,000 lbs is used as an approximation for the maximum quantity at any given time.

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
EDTA, Tetrasodium salt	Tetrasodium EDTA	10378-23-1	Warehouse (H-3/H-4)		TOX			4,500					
Ethanol	Ethanol	64-17-5	Warehouse (H-3/H-4)		F1B				1,100				
F112 / SUFCO	Copper (II) Sulfate Pentahydrate	7758-99-8	Warehouse (H-3/H-4)		TOX			10,000					
GALACTEK 1QT	Mixture	Proprietary	Warehouse (H-3/H-4)		C2	COR			300				
GARLAND 2.5GAL	(Garlic Extract-20%)	(8000-78-0)	Warehouse (H-3/H-4)		F1C	TOX			1,200				
GARLAND 265GAL	(Garlic Extract-20%)	(8000-78-0)	Warehouse (H-3/H-4)	Yes	F1C	TOX			600				
GFA4 / GXF	Xanthan Gum	11138-66-2	Warehouse (H-3/H-4)		TOX			1,800					
IDAI MAGNESSIUM 265GAL	(Malic Acid-5%)	6915-15-7	Warehouse (H-3/H-4)	Yes	COR				720				
IDAI PHOSPHORUM 265GAL	(Phosphoric Acid-65%, Malic Acid-5%)	(7664-38-2, 6915-15-7)	Warehouse (H-3/H-4)	Yes	COR				1,400				
IDAI POTASSIUM 265GAL	(Potassium Hydroxide-35%)	(1310-58-3)	Warehouse (H-3/H-4)	Yes	COR	TOX			1,000				
Isopropyl Alcohol	Isopropyl Alcohol	67-63-0	Warehouse (H-3/H-4)		F1B				20				
Isopropyl Myristate	Isopropyl Myristate	110-27-0	Warehouse (H-3/H-4)		C3B				18,000				
Lactic Acid	Lactic Acid	50-21-5	Warehouse (H-3/H-4)		COR				2,400				

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
LAKOTA 2.5GAL	(Secondary Alcohol Ethoxylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68439-46-3, 9004-82-4)	Warehouse (H-3/H-4)		C3A				1,200				
Methanol	Methanol	67-56-1	Warehouse (H-3/H-4)		FIB	TOX		2					
Methyl Sulfonyl Methane 98%	(Methylsulfonylmethane-98%)	(67-71-0)	Warehouse (H-3/H-4)		TOX		420						
Monoethanolamine	Monoethanolamine	141-43-5	Warehouse (H-3/H-4)		C3A	COR		570					
MORTAR	(Alcohol Ethoxylate-23%, Sodium Lauryl Ether Sulfate-13%)	(68131-40-8, 9004-82-8)	Warehouse (H-3/H-4)	Yes	C2				1,700				
MOSD	Sodium Molybdate Dihydrate	10102-40-6	Warehouse (H-3/H-4)		TOX		20						
NANOCAL 2.5GAL	(Calcium Carbonate-25%, Alcohol Ethoxylate-3%, Urea-8%)	(1317-65-3, 84133-50-6, 57-13-6)	Warehouse (H-3/H-4)		C3A	TOX			1,200				
NANOCAL 265GAL	(Calcium Carbonate-25%, Alcohol Ethoxylate-3%, Urea-8%)	(1317-65-3, 84133-50-6, 57-13-6)	Warehouse (H-3/H-4)	Yes	C3A	TOX			1,800				
Orange Oil	Orange Oil	8028-48-6	Warehouse (H-3/H-4)		C2				9,600				
OROBOOST 2.5GAL	(Secondary Alcohol Ethoxylate-13%)	(68131-40-8)	Warehouse (H-3/H-4)		C2	TOX			1,200				
OROBOR N1 1000L	(Secondary Alcoholated Alcohol-8%, Orange Sweet Extract-8%, Sodium	(84133-50-6, 8028-48-6, 1303-96-4)	Warehouse (H-3/H-4)	Yes	C2	TOX			800 <sup>1</sup>				

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
	Tetraborohydrate Decahydrate-1%)												
OROBOR N1 110L	(Secondary Alcoholated Alcohol-8%, Orange Sweet Extract-8%, Sodium Tetraborohydrate Decahydrate-1%)	(84133-50-6, 8028-48-6, 1303-96-4)	Warehouse (H-3/H-4)		C2	TOX		800 <sup>1</sup>					
ORO-HSMOC 2.5GAL	(Soybean Oil Methyl Ester-65%, Surfactant-13%)	(67784-80-9, 64366-70-7)	Warehouse (H-3/H-4)		C3A			1,400					
ORO-HSMOC 265GAL	(Soybean Oil Methyl Ester-65%, Surfactant-13%)	(67784-80-9, 64366-70-7)	Warehouse (H-3/H-4)	Yes	C3A			1,200					
ORO-RZ 10L	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX		800 <sup>1</sup>					
ORO-RZ 1QT	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2			800 <sup>1</sup>					
ORO-RZ 1QT	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2			800 <sup>1</sup>					
ORO-RZ 2.5GAL	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2			3,600					

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
ORO-RZ 265GAL	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)	Yes	C2				2,400				
ORVALE	(Secondary Alcohol Ethoxylate-20%, Sodium Lauryl Ether Sulfate-13%)	(68439-46-3, 9004-82-4)	Warehouse (H-3/H-4)		C2	TOX			800 <sup>1</sup>				
ORVALE 518-F-3-A	(Secondary Alcohol Ethoxylate-20%, Orange Sweet Extract-10%)	(68131-40-8, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX			800 <sup>1</sup>				
Phosphoric Acid 70/75% Solution	(Phosphoric Acid-75%)	(13598-36-2)	Warehouse (H-3/H-4)		COR				800 <sup>1</sup>				
Phosphorous Acid 98.5%	(Phosphoric Acid-98.5%)	(13598-36-2)	Warehouse (H-3/H-4)		COR				2,500				
PK ASSIST(GR) 2.5GAL	(Linear Alkylbenzene Sulfonic Acid-20%)	(68515-73-1)	Warehouse (H-3/H-4)		COR				600				
PK ASSIST(WH) 2.5GAL	Mixture	Proprietary	Warehouse (H-3/H-4)		COR				600				
PK ASSIST(WH) 265GAL	Mixture	Proprietary	Warehouse (H-3/H-4)	Yes	COR				600				
Potassium Nitrate	Potassium Nitrate	7757-79-1	Warehouse (H-3/H-4)		OX1			2,500					
PREV-AM 10L	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX		8,000 <sup>2</sup>					
PREV-AM 135GAL	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)	Yes	C2	TOX			160				

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
PREV-AM 2.5GAL	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)		C2	TOX			4,400				
PREV-AM 265GAL	(Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)	Yes	C2	TOX			1,800				
Propionic Acid	Propionic Acid	79-09-4	Warehouse (H-3/H-4)		C2				10				
Propylene Glycol	Propylene Glycol	57-55-6	Warehouse (H-3/H-4)		C3B				5,400				
PTSA45	(Potassium Hydroxide-35%, Water-65%)	(1310-58-3, 7732-18-5)	Warehouse (H-3/H-4)		TOX				100				
S006 / S1134GA	(2,4,7,9-Tetramethyl-5-Decyne-4,7-Diol-15%, Maleic Anhydride Copolymer-65%, Alkylarylalkoxylate-15%, 2-Butoxyethanol-2%)	(126-86-3, 26762-29-8, 68439-49-6, 111-76-2)	Warehouse (H-3/H-4)		TOX				470				
SKYHAWK	(Secondary Alcohol Ethodylate-20%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				1,200				
THYMIC 0.25GAL	(Thyme Oil-10%)	8007-46-3	Warehouse (H-3/H-4)		COR	TOX			800 <sup>1</sup>				
THYMIC 2.5GAL	(Thyme Oil-10%)	8007-46-3	Warehouse (H-3/H-4)		COR	TOX			1,200				
THYMIC 265GAL	(Thyme Oil-10%)	8007-46-3	Warehouse (H-3/H-4)	Yes	COR	TOX			1,900				

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
TRANSFORMER 10L	(Secondary Alcohol Ethoxylate-20%)	84133-50-6	Warehouse (H-3/H-4)		F1C				800 <sup>1</sup>				
TRANSFORMER 2.5GAL	(Secondary Alcohol Ethoxylate-20%)	84133-50-6	Warehouse (H-3/H-4)		F1C				1,000				
TRANSFORMER 265GAL	(Secondary Alcohol Ethoxylate-20%)	84133-50-6	Warehouse (H-3/H-4)	Yes	F1C				540				
Triethanolamine	Triethanolamine	102-71-6	Warehouse (H-3/H-4)		C3B				960				
WETCIT	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)	Yes	C2				3,000				
WETCIT 009-F-3-W	(Secondary Alcohol Ethoxylate-8%, Orange Oil-8%)	(84133-50-6, 8028-48-6)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
WETCIT 1000L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)	Yes	C2				800 <sup>1</sup>				
WETCIT 10L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
WETCIT 10L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				
WETCIT 1L	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				800 <sup>1</sup>				

# EXHIBIT G - PRODUCTS LIST DETAILS



(8)

Hazardous Materials Inventory Statement													
INVENTORY REPORT													
Product Name	Components	CAS Numbers	Location	Container > 55 gal	Haz Class 1	Haz Class 2	Haz Class 3	Stored (lbs)	Stored (gal)	Stored (gas)	Open (lbs)	Open (gal)	Open (gas)
WETCIT 2.5GAL	(Secondary Alcohol Ethodylate-8%, Sodium Lauryl Ether Sulfate-8%)	(68131-40-8, 9004-82-4)	Warehouse (H-3/H-4)		C2				4,400				
Wintergreen Oil	Wintergreen Oil	68917-75-9	Warehouse (H-3/H-4)		TOX				2,400				
Zinc Chloride	Zinc Chloride	7646-85-7	Warehouse (H-3/H-4)		COR	TOX			540				
Zinc Chloride Anhydrous	Zinc Chloride	7646-85-7	Warehouse (H-3/H-4)		TOX			4,500					

Table 2: HMIS inventory report.

# EXHIBIT G - PRODUCTS LIST DETAILS



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## 3.0 HMIS SUMMARY REPORTS

The HMIS summary reports for the areas in which hazardous products are utilized (open use in the formulation area and storage in the warehouse) are provided in Tables 3 and 4. The maximum allowable quantities (MAQs) have been adjusted based on the presence of a sprinkler system within the formulation area and warehouse.

Hazardous Materials Inventory Statement Summary Report					
FORMULATION AREA					
IBC/IFC Hazard Class	Hazard Subclass (Abbrev)	Inventory Amount		IBC/IFC MAQ	
		Solid (lb)	Liquid (gal)	Solid (lb)	Liquid (gal)
Combustible Liquid	C2	0	20,000 <sup>3</sup>	N/A	60 <sup>5</sup>
	C3A	0	12,570 <sup>4</sup>	N/A	160 <sup>5</sup>
	C3B	0	20,000 <sup>3</sup>	N/A	Not Limited <sup>6</sup>
Flammable Liquid	F1B	0	1,120 <sup>4</sup>	N/A	60 <sup>5</sup>
	F1C	0	6,220 <sup>4</sup>	N/A	60 <sup>5</sup>
	F1A, F1B, F1C	0	7,340 <sup>4</sup>	N/A	60 <sup>5</sup>
Toxic	TOX	97,570 <sup>4</sup>	19,990 <sup>4</sup>	250 <sup>5</sup>	25 <sup>5</sup>
Corrosive	COR	0	20,000 <sup>3</sup>	2,000 <sup>5</sup>	200 <sup>5</sup>
Oxidizer	OX1	2,500 <sup>4</sup>	2,080 <sup>4</sup>	Not Limited <sup>6</sup>	Not Limited <sup>6</sup>

**Table 3:** HMIS summary report – formulation area.

<sup>3</sup> Note that the material quantity represents a worst-case scenario in which all four of the 5,000 gal formulation tanks (20,000 gal in total) are in use containing materials of the identified hazard subclass.

<sup>4</sup> Note that the material quantity represents a worst-case scenario in which all of the material of the hazard subclass at the facility is inside of the formulation tanks.

<sup>5</sup> Note that the quantity is 100% greater than that presented in Table 5003.1.1(1) of the 2021 IFC as a result of the area being equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.

<sup>6</sup> Note that the quantity is not limited as a result of the area being equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.



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<b>Hazardous Materials Inventory Statement Summary Report</b>					
<b>WAREHOUSE</b>					
<b>IBC/IFC Hazard Class</b>	<b>Hazard Subclass (Abbrev)</b>	<b>Inventory Amount</b>		<b>IBC/IFC MAQ</b>	
		<b>Solid (lb)</b>	<b>Liquid (gal)</b>	<b>Solid (lb)</b>	<b>Liquid (gal)</b>
Combustible Liquid	C2	0	49,770	N/A	240 <sup>5</sup>
	C3A	0	12,570	N/A	660 <sup>5</sup>
	C3B	0	27,560	N/A	Not Limited <sup>6</sup>
Flammable Liquid	F1B	0	1,120	N/A	240 <sup>5</sup>
	F1C	0	4,620	N/A	240 <sup>5</sup>
	F1A, F1B, F1C	0	5,740	N/A	240 <sup>5</sup>
Toxic	TOX	97,570	19,990	1,000 <sup>5</sup>	100 <sup>5</sup>
Corrosive	COR	0	23,610	10,000 <sup>5</sup>	1,000 <sup>5</sup>
Oxidizer	OX1	2,500	2,080	Not Limited <sup>6</sup>	Not Limited <sup>6</sup>

**Table 4:** HMIS summary report – warehouse.

In the formulation area and warehouse, the quantities of Class II combustible, Class IIIA combustible, Class IB flammable, Class IC flammable, toxic, corrosive, Class 2 oxidizers, and Class 4 oxidizers exceed the MAQs.

#### **4.0 CHEMICAL INCOMPATIBILITY INFORMATION**

To prevent hazardous reactions from occurring that result from incompatible materials from reacting with each other in the event of a release in the warehouse, a series of guidance has been developed as follows<sup>7</sup>:

- Flammable and combustible materials may be stored together, as they do not pose specific hazards from being stored in proximity to each other.
- All flammable and combustible materials must be isolated from oxidizers.
- Corrosives must be isolated from flammable/combustible materials and oxidizers.

<sup>7</sup> <https://www.fluidswitch.com/2015/09/24/float-switch-material-selection-and-chemical-compatibility/>.

# EXHIBIT G - PRODUCTS LIST DETAILS



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Based on the incompatibilities of the material types to be stored in the warehouse, separate containment must be provided for oxidizers and flammable/combustible materials, and corrosive materials.

\*\*\*End of Report Body\*\*\*



MARCH 20, 2026

# OPERATIONAL PLAN

WAXAHACHIE SITE

DANIEL FERNANDEZ

NUTRENARE-AG

40 N. Interstate 35 E. Waxahachie, TX 75165

# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information – INTERNAL USE ONLY

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### City of Waxahachie comment

Identify the purpose and use of the current ponds. If they will be used differently or altered, please include the information in the applicable report(s).

Include process of how the ponds are emptied.

Any contaminants need to be prevented from entering the waterway during a 100-year event.

### Rovensa response

No changes to the existing ponds nor change to their uses are being proposed as part of this project.

A new detention pond and interior curbs are being added for the containment of the fire extinguishing water from the north building, which is the one that is being proposed for hazardous materials storage, formulation and packaging.

New EX-K document has been included with this submittal to explain how these measures will address the City's questions and requests regarding waterway protection, pond usage, and accumulated rainwater discharge processes.

Existing and new clean out ponds and detention area/storm drains have been added and shown on EX-A1.0 and EX-A1.1.

EX-K outlines the proposed systems and measures that will be implemented to prevent any contaminants from entering the surrounding waterway, including under a 100-year storm event.





# PROJECT DESCRIPTION



## 1 - PROJECT DESCRIPTION

### 1.1 Company Introduction

Nutrenare AG Inc is part of Rovensa Group, a global agri-inputs company focused on sustainable agriculture.

Rovensa and Nutrenare develop, manufacture, and market bio-nutrition and bio-control products to reduce the environmental impact of agriculture, combat climate change, and support the cultivation of healthy food.

Rovensa Group employs more than 2,200 people, with a commercial presence in over 90 countries and 13 production plants worldwide, including the Waxahachie facilities.

### 1.2 Project Description

Rovensa plans to expand the current portfolio of liquid products produced in Waxahachie by introducing new products from its global portfolio. These new products include:

- Liquid bio-control.
- Bio-nutrition.
- Biological adjuvants.

The production process of these new products is very similar to the one already in place and consists of a liquid formulation and a packaging process. It is described in detail later in this document.

A dedicated group of additional mixing tanks and packaging lines will be installed in one of the three existing production buildings.

This new range of liquid products will provide a moderate increase in the volume of activity of the Site, becoming the main production facility of Rovensa Group in US.

Some of these new products and their raw materials require H3 and H4 occupancy classification areas. The building that will be used for storage, formulation and packaging of these products will be adapted accordingly, including conversion to Type IB.

An HMIS (Hazardous Materials Identification System) with a comprehensive list of all the new hazardous materials stored, handled, or used at the facility, including quantities and storage locations is provided later in this document.

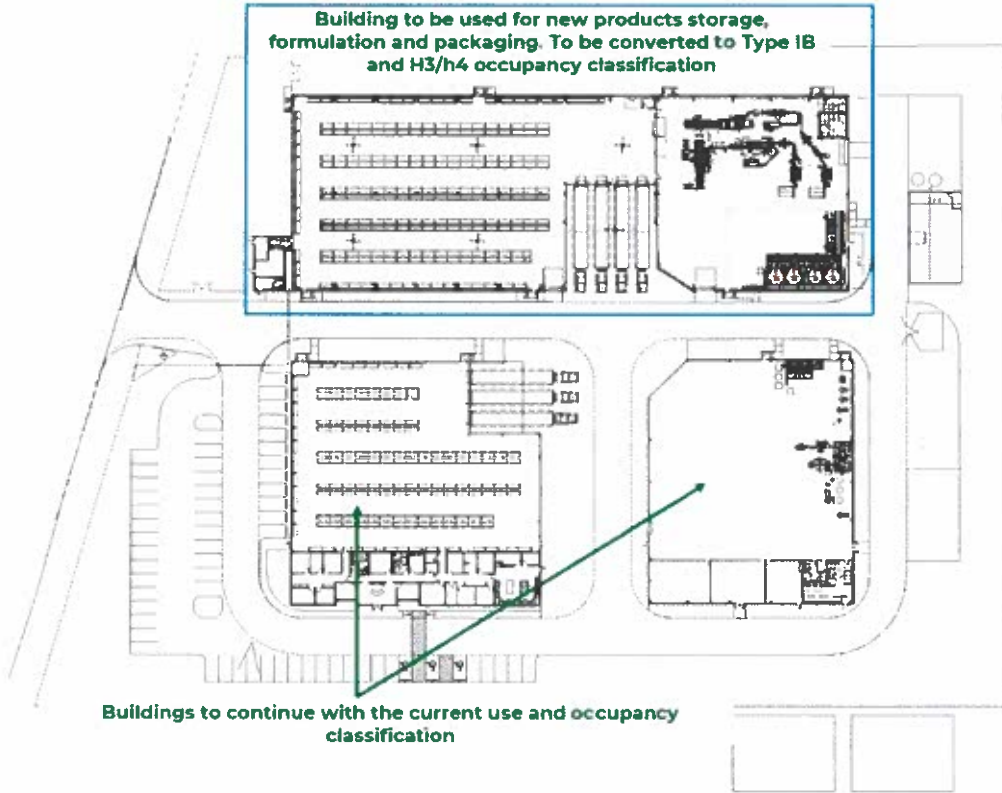


# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information – INTERNAL USE ONLY





# PRODUCTION PROCESS



# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information – INTERNAL USE ONLY

## 2 – PRODUCTION PROCESS

### Existing and new products production process

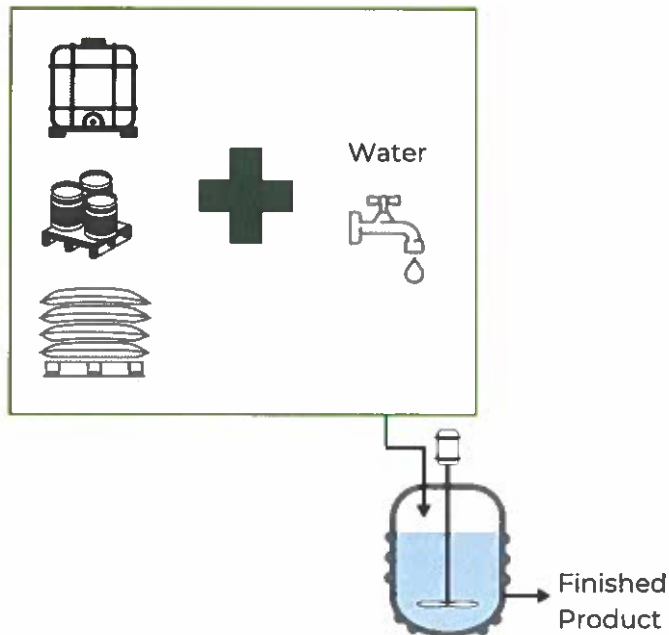
Both, the existing products portfolio which are already being produced in Nutrenare, and the new products to be produced, follow the same production process.

1 – Raw materials reception and storage: Sacks, IBCs, Drums. All products are stored in closed containers in pallet racks. The biggest containers are 265 gallons IBCs for liquid products, and 2.200 Lb big bags for powder products.



2 – Liquid formulation process:

Raw materials and water are added to liquid mixing tanks for formulation.



# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information - INTERNAL USE ONLY



All products are mixed at atmospheric pressure and at a maximum temperature of 176 °F. Mixing tanks are 5,000 Gal capacity, each.

3 - Liquid finished product packaging. Once the liquid product is formulated it is packed on its final container. Approved containers are 1 quart, 2.5 and 5 gallon bottles, 55 gallon drums and 265 gallon IBCs.



# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information – INTERNAL USE ONLY

4 – Finished goods storage and shipment. All finished products are stored in closed, approved containers and placed on pallets. These pallets are stored in pallet racks within the same warehouse as raw materials. Finished product pallets are then loaded onto trucks at the loading dock according to customer orders.



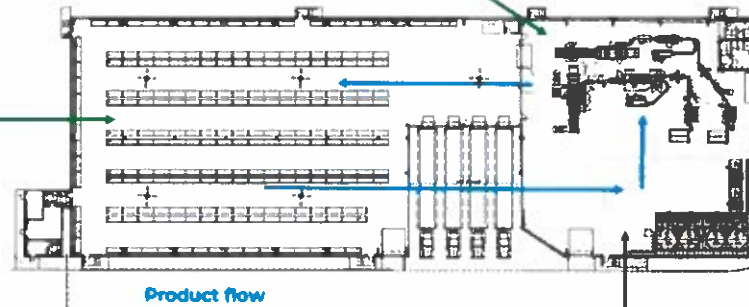
## Floor Plan

Building to be converted to Type IB (Currently Type IIB)

Liquid products packaging area (H3/H4 occupancy)



Products storage racks (H3/H4 occupancy)



Product flow



Liquid products Formulation area (H2 occupancy with 1 hour fire wall separation)

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# TRAFFIC



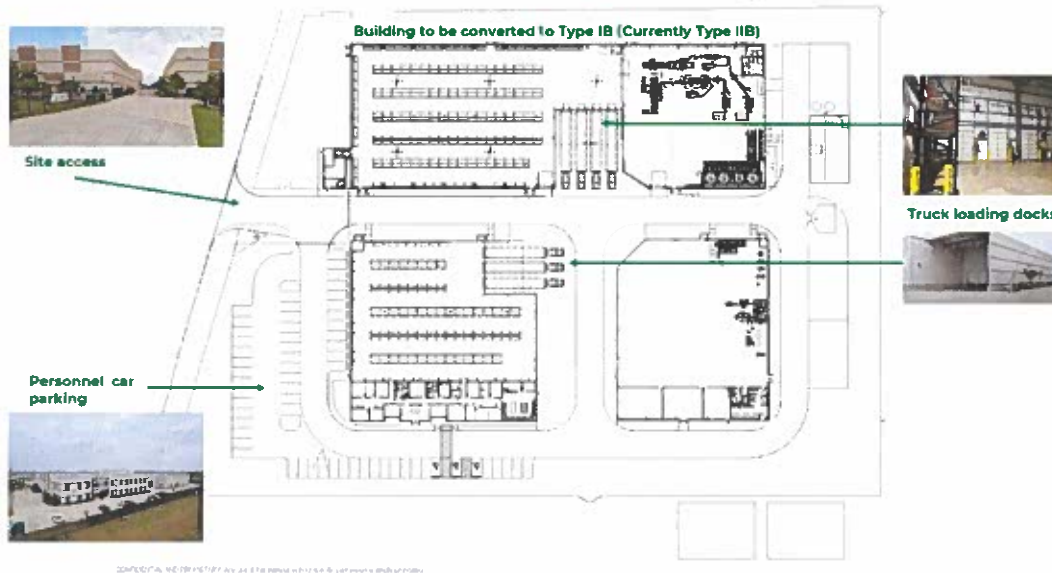
## 4 - TRAFFIC

### Existing and anticipated traffic

At this moment approximately 420 trucks are loaded or unloaded in the Site per year. Upon completion of this project Rovensa estimates that a total of 850 trucks per year will be loaded/unloaded on the Site.

The number of personnel will grow from 14 to 40 employees.

### Access and movement of vehicles throughout the Site





# **Staff Organization and Operational Procedures**



# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information – INTERNAL USE ONLY

## 3 – STAFF ORGANIZATION AND OPERATIONAL PROCEDURES

### Staff Organization

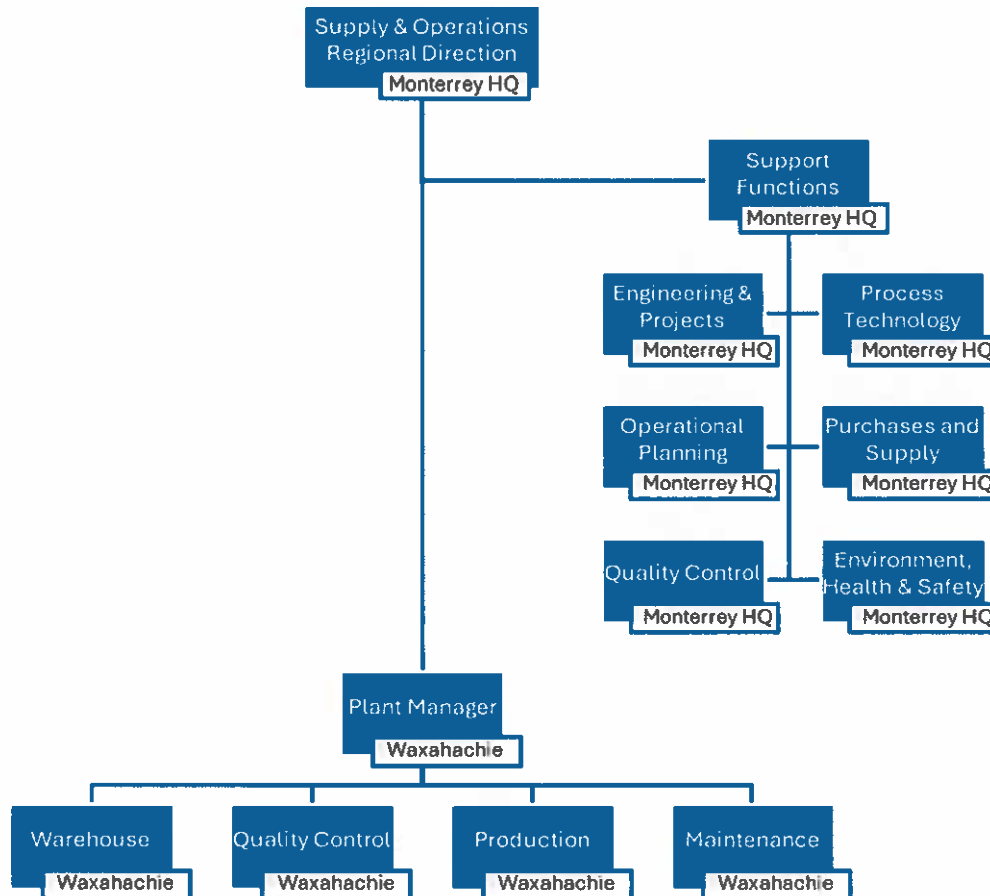
The Site team is organized by functions, mainly the warehouse, quality control, production and maintenance departments.

The Site Manager reports to the Regional Supply & Operations Directorate, based in Monterrey, Mexico.

The Monterrey headquarters provide support to Waxahachie in specialized functions such as engineering, planning, environment, health & safety, purchases and others.

Currently Rovensa has 14 full-time employees based at or working on the Waxahachie Site.

Upon completion of this project, we estimate that Rovensa will have a total of 40 full-time employees based at or working on the Site.



# EXHIBIT H - OPERATIONAL PLAN



(8)

Rovensa Next corporate information – INTERNAL USE ONLY

A sample of the plant's operational procedures is attached to this document.



(9)

STATE OF TEXAS	§	<u>DEVELOPMENT AGREEMENT FOR NOXIOUS USE (NUTRENARE-AG &amp; MARTINDALE ENTERPRISE GROUP INC.)</u>
	§	
COUNTY OF ELLIS	§	

**THIS DEVELOPMENT AGREEMENT** ("Agreement") is entered into by and between the City of Waxahachie, Texas ("City"), and Nutrenare-AG & Martindale Enterprise Group Inc ("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 a Noxious Use on approximately 44.67 acres of land generally located at 4740 North Interstate 35E, Parcel Numbers 188456 & 188457 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 was rezoned by the City Council on or about July 6, 2026, when the City Council approved a (Planned Development or insert other type of development) for the Property, contained in Ordinance No. [REDACTED], 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.

(9)

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 North Interstate 35E 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

(9)

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:               Cosmocel Rovensa  
4740 North Interstate Highway 35E  
Waxahachie, TX 75165-5701  
Attention: Abad Villa

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

(9)

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

(9)

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]**

(9)

**CITY:**

**THE CITY OF WAXAHACHIE, TEXAS**

By: \_\_\_\_\_

Name: Ricky Boyd

Title: City Manager

**STATE OF TEXAS        )**

**)**

**COUNTY OF ELLIS        )**

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by Ricky Boyd, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

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

(9)

**DEVELOPER:**

\_\_\_\_\_, a Texas (corporation)

By: \_\_\_\_\_

Name: Abad Villa

Title: Plant Manager

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 202\_\_, by Abad Villa in his/her capacity as Plant Manager of Cosmocel Rovensa, 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: \_\_\_\_\_

(9)

**EXHIBIT A**

**(Property Legal Description)**

Property Description: Ellis County Appraisal District Parcel Numbers 188456 & 188457.

(9)

**EXHIBIT B**

**(Building Materials/Elevations)**

(10 + 11)



## Memorandum

To: Honorable Mayor and City Councilmembers  
From: Trenton Robertson, Director of Planning  
Through: Ricky Boyd, City Manager *RB* For *RB*  
Date: June 25, 2026  
Re: ZDC-53-2026: Specific Use Permit (SUP) for an Accessory Structure over 700 sqft

---

On June 11, 2026, the property owner requested to withdraw their Specific Use Permit (SUP) application request for an Accessory Structure over 700 Square Feet use from the July 6, 2026 City Council meeting.

(12+13)



## Memorandum

To: Honorable Mayor and City Councilmembers  
From: Trenton Robertson, Director of Planning  
Through: Ricky Boyd, City Manager *RB For RB*  
Date: June 25, 2026  
Re: ZDC-49-2025: Dunaway Townhomes Ph. 2 PD

---

On June 25, 2026, Staff requested that this application be moved from the July 6, 2026 City Council meeting to July 20, 2026 City Council meeting due to an error in public hearing noticing.

(14+15)



## Memorandum

To: Honorable Mayor and City Councilmembers  
From: Trenton Robertson, Director of Planning  
Through: Ricky Boyd, City Manager *RB For RB*  
Date: June 25, 2026  
Re: ZDC-21-2026: SUP for STR use at 116 San Jacinto Court

---

On June 25, 2026, Staff requested that this application be moved from the July 6, 2026 City Council meeting to July 20, 2026 City Council meeting due to an error in public hearing noticing.

(16)



## Memorandum

To: Honorable Mayor and City Council  
From: Donna Insixiengmay, Assistant Emergency Management Coordinator  
Thru: Ricky Boyd, City Manager *RB*  
Date: June 16, 2026  
Re: Consider the acceptance of the 2025 State Homeland Security Program (SHSP) grants for SWAT Thermal Equipment, SWAT Communications, PWERT Light Tower, and Public Works Emergency Response Team (PWERT) Variable Message Sign for project year 2026

---

**Recommended Motion:** "I move to approve the acceptance of the 2025 State Homeland Security Program (SHSP) grants for SWAT Thermal Equipment, SWAT Communications, PWERT Light Tower, and Public Works Emergency Response Team (PWERT) Variable Message Sign for project year 2026 and all the necessary equipment in the amount of \$91,000."

**Item Description:** Consider acceptance of the State Homeland Security Program (SHSP) grants, for public safety equipment for project year 2026 from the Office of the Governor. The funding is from the 2025 grant application year.

**Item Summary:** If this request is approved the equipment will serve the City of Waxahachie and the North Texas Region for incidents and disasters.

**Fiscal Impact:** There is no fiscal impact to the purchase of the above-mentioned equipment. The City will not be required to match any grant funding.

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE “2025 SWAT THERMAL EQUIPMENT GRANT”**

**WHEREAS**, The City of Waxahachie finds it in the best interest of the citizens of Waxahachie, Texas that the City of Waxahachie accepts the 2025 SWAT Thermal Equipment grant for year 2026 and;

**WHEREAS**, The City of Waxahachie agrees that in event of loss or misuse of the Office of the Governor funds, the City of Waxahachie assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, The City of Waxahachie designates Ricky Boyd, City Manager, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that City of Waxahachie approves acceptance of the 2025 SWAT Thermal Equipment grant for year 2026 to the Office of the Governor.

Grant Number/Application: 5333201

**APPROVED** this 6th day of July 2026.

**APPROVED:**

\_\_\_\_\_  
Billie Wallace, Mayor

**ATTEST:**

\_\_\_\_\_  
Amber Villarreal, City Secretary

(16)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE “2025 SWAT COMMUNICATIONS PROJECT GRANT”**

**WHEREAS,** The City of Waxahachie finds it in the best interest of the citizens of Waxahachie, Texas that the City of Waxahachie accepts the 2025 SWAT Communications Project grant for year 2026 and;

**WHEREAS,** The City of Waxahachie agrees that in event of loss or misuse of the Office of the Governor funds, the City of Waxahachie assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS,** The City of Waxahachie designates Ricky Boyd, City Manager as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that City of Waxahachie approves acceptance of the 2025 SWAT Communications Project grant for year 2026 to the Office of the Governor.

Grant Number/Application: 5334401

**APPROVED** this 6th day of July 2026.

**APPROVED:**

\_\_\_\_\_  
Billie Wallace, Mayor

**ATTEST:**

\_\_\_\_\_  
Amber Villarreal, City Secretary

(16)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE “2025 SHSP PWERT LIGHT TOWER GRANT”**

**WHEREAS**, The City of Waxahachie finds it in the best interest of the citizens of Waxahachie, Texas that the City of Waxahachie accepts the 2025 SHSP PWERT Light Tower grant for year 2026 and;

**WHEREAS**, The City of Waxahachie agrees that in event of loss or misuse of the Office of the Governor funds, the City of Waxahachie assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, The City of Waxahachie designates Ricky Boyd, City Manager, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that City of Waxahachie approves acceptance of the 2025 SHSP PWERT Light Tower grant for year 2026 to the Office of the Governor.

Grant Number/Application: 5334801

**APPROVED** this 6th day of July 2026.

**APPROVED:**

\_\_\_\_\_  
Billie Wallace, Mayor

**ATTEST:**

\_\_\_\_\_  
Amber Villarreal, City Secretary

(16)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF WAXAHACHIE TO ACCEPT THE “2025 SHSP PWERT VARIABLE MESSAGE SIGN GRANT”**

**WHEREAS**, The City of Waxahachie finds it in the best interest of the citizens of Waxahachie, Texas that the City of Waxahachie accepts the 2025 SHSP PWERT Variable Message Sign grant for year 2026 and;

**WHEREAS**, The City of Waxahachie agrees that in event of loss or misuse of the Office of the Governor funds, the City of Waxahachie assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, The City of Waxahachie designates Ricky Boyd, City Manager, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that City of Waxahachie approves acceptance of the 2025 SHSP PWERT Variable Message Sign grant for year 2026 to the Office of the Governor.

Grant Number/Application: 5335501

**APPROVED** this 6th day of July 2026.

**APPROVED:**

\_\_\_\_\_  
Billie Wallace, Mayor

**ATTEST:**

\_\_\_\_\_  
Amber Villarreal, City Secretary

(17)



## Memorandum

To: Honorable Mayor and City Council  
From: James Gaertner, PE, Director of CIP Engineering  
Thru: Ricky Boyd, City Manager *RB*  
Date: July 6, 2026  
Re: Consider FM 664 Water Transmission Main and Sanitary Sewer Project  
Change Order No. 2

---

**Recommended Motion:** "I move to approve the FM 664 Water Transmission Main and Sanitary Sewer Project Change Order No. 2 with E.G.W. Services in an amount of \$191,039.50, and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approval of the FM 664 Water Transmission Main and Sanitary Sewer Project Change Order No. 2 with E.G.W. Services.

**Item Summary:** The FM 664 Water Transmission Main Project bid had a shortage of 900 feet for the construction of the 24-inch water line in comparison to the construction plans. The engineer of record has verified all the project quantities and this change order includes the 24-inch water line, trench safety, revegetation and miscellaneous appurtenances associated with the pipe shortage.

**Fiscal Impact:** The FM 664 Water Transmission Main and Sanitary Sewer construction original budget is \$5,500,000. A contract with E.G.W Services was approved by City Council on September 15, 2025 in the amount of \$3,264,868 with a contingency of \$163,245. A change Order 1 was approved previously in the amount of \$50,557. The change order No. 2 is \$191,039.50 and will be funded from the project budget (2023 Water Bond), for a total construction contract of \$3,506,464.50.

(18)



## Memorandum

To: Honorable Mayor and City Council  
From: Gumaro Martinez, Director of Parks & Recreation  
Thru: Ricky Boyd, City Manager *RB*  
Date: July 6th, 2026  
Re: Consider Construction Contract for the Railyard Park Parking Lot Project

---

**Recommended Motion:** "I move to approve the construction contract with Texas Standard Construction for the Railyard Park Parking Lot Project in an amount not to exceed \$928,007.30 and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider the construction contract award to Texas Standard Construction for the Railyard Park Parking Lot Project.

**Item Summary:** On October 25, 2025, City Council approved the preliminary phase of the project with the construction of an 18-inch sanitary sewer main within the limits of the Railyard Park Parking Lot Project. The necessary sewer improvements were added to the 2022 Water and Sanitary Sewer Replacement Project and have since been completed by Day Services LLC. The existing vitrified clay pipe was approximately 50 years old and conflicted with the proposed parking lot storm drainage system and shade structure foundations.

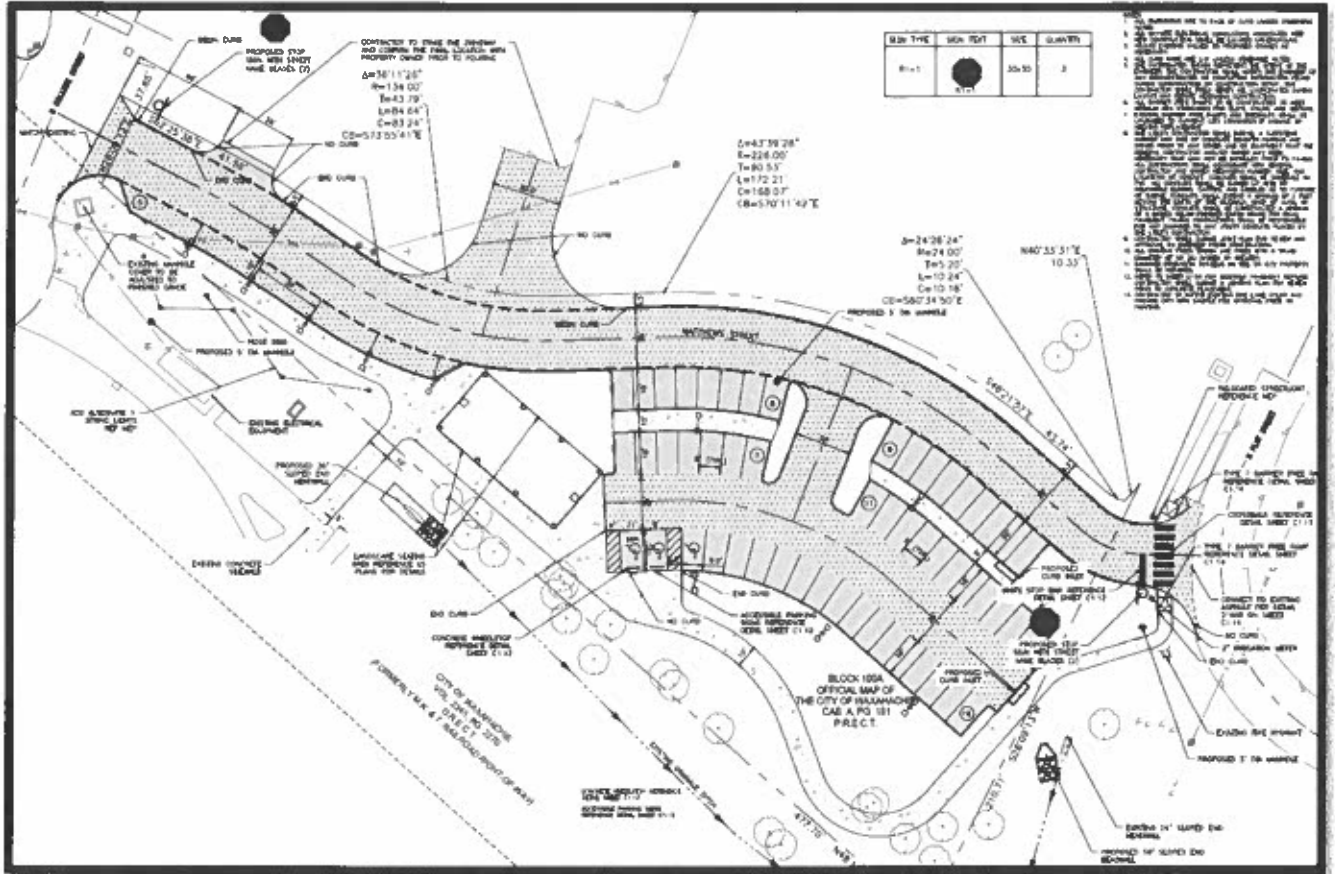
The remaining Railyard Park Parking Lot Project generally includes approximately 4,600 square yards of pavement construction for a new parking lot (53 parking spaces plus 5 food truck stalls with electrical hookups) and the adjacent Matthews Street extension, paved trail connection, storm drainage improvements, illumination and irrigation improvements, and installation of a shade structure with tables and bench seating.

The City received twelve (12) bids for the project. LJA, the engineer of record, reviewed the bids, evaluated contractor references, and determined that Texas Standard Construction submitted the lowest responsive and responsible bid. Staff recommends awarding a construction contract to Texas Standard Construction in the amount of \$928,007.30 for the Railyard Park Parking Lot Project.

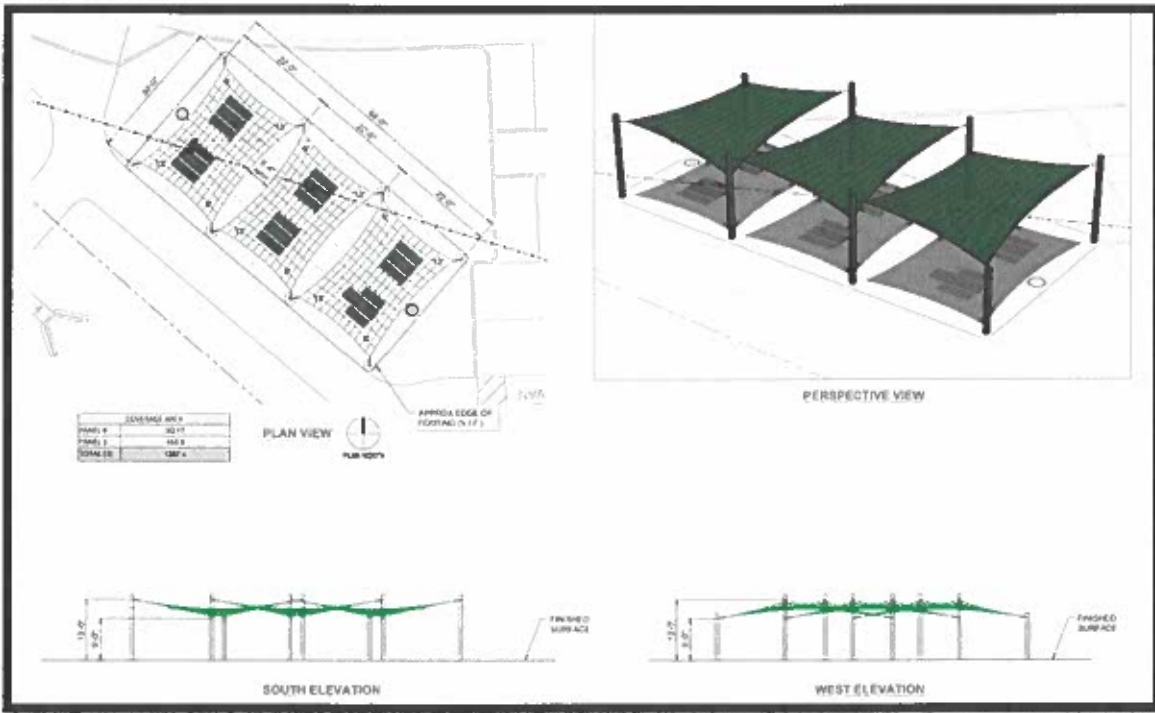
(18)

**Fiscal Impact:** The construction contract in the amount of \$928,007.30 will be funded by the 2023 Parks CO Bond and is within the proposed budget.

**Paving Plan:**



**Shade Structure:**



(19)



## Memorandum

To: Honorable Mayor and City Council

From: Dustin Deel, Director of Administrative Services

Thru: Ricky Boyd, City Manager *RB*

Date: July 6, 2026

Re: Consider Approval of Supplemental Appropriation for Airport Gate Security Enhancement Project.

---

**Motion:** "I move to approve a supplemental appropriation in the amount of \$23,589.90 for the Airport Gate Security Enhancement Project."

**Item Description:** Consider approval of a supplemental appropriation in the amount of \$23,589.90 to increase the Mid-Way Regional Airport budget for additional costs associated with the Airport Gate Security Enhancement Project.

**Item Summary:** During the FY 2025–2026 budget process, funding in the amount of \$35,000 was approved for an airport gate enhancement project at Mid-Way Regional Airport intended to improve access control and security at the Airport.

Following presentation of the initial project concept to the Mid-Way Regional Joint Airport Board, the Board requested additional functionality and security enhancements beyond the originally proposed scope of work. Based on this direction, staff revised the project design to incorporate two upgraded access-controlled gates, including a new automated gate that will allow controlled passenger access directly to aircraft movement areas, upgraded camera surveillance, enhanced RFID access controls for authorized users, and additional site security improvements.

Currently, one of the Airport access gates remains manually operated. The proposed improvements will allow the Fixed Base Operator (FBO) to better control access to restricted airfield areas, improving both airport security and operational safety.

(19)

Staff obtained updated vendor pricing for the expanded project scope and is prepared to move forward with construction. The revised project cost is \$58,589.90, which exceeds the currently approved budget by \$23,589.90. Staff is requesting a supplemental appropriation to fund the additional improvements recommended by the Joint Airport Board.

**Fiscal Impact:** The Airport Gate Security Enhancement Project currently has \$35,000 budgeted in the FY 2025–2026 Airport Fund budget. A supplemental appropriation in the amount of \$23,589.90 is requested from the Mid-Way Regional Airport Reserve Fund to cover the additional project costs. Sufficient funds are available in the Airport Reserve Fund to support this appropriation.



## Memorandum

To: Honorable Mayor and City Council  
From: Dustin Deel, Director of Administrative Services  
Thru: Ricky Boyd, City Manager *RB*  
Date: July 6, 2026  
Re: Consider Award of Contract and Supplemental Appropriation for  
Construction Administration Services for the Mid-Way Regional Airport  
Fuel Farm Expansion

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**Recommended Motion:** "I move to award a contract to Parkhill, Smith & Cooper, Inc. for professional construction administration services related to the Mid-Way Regional Airport Fuel Farm Expansion Project, approve a supplemental appropriation from the Airport Reserve Fund in the amount of \$8,627, and authorize the City Manager to execute all necessary documents.

**Item Description:** Consider awarding a contract to Parkhill, Smith & Cooper, Inc. for professional construction administration services associated with the Fuel Farm Expansion Project at Mid-Way Regional Airport and approval of supplemental appropriation to fund the Airport's local share of the project cost.

**Item Summary:** As part of the Fuel Farm Expansion Project at Mid-Way Regional Airport, construction administration services are required to oversee the construction phase of the project and ensure compliance with all project specifications, grant requirements, and construction standards.

The proposed agreement with Parkhill, Smith & Cooper, Inc. includes professional services associated with construction administration, contractor oversight, review of contractor submittals and pay applications, on-site construction observation, project coordination meetings, testing services,

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and resident project representative services throughout the construction period.

Parkhill has served as the engineer of record for the Fuel Farm Expansion Project and has provided design and engineering services throughout project development. These construction phase services are necessary to ensure proper project oversight and successful project completion.

Staff recommends approval.

**Fiscal Impact:** Funding for this project will be supported through an Airport Improvement Grant in the amount of \$802,529, which carries a 95/5 match requirement. A supplemental appropriation in the amount of \$8,627 is requested from the Airport Reserve Fund to cover the Airport's local share associated with this portion of the project. Sufficient funds are available in the Airport Reserve Fund to support this appropriation.

(21)



## Memorandum

To: Mayor and City Council

From: Dustin Deel, Director of Administrative Services

Thru: Ricky Boyd, City Manager *RB*

Date: July 6, 2026

Re: Consider Resolution Authorizing Application for Texas Water Development Board Water Supply and Infrastructure Grant

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**Proposed Motion:** "I move to approve a resolution authorizing the submission of an application to the Texas Water Development Board for grant funding related to the Waxahachie Long-Term Water Supply Security Initiative and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approval of a resolution authorizing the City of Waxahachie to submit an application to the Texas Water Development Board for grant funding related to the City's long-term water infrastructure improvement projects.

**Item Summary:** The City of Waxahachie is preparing an application for grant funding through the Texas Water Development Board in an amount not to exceed \$21,000,000 for the Waxahachie Long-Term Water Supply Security Initiative. This initiative combines multiple critical water infrastructure projects designed to strengthen the City's long-term water supply capacity, improve system reliability, and enhance water security to support future growth and demand.

The proposed funding request includes three major infrastructure components:

- Purchase of additional water rights necessary to meet projected water supply demands by 2031

(21)

- Rehabilitation of the aging South Prong Dam structure to address long-term infrastructure reliability
- Howard and Sokoll Water Treatment Plant Boundary Separation Project to improve operational efficiency and system compatibility between the City's water treatment systems

During the 89th Texas Legislative Session, House Bill 500 appropriated approximately \$1.038 billion in funding for water supply and infrastructure projects to be administered through the Texas Water Development Board. This funding opportunity is structured as a 100% grant with no local match requirement and represents a rare one-time funding opportunity that is not expected to be available again in future funding cycles.

The City is well-positioned to pursue this funding opportunity as planning and development efforts for each of these projects are already underway and the long-term need for additional water supply capacity has already been identified through ongoing utility planning efforts. This places the City in a strong position to move quickly should funding be awarded.

Approval of the attached resolution is required as part of the Texas Water Development Board application process and will authorize the City to submit the funding request, complete all necessary documentation, and remain eligible for consideration under the Texas Water Development Board funding program.

**Fiscal Impact:** Approval of this resolution does not create an immediate fiscal impact to the City. The resolution authorizes submission of an application for financial assistance through the Texas Water Development Board for eligible infrastructure projects in an amount not to exceed \$21,000,000.

(22)



## Memorandum

To: Honorable Mayor and City Council  
From: Justin Stoker, P.E., PMP, CFM, Director of Public Works & Engineering  
Thru: Ricky Boyd, City Manager *JB For RB*  
Date: July 6, 2026  
Re: Consider Construction Contract with J&K Excavation for Drainage and Paving Repair Work, and Authorize a Road Closure on John Arden Drive

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**Recommended Motion:** "I move to approve the construction contract with J&K Excavation, LLC for drainage and paving repair work on John Arden Drive in an amount not to exceed \$120,870, approve a road closure of up to two weeks, and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider the construction contract award to J&K Excavation, LLC for drainage and paving repair work, and approve a road closure of up to two weeks on John Arden Drive.

**Item Summary:** On June 14, 2026, the City of Waxahachie experienced a significant rainfall event that resulted in substantial damage to drainage infrastructure beneath John Arden Drive. Four parallel 48-inch drainage culverts, located approximately 250 feet northwest of North Grand Avenue, were damaged during the event, causing the roadway to become undermined. The resulting erosion compromised the structural integrity of both the north and south edges of the roadway. To ensure public safety, John Arden Drive has been restricted to a single travel lane in the center of the roadway since the damage occurred.

City staff conducted an informal bid of contractors that could respond immediately and received three bids. The lowest responsive bidder was J&K Excavation, LLC, which has previously performed satisfactory work for the City. Staff recommends approval of this contractor and authorization to proceed with the repairs. The project will require the temporary closure of John Arden Drive to facilitate the removal and replacement of the damaged 48-inch culverts. Construction

(22)

activities and the associated road closure are anticipated to be completed within two weeks.

**Fiscal Impact:** The proposed construction contract with J&K Excavation, LLC is in an amount not to exceed \$120,870. Funding for this work is in the Streets Operations Fund.

(23-27)



## Memorandum

To: Honorable Mayor and City Council

From: Kassandra Carroll, Economic Development Director

Thru: Ricky Boyd, City Manager *SB* for *RB*

Date: July 6, 2026

Re: Consideration of Ordinance Designating a Certain Area in the City of Waxahachie as "Waxahachie Reinvestment Zone #33, City of Waxahachie, Texas"

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**Requesting Postponement:** Owens Corning has requested postponement of the Adoption of the Ordinance Creating "Waxahachie Reinvestment Zone #33", the Tax Abatement Agreement, and the Enterprise Zone Project Nomination until the July 20, 2026 City Council meeting. Please see attached Email.

(23-27)

**From:** [Rita Williams](#)  
**To:** [Carroll, Kassandra](#)  
**Cc:**  
**Subject:** RE: Owes Corning Tax Abatement Agreement  
**Date:** Monday, June 29, 2026 9:44:48 AM  
**Attachments:** [image004.png](#)  
[image003.png](#)

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Kasandra,

We are confirming the information however, will not be able to provide final details before the 10:00 am timeline. I don't want to rush this and think we should move this to **the July 20<sup>th</sup> approval meeting date**. Please confirm.

Thank you,  
Rita

**Rita L. Williams** | Director, Economic Development  
**ZHF Consulting LLC** | 41 S. High Street, Suite 3625, Columbus, OH 43215  
Main: (614) 782-1440 | Cell:

**ZHF CONSULTING LLC**

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