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Consider awarding a bid to Silsbee Ford and authorizing the City Manager to execute a Purchase Order for a new service trucks in the amount of \$474,669 to be funded out of the General and Water Sewer Funds, and take any action necessary.

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Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Steel Wheel Roller in the amount of \$41,690 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

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Consider awarding a bid to Freedom CDJ (Dodge) and authorizing the City Manager to execute a Purchase Order for three (3) new Police Patrol Dodge Chargers in the amount of \$79,020 to be funded out of the General Fund Police Patrol Budget, and take any action necessary.

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Consider awarding a bid to Government Sales Freedom Auto Group and authorizing the City Manager to execute a purchase order for a Dodge Charger (including safety equipment) in the amount of \$21,500 to be used by Citizens on Patrol and to be funded from the Police Department seized asset account, and take any action necessary.

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Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a purchase order for a Chevy Suburban including safety equipment in the amount of \$41,500 to be used by the Community Service Unit and to be funded from the Police Department seized asset account, and take any action necessary.

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Consider authorizing the City Manager to execute a Facility Agreement with Dewayne Cain of Cain Cemetery Corporation to allow for the delay of the required fire protection requirements for buildings on a 40.57-acre tract of land identified as a portion of Tracts 11 & 12 and all of Tracts 1, 2-1 & 11-1 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, addressed as 2500 SH-66, and take any action necessary.

Memorandum . . . . . 65

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Consider approval of a resolution expressing support for and reinforcing the importance of the North Texas Municipal Water District's Lower Bois d'Arc Creek Reservoir (LBCR) project, including its timeliness as it pertains to the critical mission of delivering water to the region by the year 2020, and take any action necessary.

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Consider authorizing the City Manager to execute an additional services agreement (contract amendment) with La Terra Studio, Inc. to provide for the design of the walkway/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in the amount of \$50,500, and take any action necessary.

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MIS2015-009 - Hold a public hearing to discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

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Z2015-027 - Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary [1st Reading].

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Z2015-029 - Hold a public hearing to discuss and consider a City initiated zoning request for the approval of an ordinance for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary [1st Reading].

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Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.

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Variance Request Information . . . . . 190

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Discuss and consider adoption of an ordinance authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2015; establishing procedures and delegating authority for the sale and delivery of the bond; providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject and take any action necessary.

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Discuss and consider appointment to fill a vacancy on the Main Street Advisory Board, and take any action necessary.

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**AGENDA**  
**ROCKWALL CITY COUNCIL**  
**Monday, November 16, 2015**  
**4:00 p.m. Regular City Council Meeting**  
**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

**I. CALL PUBLIC MEETING TO ORDER**

**II. WORK SESSION**

- p.10** 1. Hold a work session with Gene Babb regarding potential development of property located on La Jolla Pointe Drive west of Ridge Road, and take any action necessary.
- p.12** 2. Hold work session to discuss and consider the results of a Public Input Survey distributed to residents adjacent to South Lakeshore Drive / Summit Ridge Drive in connection with a future roadway reconstruction project, and take any action necessary.
- p.22** 3. Hold work session to discuss and consider additional sidewalk improvements in the downtown area, specifically those located in the walkway/store front area along Goliad Street between Washington and Rusk Streets, and take any action necessary.
- p.24** 4. Hold work session to discuss The Harbor's Tax Increment Financing District (TIF), and take any action necessary.

**III. EXECUTIVE SESSION.**

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

- 1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
- 2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
- 3. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
- 4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)
- 5. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

**IV. ADJOURN EXECUTIVE SESSION**

**AGENDA**  
**ROCKWALL CITY COUNCIL**  
**Monday, November 16, 2015**  
**6:00 p.m. Regular City Council Meeting**  
**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

**V. RECONVENE PUBLIC MEETING**

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

**VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS**

**VIII. PROCLAMATIONS / AWARDS**

- p.31** 1. American Diabetes Month

**IX. OPEN FORUM**

**X. CONSENT AGENDA**

- p.33** 1. Consider approval of the minutes from the November 2, 2015 regular city council meeting, and take any action necessary.
- p.40** 2. Consider granting a 15 foot electric easement across the City of Rockwall Eastside Pump Station property to Farmers Electric Cooperative, and take any action necessary.
- p.45** 3. Consider authorizing the City Manager to execute a Facilities Agreement with Master Developer – SNB, LLC to reconstruct 666 linear feet of existing sanitary sewer line within the first phase of The Preserve development in an amount not to exceed \$65,245.10 to be funded from 2008 Revenue Bonds, and take any action necessary.
- p.52** 4. Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a Purchase Order for two new 12 yard dump trucks in the amount of \$218,214 to be funded out of the General Fund Reserves and Water Sewer Fund, and take any action necessary.
- p.54** 5. Consider awarding a bid to Silsbee Ford and authorizing the City Manager to execute a Purchase Order for a new service trucks in the amount of \$474,669 to be funded out of the General and Water Sewer Funds, and take any action necessary.
- p.57** 6. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Steel Wheel Roller in the amount of \$41,690 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.
- p.59** 7. Consider awarding a bid to Freedom CDJ (Dodge) and authorizing the City Manager to execute a Purchase Order for three (3) new Police Patrol Dodge Chargers in the amount of \$79,020 to be funded out of the General Fund Police Patrol Budget, and take any action necessary.

- p.61 8.** Consider awarding a bid to Government Sales Freedom Auto Group and authorizing the City Manager to execute a purchase order for a Dodge Charger (including safety equipment) in the amount of \$21,500 to be used by Citizens on Patrol and to be funded from the Police Department seized asset account, and take any action necessary.
- p.63 9.** Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a purchase order for a Chevy Suburban including safety equipment in the amount of \$41,500 to be used by the Community Service Unit and to be funded from the Police Department seized asset account, and take any action necessary.
- p.65 10.** Consider authorizing the City Manager to execute a Facility Agreement with Dewayne Cain of Cain Cemetery Corporation to allow for the delay of the required fire protection requirements for buildings on a 40.57-acre tract of land identified as a portion of Tracts 11 & 12 and all of Tracts 1, 2-1 & 11-1 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, addressed as 2500 SH-66, and take any action necessary.
- p.77 11.** Consider approval of a resolution expressing support for and reinforcing the importance of the North Texas Municipal Water District's Lower Bois d'Arc Creek Reservoir (LBCR) project, including its timeliness as it pertains to the critical mission of delivering water to the region by the year 2020, and take any action necessary.
- p.83 12.** Consider authorizing the City Manager to execute an additional services agreement (contract amendment) with La Terra Studio, Inc. to provide for the design of the walkway/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in the amount of \$50,500, and take any action necessary.

## **XI. APPOINTMENTS**

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

## **XII. PUBLIC HEARING ITEMS**

- p.89 1. MIS2015-009** - Hold a public hearing to discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

- p.121 2. Z2015-027** - Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary **[1st Reading]**.
- p.135 3. Z2015-029** - Hold a public hearing to discuss and consider a City initiated zoning request for the approval of an **ordinance** for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary **[1st Reading]**.

### **XIII. ACTION ITEMS**

- p.189 1.** Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.
- p.195 2.** Discuss and consider adoption of an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2015; establishing procedures and delegating authority for the sale and delivery of the bond; providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject and take any action necessary.
- p.219 3.** Discuss and consider appointment to fill a vacancy on the Main Street Advisory Board, and take any action necessary.

### **XIV. EXECUTIVE SESSION**

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

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
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4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)
5. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

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

**XVI. ADJOURNMENT**

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of November, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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Kristy Cole, City Secretary

Jacky Casey, Assistant Secretary

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Date Removed



City of Rockwall  
*The New Horizon*

## MEMORANDUM

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**TO:** Honorable Mayor and City Council Members  
**FROM:** Kristy Cole, Assistant to the City Manager / City Secretary  
**DATE:** November 13, 2015  
**SUBJECT:** Potential development located on LaJolla Pointe Drive

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Mr. Gene Babb would like to speak to the Council during the work session on Monday regarding potential development of property located on La Jolla Pointe Drive west of Ridge Road.

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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Timothy M. Tumulty, P.E., Director of Public Works/City Engineer

**DATE:** November 10, 2015

**SUBJECT:** Public Input Survey Results  
S. Lakeshore Dr./Summit Ridge Dr. Reconstruction Project

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A Public Input Survey for the S. Lakeshore Dr./Summit Ridge Dr. Reconstruction Project was mailed on Tuesday October 13, 2015 to the property owners that front or side S. Lakeshore Dr./Summit Ridge Dr. from SH 66 to FM 740. Property owners had the option of mailing the survey back to the City Hall or taking an online version of the survey. The property owners were given two and half weeks to complete the survey and return by October 31, 2015.

The Engineering Department received a total of 33 responses of the 93 properties surveyed. This resulted in a 35% response rate. The results of each survey question are given in the attached below.

A Public Meeting to go over the survey results and to collect further public input is currently scheduled for December 9, 2015 from 7pm-9pm in the City Council Chambers.

Please let me know if you have any questions.

TMT:jmw

Attachments

Cc:

Amy Williams, P.E., Assistant City Engineer  
Jeremy White, P.E., CFM, Civil Engineer  
File



Note:  
Survey Responses provided in COLOR

City of Rockwall  
*The New Horizon*  
Public Input Survey

S. Lakeshore Drive / Summit Ridge Drive

Questionnaire Statistics:

|                                      |    |
|--------------------------------------|----|
| Number of Questionnaires Sent:       | 93 |
| Number of Responses:                 | 33 |
| S. Lakeshore Dr. Resident Responses: | 20 |
| Summit Ridge Dr. Resident Responses: | 13 |

Notes to Reviewer:

- Due to incomplete or blank responses left on questionnaire, percentages shown within these results may deviate from a 100% summation.



Note:  
Survey Responses provided in COLOR

City of Rockwall  
*The New Horizon*

1. During a large rainfall event, how would you rate the current Drainage Facilities (i.e. Storm Drain Inlets, Flumes, etc.)?

Poor (21.2%) Fair (15.2%) Good (42.4%) Excellent (18.2%)

If not excellent, what improvements do you recommend?

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2. How would you rate the driving experience as you travel along S. Lakeshore Drive and Summit Ridge Drive?

Poor (33.3%) Fair (48.5%) Good (6.1%) Excellent (6.1%)

Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 2. ( 1 – Most Important / 5 – Least Important )

- 1 Implementation of Sidewalks
- 2 Implementation of Traffic Calming Techniques (i.e. Speed Bumps, Narrower Lanes, Roundabouts, etc.)
- 3 Implementation of On-Street Parking
- 4 Implementation of Bike Lanes
- 5 Driving Lane Width

3. How would you rate your experience as a pedestrian/cyclist traveling along S. Lakeshore Drive?

Poor (39.4%) Fair (33.3%) Good (15.2%) Excellent (6.1%)

Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 3. ( 1 – Most Important / 5 – Least Important )

- 1 Implementation of Sidewalks
- 2 Implementation of Traffic Calming Techniques (i.e. Speed Bumps, Narrower Lanes, Roundabouts, etc.)
- 3 Implementation of Pedestrian Crosswalks
- 4 Implementation of Bike Lanes
- 5 Speed Limit



Note:  
Survey Responses provided in COLOR

City of Rockwall  
*The New Horizon*

4. How would you rate your experience as a pedestrian/cyclist traveling along Summit Ridge Drive?

Poor (69.7%)    Fair (9.1%)    Good (12.1%)    Excellent (3.0%)

Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 4. ( 1 – Most Important / 5 – Least Important )

- 1      Implementation of Sidewalks
- 2      Implementation of Bike Lanes
- 3      Implementation of Traffic Calming Techniques (i.e. Speed Bumps, Narrower Lanes, Roundabouts, etc.)
- 4      Implementation of Pedestrian Crosswalks
- 5      Vehicle Speed Limit

5. As a resident, do you believe there is an issue with drivers utilizing this street to by-pass traffic along S. Goliad Street and State Highway 66?

Please select one of the following:

Yes (87.9%)    No (6.1%)

6. How would you rate the overall aesthetics of the S. Lakeshore Drive and Summit Ridge Drive neighborhood corridor?

Poor (15.2%)    Fair (36.4%)    Good (30.3%)    Excellent (9.1%)

Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 6? ( 1 – Most Important / 4 – Least Important )

- 1      Sidewalks
- 2      Street Lighting
- 3      On-Street Parking
- 4      Bike Lanes



Note:  
Survey Responses provided in COLOR

City of Rockwall  
*The New Horizon*

7. In summary, as a resident, would you be in favor of the following improvements?

Decreased Lane Widths in the spirit of slowing traffic

Please select one of the following:

Yes (45.5%)      No (51.5%)

Implementing other traffic calming techniques to slow or discourage cut-through traffic

Please select one of the following:

Yes (78.8%)      No (15.2%)      If so, which one(s): \_\_\_\_\_

Implementing on-street bike lanes

Please select one of the following:

Yes (60.6%)      No (33.3%)

Implementing sidewalks

Please select one of the following:

Yes (63.6%)      No (30.3%)

Implementing storm drainage improvements to reduce localized flooding

Please select one of the following:

Yes (63.6%)      No (24.2%)

Any other recommendations?

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8. Is there anything else you want the City to consider? Please provide comments below:

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Please mail or deliver your survey responses to the attention of Jeremy White at the City of Rockwall.

If you have any questions about the survey please contact Jeremy White.



Note:  
Survey Responses provided in COLOR

City of Rockwall  
*The New Horizon*

Question #1 Feedback:

During a large rainfall event, how would you rate the current Drainage Facilities (i.e. Storm Drain Inlets, Flumes, etc.)? What improvements do you recommend?

- Drainage from Forest Trace is inadequate
- Higher Curb
- I would need an Engineer to recommend improvements, so I am satisfied as is.
- More Storm Drain
- I'm at the top of Summit & Alamo – No problem w/ drainage
- Large amounts of rain are not too often. No storm drains along Summit Ridge
- Need to keep water off the roads
- Storm drains needed on Summit Ridge
- Larger drain openings
- Since most of the water comes from uphill from us, should be able to catch more before it reaches Lakeshore
- My home flooded this past April because there is inadequate run off during large rains. This is the second time. I had to spend significant dollars in repairs and now adding French drains, all because the city didn't plan properly and our neighbor's yards for three streets behind us drain down into ours.
- More storm drain
- More Storm Drains addressing the water rushing down the hilly part of the street, especially at the curve. It runs into my yard over the curb and washes out the landscaping.
- In some areas, street needs to be sloped so water runs to storm drain and doesn't pool.
- Eliminate low spots in pavement to prevent pooling in streets and gutters
- We desperately need additional storm drains on Lakeshore Dr and surrounding streets. In addition to our own drainage issues (our house has flooded twice since we purchased in May 2015), I am aware of many other homes with similar issues.
- Lakeshore Dr is impacted during heavy rains. A study would have to be done relative to the details and an appropriate engineered fix. In addition, there is a grade issue at Summit Ridge and Springcreek where there is always standing water.
- There seems to be a low spot about two block north. It looks like the houses have sandbags on their porch to keep the water out.



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Note:  
Survey Responses provided in COLOR

Question #7 Feedback:

Any other recommendations?

Traffic Calming Recommendations:

- Chicane
- Speed Bumps
- Stop Signs
- Speed Bumps
- Speed Bumps
- On-Street Bike Lanes - Possibly - If you can give it a residential look. Sidewalks - Watch the Pedestrians. That will tell who uses the street or lawns.
- Center Turn lanes or On Street Parking; or combination which alternates.
- Stop Sign on Summit Ridge & Spring Creek & speed bumps on Summit Ridge speed bumps
- Street Bumps
- Roundabouts, Speed Bumps
- More Stop Signs. Even people who speed, still seem to stop at the stop signs that are currently in place. Roundabouts with speed bumps. I would be happy with any measure possible to discourage cut through traffic.
- Slow traffic as much as possible around the curve and on the hill. Please lose control when its wet and slippery.
- Provide wider lanes in some areas where very narrow for walking and biking. Need lanes for above on Summit Ridge
- Maybe one more STOP sign along the street at some point. If pedestrian crossing is implemented, the corner of Lakeshore/Summit Ridge at the STOP sign would be a great place. If adding Add'l speed bumps, the area around Summit Ridge and Spring Creek would be a good place. Cars tend to be flying down that hill. Thanks!
- Narrow Lanes
- Speed Bumps
- Roundabouts, Speed Bumps
- Both, This had success in the early 90s when I was on the traffic task force for this issue.
- Roundabouts, hated speed humps but, gated access

Other Comments:

- Resurfacing the road is most urgent problem.
- Improvement of the overall quality of the road surface. In addition, enforcement of the speed limit by the local police department.





Note:  
Survey Responses provided in COLOR

City of Rockwall  
*The New Horizon*

Question #8 Feedback:

Is there anything else you want the City to consider? Please provide comments below:

- Permanent speed radars showing your speed
- Crumbling Curbs - Mine at Mailbox (312) is in pieces and I fear a Delivery Person, Company, or Me may fall.
- Improve the East bound 66-205 intersection with an additional turn lane.
- If you maintain the existing speed limit - people unlawfully pass you. None resident traffic early AM and PM using street to avoid traffic pass thru.
- Creating another alternate route from I-30 to Hwy 66 would be very good. Resurfacing most important! Sidewalk and street parking would be a vast improvement! At night, hard to see because of inadequate street lights.
- Alternate route could be John King Blvd. Electronic Signs alert of accident ahead.
- Enforcement of existing speed limit
- Biggest Issue!! I-30 back-up west or east bound. Most people use to connect w/ 60 or I-30
- More Lighting would give appearance Summit Ridge is a thoroughfare and the same for Lake Shore. This route is not a boulevard. Unless you build it which would increase the residential traffic.
- That this is good start to improve these two residential streets. Less thru traffic would be very beneficial to less street/roadway damages conditions.
- How about routine maintenance? The road is in terrible shape. Lots of potholes
- A traffic reroute system when there is an accident on I-30. Or make LSD 4 lanes, Summit Ridge 3 (center lane), Forest Trace/Boydston 3 and Lake Meadows 3 to ease congestion. Retime the Boydston/Ridge traffic light during I30 accidents.
- Lawn workers blow leaves & lawn debris into street instead of bagging up which causes further problems with drainage. Ordinance to mandate lawn materials must be bagged up!
- Speed could be controlled by enforcement. In 20+ years at this address, I have observed police enforcement on this street once.
- Please resurface the entire roadway-repair holes, cracks, and crumbled pavement. Make sure the work is permanent and not just a temporary fix soon to wear out.
- Also when I30 traffic backs up, Summit Ridge becomes bumper to bumper traffic and people turn around in my circle drive and often drive into my yard, knocking over potted plants and breaking sprinkler heads.
- Sidewalks would be nice but probably too expensive and up driveways.
- Just please be mindful of all the beautiful trees so that they will not be destroyed with any "improvements". Add'l lighting near ally entrances might be a good idea.
- Would like to see drainage plans and hear what others think about drainage if the City is considering any improvements. I would like to know what the overall plan is for access to 66. South of 66 in the proposed area is all residential, no schools or retail like the North side of 66.



City of Rockwall  
*The New Horizon*

Note:  
Survey Responses provided in COLOR

Question #8 Feedback Continued:

- I would be willing to share what was learned in 1993-1994 when we implemented traffic calming on Summit Ridge/Lakeshore. I was on the task force committee.
- Traffic is only going to get worse. Lakeshore has become a bypass.
- Fill Potholes
- More Police patrolling against DUI's, Speeders ignoring existing speed limit signs, tailgaters, folks passing on Summit Ridge Dr. when you are observing speed limits - even 18-wheeled trucks!

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## MEMORANDUM

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

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

**DATE:** November 13, 2015

**SUBJECT:** Work Session item re: additional sidewalk improvements in the Downtown

---

Staff will be discussing with Council consideration of additional work in Downtown for the walkway/store front areas along Goliad between Washington and Rusk Streets. A related Consent Agenda item has been placed on the 11/16 meeting agenda that will allow Council an opportunity to move forward with the design phase of these additions if Council so chooses. Mrs. Smith will be prepared to discuss funding options with the Council, and staff will be prepared to answer any questions the Council may have.

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City of Rockwall  
*The New Horizon*

## MEMORANDUM

---

**TO:** Honorable Mayor and City Council Members  
**FROM:** Kristy Cole, Assistant to the City Manager / City Secretary  
**DATE:** November 13, 2015  
**SUBJECT:** TIF District at The Harbor

---

Mayor Pruitt has requested that this topic be placed on the 11/16 meeting agenda as a work session item. Staff will be prepared to have preliminary discussions with Council concerning Rockwall County's participation in the TIF concluding this fiscal year (FY 2016) as well as other, related matters.

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# Rockwall

Central Appraisal District

received  
11-4-15

## Texas Law requires:

- A ballot be sent to each taxing unit entitled to vote
- The ballot must be returned to the chief appraiser by December 15, 2015

## The district has prepared the ballot with the following:

- The ballot with a list of eligible nominees and a column for number of votes cast
- The taxing unit complete the number of votes cast for the nominee or nominees
- The taxing unit may only cast the total number of votes their taxing unit is entitled
- The taxing unit will vote by resolution and return the ballot completed ballot to the Chief appraiser by December 15, 2015

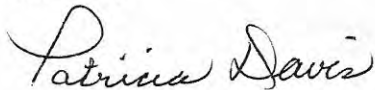
No

An amended Ballot for the 2016-2017 Board of Directors is enclosed, please destroy the first ballot and return your votes on the attached ballot not later than December 15, 2015.

## Number of votes each entity is entitled is listed below:

|                            |       |
|----------------------------|-------|
| City of Fate               | 53    |
| City of Heath              | 144   |
| City of McLendon-Chisholm  | 6     |
| City of Rockwall           | 562   |
| City of Royse City         | 97    |
| Rockwall ISD               | 2,713 |
| Royse City ISD             | 553   |
| Rockwall County            | 872   |
| Total Votes allowed by law | 5,000 |

Sincerely



Patricia Davis

**Votes Per Taxing Unit for 2016 - 2017 Appraisal District Board of Directors  
AMENDED BALLOT**

| <b>Rockwall Central Appraisal District Board of Directors AMENDED Ballot</b> |               |                        |
|--|---------------|------------------------|
|  | <b>Entity</b> | <b>Number of Votes</b> |
| Lowell English   |               |                        |
| John Hohenshelt  |               |                        |
| Richard Huston   |               |                        |
| Mark Moeller   |               |                        |
| Russell Summers  |               |                        |
| Ben Weible   |               |                        |
| Total Maximum Votes  |               | 5,000                  |

**CITY OF ROCKWALL  
RESOLUTION NO. 15-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE CASTING OF VOTES AND SUBMISSION OF THE OFFICIAL VOTING BALLOT TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT (CAD) FOR THE 2016-2017 APPRAISAL DISTRICT BOARD OF DIRECTORS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Texas Property Code Sec. 6.03 (a) provides that a board of directors governs the central appraisal district (CAD); and

**WHEREAS**, state law requires board of director appointments to the Rockwall CAD Board every odd numbered year to take office in even numbered years; and

**WHEREAS**, the City of Rockwall, an eligible taxing unit, has participated in the appointment process by nominating up to five candidates for service consideration and submitting those names to the chief appraiser by October 15 through recent passage and submission of Resolution #15-27; and

**WHEREAS**, the chief appraiser then prepared a ballot of all nominees and mailed it to the City of Rockwall and other taxing units for voting by October 30; and

**WHEREAS**, the City of Rockwall's entitlement has been determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit entitled to vote, by multiplying the quotient by 1,000; and

**WHEREAS**, according to information provided to the City of Rockwall by the appraisal district, the City of Rockwall has 562 votes to cast for 2016-2017.

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

**Section 1.** the Rockwall City Council, as a result of the Executive Session held at its regular city council meeting on the 16<sup>th</sup> day of November, 2015 hereby casts and submits its ballot to the Rockwall Central Appraisal District Board as specified in and attached hereto as "Exhibit A;"

**Section 2.** this Resolution shall become effective from and after its adoption and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16<sup>th</sup> DAY OF November, 2015.**

**ATTEST:**

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

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

**“EXHIBIT A”**

| <b>Rockwall Central Appraisal District Board of Directors AMENDED Ballot</b> |               |                        |
|--|---------------|------------------------|
|  | <b>Entity</b> | <b>Number of Votes</b> |
| Lowell English   |               |                        |
| John Hohenshelt  |               |                        |
| Richard Huston   |               |                        |
| Mark Moeller   |               |                        |
| Russell Summers  |               |                        |
| Ben Weible   |               |                        |
| Total Maximum Votes  |               | 5,000                  |

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# Rockwall, Texas

## Proclamation

*Whereas*, in the United States, nearly 30 million people – including 400,000 in North Texas – have diabetes, a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, kidney disease and amputation; and

*Whereas*, an additional 86 million people in the United States are at risk for developing type 2 diabetes; and

*Whereas*, recent estimates project that as many as one in three American adults will have diabetes by 2050 if current trends continue; and

*Whereas*, an increase in community awareness is necessary to put a stop to the diabetes epidemic; and

*Whereas*, this year's American Diabetes Month theme - "Eat Well, America" - will empower people to plan healthy, budget-friendly meals, cook with tools and techniques for success and plate and serve food that is nutritious and appealing by providing healthy tips and recipes.

*Now, Therefore*, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of **November, 2015** as

### **AMERICAN DIABETES MONTH**

in the City of Rockwall and encourage all citizens to consider participating in the Association's "Stop Diabetes" movement to confront, fight and, most importantly, change the future of this deadly disease.

*In Witness Whereof*, I hereunto set my hand and official seal this 16<sup>th</sup> day of November, 2015.

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

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# **MINUTES**

## **ROCKWALL CITY COUNCIL**

**Monday, November 02, 2015**

**4:00 p.m. Regular City Council Meeting**

**City Hall - 385 S. Goliad, Rockwall, Texas 75087**

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

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Council Members John Hohenshelt and Scott Milder were both absent from the meeting at this time.

### **II. WORK SESSION**

1. Hold a work session to hear an update from the GIS Department concerning the release of the City's new suite of interactive maps, and take any action necessary.

Planning Director, Ryan Miller, introduced Lance Singleton and Lindsay Gnann of the GIS division of the Planning Department. Mr. Singleton and Ms. Gnann then came forth and briefed the city council on various maps and mapping capabilities available on the City of Rockwall's website. Indication was given that this new suite of internet mapping applications will be released on the city's website in the coming weeks. The Council took no action following the presentation.

2. Hold a work session to discuss and consider a resolution regarding the power of the city council to appoint and remove its board and commission member appointees, including those to the North Texas Municipal Water District Board (NTMWD), and take any action necessary.

City Manager Rick Crowley briefed the city council on this topic, indicating that member cities of the NTMWD are joining together in an effort to have the various member cities pass this resolution. This topic was recently raised at a meeting that the City of Plano hosted with ten of the thirteen member cities present. For the record, Mayor Pruitt clarified that there is no dissatisfaction on the part of the City of Rockwall with its two representatives who currently serve on the NTMWD board (Bill Lofland and Larry Parks). They do a great job, are good about keeping the city informed and have no problem taking direction from the Rockwall City Council. However, it should be a city's right to remove an appointee to this and other boards at its own discretion, and lately the NTMWD board has given some indication otherwise. Also, the NTMWD has given some indication that a change in its policies currently under consideration would make it almost impossible for member cities to place things on future agendas to be heard and discussed by its full board.

After brief clarification from City Attorney Frank Garza, Mayor Pro Tem Lewis made a motion to approve a resolution regarding the power of the City Council to appoint and remove its appointees to boards and commissions, including those to the NTMWD Board and excluding those appointed to the Board of Adjustments (BOA) per state law and excluding the Housing Authority. Councilmember White seconded the motion, which passed unanimously of Council present (Milder and Hohenshelt absent).

51 **III. EXECUTIVE SESSION.**

52  
53 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**  
54 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**  
55 **CODE:**

- 56  
57 1. Discussion regarding Economic Development incentives, procedures and  
58 possible projects pursuant to Section 551.087 (Economic Development)
- 59 2. Discussion regarding legal claim: Timothy Headley v. City of Rockwall  
60 pursuant to Section 551.071 (Consultation with Attorney)
- 61 3. Discussion regarding (re)appointments to city regulatory boards,  
62 commissions, and committees - Rockwall Economic Development  
63 Corporation (REDC) Board - pursuant to Section 551.074 (personnel  
64 matters)
- 65 4. Discussion regarding process associated with City Manager performance  
66 evaluation pursuant to Section 551.074 (personnel matters)

67  
68 **IV. ADJOURN EXECUTIVE SESSION**

69  
70 **Executive Session as adjourned at 5:50 p.m.**

71  
72 **V. RECONVENE PUBLIC MEETING**

73  
74 **Mayor Pruitt called the public meeting back to order with all Council Members except for**  
75 **Hohenshelt being present at the conclusion of the public meeting. (Milder joined Executive**  
76 **Session late and then stayed for the duration of the Council meeting).**

77  
78 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

79  
80 **Mayor Pro Tem Lewis announced that no action is needed as a result of Executive Session.**

81  
82 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER**

83  
84 **Councilman Fowler delivered the invocation and led the Pledge of Allegiance.**

85  
86 **VIII. PROCLAMATIONS / AWARDS**

- 87  
88 1. GIS Day Proclamation

89  
90 **Mayor Pruitt introduced members of the city's Geographic Information Systems (GIS)**  
91 **division within the Planning Department. He then read and presented a proclamation for**  
92 **"GIS Day," which will be hosted at City Hall in the Council Chambers on Wednesday,**  
93 **November 18, 2015 from 1:00 p.m. until 6:00 p.m.**

94  
95 **IX. OPEN FORUM**

96  
97 **Mayor Pruitt explained how Open Forum is conducted. He introduced and recognized**  
98 **Tammy Sharp, County Judge David Sweet's sister, and County Judge David Sweet in the**  
99 **audience this evening.**

Mayor Pruitt then read the following, short statement concerning the upcoming school district bond election:

*The Rockwall community has experienced tremendous growth over the last several years but is still a small town in many ways. A majority of our families know each other through work, church, youth sports, volunteerism, or in the common neighborhoods in which we live. It's easy to misinterpret what an individual says and attribute that to a group of people.*

*For this reason, the Rockwall City Council is clarifying, as a group, that it has no official stance on the bond election put forth to voters by the Rockwall Independent School District. While each member of our community has a right to his or her own opinion of the merits of this bond election, the City Council, as an elected body, has not and will not take a position on the election on Tuesday, November 3, 2015.*

Following his statement, Mayor Pruitt asked if anyone would like to come forward and speak during this time. There being no indication of such, he then closed the Open Forum

**X. CONSENT AGENDA**

1. Consider approval of the minutes from the October 19, 2015 regular city council meeting, and take any action necessary.
2. Consider awarding the bid to Morrow Construction Company and authorizing the city manager to execute a contract for the Rockwall Police Driveway Project in the amount of \$72,056.00 to be funded out of General Fund Reserves, and take any action necessary.
3. Consider authorizing the city manager to execute a contract with Great Midwest Insurance Company to secure reinsurance/stop loss coverage for the City's health insurance plans, applying to claims exceeding \$100,000, and take any action necessary.
4. Consider awarding a bid to Bergkamp Pavement Solutions and authorizing the City Manager to execute a Purchase Order for a new Pothole Patcher in the amount of \$152,640 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.
5. Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a Purchase Order for 2016 model year Police Pursuit Tahoes in the amount of \$107,355 to be funded out of the General Fund, Patrol Budget, and take any action necessary.
6. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Compact Excavator in the amount of \$65,904 to be funded out of the Water and Sewer Fund, Water Operating Budget, and take any action necessary.
7. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of \$128,388 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.
8. **P2015-039** - Consider approval of a request by John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-57,

Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

9. **P2015-038** - Consider approval of a request by Pastor Rex Walker on behalf of Life Spring Church for the approval of a final plat for Lot 1, Block 1 and Lots 1 & 2, Block 2, Life Spring Church Addition being a 30.3403-acre tract of land currently identified 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated with the SH-205 By Pass Corridor Overlay (SH-205 BY OV) District, located on the north side of John King Boulevard east of the intersection of SH-205 and John King Boulevard, and take any action necessary.

10. **Z2015-025** - Consider approval of request by Bill K. Ryan for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary **(2nd Reading)**.

**Councilman Fowler pulled item #2 for discussion. Mayor Pro Tem Lewis made a motion to approve the remainder of the Consent Agenda items (#1, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Milder seconded the motion. The ordinance for item #10 was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 15-29**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [**ORDINANCE NO. 04-38**] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ONE (SF-1) DISTRICT FOR A 1.02-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11-2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN **EXHIBIT 'A'** OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**The motion passed by a vote of 6 ayes with 1 absent (Hohenshelt).**

**Regarding Consent Agenda item #2, Councilmember Fowler indicated that he would like some additional information regarding this agenda item and associated expense, explaining that he believes it seems to be a fairly large cost. After clarification from staff who indicated that adding this driveway will help improve traffic flow in and out of the police department parking lot, Councilmember Fowler then made a motion to approve Consent Agenda item #2 as presented. Councilmember Milder seconded the motion which, after brief comments, passed unanimously of those present (Hohenshelt absent).**

203 **XI. APPOINTMENTS**

- 204
- 205 1. Appointment with the Planning and Zoning Chairman to discuss and answer
- 206 any questions regarding cases on the agenda and related issues and take
- 207 any action necessary.

208 **Indication was given that Mr. Renfro was not present, as there is nothing on tonight's**

209 **meeting agenda for which he needed to provide an update to Council.**

- 210 2. Appointment with Tammy Sharp of the Downtown Merchants' Association to
- 211 discuss and consider partnering with the city for an upcoming Downtown
- 212 Grand Opening Celebration, and take any action necessary.

213 **Mrs. Sharp came forth and explained that she and her husband own T&T Color Supply on**

214 **North Fannin Street in downtown. She explained that she is speaking on behalf of the**

215 **Downtown Merchants' Association. She went on to thank the council and staff for all of**

216 **their efforts and assistance with helping to work through issues associated with the**

217 **downtown improvements and ongoing construction. She explained that Kevin Leferre,**

218 **owner of Zanata and current president of the Downtown Association, has appointed her and**

219 **Christi Foster of Groovy's to begin planning a downtown grand opening event. Tentatively,**

220 **the date of April 16, 2016 has been identified. She requested that the city council consider**

221 **partnering with her organization to hold this grand opening event.**

222

223 **Mayor Pruitt made a motion to partner with the Downtown Merchants' Association for the**

224 **purpose of a ribbon cutting and grand opening associated with completion of the downtown**

225 **construction improvements project to be held on April 16 as long as that date is agreeable**

226 **to everyone. Councilman White seconded the motion, which passed unanimously of those**

227 **present (Hohenshelt absent).**

228

229 **XII. ACTION ITEMS**

- 230
- 231 1. Discuss and consider appointing members of the city's Art Review Team to
- 232 also serve on the Art Committee, and take any action necessary.

233 **Councilmember White made a motion to appoint the Art Review Team members to also**

234 **serve as the city's Art Committee. Mayor Pruitt seconded the motion, which passed**

235 **unanimously of council present (Hohenshelt absent).**

- 236 2. Hear update from Emergency Services Corporation (ESC) representatives
- 237 concerning the countywide contract for Emergency Medical Services (EMS),
- 238 and take any action necessary.

239 **Mayor Pruitt announced that no discussion or action is needed concerning this item at this**

240 **time.**

241

242 **XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**

243 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

244

- 245 1. Departmental Reports
- 246 Building Inspections Monthly Report - September 2015
- 247 Fire Department Monthly Report - September 2015
- 248 GIS Department Monthly Report - September 2015
- 249 Harbor PD Monthly Report - September 2015
- 250 Internal Operations Department Monthly Report - September 2015
- 251 Police Department Monthly Reports - September 2015
- 252 Recreation Monthly Report - Sep 2015

**2. City Manager's Report**

**City Manager Rick Crowley offered brief comments, indicating that staff is available to answer any questions of Council concerning the monthly reports. There being none, no further discussion took place.**

**XIV. EXECUTIVE SESSION**

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

- 1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)**
- 2. Discussion regarding legal claim: Timothy Headley v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)**
- 3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)**
- 4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)**

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

**The mayor and council did not return to Executive Session following the close of the public meeting agenda.**

**XVI. ADJOURNMENT**

**Mayor Pruitt adjourned the meeting at 6:20 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS 16<sup>th</sup> day of November, 2015.**

**ATTEST:**

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

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

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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Timothy M. Tumulty, Director of Public Works/City Engineer

**DATE:** November 12, 2015

**SUBJECT:** Electric Easement Request- Farmers Electric Cooperative

---

City Staff has been approached by Farmer's Electric Cooperative to obtain a 15 foot electric easement to serve a business between the Eastside Pump Station and Costco. Attached is a copy of a survey showing the proposed 15 foot electric easement across our Eastside Pump Station tract located on the west side of T L Townsend. The proposed electric line will serve the new Platinum Storage facility located west of T L Townsend. The proposed easement will be placed adjacent to the existing concrete paved access pavement in the existing 40 foot access easement.

City Council is required to approve the acceptance of an easement across all City property. Staff requests City Council consideration to allow a 15 foot electric easement across the City of Rockwall Eastside Pump Station to Farmers Electric Cooperative as shown on the attached easement document.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager  
Brad Griggs, Assistant City Manager  
Amy Williams, P.E., Assistant City Engineer  
Jeremy White, P.E., Civil Engineer  
File



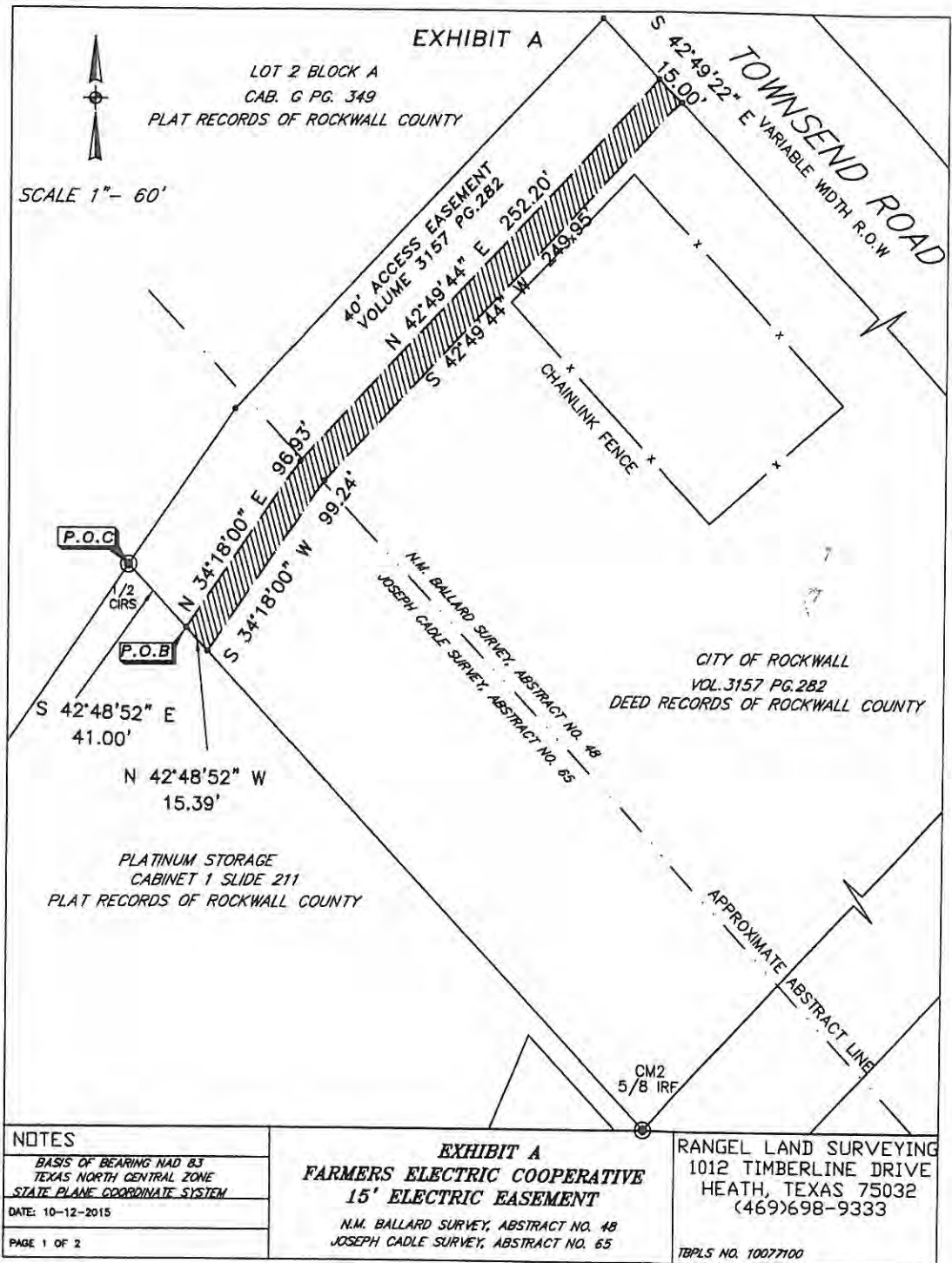


EXHIBIT A  
FARMERS ELECTRIC COOPERATIVE  
15' ELECTRIC EASEMENT

BEING A STRIP OF LAND 15' IN WIDTH, AND CONTAINING 5,237 SQUARE FEET OF LAND IN THE N.M. BALLARD SURVEY, ABSTRACT NO. 48 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING OVER AND ACROSS THAT CERTAIN TRACT OF LAND KNOWN AS CITY OF ROCKWALL AND RECORDED IN VOLUME 3157 PAGE 282 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at 1/2 iron rod found in the north line of Platinum Self Storage as recorded in Cabinet I Slide 211 of the Plat Records of Rockwall County Texas and being the northeast corner of said tract and also being the northwest corner of the City of Rockwall tract as recorded in Volume 3157 Page 282 of Rockwall County Deed Record,

THENCE South 42 DEGREES 48 MINUTES 52 SECONDS East a distance of 41.00 feet to the POINT OF BEGINNING,

THENCE North 34 DEGREES 18 MINUTES 00 SECONDS East, an entering said tract a distance of 96.93 feet;

THENCE North 42 DEGREES 49 MINUTES 44 SECONDS East, a distance of 252.20 feet;

THENCE South 42 DEGREES 49 MINUTES 22 SECONDS East, a distance of 15.00 feet;

THENCE South 42 DEGREES 49 MINUTES 44 SECONDS West, a distance of 249.95 feet;

THENCE South 34 DEGREES 18 MINUTES 00 SECONDS West, a distance of 99.24 feet;

THENCE North 42 DEGREES 48 MINUTES 52 SECONDS West, a distance of 15.39 feet;

to the POINT OF BEGINNING having an area of 5,237 square feet, or 0.12 acres



DATE: 10-12-2015

Rudy Rangel  
Registered Professional Land Surveyor No.5664 State of Texas



# UTILITY EASEMENT AND COVENANT OF ACCESS



NAME: Ron Valk/Platinum Storage

GRID: 3332040740014

SERVICE ORDER NO.: 1507003320.12

STATE OF TEXAS  
COUNTY OF Rockwall

## KNOW ALL MEN BY THESE PRESENTS:

That the undersigned hereinafter called "Grantor" (whether one or more) for good and valuable consideration, which may include approval and execution of an Electric Service Agreement by FARMERS ELECTRIC COOPERATIVE, INC., 2000 East Interstate 30, Greenville, Texas, 75402 (hereinafter called the "Cooperative"), does hereby covenant access to and grant, sell and convey unto the Cooperative an easement and right-of-way upon and across the following described property of grantor:

As shown on Exhibit "A" attached hereto and made a part hereof

Being \_\_\_\_\_ acres of land in the \_\_\_\_\_ Survey, Abstract Number \_\_\_\_\_ in \_\_\_\_\_ County and fully described by metes and bounds in that instrument which is recorded in Volume \_\_\_\_\_ Page \_\_\_\_\_ of the \_\_\_\_\_ Records of \_\_\_\_\_ County, Texas.

The easement, right-of-way, rights and privileges herein granted shall be used for electric power lines and other utility lines (overhead and/or underground) consisting of poles, conductors, guy wires, anchors and associated overhead appurtenances and/or underground cable, surface mounted equipment, associated underground appurtenances, including constructing, operating, maintaining, inspecting, rebuilding, replacing, removing and relocating electric lines, transmission and distribution facilities or equipment, other utility lines, as well as reading any meter or performing any act related to the provision of utility service. The Cooperative is specifically granted pedestrian and vehicular ingress and egress.

The easement rights herein described shall be no broader than reasonably necessary to provide electric and other utility service. The width of the easement shall be fifteen (15) feet, one-half (1/2) of such distance on either side of Cooperative's overhead and/or underground facilities. The height of the easement shall be from fifteen (15) feet beneath the surface of the ground to a height of seventy (70) feet above the ground.

The easement, right and privilege herein granted shall be perpetual, appurtenant to the land, and shall inure to the benefit of the Cooperative's successors and assigns. Grantor represents that he/she is the owner of the above described tract of land and binds himself/herself, his/her heirs, assigns and legal representatives to warrant and forever defend the easement and rights described herein to the Cooperative, its successors and assigns.

The Cooperative shall have the right to use so much of the surface of the herein described property of Grantor as may be reasonably necessary to construct and install within the right-of-way granted hereby, the facilities that may at any time be necessary for the purposes herein specified.

The Cooperative shall have the right to clear the right-of-way of all obstructions, to cut and trim trees within the right-of-way or use other methods as it deems necessary to clear the right-of-way.

Grantor further covenants that Grantor, his/her heirs, successors and assigns shall facilitate and assist Cooperative personnel in exercising their rights and privileges herein described at all reasonable times and shall not build, construct or cause to be erected any building or other structure that may interfere with the provision of electric service or the exercise of the right granted to the Cooperative herein.

The undersigned agrees that all electric power lines and other utility lines (overhead and/or underground) including any main service entrance equipment, installed on the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative, should said lines be abandoned.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_,

## GRANTOR:

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

## THE STATE OF TEXAS

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

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person or persons whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_,

Notary Signature \_\_\_\_\_ Printed Name \_\_\_\_\_ Notary Seal: \_\_\_\_\_

## THE STATE OF TEXAS

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

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person or persons whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_,

Notary Signature \_\_\_\_\_ Printed Name \_\_\_\_\_ Notary Seal: \_\_\_\_\_

EACH SIGNATURE WILL NEED TO BE NOTARIZED AND STAMPED OR THE EASEMENT IS UNACCEPTABLE PLEASE  
SEND ORIGINAL COMPLETELY EXECUTED EASEMENTS TO:  
FARMERS ELECTRIC COOPERATIVE, 2000 I-30 EAST, GREENVILLE, TEXAS 75402, ATTN: ENG COORD: RA'CHEL

DO NOT WRITE BELOW THIS LINE

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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Timothy M. Tumulty, Director of Public Works/City Engineer

**DATE:** November 12, 2015

**SUBJECT:** Facility Agreement  
Sanitary Sewer Replacement Project

---

The Preserve, Phase One subdivision is currently under design and will be beginning construction once the engineering plans are approved by the City. The Preserve, Phase One is located between SH 205 and Highland Drive and south of East Fork Drive. This subdivision will generate 132 single-family lots. During the design plan review, staff recognized that the existing eight inch diameter sanitary sewer line in the Squabble Creek Tributary E is clay tile pipe, is deteriorated and near the end of its design life.

Staff requested the Developer's engineer to re-design a portion of the sanitary sewer line to utilize new PVC pipe and to be installed with the proposed subdivision construction. The remaining section of clay tile can be eliminated and taken out of service. The Developer's engineer has quoted a cost of \$65,245.10 to construct 666 feet of new sanitary sewer line. State Law allows the City to participate with a development as long as the City's amount does not exceed 30 percent of the construction cost. This amount will not exceed the 30 percent restriction. Our funding will be provided by the 2015 Water and Sewer Bond Sale.

Staff requests City Council consideration to approve the Facilities Agreement with Master Developer – SNB, LLC to reconstruct 666 linear feet of existing sanitary sewer line within the first phase of The Preserve development in an amount not to exceed \$65,245.10 and take any action necessary.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager  
Amy Williams, P.E., Assistant City Engineer  
Rick Sherer, Water/Wastewater Manager  
Jeremy White, P.E., Civil Engineer  
File

STATE OF TEXAS                    )  
COUNTY OF ROCKWALL            )  
CITY OF ROCKWALL                )

**FACILITIES AGREEMENT**  
**Preserve Phase 1**

This Agreement is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the City of Rockwall, Texas ("City") and Master Developer-SNB, LLC, a Texas Limited Liability Company. ("Developer").

**WITNESSETH:**

**Section 1.** That in consideration of the Preserve Phase 1 Development, located along East Fork Drive, the parties agree as follows:

Developer agrees to the following:

- a. To abandon the existing 8" clay tile sanitary sewer line in the Squabble Creek Tributary E and relocate the sanitary sewer line within the proposed street in Preserve Phase 1 per approved plans.

City agrees to the following:

- a. Reimburse the Developer, the design and construction of the abandonment of the existing 8" clay tile sanitary sewer line when the existing sanitary sewer line is fully abandoned and accepted by the City.
- b. Reimburse the Developer, the design and construction of the additional 8" PVC sanitary sewer line when it is fully installed per approved plan and accepted by the City. The Participation Breakdown Worksheet, Exhibit A, is attached and made part of this Agreement.

**Section 2.** Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

**Section 3.** Severability Clause. If any section or provision of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Agreement without

the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**Section 4.** Venue for this Agreement shall be in Rockwall County, Texas.

**Section 5.** Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall  
205 W. Rusk  
Rockwall, Texas 75087  
Attn: City Manager

Master Developers-SNB, LLC,  
a Texas Limited Liability Co.  
2400 Dallas Parkway, St. 560  
Plano, Texas 75093

**SIGNED ON THE DATE FIRST ABOVE WRITTEN.**

CITY OF ROCKWALL

By: \_\_\_\_\_  
Rick Crowley, City Manager

Master Developers-SNB, LLC, a Texas Limited Liability Company

By: \_\_\_\_\_  
William C. Shaddock

#### **ACKNOWLEDGEMENTS**

STATE OF TEXAS                     )  
COUNTY OF \_\_\_\_\_        )  
CITY OF \_\_\_\_\_             )

**BEFORE ME**, the undersigned authority, on this day personally appeared, William C. Shaddock, Manager of Master Developers-SNB, LLC, a Texas Limited Liability Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS** \_\_\_\_\_ **day of** \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires:

\_\_\_\_\_  
(Seal)

**STATE OF TEXAS                    )**  
**COUNTY OF ROCKWALL        )**  
**CITY OF ROCKWALL            )**

**BEFORE ME**, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall, City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS** \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires:

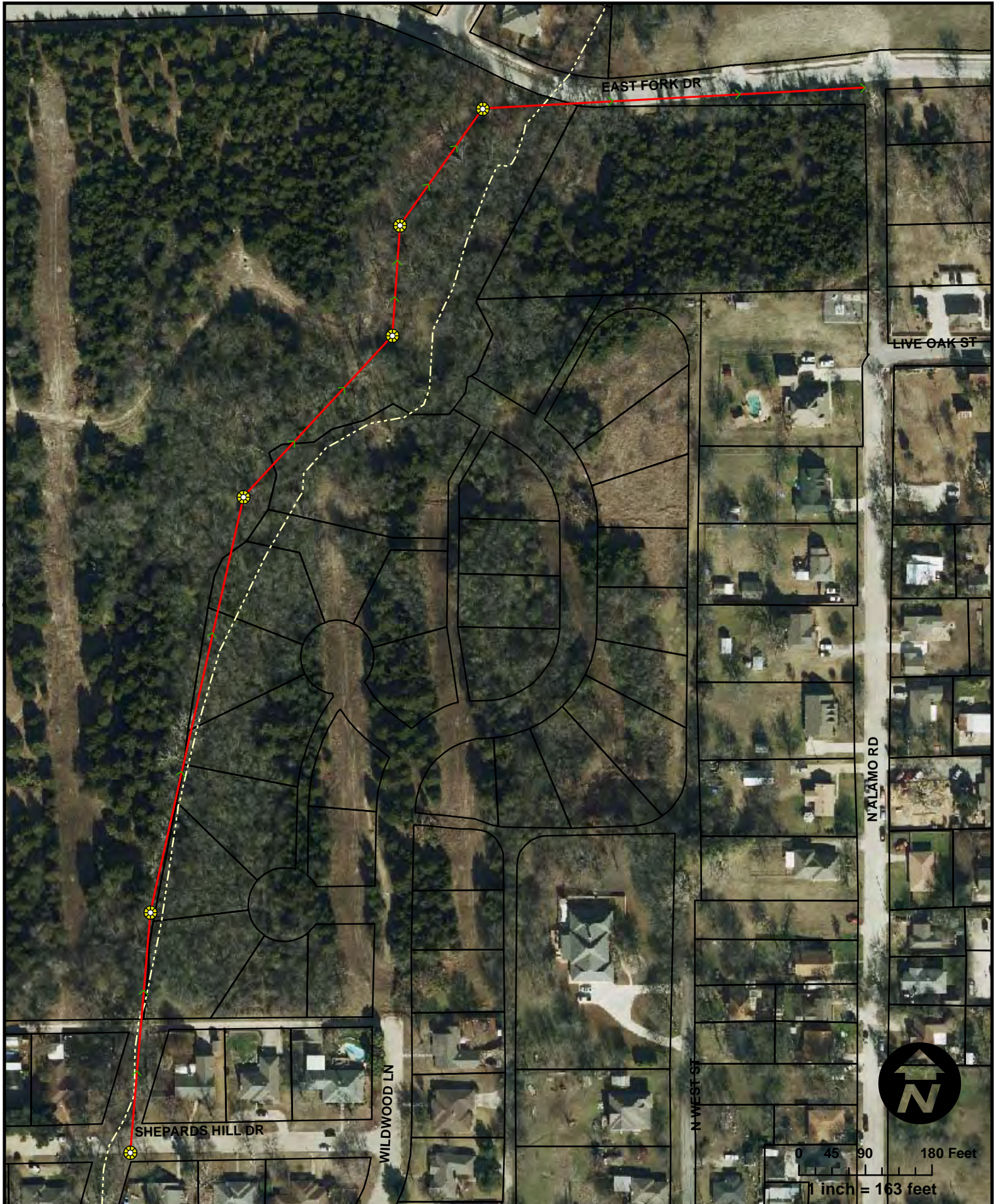
\_\_\_\_\_  
(Seal)



## The Preserve Phase 1 - Rockwall, Texas

|  | Description  | Unit | Quantity | Unit Price  | Total Cost          |
|--|--|------|----------|-------------|---------------------|
| Sanitary Sewer<br>(Abandonment &<br>Realignment) |  |      |          |             |                     |
|  | 8" PVC (SDR 35)                                      | LF   | 666      | \$ 38.00    | \$ 25,308.00        |
|  | Additional Cost for 8" PVC (SDR 26)                  | LF   | 640      | \$ 2.35     | \$ 1,504.00         |
|  | 4' Dia. Type 'S' M.H.                                | EA   | 1        | \$ 4,550.00 | \$ 4,550.00         |
|  | 4' Dia. Type 'S' M.H. Over Existing                  | EA   | 1        | \$ 7,000.00 | \$ 7,000.00         |
|  | Concrete Encasement for 8" Sani. Sewer               | LF   | 320      | \$ 36.50    | \$ 11,680.00        |
|  | Abandon Ex. Manhole in Place                         | EA   | 4        | \$ 1,000.00 | \$ 4,000.00         |
|  | Silt Fence   | LF   | 666      | \$ 1.50     | \$ 999.00           |
|  | Broadcast Seeding of Disturbed Area                  | AC   | 0.3      | \$ 400.00   | \$ 120.00           |
|  | Trench Safety  | LF   | 666      | \$ 0.25     | \$ 166.50           |
|  | Sanitary Sewer Line Testing                          | LF   | 666      | \$ 1.10     | \$ 732.60           |
|  | Maintenance Bond                                     | LS   | 1        | \$ 1,935.00 | \$ 1,935.00         |
|  | <b>Sanitary Sewer Subtotal</b>                       |      |          |             | <b>\$ 57,995.10</b> |
|  | Engineering, Construction Staking,<br>Administrative |      |          |             | \$ 7,250.00         |
|  | <b>Sanitary Sewer Total</b>                          |      |          |             | <b>\$ 65,245.10</b> |





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



City of  
Rockwall

# Sanitary Sewer

Clay Tile



City of Rockwall  
Department of Information Systems  
888-5-Call4SD  
Rockwall, TX 75087  
P. 972-911-7460 F. 972-911-3786  
www.cityofrockwall.com



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## CITY OF ROCKWALL, TEXAS MEMORANDUM

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**TO:** Richard Crowley, City Manager  
**FROM:** Lea Ann Ewing, Purchasing Agent  
**DATE:** October 30, 2015  
**SUBJECT:** Purchase of New 12 Yard Dump Trucks

---

Approved in the General and Water & Sewer Funds, Streets and Water Operating budgets are funds to purchase 12 yard dump trucks, one for each department respectively.

| <u>Dept.</u> | <u>Truck</u>                                   | <u>Cost</u> | <u>Budget</u> |
|--------------|--|-------------|---------------|
| Streets      | - Kenworth 12 yd Dump Truck with Sand Spreader | \$116,507   | \$116,140     |
| Water        | - Kenworth 12 yd Dump Truck                    | \$101,707   | \$102,620     |

This equipment is available from MHC Kenworth through the BuyBoard purchasing cooperative contract #430-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of these new trucks.

For Council consideration is the bid award to MHC Kenworth for 2 dump trucks totaling \$218,214 and authorize the City Manager to execute a purchase order for these new trucks.

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

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**TO:** Richard Crowley, City Manager

**FROM:** Lea Ann Ewing, Purchasing Agent

**DATE:** November 5, 2015

**SUBJECT:** Purchase of New Service Trucks for Various Departments

---

Thirteen (13) new service trucks are approved in the General and Water Sewer funds for various departments. The total budget for these vehicles is \$498,620. The trucks are available from Silsbee Ford through the Texas Association of School Boards (Buy Board) purchasing cooperative contract #430-13. Attached is a spreadsheet listing each vehicle and bid award detail.

As a member and participant in the BuyBoard cooperative program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

For Council consideration are the 13 Service Trucks bid award to Silsbee Ford for \$474,669 and authorize the City Manager to execute a purchase order for these new vehicles.

# **City of Rockwall 2016 New Trucks**

**BuyBoard Cooperative Program Contract #430-13 with Silsbee Ford**

| <u>Department</u>               | <u>Item/Description</u>  | <u>Qty</u> | <u>Cost</u>       | <u>Budget</u>     |
|---------------------------------|--------------------------|------------|-------------------|-------------------|
| <b>GENERAL FUND</b>             |                          |            |                   |                   |
| NIS                             | Truck 1/2 ton            | 1          | 20,209            | 24,670            |
| Building Insp                   | Truck 1/2 ext cab        | 1          | 22,498            | 25,950            |
| Parks                           | Truck 1 ton ext cab      | 1          | 33,263            | 36,000            |
|                                 | Truck 3/4 ton ext cab    | 1          | 32,797            | 33,000            |
| Streets                         | Truck 3/4 ton ext cab    | 2          | <u>77,201</u>     | <u>81,000</u>     |
| Total General Fund              |                          |            | <b>\$ 185,968</b> | <b>\$ 200,620</b> |
| <b>WATER SEWER FUND</b>         |                          |            |                   |                   |
| Water                           | Truck 1-1/2 ton crew cab | 1          | 55,953            | 57,500            |
|                                 | Truck 1 ton ext cab      | 1          | 48,513            | 53,000            |
|                                 | Truck 3/4 ton ext cab    | 3          | 106,368           | 106,500           |
| Sewer                           | Truck 1-1/2 ton crew cab | 1          | 41,211            | 45,500            |
|                                 | Truck 3/4 ton ext cab    | 1          | <u>36,656</u>     | <u>35,500</u>     |
| Total Water Sewer Fund          |                          |            | <b>\$ 288,701</b> | <b>\$ 298,000</b> |
| Total Bid Award to Silsbee Ford |                          |            | <b>\$ 474,669</b> |                   |

Note: The remaining budget of \$23,950 would be used for purchase and install of safety/emergency lights, radio equipment and decals.

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

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**TO:** Richard Crowley, City Manager  
**FROM:** Lea Ann Ewing, Purchasing Agent  
**DATE:** November 2, 2015  
**SUBJECT:** Purchase of a New Steel Wheel Roller Streets Department

---

Approved in the General Fund Streets Operating Budget are funds to purchase a new Steel Wheel Roller used to uniformly compact hot mix asphalt when making street repairs. The Caterpillar Roller CB24B is \$41,690.

This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Steel Wheel Roller bid award to Holt CAT for \$41,690 and authorize the City Manager to execute a purchase order for this new equipment.

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

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**TO: Richard Crowley, City Manager**

**FROM: Lea Ann Ewing, Purchasing Agent**

**DATE: November 10, 2015**

**SUBJECT: Purchase of 2016 Model Police Pursuit Chargers for Patrol**

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Three (3) Police Pursuit Sedans are approved in the General Fund, Police Patrol budget. The total budget for these vehicles including safety and communication equipment is \$97,000. The Dodge Charger with pursuit package (PPV) is available from Freedom Dodge through the Houston-Galveston Area Council of Governments (H-GAC) purchasing cooperative contract #VE11-13. The cost is \$26,340 each and total bid award for three (3) is \$79,020.

As a member and participant in the H-GAC cooperative program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

The remaining budget dollars would be used to buy an equipment package costing approximately \$5,990 for each Charger. Equipment includes the purchase of lights, decals, console, microphones, gun racks, power pack, mounting brackets and installation of these items as well as wiring for and install of the radio, audio video system and computer. Total cost of equipment is estimated to be \$17,970. This equipment will be purchased and installed once we receive the vehicles.

For Council consideration is the Charger PPV bid award to Freedom Dodge for \$79,020 and authorize the City Manager to execute a purchase order for these new vehicles.

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City of Rockwall  
*The New Horizon*

## MEMORANDUM

**To: Rick Crowley, City Manager**

**From: Kirk Riggs, Chief of Police**

**Date: November 9, 2015**

**Subject: Purchase of 2015 Dodge Charger for our Citizens on Patrol**

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The members of our Citizens on Patrol, (COP), are an exceptional group of individuals that volunteer their time to assist the Police Department throughout the year. They have assisted us with over 75 events this year and have saved the department an estimated \$95,000 in salary. The COP's are a valuable component of our department, who provide crime prevention and other services to our city. Some of the various duties they perform on an annual basis include: traffic assistance at football games, parades, and special events, ( Concert on the Lake, Founders Day, Hot Rocks, Rib Run, 4th of July, etc.). In addition to assisting us with special events, these 40 volunteers have logged thousands of hours patrolling our businesses, parks and neighborhoods. The retired police vehicles they are currently using to patrol our city are less reliable and need to be replaced. We would like to implement a four year replacement program that would allow us to replace one aging vehicle a year utilizing our seized funds account to accomplish this goal. This year, we were able to locate a 2015 Dodge Charger with low mileage that already comes equipped with a safety package for \$21,500.

This 2015 model Charger is available for purchase through the BuyBoard purchasing cooperative contract #430-13 from Government Sales Freedom Auto Group. As a member and participant in this cooperative program, the City has met all formal bidding requirements pertaining to the purchase of this vehicle.

For Council consideration is the Charger bid to be awarded to Government Sales Freedom Auto Group and safety equipment for \$21,500 and to authorize the City Manager to execute a purchase order for this vehicle from the Police Department seized asset account.

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City of Rockwall  
*The New Horizon*

## MEMORANDUM

**To: Rick Crowley, City Manager**

**From: Kirk Riggs, Chief of Police**

**Date: November 9, 2015**

**Subject: Purchase of 2016 Chevrolet Suburban for Community Service**

---

The Community Services Unit has had a substantial increase in the number of events and programs being requested, scheduled, and taught within the community. Each of these events or programs requires large quantities of literature (brochures, safety materials, etc.) visual aids (power point, overhead projector, etc.), display devices (tables, pop up tent, tri-pods, boards, etc.) and safety equipment. Officers have found that the typical patrol vehicle does not afford them with the room necessary to carry and transport the items required for the programs and events we are currently being asked to teach. A larger vehicle would provide the Crime Prevention Officers with all the necessary room to keep basic information on hand when out in the community and provide a platform for transporting larger quantities of materials and devices.

This 2016 model Suburban is available for purchase through the BuyBoard purchasing cooperative contract #430-13 from Caldwell Country Chevrolet. As a member and participant in this cooperative program, the City has met all formal bidding requirements pertaining to the purchase of this new vehicle.

For Council consideration is the Suburban bid to be awarded to Caldwell Country Chevrolet and safety equipment for \$41,500 and to authorize the City Manager to execute a purchase order for this vehicle from the Police Department seized asset account.

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## CITY OF ROCKWALL, TEXAS

### MEMORANDUM

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Brad Griggs, *Assistant City Manager*  
Tim Tumulty, *Director of Public Works/City Engineer*  
Mark Poindexter, *Fire Chief*

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

**DATE:** November 16, 2015

**SUBJECT:** Facility Agreement for *Resthaven Funeral Home and Memorial Park*

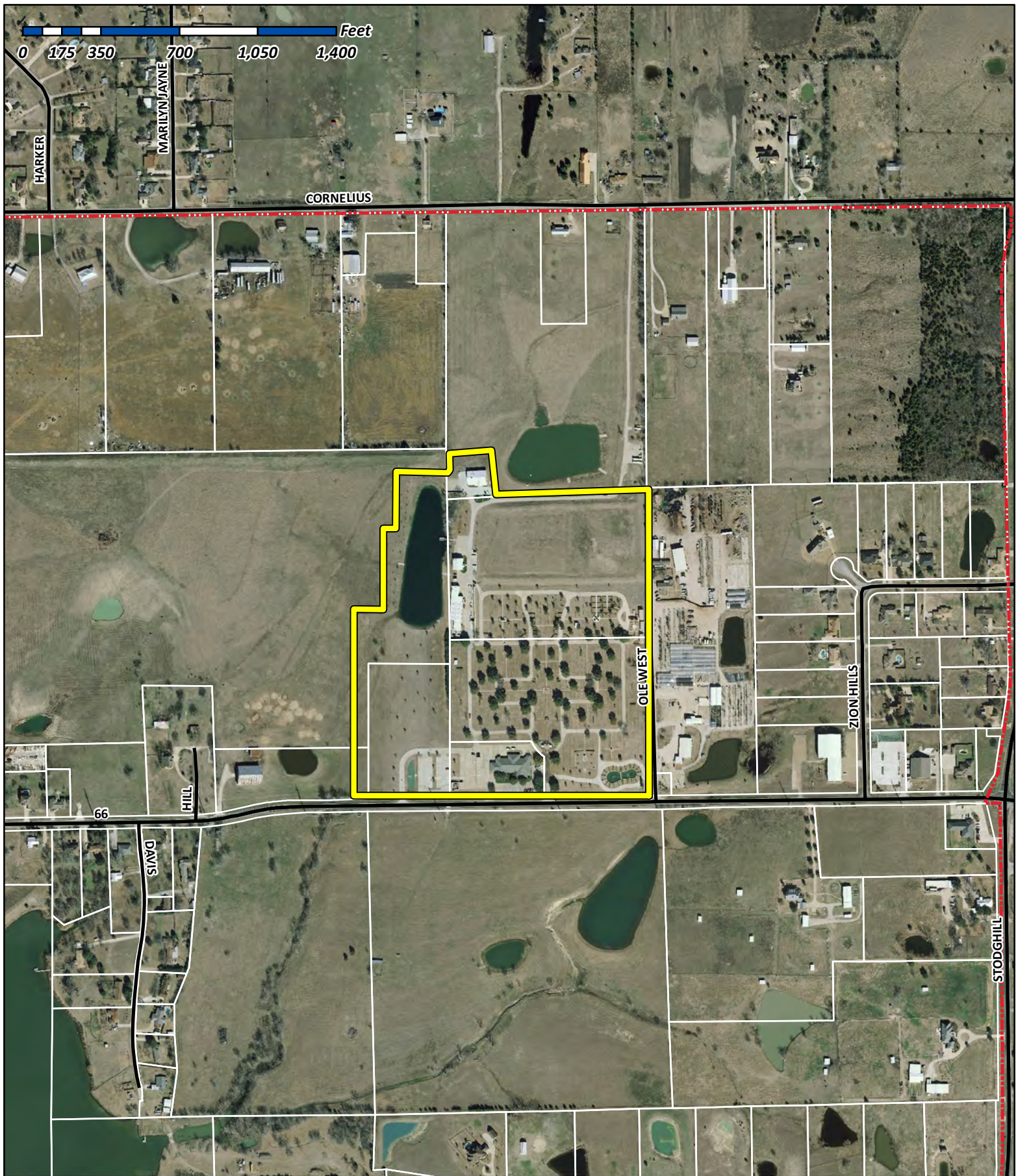
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At the October 6, 2014 City Council meeting, Dewayne Cain of Cain Cemetery Corporation [*Rest Haven Funeral Home and Memorial Park*] requested a delay in the construction of the fire suppression system/requirements for the purpose of expanding the main structure on the subject property at 2500 SH-66. The reason for the request as explained by Mr. Cain in the meeting was the lack of City services (*i.e. sewer and water*) and the inability of the current water supplier, Mt. Zion, to provide sufficient capacity/water flow to supply a fire suppression system. A motion to direct staff to prepare the contract and bring it back before the City Council was approved by a vote of 5-0 (*with Council Members Daniels and Lewis absent*); however, Mr. Cain abandon the project and staff did not proceed with preparing the *Facility Agreement*.

On October 8, 2015, Mr. Cain submitted for a building permit proposing the construction of a mausoleum. As part of this review, the Fire Department stipulated that the building meet fire hydrant coverage or that a *Facility Agreement* be approved by the City Council. As a result, staff has drafted the attached *Facility Agreement* that will allow Mr. Cain to develop the property in accordance with the attached master plan. The agreement does stipulate that once City water has been extended within 100-feet of the subject property that Mr. Cain will have three (3) years to: 1) extend the water line across the frontage of his property and 2) upgrade the existing building to ensure that they have fire sprinklers (*if needed*), needed fire flow, and fire hydrant coverage. All other building and fire code requirements will be reviewed through the building permit process.

Staff request City Council consideration to delay the construction of the fire suppression system/requirements for the subject property in accordance with the conditions stipulated in the attached *Facility Agreement*.





## City of Rockwall

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

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





typically received from Suntex associated with this concessions agreement are about \$100,000 per year.

Mr. Petty offered general comments related to the lake levels and varying circumstances related to individual boat slips at the marina as well as individual contracts with boat owners related to lease of those slips. He indicated that dredging in, around and under the slips at the marina has been challenging.

Councilmember White asked what percentage of revenue has been lost due to tenants pulling out, cancelling their membership and docking their boats elsewhere. Mr. Petty indicated that revenue has declined about 33% due to "rent relief" arrangements that have been negotiated between tenants and the marina and/or due to those who've cancelled and moved their boats elsewhere entirely.

Mr. Griggs indicated that money received from this concessions agreement is deposited into the city's Recreational Development Fund, and the money is used to fund recreational projects for city residents (example: most recently used to renovate Tuttle and Yellow Jacket ball fields). Also, part of the revenues anticipated to be received by the city from this concessions agreement has been budgeted in the 2015 fiscal year for upcoming projects.

Councilmember Milder pointed out that the City of Rockwall is also feeling a lot of stress and financial strain due to the drought and the lack of water sales. So, as a result, he expressed an uncertainty about the city's ability to grant the company's request for relief this evening. Mr. Petty indicated that the company operates twenty-two other marinas elsewhere outside of Rockwall. Councilmember Milder suggested the company consider seeking financial relief from elsewhere within the company itself so that Rockwall taxpayers do not have to bail out the company.

Councilmember Townsend expressed that their concessions agreement is based on a percentage of sales. His struggle is that the company is still charging Rockwall citizens associated with the boat docks, yet then the company wants the city to not charge the company associated with the concessions agreement and the associated financial obligations. He has a problem with the company charging Rockwall residents for boat dock slips they are unable to utilize due to the drought. Mayor Sweet generally echoed Councilmember Townsend's concerns.

Councilmember White asked if the company has sales other than slip rentals. Mr. Petty indicated that the rentals makes up a majority of the sales (about 85%).

Mr. Petty offered brief, closing remarks, indicating that his company may be able to partner with the City in the future to come up with and execute a long term plan which may be beneficial to both the company and the citizens of Rockwall, for example with regards to future dredging operations and green space for residents (using backfill/dredged material).

The council took no action related to this agenda item.

4. Appointment with Dewayne Cain regarding Rest Haven Funeral Home expansion, and take any action necessary.

Dewayne Cain  
305 Stonebridge  
Rockwall, TX



Mr. Cain came forth and indicated he owns the Rest Haven Funeral Home and Memorial Park in Rockwall, a building which has never been expanded since it was originally constructed in 1992. There is now a tremendous need to expand, adding about 1,500 square feet. He would like the city council to consider a temporary postponement associated with the requirement that the new construction and existing construction be equipped with a fire sprinkler suppression system. He explained that his business was annexed into the city several years ago, and, since that time, no city water or sewer lines have been extended to his particular business. He explained that his existing water line is a small line from Mt. Zion Water Supply that comes from Cornelius Street; however, it does not have the capacity to supply sufficient water to service a fire sprinkler system. He explained that he is requesting that the council consider allowing him to go ahead and proceed with construction of the building expansion but defer the fire sprinkler system requirement for a period of time. He suggested that his company could enter into a legal contract with the city that would postpone putting the fire system in until such time as the city extends water to his business. He explained that he is willing to include with the building expansion/construction the fire suppression lines needed to activate the system once city water lines have been extended to his property. After brief discussion, Councilmember Pruitt made a motion for the City to enter into a contract with Dewayne Cain on behalf of Rest Haven Funeral Home to delay installation of the fire sprinkler system until which time as the city extends the water line to his business so he may tie into it and activate the sprinkler system at that future date. Councilmember Townsend seconded the motion. The motion passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

Staff indicated that a contract will be drawn up and brought back to the City Council for review and final approval at a future date.

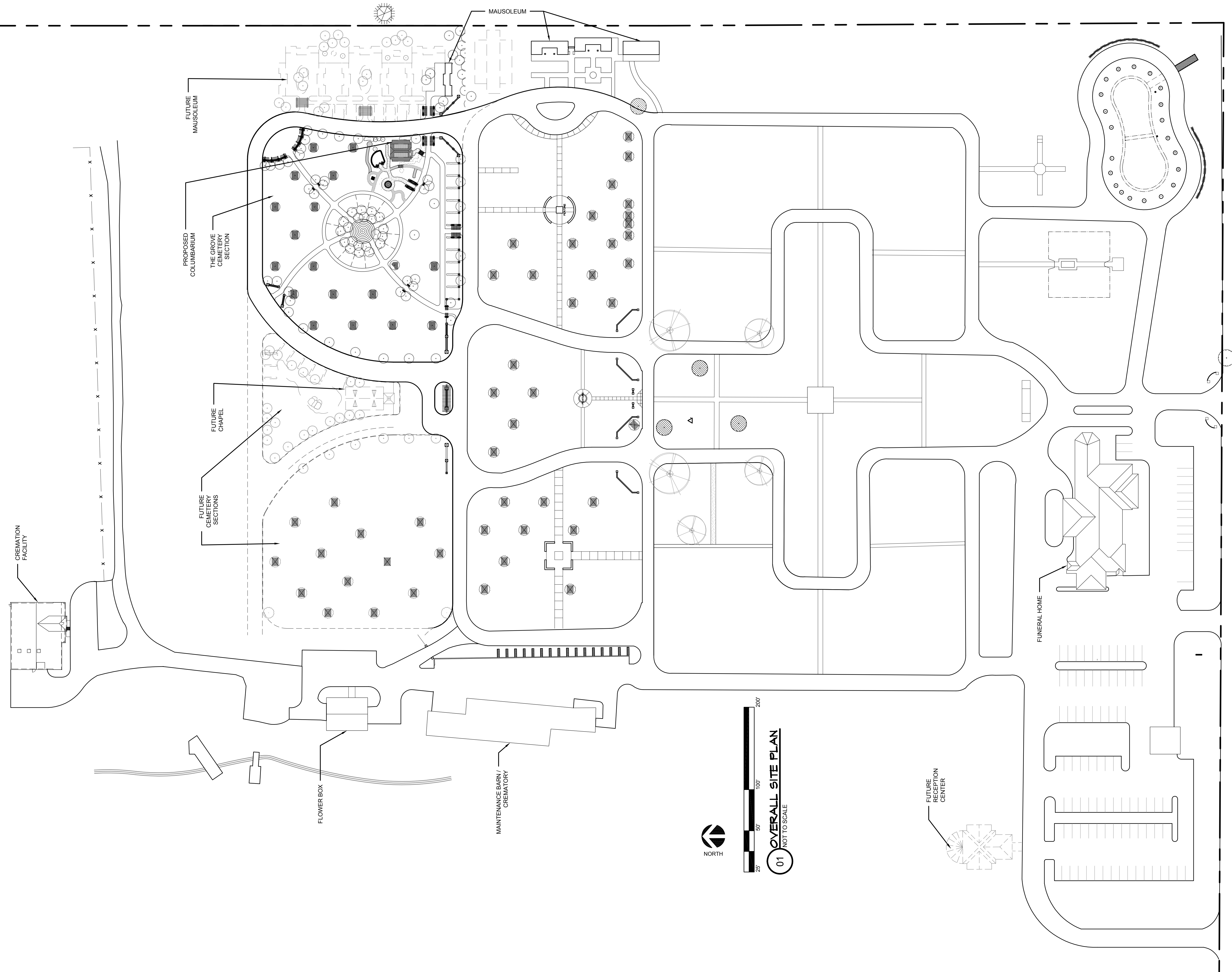
5. Appointment with Mark Spencer to discuss and consider the master plan for the Park at Stone Creek, and take any action necessary.

Assistant City Manager Brad Griggs provided brief introductory comments related to this agenda item, indicating that the city authorized submission of a grant application to the Texas Department of Parks and Wildlife to assist with development of this park. The Park Board voted unanimously on August 5 to approve the master plan for the Park at Stone Creek.

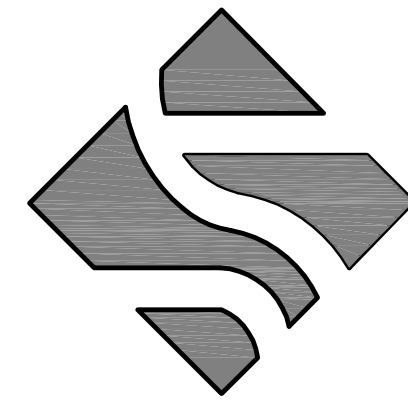
Mr. Spencer with MHS Planning and Design then came forth to address council. He indicated that this park is located on the northwest corner of Featherstone and John King Boulevard next to a middle school. He indicated that a portion of a flood plain is included in this tract, and some sort of a water works play area may be incorporated there. The master plan for this park includes a playground area, a 1/3 mile trail loop, a 9-hole executive disc golf area, a basketball court, plaza with covered pavilion, open lawn area, 1 acre pond, fishing pier, nature area with native grasses and trees and a bike rest stop along the trail along John King. Two parking lots are included for this particular park. About 3.5 acres will be irrigated (out of about 16-17 total acres). He indicated that the play area in this particular park will have about twice as much funding devoted to the playground area than that which has been devoted in other neighborhood parks in Rockwall because a lot of young families live in this particular area.

Mr. Griggs indicated that this park land came about through the city's mandatory park land dedication policy which calls for a developer to either dedicate open space land for parks or pay cash in lieu of land. In this case, the developer dedicated actual land to the city (11.88 acres) for future development of a park. In addition, the developer pays pro rata equipment fees, and those have been collected in the first five phases of the developer's development. Those funds will be utilized as the "matching funds" if the city is awarded the grant for which it has applied. If the grant does not come to fruition, the city will plan to utilize those funds to develop the park more slowly over time in phases and will reapply for a grant again later on.





HWY 66 / WILLIAMS ST.



REST HAVEN CEMETERY  
MASTERS PLAZA  
ROCKWALL, TEXAS

SHEET NO.

JOB NUMBER: 98285

J. STUART TODD, INC.

ARCHITECTS - INTERIORS - MAUSOLEUM - CEMETERY - PLANNING  
WWW.ISTARCHITECTS.COM 214 522 4033

WWW.JSTARCHITECTS.COM 214.522.4033

2919 WELBORN  
DALLAS TEXAS 75240

3424 WILSHIRE BLVD., MEZZANINE  
LOS ANGELES CALIFORNIA 90010

DALLAS, TEXAS 75219  
214.522.4033

© J. STUART TODD, INC.

STATE OF TEXAS )

COUNTY OF ROCKWALL )

CITY OF ROCKWALL )

## FACILITY AGREEMENT

This Agreement is entered into on the *19th* day of *October 2015*, by and between the *City of Rockwall, Texas* (the *City*) and *Dewayne Cain of Cain Cemetery Corporation*, (the *Developer*).

### WITNESSETH:

**Section 1.** That in consideration of delaying the construction of the required fire protection requirements (*i.e. fire sprinklers [if applicable], needed fire flow and fire hydrant coverage*) for the buildings on the *Subject Property*, -- which is described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this agreement, and incorporated by reference herein -- located within the City of Rockwall, Texas, the *City* and the *Developer* agree to the following:

The *Developer* agrees to the following:

- (a) The *Developer* agrees that in accordance with Section 44-31, *Extension of Water and Sewer Lines - Generally*, of Article II, *Main Extensions*, of the *Municipal Code of Ordinances*, when water service has been extended within 100-feet of the limits of the subject property that the developer shall be responsible for completing the following within a three (3) year time period:
  - (1) The *Developer* shall connect and extend the water line across the frontage of the *Subject Property*.
  - (2) The *Developer* shall upgrade the existing buildings to ensure that they meet the fire sprinklers (*if applicable*), needed fire flow, and fire hydrant coverage.
- (b) Failure to comply with the established timeframes stated in *Section 1(a.)* of this agreement will result in the potential revocation of *Ordinance No. 10-34 [SUP No. 77]*.

**Section 2.** The *City* agrees to the following:

- (a) The *City* agrees to allow the delay of the construction of the required fire protection requirements (*i.e. fire sprinklers [if applicable] and fire hydrant coverage*) for the time period established in Section 1(a.) of this agreement and to allow new construction in accordance with the Master Plan contained in *Exhibit 'B'* of this agreement and in conformance with the requirements stipulated in *Ordinance No. 10-34 [SUP No. 77]*.

**Section 3.** Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

**Section 4.** *Severability Clause.* If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**Section 5.** Venue for this agreement shall be in Rockwall County, Texas.

**Section 6.** Notice of this Agreement shall be in writing and addressed to the following:

*ATTN: City Manager*  
City of Rockwall  
385 S. Goliad Street  
Rockwall, Texas 75087

*ATTN: Dewayne Cain*  
Cain Cemetery Corporation  
P.O. Box 1119  
Rockwall, TX 75087

**SIGNED ON THE DATE FIRST ABOVE WRITTEN.**

CITY OF ROCKWALL

By:

\_\_\_\_\_  
Rick Crowley  
*City Manager*

DEVELOPER

By:

\_\_\_\_\_  
Dewayne Cain  
*Cain Cemetery Corporation*

**ACKNOWLEDGEMENTS**

**STATE OF TEXAS            )**

**COUNTY OF ROCKWALL    )**

**CITY OF ROCKWALL        )**

**BEFORE ME**, the undersigned authority, on this day personally appeared, *Dewayne Cain*, the owner of the *Cain Cemetery Corporation*, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS** \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
*Notary Public in and for the State of Texas*

My Commission Expires:

\_\_\_\_\_



STATE OF TEXAS )

COUNTY OF ROCKWALL )

CITY OF ROCKWALL )

BEFORE ME, the undersigned authority, on this day personally appeared, Rick Crowley, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS** \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
*Notary Public in and for the State of Texas*

My Commission Expires:

\_\_\_\_\_

*Exhibit 'A'*  
*Legal Description*

All that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, Rockwall County, Texas, and being all of REST HAVEN MEMORIAL PARK ADDITION, according to the Plat thereof recorded in Cabinet A, Slide 140 of the Plat Records of Rockwall County, Texas, and MEMORIAL GARDEN MAUSOLEUM IN RESTHAVEN MEMORIAL PARK, according to the Plat thereof recorded in Cabinet C, Slide 333 of the Plat Records of Rockwall County, Texas, and being a part of a tract of land as described in a Warranty Deed from T. D. Cain to E. V. S. R. (D), LLC, as recorded in Volume 3822, Page 110 of the Real Property Records of Rockwall County, Texas, and being all of a 13.251-acres tract as described in a Warranty Deed from Dewayne and Ann Cain to Cain Cemetery Corporation, as recorded in Volume 771, Page 109 of the Real Property Records of Rockwall County, Texas, and being a part of a tract of land as described in a Deed from Buell C. Florence to Cain Cemetery Corporation, as recorded in Volume 4889, Page 301, of the Real Property Records of Rockwall County, Texas, and being all of a 5.00-acre tract of land as described in a Warranty Deed from Buell C. Florence to Cain Cemetery Corp., dated August 8, 2005 and being recorded in Volume 4162, Page 42 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the North right-of-way line of State Highway 66, at the Southeast corner of said RESTHAVEN MEMORIAL PARK ADDITION;

THENCE S. 89 deg. 57 min. 09 sec. W. along said right-of-way line, a distance of 895.0-feet to an iron rod found for corner at the southwest corner of said RESTHAVEN MEMORIAL PARK ADDITION and being at the southeast corner of said 5.00-acre tract;

THENCE N. 89 deg. 56 min. 26 sec. W. a distance of 422.69-feet to a ½" iron rod with yellow plastic cap stamped "R. S. I C. RPLS 5034" set for corner;

THENCE along a steel pipe fence as follows:

N. 00 deg. 01 min. 13 sec. E. a distance of 833.22-feet;  
S. 89 deg. 41 min. 34 sec. E. a distance of 131.7-feet;  
N. 00 deg. 07 min. 41 sec. E. a distance of 362.70-feet;  
S. 88 deg. 55 min. 20 sec. E. a distance of 54.67-feet;  
N. 00 deg. 21 min. 00 sec. E. a distance of 254.99-feet;  
S. 88 deg. 20 min. 13 sec. E. a distance of 230.35-feet;

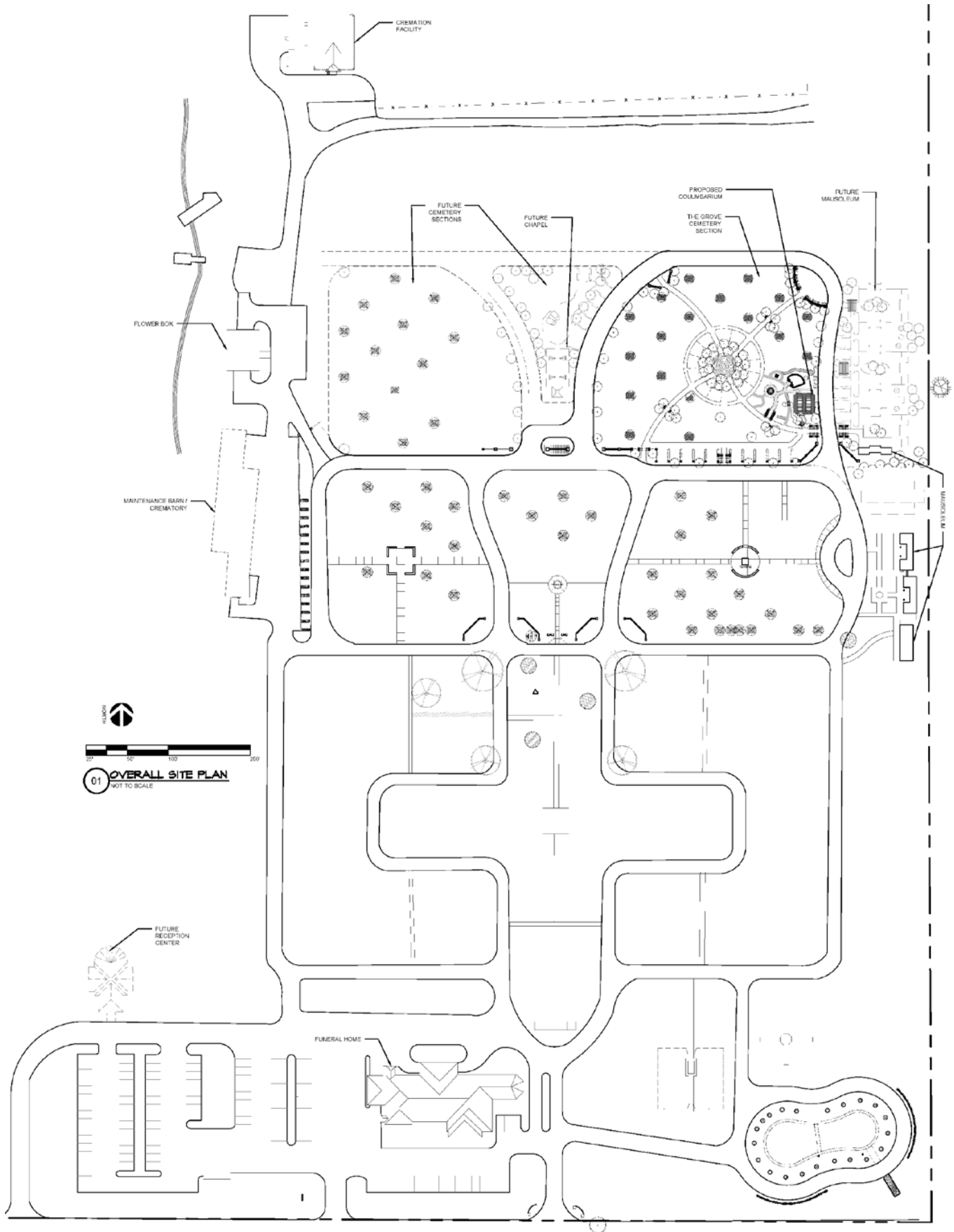
THENCE along a wire fence as follows:

N. 33 deg. 57 min. 40 sec. E. a distance of 16.06-feet;  
N. 01 deg. 39 min. 57 sec. W. a distance of 73.22-feet;  
N. 85 deg. 41 min. 15 sec. E. a distance of 189.73-feet;  
S. 05 deg. 47 min. 37 sec. E. a distance of 197.64-feet to a point for corner in the north line of said 13.251-acres tract of land;

THENCE N. 88 deg. 03 min. 58 sec. E. along the north boundary line of said 13.251-acre tract, a distance of 682.42-feet to an iron rod found for corner at its northeast corner;

THENCES. 00 deg. 04 min. 20 sec. E. along the east line of said 13.251-acre tract and along the east line of said RESTHAVEN MEMORIAL PARK ADDITION, a distance of 1369.33-feet to the POINT OF BEGINNING and containing 40.57-acres of land.

# Exhibit 'B' Master Plan



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## MEMORANDUM

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

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

**DATE:** November 13, 2015

**SUBJECT:** Resolution of Support – NTMWD's Lower Bois D'Arc Creek Reservoir

---

Tom Kula, Executive Director of the North Texas Municipal Water District, is seeking assistance from member cities related to the Lower Bois D'Arc Creek Reservoir project and associated permitting process. Included on the November 16 agenda for Council's consideration is a resolution of support for the project and associated permitting that NTMWD is attempting to secure. In addition to outlining support for the reservoir project, the resolution requests the Mayor to draft and send a letter to Congressman Ratcliffe to ask that he and his fellow Congressmen do whatever is needed to expedite needed permitting. Also included in the packet is a sample, draft letter provided by Mr. Kula that Rockwall may wish to utilize for this purpose as well as a November 6<sup>th</sup> press release from Congressman Ratcliffe's office. The sample letter provided by Mr. Kula may be sent 'as is' or modified in any way the Mayor and/or Council may wish. Staff will be available to answer any questions Council may have concerning this issue.

**CITY OF ROCKWALL  
RESOLUTION NO. 15-31**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, EXPRESSING SUPPORT FOR THE NORTH TEXAS MUNICIPAL WATER DISTRICT'S (NTMWD) PLANNING, PERMITTING AND CONSTRUCTION OF THE LOWER BOIS D'ARC CREEK RESERVOIR (LBCR) PROJECT; AUTHORIZING THE MAYOR TO SUBMIT AN ASSOCIATED LETTER OF SUPPORT TO ROCKWALL'S CONGRESSMAN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, over the last ten years, the NTMWD and its Member Cities have been investing considerable time and resources for the required planning and permitting to construct the Lower Bois d'Arc Creek Reservoir (LBCR); and

**WHEREAS**, this project has been identified as a necessity in order to meet the North Texas region's short-term and long-term water needs; and

**WHEREAS**, while the NTMWD and its member cities have and will continue to concentrate on water conservation efforts, conservation alone cannot meet our residents' needs in the year 2020 and beyond; and

**WHEREAS**, although the NTMWD has received the required State permit and the U.S. Army Corps. Of Engineers has issued its Draft Environmental Impact Statement, the NTMWD and the City of Rockwall are concerned that the final federal permit could be delayed beyond 2016; and

**WHEREAS**, the City of Rockwall is counting on additional water supply from the LBCR to become available as early as 2020 and is poised to begin construction as soon as the Army Corps. of Engineers issues the 404 Clean Water Act Permit; and

**WHEREAS**, delays in the Corps issuing this much needed permit may not only limit the availability of water for our citizens, but also add costs to what is already a \$1 billion investment.

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

**Section 1.** That the Rockwall City Council hereby requests the Rockwall Mayor to draft and send a letter to U.S. Congressman John Ratcliffe to ask him and his fellow Congressmen to do whatever possible to expedite completion of the federal permitting associated with the LBCR project; and

**Section 2.** That this Resolution shall become effective from and after its adoption and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16<sup>th</sup> DAY OF November, 2015.**

**ATTEST:**

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

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

Congressman,

On behalf of the City of \_\_\_\_\_, thank you for working diligently to ensure the citizens of North Texas have the vital water resources needed to support our growing region.

As you know, water has provided the essential foundation for our community to grow over the last several decades and a reliable water supply is critical to meet the needs of our children and grandchildren, as well as to support businesses, jobs and economic prosperity in our city.

Over the last 10 years, the North Texas Municipal Water District (NTMWD) and its Member Cities have been investing considerable time and resources for the required planning and permitting to construct the Lower Bois d'Arc Creek Reservoir (LBCR) to provide much needed additional water supplies for existing and future residents in North Texas. This project is absolutely key to meeting our short-term and long-term water needs.

While we must pursue new resources, our City recognizes the importance of maximizing current available water supplies. Our region has been responsible with its limited supplies during the past several years and will continue to be leaders in water conservation. Yet, conservation alone cannot meet our residents' needs in 2020 and beyond. We can't emphasize enough how important it is to have adequate water to help protect us from the significant effects of drought that we have experienced more frequently over the last decade. We can't afford to continue to experience years of limited supplies, particularly as watering restrictions place a considerable burden on our citizens and may stifle future economic growth.

We were pleased that the NTMWD received the required State permit for the LBCR project last summer and that the U.S. Army Corps of Engineers (Corps) has issued its Draft Environmental Impact Statement after years of rigorous analysis and studies. However, we are very concerned that the final federal permit could be delayed beyond 2016.

Our City is counting on that additional supply being available as early as 2020. The NTMWD has worked closely in support of the federal agencies throughout the permitting process and is poised to begin construction as soon as the 404 Clean Water Act Permit is issued by the Corps. Delays in receiving the final permit may not only limit the availability of water for our citizens, but also add costs to what is already a \$1-billion investment.

For these reasons, we implore you and your fellow Congressmen to do whatever possible to expedite the completion of the federal permitting for the LBCR. The process has already taken nearly a decade and the citizens of North Texas deserve more certainty when it comes to something as important as the water supply that is essential for the public health, safety and economic viability of the entire region.

Respectfully,

Mayor, City of \_\_\_\_\_



**Subject:** Lower Bois d'Arc - Congressman Ratcliffe Position and Letter

**From:** Grinnan, Lorie

**Sent:** Thursday, November 12, 2015 2:17 PM

**To:** Crowley, Rick

**Subject:** Lower Bois d'Arc - Congressman Ratcliffe Position and Letter

Rick,

The below is the press release for the Lower Bois d'Arc Reservoir and the link to the letter from Representatives Sessions, Johnson, and Ratcliffe. Thank you for contacting me regarding the city council agenda item, and I plan to attend the meeting.

Lorie

# TEXAS CONGRESSMEN SUPPORT CONSTRUCTION OF THE LOWER BOIS D'ARC CREEK RESERVOIR

November 6, 2015

Press Release

WASHINGTON, DC - U.S. Congressman John Ratcliffe (TX-4), U.S. Congressman Pete Sessions (TX-32) and U.S. Congressman Sam Johnson (TX-3), released the following statement regarding their joint letter on behalf of the North Texas Municipal Water District to the United States Army Corps of Engineers (USACE) and the Environmental Protection Agency (EPA) urging them to issue a necessary permit to build the Lower Bois d'Arc Creek Reservoir:

The North Texas Municipal Water District (NTMWD) currently serves 1.6 million people in one of the fastest growing areas in Texas. The NTMWD has projected that water demands will drastically increase from 420,000 acre-feet per year in 2020 to 626,400 acre-feet per year by 2060. Due to the growing demands, it is imperative that the Lower Bois d'Arc Creek Reservoir permits be approved no later than June 1, 2016 to ensure construction is completed by 2020. Water resources, including the construction of this reservoir, are the key to sustaining North Texas' burgeoning economic and population growth.

"I'm grateful to join with Congressman Pete Sessions and Congressman Sam Johnson to demand answers on behalf of our constituents in Northeast Texas. Many folks in Texas' Fourth Congressional District have reached out to my office with concern about the permitting timeline for the Lower Bois d'Arc Creek Reservoir," said Ratcliffe. "It's time that the EPA and USACE take this process seriously and do everything within their power to move the process along, so the people of Northeast Texas can benefit from the region's continued economic growth."

"As our region continues to expand, it is imperative that we take effective measures to ensure North Texas families have access to this critical water supply," Sessions said. "I join my colleagues in urging the EPA

and USACE to recognize the urgency of this situation, remove the bureaucratic hurdles, quickly conclude the permitting process, and issue the necessary permits so we can begin construction on this vital Reservoir.”

“Texans are no strangers to drought, which is why water is one of the most important issues for folks in North Texas – particularly as our community continues to grow,” said Johnson. “That’s why, a few years ago, I worked to help the NTMWD resume pumping after it had been shut down due to a Zebra Mussel infestation. But I’ve also been working hard with my colleagues Congressman Sessions and Ratcliffe to get *new reservoirs* for our area approved. We’ve been working closely with the Army Corps of Engineers, and we also helped pass the RAPID Act (H.R. 348) to help expedite the approval of new water projects like the Lower Bois d’Arc Creek Reservoir. It’s high time this necessary reservoir’s permit was granted, and North Texans can rest assured we’ll continue to fight to see that their water needs are met.”

To read the full letter, click [here](#).

Lorie Grinnan  
Regional Representative  
Congressman John Ratcliffe (TX-04)  
6531 Horizon Road, Suite A  
Rockwall, TX 75032 | Main: 972-771-0100  
Cell: 972-922-8452 | Fax: 972-771-1222



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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Timothy M. Tumulty, Director of Public Works/City Engineer

**DATE:** November 12, 2015

**SUBJECT:** Downtown Reconstruction Improvements

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The Downtown Reconstruction Project was approved by our voters in 2012. The project design was performed by La Terra Studio, Inc. and is being constructed at this time by Hill-Wilkinson General Contractors. The contractor is nearing the completion of the project. The section of Goliad Street between Washington and Rusk Streets was not included in the original design and construction.

Staff was asked to provide a cost to include the design for Goliad Street between Washington and Rusk Streets. La Terra Studio, Inc. has submitted an Additional Services Request (Number One) to design the rehabilitation of this section to match the other areas of our Downtown. Their cost to perform this design is \$50,500.00. Their design of the additional area should be completed in time to avoid an additional mobilization cost from our contractor.

Staff requests City Council consideration to approve the attached additional services contract amendment with La Terra Studio, Inc. to provide the design for the walkways/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in an amount of \$50,500 and take any action necessary. Funding will be taken out of the Downtown Projects funding account.

TMT:em

Attachments

Cc:  
Mary Smith, Assistant City Manager  
Amy Williams, P.E., Assistant City Engineer  
File

**CITY OF ROCKWALL  
ADDITIONAL SERVICES AGREEMENT #1**

**DOWNTOWN ROCKWALL IMPROVEMENTS**

This agreement is made by the City of Rockwall, Texas, a municipal corporation (“City”) and **LA TERRA STUDIO, INC.** (“Landscape Architect”). Under this Agreement, Landscape Architect shall provide **Additional Professional Design Services** (collectively, the “Project”). The City and Landscape Architect agree:

See Attachment “A” for Description of Additional Services

LA TERRA STUDIO, INC.

CITY OF ROCKWALL, TEXAS

By: Michael Black

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

Title: CEO

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

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Address: 2700 Swiss Ave. Suite 100  
Dallas, TX 75204

Address:

Phone: 214.749.0333

Phone:

Fax: N/A

Fax:

ATTEST:

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

Tim Tumulty, P.E.  
Director of Public Works  
City of Rockwall  
385 S. Goliad Street  
Rockwall, Texas 75087

RE: **Additional Services Request # 1**  
**Downtown Improvements – Goliad Street (Washington to Rusk)**

Dear Mr. Tumulty:

*la terra studio, inc.* would like to offer additional professional services for the design of improvements along Goliad Street between Washington Street and Rusk Street in association with the current downtown construction project. We propose the following additional services in order to provide pricing documents to Hill Wilkinson (Construction Contractor) on or before December 11<sup>th</sup>, 2015.

- Site Preparation (Demolition) Plan
- Traffic Control Plan
- Erosion Control Plan
- Site Plan
- Grading Plan
- Subsurface Drainage Plan (Planters)
- Irrigation Plan
- Landscape Plan
- Site Details
- Electrical Plan
- Structural/Foundation Plan and Details
- Construction Phase Services (To be Billed Hourly as requested by the City)

*la terra studio* will provide Construction Documents by January 13<sup>th</sup>, 2016. The items listed above are to be provided in accordance with the original contract terms (dated: August 7<sup>th</sup>, 2012)

|                                  |                  |
|----------------------------------|------------------|
| Pricing Drawings                 | \$42,500         |
| Final Construction Drawings      | \$ 8,000         |
| Construction Phase Services      | <u>\$ Hourly</u> |
| <b>Total additional services</b> | <b>\$50,500</b>  |

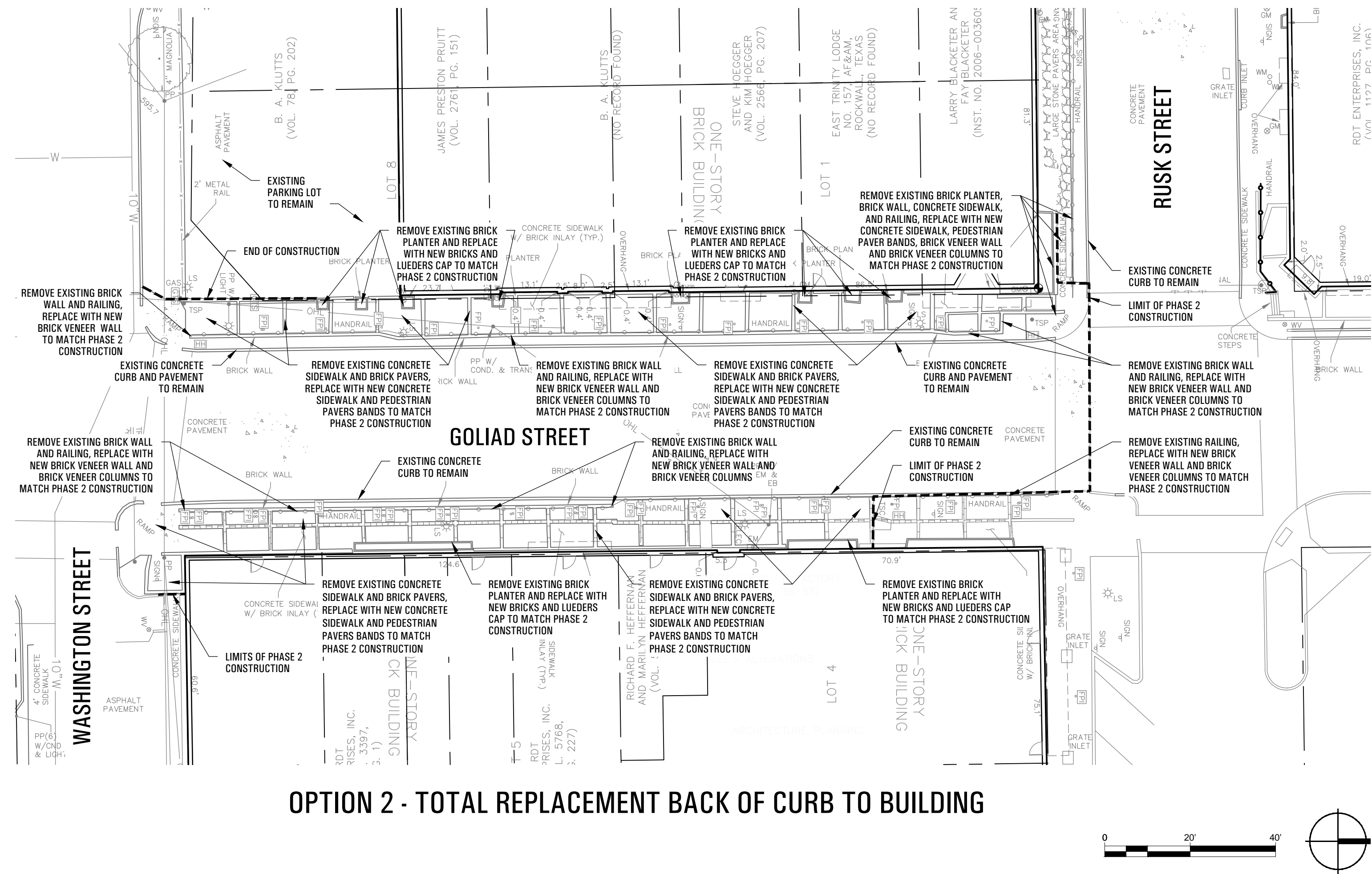
Respectfully,



michael t black, CLARB|ASLA|PLA  
C.E.O. ~ *la terra studio, inc.*

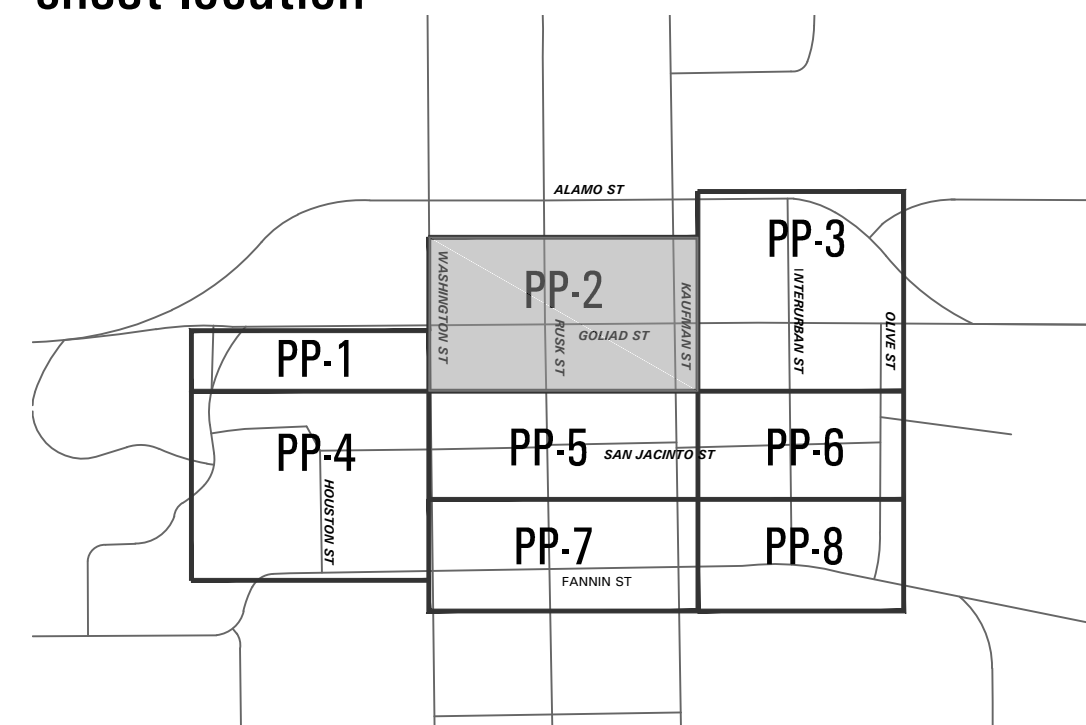
## OPTION 2 SUMMARY


- REMOVE BRICK WALLS
- REMOVE RAILINGS
- ADD BRICK VENEER WALLS AND COLUMNS
- REPLACE CONCRETE PAVEMENT
- REPLACE BRICK PLANTERS



## OPTION 2 - TOTAL REPLACEMENT BACK OF CURB TO BUILDING

sheet location



LLLA  
ENVIRONMENTAL  
LANDSCAPE  
ARCHITECTS

# Downtown Rockwall

la terra studio Project #12024

---

## *streetscape improvements*

PHASE 2

rockwall, texas

[illegible]

|                    |
|--------------------|
| 12024              |
| lts project number |
| 02.26.2014         |
| date               |
| rac; bhm           |
| drawn by           |
| mtb                |
| checked by         |

registration

REGISTERED LANDSCAPE ARCHITECT  
MICHAEL T. BLUM  
2202  
STATE OF TEXAS

02.26.2014  
sheet title

**Goliad Street  
Improvement Plan**

sheet number

**PR-1**





**Rockwall Downtown Goliad Option 2 Full Replacement  
Rockwall, TX**

October 28, 2015

2703 Telecom Parkway  
Suite 120  
Richardson, TX 75082  
Max Scott  
214-299-4300 Main  
214-878-8546  
214-299-4888 Fax

**ESTIMATE #1 - ROUGH ORDER OF MAGNITUDE (ROM)**

| DESCRIPTION                            | QTY      | UNIT  | U.P.       | TOTAL        | \$/SF |
|--|----------|-------|------------|--------------|-------|
| 1 <b>DESIGN</b>                        | by Owner |       |            | by Owner     |       |
| 2 <b>GENERAL REQUIREMENTS</b>          | 1        | LS    | 6,500.00   | 6,500        |       |
| 3 -Construction Fence                  | 1        | LS    | 2,500.00   | 2,500        |       |
| 4 -Barricades                          | 1        | LS    | 3,500.00   | 3,500        |       |
| 5 <b>Landscaping</b>                   | 1        | Allow | 55,000.00  | 55,000       |       |
| 6 -Pots                                | 1        | LS    |            | Included     |       |
| 7 -Irrigation                          | 1        | LS    |            | Included     |       |
| 8 <b>Demolition/Earthwork</b>          | 1        | LS    | 40,713.00  | 40,713       |       |
| 9 -Demo of Sidewalks, Walls & Planters | 1        | LS    |            | Included     |       |
| 10 -Grading                            | 1        | LS    |            | Included     |       |
| 11 -Flexbase under sidewalk            | 1        | LS    | 5,500.00   | 5,500        |       |
| 12 <b>Concrete</b>                     | 1        | LS    | 262,100.00 | 262,100      |       |
| 13 -Sidewalk Replacement               | 1        | LS    |            | Included     |       |
| 14 -Piers & Gradebeam for Walls        | 1        | LS    |            | Included     |       |
| 15 <b>MASONRY</b>                      | 1        | LS    | 130,000.00 | 130,000      |       |
| 16 -Brick @ Planters                   | 1        | LS    |            | Included     |       |
| 17 -Block @ Planters                   | 1        | LS    |            | Included     |       |
| 18 -Stone Cap @ Planters               | 1        | LS    |            | Included     |       |
| 19 -Brick Walls w/Block and Stone Caps | 1        | LS    |            | Included     |       |
| 20 -Pavers                             | 943      | SF    | 13.20      | 12,448       |       |
| 21 <b>Railings</b>                     | 1        | Allow | 15,000.00  | 15,000       |       |
| SUBTOTAL                               |          |       |            | \$533,261.00 |       |
| 23 General Conditions                  |          |       |            | 89,938       |       |
| SUBTOTAL                               |          |       |            | 623,199      |       |
| 25 Payroll Tax / Burden                |          |       |            | included     |       |
| 26 Builders Risk Insurance             |          |       |            | 466          |       |
| 27 Liability / Umbrella                |          |       |            | 6,764        |       |
| 28 Subguard                            |          |       |            | 7,811        |       |
| 29 P & P Bond                          |          |       |            | 15,580       |       |
| SUBTOTAL                               |          |       |            | 653,820      |       |
| 31 Construction Contingency            | 5.00%    |       |            | 32,691       |       |
| SUBTOTAL                               |          |       |            | 686,511      |       |
| 33 Contractor Fee                      | 6.00%    |       |            | 41,191       |       |
| SUBTOTAL                               |          |       |            | 727,702      |       |
| 35 Renovation Tax (Including Fee)      | 0.00%    |       |            | 0            |       |
| TOTAL                                  |          |       |            | 727,702      |       |

**QUALIFICATIONS:**

- 1 The estimate is conceptual in nature based on sheet PR-1 provided by La Terra Studio dated 2.26.14
- 2 Sales tax is excluded
- 3 Testing will be paid out of the original allowance
- 4 This estimate is for budget purposes only
- 5 Electrical work is excluded
- 6 Plumbing work is excluded
- 7 Gas work is excluded
- 8 Landscaping is an Allowance (Not sure of the quantity of Pots needed)

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## CITY OF ROCKWALL, TEXAS

### MEMORANDUM

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Brad Griggs, *Assistant City Manager*

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

**DATE:** November 16, 2015

**SUBJECT:** MIS2015-009; *Special Request for 112 Chris Drive*

---

At the October 5, 2015 City Council meeting the Rockwall Housing Development Corporation (RHDC) presented a proposal for a *Special Request* to allow the construction of two (2) single-family attached structures on two (2) lots at 112 Chris Drive in Area 2 of the Lake Rockwall Estates subdivision. The purpose of this case was to provide an alternative to *Case No. MIS2015-004*, which involved a request to replace a manufactured home that sustained considerable damage as a result of the flooding in the Lake Rockwall Estates subdivision earlier this spring. The property for this case was located at 142 Rene Drive and is located within the 100-year floodplain. In response to *Case No. MIS2015-008*, the City Council approved a motion to deny the single-family attached land use by a vote of 2-3 (*with Council Members Milder, Townsend and White dissenting and Council Members Fowler and Hoenshelt absent*); however, the City Council did vote to approve an exception to the masonry requirements and a variance to the lot frontage requirements -- *also requested by this case* -- by a vote of 3-2 (*with Council Members Townsend and Milder dissenting and Council Members Fowler and Hoenshelt absent*).

The case returned to the City Council at their work session on October 19, 2015 where the City Council directed staff to bring the case back under the *Special Exceptions* clause contained in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. As part of this directive, the case was to be advertised in the same manner as required for zoning cases as stipulated by Section 6.1, *Notice of Public Hearing*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code. In response to this request, staff mailed out 94 notices to residents and property owners within 500-feet of the subject property on October 30, 2015. Additionally, staff posted a sign at the northwest corner of the intersection of Chris Drive and Countyline Road (*i.e. on the subject property*), and advertised the public hearings in the Rockwall Harold Banner. At the time this memorandum was drafted no responses were received by staff.

On November 10, 2015, the Planning and Zoning Commission approved a motion to recommend denial of the applicant's request by a vote of 3-2, with Commissioners McCutcheon and Logan dissenting and Commissioners Jusko and Fishman absent. Provided in this packet are staff's case memos for *Case No.'s MIS2015-004 & MIS2015-008*, a time-line of events that includes all voting results, and all pertinent information concerning the current request. Should the City Council have any questions staff will be available to answer them at the work session.





## City of Rockwall

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

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



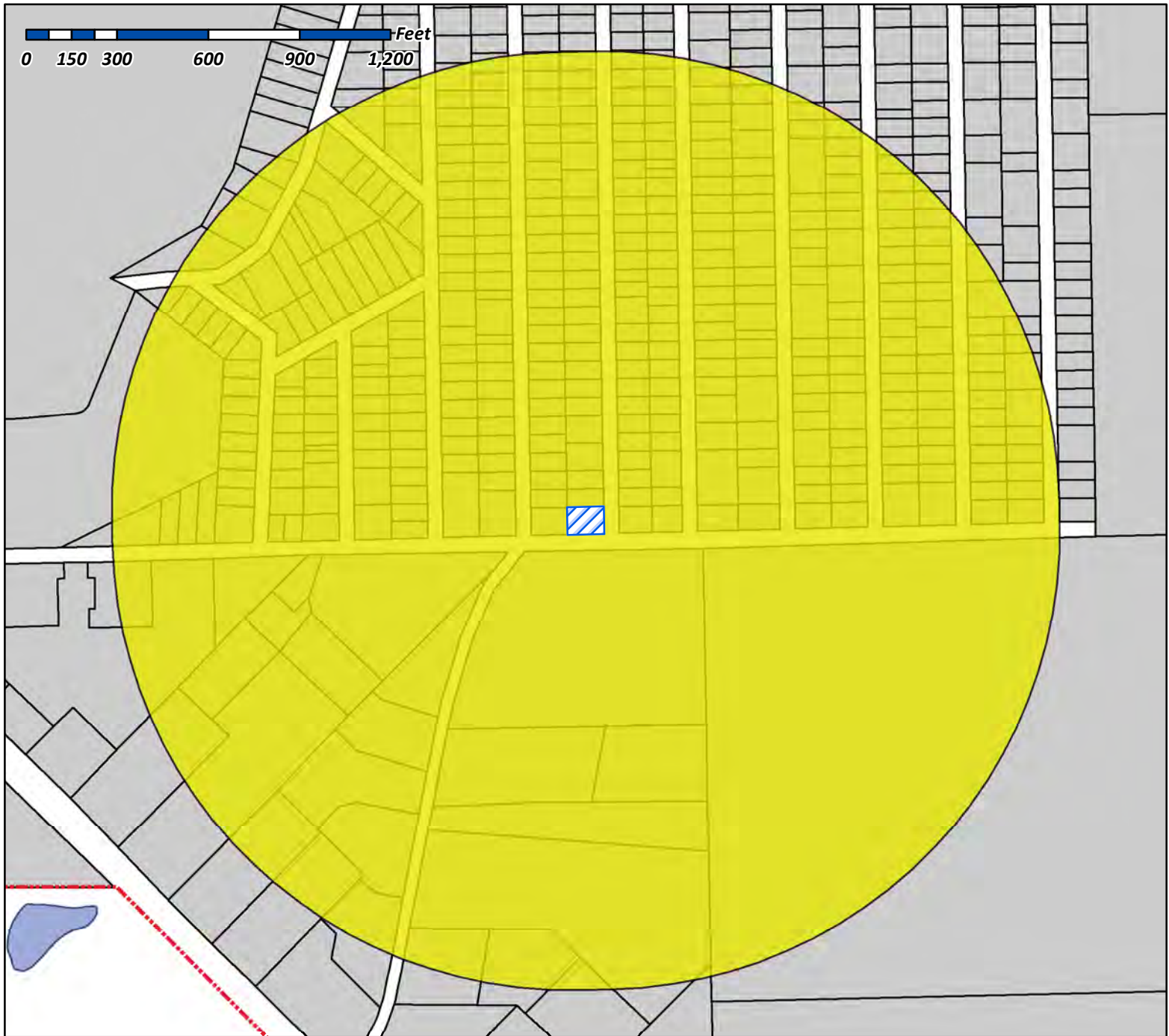




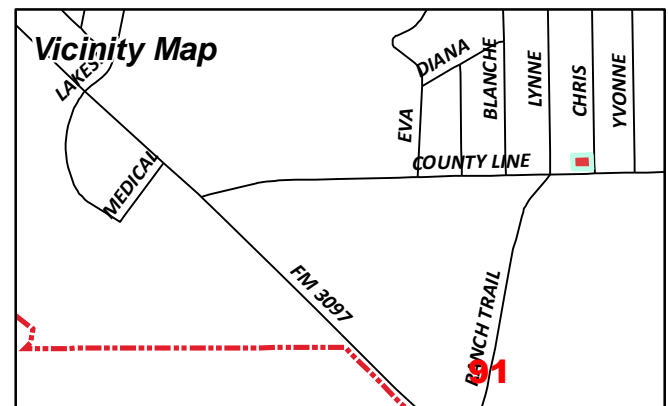
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** MIS2015-009  
**Case Name:** 112 Chris Dr.  
**Case Type:** Miscellaneous (Special Request)  
**Zoning:** PD-75  
**Case Address:** 112 Chris Dr.



**Date Created:** 10/20/2015

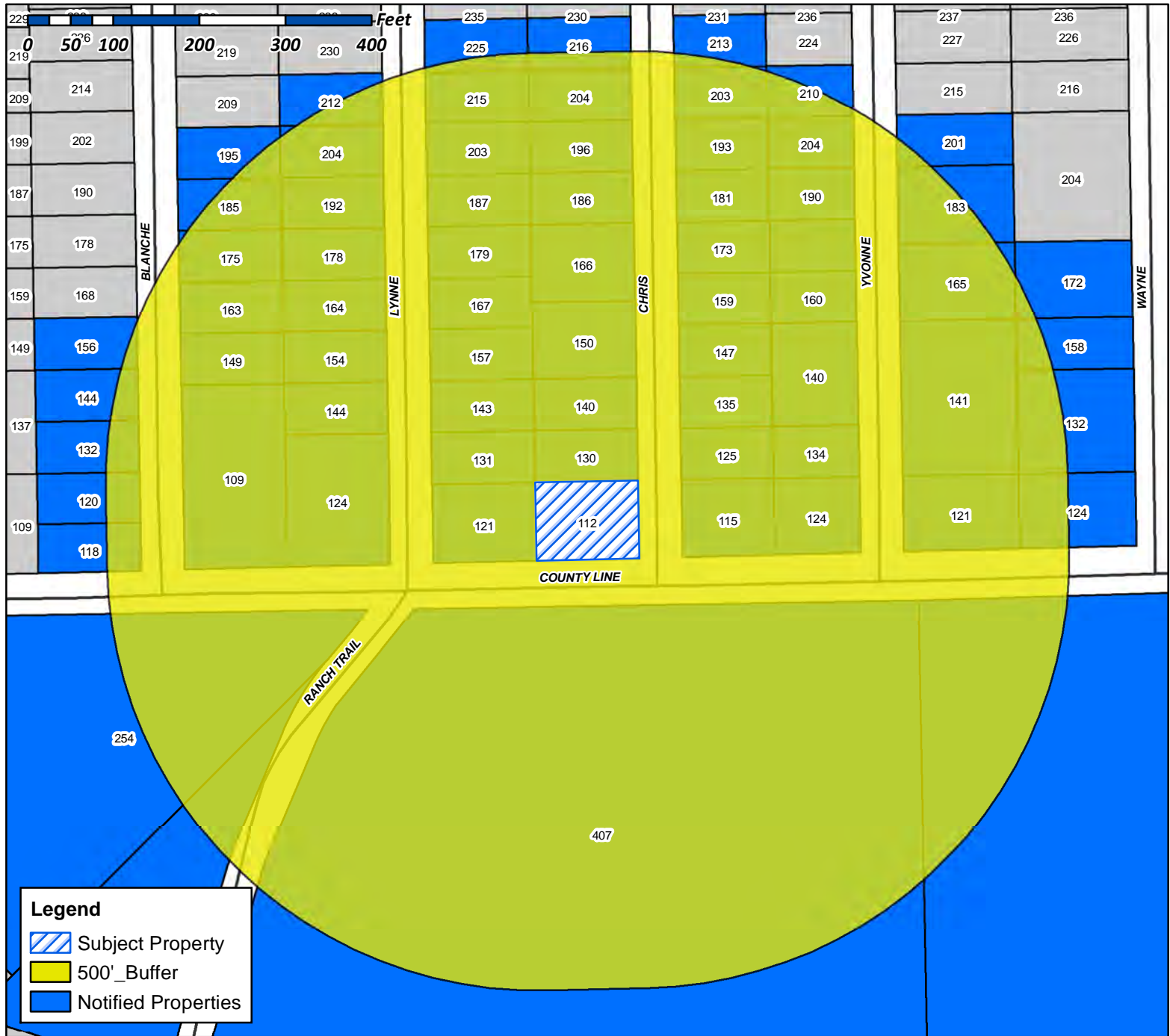
**For Questions on this Case Call (972) 771-7745**



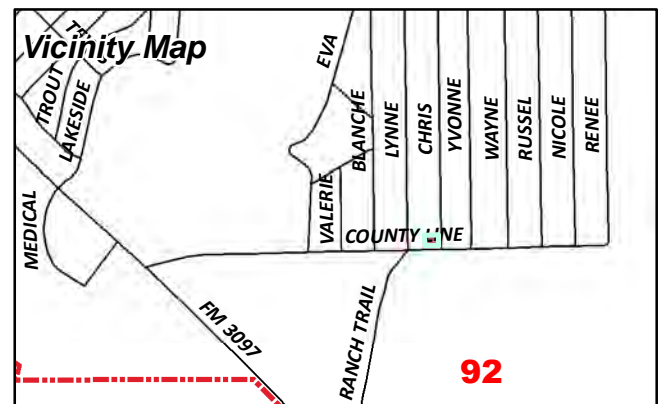
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
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**Case Number:** MIS2015-009  
**Case Name:** 112 Chris Dr.  
**Case Type:** Miscellaneous (Special Request)  
**Zoning:** PD-75  
**Case Address:** 112 Chris Dr.



CURRENT RESIDENT  
109 BLANCHE DR  
ROCKWALL, TX 75032

ARCHIBALD L D & CARLA R REVOCABLE  
LIVING TRUST  
1100 SW MCKINNEY ST LOT 179  
RICE, TX 75155

CURRENT RESIDENT  
112 CHRIS DR  
ROCKWALL, TX 75032

GAMBOA SOCORRO  
114 W RIDGEWOOD DR  
GARLAND, TX 75041

CURRENT RESIDENT  
115 CHRIS DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
118 BLANCHE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
120 BLANCHE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
121 LYNNE DR  
ROCKWALL, TX 75032

PARTIDA EDUARDO A AND IRMA  
121 YVONNE DR  
ROCKWALL, TX 75032

FERNANDEZ URBANO  
1235 VZ CR3425  
WILLS POINT, TX 75169

CURRENT RESIDENT  
124 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
124 WAYNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
124 YVONNE DR  
ROCKWALL, TX 75032

RANGEL ADELA  
125 CHRIS DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
130 CHRIS DR  
ROCKWALL, TX 75032

HOSEY JERRIE  
131 LYNNE DR  
ROCKWALL, TX 75032

HOSEY JERRIE  
131 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
132 BLANCHE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
132 WAYNE DR  
ROCKWALL, TX 75032

HERNANDEZ SONIA BETANCOURT  
134 YVONNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
135 CHRIS DR  
ROCKWALL, TX 75032

SANCHEZ ROSA &  
ISMAEL PALACIOS  
140 CHRIS DR  
ROCKWALL, TX 75032

HOLGUIN CECILIA  
140 YVONNE DRIVE  
ROCKWALL, TX 75032

JONES CHARLES WILLARD  
141 YVONNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
143 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
144 BLANCHE DR  
ROCKWALL, TX 75032

MARKWELL THOMAS C  
144 LYNNE DR  
ROCKWALL, TX 75032

BETETA RUTH E  
1452 GREENBROOK DR  
ROCKWALL, TX 75032

ALMARAZ JUAN V DIAZ  
147 CHRIS LANE  
ROCKWALL, TX 75032

VARGAS RICARDO  
149 BLANCHE DR  
ROCKWALL, TX 75032



ORTIZ REFUGIO & LINDA  
150 CHRIS DR  
ROCKWALL, TX 75032

VAZQUEZ RAMON LOPEZ  
156 BLANCHE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
157 LYNNE DR  
ROCKWALL, TX 75032

RODRIGUEZ YUNIOR ARROYO  
158 WAYNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
159 CHRIS DR  
ROCKWALL, TX 75032

ZAVALA HUMBERTO & IMELDA  
160 YVONNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
163 BLANCHE DR  
ROCKWALL, TX 75032

FAEDER ADAM S  
164 LYNNE DRIVE  
ROCKWALL, TX 75032

MARTINEZ JOSE G  
165 YVONNE DR  
ROCKWALL, TX 75032

FABELA GERRADO &  
SUSANNA LOREDO  
166 CHRIS DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
167 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
172 WAYNE DR  
ROCKWALL, TX 75032

CARRILLO JORGE  
173 CHRIS DR  
ROCKWALL, TX 75032

GOMEZ ALEJANDRO  
175 BLANCHE DR  
ROCKWALL, TX 75032

PALACIOS ARIEL  
178 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
179 LYNNE DR  
ROCKWALL, TX 75032

JIMENEZ ALMA RODRIGUEZ  
181 CHRIS DR  
ROCKWALL, TX 75032

YANEZ FERNANDO AND  
JUAN A YANEZ  
183 YVONNE  
ROCKWALL, TX 75032

CURRENT RESIDENT  
185 BLANCHE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
186 CHRIS DR  
ROCKWALL, TX 75032

RETANA JOSE L  
187 LYNNE DR  
ROCKWALL, TX 75032

SANCHEZ ALEJANDRO &  
KARLA CAMACHO  
190 YVONNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
192 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
193 CHRIS DR  
ROCKWALL, TX 75032

GARCIA JOSE  
195 BLANCHE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
196 CHRIS DR  
ROCKWALL, TX 75032

BELEW THOMAS E & ETAL  
2 NORMAN TRL  
ROCKWALL, TX 75087

YANEZ JUAN  
201 YVONNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
203 CHRIS DR  
ROCKWALL, TX 75032

WILSON JAMES F & ROBERTA B J  
203 LYNNE DR  
ROCKWALL, TX 75032

WILSON JAMES F & ROBERTA B J  
203 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
204 CHRIS DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
204 LYNNE DR  
ROCKWALL, TX 75032

MEDINA MARIA V AND  
MARITZA ALONSO  
204 YVONNE  
ROCKWALL, TX 75032

CURRENT RESIDENT  
210 YVONNE DR  
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE  
212 LYNNE DR  
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE  
212 LYNNE DR  
ROCKWALL, TX 75032

BALDERAS LEANDRO & LAURA  
213 CHRIS DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
215 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
216 CHRIS DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
225 LYNNE DR  
ROCKWALL, TX 75032

CURRENT RESIDENT  
254 RANCH TRL  
ROCKWALL, TX 75032

AGUILAR IRMA  
266 LAKESIDE DR  
ROCKWALL, TX 75032

JIMENEZ RICARDO  
2847 TANGLEGLEN DR  
ROCKWALL, TX 75032

QUEVEDO OSCAR F  
293 YVONNE  
ROCKWALL, TX 75032

DSILVA MELAINE  
3330 N GALLOWAY AVE STE 300  
MESQUITE, TX 75150

CONTRERAS JUANA  
353 CHRIS DR  
ROCKWALL, TX 75032

SUNBELT STAINLESS EQUIPMENT  
382 RANCH TRL  
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC  
405 CHATHAM ST  
SUNNYVALE, TX 75182

CURRENT RESIDENT  
407 RANCH TRAIL  
ROCKWALL, TX 75032

OLGUIN CIRILO  
412 CHRIS DR  
ROCKWALL, TX 75032

GUTIERREZ DONATILO & BLANCA  
4510 MINT DR  
GARLAND, TX 75043

GUTIERREZ DONATILO & BLANCA  
4510 MINT DR  
GARLAND, TX 75043

SILVA JORGE & ELIZABETH  
533 TUBBS RD  
ROCKWALL, TX 75032

RANGEL JUAN  
554 WILLOW RIDGE CIR  
ROCKWALL, TX 75032

ROCKWALL LAKE PROPERTIES  
5713 SECREST DRIVE CT  
GOLDEN, CO 80403

WALLACE LAND PARTNERS L P  
6271 HORIZON RD  
ROCKWALL, TX 75032

SOLIS HECTOR & TOMASA  
731 SANTA FE LN  
ROYSE CITY, TX 75189

CANIZALES ELIDA VILLAREAL  
760 COUNTY LINE RD  
ROCKWALL, TX 75032

ROCKWALL HOUSING DEV CORP  
A TEXAS NON-PROFIT CORP OF RW  
787 HAIL DR  
ROCKWALL, TX 75032

ROCKWALL HOUSING DEVELOPMENT  
CORPORATION  
787 HAIL DRIVE  
ROCKWALL, TX 75032

GARCIA MARTIN  
852 ROSE LANE  
ROCKWALL, TX 75087

SULLIVAN RANDOLPH G  
963 W YELLOWJACKET LN APT 118  
ROCKWALL, TX 75087

PEOPLES BILLY W  
PO BOX 35  
ROCKWALL, TX 75087

### *Timeline of Events.*

- ☑ On June 21, 2015, the Lake Rockwall Estates Subdivision experienced flooding along County Line Road and extending into portions of Renee Drive, Nicole Drive and Russel Drive. The flooding impacted four (4) manufactured homes located within the 100-year floodplain in these areas.
- ☑ On July 31, 2015, David Smith submitted *Case No. MIS2015-004* on behalf of the property owner at 142 Renee Drive, Mr. Contreras. This case was a request to allow a replacement manufactured home to be placed within a floodplain at 142 Renee Drive. The alternative to this case was to allow the applicant to rehabilitate the existing flood damage structure. *A report on the extent of the damage has been provided in the attached packet.*
- ☑ On August 11, 2015, the Planning and Zoning Commission approved a motion to recommend approval of *Case No. MIS2015-004* by a vote of 4-2, with Commissioners Logan and Jusko dissenting and Commissioner Fishman absent.
- ☑ On August 17, 2015, David Smith sent a request to table *Case No. MIS2015-004* indefinitely. This request came in response to a meeting between Mr. Smith and the City where both parties agreed to examine possible alternatives to the proposed manufactured home replacement. At the time, the only alternative to the case was to allow Mr. Contreras to rehab the existing structure, which did not alleviate the problems with having a structure located within the 100-year floodplain.
- ☑ On August 19, 2015, Michael Hunter submitted a special request on behalf of the Rockwall Housing Development Corporation requesting to subdivide the lot at 112 Chris Drive and place a single-family attached structure on the property. This case was brought forward as *Case No. MIS2015-008*. This alternative plan allowed Mr. Contreras and one other family living in a substandard structure to have a new *stick-built* home in a close proximity to their existing lots. From the City's standpoint, this case had the potential to take two (2) structures out of the 100-year floodplain.
- ☑ On September 29, 2015, the Planning and Zoning Commission voted 4-0 (*with Commissioners Renfro and McCuthcheon absent and one seat vacant*) to approve *Case No. MIS2015-008*.
- ☑ On October 5, 2015, the City Council voted to deny the single-family attached land use requested by *Case No. MIS2015-008* by a vote of 2-3 (*with Council Members Milder, Townsend and White dissenting and Council Members Fowler and Hoenshelt absent*); however, the City Council did vote to approve an exception to the masonry requirements and a variance to the lot frontage requirements --*also requested by this case* -- by a vote of 3-2 (*with Council Members Townsend and Milder dissenting and Council Members Fowler and Hoenshelt absent*).
- ☑ On October 19, 2015, at the City Council work session the City Council directed staff to bring the requested land use back under the *Special Exceptions* clause contained in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. As part of this directive, the case is to be advertised in the same manner as required for zoning cases as stipulated by Section 6.1, *Notice of Public Hearing*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code.
- ☑ On November 11, 2015, the Planning and Zoning Commission approved a motion to recommend denial of *Case No. MIS2015-009* by a vote of 3-2, with Commissioners McCutcheon and Logan dissenting and Commissioners Jusko and Fishman absent.

**From:** [G. David Smith](#)  
**To:** [Miller, Ryan](#)  
**Cc:** [Michael Hunter](#); [Sandy Douthey](#)  
**Subject:** Request of Rockwall Housing Development Corp. for Construction Approval  
**Date:** Tuesday, October 20, 2015 4:00:40 PM  
**Attachments:** [image001.png](#)

---

Dear Mr. Miller:

On behalf of the Rockwall Housing Development Corporation, I am making request for consideration of approval of construction of two single family attached dwellings in Lake Rockwall Estates as more particularly described in Case No. MIS 2015 008. I ask that this be placed on the agenda on November 10, 2015.

Thank you for your attention to this matter. Please call if you have any questions.

Yours truly,

G. David Smith  
702 N. Goliad  
Rockwall, Texas 75087  
p. 972.771.2579  
f. 972.771.0513

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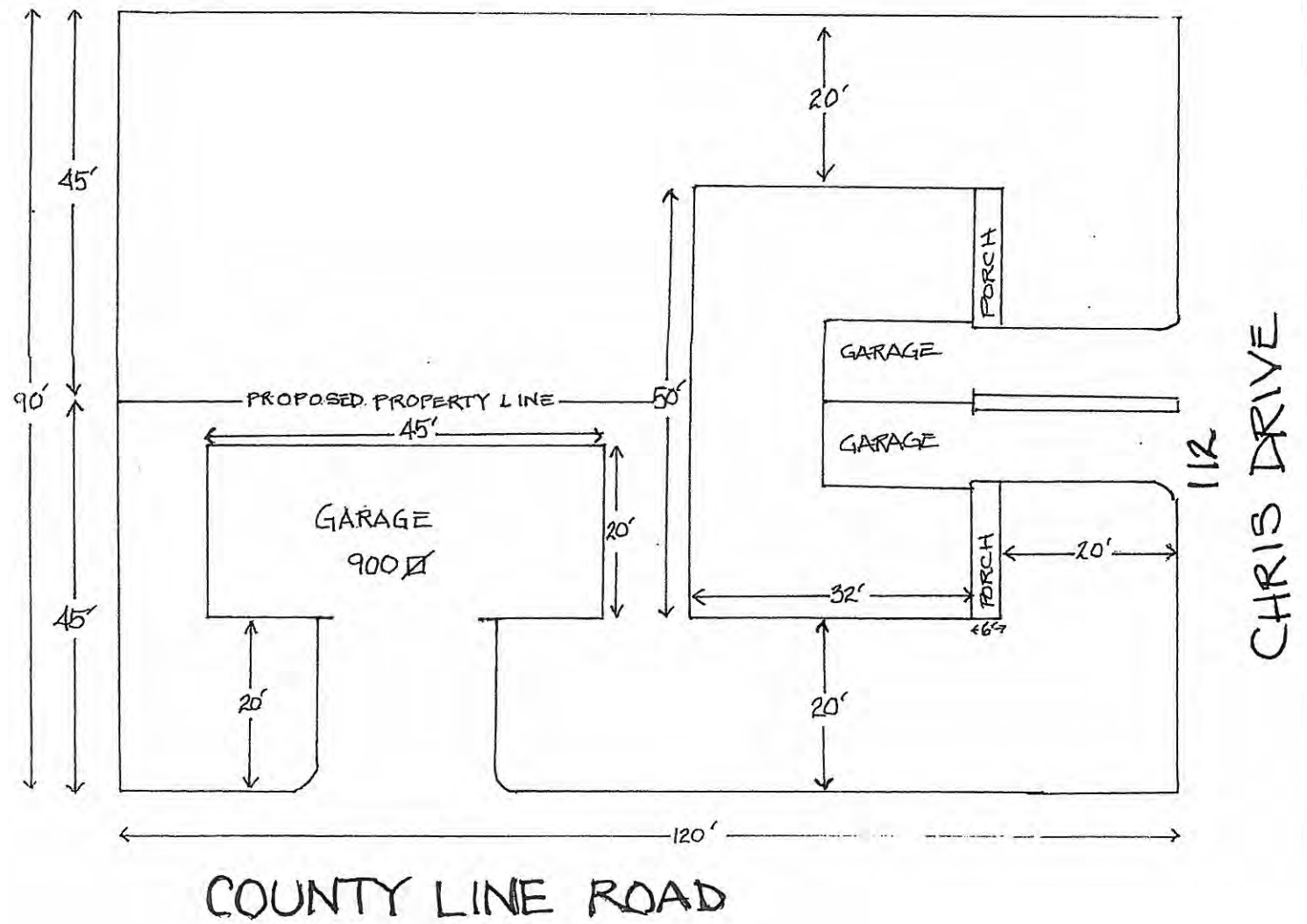
**SMITH & LEE, LAWYERS**

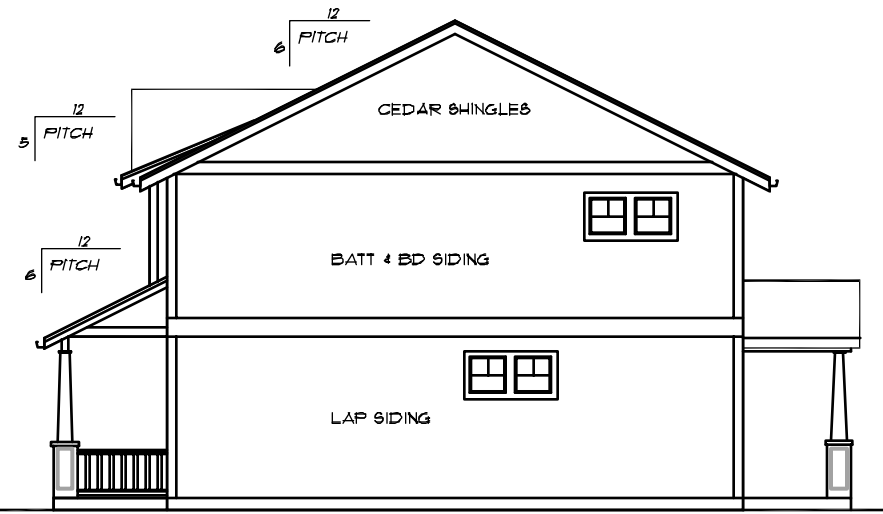
[www.smithandlee.com](http://www.smithandlee.com)

Board Certified in Personal Injury Trial Law  
Texas Board of Legal Specialization

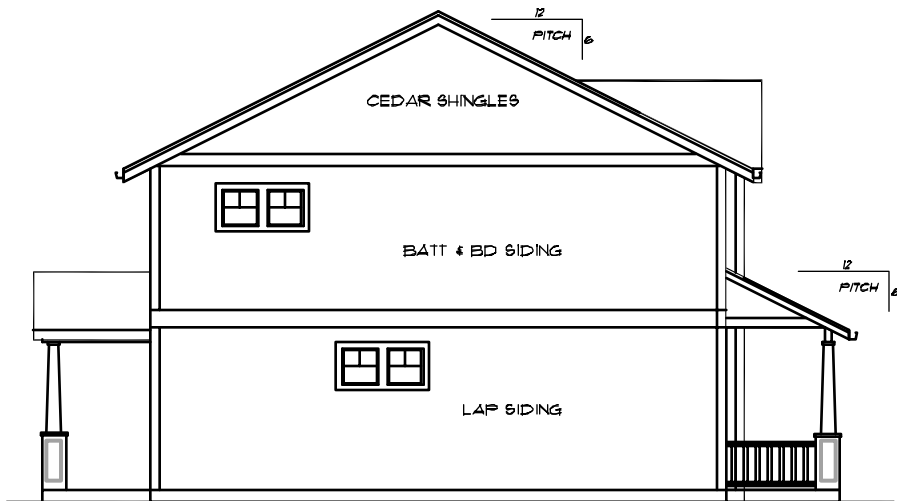
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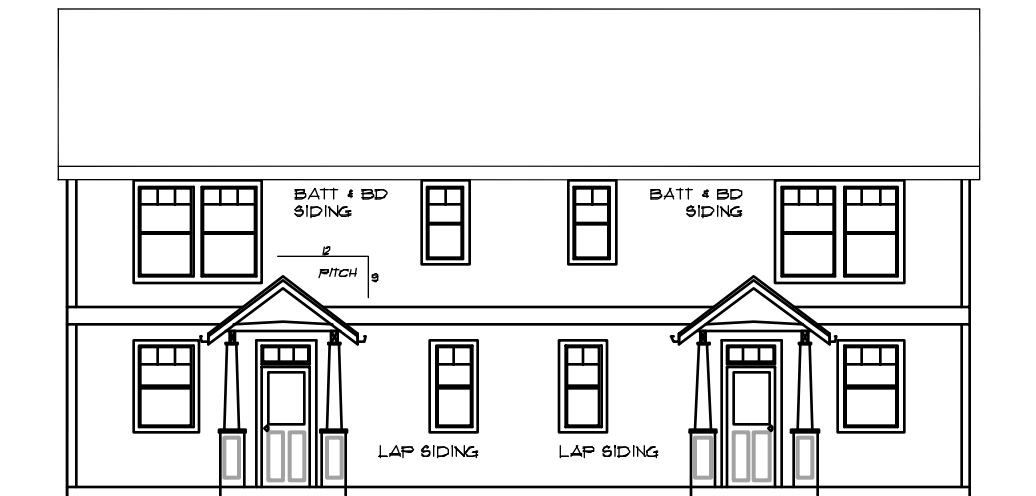




RIGHT ELEVATION



LEFT ELEVATION

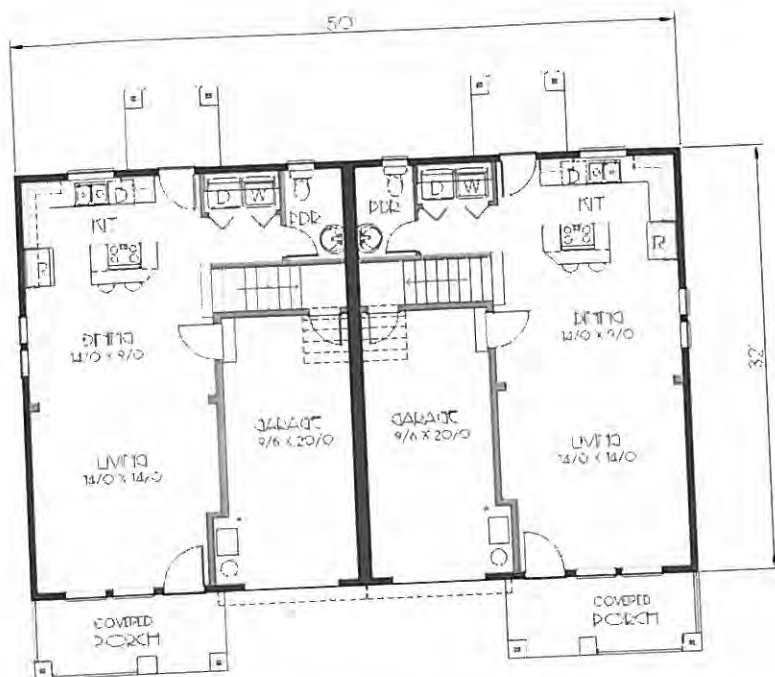


REAR ELEVATION









(<http://cdn.houseplans.com/product/6k55hr400i8ntv835b6hfq4bil/w1024.gif?v=8>)  
Floor Plan - Upper Floor Plan



(<http://cdn.houseplans.com/product/arr7p7b807gulmmjqe8lauanm/w1024.gif?v=8>)

## FULL SPECS & FEATURES

### Basic Features

Bedrooms : 3  
Potential Bedrooms : 0  
Baths : 2.5

Garage Stalls : 1  
Stories : 2

### Dimension

Depth : 32'  
Height : 27'

Width : 50'

### Area

Garage Sq Ft : 400 sq ft  
Porch Sq Ft : 180 sq ft  
Upper Floor Sq Ft : 1622 sq ft

Main Floor Sq Ft : 1102 sq ft  
Total Sq Ft : 2724 sq ft \*

\*Total Square Footage only includes conditioned space and does not include garages, porches, bonus rooms, or decks

Have a Question?

# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION MEMO

**AGENDA DATE:** 08/11/2015

**APPLICANT:** David Smith, *Rockwall Housing Development Corporation*

**AGENDA ITEM:** **MIS2015-004**; *Manufactured Home Replacement (142 Rene Drive)*

---

### **SUMMARY:**

Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

### **CHARACTERISTICS OF REQUEST:**

On behalf of the owner the applicant, David Smith with the Rockwall Housing Development Corporation (RHDC), has submitted a special request to the requirements stipulated for *Manufactured Home Replacement Minimum Standards* outline in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. According to this section, if an existing property has a manufactured home situated on it then the property owner is eligible for a one (1) time replacement of said manufactured home pending the replacement home meets the following criteria:

- 1) The replacement manufactured home shall be permanently affixed to a concrete foundation.
- 2) The replacement manufactured home shall have a minimum of a 3:12 roof pitch.
- 3) The replacement manufactured home shall be constructed of a minimum of 90% masonry materials on the exterior of the structure (excluding windows and doors; including the skirting material). This includes Hardiboard lap siding, "Cemplank" lap siding, or a similar cementaceous durable lap siding material that has a minimum width of 6¼-inches.
- 4) The replacement manufactured home shall be a newer manufactured home and contain at least the same living space/square footage as the previous manufactured home.

The property at 142 Rene Drive currently has an older manufactured home on the subject property that sustained considerable damage with the flooding in Lake Rockwall Estates earlier this spring (*see attached Inspection Report in the attached packet*). The RHDC did attempt to allow the applicant to build on land owned by the RHDC, but according to Mr. Smith's email this proved to be economically infeasible. At this point, the property at 142 Rene Drive is eligible for a one (1) time replacement subject to the requirements listed above; however, the property is located within the 100-year floodplain and does not meet the fire hydrant coverage requirements (*see staff's comments in the attached packet*). Mr. Smith has indicated that the RHDC is willing to assist the owner of the property in removing the existing manufactured home and securing a new manufactured home that will meet all the above mentioned criteria with the exception of the masonry requirements; however, in doing this he is asking that the City Council grant the following waivers/variances: 1) waiver of the masonry requirements, 2) allow construction within a 100-year floodplain, and 3) grant a variance to the fire hydrant coverage requirements. To off-

set construction within the floodplain Mr. Smith has stated that the new manufactured home will be on a 24-inch engineered manufactured home foundation (the flooding was measured at 18-20 inches). The finished floor elevation of the property is estimated to be around 516'-518', approximately four (4) to six (6) feet below the 100-year floodplain elevation (~522'). With this being said it should be mentioned that the applicant does have the ability to rehabilitate the current structure, which would exempt him from all the waivers and variances requested.

According to Section C, *Consideration of Special Request*, of Exhibit 'C' of PD-75, the City Council may consider special requests on a case-by-case basis for properties located within the Lake Rockwall Estates subdivision pending a recommendation from the Planning and Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Additionally, City Council does have the authority to grant a waiver/variance for allowing a manufactured home to be placed on the subject property.

### **RECOMMENDATIONS:**

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

- 1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

# CITY OF ROCKWALL

## CITY COUNCIL MEMO

**AGENDA DATE:** 10/05/2015

**APPLICANT:** Michael Hunter, *Rockwall Housing Development Corporation*

**AGENDA ITEM:** MIS2015-008; *Special Request (112 Chris Drive)*

---

### **SUMMARY:**

Discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) for waivers to the requirements stipulated in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

### **CHARACTERISTICS OF REQUEST:**

On behalf of the Rockwall Housing Development Corporation (RHDC), Michael Hunter, *RHDC Executive Director* has submitted a special request to the standards of Planned Development District 75 (PD-75) for the purpose of constructing a single-family attached structure on two (2) lots within Area 2 of the Lake Rockwall Estates subdivision. The subject property at 112 Chris Street will be subdivided creating two (2), ~5,400 SF (*i.e. 45' x 120'*) lots. A two (2) story, 2,724 SF single-family attached unit will be constructed on each lot and share an adjoining wall with the adjacent property. Additionally, the lot at the corner of the intersection of Chris Drive and County Line Road will incorporate a 900 SF metal garage that will be accessible from County Line Road. As part of this proposal the applicant is requesting the following waivers and exception to the development and land use standards stipulated by *Ordinance No. 09-37*:

- 1) *Single-Family Attached.* The development standards for Area 2 contained in *Exhibit 'C'* of *Ordinance No. 09-37* require that all property within Area 2 be subject to the land uses permitted for a Single-Family 7 (SF-7) District. According to Article IV, *Permissible Uses*, of the Unified Development Code (UDC) a single-family attached structure is not a permitted land use within a Single-Family 7 (SF-7) District.
- 2) *Lot Frontage.* The development standards for Area 2 contained in *Exhibit 'C'* of *Ordinance No. 09-37* stipulate a minimum lot frontage of 50-feet on a public street. In this case the applicant is requesting to reduce this to 45-feet.
- 3) *Side Yard Setback.* The development standards for Area 2 contained in *Exhibit 'C'* of *Ordinance No. 09-37* require a minimum side yard setback of five (5) feet. Since the structures will share a common wall the minimum side yard setback will be required to be reduced to zero along the property line containing the common wall.
- 4) *Masonry Requirement.* According to Section B, *Exterior Wall Materials*, of *Exhibit 'C'* of *Ordinance No. 09-37* all residential buildings 120 SF or more and over ten (10) feet in height shall have a minimum of 80% masonry exterior walls, with up to 50% of the masonry requirements permitted to be Hardie Board or a similar cementaceous material. The applicant is requesting an exception to the masonry requirements for the purpose of utilizing

100% hardieplank lap-siding on both single-family attached structures. Additionally, the garage will require an exception since the materials being proposed (*i.e. metal*) does not match the materials utilized on the primary structure. *The applicant has submitted building elevations of the proposed structure for the Planning and Zoning Commission and City Council's review.*

According to Section C, *Consideration of Special Request*, of *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*], "(t)he City Council may consider special requests ... (s)uch requests may include, but not necessarily be limited to the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration." The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. With the exception of the abovementioned waivers and exception the proposed development meets the requirements of *Ordinance No. 09-37*.

It should be noted that if the City Council chooses to approve the applicant's request, Mr. Hunter has submitted a letter stating that the RHDC will withdraw *Case No. MIS2015-004*. This case -- *requesting the replacement of a manufactured home within a floodplain* -- was submitted by the RHDC on behalf of Jose Contreras (*i.e. the property owner of 142 Rene Drive*) after his property sustain considerable damage due to flooding in the Lake Rockwall Estates subdivision. It is the RHDC's intent to offer one of the proposed single-family attached units to Mr. Contreras, in exchange for the property at 142 Rene Drive. This would guarantee that no new structure could be placed on 142 Rene Drive, and that the existing mobile home would not be rehabilitated/repurposed; effectively removing a structure within the 100-year floodplain. Additionally, Mr. Hunter's letter states that the remaining unit will be offered to a family that is currently living in a sub-standard structure in the Lake Rockwall Estates subdivision. *A copy of Staff's case memo for Case No. MIS2015-004 has been provided in the attached packet.*

### **RECOMMENDATIONS:**

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

- 1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION:**

On September 29, 2015, the Planning and Zoning Commission passed a motion to recommend approval of the applicant's request for waivers to the requirements stipulated in Planned Development District 75 (PD-75) by a vote of 4-0, with Commissioners Renfro and McCuthcheon absent and one vacant seat.





**This confidential report is prepared exclusively for:**

**City of Rockwall  
142 Renee Dr.  
Rockwall, Texas 75032**

Report Identification: 142 Renee Dr, Rockwall, TX 75032

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\_\_\_\_\_ Check #   X   To be Invoiced    \_\_\_ Cash    Cost \$ 200.00

**Rockwall Home Inspections**

101 Oakridge Drive, Rockwall, TX 75032  
www.rockwallhomeinspections.com 972-772-6050

**PROPERTY INSPECTION REPORT**

**Prepared For:** City of Rockwall, jwidmer@rockwall.com

**Concerning:** 142 Renee Dr, Rockwall, TX 75032

**By:** Uriah Shockley TREC # 9413

(Name and License Number of Inspector)

06/10/2015

(Date)

**PURPOSE, LIMITATIONS AND INSPECTOR / CLIENT RESPONSIBILITIES**

This property inspection report may include an inspection agreement (contract), addenda, and other information related to property conditions. If any item or comment is unclear, you should ask the inspector to clarify the findings. It is important that you carefully read ALL of this information.

This inspection is subject to the rules ("Rules") of the Texas Real Estate Commission ("TREC"), which can be found at [www.trec.texas.gov](http://www.trec.texas.gov).

The TREC Standards of Practice (Sections 535.227-535.233 of the Rules) are the minimum standards for inspections by TREC licensed inspectors. An inspection addresses only those components and conditions that are present, visible, and accessible at the time of the inspection. While there may be other parts, components or systems present, only those items specifically noted as being inspected were inspected. The inspector is NOT required to turn on decommissioned equipment, systems, utility services or apply an open flame or light a pilot to operate any appliance. The inspector is NOT required to climb over obstacles, move furnishings or stored items. The inspection report may address issues that are code-based or may refer to a particular code; however, this is NOT a code compliance inspection and does NOT verify compliance with manufacturer's installation instructions. The inspection does NOT imply insurability or warrantability of the structure or its components. Although some safety issues may be addressed in this report, this inspection is NOT a safety/code inspection, and the inspector is NOT required to identify all potential hazards.

In this report, the inspector shall indicate, by checking the appropriate boxes on the form, whether each item was inspected, not inspected, not present or deficient and explain the findings in the corresponding section in the body of the report form. The inspector must check the Deficient (D) box if a condition exists that adversely and materially affects the performance of a system or component or constitutes a hazard to life, limb or property as specified by the TREC Standards of Practice. General deficiencies include inoperability, material distress, water penetration, damage, deterioration, missing components, and unsuitable installation. Comments may be provided by the inspector whether or not an item is deemed deficient. The inspector is not required to prioritize or emphasize the importance of one deficiency over another.

Some items reported may be considered life-safety upgrades to the property. For more information, refer to Texas Real Estate Consumer Notice Concerning Recognized Hazards or Deficiencies below.

THIS PROPERTY INSPECTION IS NOT A TECHNICALLY EXHAUSTIVE INSPECTION OF THE STRUCTURE, SYSTEMS OR COMPONENTS. The inspection may not reveal all deficiencies. A real estate inspection helps to reduce some of the risk involved in purchasing a home, but it cannot eliminate these risks, nor can the inspection anticipate future events or changes in performance due to changes in use or occupancy. It is recommended that you obtain as much information as is available about this property, including any seller's disclosures, previous inspection reports, engineering reports, building/remodeling permits, and reports performed for or by relocation companies, municipal inspection departments, lenders, insurers, and appraisers. You should also attempt to determine whether repairs, renovation, remodeling, additions, or other such activities have taken place at this property. It is not the inspector's responsibility to confirm that information obtained from these sources is complete or accurate or that this inspection is consistent with the opinions expressed in previous or future reports.

ITEMS IDENTIFIED IN THE REPORT DO NOT OBLIGATE ANY PARTY TO MAKE REPAIRS OR TAKE OTHER ACTIONS, NOR IS THE PURCHASER REQUIRED TO REQUEST THAT THE SELLER TAKE ANY ACTION. When a deficiency is reported, it is the client's responsibility to obtain further evaluations and/or cost estimates from qualified service professionals. Any such follow-up should take place prior to the expiration of any time limitations such as option periods

Promulgated by the Texas Real Estate Commission (TREC) P.O. Box 12188, Austin, TX 78711-2188  
<http://www.trec.texas.gov>

(512) 936-3000



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Evaluations by qualified tradesmen may lead to the discovery of additional deficiencies which may involve additional repair costs. Failure to address deficiencies or comments noted in this report may lead to further damage of the structure or systems and add to the original repair costs. The inspector is not required to provide follow-up services to verify that proper repairs have been made.

Property conditions change with time and use. For example, mechanical devices can fail at any time, plumbing gaskets and seals may crack if the appliance or plumbing fixture is not used often, roof leaks can occur at any time regardless of the apparent condition of the roof, and the performance of the structure and the systems may change due to changes in use or occupancy, effects of weather, etc. These changes or repairs made to the structure after the inspection may render information contained herein obsolete or invalid. This report is provided for the specific benefit of the client named above and is based on observations at the time of the inspection. If you did not hire the inspector yourself, reliance on this report may provide incomplete or outdated information. Repairs, professional opinions or additional inspection reports may affect the meaning of the information in this report. It is recommended that you hire a licensed inspector to perform an inspection to meet your specific needs and to provide you with current information concerning this property.

#### TEXAS REAL ESTATE CONSUMER NOTICE CONCERNING HAZARDS OR DEFICIENCIES

Each year, Texans sustain property damage and are injured by accidents in the home. While some accidents may not be avoidable, many other accidents, injuries, and deaths may be avoided through the identification and repair of certain hazardous conditions. Examples of such hazards include:

- malfunctioning, improperly installed, or missing ground fault circuit protection (GFCI) devices for electrical receptacles in garages, bathrooms, kitchens, and exterior areas;
- Malfunctioning arc fault protection (AFCI) devices;
- Ordinary glass in locations where modern construction techniques call for safety glass;
- Malfunctioning or lack of fire safety features such as smoke alarms, fire-rated doors in certain locations, and functional emergency escape and rescue openings in bedrooms;
- Malfunctioning carbon monoxide alarms;
- Excessive spacing between balusters on stairways and porches;
- Improperly installed appliances;
- Improperly installed or defective safety devices; and
- Lack of electrical bonding and grounding.

To ensure that consumers are informed of hazards such as these, the Texas Real Estate Commission (TREC) has adopted Standards of Practice requiring licensed inspectors to report these conditions as "Deficient" when performing an inspection for a buyer or seller, if they can be reasonably determined.

These conditions may not have violated building codes or common practices at the time of the construction of the home, or they may have been "grandfathered" because they were present prior to the adoption of codes prohibiting such conditions. While the TREC Standards of Practice do not require inspectors to perform a code compliance inspection, TREC considers the potential for injury or property loss from the hazards addressed in the Standards of Practice to be significant enough to warrant this notice.

Contract forms developed by TREC for use by its real estate licensees also inform the buyer of the right to have the home inspected and can provide an option clause permitting the buyer to terminate the contract within a specified time. Neither the Standards of Practice nor the TREC contract forms require a seller to remedy conditions revealed by an inspection. The decision to correct a hazard or any deficiency identified in an inspection report is left to the parties to the contract for the sale or purchase of the home.

**INFORMATION INCLUDED UNDER "ADDITIONAL INFORMATION PROVIDED BY INSPECTOR", OR PROVIDED AS AN ATTACHMENT WITH THE STANDARD FORM, IS NOT REQUIRED BY THE COMMISSION AND MAY CONTAIN CONTRACTUAL TERMS BETWEEN THE INSPECTOR AND YOU, AS THE CLIENT. THE COMMISSION DOES NOT REGULATE CONTRACTUAL TERMS BETWEEN PARTIES. IF YOU DO NOT UNDERSTAND THE EFFECT OF ANY CONTRACTUAL TERM CONTAINED IN THIS SECTION OR ANY ATTACHMENTS, CONSULT AN ATTORNEY**

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**ADDITIONAL INFORMATION PROVIDED BY INSPECTOR**

Flood inspection for manufactured home, single wide, 3 bedroom, 1 bath ( 2<sup>nd</sup> bathroom converted into closet)fireplace, detached garage and garage port, sunny, 93 degrees, standing water on two side of house and under house.

Home and garage appear to have been fully furnished, occupied, and all utilities on during time of flood with all family belonging in house and garage damaged or lost. Water mark for exterior wall from grade was 48" inches, water mark inside was measured from floor 21" inches with moisture wicked from walls to ceiling due to the duration structure was submerged under water. Water entered structure as high as 4" inches above windows ceils. Total replacement of floors, sub-floors, all interior wall sheetrock, insulation, ceiling sheet rock, appliances, Parts of HVAC system, and sink cabinets should be anticipated due to water damage.

Due to location (appears to be in a flood plain), age, construction and amount of water/flood damage the replacement of entire structure may be less expensive than taking on repairs. Any attempted replacement should be consulted with a structural engineer with an emphasis on grading and drainage for current location.

**Correction: Grounding wire for interior breaker panel is not connected to grounding wire. Fix or repair by a licensed electrician,**

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**I. STRUCTURAL SYSTEMS**
☒ ☐ ☐ ☒
**A. Foundations**

*Type of Foundation(s):* Metal trailer frame with wheels removed. Existing axle and bearings appear non functional due to age, rust and corrosion.

*Comments:*

The foundation is performing as intended at time of inspection, however;

Number and spacing of metal tie down straps are marginal with several missing, unsecured, and excessive slack in existing metal tie downs. Trailer frame should be leveled and tie down straps re-tightened by a qualified licensed manufacturer home installer. Fix or repair

Some piers visible under structure are sinking or leaning. Further investigation and repair needed.

Insulation under trailer frame is water damaged and falling off and needs to be removed. Fix or repair.

Some minor slopping of floors observed throughout house is common for structures of similar, age location and construction. Condition is not uncommon. Fix or repair,

Doors are out of square and can't close and lock properly. Fix or repair

Ventilation of the crawl space is insufficient for the amount of water damage and water contact with structure; a minimum one (1) square foot of free vent area should be provided for every five hundred (500) square feet of crawl space. Proper ventilation will help to control humidity and reduce the potential for rot. Recommend removing all siding so that crawl space can air out due to the amount of moisture (water) around and under house.

Note: Not all parts of crawl space were accessible due to high water underneath structure and large amount of personal belonging and debris around sides of home.

☒ ☐ ☐ ☒
**B. Grading & Drainage** *Comments:*

The lot appears to be at the bottom of a hill in a flood prone area. The general topography of the area is such that it will be difficult to control storm water from rising lake. Recommend a qualified licensed engineer evaluate property and remedies for repair to prevent future flood damage.

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Excessive amount of debris and personal belonging should be removed from sides of house to prevent the harboring of pests and vermin. Condition is also conducive to several varieties of venomous snakes.

Trees in contact with structure, leaning towards structure, or hanging over structure should be removed to prevent any further damage to structure due to the perils of nature.

☒ ☐ ☐ ☒

**C. Roof Covering Materials**

*Type(s) of Roof Covering:* Metal Roofing Material with several past repairs.

*Viewed From:* Inspected from drip edge with ladder.

*Comments:*

Roofing material is considered to be in poor condition.

Roofing material has signs of past repairs with temporary solutions. Further investigation warranted by a manufacturer home certified and/or licensed roofer for remedies for repair due to past water stains and recent water stains/mold on ceilings.

Roof appears to be leaking. Fix or repair.

☒ ☐ ☐ ☒

**D. Roof Structure & Attic**

*Viewed From:* Attic was not accessible.

*Approximate Average Depth of Attic Insulation:* Undetermined

*Approximate Average Thickness of Vertical Insulation:* 3"-4" inches rolled insulation severely water damaged should be removed to prevent rot and structural support wall damage as soon as possible. Fix or repair.

Crawl space insulation under house needs replacement due to water damage. Fix or repair

*Comments:*

Due to water damage it is wise to remove insulation from inside exterior wall and ceiling attic space to prevent mold, rot and ultimate structural damage to exterior support walls and rafters.

Note: attic could not be evaluated since no attic access was available. Inspector suspects that there are several water leaks in roof structure due to evidence of past ceiling stains, recent stains and mold.

Roofing material should be evaluated along with remedies for repair by a manufacture home repair professional.

Debris on roof needs to be removed

☒ ☐ ☐ ☒

**E. Walls (Interior & Exterior) Comments:**

Water damaged interior walls need total sheet rock and insulation replacement to prevent mold, rot and structural wall problems Fix or repair.

☒ ☐ ☐ ☒

**F. Ceilings & Floors Comments:**

Signs of new and past water stains observed on ceiling along with mold due water penetration and high level of moisture inside home. Ceiling sheet rock will need replacement for a large majority of ceiling.

Plywood sub-floors are saturated and replacement should be anticipated due to warping from moisture damage.

Carpet and laminate floors need total replacement due to moisture damage.

☒ ☐ ☐ ☒

**G. Doors (Interior & Exterior) Comments:**

Doors are warped due to moisture damage and do not close, total replacement should be anticipated due to moisture damage.

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**H. Windows** *Comments:*

Single pane windows are performing as intended.

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**I. Stairways (Interior & Exterior)** *Comments:*

Steps for side patio needs to be secured to deck.

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**J. Fireplace/Chimney** *Comments:*

Fire box is dirty with debris from flood water. Fix or repair.

☒ ☐ ☐ ☒

**K. Porches, Balconies, Decks, and Carports** *Comments:*

Carport/garage was submerged under 48" inches of water. Due to the amount of equipment in garage not all parts of garage could be inspected.

**II. ELECTRICAL SYSTEMS**

☒ ☐ ☐ ☒

**A. Service Entrance and Panels** *Comments:*

Overhead electrical service lines are in contact with trees. Fix or repair by a current licensed electrician.

**Correction: Grounding wire for interior breaker panel is not connected to grounding rod. Fix or repair by a licensed electrician.**

Missing Arc Fault Circuit Interrupter (AFCI) breakers for bedrooms. Not required when home was built. Fix or repair.

Missing GFCI outlets for bathrooms, kitchen and garage. Fix or repair.

Exterior disconnect breaker (located on outside meter pole) was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

Interior branch circuit breaker panel is located in master bedroom and considered a hazard by today's standards. Recommend relocating breaker panel.

Interior branch circuit breaker panel was not submerged by water, however, breaker panel is extremely dirty inside and should be professionally cleaned by a qualified licensed electrician to assure safe and proper working order.

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**B. Branch Circuits, Connected Devices, and Fixtures**

*Type of Wiring:* Copper

*Comments:*

All plug outlets for house and garage should be replaced to assure safe and proper working order since they all were submerged under water.

Improper wiring was observed on water heater, further investigation and repair required by a licensed electrician or qualified plumber

**III. HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS**

☒ ☐ ☐ ☐

**A. Heating Equipment**

*Type of System:* Central Forced Air Furnace

*Energy Source:* Electricity

*Comments:*

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Blower and heating elements were submerged under water. Repair or replacement should be anticipated due to water damage. Further investigation warranted by a licensed HVAC professional when power is turned on.

☒ ☐ ☐ ☒
**B. Cooling Equipment**

*Type of System:* Central Forced Air System

*Comments:* AC coils are old with signs of heavy rust buildup

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional when power is on

Due to water damage it is recommended that a licensed HVAC professional evaluate entire HVAC system further to assure proper working order. Repairs should be anticipated.

☒ ☐ ☐ ☒
**C. Duct System, Chases, and Vents** *Comments:*

Metal ducts were submerged under water. Replacement should be anticipated due to health concerns of mold inside ducts.

**IV. PLUMBING SYSTEM**
☒ ☐ ☐ ☐
**A. Water Supply System and Fixtures**

*Location of water meter:* Right side of driveway.

*Location of main water supply valve:* Emergency main water shutoff valve was not present, recommend that main water shut off valve be installed next to house for emergency access.

*Static water pressure reading:* 65 psi (acceptable range 40-80psi)

*Comments:*

*Missing water shutoff valves under all sinks. Fix or repair.*

☒ ☐ ☐ ☒
**B. Drains, Wastes, and Vents** *Comments:*

It appears that toilet drain line has been disconnected allowing toilet waste water to terminate under house. Fix or repair (note: this may indicate that there was some movement of entire structure due to rising flood water).

Waste drains under kitchen sink are held together with duct tape. Further investigation and repair required by a licensed plumber

☒ ☐ ☐ ☒
**C. Water Heating Equipment**

*Energy Source:* Electricity

*Capacity:* 50gls.

*Comments:*

Water heater is at or exceeded estimated life expectancy with evidence of severe rust on unit.

Improper wiring should be evaluated by a qualified plumber or licensed electrician.

**V. APPLIANCES**
☒ ☐ ☐ ☐
**A Dishwasher** *Comments:* N/A
☐ ☐ ☒ ☐
**B. Food Waste Disposer** *Comments:* N/A
☐ ☒ ☐ ☐
**C. Range Exhaust Vent** *Comments:* performance could not be determined since power was off
☐ ☒ ☐ ☐
**D. Ranges, Cooktops, and Ovens** *Comments:*

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Oven range was removed, condition is undetermined. Unit was in the street

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**E. Microwave Oven** *Comments:* N/A

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**F. Trash Compactor** *Comments:* N/A

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**G. Mechanical Exhaust Vents and Bathroom Heaters** *Comments:*  
Performance undetermined since electricity was off

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**H. Garage Door Operator(s)** *Comments:* N/A

☐ ☐ ☒ ☐

**I. Doorbell and Chimes** *Comments:* N/A

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**J. Dryer Vents** *Comments:* undetermined. Appears dryer vent terminates underneath house

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**K. Washer and Dryer** *Comments* Washer and dryer were totally submerged under water:

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**L. Refrigerator:** Refrigerator was removed and in street. Condition undetermined.

## VI. OPTIONAL SYSTEMS

☒ ☐ ☐ ☒

**A. Private Sewage Disposal (Septic) Systems**

*Type of System:* Conventional Drip Septic System

*Location of Drain Field:* In back of house

*Comments:*

Septic system and drain field were still submerged under water, recommend a licensed septic representative evaluate system when water recedes.

☐ ☐ ☒ ☐

**B. Smoke Detectors** *Comments:* Smoke detectors not present



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## ADDENDUM: REPORT SUMMARY

The following is a synopsis of the potentially significant improvements that should be budgeted for over the short term. Other significant improvements, outside the scope of this inspection, may also be necessary. Please refer to the body of this report for further details on these and other recommendations.

For your convenience, the following conventions have been used in this summary addendum.

**Major Concerns:** a system or component which is considered significantly deficient or is unsafe. Significant deficiencies need to be corrected and, except for some safety items, are likely to involve significant expense.

**Safety Issues:** denotes a condition that is unsafe and in need of prompt attention.

**Repair Items:** denotes a system or component which is missing or which needs corrective action to assure proper and reliable function.

**Improvement Items:** denotes improvements which are recommended but not required.

**Items To Monitor:** denotes a system or component needing further investigation and/or monitoring in order to determine if repairs are necessary.

**Deferred Cost Items:** denotes items that have reached or are reaching their normal life expectancy or show indications that they may require repair or replacement anytime during the next five (5) years.

### MAJOR CONCERNS

The inspection of the property listed above must be performed in compliance with the rules of the Texas Real Estate Commission (TREC).

### SAFETY ISSUES

Smoke detectors not present

Overhead electrical service lines are in contact with trees. Fix or repair by a current licensed electrician.

### REPAIR ITEMS

Number and spacing of metal tie down straps are marginal with several missing, unsecured, and excessive slack in existing metal tie downs. Trailer frame should be leveled and tie down straps re-tightened by a qualified licensed manufacturer home installer. Fix or repair

Some piers visible under structure are sinking or leaning. Further investigation and repair needed.

Insulation under trailer frame is water damaged and falling off and needs to be removed. Fix or repair

Excessive amount of debris and personal belonging should be removed from sides of house to prevent the harboring of pests and vermin. Condition is also conducive to several varieties of venomous snakes.

Trees in contact with structure, leaning towards structure, or hanging over structure should be removed to prevent any further damage to structure due to the perils of nature.

Roofing material has signs of past repairs with temporary solutions. Further investigation warranted by a manufacturer home certified and/or licensed roofer for remedies for repair due to past water stains and recent water stains/mold on ceilings

3"-4" inches rolled insulation severely water damaged should be removed to prevent rot and structural support wall damage as soon as possible. Fix or repair.

Crawl space insulation under house needs replacement due to water damage. Fix or repair

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Due to water damage it is wise to remove insulation from inside exterior wall and ceiling attic space to prevent mold, rot and ultimate structural damage to exterior support walls and rafters.

Water damaged interior walls need total sheet rock and insulation replacement to prevent mold, rot and structural wall problems  
Fix or repair

Signs of new and past water stains observed on ceiling along with mold due water penetration and high level of moisture inside home. Ceiling sheet rock will need replacement for a large majority of ceiling.

Plywood sub-floors are saturated and replacement should be anticipated due to warping from moisture damage.

Carpet and laminate floors need total replacement due to moisture damage.

Doors are warped due to moisture damage and do not close, total replacement should be anticipated due to moisture damage

Main disconnect breaker was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

Main disconnect breaker was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

All plug outlets for house and garage should be replaced to assure safe and proper working order since they all were submerged under water.

Improper wiring was observed on water heater, further investigation and repair required by a licensed electrician or qualified plumber

Blower and heating elements were submerged under water. Repair or replacement should be anticipated due to water damage. Further investigation warranted by a licensed HVAC professional when power is turned on.

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional

Metal ducts were submerged under water. Replacement should be anticipated due to health concerns of mold inside ducts.

Missing water shutoff valves under all sinks. Fix or repair.

It appears that toilet drain line has been disconnected allowing toilet waste water to terminate under house. Fix or repair (note: this may indicate that there was some movement of entire structure due to rising flood water).

Waste drains under kitchen sink are held together with duct tape. Further investigation and repair required by a licensed plumber

Water heater is at or exceeded estimated life expectancy with evidence of severe rust on unit.

Improper wiring should be evaluated by a qualified plumber or licensed electrician.

Large amount of cleaning and debris removal due to flood water is needed.

#### IMPROVEMENT ITEMS

Missing Arc Fault Circuit Interrupter (AFCI) breakers for bedrooms. Not required when home was built. Fix or repair.

Missing GFCI outlets for bathrooms, kitchen and garage. Fix or repair.

Main breaker panel is located in master bedroom and considered a hazard by today's standards. Recommend relocating breaker panel.

Main breaker panel was not submerged by water, however, breaker panel is extremity dirty inside and should be professionally cleaned by a qualified licensed electrician to assure safe and proper working order.

Emergency main water shutoff valve was not present

#### ITEMS TO MONITOR

Oven range was removed, condition is undetermined. Unit was in the street

Refrigerator was removed and in street. Condition undetermined.

Washer and dryer were totally submerged under water:

Past repairs to drain lines under house were observed by inspector.

#### DEFERRED COST ITEMS

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional when power is on

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**NP=Not Present**

**D=Deficiency**

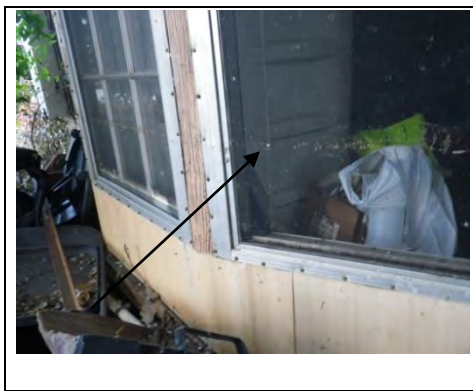
| <b>I</b> | <b>NI</b> | <b>NP</b> | <b>D</b> | <b>Inspection Item</b> |
|----------|-----------|-----------|----------|------------------------|
|----------|-----------|-----------|----------|------------------------|

Due to water damage it is recommended that a licensed HVAC professional evaluate entire HVAC l system further to assure proper working order. Repairs should be anticipated.

Oven range was removed, condition is undetermined. Unit was in the street

Septic system and drain field were still submerged under water, recommend a licensed septic representative evaluate system when water recedes.

## ADDENDUM: PHOTO SUMMARY



Water mark on screen from flood



water mark over condenser



Missing tie down and damaged insulation



water mark on exterior disconnect



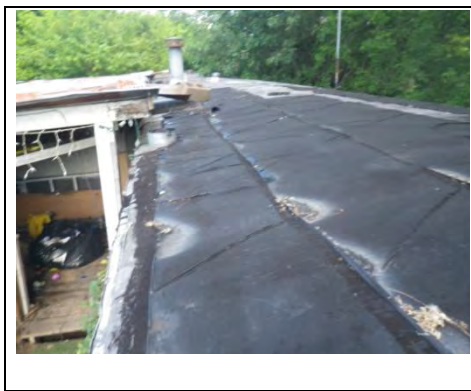
Rusted floor duct



water heater is very old with improper wiring



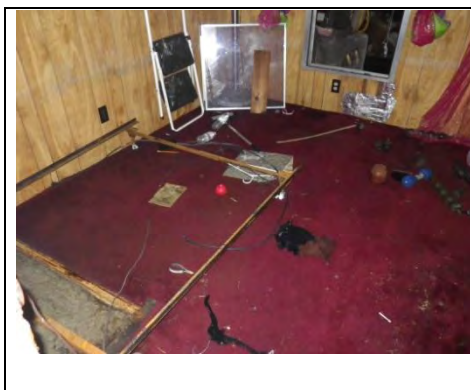
## ADDENDUM: PHOTO SUMMARY



Very old past roof repairs



Sample of one of several leaning piers



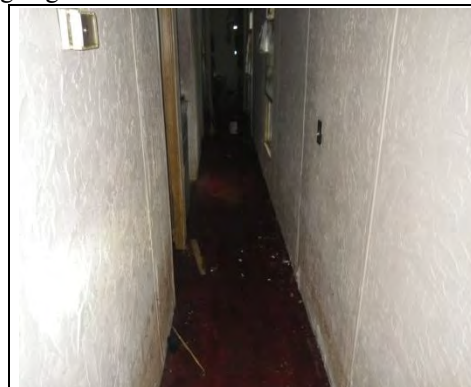
Saturated floors



garage after 48 inches of flood water



Water stain and mold on ceiling



water was 20 inches high throughout house  
(Note : Water can wick up to ceiling over a period of time)

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# CITY OF ROCKWALL

## CITY COUNCIL MEMO

**AGENDA DATE:** 11/16/2015

**APPLICANT:** Bobby Dale & Bretta Price

**AGENDA ITEM:** **Z2015-027**; 453 E. Cullins Rd. (AG to SFE-2.0)

---

**SUMMARY:**

Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary.

**PURPOSE:**

The subject property is a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80. The applicants, Bobby Dale & Bretta Price, are requesting to rezone the property from an Agricultural (AG) District to a Single Family Estate (SFE 2.0) District for the purpose of constructing a combination mother-in-law suite and garage space. Based on the applicant's letter of request, the size of the new structure would exceed what the Unified Development Code would allow as an accessory use and would require a Specific Use Permit (SUP). Should the zoning request be approved, the applicant's intention will be to apply for an SUP in order to construct the new accessory building. The subject property is located on the northeast corner of FM-549 and Cullins Road.

With the exception of the Oaks of Buffalo Way residential subdivision (SFE-1.5), the majority of the surrounding properties are zoned AG and have single family homes. Within approximately 315 feet of the subject property there are two (2) properties that have been rezoned from AG to SFE-2.0 and a third property approximately 1,500 feet away designated as SFE-2.0. Based on this, a Single Family Estate (SFE-2.0) District may be considered an appropriate zoning district for the property; however, a zoning change request is a discretionary act reserved for the Planning and Zoning Commission and City Council to consider.

In your packet is a letter requesting the zoning change, a legal description and boundary survey indicating the area to be zoned for your review and consideration.

**ADJACENT PROPERTIES ZONING DISTRICTS:**

The zoning adjacent to the subject property is as follows:

**North:** The zoning north of the subject property is (SFE-1.5) Single Family Estate District.

**South:** The zoning south of the subject property is (AG) Agricultural District.

**East:** The zoning east of the subject property is (AG) Agricultural District.

**West:** The zoning west of the subject property is (AG) Agricultural District.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:**

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as less than two (2) single-family units per acre. This designation is in conformance with the applicant's request to rezone the subject property to a Single-Family Estate (SFE-2.0) District.

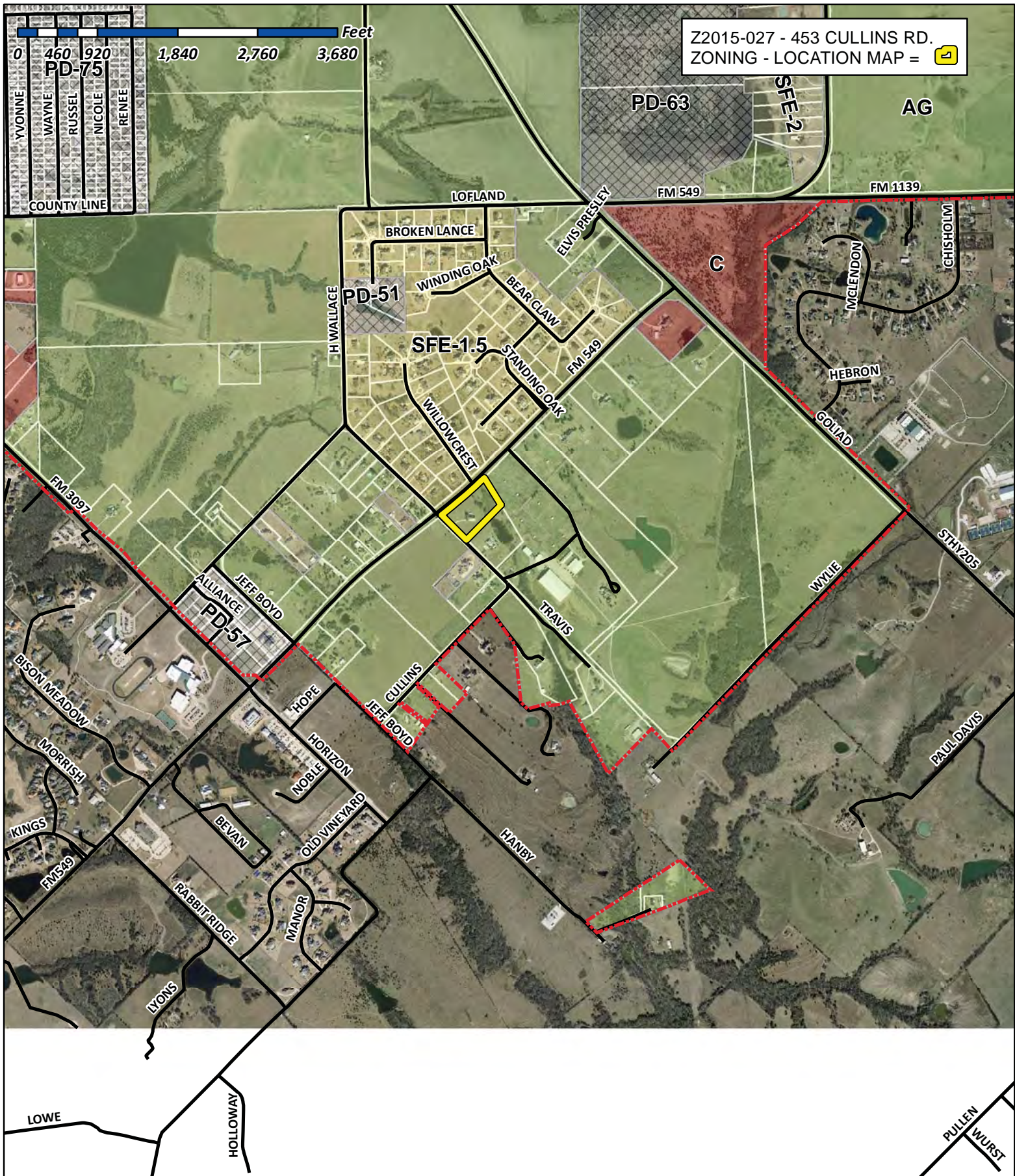
**NOTIFICATION:**

Staff mailed nineteen (19) notices to property owners within 500 feet of the subject property. Staff also notified one (1) HOA/Neighborhood Organization (Oaks of Buffalo Way) that is within 1,500 feet and participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one notice "in favor of" the zoning change requested.

**PLANNING AND ZONING RECOMMENDATION:**

On November 10, 2015, the Planning and Zoning Commission recommended approval of the zoning change request by a vote of 5 to 0 with Commissioner's Fishman and Jusko absent.





## City of Rockwall

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

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



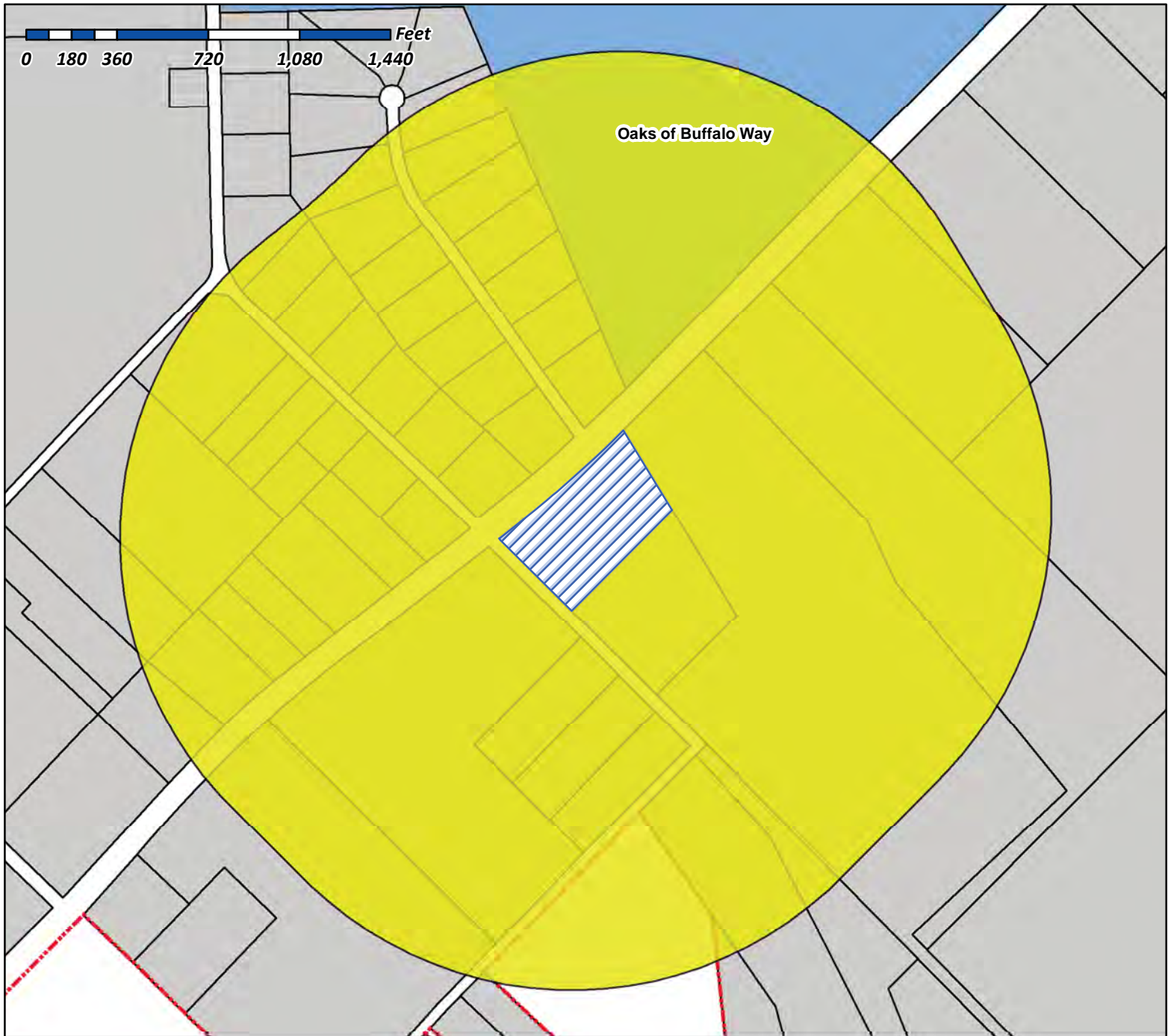
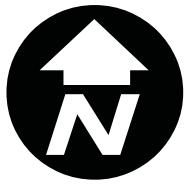




# City of Rockwall

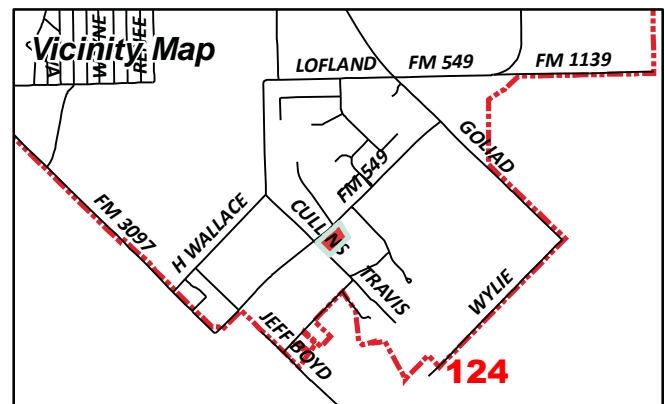
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2015-027  
**Case Name:** 453 Cullins Rd.  
**Case Type:** Zoning  
**Zoning:** AG  
**Case Address:** 453 Cullins Rd.

**Date Created:** 10/15/2015  
**For Questions on this Case Call (972) 771-7745**

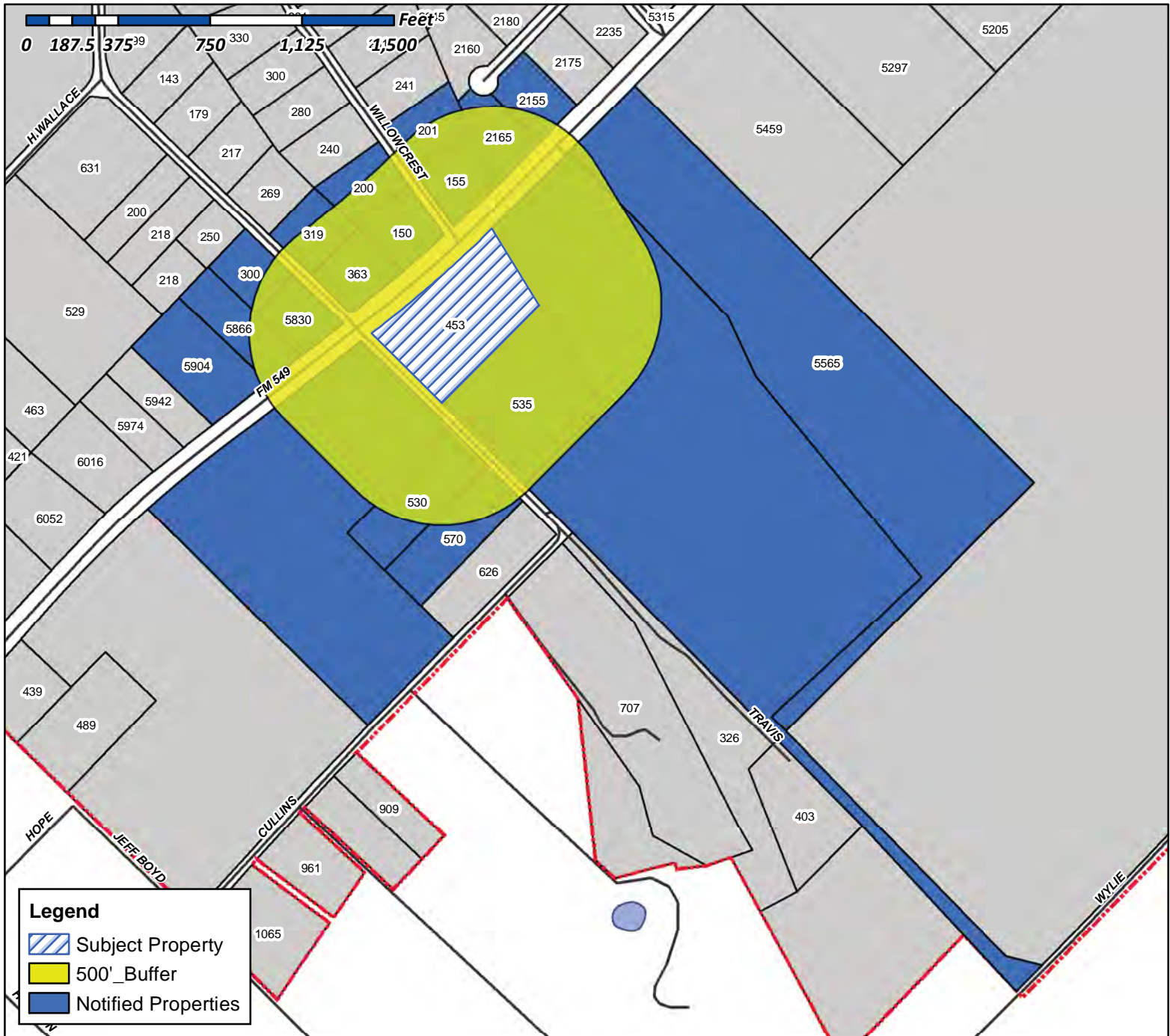




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

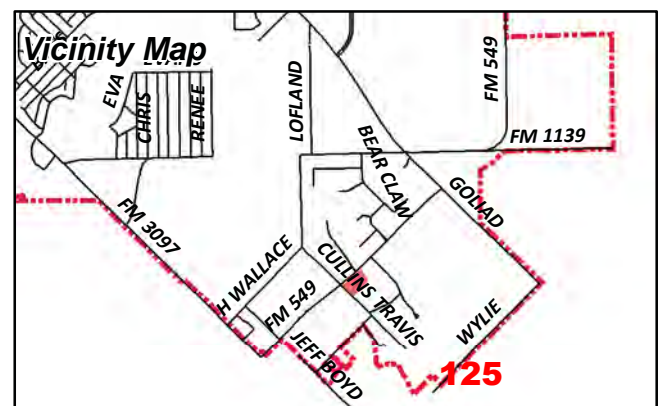
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**Date Created:** 10/15/2015

**For Questions on this Case Call (972) 771-7745**





JOHNSON LEWIS & JULIE  
150 WILLOWCREST  
ROCKWALL, TX 75032

HADDOCK HOWARD J & JOAN W TRUSTEES  
HADDOCK FAMILY LIVING TRUST  
155 WILLOWCREST  
ROCKWALL, TX 75032

CONFIDENTIAL  
200 WILLOWCREST  
ROCKWALL, TX 75032

MUELLER JOHN H  
201 WWILLOWCREST LN  
ROCKWALL, TX 75032

EVERETT MATTHEW & AIMEE  
2155 ARROWHEAD COURT  
ROCKWALL, TX 75032

FLEMING KATHI  
2165 ARROWHEAD CT  
ROCKWALL, TX 75032

STREETT RICHARD A & LYNN F  
300 CULLINS RD  
ROCKWALL, TX 75032

HUME BOBBY G SR & GLENDA J  
319 CULLINS RD  
ROCKWALL, TX 75032

LEE SHERRIE  
363 CULLINS RD  
ROCKWALL, TX 75032

PRICE BOBBY DALE & BRETТА JEAN  
453 CULLINS RD  
ROCKWALL, TX 75032

SHOCKLEY GREGORY AND  
AYAKA MATSUNO  
530 CULLINS ROAD  
ROCKWALL, TX 75032

WILSON BRET A & LESLIE  
535 CULLINS RD  
ROCKWALL, TX 75032

CURRENT RESIDENT  
5565 S FM549  
ROCKWALL, TX 75032

WESTRUP CAROLE LYNN AND  
MICAHEL EDGAR  
570 CULLINS ROAD  
ROCKWALL, TX 75032

HUGHES ERNEST W & SUSAN  
5830 S FM 549  
ROCKWALL, TX 75032

BRINKLEY JAMES & BRENDA  
5866 SOUTH FM 549  
ROCKWALL, TX 75032

MOODY KELLY E & KIMBERLY MOODY  
5904 S FM 549  
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD  
C/O SCOTT ASBURY  
6210 PRESTON CREEK DR  
DALLAS, TX 75240

POPE TONY W & KARREN L  
626 E CULLINS ROAD  
ROCKWALL, TX 75032





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

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2015-027: 453 Cullins Rd.**

*Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/10/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/16/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**David Gonzales**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/16/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

**PLEASE RETURN THE BELOW FORM**

**Case No. Z2015-027: 453 Cullins Rd.**

**Please place a check mark on the appropriate line below:**

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

**Address:**

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-027: 453 Cullins Rd.

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

I cannot not see any reason, not to approve.

Name:

Kathi Fleming

Address:

2165 Arrowhead Ct. Rockwall 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

October 14, 2015

Mr. David Gonzales  
Senior Planner  
Planning and Zoning Division  
City of Rockwall  
385 S. Goliad St  
Rockwall TX 75087

Dear Mr. Gonzales:

This letter is to request re-zoning for our current residence at 453 Cullins Rd., Rockwall TX 75032. The re-zoning will be for a new structure to be built on the site which contains approximately 648 square feet for mother-in-law suite and a garage space of approximately 1,793 square feet. The proposed building is a one story building.

The zoning currently is for Agricultural. We would like to request zoning for SF-4.

Please let me know if you require additional information.

Thank you.



Bretta Price  
453 Cullins Rd.  
Rockwall TX 75032



## CITY OF ROCKWALL

### ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 5.50-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-7 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Bobby Dale and Bretta Price for the approval of an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 5.50-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**Section 1.** That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

**Section 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in Section 1.1, "Use of Land and Buildings," of Article IV, "Permissible Uses" and Section 3.2, "Single-Family Estate (SF-E/2.0) District", of Article V, "District Development Standards", of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

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

zoning described herein.

**Section 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**Section 5.** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

**Section 6.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

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

**ATTEST:**

\_\_\_\_\_  
Kristy Ashberry, *City Secretary*

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:



EXHIBIT "A"

Legal Description

BEING a 5.500 acre tract of land out of the W.W. FORD SURVEY, Abstract No. 80, Rockwall County, Texas, and further being part of a 317.449 acre tract of land conveyed by deed to Mark Lanning as recorded in Volume 903, Page 114, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the southwest line of F.M. Road 549 with the centerline of East Cullins Road, said point being the most westerly corner of said 317.449 acre tract;

THENCE, N52°23'36"E, 56.98 feet along the southeasterly right-of-way line of said F.M. 549 to right-of-way marker, said marker being the beginning of a curve to the left having a radius of 5796.43 feet and a central angle of 06°06'08";

THENCE along said curve and right-of-way line of said F.M. Road 549 for an arc length of 617.09 feet to a 1/2 inch iron rod set;

THENCE S31°25'14"E, 371.06 feet leaving the southeasterly right-of-way line of said F.M. Road 549 and along a fence line to a 1/2 inch iron rod set for corner;

THENCE, S44°58'51"W, 583.28 feet to a 1/2 inch iron rod set for corner, said iron rod being the centerline of said Cullins Road;

THENCE, N45°11'09"W, 413.56 feet along the centerline of said Cullins Road the POINT OF BEGINNING and containing 5.500 acres of land, more or less.

Bearings based on Texas State Plane Coordinate System. (North Central Zone)

DIARY-744



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## CITY OF ROCKWALL, TEXAS MEMORANDUM

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Brad Griggs, *Assistant City Manager*

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

**DATE:** November 16, 2015

**SUBJECT:** *Z2015-029; Amendments to the Landscaping Requirements*

---

As part of the *New Volunteer Opportunity Program* initiated by the City Manager's office, the Planning Department was tasked with leading a group of citizens through a comprehensive review of the City's landscape ordinances. The purpose of this exercise was to use local experts and interested citizens to make recommendations to ensure that the ordinances were conservation minded with regard to water usage requirements and policies. At the September 21, 2015 City Council meeting, staff presented the Committee's recommendations to the City Council. The Council directed staff to prepare text amendments to address six (6) of the seven (7) recommendations. The recommendations being sent forward are as follows:

- 1) *The planting requirements for the City's Overlay Districts should be reduced from three (3) canopy trees and four (4) accent trees per 100-linear feet to two (2) canopy trees and four (4) accent trees per 100-linear feet.*
- 2) *The City's list of acceptable trees, trees to be planted within the landscape buffers of the City's Overlay Districts, and as replacement trees for tree preservation should be changed as stated in the attached packet.*
- 3) *An appendix should be added to the Unified Development Code that includes recommended planting lists for trees, shrubs, grasses etc.*
- 4) *Xeriscaping standards should be established as an alternative to conventional landscaping standards for the purpose of incorporating low water use plants and/or pervious hardscapes. Additionally, xeriscaping should be incentivized by allowing a 2.5% reduction in the overall required landscaping percentage for the purpose of making it a more attractive option to developers.*
- 5) *The screening required of a commercial development when adjacent to a residential development should be changed to include an option to allow a wrought iron fence with landscape screening where applicable.*
- 6) *During drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping to a specified time and date.*

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff brought the proposed amendments forward to the Planning and Zoning Commission for a public hearing and a recommendation to the City Council on November 10, 2015. At this meeting, the Planning and Zoning Commission approved a motion to recommend approval of the text amendment by a vote of 5-0, with Commissioners Jusko and Fishman absent. Attached to this memorandum are copies of the proposed text amendments and a draft ordinance.

**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

**Section 6. Overlay District Standards**

**Section 6.6. IH-30 Overlay (IH-30 OV) District**

- E.2 *Buffer-strip plantings.* **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.
- E.4 *Plant material selections.* The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress,** Bur Oak, Cedar Elm, **Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,** Live Oak, **October Glory Maple,** Red Oak, **Texas Ash, Texas Red Oak Leyland Cypress.**

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**

**Section 6.7. SH-205 Overlay (SH-205 OV) District**

- E.2 *Buffer-strip plantings.* **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.
- E.3 *Plant material selections.* The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine,** Bur Oak, **Caddo Maple,** Cedar Elm, Lacebark Elm, Leyland Cypress, **Little Gem Magnolia,** Live Oak, **October Glory Maple ~~Red Oak.~~**

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**

**Section 6.8. Scenic Overlay (SOV) District**

- F.2 *Buffer-strip plantings.* **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.
- F.4 *Plant material selections.* The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine,** Bur Oak, **Caddo Maple,** Cedar Elm, Lacebark Elm, Leyland Cypress, **Little Gem Magnolia,** Live Oak, **October Glory Maple ~~Red Oak.~~**

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**



**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

**Section 6.9. SH-66 Overlay (SH-66 OV) District**

**F.2 Buffer-strip plantings.** ~~Three~~ **Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

**F.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, Bur Oak, Cedar Elm, Lacebark Elm, ~~Leyland Cypress~~, **Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Texas Ash**, **Texas Red Oak**.

Accent trees: **Desert Willow**, **Eastern Redbud**, **Eves Necklace**, **Mexican Buckeye**, **Possumhaw Holly**, **Shangtung Maple**, **Yaupon Holly**. ~~Tree Yaupon~~, ~~Red Bud~~, ~~Eldarica Pine~~, ~~Wax Myrtle~~, ~~Ornamental Pear~~, ~~Mexican Plum~~, ~~Possumhaw~~.

**Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District**

**E.2 Buffer-strip plantings.** ~~Three~~ **Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, **Bald Cypress**, Bur Oak, Cedar Elm, **Eastern Red Cedar**, **Homestead Elm**, Lacebark Elm, ~~Leyland Cypress~~, **Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Texas Ash**, **Texas Red Oak**.

Accent trees: **Desert Willow**, **Eastern Redbud**, **Eves Necklace**, **Mexican Buckeye**, **Possumhaw Holly**, **Shangtung Maple**, **Yaupon Holly**. ~~Tree Yaupon~~, ~~Red Bud~~, ~~Eldarica Pine~~, ~~Wax Myrtle~~, ~~Ornamental Pear~~, ~~Mexican Plum~~, ~~Possumhaw~~.

**Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District**

**E.2 Buffer-strip plantings.** ~~Three~~ **Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, Bur Oak, **Caddo Maple**, Cedar Elm, Lacebark Elm, **Leyland Cypress**, **Little Gem Magnolia**, Live Oak, **October Glory Maple** ~~Red Oak~~.

Accent trees: **Desert Willow**, **Eastern Redbud**, **Eves Necklace**, **Mexican Buckeye**, **Possumhaw Holly**, **Shangtung Maple**, **Yaupon Holly**. ~~Tree Yaupon~~, ~~Red Bud~~, ~~Eldarica Pine~~, ~~Wax Myrtle~~, ~~Ornamental Pear~~, ~~Mexican Plum~~, ~~Possumhaw~~.

**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

**Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, Bur Oak, **Caddo Maple**, Cedar Elm, Lacebark Elm, Leyland Cypress, **Little Gem Magnolia**, Live Oak, **October Glory Maple Red Oak**.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.**

**Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress**, Bur Oak, **Caddo Maple**, Cedar Elm, **Lacebark Elm, Leyland Cypress, Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Texas Ash, Texas Red Oak**.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.**

**Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress**, Bur Oak, Cedar Elm, **Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Leyland Cypress**.

**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

*Article VIII. Landscape Standards*

*Section 3. Definitions*

***Xeriscaping* means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.**

*Section 5. Mandatory Provisions*

*Section 5.3. Acceptable Landscape Materials*

- A. No artificial plant materials may be used to satisfy the requirements of this article.
- B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:
  - ☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
  - ☑ **Shrubs shall be a minimum of three (3) gallons in size.**
- C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.
- D. *In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.*

*(Ord. No. 06-14, 4-17-2006)*

**E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.**

- F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

- 1. Afghan Pine.**
- 2. Bald Cypress.
- 3. Burr Oak.
- 4. Caddo Maple.**
- 5. Cedar Elm.
- 6. Chinquapin Oak.
- 7. Eastern Red Cedar.**
- 8. Homestead Elm.
- 9. Lace Bark Elm.
- 10. Leyland Cypress.**
- 11. Little Gem Magnolia.**
- 12. Live Oak.
- 13. October Glory Maple.

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

- 14. Pecan.
- 15. Red Oak.**
- 16. Texas Ash.
- 17. Texas Red Oak.
- 18. Chinese Pistachio.**

and various native understory trees such as:

- 1. Desert Willow**
- 2. Downy Hawthorn.
- 3. Eastern Redbud**
- 4. Eve's Necklace**
- 5. Mexican Buckeye**
- 6. Possumhaw Holly**
- 7. Shantung Maple**
- 8. Yaupon Holly**
- 9. Texas Redbud.**
- 10. Mexican Plum.**
- 11. Wax Myrtle.**
- 12. Yaupon.**
- 13. Deciduous Yaupon.**

**Section 5.6. Screening from Residential Uses**

- A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (~~excluding~~ tilt wall or concrete block **are prohibited; however, precast walls may be approved by the Planning and Zoning Commission unless approved by the city council**), six (6) feet in height, ~~unless otherwise approved by the city council~~. As an alternative, berms in conjunction with a **minimum of a six (6) foot wrought fence** and a combination of trees and shrubs can be utilized to meet ~~this~~ the screening requirements **if the Planning & Zoning Commission determines that the proposed alternative will provide sufficient screening**. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.
- B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:
  - 1. The screen will withstand the pressures of time and nature;
  - 2. The screen adequately accomplishes the purpose for which it was intended;
  - 3. Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.
- C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.



**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

- D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

Section 5.10. **~~Deleted. Xeriscaping Standards.~~**

**A. Purpose.** The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

**B. Principles.** All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:

- 1. Planning and Design.** Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.
- 2. Soil Improvement.** Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.
- 3. Appropriate Plant Selection.** Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, *Recommended Plantings*, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.
- 4. Practical Turf Areas.** The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [*with rounded, compact turf areas being more efficient*], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

- slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.
5. **Efficient Irrigation.** All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.
  6. **Use of Mulches.** Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [*typically 3-4 inches*] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.
  7. **Appropriate Maintenance.** Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.

**C. Standards.**

1. If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*; however, the grass should be maintained to a height typical for the particular native grass.
2. Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (*i.e. one [1] tree per every 750 square feet of dry land area*). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.
3. A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.

**D. Approval of Xeriscape Plans.** All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

**(Ord. No. 06-14, 4-17-2006)**

*Section 6 Landscape Credits*

**Section 6.4 Credit for Xeriscaping.**

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

*Section 7. Completion of Landscaping*

*Section 7.1. In Accordance with Approved Plans.*

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot; **however, during drought or water emergency response stages**

**Exhibit B:**  
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***the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.***

**Exhibit C:**  
*Article IX, Tree Preservation,  
of the Unified Development Code*

**Section 7. Tree Replacement Credits**

- D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

**Canopy Trees:**

1. **Afghan Pine.**
2. **Bald Cypress.**
3. **Burr Oak.**
4. **Caddo Maple.**
5. **Cedar Elm.**
6. **Chinquapin Oak.**
7. **Eastern Red Cedar.**
8. **Homestead Elm.**
9. **Lace Bark Elm.**
10. **Leyland Cypress.**
11. **Little Gem Magnolia.**
12. **Live Oak.**
13. **October Glory Maple.**
14. **Pecan.**
15. **Red Oak.**
16. **Texas Ash.**
17. **Texas Red Oak.**

**Accent Trees:**

1. **Desert Willow**
2. Downy Hawthorn.
3. **Eastern Redbud**
4. **Eve's Necklace**
5. **Mexican Buckeye**
6. **Possumhaw Holly**
7. **Shantung Maple**
8. **Yaupon Holly**

~~**Evergreen:**~~  
~~**Afghan Pine.**~~  
~~**Eastern Red Cedar.**~~  
~~**Japanese Black Pine.**~~  
~~**Live Oak.**~~  
~~**Magnolia.**~~

~~**Deciduous:**~~  
~~**Bald Cypress.**~~  
~~**Burr Oak.**~~  
~~**Cedar Elm.**~~  
~~**Chinese Pistachio.**~~  
~~**Chinquapin Oak.**~~  
~~**Eve's Necklace.**~~  
~~**Lace Bark Elm.**~~

**Exhibit C:**  
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~~Aristocrat Pear.~~  
~~Pecan.~~  
~~Sweet Gum.~~  
~~Sycamore.~~  
~~Texas Ash.~~  
~~Texas Red Oak.~~  
~~Possumhaw Holly.~~





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- Section F.6. Recommended Grass Varieties
- Section F.7. Alternative Plantings List

## F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

## F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

## F.3. DISTRICT LANDSCAPING REQUIREMENTS

|                              |   | Overlay Districts |        |     |       |        |       |      |        |        |     |
|------------------------------|---|-------------------|--------|-----|-------|--------|-------|------|--------|--------|-----|
|                              |   | IH-30             | SH-205 | SOV | SH-66 | 205-BY | N-205 | E-66 | FM-549 | SH-276 | NON |
| Landscape Buffer Requirement | 10' Landscape Buffer  |                   |        |     |       |        |       |      |        |        | X   |
|                              | 20' Berm and/or Shrubbery Row (30"-48")   | X                 | X      | X   | X     |        | X     |      |        |        |     |
|                              | 15' Berm and/or Shrubbery Row (30"-48") [ <i>Retail/Commercial</i> ]                      |                   |        |     |       | X      |       | X    | X      | X      |     |
|                              | 25' Berm and/or Shrubbery Row (30"-48") [ <i>Residential</i> ]                            |                   |        |     |       | X      |       | X    | X      | X      |     |
|                              | 50' Berm and/or Shrubbery Row (30"-48") [ <i>Industrial/Research/Technology</i> ]         |                   |        |     |       | X      |       | X    | X      | X      |     |
| Tree Planting Requirements   | 1 Canopy Tree for Each 50-Linear Feet of Street Frontage                                  |                   |        |     |       |        |       |      |        |        | X   |
|                              | 3, 4" Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage                    | X                 | X      | X   | X     | X      | X     | X    | X      | X      |     |
|                              | 4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage                       | X                 | X      | X   | X     | X      | X     | X    | X      | X      |     |
|                              | 1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees |                   |        |     |       | X      |       | X    | X      |        |     |

### References:

- ☒ IH-30: Section 6.6, Article V, UDC
- ☒ SH-205: Section 6.7, Article V, UDC
- ☒ SOV: Section 6.8, Article V, UDC
- ☒ SH-66: Section 6.9, Article V, UDC
- ☒ 205-BY: Section 6.10, Article V, UDC
- ☒ N-205: Section 6.11, Article V, UDC
- ☒ E-66: Section 6.12, Article V, UDC

### References (Continued):

- ☒ FM-549: Section 6.13, Article V, UDC
- ☒ SH-276: Section 6.14, Article V, UDC

### Abbreviations:

- ☒ NON: Non-Overlay Districts



# APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

## TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, *Landscape Standards*, of the Unified Development Code.

Table 1.1: Required Trees by District.

|              |                     | Overlay Districts |        |     |       |        |       |      |        |        | NON | XERI | REC |
|--------------|---------------------|-------------------|--------|-----|-------|--------|-------|------|--------|--------|-----|------|-----|
|              |                     | IH-30             | SH-205 | SOV | SH-66 | 205-BY | N-205 | E-66 | FM-549 | SH-276 |     |      |     |
| Canopy Trees | Afghan Pine         | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Bald Cypress        | X                 |        |     |       | X      |       |      | X      | X      | X   |      | X   |
|              | Burr Oak            | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Caddo Maple         |                   | X      | X   |       |        | X     | X    | X      |        | X   |      | X   |
|              | Cedar Elm           | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Chinquapin Oak      |                   |        |     |       |        |       |      |        |        | X   | X    | X   |
|              | Eastern Red Cedar   | X                 |        |     |       | X      |       |      |        | X      | X   |      | X   |
|              | Homestead Elm       | X                 |        |     |       | X      |       |      |        | X      | X   |      | X   |
|              | Lacebark Elm        | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Leyland Cypress     |                   | X      | X   |       |        | X     | X    | X      |        | X   |      | X   |
|              | Little Gem Magnolia | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Live Oak            | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | October Glory Maple | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Pecan               |                   |        |     |       |        |       |      |        |        | X   |      | X   |
|              | Red Oak             | X                 |        |     | X     | X      |       |      | X      | X      | X   |      | X   |
|              | Texas Ash           | X                 |        |     | X     | X      |       |      | X      | X      | X   |      | X   |
|              | Texas Red Oak       | X                 |        |     | X     | X      |       |      | X      | X      | X   |      | X   |
| Accent Trees | Desert Willow       | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Downy Hawthorn      |                   |        |     |       |        |       |      |        |        | X   |      | X   |
|              | Eastern Redbud      | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Eves Necklace       | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Mexican Buckeye     | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Possumhaw Holly     | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Shantung Maple      | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Flame Leaf Sumac    | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Yaupon Holly        | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |

### Abbreviations & References:

- ☑ IH-30: Section 6.6, Article V, UDC
- ☑ SH-205: Section 6.7, Article V, UDC
- ☑ SOV: Section 6.8, Article V, UDC
- ☑ SH-66: Section 6.9, Article V, UDC
- ☑ 205-BY: Section 6.10, Article V, UDC
- ☑ N-205: Section 6.11, Article V, UDC
- ☑ E-66: Section 6.12, Article V, UDC
- ☑ FM-549: Section 6.13, Article V, UDC
- ☑ SH-276: Section 6.14, Article V, UDC
- ☑ NON: Non-Overlay Districts
- ☑ XERI: Xeriscaping
- ☑ REC: Reclamation/Tree Preservation

### Prohibited Trees:

- ☑ Silver maple (acer saccharinum).
- ☑ Box Elder (Acer Negundo).
- ☑ Mimosa (Albizia Julibrissin).
- ☑ Catalpa (Catalpa sp.).

### Prohibited Trees (Continued):

- ☑ Catalpa (Catalpa sp.).
- ☑ Hackberry, Sugarberry (Celtis sp.).
- ☑ Honeylocust (Gleditsia Triacanthos).
- ☑ Tulip tree (Liriodendron Tulipifera).
- ☑ Chinaberry (Melia Azedarach).
- ☑ Sycamore (Platanus Occidentalis).
- ☑ Cottonwood, Poplar (Populus sp.).
- ☑ Willows (Salix sp.).
- ☑ American Elm (Ulmus Americana).
- ☑ Siberian Elm (Ulmus Pumilia).
- ☑ Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- ☑ Bois D'Arc (Maclura Pomifera).
- ☑ Flowering Crabapple varieties (Malus sp.).
- ☑ Ginko Tree (Ginko Biloba).
- ☑ Peach/Plum varieties.
- ☑ Mulberry varieties (Morus sp.).
- ☑ Texas Mountain Laurel (Sophora Secundiflora).
- ☑ Lilac Chaste Tree (Vitex Agnuscastus).
- ☑ Pine Tree Varieties (Pinus So.)



## F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service Copyright by Robert O'Brien.

### Afghan Pine

Latin Name: *Pinus Eldarica*

Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 35' to 50'
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [ $PH > 7.5$ ]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)



### Bald Cypress

Latin Name: *Taxodium Distichum*

Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 70'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Balcypress (*Taxodium Mucronatum*)

### Bur Oak

Latin Name: *Quercus Macrocarpa*

Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 40' to 60'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [ $PH > 7.5$ ]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (*Quercus Alba*)







### Caddo Maple

Latin Name: *Acer saccharum* 'Caddo'

Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (*A. saccharum*)



### Cedar Elm

Latin Name: *Ulmus Crassifolia*

Secondary Names: Texas Elm

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *70' to 90'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree, Parking Lot/Street Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)

### Chinquapin Oak

Latin Name: *Quercus Muehlenbergii*

Secondary Names: Chinkapin Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (*Quercus Michauxii*)





## Eastern Red Cedar

Latin Name: *Juniperus virginiana* var. *virginiana*  
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 30' to 50'
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branchlets.
- ✓ Uses: Windbreaks and Fence Rows, Screening Tree
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (*Juniperus virginiana* var. *silicicola*) and Rocky Mountain juniper (*J. scopulorum*)



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## Homestead Elm

Latin Name: *Ulmus* 'Homestead'  
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 60'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beetle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid.

## Lacebark Elm

Latin Name: *Ulmus Parvifolia*  
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 35' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils [*PH* > 7.5]
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



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### Leyland Cypress

Latin Name: *x Cupressocyparis leylandii*  
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *60' to 70'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: *Rapid*
- ✓ Native: *England and Europe*
- ✓ Soil Needs: *Adaptable*
- ✓ Tolerances: *Drought and Poor Soil*
- ✓ Features: *Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark*
- ✓ Uses: *Screening, Windbreaks, and Non-Residential Landscaping*
- ✓ Firewise: *No*
- ✓ Issues: *Bagworms and Spider mites*
- ✓ Similar Species: *Montezuma baldcypress (Taxodium mucronatum)*



### Little Gem Magnolia

Latin Name: *Magnolia grandiflora* 'Little Gem'  
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: *Moderate*
- ✓ Native: *Southeast United States*
- ✓ Soil Needs: *Well Drained Soil*
- ✓ Tolerances: *Moderate Drought, Salt and Soil Variation*
- ✓ Features: *Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.*
- ✓ Uses: *Shade and Landscape Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *No Major Problems*
- ✓ Similar Species: *Sweetbay magnolia (Magnolia virginiana)*

### Live Oak

Latin Name: *Quercus Virginiana*  
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: *Moderately Fast*
- ✓ Native: *Texas*
- ✓ Soil Needs: *Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained*
- ✓ Tolerances: *Drought and Very High Heat*
- ✓ Features: *Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five.*
- ✓ Firewise: *Yes*
- ✓ Issues: *Leaf Blister and Fungal Gall*
- ✓ Similar Species: *Texas live oak (Quercus fusiformis)*





## October Glory Maple

Latin Name: *Acer rubrum* 'October Glory'

Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 40' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (*Acer leucoderme*)



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## Pecan

Latin Name: *Carya Illinoensis*

Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 70'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [ $PH > 7.5$ ]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (*Carya aquatica*) & black walnut (*Juglans nigra*)

## Red Oak

Latin Name: *Quercus Falcata*

Secondary Names: Southern Red Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 30' to 55'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid  $PH > 7.5$ ; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Orange to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (*Quercus velutina*)



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### Texas Ash

Latin Name: *Fraxinus texensis*  
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 35' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (*Fraxinus caroliniana*) and Gregg ash (*F. greggii*)



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### Texas Red Oak

Latin Name: *Quercus buckleyi*  
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 30' to 55'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (*Quercus shumardii*)

### Desert Willow

Latin Name: *Chilopsis linearis*  
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 15' to 20'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alternaria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbres, Mimbre, Bow Willow



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## Downy Hawthorn

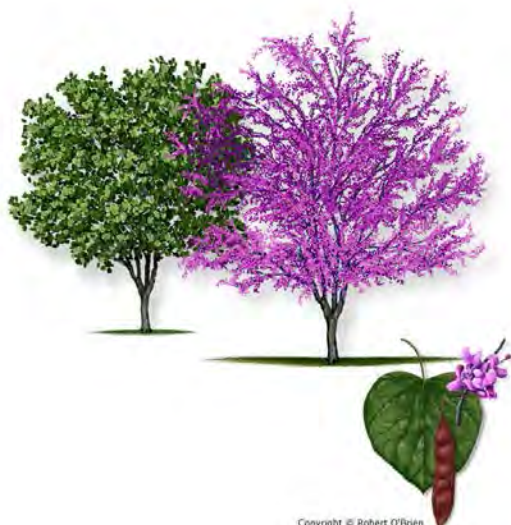
Latin Name: *Crataegus mollis*

Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 20' to 30'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (*Betula nigra*) & Gum Bully (*Sideroxylon lanuginosum*)



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## Eastern Redbud

Latin Name: *Cercis canadensis* var. *canadensis*

Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 20' to 30'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud

## Eve's Necklace

Latin Name: *Sophora affinis*

Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 15' to 35'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Fast (*Generally Slows at 15'*)
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (*Robinia pseudoacacia*)



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## Mexican Buckeye

Latin Name: *Ungnadia Speciosa*

Secondary Names:

- ✓ City Tree Classification: *AccentTree*
- ✓ Mature Height: 15' to 30'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [ $PH > 7.5$ ]
- ✓ Features: Pink flowers appear with new leaves; brown fruit husks remain through winter.
- ✓ Uses: Generally a Landscape or Specimen Tree
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop one or more trunks.
- ✓ Similar Species: Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye



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## Possumhaw Holly

Latin Name: *Ilex Decidua*

Secondary Names: Possumhaw (Deciduous Holly)

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 8' to 10' (Occasionally 20')
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought, Poorly Drained Sites, Alkaline Soils [ $PH > 7.5$ ]
- ✓ Features: Orange or red berries on gray branches.
- ✓ Uses: Generally a Landscape Tree and Detention Tree
- ✓ Firewise: Yes
- ✓ Issues: Thin Bark Susceptible to Injury
- ✓ Similar Species: Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry

## Shantung Maple

Latin Name: *Acer truncatum*

Secondary Names: Shandong Maple, Purpleblow Maple

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 25' to 35'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Northern China
- ✓ Soil Needs: Loam, Sandy and Clay (Adaptable)
- ✓ Tolerances: Moderate Drought
- ✓ Features: Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.
- ✓ Firewise: No
- ✓ Issues: Leaf Spot and Leaf Scorch
- ✓ Similar Species: Japanese Maples



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## Flameleaf Sumac

Latin Name: *Rhus lanceolata*

Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Moderate*
- ✓ Native: *Texas*
- ✓ Soil Needs: *Neutral Alkaline*
- ✓ Tolerances: *Drought, Alkaline Soils [PH > 7.5]*
- ✓ Features: *Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.*
- ✓ Uses: *Generally a Landscape Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *Requires pruning to develop one or more trunks.*
- ✓ Similar Species: *Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac*



## Yaupon Holly

Latin Name: *Ilex vomitoria*

Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: *Slow*
- ✓ Native: *Southeast United States (Texas)*
- ✓ Soil Needs: *Well Drained, Sandy, Loamy, Clay and Limestone*
- ✓ Tolerances: *Drought and Very High Heat*
- ✓ Features: *Small tree with inconspicuous light green blooms and red berry like drupe.*
- ✓ Uses: *Landscape Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *Aphids, Minor Leaf Beetle & Dutch Elm Disease*
- ✓ Similar Species: *Evergreen Cassena, Emetic Holly, Indian Black Drink*



# APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

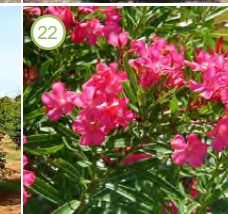
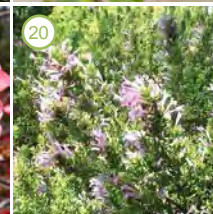
## F.5. RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

|    | Shrub                | Scientific Name                     | SCR | XERI |
|----|----------------------|-------------------------------------|-----|------|
| 3  | Barberry             | Berberis Thumbergii 'Crimson Pygmy' |     |      |
| 8  | Dwarf Yaupon Holly   | Ilex Vomitoria 'Nana'               |     |      |
| 10 | Yucca                | Yucca Sp.                           |     | X    |
| 16 | Juniper              | Juniperus Sp.                       |     |      |
| 17 | Japanese Boxwood     | Buxus Japonica                      |     |      |
| 20 | Mexican Oregano      | Poliomenantha Longiflora            |     |      |
| 24 | Red Yucca            | Hesperaloe Parvifolia               |     | X    |
| 25 | Rock Rose            | Pavonia Lasiopetala                 |     | X    |
| 1  | Agarita              | Mahonia Trifoliolata                |     | X    |
| 2  | Barberry             | Berberis Atropurpurea 'Rose Glow'   |     |      |
| 5  | Cenizo (Texas Sage)  | Leucophyllum Sp.                    | X   | X    |
| 7  | Dwarf Burford Holly  | Ilex Cornuta 'Burfordii Nana'       | X   |      |
| 14 | Hogplum              | Colubrina Texensis                  |     |      |
| 15 | Indian Hawthorn      | Raphiolepis Indica                  |     |      |
| 19 | Japanese Quince      | Chaenomeles Japonica                |     |      |
| 23 | Pearl Bush           | Exochorda Giralidii Wilsonii        |     |      |
| 27 | Rosemary             | Rosmarinus Officinalis              |     | X    |
| 28 | Virginia Sweetspire  | Itea Virginica                      |     |      |
| 4  | Bridal Wreath Spirea | Spiraea Cantoniensis                | X   | X    |
| 6  | Chinese Fringe       | Loropetalum Chinense                | X   |      |
| 9  | Elaeagnus            | Elaeagnus x Ebbingei                | X   |      |
| 11 | Evergreen Sumac      | Rhus Virens                         |     |      |
| 12 | Forsythia            | Forsythia Intermedia 'Spectabilis'  |     |      |
| 13 | Glossy Abelia        | Abelia x Gradiflora                 |     |      |
| 18 | Japanese Cleyera     | Cleyera Ternstroemia Gymnanthera    |     |      |
| 21 | Nellie Stevens Holly | Ilex 'Nellie R. Stevens'            | X   |      |
| 22 | Oleander             | Nerium Oledander                    | X   |      |
| 26 | Rose of Sharon       | Hibiscus Syriacus                   | X   |      |

### Abbreviations:

- ☒ XERI: Xeriscaping
- ☒ SCR: Screening
- ☒ GREEN: Small
- ☒ ORANGE: Medium
- ☒ RED: Large







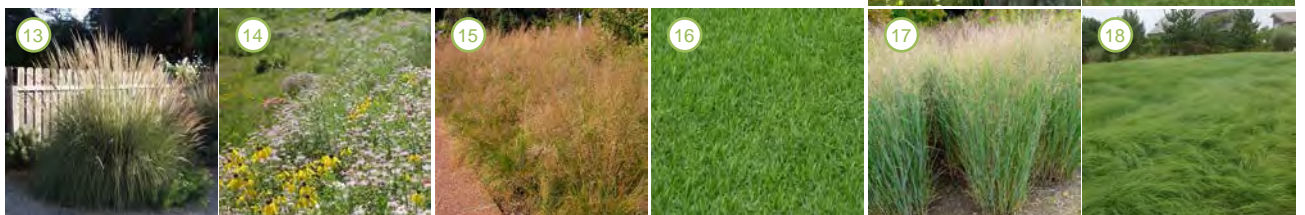
## F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended grass varieties.

|    | Grass                 | Scientific Name  | XERI |
|----|-----------------------|--|------|
| 1  | Bermuda Grass         | Cynodon Dactylon   |      |
| 2  | Big Bluestem          | Andropogon Gerardii  | X    |
| 3  | Buffalo Grass         | Buchloe Dactyloides  | X    |
| 4  | Deer Muhly            | Muhlenbergia Rigens  |      |
| 5  | Eastern Gamagrass     | Tripsacum Dactyloides  | X    |
| 6  | Fountain Grass        | Pennisetum Alopecuroides 'Hamelin'                                   |      |
| 7  | Feather Reed Grass    | Calamagrostis Acutiflora 'Karl Foerster'                             |      |
| 8  | Inland Sea oats       | Chasmanthium Latifolium  | X    |
| 9  | Japanses Blood Grass  | Imperata Cylindrica 'Red Baron'                                      |      |
| 10 | Little Bluestem       | Schizachyrium Scoparium  | X    |
| 11 | Maiden Grass          | Adagio, Cabaret, Gracillimus, Morning Light, Variegatus, Zebra Grass | X    |
| 12 | Mexican Feather Grass | Stipa Tenuissima 'Pony Tails'  | X    |
| 13 | Muhly Grass           | Muehlenbergia Lindheimeri  | X    |
| 14 | Prairie Mix           | N/A  | X    |
| 15 | Prairie Dropseed      | Sporobolus Heterolepsis  |      |
| 16 | St. Augustine Grass   | Stenotaphrum Secundatum  | X    |
| 17 | Switch Grass          | Panicum Virgatum   | X    |
| 18 | Weeping Love Grass    | Eragrostis Curvula   | X    |

### Abbreviations:

☒ XERI: Xeriscaping





The following list shows all alternative plant types permitted by the City of Rockwall since the adoption of this Appendix F, Landscape Guidelines, of the Unified Development Code.

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CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; SECTIONS 3, 5, 6 & 7 OF ARTICLE VIII, *LANDSCAPE STANDARDS*; SECTION 7 OF ARTICLE IX, *TREE PRESERVATION*; AND TO CREATE APPENDIX F, *LANDSCAPE GUIDELINES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [Ordinance No. 04-38] has been initiated by the City Council of the City of Rockwall to amend Section 6, *Overlay Districts*, of Article V, *District Development Standards*; Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*; Section 7, *Tree Replacement Credits*, of Article IX, *Tree Preservation*; and, create Appendix F, *Landscaping Guidelines*, of the Unified Development Code [Ordinance No. 04-38] for the purposes of incorporating recommendations made by the *Landscape Ordinance Review Committee*; and,

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

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

**Section 1.** That Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance;

**Section 2.** That Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'B'* of this ordinance;

**Section 3.** That Section 7, *Tree Replacement*, of Article IX, *Tree Preservation*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'C'* of this ordinance;

**Section 4.** That a landscape appendix should be established as Appendix F, *Landscape Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as established herein, and as specifically described in *Exhibits 'D'* of this ordinance;



**Section 5.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**Section 6.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**Section 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 7<sup>TH</sup> DAY OF DECEMBER, 2015.**

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

**ATTEST:**

\_\_\_\_\_  
Kristy Ashberry, *City Secretary*

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: November 16, 2015

2<sup>nd</sup> Reading: December 7, 2015

**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

**Section 6. Overlay District Standards**

**Section 6.6. IH-30 Overlay (IH-30 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress, Bur Oak, Cedar Elm, Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia, Live Oak, October Glory Maple, Red Oak, Texas Ash, Texas Red Oak Leyland Cypress.**

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**

**Section 6.7. SH-205 Overlay (SH-205 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.

**E.3 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bur Oak, Caddo Maple, Cedar Elm, Lacebark Elm, Leyland Cypress, Little Gem Magnolia, Live Oak, October Glory Maple Red Oak.**

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**

**Section 6.8. Scenic Overlay (SOV) District**

**F.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

**F.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bur Oak, Caddo Maple, Cedar Elm, Lacebark Elm, Leyland Cypress, Little Gem Magnolia, Live Oak, October Glory Maple Red Oak.**

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**

**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

**Section 6.9. SH-66 Overlay (SH-66 OV) District**

**F.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

**F.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, Bur Oak, Cedar Elm, Lacebark Elm, **Leyland Cypress**, **Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Texas Ash**, **Texas Red Oak**.

Accent trees: **Desert Willow**, **Eastern Redbud**, **Eves Necklace**, **Mexican Buckeye**, **Possumhaw Holly**, **Shangtung Maple**, **Yaupon Holly**. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~

**Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, **Bald Cypress**, Bur Oak, Cedar Elm, **Eastern Red Cedar**, **Homestead Elm**, Lacebark Elm, **Leyland Cypress**, **Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Texas Ash**, **Texas Red Oak**.

Accent trees: **Desert Willow**, **Eastern Redbud**, **Eves Necklace**, **Mexican Buckeye**, **Possumhaw Holly**, **Shangtung Maple**, **Yaupon Holly**. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~

**Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, Bur Oak, **Caddo Maple**, Cedar Elm, Lacebark Elm, Leyland Cypress, **Little Gem Magnolia**, Live Oak, **October Glory Maple** ~~Red Oak~~.

Accent trees: **Desert Willow**, **Eastern Redbud**, **Eves Necklace**, **Mexican Buckeye**, **Possumhaw Holly**, **Shangtung Maple**, **Yaupon Holly**. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~

**Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine**, Bur Oak, **Caddo Maple**, Cedar Elm, Lacebark Elm, Leyland Cypress, **Little Gem Magnolia**, Live Oak, **October Glory Maple Red Oak**.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.**

**Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress**, Bur Oak, **Caddo Maple**, Cedar Elm, **Lacebark Elm, Leyland Cypress, Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Texas Ash, Texas Red Oak**.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.**

**Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District**

**E.2 Buffer-strip plantings.** **Three Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

**E.4 Plant material selections.** The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress**, Bur Oak, Cedar Elm, **Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia**, Live Oak, **October Glory Maple**, Red Oak, **Leyland Cypress**.

**Exhibit A:**  
*Article V, District Development Standards,  
of the Unified Development Code*

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~**



*Article VIII. Landscape Standards*

*Section 3. Definitions*

***Xeriscaping* means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.**

*Section 5 Mandatory Provisions*

*Section 5.3. Acceptable Landscape Materials*

- A. No artificial plant materials may be used to satisfy the requirements of this article.
- B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:
  - ☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
  - ☑ **Shrubs shall be a minimum of three (3) gallons in size.**
- C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.
- D. *In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.*

*(Ord. No. 06-14, 4-17-2006)*

**E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.**

F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

- 1. Afghan Pine.**
2. Bald Cypress.
3. Burr Oak.
- 4. Caddo Maple.**
5. Cedar Elm.
6. Chinquapin Oak.
- 7. Eastern Red Cedar.**
8. Homestead Elm.
9. Lace Bark Elm.
- 10. Leyland Cypress.**
- 11. Little Gem Magnolia.**
12. Live Oak.
13. October Glory Maple.

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

14. Pecan.

**15. Red Oak.**

16. Texas Ash.

17. Texas Red Oak.

**18. Chinese Pistachio.**

and various native understory trees such as:

**1. Desert Willow**

2. Downy Hawthorn.

**3. Eastern Redbud**

**4. Eve's Necklace**

**5. Mexican Buckeye**

**6. Possumhaw Holly**

**7. Shantung Maple**

**8. Yaupon Holly**

**9. Texas Redbud.**

**10. Mexican Plum.**

**11. Wax Myrtle.**

**12. Yaupon.**

**13. Deciduous Yaupon.**

**Section 5.6. Screening from Residential Uses**

- A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (~~excluding~~ tilt wall or concrete block **are prohibited; however, precast walls may be approved by the Planning and Zoning Commission unless approved by the city council**), six (6) feet in height, ~~unless otherwise approved by the city council~~. As an alternative, berms in conjunction with a **minimum of a six (6) foot wrought fence** and a combination of trees and shrubs can be utilized to meet ~~this~~ the screening requirements **if the Planning & Zoning Commission determines that the proposed alternative will provide sufficient screening**. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.
- B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:
1. The screen will withstand the pressures of time and nature;
  2. The screen adequately accomplishes the purpose for which it was intended;
  3. Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.
- C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

- D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

**Section 5.10. ~~Deleted. Xeriscaping Standards.~~**

- A. Purpose.** The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.
- B. Principles.** All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:
- 1. Planning and Design.** Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.
  - 2. Soil Improvement.** Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.
  - 3. Appropriate Plant Selection.** Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, *Recommended Plantings*, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.
  - 4. Practical Turf Areas.** The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [*with rounded, compact turf areas being more efficient*], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.

5. **Efficient Irrigation.** All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.
6. **Use of Mulches.** Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [*typically 3-4 inches*] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.
7. **Appropriate Maintenance.** Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.

**C. Standards.**

1. If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*; however, the grass should be maintained to a height typical for the particular native grass.
2. Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (*i.e. one [1] tree per every 750 square feet of dry land area*). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.
3. A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.

**D. Approval of Xeriscape Plans.** All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

**(Ord. No. 06-14, 4-17-2006)**

**Section 6 Landscape Credits**

**Section 6.4 Credit for Xeriscaping.**

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

**Section 7. Completion of Landscaping**

**Section 7.1. In Accordance with Approved Plans.**

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot; **however, during drought or water emergency response stages**

**Exhibit B:**  
*Article VIII, Landscape Standards,  
of the Unified Development Code*

**the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.**

DRAFT  
ORDINANCE  
17.10.2015



**Section 7. Tree Replacement Credits**

- D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

**Canopy Trees:**

1. **Afghan Pine.**
2. **Bald Cypress.**
3. **Burr Oak.**
4. **Caddo Maple.**
5. **Cedar Elm.**
6. **Chinquapin Oak.**
7. **Eastern Red Cedar.**
8. **Homestead Elm.**
9. **Lace Bark Elm.**
10. **Leyland Cypress.**
11. **Little Gem Magnolia.**
12. **Live Oak.**
13. **October Glory Maple.**
14. **Pecan.**
15. **Red Oak.**
16. **Texas Ash.**
17. **Texas Red Oak.**

**Accent Trees:**

1. **Desert Willow**
2. Downy Hawthorn.
3. **Eastern Redbud**
4. **Eve's Necklace**
5. **Mexican Buckeye**
6. **Possumhaw Holly**
7. **Shantung Maple**
8. **Yaupon Holly**

**Evergreen:**

**Afghan Pine.**  
**Eastern Red Cedar.**  
**Japanese Black Pine.**  
**Live Oak.**  
**Magnolia.**

**Deciduous:**

**Bald Cypress.**  
**Burr Oak.**  
**Cedar Elm.**  
**Chinese Pistachio.**  
**Chinquapin Oak.**  
**Eve's Necklace.**  
**Lace Bark Elm.**

**Exhibit C:**  
*Article IX, Tree Preservation,  
of the Unified Development Code*

**Aristocrat Pear.**  
**Pecan.**  
**Sweet Gum.**  
**Sycamore.**  
**Texas Ash.**  
**Texas Red Oak.**  
**Possumhaw Holly.**

**Exhibit 'D'**  
Appendix F, Landscape Guidelines,  
of the Unified Development Code

## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



### TABLE OF CONTENTS

- Section F.1. Introduction.
- Section F.2. District Landscaping Requirements.
- Section F.3. Tree Planting Guidelines & Requirements.
- Section F.4. Recommended Tree Varieties (*Canopy and Accent*)
- Section F.5. Recommended Shrub Varieties
- Section F.6. Recommended Grass Varieties
- Section F.7. Alternative Plantings List

### F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

### F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

### F.3. DISTRICT LANDSCAPING REQUIREMENTS

|                              |   | Overlay Districts |        |     |       |        |       |      |        |        |     |
|------------------------------|---|-------------------|--------|-----|-------|--------|-------|------|--------|--------|-----|
|                              |   | IH-30             | SH-205 | SOV | SH-66 | 205-BY | N-205 | E-66 | FM-549 | SH-276 | NON |
| Landscape Buffer Requirement | 10' Landscape Buffer  |                   |        |     |       |        |       |      |        |        | X   |
|                              | 20' Berm and/or Shrubbery Row (30'-48")   | X                 | X      | X   | X     |        | X     |      |        |        |     |
|                              | 15' Berm and/or Shrubbery Row (30'-48") [ <i>Retail/Commercial</i> ]                      |                   |        |     |       | X      |       | X    | X      | X      |     |
|                              | 25' Berm and/or Shrubbery Row (30'-48") [ <i>Residential</i> ]                            |                   |        |     |       | X      |       | X    | X      | X      |     |
|                              | 50' Berm and/or Shrubbery Row (30'-48") [ <i>Industrial/Research/Technology</i> ]         |                   |        |     |       | X      |       | X    | X      | X      |     |
| Tree Planting Requirements   | 1 Canopy Tree for Each 50-Linear Feet of Street Frontage                                  |                   |        |     |       |        |       |      |        |        | X   |
|                              | 3, 4' Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage                    | X                 | X      | X   | X     | X      | X     | X    | X      | X      |     |
|                              | 4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage                       | X                 | X      | X   | X     | X      | X     | X    | X      | X      |     |
|                              | 1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees |                   |        |     |       | X      |       | X    | X      |        |     |

#### References:

- ☒ IH-30: Section 6.6, Article V, UDC
- ☒ SH-205: Section 6.7, Article V, UDC
- ☒ SOV: Section 6.8, Article V, UDC
- ☒ SH-66: Section 6.9, Article V, UDC
- ☒ 205-BY: Section 6.10, Article V, UDC
- ☒ N-205: Section 6.11, Article V, UDC
- ☒ E-66: Section 6.12, Article V, UDC

#### References (Continued):

- ☒ FM-549: Section 6.13, Article V, UDC
- ☒ SH-276: Section 6.14, Article V, UDC

#### Abbreviations:

- ☒ NON: Non-Overlay Districts

**Exhibit 'D'**  
Appendix F, Landscape Guidelines,  
of the Unified Development Code



## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

### TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, *Landscape Standards*, of the Unified Development Code.

Table 1.1: Required Trees by District.

|              |                     | Overlay Districts |        |     |       |        |       |      |        |        |     |      |     |
|--------------|---------------------|-------------------|--------|-----|-------|--------|-------|------|--------|--------|-----|------|-----|
|              |                     | IH-30             | SH-205 | SOV | SH-66 | 205-BY | N-205 | E-66 | FM-549 | SH-276 | NON | XERI | REC |
| Canopy Trees | Afghan Pine         | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Bald Cypress        | X                 |        |     |       | X      |       |      | X      | X      | X   |      | X   |
|              | Burr Oak            | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Caddo Maple         |                   | X      | X   |       |        | X     | X    | X      |        | X   |      | X   |
|              | Cedar Elm           | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Chinquapin Oak      |                   |        |     |       |        |       |      |        |        | X   | X    | X   |
|              | Eastern Red Cedar   | X                 |        |     |       | X      |       |      |        | X      | X   |      | X   |
|              | Homestead Elm       | X                 |        |     |       | X      |       |      |        | X      | X   |      | X   |
|              | Lacebark Elm        | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Leyland Cypress     |                   | X      | X   |       |        | X     | X    | X      |        | X   |      | X   |
|              | Little Gem Magnolia | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Live Oak            | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | October Glory Maple | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Pecan               |                   |        |     |       |        |       |      |        |        | X   |      | X   |
| Accent Trees | Red Oak             | X                 |        |     | X     | X      |       |      | X      | X      | X   |      | X   |
|              | Texas Ash           | X                 |        |     | X     | X      |       |      | X      | X      | X   |      | X   |
|              | Texas Red Oak       | X                 |        |     | X     | X      |       |      | X      | X      | X   |      | X   |
|              | Desert Willow       | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Downy Hawthorn      |                   |        |     |       |        |       |      |        |        | X   |      | X   |
|              | Eastern Redbud      | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Eves Necklace       | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Mexican Buckeye     | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Possumhaw Holly     | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   | X    | X   |
|              | Shantung Maple      | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Flame Leaf Sumac    | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |
|              | Yaupon Holly        | X                 | X      | X   | X     | X      | X     | X    | X      | X      | X   |      | X   |

**Abbreviations & References:**

- ☑ IH-30: Section 6.6, Article V, UDC
- ☑ SH-205: Section 6.7, Article V, UDC
- ☑ SOV: Section 6.8, Article V, UDC
- ☑ SH-66: Section 6.9, Article V, UDC
- ☑ 205-BY: Section 6.10, Article V, UDC
- ☑ N-205: Section 6.11, Article V, UDC
- ☑ E-66: Section 6.12, Article V, UDC
- ☑ FM-549: Section 6.13, Article V, UDC
- ☑ SH-276: Section 6.14, Article V, UDC
- ☑ NON: Non-Overlay Districts
- ☑ XERI: Xeriscaping
- ☑ REC: Reclamation/Tree Preservation

**Prohibited Trees:**

- ☑ Silver maple (acer saccharinum).
- ☑ Box Elder (Acer Negundo).
- ☑ Mimosa (Albizia Julibrissin).
- ☑ Catalpa (Catalpa sp.).

**Prohibited Trees (Continued):**

- ☑ Catalpa (Catalpa sp.).
- ☑ Hackberry, Sugarberry (Celtis sp.).
- ☑ Honeylocust (Gleditsia Triacanthos).
- ☑ Tulip tree (Liriodendron Tulipifera).
- ☑ Chinaberry (Melia Azedarach).
- ☑ Sycamore (Platanus Occidentalis).
- ☑ Cottonwood, Poplar (Populus sp.).
- ☑ Willows (Salix sp.).
- ☑ American Elm (Ulmus Americana).
- ☑ Siberian Elm (Ulmus Pumilia).
- ☑ Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- ☑ Bois D'Arc (Maclura Pomifera).
- ☑ Flowering Crabapple varieties (Malus sp.).
- ☑ Ginko Tree (Ginko Biloba).
- ☑ Peach/Plum varieties.
- ☑ Mulberry varieties (Morus sp.).
- ☑ Texas Mountain Laurel (Sophora Secundiflora).
- ☑ Lilac Chaste Tree (Vitex Agnuscastus).
- ☑ Pine Tree Varieties (Pinus So.)



## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



### F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service Copyright by Robert O'Brien.

#### Afghan Pine

Latin Name: *Pinus Eldarica*  
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 35' to 50'
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: *Rapid*
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH* > 7.5]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)



#### Bald Cypress

Latin Name: *Taxodium Distichum*  
Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 70'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Moderate*
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Baldcypress (*Taxodium mucronatum*)



#### Bur Oak


Latin Name: *Quercus Macrocarpa*  
Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 40' to 60'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Moderate to Rapid*
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH* > 7.5]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (*Quercus Alba*)





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## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

### Caddo Maple

Latin Name: *Acer saccharum* 'Caddo'  
Secondary Names: Eldarica Pine, Mondel Pine


- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 60'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (*A. saccharum*)



### Cedar Elm

Latin Name: *Ulmus Crassifolia*  
Secondary Names: Texas Elm


- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 70' to 90'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree, Parking Lot/Street Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)



### Chinquapin Oak

Latin Name: *Quercus Muehlenbergii*  
Secondary Names: Chinkapin Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 40' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (*Quercus Michauxii*)



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## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



### Eastern Red Cedar

Latin Name: *Juniperus virginiana* var. *virginiana*  
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 30' to 50'
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branchlets.
- ✓ Uses: Windbreaks and Fence Rows, Screening Tree
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (*Juniperus virginiana* var. *silicicola*) and Rocky Mountain juniper (*J. scopulorum*)



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### Homestead Elm

Latin Name: *Ulmus* 'Homestead'  
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 60'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beetle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid.

### Lacebark Elm

Latin Name: *Ulmus Parvifolia*  
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 35' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils ( $PH > 7.5$ )
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



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## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

### Leyland Cypress

Latin Name: *x Cupressocyparis leylandii*  
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 60' to 70'
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: England and Europe
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Poor Soil
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Screening, Windbreaks, and Non-Residential Landscaping
- ✓ Firewise: No
- ✓ Issues: Bagworms and Spider mites
- ✓ Similar Species: Montezuma baldcypress (*Taxodium mucronatum*)



### Little Gem Magnolia

Latin Name: *Magnolia grandiflora* 'Little Gem'  
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 15' to 20'
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Moderate
- ✓ Native: Southeast United States
- ✓ Soil Needs: Well Drained Soil
- ✓ Tolerances: Moderate Drought, Salt and Soil Variation
- ✓ Features: Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.
- ✓ Uses: Shade and Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Major Problems
- ✓ Similar Species: Sweetbay magnolia (*Magnolia virginiana*)



### Live Oak

Latin Name: *Quercus virginiana*  
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 40' to 50'
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: Moderately Fast
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five,
- ✓ Firewise: Yes
- ✓ Issues: Leaf Blister and Fungal Gall
- ✓ Similar Species: Texas live oak (*Quercus fusiformis*)



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### October Glory Maple

Latin Name: *Acer rubrum* 'October Glory'  
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 40' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (*Acer leucoderme*)



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### Pecan

Latin Name: *Carya illinoensis*  
Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 50' to 70'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [*PH*>7.5]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (*Carya aquatica*) & black walnut (*Juglans nigra*)




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### Red Oak

Latin Name: *Quercus falcata*  
Secondary Names: Southern Red Oak


- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 30' to 55'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid *PH*>7.5; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Orange to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (*Quercus velutina*)



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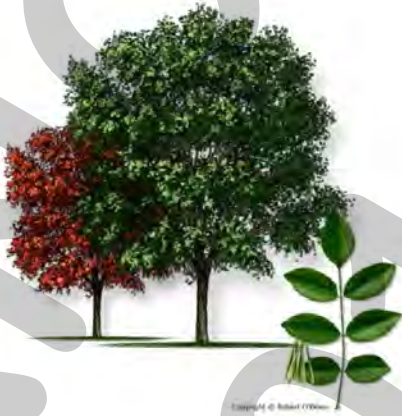



## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

### Texas Ash

Latin Name: *Fraxinus texensis*  
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 35' to 50'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (*Fraxinus caroliniana*) and Gregg ash (*F. greggii*)






### Texas Red Oak

Latin Name: *Quercus buckleyi*  
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: 30' to 55'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (*Quercus shumardii*)



### Desert Willow

Latin Name: *Chilopsis linearis*  
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 15' to 20'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alternaria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbres, Mimbre, Bow Willow

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## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



### Downy Hawthorn

Latin Name: *Crataegus mollis*  
Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 20' to 30'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Slow*
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (*Betula nigra*) & Gum Bully (*Sideroxylon lanuginosum*)



### Eastern Redbud

Latin Name: *Cercis canadensis* var. *canadensis*  
Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 20' to 30'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Medium*
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud




### Eve's Necklace

Latin Name: *Sophora affinis*  
Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 15' to 35'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Fast (Generally Slows at 15')*
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (*Robinia pseudoacacia*)






## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

### Mexican Buckeye

Latin Name: *Ungnadia Speciosa*  
Secondary Names:

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 15' to 30'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Moderate*
- ✓ Native: *Texas*
- ✓ Soil Needs: *Neutral Alkaline*
- ✓ Tolerances: *Drought, Alkaline Soils [PH > 7.5]*
- ✓ Features: *Pink flowers appear with new leaves; brown fruit husks remain through winter.*
- ✓ Uses: *Generally a Landscape or Specimen Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *Requires pruning to develop one or more trunks.*
- ✓ Similar Species: *Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye*




Mexican Buckeye  
*Ungnadia speciosa*

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### Possumhaw Holly

Latin Name: *Ilex Decidua*  
Secondary Names: *Possumhaw (Deciduous Holly)*

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 8' to 10' (*Occasionally 20'*)
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Slow*
- ✓ Native: *Texas*
- ✓ Soil Needs: *Adaptable*
- ✓ Tolerances: *Drought, Poorly Drained Sites, Alkaline Soils [PH>7.5]*
- ✓ Features: *Orange or red berries on gray branches.*
- ✓ Uses: *Generally a Landscape Tree and Detention Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *Thin Bark Susceptible to Injury*
- ✓ Similar Species: *Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry*




Possumhaw Holly  
*Ilex decidua*

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### Shantung Maple

Latin Name: *Acer truncatum*  
Secondary Names: *Shandong Maple, Purpleblow Maple*

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: 25' to 35'
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Rapid*
- ✓ Native: *Northern China*
- ✓ Soil Needs: *Loam, Sandy and Clay (Adaptable)*
- ✓ Tolerances: *Moderate Drought*
- ✓ Features: *Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.*
- ✓ Firewise: *No*
- ✓ Issues: *Leaf Spot and Leaf Scorch*
- ✓ Similar Species: *Japanese Maples*



Shantung Maple  
*Acer truncatum*

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**Flameleaf Sumac**

Latin Name: *Rhus lanceolata*  
Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac


- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: *Moderate*
- ✓ Native: *Texas*
- ✓ Soil Needs: *Neutral Alkaline*
- ✓ Tolerances: *Drought, Alkaline Soils (PH > 7.5)*
- ✓ Features: *Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.*
- ✓ Uses: *Generally a Landscape Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *Requires pruning to develop one or more trunks.*
- ✓ Similar Species: *Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac*




Prairie Flameleaf Sumac  
*Rhus lanceolata*



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Yaupon Holly  
*Ilex vomitoria*



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**Yaupon Holly**

Latin Name: *Ilex vomitoria*  
Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: *Slow*
- ✓ Native: *Southeast United States (Texas)*
- ✓ Soil Needs: *Well Drained, Sandy, Loamy, Clay and Limestone*
- ✓ Tolerances: *Drought and Very High Heat*
- ✓ Features: *Small tree with inconspicuous light green blooms and red berry like drupe.*
- ✓ Uses: *Landscape Tree*
- ✓ Firewise: *Yes*
- ✓ Issues: *Aphids, Minor Leaf Beetle & Dutch Elm Disease*
- ✓ Similar Species: *Evergreen Cassena, Emetic Holly, Indian Black Drink*

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## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

### F.5. RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

|    | Shrub                | Scientific Name                     | SCR | XERI |
|----|----------------------|-------------------------------------|-----|------|
| 3  | Barberry             | Berberis Thumbergii 'Crimson Pygmy' |     |      |
| 8  | Dwarf Yaupon Holly   | Ilex Vomitoria 'Nana'               |     |      |
| 10 | Yucca                | Yucca Sp.                           |     | X    |
| 16 | Juniper              | Juniperus Sp.                       |     |      |
| 17 | Japanese Boxwood     | Buxus Japonica                      |     |      |
| 20 | Mexican Oregano      | Polioemtha Longiflora               |     |      |
| 24 | Red Yucca            | Hesperaloe Parvifolia               |     | X    |
| 25 | Rock Rose            | Pavonia Lasiopetala                 |     | X    |
| 1  | Agarita              | Mahonia Trifoliolata                |     | X    |
| 2  | Barberry             | Berberis Atropurpurea 'Rose Glow'   |     |      |
| 5  | Cenizo (Texas Sage)  | Leucophyllum Sp.                    | X   | X    |
| 7  | Dwarf Burford Holly  | Ilex Cornuta 'Burfordii Nana'       | X   |      |
| 14 | Hogplum              | Colubrina Texensis                  |     |      |
| 15 | Indian Hawthorn      | Raphiolepis Indica                  |     |      |
| 19 | Japanese Quince      | Chaenomeles Japonica                |     |      |
| 23 | Pearl Bush           | Exochorda Giralddii Wilsonii        |     |      |
| 27 | Rosemary             | Rosmarinus Officinalis              |     | X    |
| 28 | Virginia Sweetspire  | Itea Virginica                      |     |      |
| 4  | Bridal Wreath Spirea | Spiraea Cantonensis                 | X   | X    |
| 6  | Chinese Fringe       | Loropetalum Chinense                | X   |      |
| 9  | Elaeagnus            | Elaeagnus x Ebbingei                | X   |      |
| 11 | Evergreen Sumac      | Rhus Virens                         |     |      |
| 12 | Forsythia            | Forsythia Intermedia 'Spectabilis'  |     |      |
| 13 | Glossy Abelia        | Abelia x Gradiiflora                |     |      |
| 18 | Japanese Cleyera     | Cleyera Ternstroemia Gymnanthera    |     |      |
| 21 | Nellie Stevens Holly | Ilex 'Nellie R. Stevens'            | X   |      |
| 22 | Oleander             | Nerium Oleander                     | X   |      |
| 26 | Rose of Sharon       | Hibiscus Syriacus                   | X   |      |

**Abbreviations:**

- ☒ XERI: Xeriscaping
- ☒ SCR: Screening
- ☒ GREEN: Small
- ☒ ORANGE: Medium
- ☒ RED: Large





## APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



### F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended grass varieties.

| Grass                    | Scientific Name  | XERI |
|--------------------------|--|------|
| 1 Bermuda Grass          | Cynodon Dactylon   |      |
| 2 Big Bluestem           | Andropogon Gerardi   | X    |
| 3 Buffalo Grass          | Buchloe Dactyloides  | X    |
| 4 Deer Muhly             | Muhlenbergia Rigens  |      |
| 5 Eastern Gamagrass      | Tripsacum Dactyloides  | X    |
| 6 Fountain Grass         | Pennisetum Alopecuroides 'Hamelin'                                   |      |
| 7 Feather Reed Grass     | Calamagrostis Acutiflora 'Karl Foerster'                             |      |
| 8 Inland Sea oats        | Chasmanthium Latifolium  | X    |
| 9 Japanese Blood Grass   | Imperata Cylindrica 'Red Baron'                                      |      |
| 10 Little Bluestem       | Schizachyrium Scoparium  | X    |
| 11 Maiden Grass          | Adagio, Cabaret, Gracillimus, Morning Light, Variegatus, Zebra Grass | X    |
| 12 Mexican Feather Grass | Stipa Tenuissima 'Pony Tails'  | X    |
| 13 Muhly Grass           | Muehlenbergia Lindheimeri  | X    |
| 14 Prairie Mix           | N/A  | X    |
| 15 Prairie Dropseed      | Sporobolus Heterolepsis  |      |
| 16 St. Augustine Grass   | Stenotaphrum Secundatum  | X    |
| 17 Switch Grass          | Panicum Virgatum   | X    |
| 18 Weeping Love Grass    | Eragrostis Curvula   | X    |

Abbreviations:

☒ XERI: Xeriscaping





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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Timothy M. Tumulty, Director of Public Works/City Engineer

**DATE:** November 13, 2015

**SUBJECT:** Drainage Ordinance Variance Request

---

Staff received a request from Spiars Engineering, Inc. (Engineer for The Preserve, Phase One development) requesting a variance from our Drainage Ordinance related to the detention requirements. They are requesting a variance to the Ordinance restricting the construction of retaining walls in the detention area. The ordinance requires developments with detention basins over one-half acre in size to have a minimum side slope of 5:1 or less.

In the past years, retaining walls were allowed in the detention areas. The engineer stated that because of the limited area and constraints within the proposed development, meeting the intent of the ordinance will be extremely difficult.

Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to construction of retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager  
Amy Williams, P.E., Assistant City Engineer  
Jeremy White, P.E., Civil Engineer  
File



**p i a r s**  
**E N G I N E E R I N G**

765 Custer Road, Suite 100 • Plano, Texas 75075 • (972) 422-0077 • Fax (972) 422-0075 • TBPE Reg. No. F-2121

November 3, 2015

Ms. Amy Williams  
City of Rockwall – Engineering Services  
385 S. Goliad  
Rockwall, Texas 75087

**Re: Variance Letter (Retaining Walls in Detention Areas)**  
**The Preserve Phase 1**  
**Rockwall, Texas**  
**SEI Project No.: 13-141**

Dear Ms. Williams:

I would like to respectfully request a variance to the Ordinance restricting retaining walls in detention areas. Originally, the detention areas had sloped sides, but due to the unique requirements (a different hydrological method) of the flood study for Squabble Creek, it was necessary to increase the detention volumes. Because of the limited area and surrounding constraints (gas main location, sanitary sewer main location, floodplain, and trees), stone retaining walls with a random mosaic pattern have been proposed around the detention areas. These retaining walls will match the retaining walls throughout the subdivision. If the City is concerned about screening the detention areas, a masonry wall or live screening can be added. I feel that this variance is needed for the proper development of the site.

Furthermore, the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land. Finally, the granting of this variance, in my professional opinion, will not be detrimental to the public health, safety or welfare or injurious to other property in the area.

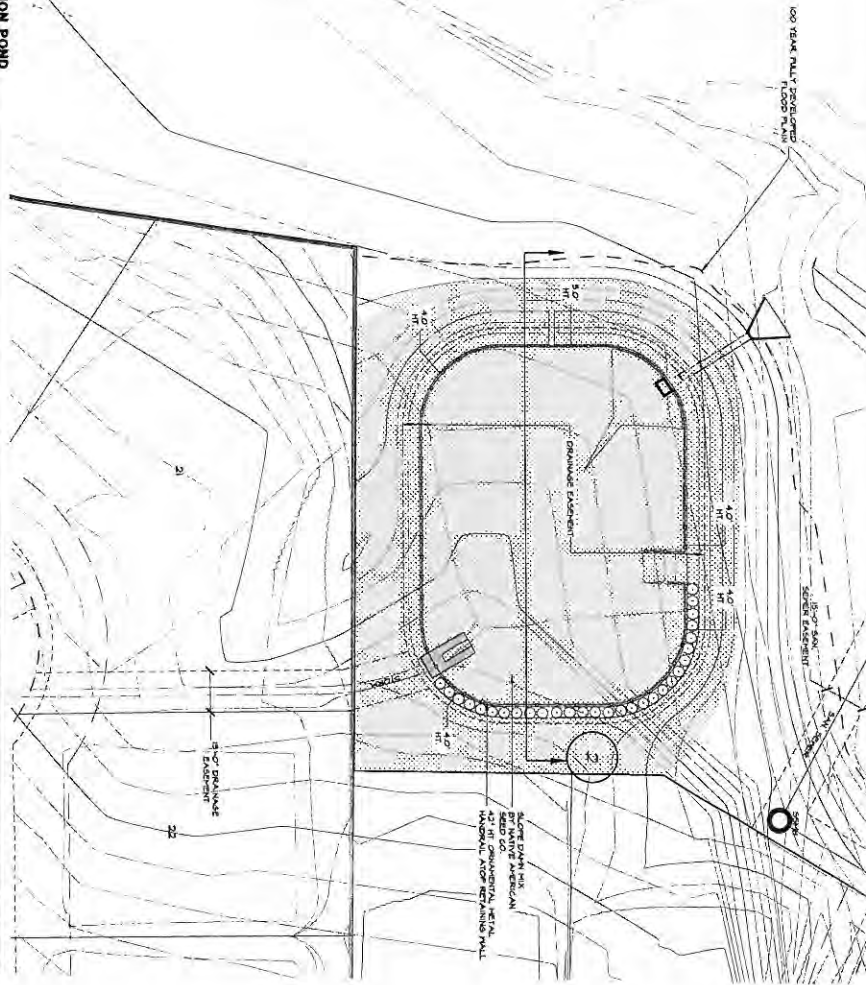
Please give me a call if you have any questions.

Sincerely,  
**SPIARS ENGINEERING, INC.**

Greg T. Helsel, P.E.

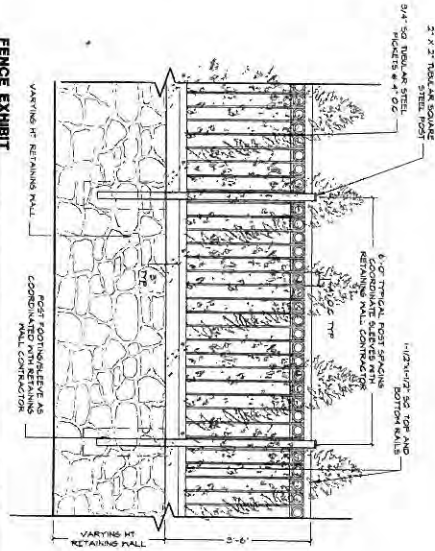


**DETENTION POND  
PLAN**



SCALE: 1" = 30'-0"

**FENCE EXHIBIT  
PLAN**



SCALE: 1\"/>

FLOOD  
PLAIN

42\"/>

3'-6\"/>

BACK OF  
LOT

42\"/>

3'-6\"/>

**DETENTION POND EXHIBIT  
SECTION**

SCALE: 1\"/>

**LANDSCAPE AND SCREENING**

Landscape Exhibit  
The Preserve, Ph. 1  
City of Rockwall, Rockwall County, Texas

PLAN REVIEW REVISIONS

| NO. | DATE | BY | REVISIONS |
|-----|------|----|-----------|
| 1   |      |    |           |
| 2   |      |    |           |
| 3   |      |    |           |
| 4   |      |    |           |
| 5   |      |    |           |

PROJECT  
SHA032

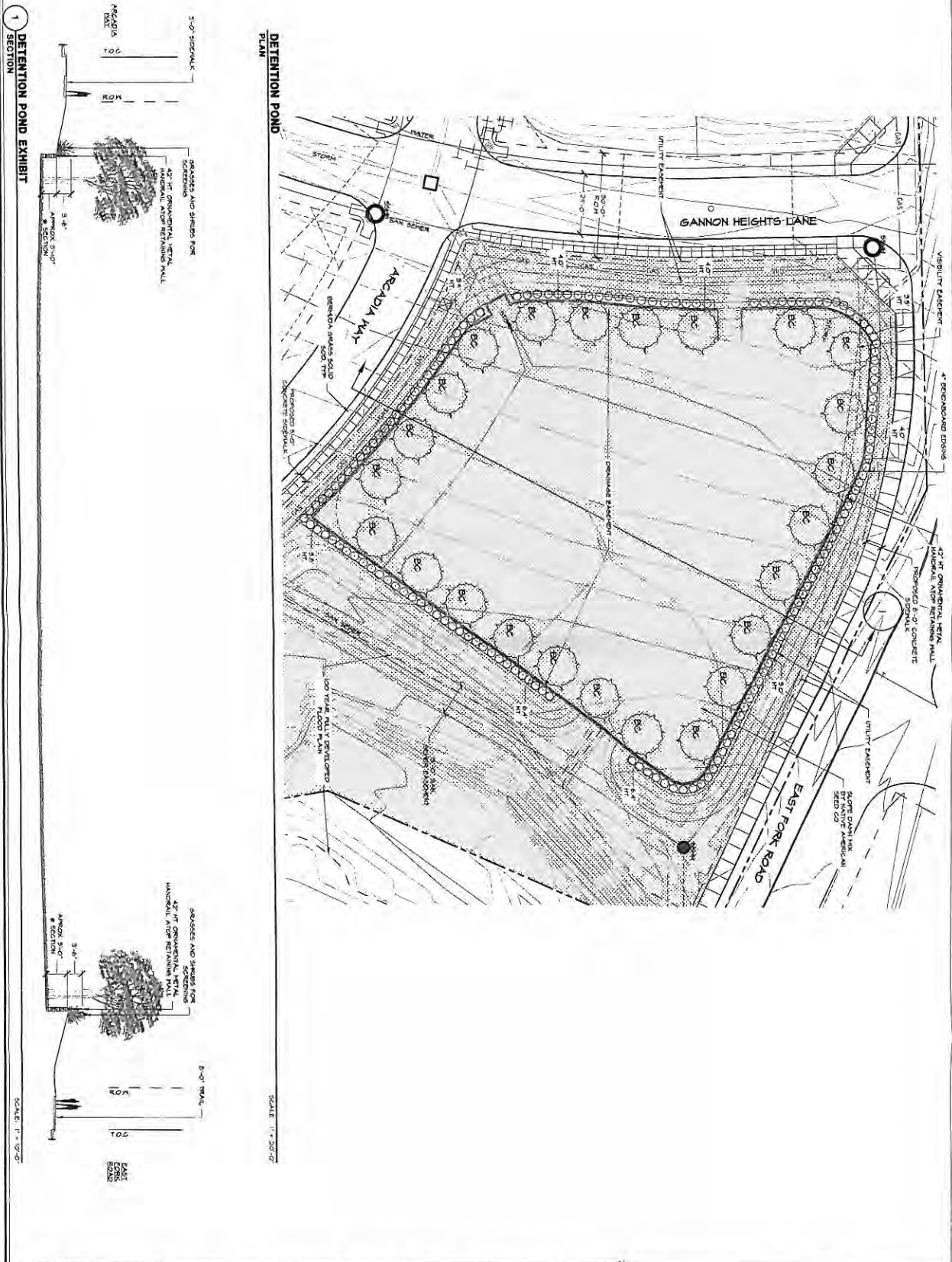
SHEET  
E2



THIS SET OF PLANS IS FOR THE LANDSCAPE AND SCREENING EXHIBIT FOR THE SHA032-PRESERVE PHASE 1 PROJECT. IT IS TO BE USED IN CONJUNCTION WITH THE OTHER PLANS IN THIS SET. NO PART OF THIS SET IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM STUDY DESIGN GROUP, P.C.

DATE: 11/16/2015  
DRAWN BY: 11/16/2015  
CHECKED BY: 11/16/2015  
APPROVED BY: 11/16/2015



[illegible]



### 3. STORM DRAINAGE FACILITIES

#### 3.3 Detention:

- A. Intent: It is the City's intent to utilize detention (or detention/retention) of storm water runoff as a solution towards control of potential hazards created by storm water runoff including; reduction in the impact on downstream storm water facilities, prevention of erosive conditions in water drainage ways, and preservation of existing floodplains along major creeks. Detention basins may also improve water quality by allowing some sediment to settle out.
- B. All non-residential development (not within the Downtown Zoning District or other redevelopment areas that will not impact the storm water flow) shall construct detention facilities. The Modified Rational Method (see H below- example calculations) shall be utilized to determine detention volume. Residential developments shall construct detention facilities if it is determined that the downstream system does not have capacity for the developed flow and the capacity of the downstream storm sewer system cannot be increased to allow the conveyance of the developed flows. \*All development within the Squabble Creek drainage basin will construct detention facilities and model Squabble Creek utilizing HEC-2, to ensure no impact on flows or water surface elevation.
- C. The following detention facilities are to be utilized for detention:

| AREA  | TYPE OF FACILITY  |
|---|---|
|   |   |
| <b>½ Acre or Less</b>                       | <b>A. Underground</b>   |
|   | <b>B. On Concrete Parking Surface</b> (max. 1-foot water depth) |
|   |   |
| <b>Greater Than ½ Acre, On-site</b>         | <b>A. Underground</b>   |
|   | <b>B. On Concrete Parking Surface</b> (max. 1-foot water depth) |
|   | <b>C. Detention Basin</b>                                       |
|   | Side Slopes 5 to 1, or Less (no fencing allowed)                |
|   | Area to be Landscaped   |
|   | Maintained by Developer   |
|   | Additional Amenities Preferred                                  |
|   | Ownership Stays With Property Owner                             |
|   |   |
| <b>Greater Than ½ Acre, Off-site Shared</b> | <b>A. Detention Basin Shared with Other Development/s</b>       |
|   | May Expand Existing Pond  |
|   | No Increase in 100-year Flood Plain Elevation                   |
|   | Capacity Expanded Above Existing Water Surface                  |
|   | Need Engineering Study  |

26R 7-8-2008

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## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**FROM:** Mary Smith, Assistant City Manager

**DATE:** November 13, 2015

**SUBJECT:** Intent to Refund/Refinance Debt

---

The bond market now is such that the City can refund (refinance) approximately \$3,235,000 of water/sewer revenue bonds issued in 2005 and \$5,620,000 of certificates of obligation debt issued in 2006 in order to save an estimated \$1,027,000 in interest over the remaining life of the these bonds. Interest rates at the time were in the 4.0 – 4.5% range and are significantly lower now. The issuance will be accomplished as “bank qualified” which results in savings of issuance costs as well. The debt will be repaid in the same length of time but at a lower interest rate of about 2.01%. This refunding will not generate new dollars.

We may issue up to \$10million in bank-qualified debt this year. We can only do bank qualifying debt when that is all the debt we would be issuing that year though.

David Medanich, First Southwest Company, has evaluated the issuance of the bonds and the savings potential. His firm will make contact with local financial institutions to seek pricing for refunding opportunities to generate a savings at or exceeding current projections.

### Adoption of Ordinances

Section 3.11 of the City's Charter provides that ordinances shall be read at two meetings. In past years, a bond ordinance would be considered at two meetings, with the sale and final adoption of the bond ordinance occurring at the second meeting. However, Section 1201.028, Texas Government Code provides that a public security authorization becomes effective immediately upon adoption. This section was added to the Code during the legislative session in 2001, became effective September 1, 2001, and specifically provides that it supersede a charter provision to the contrary.

In order to issue bank-qualified debt, yet this calendar year, we would have to follow state statute and only read the ordinance one time rather than the two readings spelled out in the Charter. There would not be sufficient time to have the second reading of the ordinance, get pricing, AG and Comptroller approval and close the issue with all of the scheduled days off for holidays in the next few weeks. Frank Garza will answer questions from Council regarding this matter but agreed with Bond Counsel that the single reading in this situation would be most appropriate. The difference in savings between bank qualified and a standard refinancing is projected to be \$265,000 of additional savings that would not materialize if we wait to do all of the refinancing together next year.

The accompanying ordinance for Council consideration provides parameters under which the City Manager can agree to terms of the refinancing. First Southwest and a placement agent will work with local banks to seek pricing that falls within the parameters set by Council and make recommendation to the City Manager as to which offer is most advantageous to the City. The City Manager would then execute the sale documents.

#### 2016 Debt Issuance Overview

In addition, in early 2016, we expect to bring forward the remaining refunding opportunities ranging from \$32 - \$54 million depending on market conditions at the time. The refunding would be to generate interest savings over the remaining life of those bond issues. We will also have new money issuance for voter approved roadway projects and water and sewer infrastructure projects and equipment. The issuance size is being finalized but will likely be about \$9million of voter approved debt and \$6million for the utility projects and equipment.

Staff asks Council consider adoption of the accompanying parameters ordinance on one reading.



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

**ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2015; ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF THE BOND; PROVIDING FOR THE SECURITY AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT**

---

WHEREAS, there are presently the outstanding obligations of the City of Rockwall, Texas (the "Issuer"), described in Schedule I attached hereto, collectively, the "Eligible Refunded Obligations";

WHEREAS, the Issuer now desires to refund all or part of the Eligible Refunded Obligations, and those Eligible Refunded Obligations designated by the Pricing Officer in the Pricing Certificate, each as defined below, to be refunded are herein referred to as the "Refunded Obligations";

WHEREAS, Chapter 1207, Texas Government Code, authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, together with any other available funds or resources, directly with a paying agent for any of the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer and is named in these proceedings, and such deposit, if made before the payment dates of the Refunded Obligations, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, further authorizes the Issuer to enter into an escrow agreement with such paying agent for the Refunded Obligations or trust company or commercial bank with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such paying agent or trust company or commercial bank may agree;

WHEREAS, this City Council hereby finds and determines that it is a public purpose and in the best interests of the Issuer to refund the Refunded Obligations in order to achieve a present value debt service savings of at least 5.00% (net of any Issuer contribution), with such savings, among other information and terms to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing Officer (hereinafter designated), all in accordance with the provisions of Section 1207.007, Texas Government Code;

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bond hereinafter authorized;

WHEREAS, the bond hereafter authorized is being issued and delivered pursuant to said Chapter 1207, Texas Government Code; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. ch. 551; Now, Therefore

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

## Section 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE BOND.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The bond of the City of Rockwall, Texas (the "Issuer"), is hereby authorized to be issued and delivered in the aggregate principal amount hereinafter provided for the public purpose of providing funds to refund a portion of the Issuer's outstanding indebtedness and to pay the costs incurred in connection with the issuance of the Bond.

(c) Each bond issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2015", and initially there shall be issued, sold, and delivered hereunder one fully registered Bond, without interest coupons, payable to the respective registered owners thereof (with the initial bond being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignee of said bond or any portion or portions thereof (in each case, the "Registered Owner"). The Bond shall be in the respective denomination and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

## Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Section 1207.007, Texas Government Code, as amended, the City Manager and the Assistant City Manager/Director of Finance (each a "Pricing Officer") are each hereby authorized to act on behalf of the Issuer in selling and delivering the Bond, determining which of the Eligible Refunded Obligations shall be refunded and carrying out the other procedures specified in this Ordinance, including, determining the date of the Bond, any additional or different designation or title by which the Bond shall be known, the price at which the Bond will be sold, the years in which the Bond will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bond shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bond and the refunding of the Refunded Obligations, including without limitation establishing the redemption dates for and effecting the redemption of the Refunded Obligations and obtaining municipal bond insurance for all or any portion of the Bond and providing for the terms and provisions thereof applicable to the Bond, including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements, all of which shall be specified in the Pricing Certificate; provided that:

(i) the aggregate original principal amount of the Bond authorized pursuant to this Ordinance shall not exceed \$8,940,000;

(ii) the refunding must produce a present value debt service savings of at least 5.00% (net of any Issuer contribution);

(iii) the true interest cost of the Bond shall not exceed 2.75% per annum provided that the net effective interest rate on the Bond shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;

(iv) the final maturity of the Bond shall not be later than August 1, 2026; and

(v) the delegation made hereby shall expire if not exercised by the Pricing Officer on or before May 14, 2016.

(b) In establishing the aggregate principal amount of the Bond, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Bond is authorized and to pay costs of issuing the Bond. The Pricing Officer shall determine whether the Bond will be sold by private placement or negotiated or competitive sale. The Bond shall be sold with and subject to such terms as set forth in the Pricing Certificate.

### Section 3. CHARACTERISTICS OF THE BOND.

(a) Registration, Transfer, Conversion and Exchange. The selection and appointment of the paying agent/registrar for the Bond (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Mayor or the City Manager is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Bond (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bond shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in subsection (h) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel any paid Bond and any Bond surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bond in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of a Bond as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bond, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bond, and of all conversions and exchanges of Bond, and any replacement of a Bond, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of the registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bond only to or upon the order of the registered owner, as shown in the Registration Books as provided in this Ordinance, or its respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bond to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owner of the Bond that at all times while the Bond is outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bond under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bond, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) General Characteristics of the Bond. The Bond (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bond to be payable only to the Registered Owner thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and



assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bond shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bond, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance. The Bond initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Bond, in the FORM OF BOND set forth in this Ordinance.

(i) Delivery of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bond, payable in stated installments to the order of the initial purchaser of the Bond or its designee, executed by manual or facsimile signature of the Mayor and City Secretary, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee.

Section 4. FORM OF BOND. The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance, and with the Bond to be completed with information set forth in the Pricing Certificate.

(a) Form of Bond.

NO. R-

UNITED STATES OF AMERICA  
STATE OF TEXAS  
CITY OF ROCKWALL, TEXAS  
GENERAL OBLIGATION REFUNDING BOND  
SERIES 2015

PRINCIPAL  
AMOUNT  
\$ \_\_\_\_\_

|                |               |
|----------------|---------------|
| Interest Rate  | Delivery Date |
| As shown below | _____         |

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The City of Rockwall, Texas (the "Issuer"), being a political subdivision of the State of Texas located in Rockwall County, Texas, for value received, promises to pay, from the sources described herein, to the

registered owner specified above, or registered assign (hereinafter called the "Registered Owner"), the principal amount specified above, and to pay interest thereon, from the Delivery Date set forth above, on the balance of said principal amount from time to time remaining unpaid, at the rates per annum set forth in the table below, calculated on the basis of a 360-day year of twelve 30-day months. The unpaid principal of this Bond shall mature and shall be paid in installments on the dates and in the amounts set forth in the table below:

| <u>Payment Date</u> | <u>Principal Installment</u> | <u>Interest Rate</u> |
|---------------------|------------------------------|----------------------|
|                     | \$                           | %                    |

[Information From Pricing Certificate to be Inserted]

THE PRINCIPAL OF AND INTEREST ON THIS BOND are payable in lawful money of the United States of America, without exchange or collection charges. The Issuer shall pay interest on this Bond on \_\_\_\_\_, and on each \_\_\_\_\_ and \_\_\_\_\_ thereafter to the date of maturity or redemption prior to maturity. The last principal installment of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal office of \_\_\_\_\_, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of all other principal installments of and interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the Bond Ordinance to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the fifteenth day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner.

ANY ACCRUED INTEREST due in connection with the final installment of principal of this Bond or upon redemption of this Bond in whole at the option of the Issuer prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bond, when due.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is dated \_\_\_\_\_, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$\_\_\_\_\_ for the public purpose of refunding certain outstanding obligations of the Issuer set forth in the Pricing Certificate, and to pay the costs incurred in connection with the issuance of the Bond.

ON \_\_\_\_\_, or any date thereafter, the principal installments of this Bond may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular principal installments or portions thereof, to be redeemed shall be selected and designated by the Issuer, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST 20 days prior to the date fixed for any optional redemption of the Bond or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of the Bond at its address as it appeared on the Registration Books on the day such notice of redemption is mailed; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of this Bond. By the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bond or portions thereof which are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bond or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem the Bond called for redemption, such notice must state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date, and such notice shall be of no effect unless such moneys are so deposited on or prior to the redemption date.

UPON THE PAYMENT of principal on this Bond, or partial redemption of this Bond, the Paying Agent/Registrar, shall note in the Payment Record appearing on this Bond the amount of such prepayment, the date said payment was made and the remaining unpaid principal balance of this Bond and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Bond Registration Books, and the Paying Agent/Registrar shall also record in the Bond Registration Books all payments of principal installments on such Bond when made on their respective due dates.

THIS BOND IS ISSUABLE IN THE FORM of one fully-registered Bond without coupons in the denomination of \$\_\_\_\_\_. This Bond may be transferred or exchanged as provided in the Bond Ordinance, only upon the registration books kept for that purpose at the above-mentioned office of the Paying Agent/Registrar upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent/Registrar and duly executed by the Registered Owner or his duly authorized attorney, and thereupon a new Bond of the same maturity and in the same aggregate principal amount shall be issued by the Paying Agent/Registrar to the transferee in exchange therefor as provided in the Bond Ordinance, and upon payment of the charges therein prescribed. The Issuer and the Paying Agent/Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and

interest due hereon and for all other purposes. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) within 30 days prior to a redemption date.

IN THE EVENT any Paying Agent/Registrar for this Bond is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Bond.

THIS BOND shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication shall have been executed by the Paying Agent/Registrar or the Comptroller's Registration Certificate hereon shall have been executed by the Texas Comptroller of Public Accounts.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Bond.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

\_\_\_\_\_  
(signature)  
City Secretary

\_\_\_\_\_  
(signature)  
Mayor

(SEAL)



B. Form of Payment Record

PAYMENT RECORD

| Date of Payment | Principal Payment<br>(amount and<br>installment(s) to<br>which payment is<br>applied) | Remaining<br>Principal<br>Balance | Name and Title of<br>Authorized Officer<br>making Entry | Signature of Authorized<br>Officer |
|-----------------|---|-----------------------------------|---|------------------------------------|
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |
|                 |   |                                   |   |                                    |

C. Form of Paying Agent/Registrar's Authentication Certificate

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE  
(To be executed if this Bond is not accompanied by an executed Registration  
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in replacement of, or in exchange for, a Bond that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: \_\_\_\_\_.

\_\_\_\_\_  
Paying Agent/Registrar

By: \_\_\_\_\_  
Authorized Representative

D. Form of Assignment

ASSIGNMENT  
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers  
unto:

Transferee's Social Security or Taxpayer Identification Number: \_\_\_\_\_

Transferee's name and address, including zip code: \_\_\_\_\_

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints  
\_\_\_\_\_, attorney, to register the transfer of  
the within Certificate on the books kept for registration thereof, with full power of substitution in the  
premises.

Dated: \_\_\_\_\_.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an  
eligible guarantor institution participating in a  
securities transfer association recognized signature  
guarantee program.

NOTICE: The signature above must correspond with  
the name of the registered owner as it appears upon  
the front of this Bond in every particular, without  
alteration or enlargement or any change whatsoever.

E. Form of Registration Certificate of the Comptroller of Public Accounts

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. \_\_\_\_\_

I hereby certify that this Bond has been examined, certified as to validity and approved by the  
Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public  
Accounts of the State of Texas.

Witness my signature and seal this \_\_\_\_\_.

Texas

\_\_\_\_\_  
Comptroller of Public Accounts of the State of

(COMPTROLLER'S SEAL)

#### Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained  
by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account  
at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be accounted for separate  
and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on  
and principal of said Bond. All amounts received from the sale of the Bond as accrued interest shall be  
deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and  
on account of said Bond shall be deposited, as collected, to the credit of said Interest and Sinking Fund.  
During each year while the Bond is outstanding and unpaid, the governing body of said Issuer shall compute  
and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money

required to pay the interest on said Bond as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Bond as such principal matures (but never less than 2% of the original amount of said Bond as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Bond is outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bond, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. If lawfully available moneys of the Issuer are on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Article 1208, Government Code, applies to the issuance of the Bond and the pledge of the taxes granted by the Issuer under this Section and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bond is outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Bond a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

#### Section 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for

the payment of the Bond and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to discharge obligations such as the Bond.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

#### Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the registered owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this , in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Sec. 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bond is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bond in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for a Bond issued in conversion and exchange for another Bond.

**Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.**

(a) The Mayor of the Issuer and each of the Pricing Officers are hereby authorized to have control of the Bond initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bond pending its delivery and investigation, examination, and approval by the Attorney General of the State of Texas, and its registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bond said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers, if any, may, at the option of the Issuer, be printed on the Bond issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bond. In addition, if bond insurance is obtained, the Bond may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bond is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bond to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bond is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

**Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS.**

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bonds as Obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed or refinanced therewith (the "Projects") are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bond, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bond or the projects financed



therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bond (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bond being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bond being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bond, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bond, other than investment property acquired with –

(A) proceeds of the Bond invested for a reasonable temporary period of 3 years or less or, in the case of an advance refunding bond, for a period of 30 days or less until such proceeds are needed for the purpose for which the bonds are issued, and in the case of a current refunding bond, for a period of 90 days or less,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bond;

(7) to otherwise restrict the use of the proceeds of the Bond or amounts treated as proceeds of the Bond, as may be necessary, so that the Bond does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bond) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bond has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the Refunded Obligations expended prior to the date of issuance of the Bond. It is the understanding of the Issuer that the covenants

contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bond, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bond, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and each Pricing Officer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bond.

(d) Disposition of Projects. The Issuer covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Bond. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Bond. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Designation as Qualified Tax-Exempt Obligations. If so designated in the Pricing Certificate, the Bond shall be designated as "qualified tax-exempt obligations" as defined in section 265(b)(3) of the Code. In furtherance of such designation, the Issuer represents, covenants and warrants the following: (a) that during the calendar year in which the Bond is issued, the Issuer (including any subordinate entities) has not designated nor will designate obligations that when aggregated with the Bond, will result in more than \$10,000,000 of "qualified tax-exempt obligations" being issued; (b) that the Issuer reasonably anticipates that the amount of tax-exempt obligations issued, during the calendar year in which the Bond is issued, by the Issuer (or any subordinate entities) will not exceed \$10,000,000; and, (c) that the Issuer will take such action or refrain from such action as necessary, and as more particularly set forth in this Section, hereof, in order that the Bond will not be considered "private activity bonds" within the meaning of section 141 of the Code.

#### Section 10. SALE OF BONDS; FURTHER PROCEDURES.

(a) The Bond shall be sold and delivered subject to the provisions of Section 1 and Section 3 and pursuant to the terms and provisions of a purchase agreement, bid form or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers of the Bond shall be designated. The Bond shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Mayor and Mayor Pro Tem, the City Secretary and each Pricing Officer shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Pricing Certificate, the Bond, and the sale of the Bond. In case any officer whose signature shall appear on any Bond shall cease to be such

officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. NO RULE 15c2-12 UNDERTAKING. The Issuer has not made an undertaking in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") in connection with the Bond. The Issuer is not, therefore, obligated pursuant to the Rule to provide any on-going disclosure relating to the Issuer or the Bond in connection with the issuance of the Bond. To the extent any changes to this Section are necessary in connection with the issuance and sale of the Bond, the Pricing Officer will include such changes in the Pricing Certificate.

Section 12. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of nationally recognized bond counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the Registered Owner of the Bond shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or the Bond so as to:

- (1) Make any change in the maturity of the Bond;
- (2) Reduce the rate of interest borne by the Bond;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on the Bond;
- (4) Modify the terms of payment of principal or of interest or redemption premium on the Bond or impose any condition with respect to such payment; or
- (5) Change the requirement with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Bond a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner of the Bond, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and

the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Bond shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the mailing of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of mailing said notice by the Registered Owner, or by a successor in title, by filing notice with the Issuer.

For the purposes of establishing ownership of the Bond, the Issuer shall rely solely upon the registration of the ownership of such Bond on the registration books kept by the Paying Agent/Registrar.

### Section 13. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on the Bond when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owners of the Bond, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default. Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bond or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

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

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers or employees of the Issuer or the City Council.

Section 14. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. In furtherance of authority granted by Section 1207.007(b), Texas Government Code, the Mayor or City Manager are further authorized to enter into and execute on behalf of the Issuer with the escrow agent named therein, an escrow or similar agreement, in the form and substance as shall be approved by the Pricing Officer, which agreement will provide for the payment in full of the Refunded Obligations. In addition, the Mayor or the Pricing Officer is authorized to purchase such securities, to execute such subscriptions for the purchase of the Escrowed Securities (as defined in the agreement), if any, and to authorize such contributions for the escrow fund as provided in the agreement.

Section 15. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) Subject to execution and delivery of the Purchase Agreement with the Purchaser, the Issuer hereby directs that the Refunded Obligations be called for redemption on the dates and at such prices as set forth in the Pricing Certificate. The Pricing Officer is hereby authorized and directed to issue or cause to be issued a notice of redemption of the Refunded Obligations, completed with information from the Pricing Certificate, to the paying agent for the Refunded Obligations.

(b) In addition, the paying agent for the Refunded Obligations is hereby directed to provide the appropriate notices of redemption and defeasance as specified by the ordinances authorizing the issuance of Refunded Obligations and is hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on their redemption dates. The Refunded Obligations shall be presented for redemption at the paying agent therefor, and shall not bear interest after the date fixed for redemption.

(c) If the redemption of the Refunded Obligations results in the partial refunding of any maturity of the Refunded Obligations, the Pricing Officer shall direct the paying agent/registrar for the Refunded Obligations to designate at random and by lot which of the Refunded Obligations will be payable from and secured solely from ad valorem taxes of the Issuer pursuant to the ordinance of the Issuer authorizing the issuance of such Refunded Obligations (the "Refunded Bond Ordinance"). The paying agent/registrar shall notify by first-class mail all registered owners of all affected bonds of such maturities that: (i) a portion of such bonds have been refunded and are secured until final maturity solely with cash and investments maintained by the Escrow Agent in the Escrow Fund, (ii) the principal amount of all affected bonds of such maturities registered in the name of such registered owner that have been refunded and are payable solely from cash and investments in the Escrow Fund and the remaining principal amount of all affected bonds of such maturities registered in the name of such registered owner, if any, have not been refunded and are payable and secured solely from ad valorem taxes or other revenues of the Issuer described in the applicable Refunded Obligation Ordinance, (iii) the registered owner is required to submit his or her Refunded Obligations to the paying agent/registrar, for the purposes of re-registering such registered owner's bonds and assigning new CUSIP numbers in order to distinguish the source of payment for the principal and interest on such bonds, and (iv) payment of principal of and interest on such bonds may, in some circumstances, be delayed until such bonds have been re-registered and new CUSIP numbers have been assigned as required by (iii) above.

(d) The source of funds for payment of the principal of and interest on the Refunded Obligations on their respective maturity or redemption dates shall be from the funds deposited with the Escrow Agent pursuant to the Escrow Agreement approved in Section 14 of this Ordinance.

Section 16. APPROPRIATION. To pay the debt service coming due on the Bond, if any (as determined by the Pricing Certificate) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.



Section 17. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 18. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

[Execution Page Follows]

APPROVED AND ADOPTED ON THE 16<sup>th</sup> DAY OF NOVEMBER, 2015

THE CITY OF ROCKWALL, TEXAS

\_\_\_\_\_  
Mayor

Attest:

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

[CITY SEAL]

## SCHEDULE I

### SCHEDULE OF ELIGIBLE REFUNDED OBLIGATIONS

City of Rockwall, Texas Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2005, dated August 1, 2005, maturities August 1 in the years 2016 through 2025, inclusive.

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2006, dated August 1, 2006, maturities August 1 in the years 2017 through 2026, inclusive.

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## MEMORANDUM

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

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

**DATE:** November 13, 2015

**SUBJECT:** Main Street Advisory Board (MSAB) Appointment

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As the Council is aware, Jenniffer Norman recently resigned from the Main Street Advisory Board. Councilmember Milder is the council liaison to this board and will be putting forth a recommendation to Council to consider appointing Mr. Gene Stroman to fill this vacancy. I'm including Mr. Stroman's application for Council's review. This would normally be a partial term appointment that runs through January of 2016 to fulfill the remainder of Mrs. Norman's term. However, if the Council so desires, consideration may be given to having Mr. Stroman's initial term expire in January of 2018 instead since fulfillment of the Jan. 2016 term will be 'up' in about 7 weeks.



## Cole, Kristy

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**Subject:** Boards & Commissions Application

**From:**

**Sent:** Friday, October 23, 2015 2:35 PM

**To:** Cole, Kristy; Casey, Jacky

**Subject:** Boards & Commissions Application

**NAME & ADDRESS**

Gene Stroman

**VOTER REGISTRATION**

Registered Voter: Yes

**PHONE NUMBERS & EMAIL**

Home:

Email:

Rockwall, TX 75087

**PERSONAL DETAILS**

Customer Service/Sales with CCS Printing and co-owner Samson Management Real Estate Investments. Proven track record of promotional skills, public speaking, and leading successful campaigns for destination travel and tourism. Executive Director-level experience spearheading highly targeted advertising, sales, and customer service for a niche market. Promoting travel and tourism in Texas, Arkansas, and Oklahoma for over 15+ years. Master of Ceremonies at over 100 special events promoting business, travel, and tourism.

**BOARDS & COMMISSIONS**

Interested in Special Committee or Projects? - *Yes*

|                                  |  |                            |
|----------------------------------|--|----------------------------|
| Architectural Review Board<br>No |  | Board of Adjustments<br>No |
| Building & Standards<br>No       |  | Parks Boards<br>No         |
| HPAB<br>No                       |  | REDC<br>No                 |
| P&Z<br>No                        |  | Rockwall Housing<br>No     |
| Construction Advisory<br>No      |  |                            |

**ART Commission - No**

Visual Arts Professional - No

Environmental Design Field - No

Rockwall Alliance for the Arts - No

Interested Citizen - No

**Main Street Board - Yes**

Downtown Business Owner - No

Downtown Property Owner- No

Interested Citizen - Yes

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