



## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 08, 2020 - 4:00 PM

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

**I. Call Public Meeting to Order**

**II. Work Session**

1. Hold a work session on itinerant vendors to discuss and consider changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, and take any action necessary.
2. Hold a work session on residential accessory structures to discuss changes to Article 05, *District Development Standards*, of the Unified Development Code (UDC), and take any action necessary.

**III. Executive Session.**

**The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:**

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**IV. Adjourn Executive Session**

**V. Reconvene Public Meeting (6:00 P.M.)**

**VI. Invocation and Pledge of Allegiance - Councilmember Macalik**

**VII. Proclamations**

1. American Legion Day

**VIII. Open Forum**

**IX. Take any Action as a Result of Executive Session**

**X. Consent Agenda**

1. Discuss / act on approval of the minutes from the August 17, 2020 regular city council meeting, and take any action necessary.
2. Discuss / act on approval of the minutes from the August 24, 2020 Budget Work Session, and take any action necessary.

3. **2020-031** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC for the approval of an **ordinance** for a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards contained in Ordinance No. 16-39 for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary **(2nd Reading)**.
4. **2020-032** - Consider a request by Erick Cruz Mendoza for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.165-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary **(2nd Reading)**.
5. Consider approval of the Turtle Cove & Windmill Ridge Sanitary Sewer Rehabilitation Project and authorize the City Manager to execute a construction contract with NO-DIGTEC, LLC. in the amount of \$757,933.00 to be funded by the Water/Sewer fund, and take any action necessary.
6. **2020-033** - Consider a request by Cameron Slown of Teague, Nall, and Perkins, Inc. on behalf of Dan Bobst of Harbor Heights Investors, LP for the approval of a Replat for Lot 6, Block A, Harbor District Addition being a 2.06-acre parcel of land identified as Lot 1, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2701 Sunset Ridge Drive, and take any action necessary.
7. Consider approval of the purchase of network technology equipment in the amount of \$37,677.30 to be funded from the Technology Fund, and take any action necessary.
8. Consider an **ordinance** approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2020 Rate Review Mechanism filing, adopting tariffs as part of the settlement, and take any action necessary.

#### XI. Appointment Items

1. Appointment with representative(s) from the Rockwall Central Appraisal District (RCAD) to discuss and consider a request pertaining to the RCAD's proposed new building/facility, and take any action necessary.

#### XII. Public Hearing Items

1. Hold a public hearing to receive comments regarding the Proposed FY2021 City of Rockwall Budget and tax rate and take any action necessary.

#### XIII. Action Items

1. **2020-030** - Discuss and consider a request by Mark Klecha for the approval of an **ordinance** for a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary **(2nd Reading)**.
2. **2020-031** - Discuss and consider a request by Kerry Joshua Sparks for the approval of a Final Plat for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.
3. Discuss and consider proposal from Republic Waste to extend the current Solid Waste Collection agreement and take any action necessary.

4. Discuss and consider amending Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances for the purpose of providing requirements that specifically regulate itinerant vendors, and take any action necessary.
5. Discuss and consider offering outdoor park facilities, including amphitheaters, for use by the Rockwall Independent School District (RISD), and take any action necessary.
6. Discuss and consider (possible alternative to) Parks & Rec's Halloween Extravaganza Event on October 24, 2020 at The Harbor, and take any action necessary.
7. Discuss and consider 2020 Fall RBSL (Rockwall Baseball & Softball League) Covid 19 Action Plan, and take any action necessary.
8. Discuss and consider a resolution updating the bylaws of the city's Youth Advisory Council (YAC) as well as consider associated programming and guidelines, and take any action necessary.
9. Discuss and consider appointments to 'Rockwall's Diverse History' ad hoc committee, and take any action necessary.

**XIV. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.**

1. Census 2020 Update
2. Building Inspections Monthly Report - July 2020
3. Fire Department Monthly Report - July 2020
4. Parks & Recreation Monthly Report - July 2020
5. Police Department Monthly Report - July 2020
6. Sales Tax Historical Comparison
7. Water Consumption Historical Statistics

**XV. Executive Session.**

**The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:**

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**XVI. Reconvene Public Meeting & Take Any Action as Result of Executive Session**

**XVII. Adjournment**

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

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of September, 2020 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  
or Margaret Delaney, Asst. to the City Sect.

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Date Removed





## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** WORK SESSION ON ITINERANT VENDORS ORDINANCE

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### Attachments

Memorandum

Proposed Changes to Article II, Chapter 12 of the Municipal Code of Ordinances

### Summary/Background Information

Hold a work session on itinerant vendors to discuss and consider changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, and take any action necessary.

### Action Needed

No action required.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
Max Geron, *Chief of Police*

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

**DATE:** September 8, 2020

**SUBJECT:** *Work Session on Itinerant Vendors Ordinance*

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Staff is bringing forward a work session on itinerant vendors to discuss some possible changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances. These changes were drafted after a review of the current requirements yielded some questions as to the process and requirements for itinerant vendors. Under the current requirements of the Municipal Code of Ordinances, itinerant vendors, solicitors, and peddlers are all regulated by the same criteria. This means that applications for itinerant vendor permits are reviewed by the Chief of Police and can be issued on public or private land under the same process as *door-to-door* peddlers or solicitors. Furthermore, the Chief of Police is obligated to issue a permit to a peddler, solicitor, or itinerant vendor unless one (1) of the following criteria exists:

- (1) The required application information is incomplete or incorrect;
- (2) The applicant or any individual involved in the peddling or solicitation campaign is currently wanted on a warrant for arrest, under indictment
- (3) The applicant is a person against whom a judgment, conviction or deferred adjudication has been entered within five (5) years preceding the date of application, based upon fraud, deceit or misrepresentation;
- (4) The applicant or an employee of an applicant has been convicted of a felony;
- (5) The applicant provided no proof of authority to serve as agent for the principal;
- (6) The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the chief of police that the reason for such earlier denial no longer exists; or
- (7) A permit fee has not been paid.

Pending conformance to this criterion, there is nothing that would limit an itinerant vendor from locating on a public or private property for up to 14 consecutive days for 12-months (*i.e. the duration such permit is valid*).

The issue that staff has with the current ordinance is in the way it regulates itinerant vendors. Specifically, itinerant vendors operate very differently from solicitors and peddlers. Solicitors and peddlers are essentially mobile vendors that are rarely stationary; whereas, itinerant vendors are typically stationary, on public or private property, and don't tend to move during business hours. Based on this understanding, this would make permitting for itinerant vendors more of a land use issue as opposed to a regulatory issue. This is very similar to the way that the City Council chose to regulate food trucks/trailers in 2017 (*i.e. separating them from mobile food vendors and regulating where they can be located based on zoning*). There is also some potential overlap in the current ordinance and the requirements of the Unified Development Code (UDC). Specifically, the Unified Development Code (UDC) has requirements under the *Incidental Display* land use that regulate where, on a private property, a business is permitted to have outside sales and displays. These have to be defined on a site plan and would require review and approval by the Planning and Zoning Commission. The only way these requirements can be circumvented is through a *Special Event Permit*; however, businesses are only permitted four (4) *Special Event Permits* per year, and the permits must be spaced a minimum of 30-days apart. Each *Special Event Permit* is good for 14 consecutive days, which is consistent with the requirements of the current ordinance.

Basically, itinerant vendors already have some oversight through the Unified Development Code (UDC) when locating on private property (*despite the ordinance not specifically stating this in the requirements*); however, when locating on public property there are no requirements stipulating where these types of businesses can or cannot locate. For example, an itinerant vendor that is selling clothing and apparel could request to setup their operation directly adjacent to an existing *brick-and-mortar* store selling similar or the same goods in the Downtown (DT) District. In this circumstance the Chief of Police would be obligated to issue the permit pending conformance to the background criteria in the ordinance regardless of location. This lack of protection for existing *brick-and-mortar* businesses is something else staff aims to correct in the current ordinance.

Based on these issues (*i.e. [1] the failure of the ordinance to make a distinction between itinerant vendors and solicitors or peddlers, and [2] the lack of protection for the City's existing brick-and-mortar businesses in sensitive retail districts*), staff has prepared the attached draft ordinance. The following is a summary of the changes contained in the draft ordinance:

- (1) Create separate divisions for [1] itinerant vendors and [2] solicitors and peddlers in order to draft separate requirements and permitting processes for these different types of activities.
- (2) Remove itinerant vendor permits from the purview of the Chief of Police and grants the Chief Building Official or his/her designee the ability to review and issue permits for itinerant vendors.
- (3) Create locational criteria prohibiting itinerant vendors within [1] 300-feet of a public or private school, [2] on or within City property or public rights-of-way, [3] vacant property, [4] parks, and [5] the Downtown (DT) District.
- (4) Require proof of a valid state sales tax certificate for all itinerant vendors.
- (5) Establish a \$100.00 application fee for itinerant vendors.
- (6) Allow the Chief Building Official to suspend itinerant vendor permits during an *Emergency Declaration*.
- (7) Allow the Chief of Police to suspend solicitor and peddler licenses during an *Emergency Declaration*.

Staff does need to mention that this is a proactive change in the ordinance and is not being done to address any current problem. Furthermore, in at least the last eight (8) years there has been only one (1) request from the Police Department for an itinerant vendor permit. Staff should also note that the City Attorney has reviewed the proposed changes. With all this being said, staff is bringing this forward for the City Council's consideration. Staff has also placed an item on the action items section of the agenda for the September 8, 2020 allowing the City Council to consider this item if they choose to do so.

### ARTICLE III. - PEDDLERS, SOLICITORS AND ITINERANT VENDORS<sup>11</sup>

#### Footnotes:

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**Editor's Note**— Ord. No. 14-20, § 2, adopted May 19, 2014, amended the Code by repealing former art. III, §§ 12-51—12-60, and adding a new art. III. Former art. III pertained to similar subject matter, and derived from Ord. No. 76-9, adopted July 12, 1976; the Code of 1982, §§ 15-81—15-83.2; Ord. No. 87-52, adopted September 21, 1987; Ord. No. 95-7, adopted April 3, 1995; Ord. No. 04-44, adopted July 19, 2004; Ord. No. 11-06, adopted February 21, 2011; and Ord. No. 11-11, adopted March 7, 2011.

**State Law Reference**— Authority to regulate peddlers, etc., V.T.C.A., Local Government Code § 215.075.

#### DIVISION 1: IN GENERAL

##### SECTION 12-51: PURPOSE

The primary purpose of the public streets, sidewalks, and other public ways is for use by vehicular and pedestrian traffic. Vending on such public ways promotes the public interest by contributing to an active and attractive pedestrian environment. Reasonable regulation of vending on public rights-of-way and in public places is necessary to protect the public health, safety and welfare. To protect local residents against trespassing by peddlers, solicitors, and vendors upon the private property of such residents if they have given reasonable notice that they do not wish to be solicited by such persons or do not desire to receive merchandise or services. The regulations contained in this article are not intended in any way to prohibit or hamper speech that is protected by the constitution of both the United States and the state but merely to regulate specific activities, which are commercial in nature. This entire article is and shall be deemed an exercise of the police power of the state and of the city for the process set forth above.

(Ord. No. 14-20, § 2, 5-19-2014)

##### SECTION 12-52: DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Canvasser* means any person who attempts to make contact with a resident at their residence without prior specific invitation or appointment from the resident, for the primary purpose of:

- (1) Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue, or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or
- (2) Distributing a handbill or flyer advertising a non-commercial event or service.

*Door-to-Door Selling* means going to one (1) or more residence within the city in person or by the agent for the purpose of peddling, soliciting, or vending, who engages in a business of selling or offering for sale, food, beverages, goods, services, wares and merchandise or engages in soliciting orders for the sale of goods, services, wares and merchandise for future delivery.

*Itinerant Vendor or Transient Merchant* means a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter on privately owned property, or empty store front for the purpose of selling or taking orders for any goods or services. Individuals may not remain in one (1) location for more than 14 consecutive days.

*Nonprofit Organization* means an organization that can provide a 501(c)3 letter from the IRS or state documentation indicating its status, and whereby all the proceeds raised during the event will benefit the sponsoring agency.

*Peddler* means any person who engages in commercial activities within city limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from door-to-door, business-to-business, or upon public property.

*Person* means any natural individual, group, organization, corporation, partnership, or similar association.

*Public Area* means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

*Solicitor* means any person who solicits or attempts to solicit, from house-to-house, business-to-business, or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time, or who passively begs by standing or sitting with a sign or other indication that a donation or service is being sought, without any vocal request other than in response to an inquiry to another person.

~~Transient merchant means a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of selling goods. Individuals may not remain in one location for more than 14 consecutive days.~~

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-53: EXCEPTIONS TO DEFINITIONS

For the purpose of this chapter, the terms *peddler*, *solicitor* and ~~transient merchant~~*itinerant vendor* shall not apply to:

- (1) Non-commercial door-to-door advocates. Nothing within this article shall be interpreted to prohibit or restrict non-commercial door-to-door advocates, including, without limitation, religious and charitable organizations, schools, and other non-profit organizations. Persons engaging in door-to-door advocacy shall not be required to register as a solicitor under [Section 12-5557](#).
- (2) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.
- (3) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.
- (4) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
- (5) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales. Provided, as set forth below, nothing herein shall exempt such sales from complying with other sections of the Code of Ordinances which regulate such sales.
- (6) Any person participating in an organized multi-person bazaar or flea market.
- (7) Any person conducting an auction as a properly licensed auctioneer.
- (8) Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirements of this Code of Ordinances.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-54: LICENSE/~~PERMIT~~ REQUIRED

It shall be unlawful for any peddler ~~or~~ solicitor ~~or transient merchant~~ to engage in the business of selling, ~~displaying~~, or offering for sale any food, beverage, goods, services or merchandise at any public ~~or private~~ area within the city without first obtaining a license from the Chief of Police or his duly authorized representative. ~~Likewise, it shall be unlawful for any Itinerant vendor to engage in the business of selling, displaying, or offering for sale any food, beverage, goods, services or merchandise at any public or private area within the city without first obtaining a permit from the Chief Building Official or his duly authorized representative.~~

(Ord. No. 14-20, § 2, 5-19-2014)

#### ~~SECTION 12-64~~55: HOURS OF OPERATION

~~No peddling or solicitation~~~~The hours of operation for any peddler, solicitor, or Itinerant vendor shall be limited to the hours of~~ ~~may occur except between the hours of 8:00 a.m. and through 6:00 p.m. local time in Rockwall, Texas.~~

(Ord. No. 14-20, § 2, 5-19-2014)

#### ~~SECTION 12-67~~56: VIOLATION/PENALTY

~~Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars (\$500.00). Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.~~

(Ord. No. 14-20, § 2, 5-19-2014; Ord. No. 14-30, § 2, 7-21-2014)

#### SECTION 12-57: SOLICITATION BY COERCION AND SOLICITATION ON PUBLIC AREA PROHIBITED

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:  
Coercion means:

- (1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:
  - (A) Imminent bodily injury; or
  - (B) The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;
- (2) To persist in a solicitation after the person solicited has given a negative response;
- (3) To block, either individually or as part of a group of persons, the passage of a solicited person; or
- (4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.
- (b) A person commits an offense if he conducts a solicitation by coercion or conducts a solicitation in any public area in the city at any time on any day of the week.
- (c) It is a defense to prosecution under Subsection (b) of this section if the solicitation:
  - (1) Consisted exclusively of passive, nonverbal acts; or
  - (2) Was being conducted on private property with the advance written permission of the owner, manager, or other person in control of the property.
- (d) The provisions of Section 12-60 & Section 12-72 regarding exemptions shall apply to this section.

(Ord. No. 14-30, § 2, 7-21-2014)

## DIVISION 2: PEDDLERS AND SOLICITORS

### SECTION 12-~~55~~58: CONTENTS OF APPLICATION; ~~TERM; RENEWAL~~

- (a) Application for a license required by [Section 12-54](#) shall be made upon forms furnished by the Chief of Police and shall contain such information as deemed necessary by the Chief of Police to properly identify the applicant, the nature of his business, and the business entity by which he is employed. The information shall include, but not be limited to, the following:
  - (1) The name;
  - (2) The date of birth;
  - (3) Home and business addresses;
  - (4) The supervisor's name, address and telephone number;
  - (5) The applicant's driver's license number and state, if applicable;
  - (6) The applicant's right thumbprint;
  - (7) The full legal name, telephone number and address of commercial organization;
  - (8) Full and complete list of goods to be sold and services to be delivered;
  - (9) The specific location, if any, in which the vendor/peddler intends to conduct business; and
  - (10) If the applicant is peddling or making solicitations from private property, a written statement from the property owner consenting to applicant's use of his/her property for the sales activities indicated in the [permit-license](#) application.
- (b) Not later than ten (10) days after the filing of a completed [permit-license](#) application the applicant shall be notified by the city of the decision on the issuance or denial of the license.

(Ord. No. 14-20, § 2, 5-19-2014)

### SECTION 12-~~56~~59: FEES

[Permit-License](#) fees shall be accompanied with the [permit-license](#) application. All peddlers and solicitors not exempted by [Section 12-57-60](#) shall be required to pay the [permit-license](#) fee of \$65.00 per individual.

(Ord. No. 14-20, § 2, 5-19-2014)

### SECTION 12-~~57~~60: EXEMPTIONS

- (a) [Permit-License](#) application is not required for the following individuals or groups:
  - (1) Newspaper carriers;
  - (2) Political groups;
  - (3) Canvassers;
  - (4) Government affiliates;

- (5) Deliveries on regular routes;
- (6) Wholesalers making direct sales to retail establishments;
- (7) Sales made pursuant to an invitation by an owner or legal occupant;
- ~~(8) A seller or exhibitor in a firearms collection show involving two or more sellers or exhibitors.~~

(b) Permit-License application is required but fees may be waived by the city for the following individuals or groups:

- (1) Farmers who sell agricultural products that were raised or grown by them;
- (2) Non-profit organizations.

(c) Permit-License application is not required for any person or entity exempted by state law in obtaining a permittlicense. However, hours of operation outlined in Section 12-64-55 still are applicable to all vendors.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECT 12-~~58~~61: DENIAL; APPEAL

A copy of the application for permitt-a license will be referred to the Police Department who will undertake an investigation of the applicant's record and background, such as shall be reasonably necessary to protect the public. An application for permitt-a license under this chapter may be denied where:

- (1) Required application information is incomplete or incorrect;
- (2) Applicant or any individual involved in the peddling or solicitation campaign is currently wanted on a warrant for arrest, under indictment or has a pending class B misdemeanor or above;
- (3) The applicant is a person against whom a judgment, conviction or deferred adjudication has been entered within five (5) years preceding the date of application, based upon fraud, deceit or misrepresentation;
- (4) The applicant or an employee of an applicant has been convicted of a felony;
- (5) The applicant provided no proof of authority to serve as agent for the principal;
- (6) The applicant has been denied a permittlicense under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the Chief of Police that the reason for such earlier denial no longer exists; or
- (7) A permittlicense fee has not been paid.

Should an applicant be denied a permittlicense, they may appeal that action to the City Manager by submitting a letter within ten (10) days of the denial or revocation. Upon receipt of the letter, the City Manager will review the appeal and render a decision within seven (7) days to reject the action complained of and order that the permittlicense be granted or reinstated or uphold the denial or revocation. The decision of the City Manager on the appeal shall be final and binding on all parties concerned.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-~~59~~62: ISSUANCE, DURATION

- (a) If the application for permitt-a license is approved, the permittlicense shall be issued. The permittlicense shall be the original application with an official stamp indicating approval. Permitt-The license provided for in this article shall continue so long as the permitttee-licensee is conducting business in the city, but in no event shall it continue for more 12 months from date of issue.
- (b) The permitttee-licensee is required to update any new or changed information required under the original permittlicense.
- (c) The city will retain one (1) copy of the approved permittlicense for official records. The permittlicense may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the permittteelicensee.
- (d) Only those peddlers or solicitors whose names are listed on the approved application may conduct business under the issued permittlicense. If any new peddlers or solicitors join the campaign after the original permittlicense is issued, they must supply the Police Department with the information required in this chapter. It shall be unlawful for any peddler or solicitor to intimidate or aggressively solicit or beg a person into giving money, goods or services (see Section 12-57).

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-~~60~~63: DISPLAY OF LICENSE

Each peddler or solicitor will carry his or her permit license at all times while engaging in business in the city. Upon request or demand, the peddler or solicitor will exhibit the permit license to indicate compliance with all of the relevant requirements of this chapter.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-~~64~~64: NOT TRANSFERABLE

~~Permits—Licenses~~ issued under the provisions of this chapter are not transferable in any situation and will be clearly marked "Not ~~transferable~~Transferable."

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-~~62~~65: SUSPENSION

(a) The Chief of Police or his/her designee may suspend any and all licenses issued during an Emergency Declaration in order to protect the health, safety and welfare of the public.

~~(a)(b)~~ The Chief of Police or ~~the Chief's~~his/her designee may, upon documented complaint, violation of this article or violation of law, suspend and confiscate a permit license issued under this article.

~~(b)(c)~~ Peddlers and solicitors whose licenses are suspended because of complaint or violation have three (3) business days during which to request an administrative review of the suspension. If request for administrative review is not made within three (3) working days, the permit is revoked.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-~~63~~66: REVOCATION

(a) Upon permittee's—licensee's request, the Police Department shall provide the permittee—licensee with written notice containing particulars of any and all complaints, and the time, date and place for an administrative review of the suspension.

(b) The Chief of Police or his/her duly authorized representative will conduct an administrative review to determine whether the permit license shall be restored or revoked.

(c) After notice and review, the Chief of Police may revoke any permit license issued under this article including but not limited to the following reasons:

- (1) Fraudulent statements, omissions on permit license application or in conduct of permitted business;
- (2) Any violation of federal or state statute, or city ordinance;
- (3) Endangerment of public welfare, health or safety;
- (4) The permittee—licensee is a registered sex offender;
- (5) The permittee—licensee continues efforts to sell to or solicit from an individual once that individual informs the vendor or solicitor that he does not wish to give anything to or to buy anything from that vendor or solicitor;
- (6) The permittee—licensee misrepresented the purpose of the solicitation or offer to sell;
- (7) The permittee—licensee misrepresented the affiliation of the vendor or solicitor.

(d) If the Chief of Police revokes a permit license, the applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief of Police.

(e) Revocation of any permit shall bar the permittee—licensee from eligibility for any person license or permit regulated under this article for a period of one (1) year from the date of revocation.

(Ord. No. 14-20, § 2, 5-19-2014)

#### ~~SECTION 12-64: HOURS OF OPERATION~~

~~No peddling or solicitation may occur except between the hours of 8:00 a.m. and 6:00 p.m. local time in Rockwall, Texas.~~

~~(Ord. No. 14-20, § 2, 5-19-2014)~~

#### SECTION 12-~~65~~67: NO SOLICITOR SIGNS

(a) It shall be unlawful for any person to distribute or cause to be distributed, deposited, placed, thrown, scattered or cast any handbill upon any private property if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous place upon or near the main



entrance to the premises, a weatherproof card, bearing the words "no solicitation," "no advertisements," "no handbills," "no trespassing." or any similar notice indicating in any manner that the occupants of such premises do not desire to have any such handbills left upon their premises. The letters on such cards shall be not less than two-thirds of an inch in height.

~~(b) It shall be unlawful for any person to use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.~~

~~(c) It shall be unlawful for any person to remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.~~

~~(b)(d) This section does not apply to any department, branch or agency of federal, state, or municipal government and any permitted religious, political or charitable advertisements or handbills.~~

~~(Ord. No. 14-20, § 2, 5-19-2014)~~

#### ~~SECTION 12-66: SOLICITATION BY COERCION AND SOLICITATION ON PUBLIC AREA PROHIBITED~~

~~(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~Coercion means:~~

~~(1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:~~

~~(A) Imminent bodily injury; or~~

~~(B) The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;~~

~~(2) To persist in a solicitation after the person solicited has given a negative response;~~

~~(3) To block, either individually or as part of a group of persons, the passage of a solicited person; or~~

~~(4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.~~

~~(b) A person commits an offense if he conducts a solicitation by coercion or conducts a solicitation in any public area in the city at any time on any day of the week.~~

~~(c) It is a defense to prosecution under Subsection (b) of this section if the solicitation:~~

~~(1) Consisted exclusively of passive, nonverbal acts; or~~

~~(2) Was being conducted on private property with the advance written permission of the owner, manager, or other person in control of the property.~~

~~(d) The provisions of Section 12-57 regarding exemptions shall apply to this section.~~

~~(Ord. No. 14-30, § 2, 7-21-2014)~~

#### ~~SECTION 12-67: VIOLATION/PENALTY~~

~~Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars (\$500.00). Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.~~

~~(Ord. No. 14-20, § 2, 5-19-2014; Ord. No. 14-30, § 2, 7-21-2014)~~

### DIVISION 3: ITINERANT VENDORS

#### SECTION 12-68: ITINERANT VENDORS ON PRIVATE PROPERTY

Itinerant vendors may operate on private property -- subject to the requirements of Section 12-69 -- with the consent of the property owner. A permit in accordance with the procedures outlined in Section 12-70 shall be required to be approved prior to the commencement of operations. The private property will need to be in compliance with the requirements for *Incidental Display (which regulate outdoor sales and display)* as specified by Article 04, *Permissible Uses, of the Unified Development Code (UDC)*.

#### SECTION 12-69: PROHIBITED AREAS

Itinerant vendors shall be permitted to operate on private or public land; however, it shall be unlawful for Itinerant vendors to operate, with or without a permit, in the following areas:

- (a) Public or Private Schools. No Itinerant vendor shall conduct any business from or on any public areas that are within 300-feet of a public or private school, or on any street within 300-feet of said public or private school that could create traffic congestion during school hours (*i.e.* 7:00 AM to 4:00 PM). The measurement of this distance shall be in a direct line from all property lines of the public or private school extending in a linear format to 300-feet. This section *shall not* apply during vacation periods where no pupils are attending the school.
- (b) City Property/Rights-of-Way. No Itinerant vendor shall conduct any business on City property or within the public rights-of-way of the city.
- (c) Vacant Property. No Itinerant vendor shall conduct any business from an unimproved, vacant property within the city. In this case, a vacant property is considered any parcel or tract of land that does not have permeant improvements, parking, and sanitation facilities.
- (d) Parks. No Itinerant vendor shall conduct any business from or on any public park without first securing a vendor's agreement with the city.
- (e) Downtown. No Itinerant vendor shall conduct any business within the *Downtown* area. For the purposes of this section, the boundaries of the *Downtown* area are defined as the same boundaries as the Downtown (DT) District as described *Article 03, Zoning Districts and Maps*, and *Article 05, District Development Standards, of the Unified Development Code (UDC)* and as depicted on the city's official zoning map.

#### SECTION 12-70: APPLICATION; TERM; RENEWAL

- (a) Application for a permit required by Section 12-54 shall be made upon forms furnished by the Chief Building Official and shall contain such information as deemed necessary by the Chief Building Official to properly identify the applicant, the nature of his business, the business entity by which they are employed, and the proposed location for the temporary business operations. In addition, the Itinerant vendor shall be required to provide:
  - (1) Proof of a valid state sales tax certificate. If this cannot be provided, a valid tax exemption form will need to be provided.
  - (2) If on private property, proof of permission from the property owner where the temporary business will be located.
  - (3) A dimensioned site plan showing the location of the Itinerant vendor in relation to all existing improvements and ingress, egress, and vehicular/pedestrian ways.
- (b) Not later than ten (10) days after the filing of a completed permit application the applicant shall be notified by the city of the decision on the issuance or denial of the permit.
- (c) If the application for a permit is approved, the permit shall be issued. The permit shall be the original application with an official stamp indicating approval. The permit provided for in this article shall continue so long as the licensee is conducting business in the city, but in no event shall it continue for more than 14-days from the date of issuance. A new application for the same Itinerant vendor or the same location shall not be issued within 30-days of the expiration of any previous permit.
- (d) The permittee is required to update any new or changed information required under the original permit; however, changing the information on a permit will not extend the time period the permit is valid.
- (e) The city will retain one (1) copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the city of the purposed product or products being offered by the permittee.
- (f) Only the Itinerant vendor whose name is listed on the approved application may conduct business under the issued permit. If any new Itinerant vendor joins the location after the original permit is issued, they must apply for a new permit under the requirements of this section. It shall be unlawful for any Itinerant vendor to intimidate or aggressively solicit or beg a person into giving money, goods, or services (*see Section 12-57*).

#### SECTION 12-71: FEES

Permit fees shall be accompanied with the permit application. All Itinerant vendors not exempted by Section 12-72 shall be required to pay the permit fee of \$100.00 per individual Itinerant vendor.

#### SECTION 12-72: EXEMPTIONS

- (a) Permit application is not required for the following individuals or groups:
  - (1) Newspaper carriers;
  - (2) Political groups;
  - (3) Government affiliates;
  - (4) A seller or exhibitor in a firearms collection show involving two (2) or more sellers or exhibitors;
  - (5) The Farmer's Market or other city sanction events;
  - (6) Itinerant vendors associated with a special event permit issued to an existing business in the city.
- (b) Permit application is required but fees may be waived by the Chief Building Official or his/her designee for the following individuals or groups:
  - (1) Farmers who sell agricultural products that were raised or grown by them;
  - (2) Non-profit organizations.

(c) Temporary uses that could be considered Itinerant vendors (e.g. Food Trucks/Trailers; Portable Beverage Service Facilities; Temporary Carnivals, Circuses, or Amusement Rides; and etcetera), but which are defined and regulated by Article 04, Permissible Uses, of the Unified Development Code (UDC) shall be exempted from the requirements of this article.

#### SECTION 12-73: DISPLAY OF PERMIT

Each Itinerant vendor will wear their permit on the outer clothing of the individual or otherwise displayed, as so to be reasonable visible to any person who might be approached by said person while engaging in business in the city.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-74: NOT TRANSFERABLE

Permits issued under the provisions of this section are not transferable in any situation and will be clearly marked "Not Transferable."

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-75: SUSPENSION/REVOCAION

(a) The Chief Building Office or his/her designee may suspend any and all Itinerant vendor permits issued during an Emergency Declaration in order to protect the health, safety and welfare of the public.

(b) The Chief Building Official or his/her designee shall have the discretion to revoke a permit issued pursuant to this division based on the following actions:

(1) The Itinerant vendor for which a permit has been issued is found to be in violation of any local, state, or federal laws.

(2) The Itinerant vendor for which a permit has been issued is found to be in violation of any of the City's ordinances.

(3) The Itinerant vendor for which a permit has been issued is found to have obtained the permit through false or misleading statements or omissions of fact on the application or otherwise.

(c) If the Chief Building Official revokes a permit, the applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief Building Official.

(d) Revocation of any permit shall bar the permittee from eligibility for any license or permit under this article for a period of one (1) year from the date of revocation.

**Editor's note—** Ord. No. 14-30, § 2, adopted July 21, 2014, amended the Code by, in effect, renumbering former § 12-66 as a new § 12-67.

Secs. 12-~~68~~76—12-87. - Reserved.



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** WORK SESSION ON ACCESSORY STRUCTURES

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### Attachments

Memorandum  
Old Building Permit Application  
Old Building Permit Fee Schedule  
Proposed Building Permit Application  
Proposed Building Permit Fee Schedule

### Summary/Background Information

Hold a work session on residential accessory structures to discuss changes to Article 05, *District Development Standards*, of the Unified Development Code (UDC), and take any action necessary.

### Action Needed

No action is required.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

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

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

**DATE:** September 8, 2020

**SUBJECT:** *Work Session on Accessory Structure Requirements*

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At the last City Council meeting, the City Council directed staff to bring back a work session to discuss the accessory structure standards contained in the Unified Development Code (UDC). As the City Council may recall, the current accessory structure standards were adopted as part of the legislative update on September 3, 2019, and were intended to give the City Council oversight of accessory structures not conforming to the requirements to ensure that the proposed accessory structure would be [1] compatible with the existing and adjacent housing, and [2] that the request would not set a precedence that could change the essential character of a neighborhood. Based on the City Council's direction for a work session, staff has prepared the following information:

#### *History of Accessory Structure Requirements: June 21, 2004 – Present Day*

Prior to *Ordinance No. 18-47* [Case No. Z2018-042] -- which the City Council passed on November 19, 2018 -- the accessory structure standards were in two (2) different places in the code (i.e. in *Article 04, Permissible Uses*, and in *Article 05, District Development Standards*). These standards were originally adopted in 2004 and amended in 2006-2007, but had not changed from 2007 until *Ordinance No. 18-47* in 2018. A summary of the standards in place prior to *Ordinance No. 18-47* is depicted in *Exhibit 'A'* of this memorandum.

*Ordinance No. 18-47* [Case No. Z2018-042] was the result of the City Council asking staff to reduce requests relating to variances, waivers, and exceptions. For accessory structure standards, this ordinance consolidated all of the standards into a single chart, and removed the duplicated and conflicting references in the code. This ordinance also changed the approval process for non-conforming accessory structures (i.e. *accessory structures not meeting the minimum requirements*) from a Specific Use Permit (SUP) approval to a two (2) stage approval process. For structures not conforming to the material standards an exception would need to be requested from the Planning and Zoning Commission, and for those structures that exceeded the size requirements a variance would need to be requested from the Board of Adjustments (BOA). This change effectively made it so that the City Council would no longer see accessory structure cases unless there was an appeal to the Planning and Zoning Commission's decision on a material exception. The standards for accessory buildings as changed by *Ordinance No. 18-47* are depicted in *Exhibit 'B'* of this memorandum.

On September 3, 2019, the City Council adopted *Ordinance No. 19-32* [Case No. Z2019-016]. This ordinance was the result of changes made to the Texas Local Government Code as part of the 86<sup>th</sup> Legislative Session. For accessory buildings this meant reintroducing the Specific Use Permit (SUP) process to grant oversight of the architecture of accessory structures to the City Council. This was mostly in response to HB2439 (i.e. *the building materials bill*) and the City Council's desire to protect existing subdivisions -- *not under the protection of a Homeowner's Association* -- from inconsistent development that could have a negative impact on property values. The standards for accessory buildings as changed by *Ordinance No. 19-32* are depicted in *Exhibit 'C'* of this of this memorandum.

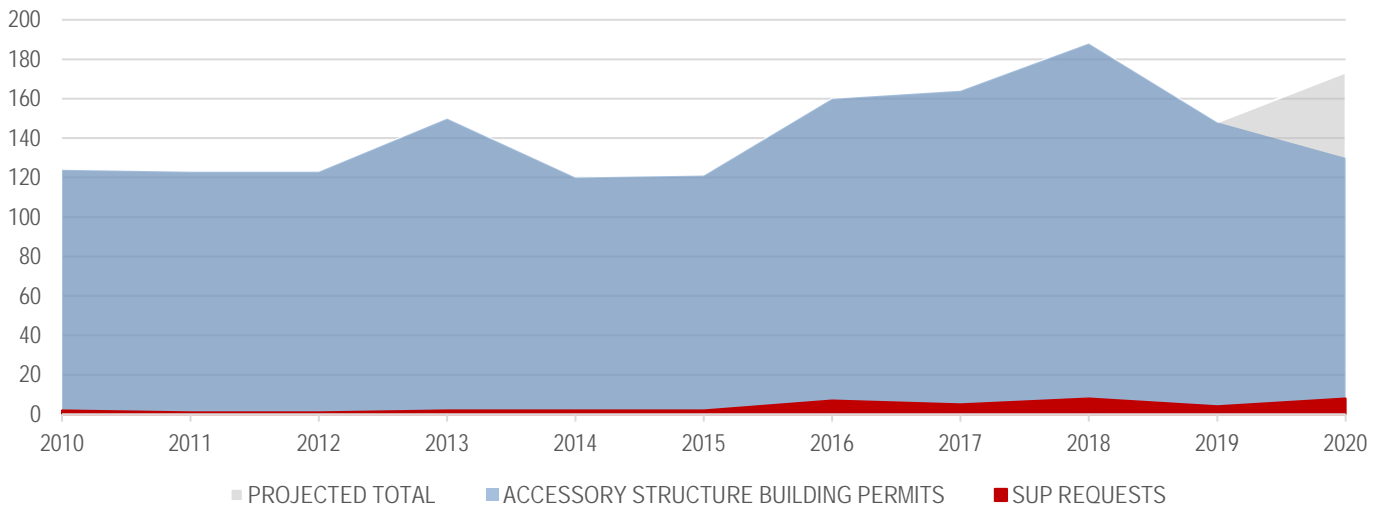
*Continued on Next Page ....*

Accessory Structure Cases by the Numbers: January 1, 2010 to August 14, 2020

In the last ten (10) years, the City Council has presided over 194 Specific Use Permit (SUP) requests, 43 of which have dealt with accessory structures. This means that approximately 22.16% of all SUP cases dealt with accessory buildings, detached garages, pergolas, covered porches, carports, and secondary living units. These 43 cases represent 2.77% of all building permits issued for *Residential Accessory Structures* (i.e. 1,551) and 0.14% of all building permits issued (i.e. 31,019) in the last ten (10) years (also see *Exhibit 'E'*). On average, the City issues ~141 *Residential Accessory Structure* building permits per year, with an average of ~4.3 of these permits requiring a SUP. On the right-hand side of this page is a breakdown of the total SUP cases versus the number of accessory structure cases requiring a SUP by year over the last ten (10) years (also see *Exhibit 'D'*).

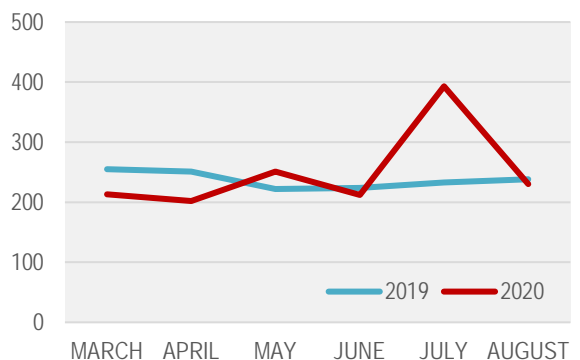
Year	Total SUP's	Total Acc. Structure SUP Cases	% of SUP Acc. Structure Cases
2010	3	2	66.67%
2011	5	1	20.00%
2012	10	1	10.00%
2013	20	2	10.00%
2014	19	2	10.53%
2015	15	2	13.33%
2016	18	8	44.44%
2017	29	5	17.24%
2018	32	8	25.00%
2019	14	4	28.57%
2020	29	8	27.59%
	194	43	22.16%

ACCESSORY BUILDING PERMITS VS. ACCESSORY BUILDING SUP REQUESTS, 2010-2020



Breaking down the SUP cases, the majority of the cases deal specifically with accessory buildings -- 37 out of the 42--, with the two (2) largest issues requiring a SUP being [1] the exterior building materials (i.e. 29.73%) and [2] the square footage (i.e. 89.19%). The next biggest issue was the overall height (i.e. 21.62%) of the accessory structure. Staff should note that accessory buildings in this case include storage sheds, detached garages, and secondary living units. Of the 37 SUP cases requested for accessory buildings, four (4) cases were withdrawn before they got to City Council (i.e. 10.81%), five (5) cases (i.e. 16.22%) were denied by the City Council, and 28 cases (i.e. 72.97%) were approved by the City Council. In addition, five (5) of the 37 SUP cases dealt with violations relating to building permits (i.e. three [3] structures were built without permits, one [1] began demolition without a permit, and one [1] received a permit but did not follow the approved design). Of these cases, one (1) case was withdrawn before it got to the City Council, one (1) case was denied by the City Council, and three (3) cases were approved by the City Council. Staff should point out that four (4) of these cases were submitted in back-to-back submittal periods (i.e. in April 17, 2020 & May 14, 2020), and the City Council ultimately saw three (3) of the four (4) cases submitted. A breakdown of all 37 accessory building cases submitted in the last ten (10) years is depicted in *Exhibit 'F'* of this memorandum.

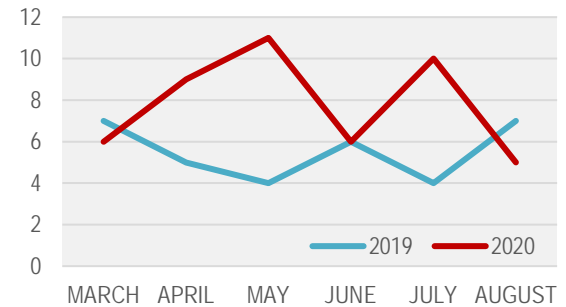
RESIDENTIAL BUILDING PERMITS ISSUED: MARCH - AUGUST 2019 VS. MARCH - AUGUST 2020



The chart on the right-hand side of the previous page shows issued residential building permits from March through August 2019 versus March through August 2020 (*Note: these numbers are for all residential building permits only*). The aberration seen in July of 2020 is tied to building permits that were submitted in June of 2020 and issued in July of 2020. Staff is of the opinion that the aberration seen in July's permitting numbers can be attributed to the current COVID-19 situation, which has more homeowners at home during the typical work week. Staff has noticed a trend in recent months of more projects being initiated by homeowners than contractors. The increased permitting trend is even more apparent in the chart of *Accessory Building Permits* issued between March through August 2019 versus March through August 2020, which is depicted on the right-hand side of this page.

This chart shows a significant increase in the number of accessory building permits being issued during this time period in 2020 compared to the same time period in 2019.

ACCESSORY BUILDING PERMITS ISSUED: MARCH - AUGUST 2019 VS. MARCH - AUGUST 2020



#### Questions Raised by the City Council at the City Council Meeting on August 17, 2020

Q: Why do we have the current size requirements for accessory buildings and detached garages?

A: Based on the information provided in the *History* section above, the size requirements adopted with the original Unified Development Code (UDC), the changes adopted with *Ordinance No. 18-47*, and the changes adopted with *Ordinance No. 19-32* are as follows:

June 21, 2004 to November 19, 2018	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	2,000 SF	900 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,500 SF	900 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,250 SF	900 SF	120 SF
All Other Single-Family Districts	225 SF	900 SF	120 SF
Two Family (2F) District	100 SF	900 SF	120 SF

November 20, 2018 – September 3, 2019	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	2,000 SF	900 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,500 SF	900 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,250 SF	900 SF	120 SF
All Other Single-Family Districts	225 SF	900 SF	120 SF
Two Family (2F) District	100 SF	900 SF	120 SF

September 4, 2019 – Present	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	1,250 SF	625 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,000 SF	625 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,000 SF	625 SF	120 SF
All Other Single-Family Districts	144 SF	625 SF	120 SF
Two Family (2F) District	100 SF	625 SF	120 SF

The size requirements prior to September 4, 2019 had remained the same since June 21, 2004 when all of the City's development ordinances were codified into the Unified Development Code (UDC). The reason the sizes were reduced in 2019 was tied to the adoption of HB2439. The following is an excerpt from the City Council memo with this amendment:

"...Based on the changes of HB2439, staff changed the zoning code back to requiring SUP's for these types of structures [accessory structures]. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [1] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [2] to ensure that a public hearing process is retained in approving structures that do not conform to the permitted standards. Staff anticipates based on the previous case volumes ... that this will add an additional five (5) to ten (10) SUP cases per year." (this page from the case memo has been included in full in Exhibit 'G' of this memorandum for the City Council's review)



Q: How does the City's current size requirements compare to other cities?

A: At the City Council's direction staff has reviewed other cities' accessory structure requirements for accessory buildings and detached garages. The following is a summary of the findings:

City	Maximum SF for Accessory Buildings	Maximum SF for Detached Garages	Is the City Still Regulating Building Materials?
Carrollton	Differing Lot Coverage Requirements and Material Requirements for 120SF/240SF/600+ SF <sup>4 &amp; 6</sup>		Yes
Colleyville <sup>1</sup>	1,200 SF Maximum but Must be Less than 50% of Primary Structure and 4% of Lot		No
Frisco <sup>2</sup>	Lot Coverage is Used to Control Accessory Structures		Yes
Garland <sup>2</sup>	Limited to 30% of the SF or the Primary Structure		No
Grand Prairie <sup>2</sup>	450 SF <sup>7</sup>	750 SF	Yes
Mesquite <sup>2</sup>	500 SF <sup>8</sup>	500 SF <sup>8</sup>	Yes <sup>10</sup>
Richardson	Reduced Lot Coverage Capped at a % of Primary Structure SF		Yes
Rowlett <sup>1</sup>	500 SF	500 SF	Yes
South Lake <sup>3</sup>	% of Lot Area but Differs by Zoning District <sup>5</sup>		Yes
Wylie <sup>3</sup>	5% of Lot Area or 60% of Lot Coverage whichever is Less		Yes <sup>11</sup>

**NOTES:**

<sup>1</sup>: Specific Use Permit (SUP) for non-conforming structures.

<sup>2</sup>: Board of Adjustments (BOA) for non-conforming structures.

<sup>3</sup>: City Council approval for non-conforming structures.

<sup>4</sup>: Allows unlimited size but must meeting the same architecture and building materials as the primary structure.

<sup>5</sup>: Allows percentage of lot area for all accessory structures (e.g. 3% of lot area for SF-2 District).

<sup>6</sup>: Limited to one (1) accessory building and one (1) detached garage.

<sup>7</sup>: Not to exceed 50% of the primary structure.

<sup>8</sup>: Only allows a ten (10) percent increase in building SF by the BOA.

<sup>9</sup>: Limited to three (3) accessory structures.

<sup>10</sup>: In the process of changing the code.

<sup>11</sup>: Ignoring local code and complying with State Law.

Based on staff's research there appears to be four (4) methods of regulating accessory structures: [1] by square footage, [2] by lot coverage, [3] by percentage of square footage of the primary structure, or [4] a combination of these methods; however, after review staff should point out that all four (4) methods yield very similar results. For example:

Example 1: 1,600 SF House on a 7,000 SF Lot

Lot Coverage of 5%: 350 SF

30% of the Primary Structure: 480 SF

Example 2: 2,500 SF House on a 10,000 SF Lot

Lot Coverage of 5%: 500 SF

30% of the Primary Structure: 750 SF

Example 3: 3,000 SF House on a 16,000 SF Lot

Lot Coverage of 5%: 800 SF

30% of the Primary Structure: 900 SF

Most of the above ordinances from other cities would limit the sum total of all accessory structure square footages (e.g. detached garages, carports, accessory buildings, pergolas, etc.) to the lesser of the lot coverage or percentage of the primary structure's square footage, which would be 350 SF on a 7,000 SF lot, 500 SF on a 10,000 SF lot, and 800 SF on a 16,000 SF lot. In Rockwall's case, a person on any of these lot sizes would be permitted to build a detached garage of 625 SF and an accessory building at 144 SF for a total of 769 SF, or two (2) accessory buildings at 144 SF for a total of 288 SF.

Staff should also address the use of lot coverage as a means to regulate accessory structures. The reason staff has not proposed using lot coverage as a means of regulating accessory structures in the past is: [1] some of these formulas can be punitive to houses that have a larger building footprint, and [2] staff is of the opinion that a simply stated square footage requirement is easier for the general public to understand than a percentage of lot coverage. When *Ordinance No. 18-47* was drafted, one (1) of staff's objectives was to make the code easier to understand for the general public. This is why staff incorporated the chart format for accessory structure requirements as opposed to the multiple written



references that were previously in the code. This is also why charts were incorporated for not just accessory structures, but for all density and dimensional requirements for each zoning district.

Another thing to point out is that many of these cities' ordinances still contain material requirements and use material requirements as a way to control the size of accessory structures, which the City Attorney has determined are not enforceable in residential districts based on HB2439. As far as relief mechanisms for structures not meeting the requirements, the majority of these ordinances appear to use a Zoning Board of Adjustments and Appeals (ZBA) – *which is similar to the City's Board of Adjustments (BOA)* -- as a way to request something that is not permitted; however, two (2) other cities use a Specific Use Permit (SUP) process and two (2) cities use a variance process which is granted by the City Council. Staff should point out that *Ordinance No. 18-47* made use of the City's Board of Adjustments (BOA) to grant size variances; however, with the passage of HB2439 the process was changed back to a Specific Use Permit (SUP) process with *Ordinance No. 19-32*. One of the major reasons for this change is the City Attorney ruled that the City Council can regulate building materials through architecture as part of a Specific Use Permit (SUP) in the interest of protecting the essential character of a neighborhood.

Q: Can a staff member contact each applicant for a building permit and speak with them about their request?

A: Currently, the City has two (2) permit technicians that answer internal and external customer questions about permits and assist with the intake, processing, and issuance of all permits and Certificates of Occupancy (CO). As was stated in the meeting, City staff has recently implemented an online permitting system that helps streamline the permitting process; however, each permit that is submitted still needs to be reviewed by the proper departments and the plans examiner, and all comments need to be assembled and sent out to the applicant or a permit/CO needs to be prepared and issued to the applicant. As seen in *Exhibit 'E'* of this memorandum the City has done anywhere from 2,059 to 4,541 building permits in a year, with 2,907 permits being the average number of permits issued per year over the last nine (9) years (*i.e. 2020 was excluded because it does not represent a full year of permitting*). Assuming there are ~252 working days in a year, less the 11 city holidays, this means that a staff member would need to make between 9-19 phone calls per day each day; however, permitting is sporadic and does not happen on a linear basis. This means that a staff member may have a period where the City receives 200 permits in a week, and -- *according to the Texas Local Government Code and City policy* -- those permits would all need to be responded to or issued within ten (10) business days. This would leave limited time for making the required phone calls necessary to speak to each applicant about each project. This is why the City has a blank on the current building permit application that requests information about the proposed building permit; however, -- *as was also discussed in the meeting* -- this section is not always fill out. Staff should note, that many homeowners engage with staff (*both in person and by phone*) prior to submitting a permit, and only a very low percentage of permits are submitted where an applicant has not had a conversation with a city representative.

### City Council Considerations

The following recommendations are changes to either the Unified Development Code (UDC), the fee schedule for building permits or the building permit process that may help to better clarify the requirements for permitting and regulating accessory structures. The City Council, at their discretion, may direct staff to proceed with adopting any of these amendments or changes in policy, or provide any other direction necessary.

- (1) Ordinance Changes. (See *Exhibit 'H'* of this memorandum) *Exhibit 'H'* lays out an amendment to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) that would make the following changes: [1] allow a third option of having a single accessory structure up to 256 SF (*i.e. 256 SF equals a 16-foot by 16-foot building footprint*), [2] provide a definition of standard size motor vehicle (*i.e. a vehicle that is a minimum of nine [9] feet by 18-feet*), [3] provide clarification to the requirements for detached garages that specifically states that a motor vehicle needs to be able to access a detached garage by a standard width, concrete residential driveway that is a minimum of 20-feet in length, and [4] provide additional minor clarifications.
- (2) Building Permit Application. Staff has talked with the permitting technicians and the plans examiner to see if there are ways to simplify the current building permit application. Included as an attachment to this memorandum is the current building permit application form and an updated building permit application form. The new form removes several sections of the old application that were deemed to be unnecessary or confusing, and changes Permit Description to Project Description.

(3) Penalty Fees for Construction without a Permit. The following are potential deterrents that can be used to discourage homeowners and contractors from building without obtaining a building permit:

- (a) Double Permit Fees. To discourage building without a building permit, some cities have employed a double permitting fee for projects that involve construction without a permit. This could easily be employed for *Residential Building Permits* that involve construction without a building permit. The following information shows what these costs would look like for residential accessory buildings constructed without a building permit:

Residential Accessory Building Permit Fee Amount

\$0.80/SF up to 250 SF + \$0.45/SF over 225 SF with a \$50.00 minimum

Examples:

Accessory Building Size	Building Permit Fee	Doubled Building Permit Fee
144 SF	\$115.20	\$230.40
256 SF	\$202.25	\$404.50
1,200 SF	\$618.75	\$1,237.50
2,000 SF	\$978.75	\$1,957.50

- (b) Contractor Registration. The City of Rockwall requires all contractors in the City to register and pay a \$100.00 registration fee to apply for permits and do work within the City (*with the exception of plumbers and electricians who are required to register but are exempted from the registration fee per State Law*). As a deterrent for contractors who do work without obtaining a building permit or that do work under false pretenses (*i.e. work that was not on an approved permit*), the City can expire their contractor's registration and make them reapply. This would cost the contractor both time and money when they try to pull a subsequent permit from the City.

NOTE: Examples of the changes to the fee schedule to establish these two (2) policies are on the back of the new building permit application in the attached packet.

- (4) Educational Tools. With *Ordinance No. 18-47*, the accessory structure requirements were consolidated into a one (1) page chart that could also serve as a handout. Staff has also prepared an exhibit that can be included on the backside of this hand out that graphically depicts the density and dimensional requirements for accessory structures. In addition, staff will continue to contact homeowners and contractors when necessary to clarify ambiguities in a submitted permit.

## Article 04, Permissible Uses, of the Unified Development Code (UDC)

### *Subsection 01.01, Use of Land and Buildings*

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Residential and Lodging	DT	R-O	N-S	GR	C	HC	RT	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory building +		P	P	P	P	P	P	P	P

### *Subsection 02.01.02, Residential Lodging Use Conditions*

#### *Accessory Building (Accessory to Residential Use)*

1. The accessory building shall be accessory to a residential use and located on the same lot.
2. In all residential districts, one detached garage shall be allowed provided that it does not exceed 900 square feet in area or 15 feet in height, provided that it is located on the same lot as the residential use and that the exterior cladding contains the same materials, excluding glass, as found on the main structure and is generally in the same proportion.
3. In SF-E: a. No more than two accessory buildings shall be allowed which are up to 625 square feet (each) in area and 15 feet or less in height; or b. In SF-E/1.5, a single building which is up to 1,250 square feet in area and 15 feet or less in height, provided the exterior cladding contains the same materials, excluding glass, as is found on the main structure and generally in the same proportion. In SF-E/2.0 the single accessory building may be up to 1,500 square feet, and in SF-E/4.0, up to 2,000 square feet in area.
4. In SF-7, SF-8.4, SF-10, SF-16, and SF-1, no more than two accessory buildings shall be allowed which are up to 225 square feet (each) in area and 15 feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)
5. In 2F, no more than two accessory buildings shall be allowed which is up to 100 square feet (each) in area and ten feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)
6. Accessory buildings not meeting these standards shall require approval of a SUP.

## Article 05, District Development Standards, of the Unified Development Code (UDC)

### *Subsection 03.01.(A), Construction Materials.*

2. Buildings less than 120 square feet and under ten feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.

NOTE: This standard was appealable to the Planning and Zoning Commission and City Council.

### *Subsection 03.01.(B), Residential Garages.*

See Article VI.4, *Residential Parking*, for residential parking and garage standards.

### *Subsection 03.01.(C), Residential Portable and Accessory Building Setbacks.*

1. Portable buildings zero to 120 square feet and up to ten feet in height:
  - a. Rear setback: three feet.
  - b. Side setback: three feet.
  - c. Separation from other structures: three feet.
2. Accessory buildings 121 to 225 square feet and up to 15 feet in height:
  - a. Rear setback: three feet.
  - b. Side setback: required zoning district setback.
  - c. Separation from other structures: six feet.
3. Detached garages 226 to 900 square feet and up to 15 feet in height:
  - a. Rear setback:

With alley:

1. 20 feet with garage doors facing alley;
2. Three feet without garage doors facing alley;

Without alley: ten feet.

- b. Side setback: required zoning district setback.
  - c. Separation from other structures: ten feet.
4. Accessory buildings not meeting these standards shall require approval of a SUP.

Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 7.04, Accessory Structure Development Standards

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1, 8, &amp; 9</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>2</sup>		1,250 <sup>2</sup>	1,500 <sup>2</sup>	2,000 <sup>2</sup>	225 <sup>6</sup>	100	120	900	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>4</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet)		15	15	15	15	10	10	15	15
Minimum Masonry Content (%) <sup>3</sup>		80 <sup>5</sup>	80 <sup>5</sup>	80 <sup>5</sup>	80 <sup>5</sup>	80 <sup>5</sup>	0	80 <sup>5</sup>	80 <sup>5</sup>

ADDITIONAL REQUIREMENTS:

- <sup>1</sup>: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- <sup>2</sup>: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 625 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- <sup>3</sup>: Greenhouses are exempt from the minimum masonry requirements.
- <sup>4</sup>: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- <sup>5</sup>: The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.
- <sup>6</sup>: Each property shall be permitted one (1) detached garage up to 900 SF and one (1) accessory building up to 225 SF.
- <sup>7</sup>: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- <sup>8</sup>: Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission.
- <sup>9</sup>: Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement.

Article 05, *District Development Standards*, of the Unified Development Code (UDC)

Subsection 7.04, *Accessory Structure Development Standards*

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1 &amp; 3</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8 &amp; 9</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>5</sup>		1,000 <sup>2</sup>	1,000 <sup>2</sup>	1,250 <sup>2</sup>	144 <sup>6</sup>	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>4</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) <sup>8</sup>		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

- <sup>1</sup>: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- <sup>2</sup>: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- <sup>3</sup>: Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- <sup>4</sup>: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- <sup>5</sup>: Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).
- <sup>6</sup>: Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.
- <sup>7</sup>: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- <sup>8</sup>: Two (2) story accessory buildings or structures shall be prohibited.
- <sup>9</sup>: Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

Active  
Acc.  
SUP's:

46

Year	Total SUP's	Total Acc. Cases	% of Acc. Cases	Accessory Buildings		Carports		Covered Patio	
				No. of Cases [1]	Cases #'s	No. of Cases	Cases #'s	No. of Cases	Cases #'s
2010	3	2	66.67%	2	Z2010-002, Z2010-005	0		0	
2011	5	1	20.00%	1	Z2011-001	0		0	
2012	10	1	10.00%	1	Z2012-009	0		0	
2013	20	2	10.00%	2	Z2013-021, Z2013-033	0		0	
2014	19	2	10.53%	1	Z2014-015	1	Z2014-020	0	
2015	15	2	13.33%	2	Z2015-009, Z2015-033	0		0	
2016	18	8	44.44%	5	Z2016-002, Z2016-008, Z2016-023, Z2016-030, Z2016-038	3	Z2016-002, Z2016-006, Z2016-020	0	
2017	29	5	17.24%	5	Z2017-013, Z2017-047, Z2017-053, Z2017-064, Z2017-066	0		0	
2018 [2]	32	8	25.00%	6	Z2018-005, Z2018-020, Z2018-035, Z2018-044, Z2018-048, Z2018-053	1	Z2018-004	1	Z2018-050
2019 [3]	14	4	28.57%	4	Z2019-004, Z2019-010, Z2019-022, Z2019-025	0		0	
2020 [4]	29	8	27.59%	8	Z2020-006, Z2020-010, Z2020-011, Z2020-016, Z2020-017, Z2020-020, Z2020-022, Z2020-030	0		0	
194				43	22.16%	37		5	1

**NOTES:**

[1] Includes all detached accessory buildings (i.e. storage buildings, living units, detached garages).

[2] On November 19, 2018 the City Council adopted *Ordinance No. 18-47 [Case No. Z2018-042]*, which consolidated the accessory building standards -- which were in multiple sections of the code -- into a single chart. This also made all variances to the size, height or setbacks go to the Board of Adjustments (BOA), and material exceptions go to Planning and Zoning Commission (i.e. this made the City Council only an appeals board for decision of the Planning and Zoning Commission on materials).

[3] Accessory Structure standards were changed back to requiring a SUP by Z2019-016 on September 3, 2019 to address the legislative update.

[4] As of the August 14, 2020 application deadline (i.e. includes all in process cases). There are 3 more application deadlines in the current year.

Year	Total Building Permits Submitted	Accessory Structure Permits	% of Accessory Structure Permits	Accessory Structure Permits Conforming to Ordinances	Accessory Building Permits Not Conforming to Ordinance (i.e. Requiring a SUP) [1]	% of Accessory Building Permits Requiring a SUP	% of Building Permits Requiring a SUP for Accessory Buildings
2010	2,059	126	6.12%	124	2	1.61%	0.10%
2011	2,152	124	5.76%	123	1	0.81%	0.05%
2012	3,093	124	4.01%	123	1	0.81%	0.03%
2013	2,528	152	6.01%	150	2	1.33%	0.08%
2014	2,652	122	4.60%	120	2	1.67%	0.08%
2015	2,609	123	4.71%	121	2	1.65%	0.08%
2016	3,214	167	5.20%	160	7	4.38%	0.22%
2017	3,259	169	5.19%	164	5	3.05%	0.15%
2018 [2]	4,541	196	4.32%	188	8	4.26%	0.18%
2019 [3]	2,966	152	5.12%	148	4	2.70%	0.13%
2020 [4]	1,946	138	7.09%	130	8	6.15%	0.41%
	31,019	1,593	5.14%	1,551	43	2.77%	0.14%

**NOTES:**

[1] Includes all detached accessory buildings (i.e. storage buildings, living units, detached garages).

[2] On November 19, 2018 the City Council adopted *Ordinance No. 18-47 [Case No. Z2018-042]*, which consolidated the accessory building standards -- which were in multiple sections of the code -- into a single chart. This also made all variances to the size, height or setbacks go to the Board of Adjustments (BOA), and material exceptions go to Planning and Zoning Commission (i.e. this made the City Council only an appeals board for decision of the Planning and Zoning Commission on materials).

[3] Accessory Structure standards were changed back to requiring a SUP by Z2019-016 on September 3, 2019 to address the legislative update.

[4] As of the August 14, 2020 application deadline (i.e. includes all in process cases). There are 3 more application deadlines in the current year.



= Permitting Issues

Case	Project Type	Action	Requested Size	Approved Size	Requested Height	Approved Height	Reason for SUP
Z2010-002	Accessory Building	Approved	2,000	2,000	15	15	Exterior Materials
Z2010-005	Gazebo	Withdrawn	240	-	15	-	Size Requirements
Z2011-001	Cabana	Approved	930	930	15	15	Size Requirements
Z2012-009	Accessory Building	Approved	140	140	15	15	Exterior Materials
Z2013-021	Accessory Building	Approved	480	480	15	15	Exterior Materials
Z2013-033	Accessory Building	Approved	660	660	15	15	Exterior Materials
Z2014-015	Accessory Building	Approved	240	240	15	15	Size Requirements
Z2015-009	Detached Garage	Approved	1,235	1,235	25	25	Size Requirements, Height Requirements
Z2015-033	Accessory Building	Approved	288	288	15	15	Size Requirements, Exterior Materials
Z2016-002	/Secondary Living Unit	Approved	2,441	2,441	27	27	Size Requirements, Height Requirements
Z2016-008	Detached Garage	Approved	864	864	15	15	Size Requirements
Z2016-023	Accessory Building	Approved	1,364	1,364	15	15	Size Requirements
Z2016-030	Accessory Building	Approved	1,200	1,200	20	20	Size Requirements, Height Requirements
Z2016-038	Accessory Building	Approved	1,250	1,250	15	15	Size Requirements, Exterior Materials
Z2017-013	Accessory Building	Approved	1,800	1,800	15	15	Size Requirements, Exterior Materials
Z2017-047	Accessory Building	Denied	700	-	20	-	Size Requirements, Height Requirements
Z2017-053	Accessory Building	Approved	1,092	2,000	15	15	Size Requirements, Exterior Materials
Z2017-064	Detached Garage	Approved	900	900	20	20	Size Requirements, Height Requirements
Z2017-066	Accessory Building	Approved	700	900	15	15	Size Requirements, Exterior Materials
Z2018-005	Detached Garage	Approved	2,400	2,400	15	15	Size Requirements
Z2018-020	Detached Garage	Denied	1,500	-	15	-	Size Requirements, Exterior Materials
Z2018-035	Detached Garage	Approved	1,200	1,500	17	17	Size Requirements, Height Requirements
Z2018-044	Detached Garage	Denied	3,000	-	15	-	Size Requirements
Z2018-048	Accessory Building	Approved	910	910	15	15	Size Requirements
Z2018-053	Detached Garage	Denied	2,500	-	16	-	Size Requirements, Exterior Materials, Height Requirements
Z2019-004	Secondary Living Unit	Withdrawn	568	-	15	-	Size Requirements
Z2019-010	Secondary Living Unit	Approved	4,950	4,050	15	15	Size Requirements
Z2019-022	Detached Garage	Denied	1,200	-	15	-	Size Requirements
Z2019-025	Detached Garage	Withdrawn	980	-	15	-	Size Requirements
Z2020-006	Detached Garage	Denied	1,600	-	18	-	Size Requirements
Z2020-010	Accessory Building	Approved	420	340	18	18	Size Requirements, Height Requirements
Z2020-011	Accessory Building	Approved	192	192	15	15	Size Requirements
Z2020-016	Secondary Living Unit	Approved	4,755	1,134	15	15	Size Requirements
Z2020-017	Accessory Building	Withdrawn	400	-	15	-	Size Requirements
Z2020-020	Secondary Living Unit	Approved	588	588	15	15	Size Requirements
Z2020-022	Detached Garage	Approved	1,200	1,200	15	15	Size Requirements
Z2020-030	Accessory Building	Approved	359	359	15	15	Size Requirements

Case Count

37

SUP Requests

Size Requirements	33	89.19%
Exterior Materials	11	29.73%
Height Requirements	8	21.62%

Action

Approved	27	72.97%
Denied	6	16.22%
Withdrawn	4	10.81%

- (2) Established Subdivisions. A new land use -- *Residential Infill in or Adjacent to an Established Subdivision* -- was created in Article IV, *Permissible Uses*, of the UDC to require all residential infill development be required to apply for a Specific Use Permit (SUP). This will only affect subdivisions that [1] consist of five (5) or more lots, [2] are 90% developed, and [3] that have been in existence for a period greater than ten (10) years. The strategy behind this change in the code is to protect subdivisions that are [1] not protected under a Planned Development District or [2] that are not covered by deed restrictions (*typically the City's older subdivisions*) from potential infill development that is not aesthetically similar to existing development within the subdivision. Staff should note that the City Attorney has ruled that Specific Use Permits (SUP's) are exempt from the material requirement exemptions of HB2439. For the City Council's reference staff has included a map showing all residential subdivisions in the City that have: [1] deed restrictions with material requirements, [2] deed restrictions with no material requirements, and [3] subdivisions that staff was unable to find deed restrictions or that have no deed restrictions. Staff should point out that these neighborhoods would not be covered by any building material requirements in cases where an addition is being proposed for an existing structure or where the exterior of an existing structure is being re-cladded in a new exterior material. Staff anticipates that this strategy will add an estimated 15-25 additional Specific Use Permit (SUP) cases each year based on previous permitting numbers (*i.e. in 2018 the City issued 23 infill permits and in 2019 the City issued 14 infill permits to date that meet the new requirements*).
- (3) Residential Accessory Buildings. In 2018, the UDC was amended to no longer require Specific Use Permits (SUPs) for accessory buildings/structures. In replacement of this requirement the Planning and Zoning Commission was charged with approving material exceptions for accessory buildings/structures, and the Board of Adjustments (BOA) was charged with approving variances to the density and dimensional requirements (*i.e. size and height*) for accessory buildings/structures. Based on the changes of HB2439, staff changed the zoning code back to requiring SUPs for these types of structures. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [1] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [2] to ensure that a public hearing process is retained in approving structures that due not conform to the permitted standards. Staff anticipates based on previous case volumes (*i.e. the code previously required SUP's for accessory buildings prior to changes in 2018*) that this will add an additional five (5) to ten (10) SUP cases per year. This was based on the number of SUP's that were processed in 2016 (*ten [10] cases*) and 2017 (*four [4] cases*) for accessory buildings
- (4) Development Review Procedures. Staff moved all references relating to the City's development processes to Article XI, *Development Applications and Review Process*, of the UDC (*formerly Zoning Related Applications*). In addressing the requirements of HB3167 staff reviewed all of the City's development processes for compliance to the approved legislative bill. Upon review staff noticed that the zoning code had multiple sections duplicated through out the document (*with some inconsistencies from section to section*), and that the majority of the processes were divided between Article II, *Authority and Administrative Procedures*, and Article XI, *Zoning Related Applications*, of the UDC. In addition, Article XI, *Zoning Related Applications*, -- *despite the name of the article* -- did not contain information relating to zoning cases. Based on this staff consolidated the City's processes relating to development applications in Article XI, *Zoning Related Applications*, removed duplicated sections, and renamed the Article XI, *Development Applications and Review Process*. Article II, *Authority and Administrative Procedures*, was also renamed to Article II, *Development Review Authority*, and only contains information relating to the authority of boards, commissions, the City Council, and administrative staff.
- (5) Residential Standards. Staff increased the *General Residential District Standards* contained in Article V, *District Development Standards*, of the UDC not pertaining to building material requirements. Specifically, staff increased the *Anti-Monotony* standards contained in this section

ADDITIONS = **HIGHLIGHTED**  
 SUBTRACTIONS = **HIGHLIGHT, STRIKE THROUGH**

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE →		ACCESSORY STRUCTURES & ACCESSORY BUILDINGS <b>1, 3, 5, &amp; 13</b>					PORTABLE ACCESSORY BUILDING 0 SF – 120 SF <b>8 &amp; 13</b>	DETACHED GARAGE <b>5, 8, &amp; 9</b>	COVERED PORCHES, PERGOLAS, AND CARPORTS <b>5, 7, &amp; 8</b>
DEVELOPMENT STANDARDS ↓		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT			
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE		2 <b>2</b>	2 <b>2</b>	2 <b>2</b>	2	1	1	1	1 <b>12</b>
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 <b>2</b>	1,000 <b>2</b>	1,250 <b>2</b>	144 <b>6</b>	100	120	625	500 <b>11</b>
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10 <b>10 &amp; 11</b>
	REAR W/ ALLEYWAY (FEET)	20 <b>4</b>	20 <b>4</b>	20 <b>4</b>	3	3	3	20 <b>4</b>	20 <b>10 &amp; 11</b>
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT <b>10 &amp; 11</b>
BETWEEN BUILDINGS (FEET)		10	10	10	6	3	3	10	10
BUILDING HEIGHT (FEET) <b>8</b>		15	15	15	15	10	10	15	15

**ADDITIONAL REQUIREMENTS:**

- 1: ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS, **COVERED PORCHES/PERGOLAS** THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE.
- 2: IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- 3: ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- 4: IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- 5: ACCESSORY BUILDINGS AND STRUCTURES **(EXCLUDING PORTABLE BUILDINGS)** NOT MEETING THE SIZE OR HEIGHT REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP). **IN REVIEWING A SPECIFIC USE PERMIT (SUP), THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL SHALL CONSIDER: [1] IF THE STRUCTURE WAS CONSTRUCTED WITHOUT A PERMIT OR UNDER FALSE PRETENSES, [2] THE SIZE OF THE PROPOSED ACCESSORY STRUCTURE COMPARED TO THE SIZE OF OTHER ACCESSORY STRUCTURES IN THE AREA/NEIGHBORHOOD/SUBDIVISION, AND [3] THE ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.**
- 6: EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF **OR TWO (2) ACCESSORY BUILDINGS UP TO 144 SF EACH OR ONE (1) ACCESSORY BUILDING UP TO 256 SF. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING 256 SF OR GREATER NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.**
- 7: IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- 8: TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- 9: SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL **AND PARK** A STANDARD SIZE MOTOR VEHICLE **(I.E. A VEHICLE THAT IS A MINIMUM OF NINE (9) FEET BY 18-FEET) THROUGH** INSIDE THE STRUCTURE. **IN ADDITION, A DETACHED GARAGE MUST BE ACCESSIBLE FROM THE REAR OR SIDE YARD BY A STANDARD SIZE WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET OF DRIVEWAY PAVEMENT.**
- 10: COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN THREE (3) FEET OF THE REAR **(OR REAR WITH ALLEYWAY)** AND SIDE YARD PROPERTY LINE.
- 11: COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- 12: PERGOLAS ARE NOT SUBJECT TO THE **NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS**, BUT **DO** COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- 13: **PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DO NOT HAVE A PERMENEANT FOUNDATION. ALL ACCESSORY BUILDINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A CONCRETE FOUNDATION.**



**CITY OF ROCKWALL**  
**BUILDING PERMITS**  
 BUILDING INSPECTION DEPT.  
 385 S. Goliad St.,  
 Rockwall, TX 75087

Phone #: (972) 771-7709

Permit # \_\_\_\_\_

**To schedule an inspection go to: [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp)**

CONSTRUCTION ADDRESS				TYPE OF PERMIT					
SUBDIVISION				ZONING		LOT		BLOCK	
BUILDING OWNER		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
PERSON TO BE CONTACTED REGARDING PERMIT				E-MAIL ADDRESS		PHONE #			
<u>EMAIL ADDRESS FOR INSPECTION REPORT</u>									
GENERAL CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
ELECTRICAL CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
PLUMBING CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
MECHANICAL CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
<b>BUILDING INFORMATION</b>									
1 <sup>st</sup> floor SF	2 <sup>nd</sup> floor SF	Garage	Covered Porch	Covered Patio	Total SF	Height	Lot Size	Plan #:	
Permit Description:									
<small>NOTICE TO APPLICANT: THIS PERMIT IS ISSUED ON THE BASIS OF INFORMATION FURNISHED IN THIS APPLICATION AND ON ANY SUBMITTED PLANS, AND IS SUBJECT TO THE PROVISIONS IN ADDITION, REQUIREMENTS OF THE CITY OF ROCKWALL CODE OF ORDINANCES AND ANY OTHER APPLICABLE ORDINANCE. THIS PERMIT IS ISSUED ONLY FOR THE PURPOSE OF ALLOWING CONSTRUCTION OF A BUILDING OR STRUCTURE CONFORMING TO THE CODES AND ORDINANCES OF THE CITY, REGARDLESS OF INFORMATION AND/OR PLANS SUBMITTED.</small>									
<small>SCOPE OF PERMIT: FOR NEW BUILDINGS AND FOR ADDITIONS TO EXISTING BUILDINGS, THIS PERMIT AUTHORIZES STRUCTURAL, PLUMBING, ELECTRICAL, MECHANICAL, AND WORK TO BE PERFORMED IN THE CONSTRUCTION OF THE BUILDING OR STRUCTURE AT THIS ADDRESS, IF DONE AT THE SAME TIME OF INITIAL CONSTRUCTION. NO SEPARATE SUBCONTRACTOR PERMITS ARE NEEDED FOR THOSE TRADES. HOWEVER, THE PERMIT HOLDER IS REQUIRED TO USE ONLY SUBCONTRACTORS LICENSES, REGISTERED, OR BONDED BY THE CITY OF ROCKWALL WHERE SUCH REQUIREMENT IS APPLICABLE.</small>									
<b>I HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND CERTIFY That ALL STATEMENTS HEREIN RECORDED BY ME ARE TRUE:</b>  _____ AGENT OR APPLICANT  _____ (DATE)  _____ CITY APPROVAL  _____ (DATE) _____					<b>ESTIMATED VALUE:</b>				
					Building Permit		\$ _____		
					Water Meter Deposit		\$ _____		
					Meter Installation		\$ _____		
					Sewer Service		\$ _____		
					Water Impact Fees		\$ _____		
					Sewer Impact Fees		\$ _____		
					Siren Fee		\$ _____		
					Contractor Registration		\$ _____		
					Certificate of Occupancy		\$ _____		
					Total Fees		\$ _____		

# City of Rockwall

## Schedule of Building Permit and Misc. Fees

### Building Permits

### Fee Amount

#### **1. Residential**

a. Accessory Building	.80 per sq. ft. up to 225 sq. ft. + .45 per sq. ft. over 225 sq. ft./ \$50.00 min.
b. Single Family - New	.48 per sq. ft. up to 5000 sq. ft. / .40 per sq. ft. if home is > 5000 sq. ft.
c. Single Family – Alteration / Addition	.48 per sq. ft. (scope of work) / \$125.00 min.
d. Electrical – Panel replacement / re-wire / service- meter base replacement	\$ 125.00
e. Electrical – other / repair	\$ 75.00
f. Plumbing – Slab leaks / tunneling / sewer main replacement	\$ 125.00
g. Plumbing – Water Heater / other / repair	\$ 75.00
h. Mechanical – New system installation	\$ 125.00
i. Mechanical – other / repair	\$ 75.00
j. Patio covers / decks / carports	\$ 75.00

#### **2. Commercial**

a. Commercial – New	Table 1A
b. Commercial – Remodel	Table 1A
c. Certificate of Occupancy	\$ 75.00
d. Temporary Certificate of Occupancy	\$ 300.00
e. Mechanical, Electrical, Plumbing	Table 1A

#### **3. Board of Adjustments City Council Sign Variances, Sign Plans / Construction Advisory and Appeals Board**

\$ 200.00

#### **4. Solar Panel Systems**

.65 per sq. ft.

#### **5. Concrete**

.20 per sq. ft. / \$50 min.

#### **6. Demolition of Structures**

\$ 50.00

#### **7. Fence**

\$ 50.00

Screening Wall

\$ 75.00

#### **8. Inspection Fees**

a. After Hours Inspection	\$ 50.00 per hr. (min. 2 hrs.)
b. Re-inspection	\$ 50.00

#### **9. Irrigation**

\$75.00

#### **10. Moving of Structures**

Refer To Chapter 10, Article XIV of the Code of Ordinances

#### **11. Permit Bag Replacement**

\$ 20.00

#### **12. Pools/Hot Tub/Spa**

a. Pool – above ground	\$ 75.00
b. Pool – in ground	\$150.00
c. Hot Tub/Spa	\$100.00

#### **13. Roofing**

\$ 75.00

#### **14. Sign**

\$75.00

#### **15. Temporary Construction/Sales Trailer**

\$100.00

#### **16. Miscellaneous Permits**

\$ 50.00 (includes windows, retaining wall, storm shelter, etc.)

## Commercial Building Permit Fees

Table 1A

Total Valuation	Fee
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2,001.00 to \$25,000.00	\$80.75 for the first \$2000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$402.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$655.25 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1005.25 for the first \$100,000.00 plus \$5.60 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3245.25 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5620.25 for the first \$1,000,000.00 plus \$3.65 for each additional \$1000.00, or fraction thereof
For use of outside consultants for plan review or inspections	Actual costs

### *Contractor Registrations Expire when State License Expires*

Back Flow	\$100.00
Fence	\$100.00
General Contractor	\$100.00
Irrigation	\$100.00
Mechanical Contractor	\$100.00
Demo Contractor	\$100.00
Sign Contractor	\$100.00



# BUILDING PERMIT APPLICATION

City of Rockwall  
Building Inspections Department  
385 S. Goliad Street  
Rockwall, Texas 75087

APPLICANT OR AGENT SIGNATURE REQUIRED

**CERTIFICATION:** I HEREBY ACCEPT ALL CONDITIONS ON THIS APPLICATION FORM AND CERTIFY THAT ALL STATEMENTS RECORDED HEREIN BY ME ARE TRUE.

AGENT OR APPLICANT

DATE

**NOTICE TO APPLICANTS.** This permit is issued on the basis of information furnished in this application and on any submitted plans, and is subject to the provisions in addition, requirements of the City of Rockwall code of ordinances and any other applicable ordinance. This permit is issued only for the purpose of allowing construction of a building or structure conforming to the codes and ordinances of the city, regardless of information and/or plans submitted.

**SCOPE OF PERMIT.** For new buildings and for additions to existing buildings, this permit authorizes structural, plumbing, electrical, mechanical, and work to be performed in the construction of the building or structure at this address, if done at the same time of initial construction. No separate subcontractor permits are needed for those trades. However, the permit holder is required to use only subcontractors' licenses, registered, or bonded by the City of Rockwall where such requirement is applicable.

**INSPECTION.** To schedule an inspection, go to [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp).

## PROPERTY INFORMATION [PLEASE PRINT]

Construction Address		Zoning	
Subdivision		Lot	Block
General Location			

## PROPERTY OWNER INFORMATION

### PRIMARY CONTACT [ ]

Name		Phone			
Mailing Address		City	State	Zip Code	
Email					

## GENERAL CONTRACTOR INFORMATION

### PRIMARY CONTACT [ ]

Name		Phone			
Mailing Address		City	State	Zip Code	
Email					

## ELECTRICAL CONTRACTOR INFORMATION

Name		Phone			
Mailing Address		City	State	Zip Code	
Email					

## PLUMBING CONTRACTOR INFORMATION

Name		Phone			
Mailing Address		City	State	Zip Code	
Email					

## MECHANICAL CONTRACTOR INFORMATION

Name		Phone			
Mailing Address		City	State	Zip Code	
Email					

## BUILDING PERMIT INFORMATION

1 <sup>ST</sup> Floor	SF	2 <sup>ND</sup> Floor	SF	Garage	SF	Covered Porch	SF	Covered Patio	SF
Total SF	SF	Height	FT	Lot Size	SF	Plan #			
Estimated Value	\$			Commercial Value <u>ONLY</u> ; Residential is <u>NOT</u> required to provide estimated value.					

Project Description

--	--	--	--	--	--	--	--	--	--

Is the subject property located with the flood hazard area? Yes [ ] No [ ] Required lowest floor elevation is:

--





# BUILDING PERMIT FEE SCHEDULE

City of Rockwall  
Building Inspections Department  
385 S. Goliad Street  
Rockwall, Texas 75087

## RESIDENTIAL BUILDING PERMITS (SEE ADDITIONAL NOTES [1] & [2] BELOW)

[1] ACCESSORY BUILDING	\$0.80/SF UP TO 225 SF + \$0.45/SF OVER 225 SF (MINIMUM FEE: \$50.00)
[2] SINGLE-FAMILY [NEW CONSTRUCTION]	\$0.48/SF UP TO 5,000 SF + \$0.40/SF OVER 5,000 SF
[3] SINGLE-FAMILY [REMODEL/ADDITION]	\$0.48/SF (MINIMUM FEE: \$125.00)
[4] ELECTRICAL [PANEL REPLACEMENT, REWIRE, SERVICE METER BASE REPLACEMENT]	\$125.00
[5] ELECTRICAL [OTHER, REPAIR]	\$75.00
[6] PLUMBING [SLAB LEAKS, TUNNELING, SEWER MAIN REPLACEMENT]	\$125.00
[7] PLUMBING [WATER HEATER, OTHER, REPAIR]	\$75.00
[8] MECHANICAL [NEW SYSTEM INSTALLATION]	\$125.00
[9] MECHANICAL [OTHER, REPAIR]	\$75.00
[10] PATIO COVERS/DECKS/CARPORTS	\$75.00

## COMMERCIAL BUILDING PERMITS

[1] CERTIFICATE OF OCCUPANCY (CO)	\$75.00
[2] TEMPORARY CERTIFICATE OF OCCUPANCY (TCO)	\$300.00
[3] COMMERCIAL [NEW CONSTRUCTION, REMODEL, OR ADDITION]	SEE TABLE 1A BELOW
[4] MECHANICAL, ELECTRICAL, PLUMBING	SEE TABLE 1A BELOW

TABLE 1A: COMMERCIAL BUILDING PERMIT FEES

TOTAL PROJECT VALUATION	FEE
\$1.00 - \$500.00	\$50.00
\$500.01 - \$2,000.00	\$50.00 FOR THE FIRST \$500.00 + \$3.05 FOR EACH ADDITIONAL \$100.00 UP TO \$2,000.00 <sup>2</sup>
\$2,000.01 - \$25,000.00	\$80.75 FOR THE FIRST \$2,000.00 + \$14.00 FOR EACH ADDITIONAL \$1,000.00 UP TO \$25,000.00 <sup>2</sup>
\$25,000.01 - \$50,000.00	\$402.75 FOR THE FIRST \$25,000.00 + \$10.10 FOR EACH ADDITIONAL \$1,000.00 UP TO \$50,000.00 <sup>2</sup>
\$50,000.01 - \$100,000.00	\$655.25 FOR THE FIRST \$50,000.00 + \$7.00 FOR EACH ADDITIONAL \$1,000.00 UP TO \$100,000.00 <sup>2</sup>
\$100,000.01 - \$500,000.00	\$1,005.25 FOR THE FIRST \$100,000.00 + \$5.60 FOR EACH ADDITIONAL \$1,000.00 UP TO \$500,000.00 <sup>2</sup>
\$500,000.01 - \$1,000,000.00	\$3,245.25 FOR THE FIRST \$500,000.00 + \$4.75 FOR EACH ADDITIONAL \$1,000.00 UP TO \$1,000,000.00 <sup>2</sup>
\$1,000,000.01 - \$1,000,000.01+	\$5,620.25 FOR THE FIRST \$1,000,000.00 + \$3.65 FOR EACH ADDITIONAL \$1,000.00 UP TO THE VALUATION COST <sup>2</sup>

NOTES: [1] COSTS FOR THE USE OF AN OUTSIDE CONSULTANT FOR PLAN REVIEW OR INSPECTION SHALL BE PAID BY THE APPLICANT; [2] OR FRACTION THERE OF

## OTHER BUILDING PERMITS

[1] BOARD OF ADJUSTMENTS APPLICATION	\$200.00
[2] CONSTRUCTION ADVISORY BOARD APPLICATION	\$200.00
[3] CITY COUNCIL SIGN VARIANCE	\$200.00
[4] SIGN PLAN	\$200.00
[5] SOLAR PANEL SYSTEMS	\$0.65/SF
[6] CONCRETE	\$0.20/SF (MINIMUM FEE: \$50.00)
[7] DEMOLITION OF STRUCTURES	\$50.00
[8] FENCE	\$50.00
[9] SCREENING WALL	\$75.00
[10] INSPECTION FEES	
[A] AFTER HOURS INSPECTION	\$50.00/HOUR (2 HOUR MINIMUM)
[B] RE-INSPECTION	\$50.00/HOUR
[11] IRRIGATION	\$75.00
[12] MOVING OF STRUCTURES	REFER TO ARTICLE XIV, CHAPTER 10 OF THE MUNICIPAL CODE OF ORDINANCES
[13] PERMIT BAG REPLACEMENT	\$20.00
[14] POOLS, HOT TUBS, & SPAS	
[A] ABOVE GROUND POOLS	\$75.00
[B] IN-GROUND POOLS	\$150.00
[C] HOT TUBS & SPAS	\$100.00
[15] ROOFING	\$75.00
[16] SIGN	\$75.00
[17] TEMPORARY CONSTRUCTION OR SALES TRAILER	\$100.00
[18] MISCELLANEOUS PERMITS [INCLUDES WINDOWS, RETAINING WALLS, STORM SHELTERS, ETC]	\$50.00

## CONTRACTOR REGISTRATIONS (SEE ADDITIONAL NOTE [2] BELOW)

[1] EXPIRE WHEN STATE LICENSE EXPIRE: BACKFLOW, IRRIGATION & MECHANICAL CONTRACTOR	\$100.00
[2] EXPIRE ANNUALLY: FENCE, GENERAL CONTRACTOR, DEMO CONTRACTOR, & SIGN CONTRACTOR	\$100.00

## ADDITIONAL NOTES

[1] BUILDING WITHOUT A VALID BUILDING PERMIT OR UNDER FALSE PRETENSES WILL CAUSE THE BUILDING PERMIT FEE TO DOUBLE
[2] CONTRACTORS IN VIOLATION FOR BUILDING WITHOUT A BUILDING PERMIT OR UNDER FALSE PRETENSES WILL HAVE THEIR CONTRACTOR REGISTRATIONS REVOKED, AND WILL BE REQUIRED TO RESUBMIT FOR A NEW CONTRACTOR REGISTRATION.



# Rockwall, Texas Proclamation

*Whereas*, the American Legion was chartered by Congress in 1919 on September 16<sup>th</sup> as a wartime veterans organization based on the four pillars of Veterans Affairs & Rehabilitation, National Security, Americanism, and Children & Youth; and

*Whereas*, over the years, the American Legion has become a preeminent community-service organization, which now numbers more than 2.5 million members—men and women—in over 14,000 American Legion posts worldwide; and

*Whereas*, the American Legion provides a variety of programs that support the four pillars and benefit our nation's veterans, its service members, their families, the youth of American and its citizens; and


*Whereas*, the members of the American Legion are dedicated to upholding the ideals of freedom, and democracy, while working to make a difference in the lives of fellow Americans; and

*Now, Therefore*, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **September 16, 2020** as:

## **The American Legion Day**

in the City of Rockwall and urge all citizens to recognize and say thank you to the members of Legionnaires in our city for their many contributions to our community.

*In Witness Whereof*, I hereunto set my hand and official seal this 8<sup>th</sup> day of September, 2020.

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



# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 17, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. City Attorney Frank Garza joined Ex. Session via telephone. Councilmember Dana Macalik arrived to the meeting and joined Ex. Session at 5:05 p.m.

### II. EXECUTIVE SESSION.

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**Consent Agenda Item # 2.** Consider approval of an **ordinance** reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. **(2nd Reading)**

**Action Item #1. P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a Preliminary Plat for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary pursuant to Section §551.071 (Consultation with Attorney)

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:25 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:02 p.m. with all seven city council members being present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL

**Councilmember Campbell delivered the invocation and led the Pledge of Allegiance.**

**VI. PROCLAMATIONS**

**1. Tom Egan Appreciation Day**

**Mayor Pruitt called forth Tom Egan to be honored. He then read and presented him with a proclamation, declaring today as “Tom Egan Appreciation Day” in the City of Rockwall. Afterwards, Mr. Egan said a few words. Mayor Pruitt thanked Mr. Egan for all of his contributions to the community and thanked those who were in attendance tonight to recognize this honor.**

**VII. OPEN FORUM**

**No one was present for Open Forum.**

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

**No action was taken as a result of Executive Session.**

**IX. CONSENT AGENDA**

- 1. Consider approval of the minutes from the August 3, 2020 regular City Council meeting, and take any action necessary.**
- 2. Consider approval of an *ordinance* reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. (2nd Reading)**
- 3. Consider approval of a contract with Custard Construction Services to perform kitchen and restroom renovations at The Center in the amount of \$26,729.32 to be funded from the Internal Operations Department budget, and take any action necessary.**
- 4. Consider approving the Highland Drive, First Street, Kaufman Street, Lakeshore Drive, Rusk Street, and West Street paving, drainage, water, and wastewater improvement projects, and authorize the City Manager to execute a contract with McMahon Contracting, LP in an amount of \$3,037,817.50 to be paid for out of the *Street Bond Fund* and the *Water/Sewer Fund*, and take any action necessary.**
- 5. Consider approving the construction materials testing costs for Highland Drive, First Street, Kaufman Street, N. Lakeshore Drive, Rusk Street, and West street paving, drainage, water, and wastewater improvements projects and authorize the City Manager to execute a contract with Alliance Geotechnical Group in the amount of \$63,390.00 which will be funded by *Street Bond Funds*, and take any action necessary.**

**Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, and 5). Councilmember Hohenshelt seconded the motion. The ordinance caption was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-32**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REDUCING ITS EXTRATERRITORIAL JURISDICTION (ETJ) BY RELEASING SUCH TERRITORY DESCRIBED IN *EXHIBIT ‘A’* OF THIS ORDINANCE TO THE COUNTY OF ROCKWALL; ESTABLISHING THE NEW**

CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

X. PUBLIC HEARING ITEMS

1. **Z2020-030** - Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of an ordinance for a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners located within 500' of the subject property, with four notices having been received back in favor and one notice receive in opposition.

Mayor Pruitt opened the public hearing. The applicant briefly came forth and indicated he would be happy to answer any questions council may have. There being no one else wishing to come forth and speak, Mayor Pruitt then closed the Public Hearing.

General discussion ensued pertaining to the applicant's request and what he is wanting to do. Extensive discussion also took place pertaining to the way the city's code(s) is currently written pertaining to these types of structures and if, potentially, those regulations need to be changed.

Mayor Pro Tem Fowler moved to approve Z2020-030. Mayor Pruitt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 nay (Macalik).**

2. **Z2020-031** - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC for the approval of an **ordinance** for a **Zoning Amendment** to Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] for the purpose of amending the development standards contained in *Ordinance No. 16-39* for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary **(1st Reading)**.

**Planning Director, Ryan Miller provided background information pertaining to this agenda item. 32 notices were mailed out to adjacent property owners located within 500' of the subject property, and one notice was received back in favor. In addition, the Planning & Zoning Commission has recommended approval of this item.**

**Pat Atkins  
Saddlestar Development  
3076 Hayes Lane  
Rockwall, TX**

**Mr. Atkins, the applicant, came forth and provided a presentation to Council pertaining to this request.**

**Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.**

**Bob Wacker  
309 Featherstone  
Rockwall, TX**

**Mr. Wacker came forth and provided a diagram and associated comments pertaining to j-swing and 'modified j-swing' driveways / garages.**

**Jim Turner  
1691 Old E. Quail Run Drive  
Rockwall, TX**

**Mr. Turner came forth and shared that he has concerns about construction debris that has been sitting on the existing construction site (for the phase that's currently under construction) for a very long time at this point. He generally expressed that he would like for developers to keep construction debris cleaned up.**

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

General discussion ensued pertaining to the front entry and j-swing garages as well as the setback requirements.

Councilmember Macalik moved to approve Z2020-031. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-35**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [~~ORDINANCE NO. 19-40~~] THE UNIFIED DEVELOPMENT CODE [~~ORDINANCE NO. 20-02~~] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

3. **Z2020-032** - Hold a public hearing to discuss and consider a request by Erick Cruz Mendoza for the approval of an ordinance for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.165-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners and residents within 500' of the property. Three notices were received back in favor of the request. In addition, the Planning & Zoning Commission has recommended approval of the agenda item this evening.

Mayor Pruitt called forth the applicant, Mr. Mendoza, who came forth and briefly addressed the Council concerning his request.

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

Councilmember Johannesen moved to approve Z2020-032. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-36**  
**SPECIFIC USE PERMIT NO. S-232**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.165-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 7 ayes to 0 nays.

**XI. ACTION ITEMS**

1. **P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a Preliminary Plat for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary.

**The mayor indicated that the Council lacks jurisdiction to address this item. So, it was not discussed at all, and no action was taken.**

2. Discuss and consider options for the Parks and Recreation Rib Rub Run & Roll Special Event to be held in the Downtown area on Saturday, October 3, 2020, and take any action necessary.

**Councilmember Johannesen indicated that he believes Option #1 outlined in the staff memo sounds like the best one. Mayor Pro Tem Fowler expressed that he would like to skip the 'People's Choice Pulled Pork' contest. Parks Director, Travis Sales, shared that staff will move forward with Option #1. No formal action was taken by Council.**

3. Discuss and consider approval of a resolution establishing an ad hoc exploratory committee to determine the best means by which to recognize the diverse history of Rockwall, and take any action necessary.

**Mayor Pro Tem Fowler moved to approve the resolution as presented. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

4. Discuss and consider (re)appointments to city advisory boards and commissions, including the Main Street Advisory Board, Park Board, and Animal Advisory Board, and take any action necessary.

**Councilmember Johannesen moved to reappoint Peggy Marhouff, Kevin Johnson and Brandon Morris to the Park Board. Mayor Pro Tem Fowler seconded the motion, which passed**

unanimously of those present. Johannesen then moved to newly appoint to the Park Board Amanda Fowler (to replace Charles Johnson). Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes to 1 abstention (Fowler).

Mayor Pro Tem Fowler moved to reappoint Steve Albers and Gary Freedman to the Animal Advisory Board. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Campbell moved to appoint Gary Cannavo to the Main Street Advisory Board (to replace Stuart Smith for a term to expire in Jan. of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XII. EXECUTIVE SESSION.**

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

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not convene in Ex. Session following the close of the public meeting agenda.

**XIV. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 7:36 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
8<sup>th</sup> DAY OF SEPTEMBER, 2020.**

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**JIM PRUITT, MAYOR**

**ATTEST:**

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**KRISTY COLE, CITY SECRETARY**





# MINUTES - Budget Work Session

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## ROCKWALL CITY COUNCIL SPECIAL MEETING

Monday, August 24, 2020 – 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:04 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, various department directors and staff. Council Member Anna Campbell joined the meeting at 5:17 p.m.

### II. OPEN FORUM / PUBLIC COMMENTS

Mayor Pruitt asked if anyone would like to come forth and speak at this time.

Nick Grant  
1569 Old E. Quail Run Road  
Rockwall, TX

Mr. Grant came forth and complimented the Council on a couple of city-related maintenance contracts that are currently in place (i.e. right-of-way maintenance on John King Boulevard).

No one else indicated a desire to come forth and speak at this time, so Mayor Pruitt closed Open Forum.

### III. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE PROPOSED FISCAL YEAR 2021 CITY OF ROCKWALL MUNICIPAL BUDGET

City Manager, Rick Crowley and Assistant City Manager/Finance Director, Mary Smith briefed Council on the overall proposed budget as well as the General Fund (including reserves), the Water/Sewer Fund, and the Debt Services Fund. Following the briefing, a series of questions and answers ensued between Council and staff.

City Management generally indicated that staff will be keeping a pulse on sales tax and other revenue streams and may request budget-related adjustments accordingly, should those needs arise throughout the upcoming fiscal year. However, for now, the proposed budget is very 'slim' out of an abundance of caution, since the lasting effects of the COVID-19 pandemic are not fully known at this juncture.

Mayor Pruitt suggested that, in the future, staff work on developing a marketing plan to 'market' encouraging residents to move to Rockwall in lieu of purchasing a home outside of our city limits within a Municipal Utility District (MUD). He wants home buyers to know that they could purchase a much

larger, nicer home within Rockwall's city limits if they chose not to devote so much money to the extra taxes and fees associated with living in a MUD.

He also encouraged that, in the future, there be one, single staff member that assists residents who are navigating the 'building permits' process (i.e. storage/accessory buildings at their home, fences, driveway extensions, etc.). He suggested that the person be in the City Manager's office, perhaps the Public Information Officer, and that the staff person act as a liaison between the resident pulling the permit and staff. He believes that designating one point of contact will help curtail misunderstandings and miscommunications.

Indication was given that a public hearing on the proposed budget and tax rate will be held at a regular city council meeting in September, and the Council will be asked to adopt the budget at the second meeting of next month. The budget will go into effect starting October 1.

Council took no formal action pertaining to this work session.

#### **IV. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 5:58 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2020.**

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**JIM PRUITT, MAYOR**

**ATTEST:**

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**KRISTY COLE, CITY SECRETARY**

CITY OF ROCKWALL

ORDINANCE NO. 20-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [*ORDINANCE NO. 19-40*] THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners CDT Rockwall/2017, LLC for the purpose of amending Planned Development District 79 (PD-79) [*Ordinance No. 19-40*] in order to change the development standards for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and John King Boulevard, and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 79 [*Ordinance No. 19-40*] and the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

**SECTION 1.** That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 19-40*;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

**SECTION 5.** That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(g) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
  - (1) Open Space Master Plan
  - (2) Master Plat
  - (3) PD Site Plan
  - (4) Preliminary Plat
  - (5) Final Plat
- (c) *Open Space Master Plan.* An *Open Space Master Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, and shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property* shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Open Space Master Plan* for the development.
- (e) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat* application for the development.
- (f) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat* application may be processed by the City concurrently with a *PD Site Plan* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

**SECTION 6.** 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 7.** 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 8.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020

**Exhibit 'A':**  
*Legal Description and Survey*

TRACT 1:

*BEING* 44.292 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being part of two tracts of land, the "*First Tract*" being a called 32.5 acres and the "*Second Tract*" being a called 32 acres, described in a Special Warranty Deed to R & R Hance Investments, LP., recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 of the Deed Records of Rockwall County, Texas (DRRCT), *SAVE AND EXCEPT* the called "Parcel 16 (Parts 1 and 2)" conveyed to the City of Rockwall, recorded as Instrument No. 2007-00380919 and in Volume 5124, Page 210 (DRRCT), and being more particularly described as follows:

*BEGINNING* at a 1/2" capped iron rod stamped, "6081," found for corner in the northeasterly right-of-way line of John King Boulevard (120' right-of-way) at the common north corner of said "Part 1" of Parcel 16 and called "Parcel 15" conveyed to the City of Rockwall, recorded as Instrument No. 2009-00424601 and in Volume 5951, Page 84 (DRRCT), said point also being in the common line of said "First Tract" and a called 29.185 acre tract of land conveyed to Gideon Grove Ltd., recorded as Instrument No. 20150000014609 of the Official Public Records of Rockwall County, Texas;

*THENCE* North 72°06'44" West along the common northeasterly line of said John King Boulevard and said Part 1, a distance of 1,126.56 feet to a point for corner at the beginning of a tangent curve to the right, having a radius of 1,140.00 feet and a chord which bears North 44° 02' 06" West, a distance of 1,073.12-feet;

*THENCE* in the northwesterly direction along said curve to the right, and last mentioned common line, through a central angle of 56°09'19", an arc distance of 1,117.31-feet to a 1/2" iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve and at the most northerly corner of said Part 1;

*THENCE* North 00°38'27" West continuing along the east right-of-way line of said John King Boulevard, a distance of 261.96 feet to a "PK" nail set for corner at the southwest corner of said Part 2;

*THENCE* North 89°38'44" East along the south line of said Part 2, a distance of 50.00 feet to a 1/2" iron rod with a yellow cap found for the southeast corner thereof;

*THENCE* North 00°38'27" West along the east line of said Part 2, a distance of 40.00 feet to a 1/2" iron rod with a yellow cap found for the northeast corner thereof in the north line of said Second Tract and being in the south line of a tract of land conveyed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

*THENCE* North 89°38'05" East along the common line of last mentioned tracts, at 1,051.89 feet passing a 1/2" iron rod found for the southeast corner of said Reed tract common to the southwest corner of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), and continuing along the north line of said Second Tract and the south line of said Park Ridge Estates, a total distance of 1,736.25 feet to a 3/8" iron rod found for the common east corner thereof, and being in the west line of Block A of Windmill Valley Subdivision, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 157 (PRRCT);

*THENCE* South 01°17'27" East along the common line of said Second Tract and said Block A, a distance of 669.75 feet to a 1/2" iron rod found for the southwest corner of said Block A, and being the northwest corner of said 29.185 acre tract;

*THENCE* South 01°30'45" East along the west line of said 29.185-acre tract and partially along the east lines of said First Tract and said Second Tract, a distance of 761.52 feet to the PLACE OF BEGINNING and Containing 44.292 acres, or 1,929,345 square feet, of land.

**Exhibit 'A':**  
*Legal Description and Survey*

**TRACT 2:**

*BEING* 11.121 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being all of a called 11.126 acre tract of land described in a Warranty Deed with Vendor's Lien to Randy Reed and wife, Gwen Reed, recorded in Volume 260, Page 1 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

*BEGINNING* at a 1/2" iron rod found for corner near the edge of an asphalt surface in the east margin of Hays Road, said point being the common west corner of said Reed tract and a tract of land conveyed to Stephen L. Branch and Judy C. Branch, recorded in Volume 234, Page 527 (DRRCT);

*THENCE* North 89°26'12" East along the common line of last mentioned tracts, a distance of 1,092.52-feet to a 1/2" iron rod found for the common east corner thereof, and being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT);

*THENCE* South 00°30'07" East along the common line of said Reed tract and said Park Ridge Estates, a distance of 446.60 feet to a 1/2" iron rod found for the common south corner thereof, and being in the north line of a called 32 acre tract described, in a Special Warranty Deed to R & R Hance Investments, L.P., as "*Second Tract*," recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 (DRRCT);

*THENCE* South 89°38'05" West along the common line of said Second Tract and said Reed tract, a distance of 1,086.19-feet to a 1/2" iron rod found at the southwest corner of said Reed tract and being in the east margin of said Hays Road;

*THENCE* North 01°19'17" West along the west line of said Reed tract and the east line of said Hays Road, a distance of 442.88-feet to the PLACE OF BEGINNING and Containing 11.121-acres, or 484,450 square feet, of land.

**TRACT 3:**

*BEING* 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

*BEGINNING* at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

*THENCE* North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

*THENCE* North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

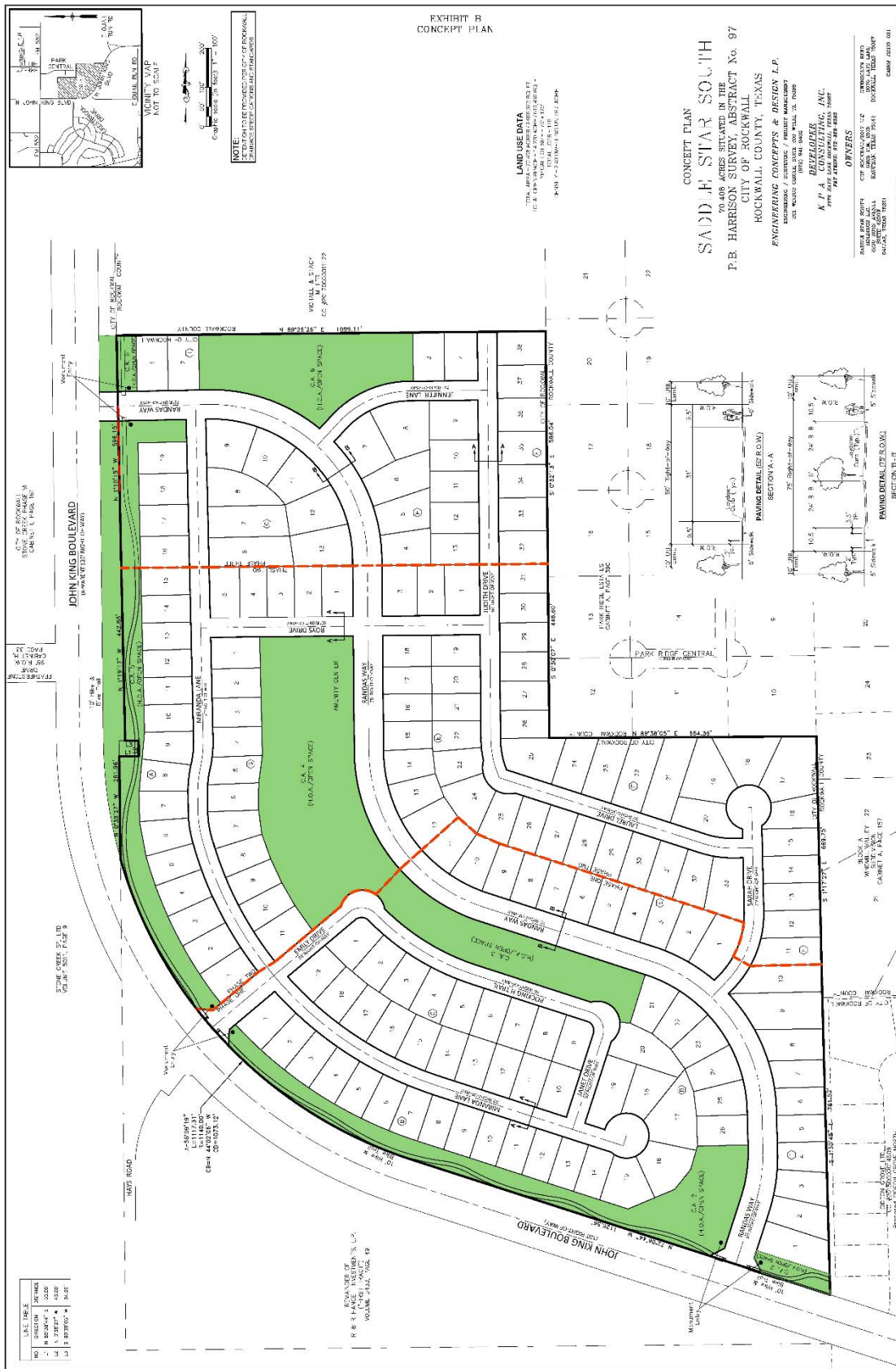
**Exhibit 'A':**  
*Legal Description and Survey*

*THENCE* South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

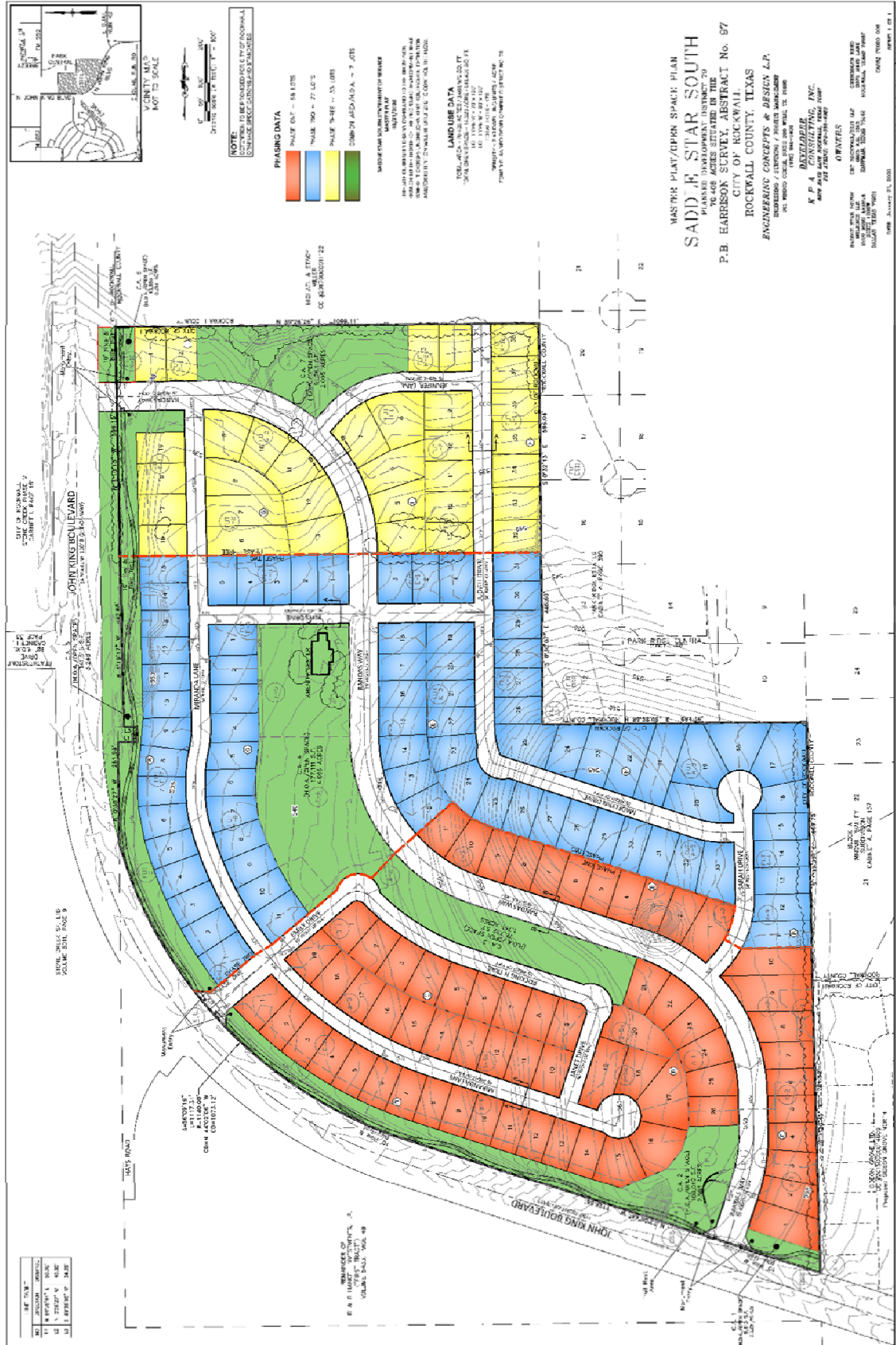
*THENCE* South 89°26'12" West, along the common line of last-mentioned tracts, a distance of 1,092.52 feet to PLACE OF BEGINNING and Containing 653,191 square feet, or 14.995 acres of land.



**Exhibit 'B':**  
*Concept Plans*



# Exhibit 'B': Concept Plans



**Exhibit 'C':**  
**Development Standards**

**Development Standards.**

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	70' x 125'	8,750 SF	143	78.41%
B	80' x 125'	10,000 SF	33	21.59%
Maximum Permitted Units:			176	100.00%

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.50 dwelling units per gross acre of land; however, in no case should the proposed development exceed 176 units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type >	A	B
Minimum Lot Width <sup>(1)</sup>	70'	80'
Minimum Lot Depth	125'	125'
Minimum Lot Area	8,750 SF	10,000 SF
Minimum Front Yard Setback <sup>(2) &amp; (5)</sup>	20'	20'
Minimum Side Yard Setback	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup>	10'	10'
Minimum Length of Driveway Pavement	25'	25'
Maximum Height <sup>(3)</sup>	30'	30'
Minimum Rear Yard Setback <sup>(4)</sup>	20'	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF	2,700 SF
Maximum Lot Coverage	65%	65%
Permitted Encroachment into Required Setbacks <sup>(5)</sup>	Allowed	Allowed

General Notes:

1. The minimum lot width shall be measured at the *Front Yard Building Setback*.
2. The location of the *Front Yard Building Setback* as measured from the front property line.
3. The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single-family home.
4. As measured from the rear yard property line.
5. Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

4. *Building Standards.* All development shall adhere to the following building standards:

**Exhibit 'C':**  
*Development Standards*

- a. *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and, stucco (i.e. *three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement; however, stucco (i.e. *three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.
- b. *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- c. *Garage Orientation.* This development shall adhere to the following garage orientation requirements:
  1. *Type A Lots.* 50% of the *Type A* lots shall be oriented in a *traditional swing or j-swing* garage orientation (i.e. *where the two [2] car garage is situated facing the side property line and the driveway swings into the garage in a 'j' configuration*). These garages will be permitted to have a one (1) car garage facing the street if it is setback a minimum of 20-feet from the front façade of the single-family home. The remaining 50% of the *Type A* lots may be configured in a flat front entry configuration with a minimum setback of 25-feet (i.e. *allowing the garage to be flush with the front façade of the primary structure*). In this case the front façade of the primary structure does not include the permitted encroachments outline in *Table 2* above.
  2. *Type B Lots.* The *Type B* lots (i.e. *the yellow lots depicted in Exhibit 'B'*) shall adhere to the following garage configurations:
    - a. 30% of the *Type B* lots may be oriented in a flat front entry configuration with a minimum setback of 25-feet (i.e. *allowing the garage to be flush with the front façade of the primary structure*).
    - b. 70% of the *Type B* lots may be configured in a *traditional swing or modified swing* (i.e. *where a one [1] or two [2] car garage is situated facing the side property line and the driveway swings into the garage in a 'j' configuration*). On lots with a one (1) car garage configured in the *modified swing* a two (2) car garage will be required to be setback behind the one (1) car garage. Garages with a *traditional swing* will be permitted to have a one (1) car garage facing the street if it is setback a minimum of 20-feet from the front façade of the single-family home.
5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for *spacing requirements* see the illustration below).



**Exhibit 'C':**  
*Development Standards*

Table 3: Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	70' x 125'	(1), (2), (3), (4)
B	80' x 125'	(1), (2), (3), (4)

1. Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
2. Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
  - (a) Number of Stories
  - (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
3. Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
4. Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

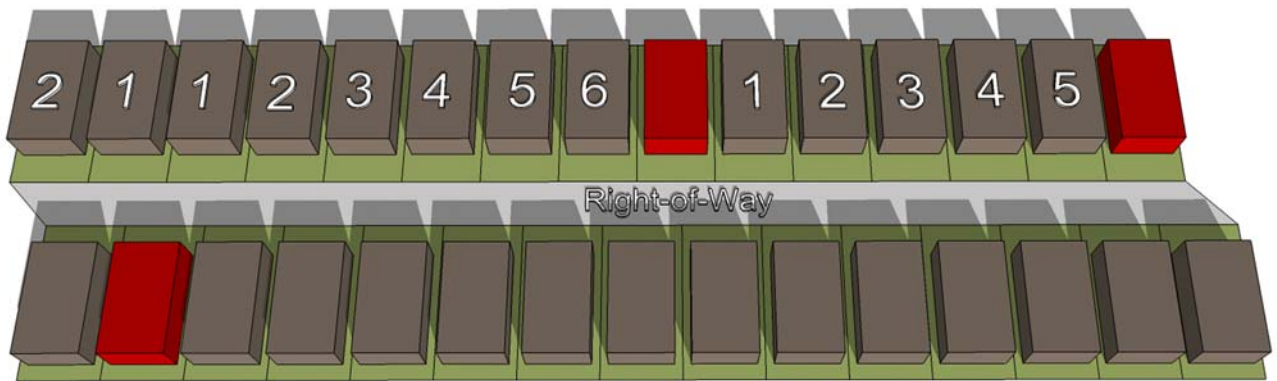
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*Illustration 1: Properties line up on the opposite side of the street. Where **RED** is the subject property.*



**Exhibit 'C':**  
*Development Standards*

*Illustration 2: Properties do not line up on opposite side of the street. Where **RED** is the subject property.*



6. **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
1. **Wood Fences.** All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.
  2. **Wrought Iron/Tubular Steel.** Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
  3. **Corner Lots.** Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
  4. **Solid Fences (including Wood Fences).** All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

**Exhibit 'C':**  
*Development Standards*

7. *Landscape and Hardscape Standards.*

- a. *Landscape.* Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:
  1. *Canopy/Shade Trees.* Bald Cypress, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.
  2. *Accent/Ornamental/Under-Story Trees.* Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.
- b. *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
  1. *Landscape Buffer and Sidewalks (John King Boulevard).* A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot curvilinear sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.
- c. *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:
  1. Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
  2. Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

*Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.*
- d. *Irrigation Requirements.* Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

**Exhibit 'C':**  
*Development Standards*

- e. *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
- 8. *Street*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- 9. *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- 10. *Sidewalks*. At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.
- 11. *Buried Utilities*. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- 12. *Open Space*. The development shall consist of a minimum of 20% open space (*or 14.082-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

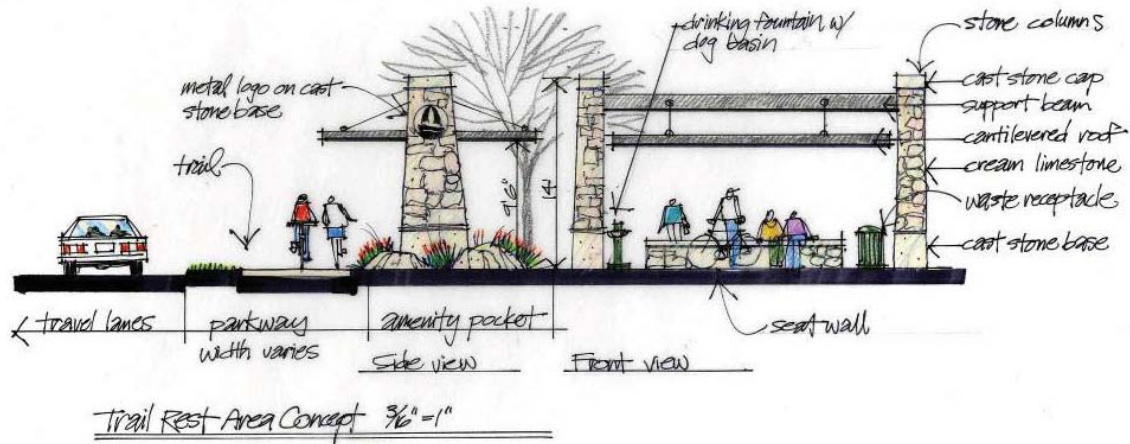
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- 13. *Trail Rest Area*. The developer shall be responsible for the construction of a *Trail Rest Area* that generally conforms to the rest area depicted in *Figure 1 (below)*.

**Figure 1:** *Trail Rest Area Concept*



**Exhibit 'C':**  
**Development Standards**



14. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
15. *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.
16. *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-36**

**SPECIFIC USE PERMIT NO. S-232**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.165-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 Erick Cruz Mendoza for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.165-acre parcel of land being described as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 75 (PD-75) [Ordinance No. 16-01] of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 75 (PD-75) [Ordinance No. 16-01] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code

(UDC) [Ordinance No. 20-02] and to the requirements set forth in Planned Development District 75 (PD-75) [Ordinance No. 16-01] -- as heretofore amended and may be amended in the future - and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020



**Exhibit 'A'**  
*Location Map and Survey*

Address: 481 Blanche Drive

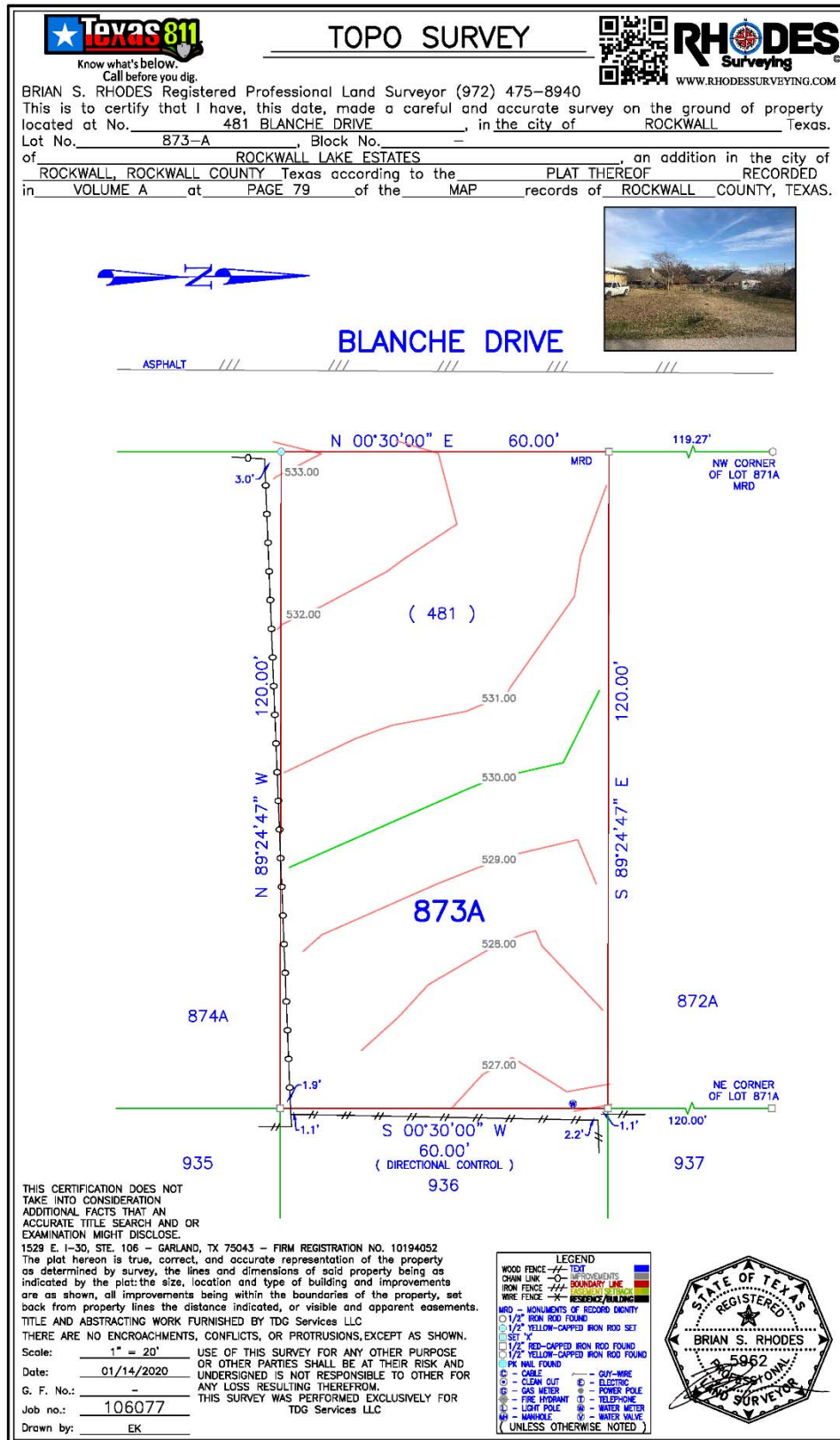
Legal Description: Lot 873-A, Rockwall Lake Estates #2 Addition



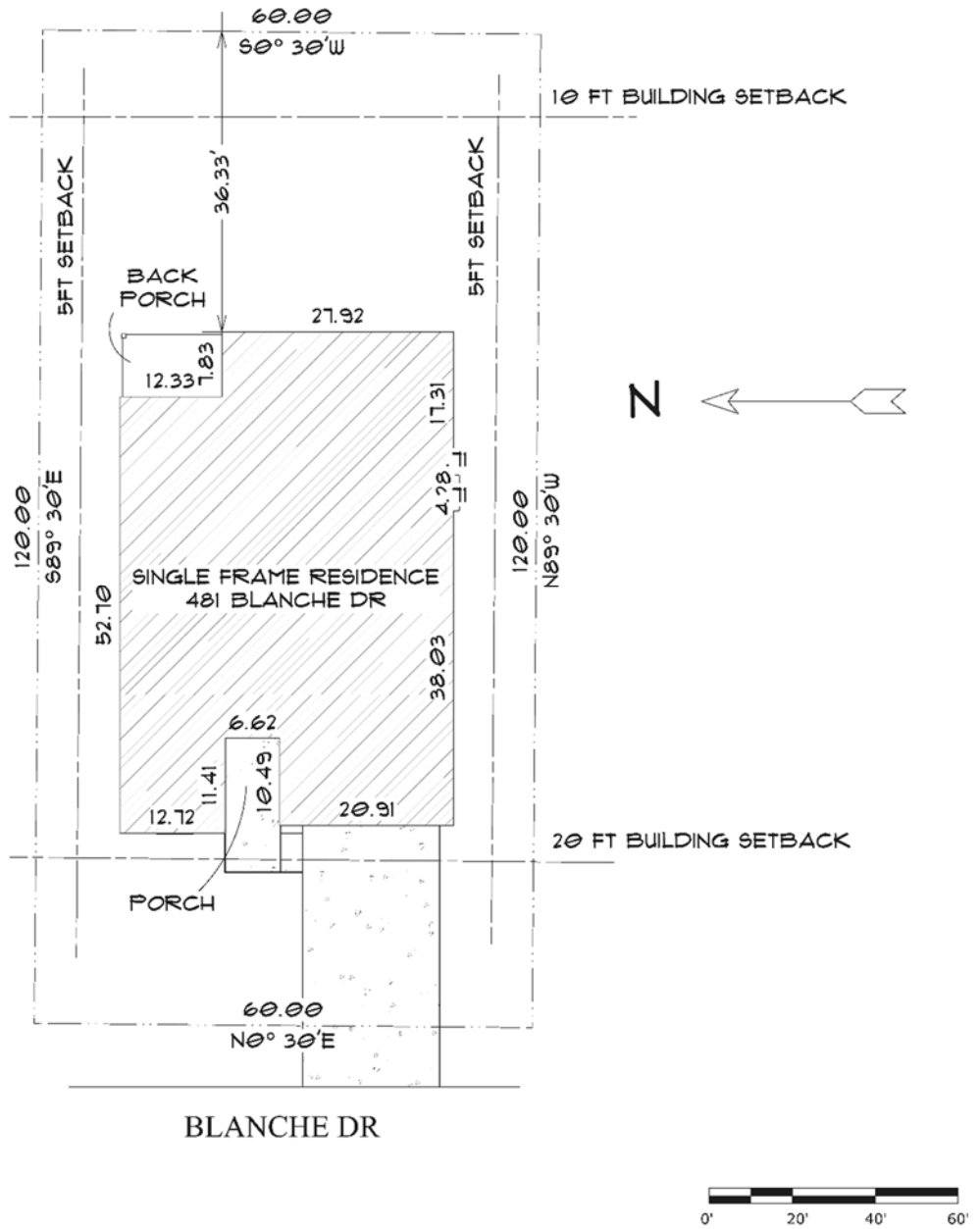


# Exhibit 'A'

## Location Map and Survey



**Exhibit 'B':**  
*Residential Plot Plan*

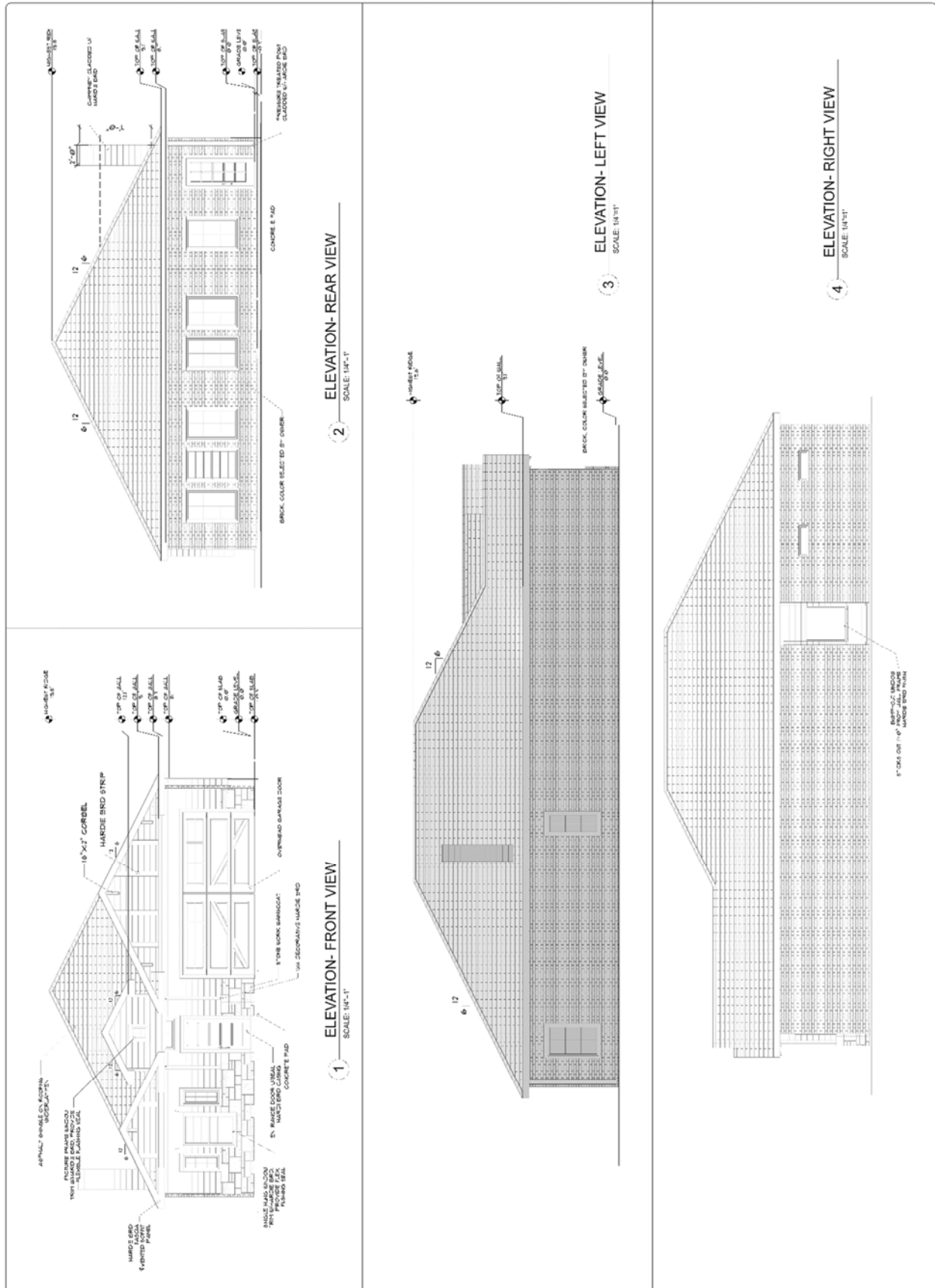


**1 SITE PLAN**  
SCALE: 1"=20'

**SITE PLAN LEGEND**

- PROPERTY BOUNDARY
- PROPERTY SETBACK

**Exhibit 'C':**  
*Building Elevations*







## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** CONSTRUCTION CONTRACT FOR TURTLE COVE AND WINDMILL  
RIDGE SANITARY SEWER REHABILITATION PROJECT

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### Attachments

Qualification Statement  
Location Map  
Letter of Bid Award

### Summary/Background Information

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

Four (4) bids for construction were received and opened on July 14, 2020. The low bidder is NO-DIGTEC, LLC. with a bid of \$757,933.00. The engineering consultants have verified NO-DIGTEC, LLC.'s references and provided a letter of recommendation. Funding will be provided through the Water/Sewer Fund.

Staff requests City Council consider approval of the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project and authorize the City Manager to execute a contract with NO-DIGTEC, LLC. in an amount of \$757,933.00, to be funded by the Water/Sewer Fund, and take any action necessary.

### Action Needed

**QUALIFICATION STATEMENT OF BIDDER**

**Engineering Division  
City of Rockwall  
385 S. Goliad  
Rockwall, Texas 75087**

Bidder: NO-DIGTEC, LLC

**Circle One:** Sole Proprietor    Partnership    Corporation    Joint Venture

Name: NO-DIGTEC, LLC    Partner: \_\_\_\_\_

Address: 415 Ewing Boulevard    Address: \_\_\_\_\_

City: Ferris, TX 75125    City: \_\_\_\_\_

Phone: (972) 488-9910    Phone: \_\_\_\_\_

<u>Principal Place of Business:</u> <u>Ellis County, Texas</u>	<u>Principal Place of Business:</u> _____
County & State	County & State

If the Bidder is a corporation, fill out the following:

State and County of Incorporation: TEXAS / ELLIS COUNTY

Location of Principal Office: 415 Ewing Boulevard, Ferris, TX 75125

Contact Person(s) at Office: Bridgette Smiley    Phone: (972) 488-9910

List Officers of the Corporation and person(s) authorized to execute Contracts on Behalf of the Corporation:

Name: <u>John Newell</u>	Title: <u>President</u>
--------------------------	-------------------------

Name: _____	Title: _____
-------------	--------------

Name: _____	Title: _____
-------------	--------------

Name: _____	Title: _____
-------------	--------------

How many years has your organization been in business as a General Contractor? 16



Greatest number of contracts in excess of \$100,000 under construction at one time in company's history: 12

Greatest number of contracts in excess of \$500,000 under construction at one time in company's history: 7

Total approximate value of incomplete work outstanding: \$ 2,158,659.20

List major projects of the type of work qualifying for or similar work completed in the last three years, give the following information for each project:

**Project:** Peach Street Sanitary Sewer Rehab

Owner/Engineer: City of Sanger

Contact Person: Jim Berman Phone: (940) 458-1729

Date of Completion: July 2019 Contract Price: \$315,113

**Project:** Bolivar Street Pipe Burst

Owner/Engineer: City of Sanger

Contact Person: Jim Berman Phone: (940) 458-1729

Date of Completion: March 2020 Contract Price: \$391,496

**Project:** Rayzor Ranch Pipe Burst

Owner/Engineer: City of Denton

Contact Person: Jim Wilder Phone: (940) 349-8953

Date of Completion: January 2020 Contract Price: \$596,965

**Project:** Walker Branch Interceptor

Owner/Engineer: City of North Richland Hills

Contact Person: Adam Darrach Phone: (817) 751-4975

Date of Completion: June 2020 Contract Price: \$541,396

**Project:** 2018 Renovation / Replacement Program DEA 1808 RFB

Owner/Engineer: City of DeSoto

Contact Person: Crystal Owens Phone: (972) 230-9600

Date of Completion: May 2019 Contract Price: \$1,890,038

**Project:** 2016 Renovation / Replacement Program DEA 1711 RFB

Owner/Engineer: City of DeSoto

Contact Person: Crystal Owens Phone: (972) 230-9600

Date of Completion: April 2018 Contract Price: \$898,508

**Project:** Pipe Burst Sanitary Sewer- Various Locations

Owner/Engineer: City of Lancaster

Contact Person: Ben Hawkins Phone: (817) 516-0441

Date of Completion: October 2019 Contract Price: \$1,198,954

**Project:** 2017 Grand Prairie Water & Wastewater Improvements

Owner/Engineer: City of Grand Prairie

Contact Person: Cody Phillips Phone: (972) 399-1066

Date of Completion: April 2017 Contract Price: \$579,456

**Project:** Addison Grove-Beltline Road

Owner/Engineer: City of Addison

Contact Person: Tom Koble Phone: (817) 371-5852

Date of Completion: April 2018 Contract Price: \$148,065

**\*\*See attached listing of TRENCHLESS INSTALLATION OF WATER AND SEWER LINES\*\***

**(If Necessary - List Additional Projects by Using Attachments)**

List **incomplete** projects, including the following information for each incomplete project listed:

**Project:** Contract 6875, WO #5

Owner/Engineer: City of Plano

Contact Person: Josh Awalt Phone: (817) 516-0441

Value of Incomplete Work: \$763,110

**Project:** Renovation / Replacement Program- Phase 1 DEA 1904 RFB

Owner/Engineer: City of DeSoto

Contact Person: Crystal Owens Phone: (972) 230-9600

Value of Incomplete Work: \$1,111,712

**Project:** Timber Creek Water Replacement CIP20-04400

Owner/Engineer: Town of Flower Mound

Contact Person: Dale Crown Phone: (972) 874-6302

Value of Incomplete Work: \$283,837.25 current low bidder with Contracts in the works

**Project:** \_\_\_\_\_

Owner/Engineer: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Value of Incomplete Work: \_\_\_\_\_

**Project:** \_\_\_\_\_

Owner/Engineer: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Value of Incomplete Work: \_\_\_\_\_

**(If Necessary - List Additional Projects by Using Attachments)**



If company is under new management, please list names of staff and qualification and/or experience of said persons. (Please use attachments).

Have you or any present partner(s) or officer(s) failed to complete a contract? NO  
If so, name of owner and/or surety:

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

List any unsatisfied demands upon you as to your accounts payable, please use attachments.

**Bank Reference:**

Bank: Frost Bank City: Dallas, TX

Address: 7859 Walnut Hill Lane, Suite 100 Phone: (214) 515-4900

Contact Officer: Gus Staats

**Other Credit References:**

Name: Martin Marietta Name: Gajeske, Inc.

Address: PO Box 677061 Address: 6200 N. Houston Rosslyn Road

City: Dallas, TX City: Houston, TX 77091

Phone: (972) 647-3377 Phone: (713) 688-2728

**Municipal Reference:**

City: City of DeSoto

Contact Person: Crystal Owens, PE Title: Managing Director Development Services

Address: 211 E. Pleasant Run Road, DeSoto Phone: (972) 230-9672



### Trenchless Installation of Water and Sewer Lines

Pipe Size	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total LF
	LF	LF	LF	LF	LF	LF	LF	LF	LF	LF	
2											
4	15,209	16,200	13,920	16,161	10,645	13,575	14,568	15,400	17,180	15,476	148,334
6	8,969	1,774	902	138		176	8,643	9,237	3,784	4,089	37,712
8		10,466	24,639	19,707	19,116	16,092	9,686	12,260	15,332	17,287	144,585
10	3,772	330	1,330	1,361	1,221	560	3,114	3,491	1,959	2,164	19,302
12	925	80	3,405	512	120	221	1,161	3,182	7,347	8,409	25,362
14	1,285					8,735	7,397	2,371			19,788
16		590	1,978	2,059		4,502	1,445	2,076	1,823	5,404	19,877
18			450	3,531	307					1,094	5,382
22							157				157
24				5,920		3,160	352	525			9,957
28					1,175		747				1,922
32					1,826						1,826
34					257						257
Total LF	30,160	29,440	46,624	49,389	34,667	47,021	47,270	48,542	47,425	53,923	434,461

Miles of Pipe Installed via Pipebursting

82.28

### REFERENCE STATEMENT OF BIDDER'S SURETY

Bidder: NO-DIGTEC, LLC

Address: 415 Ewing Boulevard, Ferris, TX 75125

1. For this Bidder, how many contracts **that are now complete** has this surety furnished contract bonds? 14
2. For this Bidder, how many **incomplete contracts** has this surety furnished contract bonds? 1
3. What is the maximum bonding capacity of this Bidder? \$ 15,000,000
4. Does the current financial information on this Bidder indicate solvency and a financial ability to complete this contract? yes
5. Does the information available to this surety indicate that the contractor pays accounts when due? yes If not, give details: \_\_\_\_\_
6. Is it the surety's opinion that the bidder has sufficient experience and financial resources to satisfactorily perform the contract? yes
7. Provided this bidder does not assume other commitments or that this surety does not acquire further information that in your opinion will materially affect the bidder's capacity to perform this contract, will you furnish the bonds as specified: yes

#### REMARKS:

I highly recommend this contractor, he is an expert in his field.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Surety: Allied Surety/Insurers Indemnity Company

Signed: Lisa Rockett

Title: Lisa Rockett; President/Attorney in Fact

Address: 3057 Ridgeview Drive

Grapevine, Texas 76051

City State Zip

Phone: 817-410-7993



## **BIDDER'S RELEASE OF QUALIFICATION INFORMATION**

Pursuant to advertisement for bids and in conformance with Instructions to Bidders for types of work outlined in Bidder's Statement of Qualifications, the undersigned is submitting information as required with the understanding that the purpose is for the City's confidential use, only to assist in determining the qualifications of Bidder's organization to perform the type and magnitude of work designated, and further, Bidder guarantees the truth and accuracy of all statements made, and will accept the City's determination of qualifications without prejudice. The surety herein named, any other bonding company(s), bank(s), subcontractor(s), supplier(s), or any other person(s), firm(s) or corporation(s) with whom Bidder has done business, or who have extended any credit to Bidder is (are) hereby authorized to furnish the City with any information the City may request concerning performance on previous work and Bidder's credit standing with any of them; and Bidder hereby releases any and all such parties from any legal responsibility whatsoever on account of having furnished such information to the City:

Signed:  Title: President

Printed Name: John Newell Email: estimating@pipeburster.com

Bidder: NO-DIGTEC, LLC Date: 07/14/2020

### **LOCATION OF LOCAL UNDERWRITING OFFICE OF PROPOSED SURETY**

Name: Allied Surety Phone: (817) 410-7993

Printed Name: Lisa Rockett Email: lisa@alliedsurety.com

Address: 3057 Ridgeview Drive City: Grapevine State: TX

## **BIDDER'S LIST OF PROPOSED SUB-CONTRACTORS**

### **1. Sub-Contractor / Material Supplier:**

Company Name: Core and Main

Type of Work to Be Performed: Material Supplier

Contact Person: Aaron Porterfield Title: Sales

Email: aaron.porterfield@coreandmain.com Phone: (214) 631-9410

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### **2. Sub-Contractor / Material Supplier:**

Company Name: Gajeske, Inc.

Type of Work to Be Performed: Material Supplier of HDPE

Contact Person: David Anderton Title: Sales Manager

Email: danderton@gajeske.com Phone: (972) 314-8100

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### **3. Sub-Contractor / Material Supplier:**

Company Name: Leath Hydromulch

Type of Work to Be Performed: Subcontractor of Hydromulch Sod

Contact Person: Woody Leath Title: President

Email: wleath@aol.com Phone: (972) 877-2404

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### **4. Sub-Contractor / Material Supplier:**

Company Name: Barco Pump

Type of Work to Be Performed: Subcontractor of Bypass Pumping

Contact Person: Kyle Carpenter Title: Turnkey Solutions

Email: kcarpenter@barcopump.com Phone: (214) 686-5008

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### **5. Sub-Contractor / Material Supplier:**

Company Name: Pro SWPPP Stormwater

Type of Work to Be Performed: Subcontractor of SWPPP

Contact Person: Derek Chinnors Title: Stormwater Specialist

Email: dc@proswppp.com Phone: (833) 438-7977

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**6. Sub-Contractor / Material Supplier:**Company Name: Martin MariettaType of Work to Be Performed: Material SupplierContact Person: Shellie LintonTitle: Sr Sales CoordinatorEmail: shellie.linton@martinmarietta.comPhone: (972) 647-3978

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**7. Sub-Contractor / Material Supplier:**Company Name: BeeLine ConcreteType of Work to Be Performed: Material SupplierContact Person: Beth BlackTitle: AccountingEmail: beth@beelineservices.comPhone: (972) 442-0599

---

**8. Sub-Contractor / Material Supplier:**

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

Type of Work to Be Performed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

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

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

Phone: \_\_\_\_\_

---

**9. Sub-Contractor / Material Supplier:**

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

Type of Work to Be Performed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

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

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

Phone: \_\_\_\_\_

---

**10. Sub-Contractor / Material Supplier:**

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

Type of Work to Be Performed: \_\_\_\_\_

Contact Person: \_\_\_\_\_

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

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

Phone: \_\_\_\_\_

---



### Non-Exclusion Affidavit - System for Award Management (SAM)

Federal, state, and local government agencies, not-profits, and other organizations that use federal money to fund all or part of any program or project are required to follow specific requirements regarding the use of such federal funds. One of these requirements is that no contract, subcontract, grant, financial assistance, or other forms of assistance provided using federal funds may be awarded to individuals or entities that have been suspended, debarred, or otherwise excluded from participation in federally funded programs.

The U.S. federal government maintains a Web site known as the "System for Award Management" (SAM) at www.sam.gov. One of the purposes of the SAM Web site is to provide a comprehensive list of all individuals, firms, and other entities that have been suspended, debarred, or otherwise excluded from participation in federally funded contracts, subcontracts, grants, etc. SAM provides a simple means of helping government, non-profit agencies, and other organizations ensure that they do not award federally-funded grants, contracts, subcontracts, or other financial or non-financial benefits to any individual, firm, or other entity that has been excluded by any agency from participation in such federally funded activities.

I, John Newell (*Contractor Representative*), hereby certify that neither I nor NO-DIGTEC, LLC (*Name of the company or organization I represent*) nor any subcontractors that I or said company may employ to work on any federally funded activity have been suspended, debarred, or otherwise excluded by any federal agency from participation in any federally funded activity. I further acknowledge my understanding that, before entering into a contract with me or with the company or organization I represent, City of Rockwall staff will perform a search on www.sam.gov to verify whether I, the organization I represent, or any subcontractors I may employ to work on any federally funded activity, have been excluded from participation in any federally funded activity.

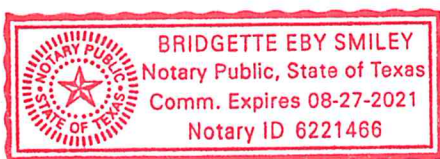
  
\_\_\_\_\_  
Signature of Contractor Representative

July 14, 2020  
\_\_\_\_\_  
Date

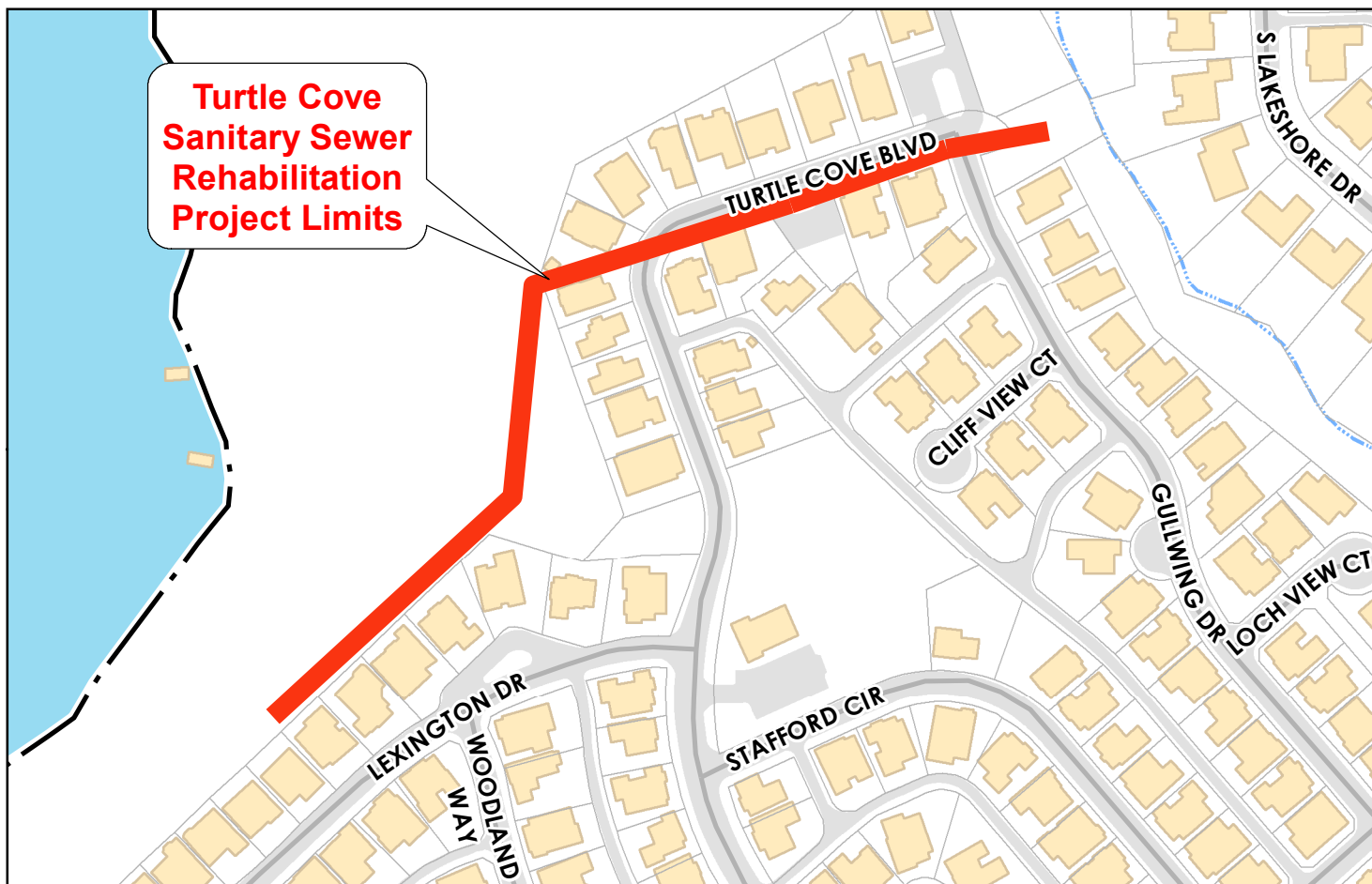
### Notary

Sworn to and subscribed before me this 14th day of July, 2020

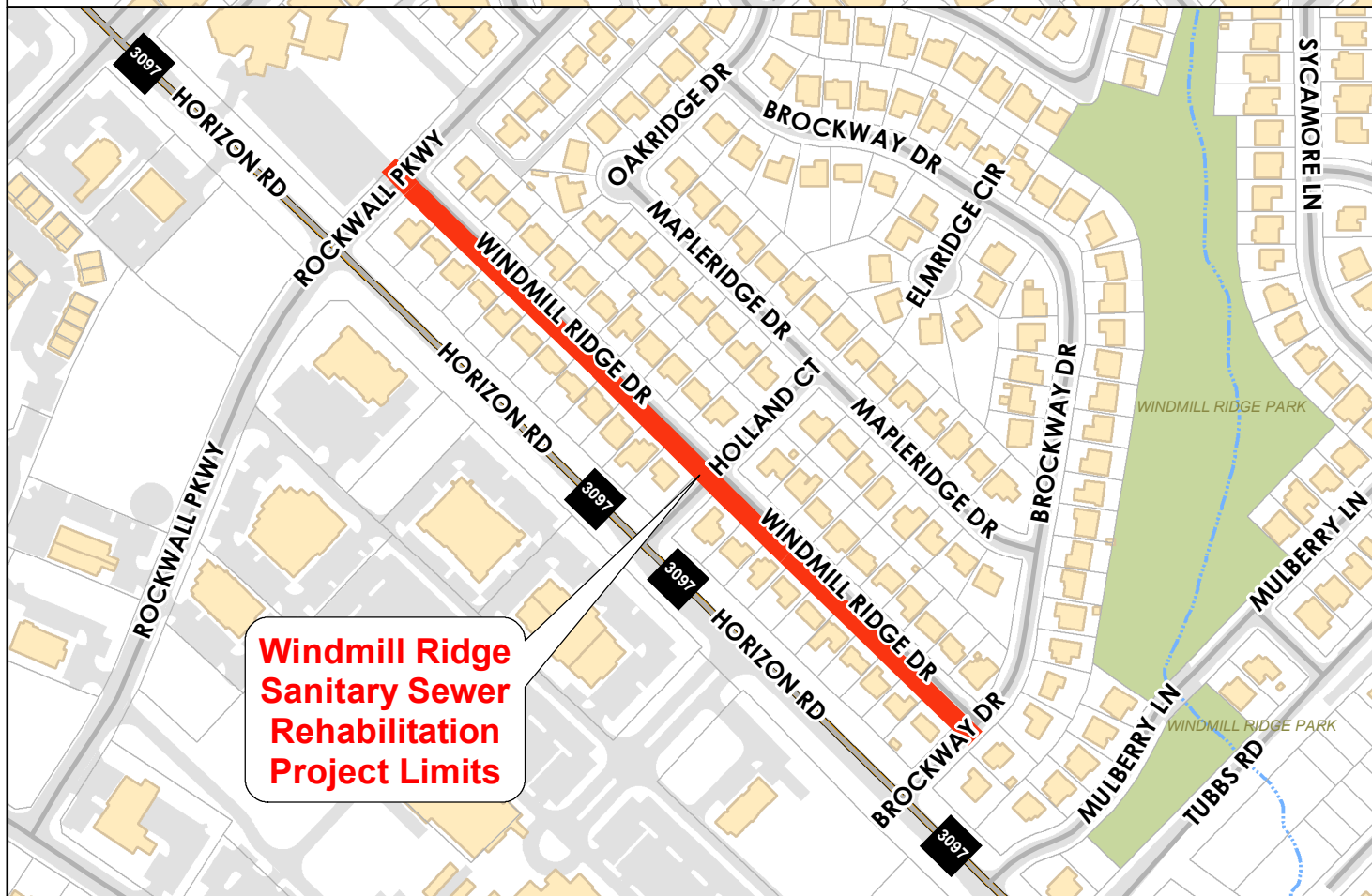
  
\_\_\_\_\_  
Notary Public in and for ELLIS County, State of Texas (Insert State Name)



**Turtle Cove  
Sanitary Sewer  
Rehabilitation  
Project Limits**



**Windmill Ridge  
Sanitary Sewer  
Rehabilitation  
Project Limits**



**City of  
Rockwall**



0 50 100 Feet  
Date: 4/30/2019

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

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



**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhellp.com

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E., R.P.L.S.  
JOE R. CARTER, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.  
JOSEPH T. GRAJEWSKI, III, P.E.  
DEREK B. CHANEY, P.E., R.P.L.S.  
CRAIG M. KERKHOFF, P.E.  
JUSTIN R. IVY, P.E.

July 22, 2020

Mr. Jeremy M. White, P.E., CFM  
Civil Engineer  
City of Rockwall  
385 South Goliad St.  
Rockwall, Texas 75087-3699

Re: Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project  
Bid Award Recommendation

Dear Mr. White:

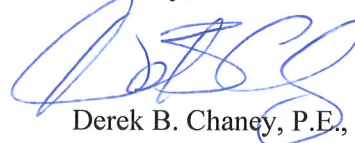
We have checked the bids received at 2:00 p.m., Tuesday, July 14, 2020 for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project. Four contractors submitted bids on this project. We are enclosing the Bid Summary and itemized Bid Tabulation for your reference.

NO-DIGTEC, LLC of Ferris, Texas submitted the low base bid in the amount of \$757,933.00.

We have reviewed the bidder's qualification information provide, and checked the references for NO-DIGTEC, LLC, and find that they have a record of satisfactory completion of similar projects. Based on the information available to us, we recommend the City accept the bid from NO-DIGTEC, LLC and award them a construction contract in the amount of \$757,933.00 for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project.

We are available to discuss the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project and this recommendation for award further at your convenience.

Sincerely,



Derek B. Chaney, P.E., R.P.L.S.

Enclosures

cc: Ms. Amy Williams, P.E.

**City of Rockwall**  
**Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation CIP SS2019-002**

**BID SUMMARY**

**Bids Received at 2:00 p.m., Tuesday, July 14, 2020**

<b><u>Contractor</u></b>	<b><u>Total Amount Bid</u></b>
1. NO-DIGTEC, LLC 415 Ewing Blvd Ferris, Texas 75125 John Newell 972-488-9910	\$ <u>757,933.00</u>
2. Excel 4 Construction, LLC P.O. Box 4739 Fort Worth, Texas 76164 Luis Conchas 817-457-3379	\$ <u>781,372.00</u>
3. A & B Construction, LLC 3001 Sale Street Ste 117 Dallas, Texas 75219 Ann Carpenter 469-422-5429	\$ <u>919,051.00</u>
4. IPR South Central 131 North Richey Street Pasadena, Texas 77506 Jamee Bedingfield 832-252-4830	\$ <u>970,566.72</u>

TABULATION OF BIDS				Date: July 15, 2020		BID OF		BID OF		BID OF		BID OF	
Project: City of Rockwall				BIRKHOFF, HENDRICKS & CARTER, L.L.P.		NO-DIGTEC, LLC		Excel 4 Construction, LLC		A & B Construction, LLC		IPR South Central	
Turtle Cove and Windmill Ridge Sanitary Sewer				PROFESSIONAL ENGINEERS		415 Ewing Blvd		P.O. Box 4739		3001 Sale Street Ste 117		131 North Richey Street	
Rehabilitation CIP SS2019-002				Dallas, Texas		Ferris, Texas 75125		Fort Worth, Texas 76164		Dallas, Texas 75219		Pasadena, Texas 77506	
						John Newell		Luis Conchas		Ann Carpenter		Jamee Bedingfield	
						972-488-9910		817-457-3379		469-422-5429		832-252-4830	
						<a href="mailto:estimating@pipeburster.com">estimating@pipeburster.com</a>		<a href="mailto:conchas_xl4@yahoo.com">conchas_xl4@yahoo.com</a>		<a href="mailto:estimating@aandbconstruction.us">estimating@aandbconstruction.us</a>		<a href="mailto:jmouton@teamipr.com">jmouton@teamipr.com</a>	
Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension
WINDMILL RIDGE SANITARY SEWER REHABILITATION													
101	1	L.S.	Mobilization, Bonds and Insurance (5% Maximum)	\$7,500.00	\$ 7,500.00	\$8,000.00	\$ 8,000.00	\$18,100.00	\$ 18,100.00	\$10,039.80	\$ 10,039.80		
102	1,537	L.F.	Furnish and install Proposed 8-inch HDPE(IPS DR 17) Sanitary Sewer by Pipe Bursting of Existing 6-inch Sanitary Sewer, including all necessary cleaning, testing, CCTV inspection and appurtenances	\$53.00	\$ 81,461.00	\$59.00	\$ 90,683.00	\$85.00	\$ 130,645.00	\$62.34	\$ 95,816.58		
103	1	L.S.	Furnish temporary sewage bypass plan and provide all temporary sewage bypass system equipment, materials, storage, pumping and required appurtenances	\$4,000.00	\$ 4,000.00	\$6,300.00	\$ 6,300.00	\$45,250.00	\$ 45,250.00	\$638.27	\$ 638.27		
104	4	ea.	Furnish and install 5-ft dia. Sanitary sewer manhole (10-ft depth) including corrosion and infiltration protection	\$14,000.00	\$ 56,000.00	\$24,000.00	\$ 96,000.00	\$7,984.00	\$ 31,936.00	\$22,383.89	\$ 89,535.56		
105	11	V.F.	Furnish and install extra depth for 5-ft dia. Sanitary sewer manhole including corrosion and infiltration protection	\$900.00	\$ 9,900.00	\$650.00	\$ 7,150.00	\$350.00	\$ 3,850.00	\$714.87	\$ 7,863.57		
106	1	ea.	Furnish and install 4-ft dia. Sanitary sewer manhole (10-ft depth) including corrosion and infiltration protection	\$11,400.00	\$ 11,400.00	\$7,000.00	\$ 7,000.00	\$6,870.00	\$ 6,870.00	\$11,137.24	\$ 11,137.24		
107	5	ea.	Remove and dispose of existing 4-foot sanitary sewer manhole	\$500.00	\$ 2,500.00	\$200.00	\$ 1,000.00	\$3,250.00	\$ 16,250.00	\$638.27	\$ 3,191.35		
108	75	S.Y.	Remove and replace reinforced concrete driveway pavement (6-inch thick minimum)	\$85.00	\$ 6,375.00	\$63.00	\$ 4,725.00	\$85.00	\$ 6,375.00	\$95.74	\$ 7,180.50		
109	152	S.Y.	Remove and replace reinforced concrete driveway pavement (8-inch thick minimum), including integral 6-inch curb	\$90.00	\$ 13,680.00	\$79.00	\$ 12,008.00	\$95.00	\$ 14,440.00	\$134.04	\$ 20,374.08		
110	2	ea.	Connect to existing 6-inch sanitary sewer	\$500.00	\$ 1,000.00	\$400.00	\$ 800.00	\$2,025.00	\$ 4,050.00	\$321.62	\$ 643.24		
111	2	ea.	Connect to existing 8-inch sanitary sewer	\$750.00	\$ 1,500.00	\$450.00	\$ 900.00	\$2,650.00	\$ 5,300.00	\$385.93	\$ 771.86		
112	4	ea.	If required, Furnish and install point repair of existing 6-inch sanitary sewer (up to 12-foot depth)	\$2,000.00	\$ 8,000.00	\$6,200.00	\$ 24,800.00	\$800.00	\$ 3,200.00	\$2,808.41	\$ 11,233.64		
113	45	ea.	Furnish and Install external reconnection to existing 4-inch sanitary sewer service	\$1,200.00	\$ 54,000.00	\$850.00	\$ 38,250.00	\$1,025.00	\$ 46,125.00	\$927.98	\$ 41,759.10		
114	1	ea.	Reconstruct existing brick mailbox	\$500.00	\$ 500.00	\$500.00	\$ 500.00	\$1,500.00	\$ 1,500.00	\$1,021.24	\$ 1,021.24		
115	1	ea.	Remove and reset existing standard mailbox	\$250.00	\$ 250.00	\$170.00	\$ 170.00	\$250.00	\$ 250.00	\$255.31	\$ 255.31		
116	1	L.S.	Furnish Erosion Control Plan	\$2,500.00	\$ 2,500.00	\$1,200.00	\$ 1,200.00	\$10,250.00	\$ 10,250.00	\$1,276.55	\$ 1,276.55		
117	1	Mo.	Furnish, Install, Maintain and remove erosion control devices	\$1,500.00	\$ 1,500.00	\$3,400.00	\$ 3,400.00	\$6,500.00	\$ 6,500.00	\$127.65	\$ 127.65		



TABULATION OF BIDS				Date: July 15, 2020		BID OF		BID OF		BID OF		BID OF	
Project: City of Rockwall				BIRKHOFF, HENDRICKS & CARTER, L.L.P.		NO-DIGTEC, LLC 415 Ewing Blvd Ferris, Texas 75125 John Newell 972-488-9910 <a href="mailto:estimating@pipeburster.com">estimating@pipeburster.com</a>		Excel 4 Construction, LLC P.O. Box 4739 Fort Worth, Texas 76164 Luis Conchas 817-457-3379 <a href="mailto:conchas_xl4@yahoo.com">conchas_xl4@yahoo.com</a>		A & B Construction, LLC 3001 Sale Street Ste 117 Dallas, Texas 75219 Ann Carpenter 469-422-5429 <a href="mailto:estimating@aandbconstruction.us">estimating@aandbconstruction.us</a>		IPR South Central 131 North Richey Street Pasadena, Texas 77506 Jamee Bedingfield 832-252-4830 <a href="mailto:jmouton@teamipr.com">jmouton@teamipr.com</a>	
Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation CIP SS2019-002				PROFESSIONAL ENGINEERS Dallas, Texas									
Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension		
118	1	L.S.	Furnish Traffic Control Plan	\$1,500.00	\$ 1,500.00	\$650.00	\$ 650.00	\$13,750.00	\$ 13,750.00	\$1,276.55	\$ 1,276.55		
119	1	Mo.	Furnish, Install, Maintain and remove traffic control devices	\$750.00	\$ 750.00	\$3,000.00	\$ 3,000.00	\$7,500.00	\$ 7,500.00	\$127.65	\$ 127.65		
120	1	L.S.	Furnish Trench Safety Plan and install, maintain and remove trench safety systems	\$1,500.00	\$ 1,500.00	\$2,100.00	\$ 2,100.00	\$10,000.00	\$ 10,000.00	\$3,829.64	\$ 3,829.64		
TURTLE COVE SANITARY SEWER REHABILITATION													
201	1	L.S.	Mobilization, Bonds and Insurance (5% Maximum)	\$10,000.00	\$ 10,000.00	\$15,000.00	\$ 15,000.00	\$21,000.00	\$ 21,000.00	\$8,980.26	\$ 8,980.26		
202	1,224	L.F.	Furnish and install Proposed 12-inch HDPE(IPS DR 17) Sanitary Sewer by Pipe Bursting of Existing 10-inch Sanitary Sewer, including all necessary cleaning, testing, CCTV inspection and appurtenances	\$73.00	\$ 89,352.00	\$74.00	\$ 90,576.00	\$125.00	\$ 153,000.00	\$189.15	\$ 231,519.60		
203	51	L.F.	Furnish and Install 12-inch PVC (SDR 26) Sanitary Sewer by Open cut with Class 'H' Embedment	\$150.00	\$ 7,650.00	\$150.00	\$ 7,650.00	\$90.00	\$ 4,590.00	\$685.80	\$ 34,975.80		
204	1	L.S.	Furnish and Install Sewage Bypass Plan and provide all temporary sewage bypass system equipment, materials, storage, pumping and required appurtenances	\$52,500.00	\$ 52,500.00	\$15,000.00	\$ 15,000.00	\$30,250.00	\$ 30,250.00	\$638.27	\$ 638.27		
205	4	ea.	Furnish and Install 5-foot dia. Sanitary Sewer manhole (10-ft depth) including corrosion and infiltration protection	\$14,000.00	\$ 56,000.00	\$24,000.00	\$ 96,000.00	\$6,850.00	\$ 27,400.00	\$21,204.74	\$ 84,818.96		
206	22	V.F.	Furnish and install extra depth for 5-ft dia. Sanitary sewer manhole including corrosion and infiltration protection	\$900.00	\$ 19,800.00	\$650.00	\$ 14,300.00	\$350.00	\$ 7,700.00	\$714.87	\$ 15,727.14		
207	3	ea.	Furnish and Install 6-ft dia. Sanitary Sewer drop manhole (10-ft depth) including corrosion and infiltration protection	\$17,000.00	\$ 51,000.00	\$15,650.00	\$ 46,950.00	\$8,025.00	\$ 24,075.00	\$29,465.54	\$ 88,396.62		
208	25	V.F.	Furnish and install extra depth for 6-ft dia. Sanitary sewer manhole including corrosion and infiltration protection	\$1,500.00	\$ 37,500.00	\$850.00	\$ 21,250.00	\$425.00	\$ 10,625.00	\$861.67	\$ 21,541.75		
209	7	ea.	Remove and dispose of existing 4-foot sanitary sewer manhole	\$500.00	\$ 3,500.00	\$250.00	\$ 1,750.00	\$3,250.00	\$ 22,750.00	\$638.27	\$ 4,467.89		
210	3	ea.	Connect to existing 10-inch sanitary sewer	\$1,500.00	\$ 4,500.00	\$525.00	\$ 1,575.00	\$5,275.00	\$ 15,825.00	\$385.92	\$ 1,157.76		
211	1	ea.	Connect to existing 8-inch sanitary sewer	\$750.00	\$ 750.00	\$450.00	\$ 450.00	\$4,860.00	\$ 4,860.00	\$385.93	\$ 385.93		
212	2	ea.	Connect to existing 6-inch sanitary sewer	\$500.00	\$ 1,000.00	\$400.00	\$ 800.00	\$4,025.00	\$ 8,050.00	\$385.93	\$ 771.86		
213	3	ea.	Furnish and install concrete mowstrip for sanitary sewer manhole	\$500.00	\$ 1,500.00	\$300.00	\$ 900.00	\$2,270.00	\$ 6,810.00	\$638.27	\$ 1,914.81		
214	110	S.Y.	Remove and replace reinforced concrete driveway pavement (6-inch thick minimum)	\$85.00	\$ 9,350.00	\$63.00	\$ 1,260.00	\$95.00	\$ 10,450.00	\$95.74	\$ 10,531.40		

TABULATION OF BIDS				Date: July 15, 2020		BID OF		BID OF		BID OF		BID OF	
Project: City of Rockwall				BIRKHOFF, HENDRICKS & CARTER, L.L.P.		NO-DIGTEC, LLC		Excel 4 Construction, LLC		A & B Construction, LLC		IPR South Central	
Turtle Cove and Windmill Ridge Sanitary Sewer				PROFESSIONAL ENGINEERS		415 Ewing Blvd		P.O. Box 4739		3001 Sale Street Ste 117		131 North Richey Street	
Rehabilitation CIP SS2019-002				Dallas, Texas		Ferris, Texas 75125		Fort Worth, Texas 76164		Dallas, Texas 75219		Pasadena, Texas 77506	
						John Newell		Luis Conchas		Ann Carpenter		Jamee Bedingfield	
						972-488-9910		817-457-3379		469-422-5429		832-252-4830	
						<a href="mailto:estimating@pipeburster.com">estimating@pipeburster.com</a>		<a href="mailto:conchas_xl4@yahoo.com">conchas_xl4@yahoo.com</a>		<a href="mailto:estimating@aandbconstruction.us">estimating@aandbconstruction.us</a>		<a href="mailto:jmouton@teamipr.com">jmouton@teamipr.com</a>	
Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension
215	180	S.Y.	Remove and replace reinforced concrete street pavement (8-inch thick minimum)	\$90.00	\$ 16,200.00	\$79.00	\$ 14,220.00	\$105.00	\$ 18,900.00	\$134.04	\$ 24,127.20		
216	19	S.Y.	Remove and replace reinforced concrete sidewalk (4-inch thick minimum)	\$35.00	\$ 665.00	\$45.00	\$ 855.00	\$75.00	\$ 1,425.00	\$89.36	\$ 1,697.84		
217	1	L.S.	Remove and dispose of existing trees 6-inch to 18-inch caliper)	\$5,000.00	\$ 5,000.00	\$3,800.00	\$ 3,800.00	\$14,500.00	\$ 14,500.00	\$4,467.92	\$ 4,467.92		
218	40	L.F.	Remove and replace existing welded steel fence with same style and type	\$35.00	\$ 1,400.00	\$35.00	\$ 1,400.00	\$75.00	\$ 3,000.00	\$63.83	\$ 2,553.20		
219	2	ea.	If required, Furnish and install point repair of existing 10-inch sanitary sewer (up to 12-foot depth)	\$3,000.00	\$ 6,000.00	\$6,300.00	\$ 12,600.00	\$1,000.00	\$ 2,000.00	\$2,936.06	\$ 5,872.12		
220	4	ea.	If required, Furnish and install point repair of existing 10-inch sanitary sewer (up to 20-foot depth)	\$5,000.00	\$ 20,000.00	\$6,500.00	\$ 26,000.00	\$2,000.00	\$ 8,000.00	\$7,021.01	\$ 28,084.04		
221	1	ea.	Furnish and Install external reconnection to existing 4-inch sanitary sewer service	\$1,200.00	\$ 1,200.00	\$850.00	\$ 850.00	\$2,200.00	\$ 2,200.00	\$901.11	\$ 901.11		
222	1	L.S.	Furnish Erosion Control Plan	\$3,500.00	\$ 3,500.00	\$1,200.00	\$ 1,200.00	\$12,500.00	\$ 12,500.00	\$1,276.55	\$ 1,276.55		
223	2	Mo.	Furnish, Install, Maintain and remove erosion control devices	\$2,000.00	\$ 4,000.00	\$5,500.00	\$ 11,000.00	\$12,500.00	\$ 25,000.00	\$638.28	\$ 1,276.56		
224	1	L.S.	Furnish Traffic Control Plan	\$1,250.00	\$ 1,250.00	\$650.00	\$ 650.00	\$2,500.00	\$ 2,500.00	\$1,276.55	\$ 1,276.55		
225	2	Mo.	Furnish, Install, Maintain and remove traffic control devices	\$500.00	\$ 1,000.00	\$2,500.00	\$ 5,000.00	\$3,500.00	\$ 7,000.00	\$638.28	\$ 1,276.56		
226	1	L.S.	Furnish Trench Safety Plan and install, maintain and remove trench safety systems	\$7,500.00	\$ 7,500.00	\$1,700.00	\$ 1,700.00	\$12,500.00	\$ 12,500.00	\$3,829.64	\$ 3,829.64		
301	1	L.S.	Construction Contingency (See ** Note on Bid Summary Sheet)	\$80,000.00	\$ 80,000.00	\$80,000.00	\$ 80,000.00	\$80,000.00	\$ 80,000.00	\$80,000.00	\$ 80,000.00		
TOTAL					\$ 757,933.00		\$ 781,372.00		\$ 919,051.00		\$ 970,566.72		



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** P2020-033; LOT 1, BLOCK A, HARBOR DISTRICT ADDITION

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### Attachments

Case Memo  
Development Application  
Location Map  
Replat

### Summary/Background Information

Consider a request by Cameron Slown of Teague, Nall, and Perkins, Inc. on behalf of Dan Bobst of Harbor Heights Investors, LP for the approval of a *Replat* for Lot 6, Block A, Harbor District Addition being a 2.06-acre parcel of land identified as Lot 1, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2701 Sunset Ridge Drive, and take any action necessary.

### Action Needed

The City Council is being asked to approve, approve with condition, or deny the replat.



## CITY OF ROCKWALL

### PLANNING AND ZONING COMMISSION CASE MEMO

#### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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TO: Planning and Zoning Commission  
DATE: September 8, 2020  
APPLICANT: Cameron Slown; *Teague Nall and Perkins Inc.*  
CASE NUMBER: P2020-033; *Lot 1, Block A, Harbor District Addition*

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#### SUMMARY

Discuss and consider a request by Cameron Slown of Teague, Nall, and Perkins, Inc. on behalf of Dan Bobst of Harbor Heights Investors, LP for the approval of a Replat for Lot 6, Block A, Harbor District Addition being a 2.06-acre parcel of land identified as Lot 1, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2701 Sunset Ridge Drive, and take any action necessary.

#### PLAT INFORMATION

- ☑ The applicant is requesting the approval of a replat of a 2.06-acre parcel of land (*i.e. Lot 1, Block A, Harbor District Addition*) for the purpose of abandoning a portion of an existing firelane easement.
- ☑ On July 17, 2018, the City Council approved a Final Plat [*i.e. Case No. P2013-022*] for the subject property that created 5 lots (*Lots 1 & 2 Block A; Lot 1, Block B; Lot 1, Block C; Lot 1, Block D, Harbor District Addition*). In 2013 an office building and parking garage were built on the subject property (*Lot 6, Block A, Harbor District Addition*).
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

#### CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the replat for *Lot 6, Block A, Harbor District Addition*, staff would propose the following conditions of approval:

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

## PLANNING AND ZONING COMMISSION

On August 25, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the replat with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-033

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

## Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre) <sup>1</sup>  
☐ Preliminary Plat (\$200.00 + \$15.00 Acre) <sup>1</sup>  
☐ Final Plat (\$300.00 + \$20.00 Acre) <sup>1</sup>  
☒ Replat (\$300.00 + \$20.00 Acre) <sup>1</sup>  
☐ Amending or Minor Plat (\$150.00)  
☐ Plat Reinstatement Request (\$100.00)

## Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre) <sup>1</sup>  
☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

## Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup>  
☐ Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup>  
☐ PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup>

## Other Application Fees:

- ☐ Tree Removal (\$75.00)  
☐ Variance Request (\$100.00)

## Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 2701 Sunset Ridge Drive Suite 610  
Subdivision Harbor District Addition Lot 1 Block A  
General Location Intersection between Pinnacle Way & Sunset Ridge Drive

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-32 Current Use Office  
Proposed Zoning PD-32 Proposed Use Office  
Acreage 2.06 Lots [Current] 1 Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Harbor Heights Investors, L.P.</u>	<input type="checkbox"/> Applicant	<u>Teague Nall And Perkins, INC</u>
Contact Person	<u>Dan Bobst</u>	Contact Person	<u>Cameron Slown</u>
Address	<u>2701 Sunset Ridge Drive Suite 610</u>	Address	<u>825 Watters Creek Boulevard Suite M300</u>
City, State & Zip	<u>Rockwall, TX &amp; 75032</u>	City, State & Zip	<u>Allen, Texas 75013</u>
Phone	<u>214.553.5505</u>	Phone	<u>214.461.9867</u>
E-Mail	<u>dwbobst@trendhr.com</u>	E-Mail	<u>cslown@tnpinc.com</u>

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Dan Bobst [Owner] the undersigned, who stated the information on this application to be true and certified the following:

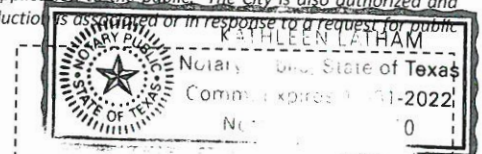
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$\_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 13<sup>th</sup> day of August, 2020.

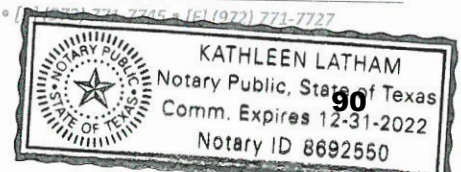
Owner's Signature

Notary Public in and for the State of Texas

Kathleen Latham



My Commission Expires 12-31-2022







## City of Rockwall

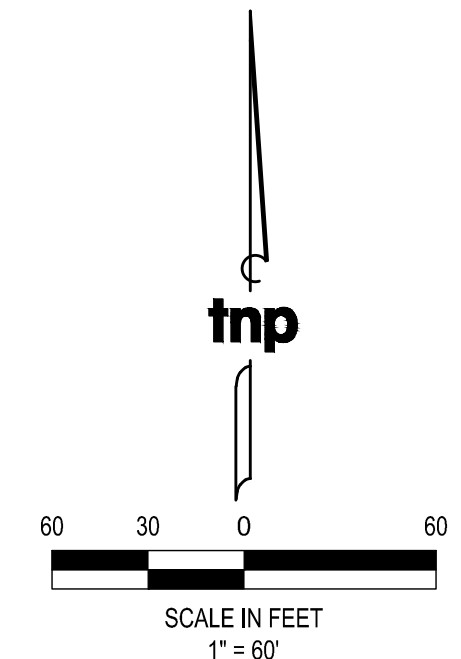
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

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.





Drawing: L:\Projects\OZO 20505 Harbor District Lot1 Block A Replat\Acad\Deliverables\Replat2020 08 25 OZO 20505 Harbor Lot 1 Block A Replat.dwg at Aug 25, 2020-12:01pm by jmadocx



**LEGEND**

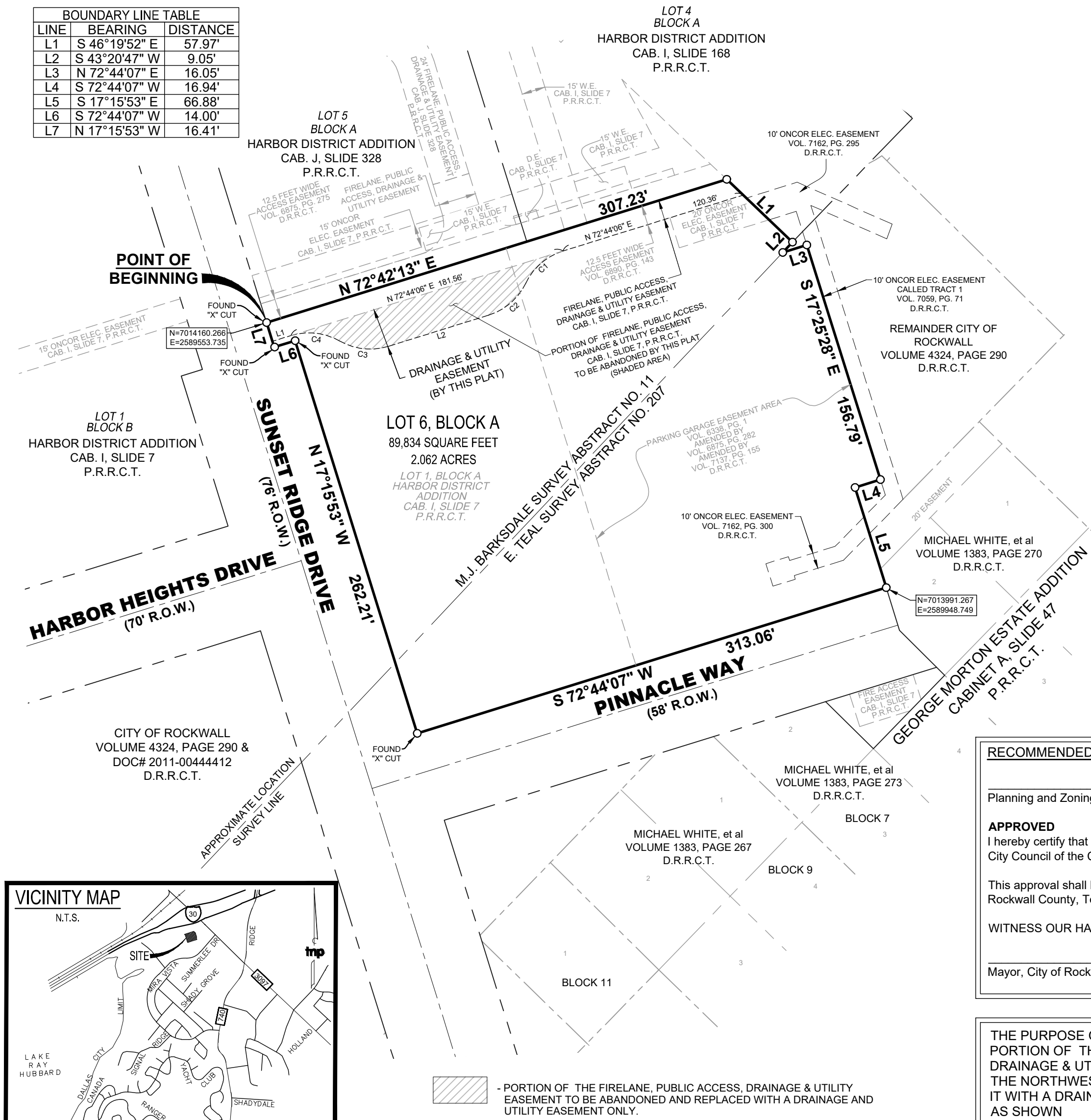
N.T.S. - NOT TO SCALE  
R.O.W. - RIGHT OF WAY  
DOC. # - DOCUMENT NUMBER  
CAB. - CABINET  
PG. - PAGE  
W.E. - WATER EASEMENT  
D.E. - DRAINAGE EASEMENT  
ELEC. - ELECTRIC  
D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY, TEXAS  
P.R.R.C.T. - PLAT RECORDS ROCKWALL COUNTY TEXAS  
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY TEXAS

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 46°19'52" E	57.97'
L2	S 43°20'47" W	9.05'
L3	N 72°44'07" E	16.05'
L4	S 72°44'07" W	16.94'
L5	S 17°15'53" E	66.88'
L6	S 72°44'07" W	14.00'
L7	N 17°15'53" W	16.41'

- NOTES:**
- BEARINGS AND COORDINATES ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202;NAD83(2011)EPOCH 2010) AND TIED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.
  - UNLESS OTHERWISE NOTED ALL CORNERS ARE A 5/8 INCH IRON ROD SET WITH CAP STAMPED "R.P.L.S. 5430" FOUND.
  - BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0040L DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
  - THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
  - IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 72°43'44" W	12.36'
L2	S 72°44'08" W	67.08'

EASEMENT CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	39.00'	47°12'19"	32.13'	S 49°07'56" W	31.23'
C2	39.00'	47°12'21"	32.13'	S 49°07'57" W	31.23'
C3	39.00'	47°12'21"	32.13'	N 83°39'44" W	31.23'
C4	39.00'	47°12'19"	32.13'	N 83°39'42" W	31.23'



## OWNERS CERTIFICATE

STATE OF TEXAS)  
COUNTY OF ROCKWALL)

WHEREAS Harbor Heights Investors, L.P. is the owner a tract of land situated in the Edward Teal Survey, Abstract Number 207 and the M.J. Barksdale Survey, Abstract Number 11 being all of Lot 1, Block A of Harbor District Addition, an addition to The City of Rockwall as recorded in Cabinet I, Slide 7 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found for the northwest corner of said Lot 1, Block A, also lying on the east line of Sunset Ridge Drive a 76 feet wide right-of-way at this point as dedicated by said Harbor District Addition;

THENCE North 72 degrees 42 minutes 13 seconds East, along the north line of said Lot 1, Block A, a distance of 307.23 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for corner;

THENCE along the easterly line of said Lot 1, Block A the following courses and distances:

South 46 degrees 19 minutes 52 seconds East, a distance of 57.97 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for corner;

South 43 degrees 20 minutes 47 seconds West, a distance of 9.05 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for corner;

North 72 degrees 44 minutes 07 seconds East, a distance of 16.05 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for corner;

South 17 degrees 25 minutes 28 seconds East, a distance of 156.79 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for corner;

South 72 degrees 44 minutes 07 seconds West, a distance of 16.94 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for corner;

South 17 degrees 15 minutes 53 seconds East, a distance of 66.88 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" found for the southeast corner of same, also lying on the north line of Pinnacle Way a 58 feet wide right-of-way as dedicated by said Harbor District Addition;

THENCE South 72 degrees 44 minutes 07 seconds West, along the north right-way of said Pinnacle Way, same being the south line of said Lot 1, Block A, a distance of 313.06 feet to an "X" cut in concrete found for the southwest corner of said Lot 1, Block A, also lying on the aforementioned east right-of-way of Sunset Ridge Drive;

THENCE along the east right-of-way of said Sunset Ridge Drive and the west line of said Lot 1, Block A the following courses and distances:

North 17 degrees 15 minutes 53 seconds West, a distance of 262.21 feet to an "X" cut in concrete found for corner;

South 72 degrees 44 minutes 07 seconds West, a distance of 14.00 feet to an "X" cut in concrete found for corner;

North 17 degrees 15 minutes 53 seconds West, a distance of 16.41 feet to the POINT OF BEGINNING containing 89,834 square feet, or 2.062 acres of land.

## SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020

BRIAN J. MADDOX, R.P.L.S. NO. 5430

RECOMMENDED FOR FINAL APPROVAL	
Planning and Zoning Commission	Date
<b>APPROVED</b> I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2020.	
This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.	
WITNESS OUR HANDS, this ____ day of _____, 2020.	
Mayor, City of Rockwall	City Secretary
	City Engineer

THE PURPOSE OF THIS REPLAT IS TO ABANDON A PORTION OF THE FIRELANE, PUBLIC ACCESS, DRAINAGE & UTILITY EASEMENT LOCATED ALONG THE NORTHWEST LINE OF SAID LOT AND REPLACE IT WITH A DRAINAGE AND UTILITY EASEMENT ONLY AS SHOWN

**OWNER**  
HARBOR HEIGHTS INVESTORS, L.P.  
2701 Sunset Ridge Drive Suite 610  
Rockwall, TX 75032

CASE NO. (P2020-033)

## OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS)  
COUNTY OF ROCKWALL)

I the undersigned owner of the land shown on this plat, and designated herein as the Replat of **HARBOR DISTRICT ADDITION LOT 1, BLOCK A** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

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

7. Drainage/Detention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

HARBOR HEIGHTS INVESTORS, L.P.

Representative:

STATE OF TEXAS)  
COUNTY OF ROCKWALL)

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

Given upon my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for the State of Texas

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

**FINAL PLAT**  
**LOT 6, BLOCK A, HARBOR DISTRICT ADDITION**  
BEING A REPLAT OF LOT 1, BLOCK A, HARBOR DISTRICT ADDITION  
**89,834 SQUARE FEET OR 2.062 ACRES**  
SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT 207 AND THE M.J. BARKSDALE SURVEY, ABSTRACT NO. 11  
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

## PROJECT INFORMATION

Project No.: OZO 20505  
Date: August 25, 2020  
Drawn By: JM  
Scale: 1"=60'  
SHEET 1 of 1



**SURVEYOR**  
TEAGUE NALL AND PERKINS, INC.  
825 Watters Creek Boulevard, Suite M300  
Allen, Texas 75013  
214.461.9867 ph 214.461.9864 fx  
T.B.P.L.S. Registration No. 10194381  
www.tnpinc.com





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

## **MEMORANDUM**

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**TO:** Rockwall City Council

**FROM:** Denny Lassetter, Network Administrator

**DATE:** September 8<sup>th</sup>, 2020

**SUBJECT:** Purchase of Fortinet Fortigate Firewalls for City Network

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The City's IT network security appliance is coming to its normal end of life in December 2020. The original firewalls were purchased in 2014. It is proposed that the City purchase two Fortinet Fortigate 601E firewalls to provide network security, failover, and redundancy. These devices will be purchased from SHI Government Solutions, which is on the State of Texas purchasing cooperative. This project includes turnkey configuration and deployment by a certified Fortinet engineer.

Hardware:	\$25,419.60
Installation:	\$12,257.70
<b>Total:</b>	<b>\$37,677.30</b>

The City Council is asked to consider approving the purchase of two Fortinet Fortigate 601E firewalls, 20 Fortinet wireless access points, and professional deployment services in the amount of \$37,677.30 and authorize the City Manager to execute a contract for hardware purchased, installation, and support services. Funds are available in the Technology Replacement Fund for this project. City Staff is available to answer any questions.



Pricing Proposal  
Quotation #: 19301777  
Created On: 8/19/2020  
Valid Until: 8/31/2020

## CITY OF ROCKWALL

### Denny Lassetter

385 S. GOLIAD  
ATTN: ACCOUNTS PAYABLE  
ROCKWALL, TX 75087  
United States  
Phone: 972-772-6417  
Fax:  
Email: DLASSETTER@rockwall.com

## IAM

### Gregory Gonedes

SHI Government Solutions  
3828 Pecana Trail  
Austin, TX 78749  
Send PO's to: Texas@shi.com  
8008706079  
5127320232  
Phone: 800-870-6079  
Fax: 512-732-0232  
Email: gregory\_gonedes@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Fortinet FortiGate 601E - UTM Bundle - security appliance - with 1 year FortiCare 24X7 Comprehensive Support + 1 year FortiGuard - 10 GigE - 1U - rack-mountable Fortinet - Part#: FG-601E-BDL-950-12 Contract Name: BuyBoard - Technology Contract #: 579-19	2	\$8,883.80	\$17,767.60
2 Fortinet FortiCare 24x7 Comprehensive Support - Extended service agreement (renewal) - advance parts replacement - 1 year - shipment - response time: NBD - for P/N: FAP-231E-A, FAP-231E-B, FAP-231E-E, FAP-231E-F, FAP-231E-I, FAP-231E-J, FAP-231E-W Fortinet - Part#: FC-10-P321E-247-02-12 Contract Name: BuyBoard - Technology Contract #: 579-19	20	\$46.70	\$934.00
3 Fortinet FortiAP 321E - Wireless access point - 802.11ac Wave 2 - Wi-Fi - Dual Band Fortinet - Part#: FAP-321E-A Contract Name: BuyBoard - Technology Contract #: 579-19	20	\$335.90	\$6,718.00
4 Fortinet FortiCare Professional Services Remote Resource Service (FortiCare Contract) - Consulting - 1 day - response time: 15 days Fortinet - Part#: FP-10-PS001-801-01-01 Contract Name: BuyBoard - Technology Contract #: 579-19	4	\$2,918.50	\$11,674.00
5 Fortinet After Business Hours/ Weekend Service - Additional fee - 1 day Fortinet - Part#: FP-PS001-AH Contract Name: BuyBoard - Technology Contract #: 579-19	1	\$583.70	\$583.70
Total			\$37,677.30

### Additional Comments

**Thank you for choosing SHI-GSI! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3695478; DUNS# 14-724-3096**

**Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.**

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*The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.*



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

## **MEMORANDUM**

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**TO: Rockwall City Council**

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

**DATE: September 8<sup>th</sup>, 2020**

**SUBJECT: Settlement Agreement with Atmos Energy Corp. Mid-Tex Division**

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The information below is provided by the Atmos Cities Steering Committee Executive Committee and its General Counsel

### **BACKGROUND AND SUMMARY**

The City, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about March 31, 2020, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-

service in a test year ending December 31, 2019, entitled it to additional system-wide revenues of \$141.2 million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$136.3 million, \$98.7 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$111.5 million instead of the claimed \$136.3 million. The amount of the \$111.5 million deficiency applicable to ACSC members would be \$80.8 million.

After the Company reviewed ACSC's consultants' report, ACSC's Executive Committee and the Company negotiated a settlement whereby the Company would receive an increase of \$90 million from ACSC Cities, but with a two-month delay in the Effective Date until December 1, 2020. This should save ratepayers approximately \$9 million such that the case is functionally equivalent to ACSC's consultants' recommendation of \$80.8 million.

The Executive Committee recommends a settlement at \$90 million. The Effective Date for new rates is December 1, 2020. ACSC members will need to act upon the settlement before November 1, 2020.

## **PROOF OF REVENUES**

Atmos generated proof that the rate tariffs attached to the Ordinance will generate \$90 million in additional revenues from ACSC Cities. That proof is attached as Attachment 1 to this Staff Report. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

## **BILL IMPACT**

The impact of the settlement on average residential rates is an increase of \$5.15 on a monthly basis, or 9.9 percent. The increase for average commercial usage will be \$15.48 or 6.56 percent. A bill impact comparison is attached as Attachment 2.

## **SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS**

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

## **RRM SAVINGS OVER GRIP**

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on December 1, 2020, ACSC residents will maintain a slight economic monthly advantage over GRIP and DARR rates. See Attachment 3.

## **EXPLANATION OF “BE IT RESOLVED” PARAGRAPHS:**

1. This section approves all findings in the Resolution.
2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section makes it clear that Cities may challenge future costs associated with gas leaks like the explosion in North Dallas or the evacuation in Georgetown.
4. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional \$90 million from ACSC Cities.
5. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.
6. This section approves an exhibit to be used in future rate cases or RRM filings regarding recovery of regulatory liabilities, such as excess deferred income taxes.
7. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Resolution approving new rate tariffs.
8. This section repeals any resolution or ordinance that is inconsistent with the Resolution.
9. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
10. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the

remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.

11. This section provides for an effective date upon passage. December 1, 2020 represents a two-month delay in the Effective Date established by the RRM tariff.
12. This section directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for ACSC.

## **CONCLUSION**

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover \$141.2 million in additional system-wide revenues, the RRM settlement at \$90 million for ACSC Cities reflects substantial savings to ACSC Cities. ACSC's consultants produced a report indicating that Atmos had justified increased revenues for ACSC Cities of at least \$81 million. Settlement at \$90 million (equivalent to \$81 million with a two-month delay) is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members urges all ACSC members to pass the Ordinance before November 1, 2020. New rates become effective December 1, 2020.



**Attachment 1 to  
Model Staff Report**

**2020 RRM**

**Proof of Revenues**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
RRM CITIES RATE REVIEW MECHANISM  
PROOF OF REVENUES - RRM CITIES  
TEST YEAR ENDING DECEMBER 31, 2019**

Line No.	Customer Class	Current	Proposed	Bills	Ccf/Mmbtu	Current Revenues	Proposed Revenues	Increase
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
<b>1 Residential</b>								
2 Customer Charge		\$ 19.55	\$ 20.25	13,644,834		\$ 266,756,505	\$ 276,307,889	
3 Consumption Charge		0.17423	0.26651		608,491,998	106,017,561	162,169,202	
4 Revenue Related Taxes						26,692,882	31,397,617	
5 Total Class Revenue						<u>\$ 399,466,948</u>	<u>\$ 469,874,708</u>	<u>\$ 70,407,760</u>
6								
<b>7 Commercial</b>								
8 Customer Charge		\$ 46.50	\$ 54.50	1,115,081		\$ 51,851,267	\$ 60,771,915	
9 Consumption Charge		0.09924	0.11728		398,510,866	39,548,218	46,737,354	
10 Revenue Related Taxes						6,544,757	7,698,315	
11 Total Class Revenue						<u>\$ 97,944,242</u>	<u>\$ 115,207,584</u>	<u>\$ 17,263,342</u>
12								
<b>13 Industrial &amp; Transportation</b>								
14 Customer Charge		\$ 845.50	\$ 1,014.50	7,272		\$ 6,148,476	\$ 7,377,444	
15 Consumption Charge Tier 1		\$ 0.3572	\$ 0.4157		7,769,155	2,775,142	3,229,638	
16 Consumption Charge Tier 2		\$ 0.2616	\$ 0.3044		8,666,094	2,267,050	2,637,959	
17 Consumption Charge Tier 3		\$ 0.0561	\$ 0.0653		13,696,172	768,355	894,360	
18 Revenue Related Taxes						856,339	1,012,467	
19 Total Class Revenue						<u>\$ 12,815,362</u>	<u>\$ 15,151,868</u>	<u>\$ 2,336,505</u>
20								
<b>21 Total Excluding Other Revenue</b>						<u>\$ 510,226,552</u>	<u>\$ 600,234,159</u>	<u>\$ 90,007,608</u>
22								
<b>23 Revenue Related Tax Factor</b>		7.1606%						
24								

**Attachment 2  
to 2020 RRM Staff Report**

**Bill Impact**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
AVERAGE BILL COMPARISON - BASE RATES  
TEST YEAR ENDING DECEMBER 31, 2019**

[illegible]



**Attachment 3  
to 2020 RRM Staff Report**

**RRM Monthly Savings Over GRIP and DARR Rates**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
RESIDENTIAL AVERAGE RATE COMPARISON  
TEST YEAR ENDING DECEMBER 31, 2019**

	<b>ACSC Settled</b>	<b>DARR Filing</b>	<b>ATM Filing</b>	<b>Environs Filing</b>
Cust Charge	\$20.25	\$23.75	\$26.40	\$24.60
Monthly Ccf	44.5	44.5	44.5	44.5
Cons Charge	\$0.26651	\$0.19336	\$0.14846	\$0.18653
Average Mo Bill	\$32.11	\$32.35	\$33.01	\$32.90
		-\$0.24	-\$0.90	-\$0.79



**CITY OF ROCKWALL**  
**ORDINANCE NO. 20-33**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

**WHEREAS**, the City of Rockwall, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

**WHEREAS**, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

**WHEREAS**, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

**WHEREAS**, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

**WHEREAS**, on about March 31, 2020, Atmos Mid-Tex filed its 2020 RRM rate request with ACSC Cities based on a test year ending December 31, 2019; and

**WHEREAS**, ACSC coordinated its review of the Atmos Mid-Tex 2020 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

**WHEREAS**, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$90 million applicable to ACSC Cities with an Effective Date of December 1, 2020; and

**WHEREAS**, ACSC agrees that Atmos plant-in-service is reasonable; and

**WHEREAS**, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

**WHEREAS**, the two month delayed Effective Date from October 1 to December 1 will save ACSC ratepayers approximately \$9 million off new rates imposed by the attached tariffs (Exhibit A), the impact on ratepayers should approximate the reasonable value of the rate filing found by the ACSC Consultants' Report, which was \$81 million; and

**WHEREAS**, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

**WHEREAS**, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B); and

**WHEREAS**, the settlement agreement establishes an amortization schedule for regulatory liability prepared by Atmos Mid-Tex (Exhibit C); and

**WHEREAS**, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

**Section 1.** That the findings set forth in this Ordinance are hereby in all things approved.

**Section 2.** That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$90 million for ACSC Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2020 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

**Section 3.** That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

**Section 4.** That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$90 million from customers in ACSC Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

**Section 5.** That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

**Section 6.** That subject to any future settlement or decision regarding the balance of Excess Deferred Income Tax to be refunded to ratepayers, the amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

**Section 7.** That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2020 RRM filing.

**Section 8.** That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

**Section 9.** That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 10.** That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

**Section 11.** That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after December 1, 2020.

**Section 12.** That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, BY A VOTE OF \_\_\_\_ TO \_\_\_\_, ON THIS THE 8<sup>th</sup> DAY OF SEPTEMBER, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Frank Garza, City Attorney

**Exhibit A**  
**to 2020 RRM Resolution or Ordinance**

**Mid-Tex Tariffs**  
**Effective December 1, 2020**

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Cof charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 20.25 per month
Rider CEE Surcharge	\$ 0.05 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 20.30 per month</b>
Commodity Charge – All <u>Ccf</u>	\$0.26651 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2020.

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 54.50 per month
Rider CEE Surcharge	\$ 0.02 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 54.52 per month</b>
Commodity Charge – All Ccf	\$ 0.11728 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2020.



<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,014.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4157 per MMBtu
Next 3,500 MMBtu	\$ 0.3044 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0653 per MMBtu

**Gas Cost Recovery:** Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

**Franchise Fee Adjustment:** Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

**Tax Adjustment:** Plus an amount for tax calculated in accordance with Rider TAX.

**Surcharges:** Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Application**

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,014.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4157 per MMBtu
Next 3,500 MMBtu	\$ 0.3044 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0653 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Imbalance Fees**

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where  
 $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf

$R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.

$HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class

$NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

$ADD$  = billing cycle actual heating degree days.

$BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 12/01/2020</b>	<b>PAGE:</b>

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.73	0.1545	94.79	0.7284
Austin	9.53	0.1489	211.76	0.9405
Dallas	15.77	0.1792	199.74	0.9385
Waco	9.99	0.1341	145.27	0.7110
Wichita Falls	11.61	0.1402	120.34	0.5747

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [atmosenergy.com/mtx-wna](http://atmosenergy.com/mtx-wna), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**Exhibit B**  
**to 2020 RRM Resolution or Ordinance**

**Mid-Tex**  
**2020 Benchmark for Pensions**  
**and Retiree Benefits**



**ATMOS ENERGY CORP., MID-TEX DIVISION  
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL  
TEST YEAR ENDING DECEMBER 31, 2019**

Line No.	Description	Shared Services		Mid-Tex Direct		Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)
1	Proposed Benefits Benchmark - Fiscal Year 2020 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 3,460,135	\$ 3,695,384	\$ 6,132,704	\$ 280,578	\$ 4,992,449
2	Allocation to Mid-Tex	43.29%	43.29%	76.59%	100.00%	76.59%
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 1,497,774	\$ 1,599,605	\$ 4,697,072	\$ 280,578	\$ 3,823,744
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	\$ 1,497,774	\$ 1,599,605	\$ 4,697,072	\$ 280,578	\$ 3,823,744
6						\$ 11,898,774
7						
8	Summary of Costs to Approve (1):					
9						
10	O&M Expense Factor (WP_F-2.3, Ln 2)	79.55%	79.55%	37.83%	11.67%	37.83%
11						
12	Total Pension Account Plan	\$ 1,191,410	\$ 1,272,412	\$ 1,777,056	\$ 32,754	\$ 2,968,466
13	Total Post-Employment Benefit Plan					\$ 2,719,060
14	Total Supplemental Executive Benefit Plan				\$ 32,754	\$ 32,754
15	Total (Ln 13 + Ln 14 + Ln 15)	\$ 1,191,410	\$ 1,272,412	\$ 1,777,056	\$ 32,754	\$ 5,720,280
16						
17						

- Notes:
1. Studies not applicable to Mid-Tex or Shared Services are omitted.
2. Mid-Tex is proposing that the Fiscal Year 2020 Willis Towers Watson actuarial amounts shown on WP\_F-2.3 and WP\_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The benchmark amount approved by the RRM Cities for future periods includes only the expense amount. The amount attributable to capital is recorded to utility plant through the overhead process as described in the CAM.
3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.

**Exhibit C**  
**to 2020 RRM Resolution or Ordinance**

**Mid-Tex 2020 Schedule for**  
**Amortization for Regulatory Liability**

**ATMOS ENERGY CORP., MID-TEX DIVISION  
RATE BASE ADJUSTMENTS  
TEST YEAR ENDING DECEMBER 31, 2019  
AMORTIZATION OF REGULATORY LIABILITY**

Line No.	Year Ended Dec. 31	Beginning of Year Rate Base Adjustment Amount	Annual Amortization (1)	End of Year Rate Base Adjustment Amount (2)	Corrected Balance for December 31, 2017 (3)
	(a)	(b)	(c)	(d)	(e)
1	2017		\$ -	\$ 292,268,881	\$ 292,268,881
2	2018	292,268,881	12,075,562	280,193,319	
3	2019	280,193,319	12,085,165	268,108,155	
4	2020	268,108,155	11,171,173	256,936,982	
5	2021	256,936,982	11,171,173	245,765,809	
6	2022	245,765,809	11,171,173	234,594,635	
7	2023	234,594,635	11,171,173	223,423,462	
8	2024	223,423,462	11,171,173	212,252,289	
9	2025	212,252,289	11,171,173	201,081,116	
10	2026	201,081,116	11,171,173	189,909,943	
11	2027	189,909,943	11,171,173	178,738,770	
12	2028	178,738,770	11,171,173	167,567,597	
13	2029	167,567,597	11,171,173	156,396,424	
14	2030	156,396,424	11,171,173	145,225,251	
15	2031	145,225,251	11,171,173	134,054,077	
16	2032	134,054,077	11,171,173	122,882,904	
17	2033	122,882,904	11,171,173	111,711,731	
18	2034	111,711,731	11,171,173	100,540,558	
19	2035	100,540,558	11,171,173	89,369,385	
20	2036	89,369,385	11,171,173	78,198,212	
21	2037	78,198,212	11,171,173	67,027,039	
22	2038	67,027,039	11,171,173	55,855,866	
23	2039	55,855,866	11,171,173	44,684,692	
24	2040	44,684,692	11,171,173	33,513,519	
25	2041	33,513,519	11,171,173	22,342,346	
26	2042	22,342,346	11,171,173	11,171,173	
27	2043	11,171,173	11,171,173	(0)	
28					
29	Revenue Related Tax Factor 7.16% See WP_F-5.1				
	Revenue Related Taxes on Annual Amortization * Tax				
30	Amortization		\$ 799,924	Factor	
31	Amortization Including Revenue		<u>\$ 11,971,097</u>	Amortization + Taxes	
32					

Notes:

1. The annual amortization of a 26 year recovery period is based on the Reverse South Georgia Method.
2. The Regulatory Liability is recorded to FERC Account 253, Sub Account 27909.
3. This is the final Mid-Tex liability balance filing the Fiscal Year 2018 tax return.

## **Cole, Kristy**

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**Subject:** FW: City Council Agenda for September  
**Attachments:** 2020 Building Resolution Taxing Unit Approval.pdf; 2020 Proposed Building Addition.pdf

**From:** Tara Moffatt <tmoffatt@rockwallcad.com>  
**Sent:** Wednesday, August 12, 2020 3:55 PM  
**To:** Cole, Kristy <KCole@rockwall.com>  
**Subject:** RE: City Council Agenda for September

Kristy,

The Rockwall Central Appraisal District is needing to get on your agenda in September to present a resolution for our new building. In June the Mayor received a letter with our proposed budget and in the letter it stated that when our Board of Directors approved the resolution that we have 30 days to present the resolution for Rockwall to vote on per the Tax Code. Please let me know what our options are for presenting this to the Council to vote on. If you have any questions or if I have reached the wrong contact, please let me know. You can also reach our Chief Appraiser, Kevin Passons at 972-771-2034 or [kpassons@rockwallcad.com](mailto:kpassons@rockwallcad.com).

Here is the Tax Code verbiage along with the building packet and the resolution that will be presented to the council.

### **Sec. 6.051. Ownership or Lease of Real Property.**

(a) The board of directors of an appraisal district may purchase or lease real property and may construct improvements as necessary to establish and operate the appraisal office or a branch appraisal office.

(b) The acquisition or conveyance of real property or the construction or renovation of a building or other improvement by an appraisal district must be approved by the governing bodies of three-fourths of the taxing units entitled to vote on the appointment of board members. The board of directors by resolution may propose a property transaction or other action for which this subsection requires approval of the taxing units. The chief appraiser shall notify the presiding officer of each governing body entitled to vote on the approval of the proposal by delivering a copy of the board's resolution, together with information showing the costs of other available alternatives to the proposal. On or before the 30th day after the date the presiding officer receives notice of the proposal, the governing body of a taxing unit by resolution may approve or disapprove the proposal. If a governing body fails to act on or before that 30th day or fails to file its resolution with the chief appraiser on or before the 10th day after that 30th day, the proposal is treated as if it were disapproved by the governing body.

Thank you,

*Tara Moffatt- HR Administrator  
Rockwall Central Appraisal District  
841 Justin Road  
Rockwall, Texas 75087  
972-771-2034*

State of Texas                   §  
                                         §  
County of Rockwall         §

**RESOLUTION # 2020-ROCKWALL CENTRAL APPRAISAL DISTRICT**

**WHEREAS**, § 6.051, TEX. TAX CODE authorizes the Board of Directors of an appraisal district to purchase or lease real property, construct or renovate a building or other improvements as necessary to establish and operate the appraisal office, with the approval of its taxing units.


**AND WHEREAS**, the Board of Directors of Rockwall Central Appraisal District has determined that renovating and constructing new improvements at the site of the current appraisal office located at 841 Justin Road, Rockwall, Texas, is the best choice for the taxpayers and taxing units of Rockwall County. No suitable building(s) are available for rent or sale, and the cost associated with purchasing land and building a new appraisal office is too high compared to renovating and expanding the current office.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Directors of the Rockwall Central Appraisal District proposes to construct an addition of approximately 15,100 square feet to the appraisal office and to renovate the present appraisal office. The plan's costs will not exceed \$3,350,000 and consists of

- Building addition
- Update of existing space
- Extension of current parking lot

The chief appraiser shall deliver a copy of this resolution, along with information showing the costs of other available alternatives to this proposal, to the presiding officer of each taxing unit entitled to vote on the appointment of board members to the appraisal district. The taxing units are asked to pass a resolution approving this resolution on or before the 30<sup>th</sup> day following delivery of this resolution and accompanying documentation, and to file its resolution of approval no later than the 40<sup>th</sup> day following delivery of this resolution and accompanying documentation.

ADOPTED this 27<sup>th</sup> day of August, 2020.

  
Chairman, Board of Directors

Attest:

  
Secretary, Board of Directors

## Executive Summary

The Rockwall Central Appraisal District (RCAD) office building has stood in its existing location for 23 years. In that time the population of Rockwall County has grown from 36,500 to an estimated 106,340 as of January 1, 2020 (291% increase). Our parcel count has also grown in that time from 22,263 to 48,002 as of July 21, 2020 (216% increase). Both the population and parcel count will continue to grow at a steady pace.

When the current facility was built in 1997 there was adequate space to house all employees needed to facilitate the day to day operations of the appraisal district. The growth of the county in the past 23 years has demanded additional staff to be added for both the appraisal and collection departments. Currently we have a total of 21 employees. Three staff appraisers are located at an offsite facility, one staff appraiser offices in a storage area in our current building and one appraisal support staff employee is set up in our collections area due to lack of adequate space. The file cabinets and storage shelves that were once in the storage area now line our hallways due to no space to put them. When we created our 2021 appraisal layer, the July 21<sup>st</sup> parcel count previously mentioned immediately began to grow. Just recently we received multiple plats for new subdivisions with well over 1,500 parcels. These plats as well as others that will be filed throughout the year will only continue to increase the total parcel count. As the population and parcel count of Rockwall County continue to increase there will be a need for additional staff. Our current building does not have the space to house all our current employees much less the additional staff that will be needed soon.

The Texas Property Tax Code authorizes the Board of Directors of an appraisal district, with the approval of its taxing units, to purchase, lease or renovate a building as necessary to operate the appraisal office. A search of existing properties for sale or lease within Rockwall County has been conducted and no suitable facility was found. All properties either lacked the appropriate space and parking or were far too costly to renovate.

The board of directors has determined that the most logical and fiscally responsible approach to address our immediate needs and prepare for the future is to build an expansion to our current facility. The planned 15,100 square foot two story addition, expanded parking lot and updates to the current building will not exceed \$3,350,000. The estimated annual allocation for each entity is included in this packet.

The additional space and redesign will greatly enlarge and enhance the comfort in the public areas. The parking area will triple and with one-way flow of traffic, will accommodate all visitors and make access to the building safer. It will allow for the hiring of additional employees as the county continues to grow in the future. This project will also provide the opportunity to better serve the citizens of Rockwall County now and for many years to come.



# **ROCKWALL CENTRAL APPRAISAL DISTRICT**



## **PROPOSED BUILDING ADDITION ROCKWALL, TEXAS**





**1 FIRST FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

FIRST FLOOR S.F. = 7,782 S.F.  
SECOND FLOOR S.F. = 7,340 S.F.  
TOTAL S.F. = 15,122 S.F.

DATE	REVISION
12-15-2019	

**DISCLAIMER:**  
THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND ITS SYSTEMS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT.

# REMODEL & ADDITION TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT OFFICE 841 Justin Road Rockwall, Texas 75087

ROCKWALL CENTRAL  
APPRAISAL DISTRICT  
841 Justin Road  
Rockwall, TX 75087

**CARROLL architects**  
7502 Interstate 30  
Suite 100  
Rockwall, TX 75087  
P: 972-751-1433  
F: 972-751-6038

## FIRST FLOOR PLAN

DATE:	DEC 2019	SHEET NO:
PROJECT NO:	2017001	A201
DRAWN BY:		
CHECKED BY:		



**1 SECOND FLOOR PLAN**  
SCALE:  $\frac{3}{16}'' = 1'-0''$

SCALE: 3/16" = 1'-0"

FIRST FLOOR S.F. =	7,762 S.F.
SECOND FLOOR S.F. =	7,340 S.F.
TOTAL S.F. =	15,102 S.F.

FIRST FLOOR S.F. = 7,762 S.F.  
SECOND FLOOR S.F. = 7,340 S.F.

TOTAL S.F. = 15,102 S.F.

**ISSUE:**

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**COMMENTS RECEIVED:**

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[illegible]

REMODEL & ADDITION TO THE  
ROCKWALL CENTRAL APPRAISAL  
DISTRICT OFFICE  
841 Justin Road  
Rockwall, Texas 75087

# ROCKWALL CENTRAL APPRAISAL

## DISTRICT OFFICE

841 Justin Road  
Rockwall, Texas 75087

Rockwall, Texas 75087

ROCKWALL CENTRAL  
APPRAISAL DISTRICT

ROCKWALL CENTRAL  
APPRAISAL DISTRICT

841 Justin Road  
Rockwall, TX, 75087

841 Justin Road  
Rockwall, TX. 75087



750 E. Interstate 30  
Suite 110  
Rockwall, TX 75087  
t: 972-732-6085  
f: 972-732-6058

750 E. Interstate 30  
Suite 110  
Rockwall, TX 75087

750 E. Interstate 30  
Suite 110  
Rockwall, TX 75087

750 E. Interstate 30  
Suite 110  
Rockwall, TX 75087

750 E. Interstate 30  
Suite 110  
Rockwall, TX 75087

SECOND FLOOR  
PLAN

## PLAN

DATE: DEC 2019 SHE

PROJECT NO: 00-1700-1

2017001

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DRAWN BY:

DRAWN BY: \_\_\_\_\_

	2010 Poulation	2019 Estimate	2020 Estimate	Percent Change	* 2021 Estimate	* 2026 Estimate	* 2031 Estimate
Rockwall County	78,337	102,440	106,340	3.18	109,722	132,278	159,472
Fate	6,434	14,940	16,660	11.5%			
Heath	6,921	8,530	8,860	3.9%			
McLendon-Chisolm	1,373	3,470	3,780	8.9%			
Rockwall	37,490	44,110	45,010	2.00%			
Royse City	9,349	12,400	13,190	6.4%			
Split Cities Adjustment/Rowlett			9,937				
Remainder of County			8,903				
Above information from the North Central Texas Council of Governments							
* All county population estimates after 2020 use an estimated 3.81% annual growth rate							

Year	Parcel Count CAD	**% Increase	**Appraisers Needed
2014	39,877		10
2015	39,948	1.00%	10
2016	40,658	2.00%	10
2017	42,553	5.00%	11
2018	44,075	4.00%	11
2019	45,800	4.00%	11
2020	48,002	4.80%	12
2021	49,668	3.47%	12
2022	51,391	3.47%	13
2023	53,175	3.47%	13
2024	55,020	3.47%	13
2025	56,929	3.47%	14
2026	58,905	3.47%	14
2027	60,949	3.47%	14
2028	63,063	3.47%	16
2029	65,252	3.47%	16
2030	67,516	3.47%	17
* % Increase based on 5-year average from 2014-2019			
** Appraisers needed projected using 4,000 parcels per appraiser as recommended by IAAO Property Appraisal and Assessment Administration			
With these projections and a 3% yearly population growth			
we will be left with no offices in the one-story addition by 2030			

ENTITY	2019 LEVY AMOUNTS	% OF TOTAL LEVY	ANNUAL TOTAL OF MONTHLY PAYMENTS FOR CAD	ANNUAL TOTAL MULTIPLIED BY % TOTAL OF LEVY	QUARTERLY BREAKDOWN FOR EACH ENTITY			
ROCKWALL COUNTY	\$ 40,531,744.00	15.31%	\$255,548.16	\$ 39,133.07	\$ 9,783.27			
ROCKWALL ISD	\$ 138,889,898.00	52.47%	\$255,548.16	\$ 134,097.06	\$ 33,524.27			
ROYSE CITY ISD	\$ 35,829,308.00	13.54%	\$255,548.16	\$ 34,592.90	\$ 8,648.23			
CITY OF DALLAS	\$ 85,220.00	0.03%	\$255,548.16	\$ 82.28	\$ 20.57			
CITY OF FATE	\$ 3,813,949.00	1.44%	\$255,548.16	\$ 3,682.34	\$ 920.58			
CITY OF HEATH	\$ 6,991,084.00	2.64%	\$255,548.16	\$ 6,749.83	\$ 1,687.46			
CITY OF MCLENDON-CHISHOLM	\$ 721,891.00	0.27%	\$255,548.16	\$ 696.98	\$ 174.24			
CITY OF ROCKWALL	\$ 23,137,163.00	8.74%	\$255,548.16	\$ 22,338.74	\$ 5,584.69			
CITY OF ROWLETT	\$ 5,013,808.00	1.89%	\$255,548.16	\$ 4,840.79	\$ 1,210.20			
CITY OF ROYSE CITY	\$ 6,214,332.00	2.35%	\$255,548.16	\$ 5,999.89	\$ 1,499.97			
CITY OF WYLIE	\$ 517,485.00	0.20%	\$255,548.16	\$ 499.63	\$ 124.91			
MUD 1	\$ 1,590,772.00	0.60%	\$255,548.16	\$ 1,535.88	\$ 383.97			
MUD 6	\$ 963,416.00	0.36%	\$255,548.16	\$ 930.17	\$ 232.54			
MUD 7	\$ 136,411.00	0.05%	\$255,548.16	\$ 131.70	\$ 32.93			
MUD 8	\$ 13,883.00	0.01%	\$255,548.16	\$ 13.40	\$ 3.35			
MUD 9	\$ 231,483.00	0.09%	\$255,548.16	\$ 223.49	\$ 55.87			
TOTAL	\$ 264,681,847.00	100.00%		\$ 255,548.16	\$ 63,887.04			
</								





## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Mary P. Smith, Assistant City Manager

**DATE:** September 8, 2020

**SUBJECT:** FISCAL YEAR 2021 AD VALOREM TAXES AND PROPOSED BUDGET

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### Attachments

#### Summary/Background Information

The Council held the budget work session on August 24 and reviewed the Proposed FY2021 Budget in detail. The Proposed budget is written to attempt to best react to the current economic times and the uncertain times ahead. There are no new positions included in the budget but the City has applied for a firefighter staffing grant which if awarded then we will discuss any local match at that time. There is some replacement equipment included in the proposed budget but also a reduction in the amount available for smaller street repair maintenance projects. As we progress through the fiscal year we can evaluate the City's current financial position and Council can consider appropriate amendments to move forward with items which are disapproved at the point of budget adoption. We plan to carefully move forward and stage purchases to be able to react if the City's revenues are negatively affected.

The Proposed budget reflects tax revenues assuming adoption of the No New Revenue Tax Rate which is a 1.4690 cents decrease from the current tax rate. The proposed rate is 37.33 cents per hundred dollars of assessed value.

Prior to adoption of the budget, the Charter requires a public hearing. The budget is based on the No New Revenue Tax rate so additional public hearings are not required although the tax rate itself is certainly a subject that may be discussed during the Public Hearing.

If the Council has any changes to be made to the budget draft those can be discussed at this meeting and the final version of the budget will be considered for adoption at the September 21st meeting.

### Action Needed





## CITY OF ROCKWALL

### CITY COUNCIL MEMORANDUM

#### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

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

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

**DATE:** September 8, 2020

**SUBJECT:** Z2020-030; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

---

On August 17, 2020, the City Council voted to approve the proposed Specific Use Permit (SUP) for a *accessory building that exceeds the maximum square footage* by a vote of 6-1, with Council Member Macalik dissenting. In accordance with this vote, this item will be placed in the *Action Items* section of the agenda for the September 8, 2020 City Council Meeting. This will be the second reading of the ordinance.

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-34**

**SPECIFIC USE PERMIT NO. S-231**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-20*] -- as

heretofore amended and as may be amended in the future --, and with the following conditions:

## **2.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020



**Exhibit 'A'**  
**Zoning Exhibit**

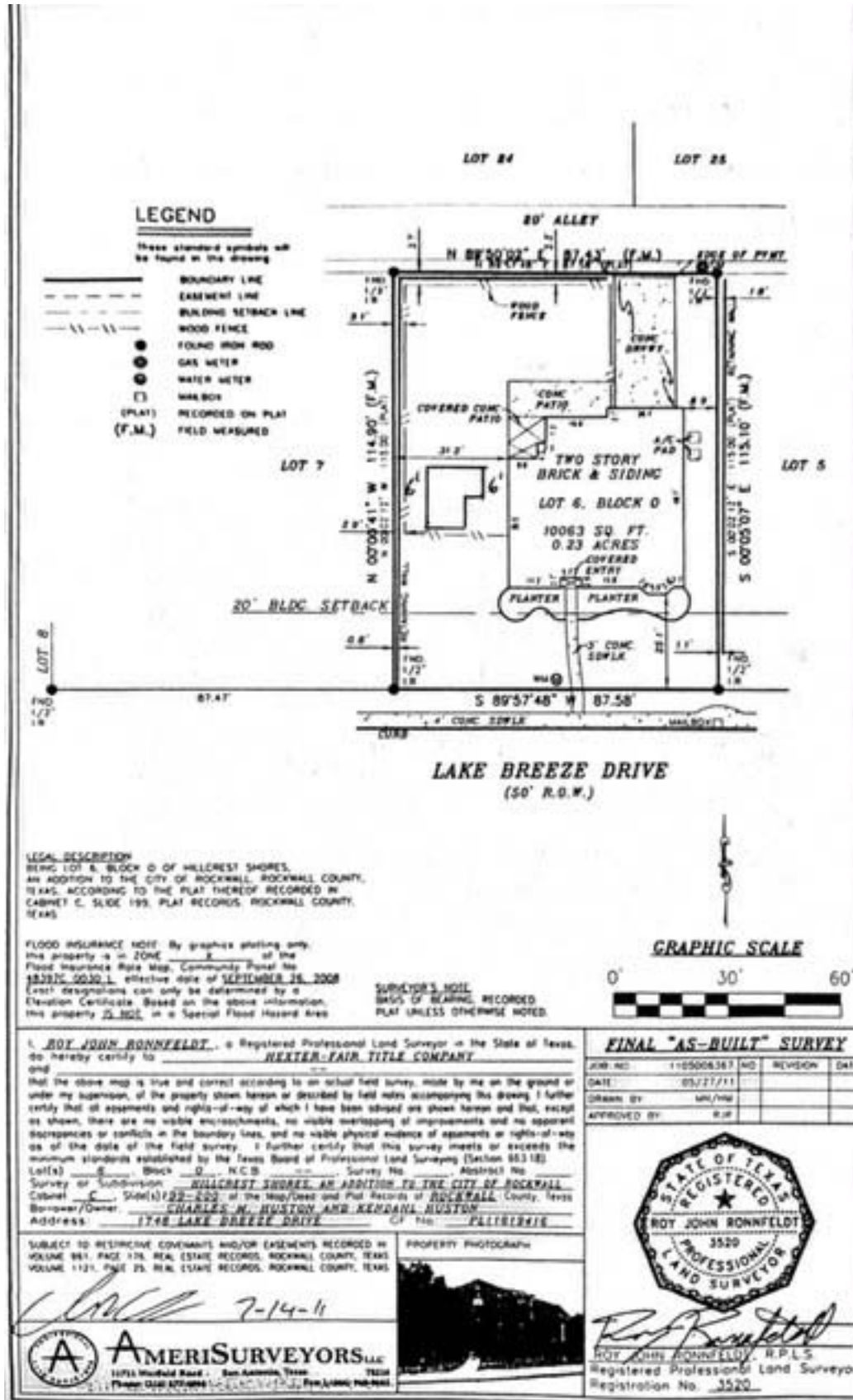
Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition

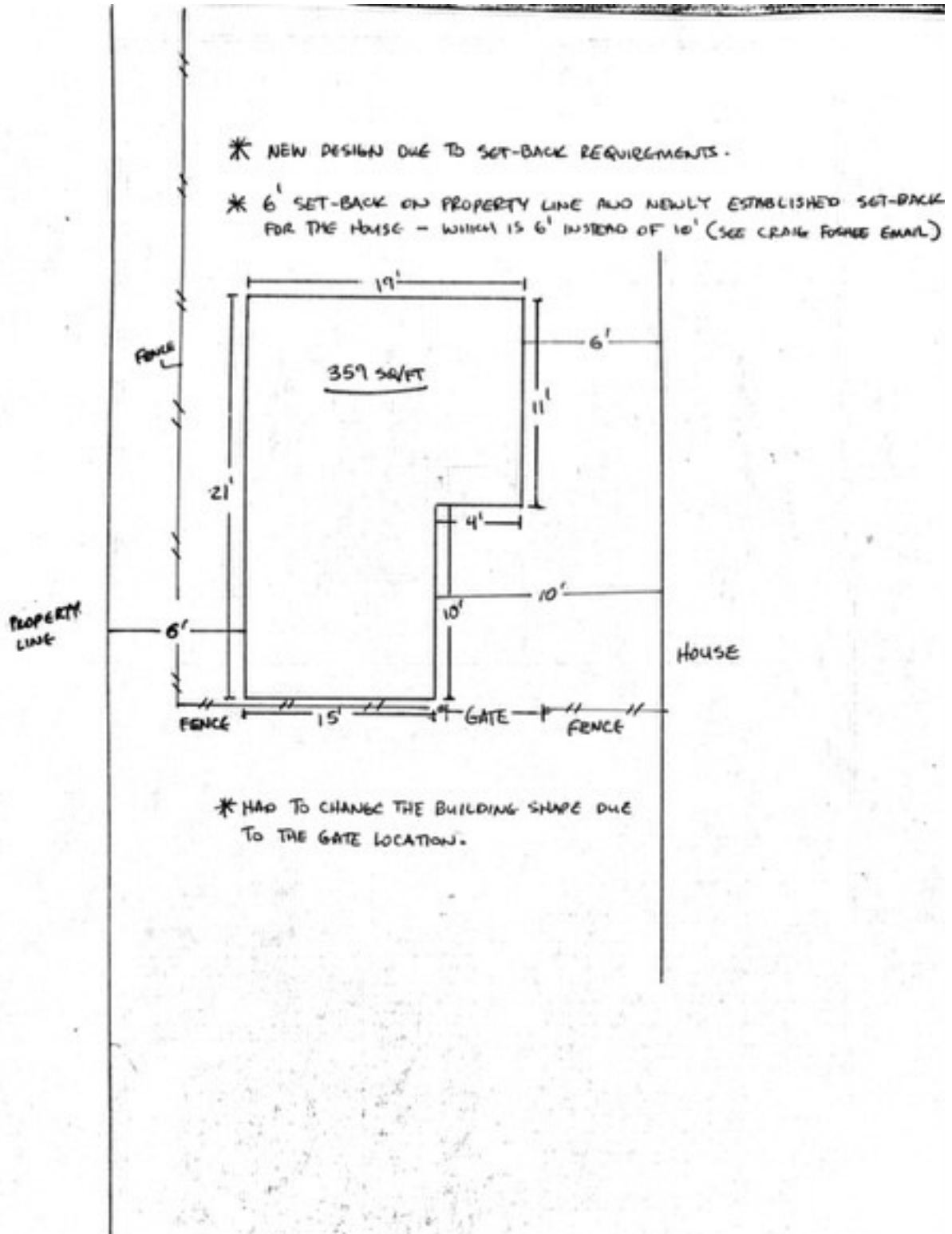




Exhibit 'B':  
Site Plan

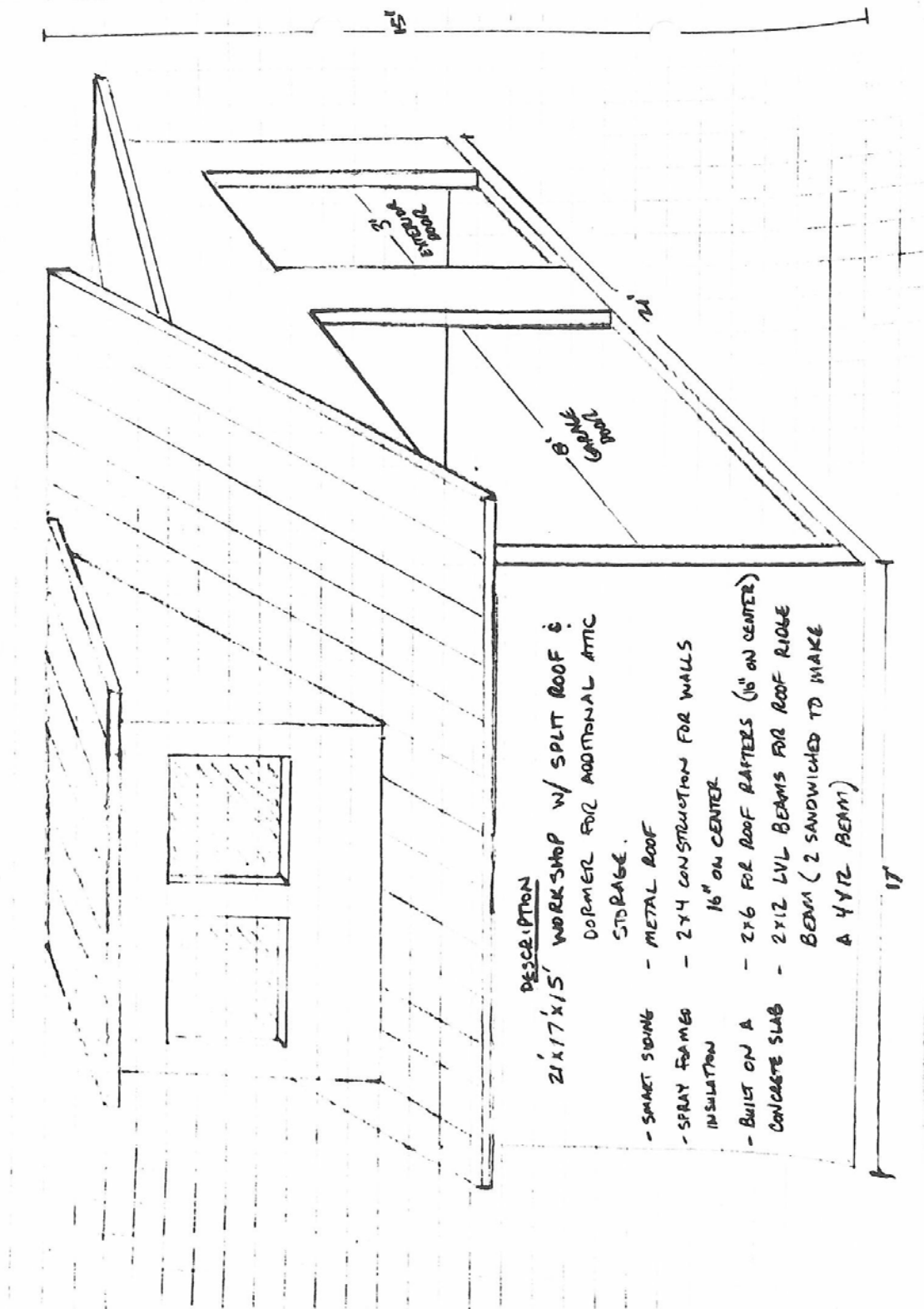


**Exhibit 'B':**  
**Site Plan**

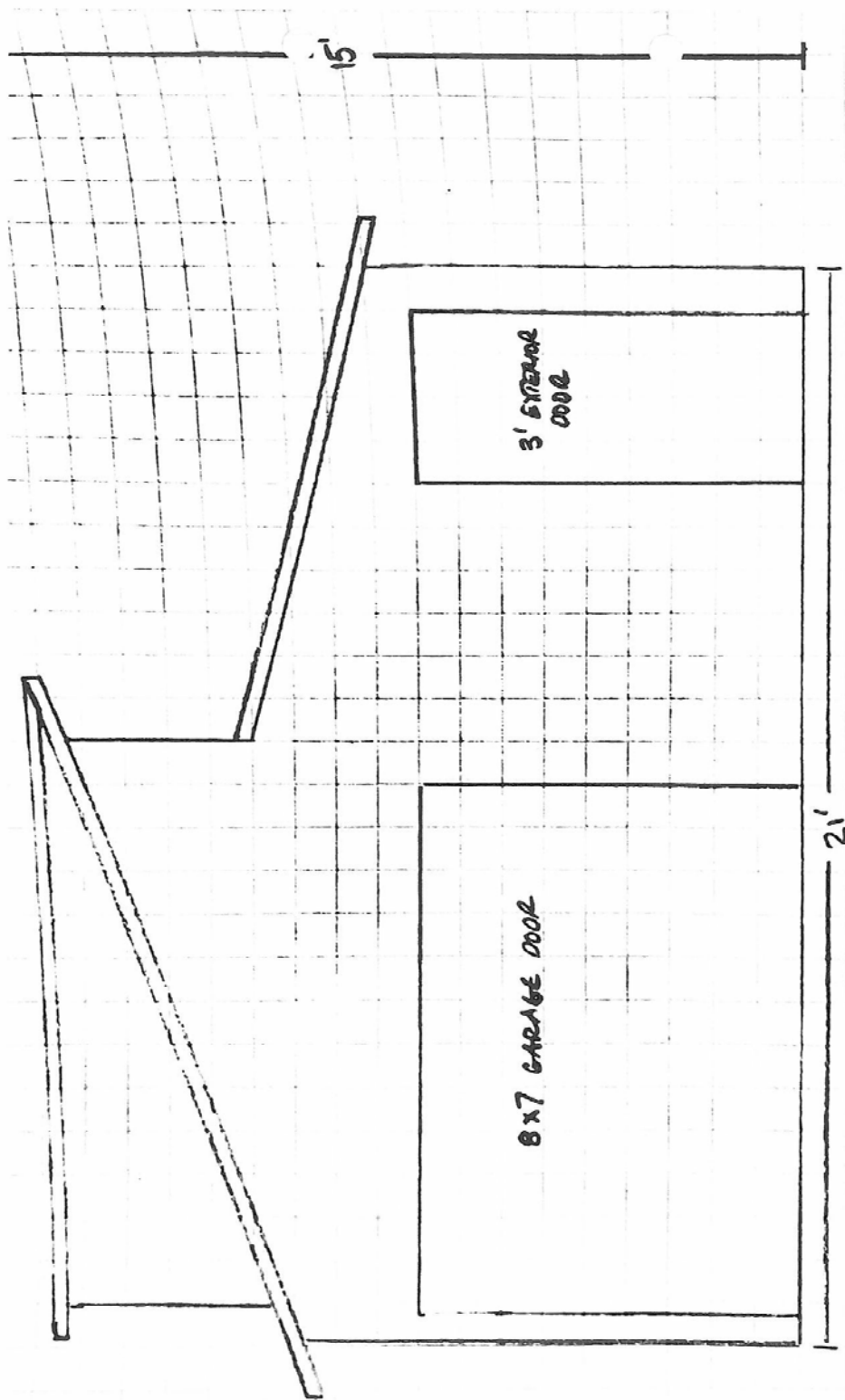


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

**Exhibit 'C':**  
*Conceptual Building Elevations*



**Exhibit 'C':**  
*Conceptual Building Elevations*





## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** P2020-031; LOT 1, BLOCK A, SPARKS SIX ADDITION (ETJ)

---

### Attachments

Case Memo  
Development Application  
Location Map  
Final Plat

### Summary/Background Information

Discuss and consider a request by Kerry Joshua Sparks for the approval of a *Final Plat* for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

### Action Needed

The City Council is being asked to approve, approve with condition, or deny the final plat.



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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TO: Mayor and City Council  
DATE: September 8, 2020  
APPLICANT: Kerry Joshua Sparks  
CASE NUMBER: P2020-031; *Lot 1, Block A, Sparks Six Addition (ETJ)*

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### SUMMARY

Consider a request by Kerry Joshua Sparks for the approval of a Final Plat for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

### PLAT INFORMATION

- ☑ The applicant is requesting the approval of a Final Plat for a 2.88-acre tract of land, creating *Lot 1, Block A, Sparks Six Addition*, which is identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, and is situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). The purpose of the final plat is to construct a single-family home on the subject property, which is generally located on the west side of Old Mill Road, and is in Rockwall County, Texas.
- ☑ The proposed final plat is subject to the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the *Interim Interlocal Agreement* between Rockwall County and the City of Rockwall.
- ☑ According to *Exhibit 'A'* of the *Interim Interlocal Agreement*, "(a)ll lots or tracts of land shall be required to have frontage on an existing public or private street that is based on the size of the lot." For lots greater than one (1) acre but less than three (3) acres the minimum lot frontage is 150-feet. In this case, the subject property is 2.88-acre tract of land that has 128.95-feet of frontage along Old Millwood Road. After reviewing [1] the configuration of the adjacent tracts of land and [2] the existing and adjacent subdivisions of land, staff determined that the variance was minor enough that it could be considered with the approval of the final plat. The *Interim Interlocal Agreement* grants the City Council the ability to approve such exceptions and/or variances to the *Subdivision Regulations*, which are stipulated in [1] the *City's Standards of Design and Construction* manual, [2] Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, and [3] *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City*. In granting these requests the *Interim Interlocal Agreement* states that "...the City Council should take into consideration the unique or extraordinary circumstance or hardship that prevents the developer or property owner from meeting the stated requirement." Staff should point out that there are several adjacent, unplatted tracts of land that currently would not meet the frontage requirements. With this being said the approval of a variance to the requirements of the *Interim Interlocal Agreement* is a discretionary decision for the City Council.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

- ☒ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the final plat for *Lot 1, Block A, Sparks Six Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to filing of the plat with Rockwall County; and,
- (2) The applicant shall have the city approved plat mylar signed by the Rockwall County Judge prior to staff accepting the plat for filing purposes; and,
- (3) A variance to the lot frontage requirements of the *Interim Interlocal Agreement* shall be approved allowing this subdivision of land a minimum lot frontage requirement of 128.95-feet; and,
- (4) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On August 25, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the final plat with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-031

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☒ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☒ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 224 Old Millwood Rd Rockwall TX 75087

Subdivision Sparks Six Addition Lot 1 Block A

General Location A0194 Simmons Tract 2.88 Acres

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning

Current Use

Proposed Zoning

Proposed Use

Acreage

Lots [Current]

Lots [Proposed]

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☒ Owner Kerry Joshua Sparks

☐ Applicant

Contact Person Josh Sparks

Contact Person

Address 224 Old Millwood Rd

Address

City, State & Zip Rockwall TX 75087

City, State & Zip

Phone 214-287-6056

Phone

E-Mail joshsparks@anltx.com

E-Mail

## NOTARY VERIFICATION [REQUIRED]

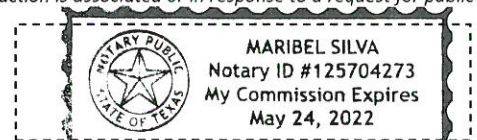
Before me, the undersigned authority, on this day personally appeared Kerry Joshua Sparks [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 357.60, to cover the cost of this application, has been paid to the City of Rockwall on this the 23 day of June, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 23 day of June, 20 20.

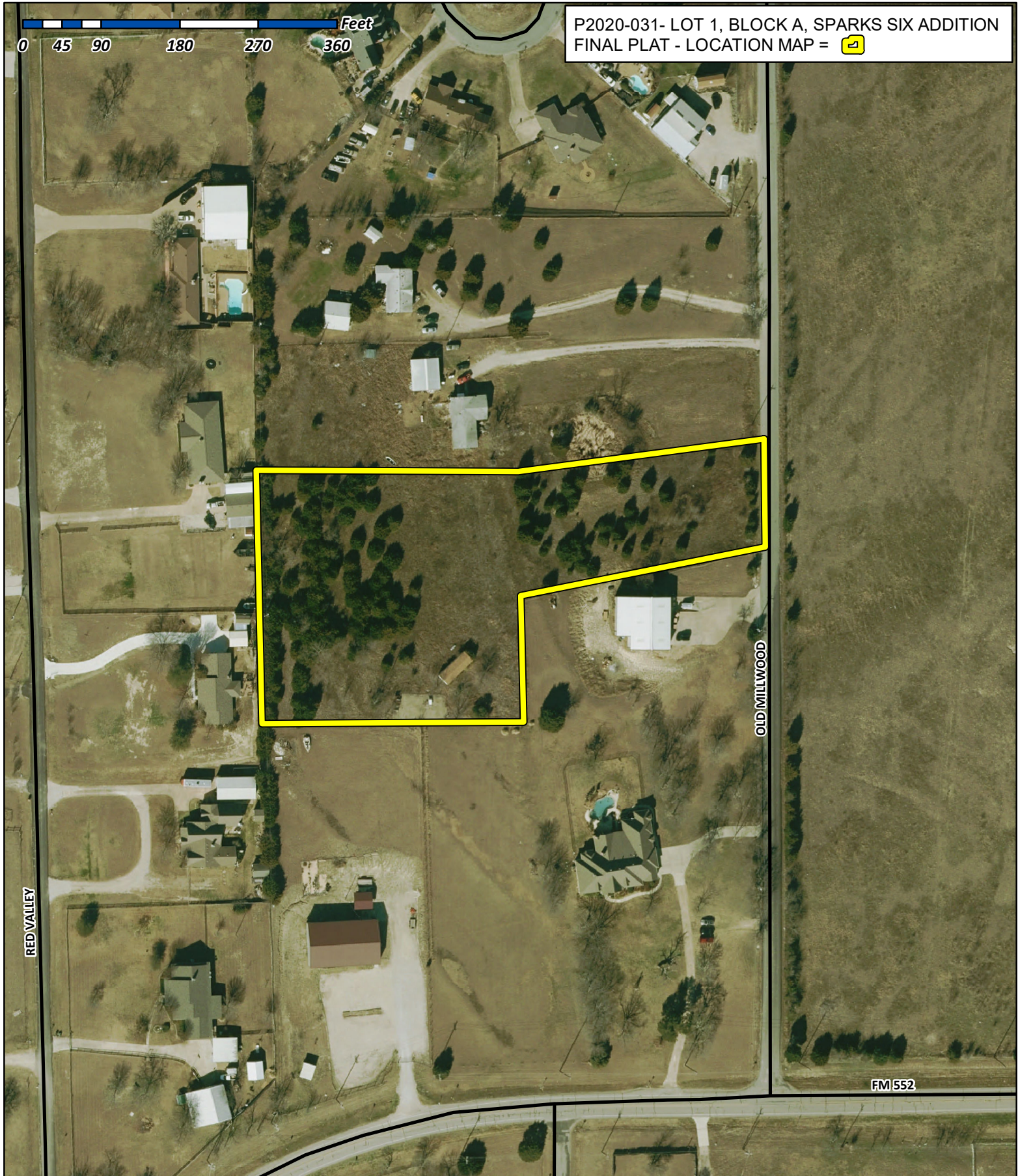
Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires May 24, 2022





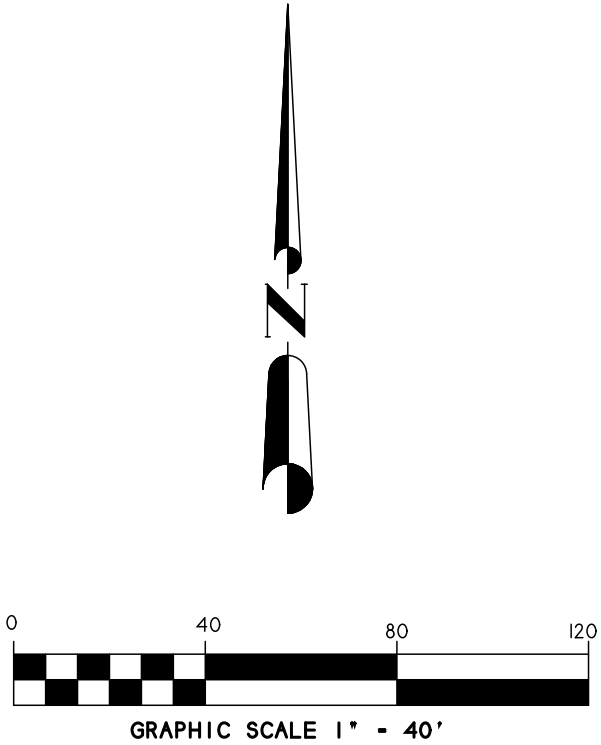
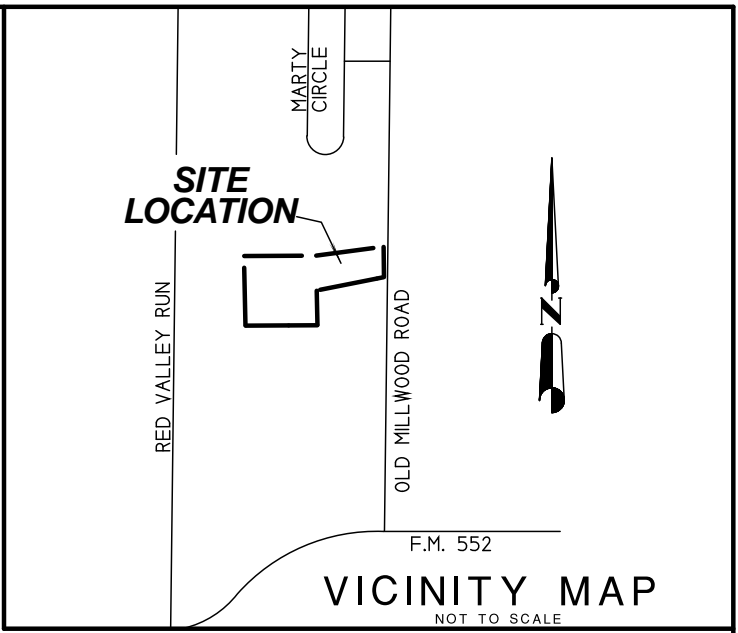
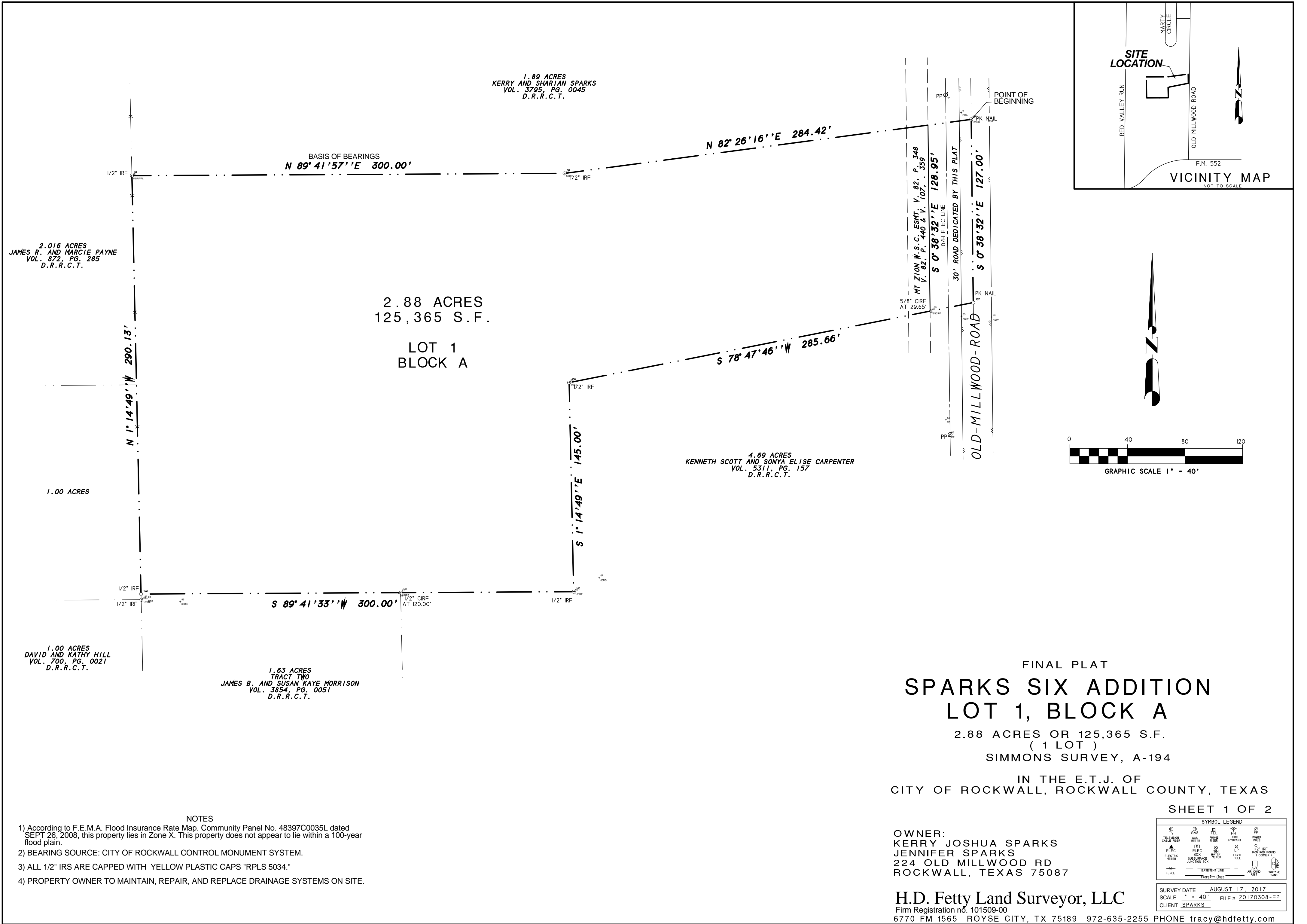
## City of Rockwall

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

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







FINAL PLAT  
**SPARKS SIX ADDITION**  
**LOT 1, BLOCK A**  
2.88 ACRES OR 125,365 S.F.  
( 1 LOT )  
SIMMONS SURVEY, A-194  
IN THE E.T.J. OF  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0035L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
  - 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
  - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
  - 4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

OWNER:  
KERRY JOSHUA SPARKS  
JENNIFER SPARKS  
224 OLD MILLWOOD RD  
ROCKWALL, TEXAS 75087

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

SYMBOL LEGEND											
TV	GAS	TEL	PH	PP	TELEVISION	METER	HYDRANT	POLE	POLE	POLE	POLE
CABLE	ELEC	ELEC	WATER	WATER	ELECTRIC	BOX	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER
WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER	WATER

CASE NO. P2020-

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

WHEREAS Kerry Joshua Sparks and Jennifer Sparks, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the MOSES SIMMONS SURVEY, ABSTRACT NO. 197, Rockwall County, Texas, and being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated September 10, 1976 and being recorded in Volume 123, Page 866 of the Real Estate Records of Rockwall County, Texas, and also being all of a 0.999 acres tract of land as described in a Warranty deed from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 16, 1982 and being recorded in Volume 166, Page 428 of the Real Property Records of Rockwall County, Texas, and also being all of the 0.879 acres tract of land as described in a Warranty from O.C. Sparks and Natalie Sparks to Michael Ray Miller and Kimberly Sparks Miller, dated July 19, 1984 and being recorded in Volume 203, Page 596 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail for corner in the center of Old Millwood Road, at the northeast corner of said 0.879 acres tract of land and at the southeast corner of a 1.89 acres tract of land as described in a Warranty deed from Kerry Sparks to Sherian Sparks, dated November 22, 2004 and being recorded in Volume 3795, Page 45 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 38 min. 32 sec. E. along the center of said road and the east line of said 0.879 acres tract, a distance of 127.00 feet to a P-K nail found in center of road for corner at the southeast corner of said tract;

THENCE S. 78 deg. 47 min. 46 sec. W. at 29.65 feet pass a 5/8" iron rod found for witness and continuing for a total distance of 285.66 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.879 acres and the northeast corner of said 0.999 acres tract;

THENCE S. 01 deg. 14 min. 49 sec. E. a distance of 145.00 feet to a 1/2" iron rod found for corner at the southeast corner of said 0.999 acres tract;

THENCE S. 89 deg. 41 min. 33 sec. W. a distance of 300.00 feet to a 1/2" iron rod found for corner at the southwest corner of said 0.999 acres tract;

THENCE N. 01 deg. 14 min. 49 sec. W. a distance of 290.13 feet to 1/2" iron rod found for corner at the southwest corner of said 1.89 acres tract;

THENCE N. 89 deg. 41 min. 57 sec. E. along the south line of said 1.89 acres tract of land, a distance of 300.00 feet to a 1/2" iron rod found for corner at the northwest corner of said 0.879 acres tract;

THENCE N. 82 deg. 26 min. 16 sec. E. along the south line of said 1.89 acres tract of land, a distance of 284.42 feet to the POINT OF BEGINNING and containing 125,365 square feet or 2.88 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as SPARKS SIX ADDITION, LOT 1, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in SPARKS SIX ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

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

I also understand the following;

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

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

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

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

KERRY JOSHUA SPARKS

JENNIFER SPARKS

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

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

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

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

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

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



RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date \_\_\_\_\_

APPROVED

I hereby certify that the above and foregoing plat of SPARKS SIX ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

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

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

FINAL PLAT  
SPARKS SIX ADDITION  
LOT 1, BLOCK A  
2.88 ACRES OR 125,365 S.F.  
( 1 LOT )  
SIMMONS SURVEY, A-194

IN THE E.T.J. OF  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:  
KERRY JOSHUA SPARKS  
JENNIFER SPARKS  
224 OLD MILLWOOD RD  
ROCKWALL, TEXAS 75087

SYMBOL LEGEND									
TV TELEVISION CABLE CROSS	GA GAS METER	PH PHONE METER	TEL TEL METER	CH CH HYDRANT	PP PUMP POLE	1/2" 1/2" IRON ROD FOUND 1 CORNER	AW AIR COND UNIT	PR PUMP TANK	
ELEC ELECTRIC METER	ELEC ELEC BOX	WATER WATER METER	LP LP POLE						
—X— FENCE	—E— EASEMENT LINE	—P— PROPERTY LINE							

SURVEY DATE	AUGUST 17, 2017		
SCALE	1" = 40'	FILE #	20170308-FP
CLIENT	SPARKS		

CASE NO. P2020-



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Mary P Smith, Assistant City Manager

**DATE:** September 8, 2020

**SUBJECT:** PROPOSAL TO RENEW SOLID WASTE COLLECTION AGREEMENT

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Attachments  
Proposal

### Summary/Background Information

Republic Waste has been the City's solid waste collection provider for many years. The contract term is 5 years ending December 31, 2020. Republic is proposing a five-year extension of the contract to take effect January 1, 2021. We've met with Republic representative, Rick Bernas, on several occasions and they have offered the attached rates for a contract extension at our current service levels.

The City has been under our present contract addendum with Allied Waste (Republic Waste) for solid waste collection services since January 2010, which references the 2006 contract. Republic, under previous names has served the City since 1991. During this period, the City has at different times chosen to extend the contract and last chose to receive sealed proposals in 2001.

The attached proposal from Republic lays out the contract rates and preliminary terms of an Addendum under which they would like to move forward to renewal.

To summarize:

- A five-year extension term with the future Council's option to extend another five years in 2025
- An initial price increase of \$3.26 which allows the City to keep the same service levels including unlimited bulk.
- A fixed CPI increase of 3% for 2022 and 3% each year thereafter
- Addition of a recycling commodity credit which will allow the City to benefit from value which Republic is able to find for recycled materials. A sample of contract language regarding the commodity credit is attached.

Rick Bernas will attend the Council meeting to explain Republic's proposal and answer any questions.

Action Needed

Council is asked to decide whether to authorize the City Manager to complete negotiations of a contract renewal with Republic for a five-year term or begin the process to solicit proposals. The current contract runs through December 31, 2020. If the renewal is granted the rates would be considered in Council Resolution later this year.

Mrs. Mary Smith

I have attached our new rates for the renewal of the Solid Waste and Recycling contract with The City of Rockwall, TX. We are please to submit our pricing and feel you see the value of having Republic Services as your partner. This will be the 5-year extension form our 2016 addendum and would allow Republic Services to continue the same services you currently receive. We would still request the fixed 3 percent increase and are requesting Recycling language to be added with the changes we have seen over the past few years in the recycling model and pricing. We also would like to mention that Covid –19 has also shown a significate increase in residential volumes and we project that the volumes will remain on average about 10 percent higher as the new normal due to business allowing working from home and schools having he options of at home classes. We have seen an increase of 27 percent but believe this will level out over the next few years at 10 percent.

Please review and let me know if you have any questions. The contract start date will be January 1, 2021 and would run till December 31, 2025.

Thank you,

Rick Bernas  
Republic Services  
c- 972 880-0276



# CITY OF ROCKWALL RATE SCHEDULE EFFECTIVE JAN 1, 2021

## RESIDENTIAL

Residential  
Twice per week collection  
Twice per month brush/bulky

\$15.00

note bulk -

\$1.89 per  
home included  
in residential  
rate

\$19.00 RSG RATE

Residential Recycle  
Once per week 18 gallon bin collection

\$4.00

**Residential Total \$19.00**

**Polycart extra \$ 4.20**

## Commercial

**Twice per week hand collection \$25.00**

## Commercial

	1	2	3	4	5	6	Extra
2yd	\$86.29	\$159.64	\$0.00	\$0.00	\$0.00	\$0.00	\$48.69
3yd	\$97.21	\$179.81	\$0.00	\$0.00	\$0.00	\$0.00	\$53.99
4yd	\$121.52	\$224.79	\$312.93	\$0.00	\$0.00	\$0.00	\$59.99
6yd	\$145.81	\$269.77	\$375.21	\$464.69	\$0.00	\$0.00	\$70.96
8yd	\$182.27	\$337.21	\$469.00	\$580.82	\$675.98	\$756.82	\$83.98
Delivery	\$150.00						

## Roll Off

20yd	\$506.96	30yd packer	\$568.38
30yd	\$533.06	35yd pkr	\$512.95
40yd	\$553.03	42yd pkr	\$512.95

Del/Exc \$171.53  
Daily rental \$4.49

\$1.00  
Rental Range from to \$600.00 month  
Determined by age, type, size of compactor  
Installation not included

RATES INCLUDE STREET USE FEES AS DESCRIBED IN THE CONTRACT

## Additional Fees for commercial

Extra Yards \$35.00 Per yard  
Delivery \$150.00  
Removal \$150.00  
Relocate \$150.00

**Sample Recycling Rebate Addendum**  
**EXHIBIT A**  
**CONTRACTOR'S SCOPE OF SERVICES**

Contractor will collect Recyclable Materials in a 35-Gallon bins or rented 95 gallon carts.

Contractor will collect Recyclable Materials that fit in the container or cart content only and transport to a Recycle Center. The following additional terms govern the recycling services:

1. Recycling Services Definitions.

**1.1 "Acceptable Material"** means the materials listed in Section 8 below.

**1.2 "Unacceptable Material"** means the materials listed in Section 9 below. All Recyclable Materials collected for delivery and sale by Contractor shall be hauled to a processing facility selected by Contractor for processing ("Recycling Services").

2. City's Duty. City shall make a commercially reasonable effort to educate its Customers regarding Acceptable and Unacceptable Materials and to encourage its Customers to place only Acceptable Materials in their recycling containers.

3. Collection and Processing. Customer shall pay Contractor a rate of \$4.00 per Unit for the collection and processing of Recyclable Materials. This Collection and Processing rate assumes that, on average, the Recyclable Materials consist of no more than 20% Unacceptable Material (the **"Unacceptable Material Threshold"**). The Collection and Processing rate is subject to Rate Adjustments.

4. Right to Inspect/Audit. Contractor may visually inspect the collected Recyclable Materials to ensure loads are at or below the Unacceptable Material Threshold. If Contractor's visual inspector determines that loads of Recyclable Material are consistently above the Unacceptable Material Threshold, Contractor will notify City of the issue and the parties agree to promptly negotiate in good faith (a) an agreed upon procedure to audit a representative sample of City's Recyclable Material to determine its actual composition of Unacceptable Material; and (b) an updated Collection and Processing rate commensurate with the composition of Unacceptable Material.

5. Recycling Commodity Credit. Contractor shall return 100% of City's recycling commodity value to City quarterly. City's **"Recycling Commodity Credit"** shall be determined by multiplying the per-ton market value of the processing facility's Average Commodity Mix by the number of tons of Recyclable Material collected from City and processed each month. The processing facility's **"Average Commodity Mix"** means the relative mix of outbound commodities (including Residue), established pursuant to either (i) a minimum rolling 3-month facility average composition (subject to adjustment as necessary by Contractor)

or (ii) a composition audit or an average of audits over a 12-month period (if any). The processing facility's Average Facility Commodity Mix is set forth in the attached Exhibit A-1. The per-ton value of the processing facility's Average Commodity Mix shall be determined each month by applying the most recently-available indices or actual values (as set forth in Exhibit A-1) to the facility's Average Commodity Mix including any negative commodity market values and Contractor's charges for hauling and disposing of contaminated, unmarketable and/or Unacceptable Material ("Residue").

6. Reporting. and Credit. Contractor will provide City with a monthly report detailing the total tons of Recyclable Material received from the City during the previous month and the calculation of City's Recycling Commodity Credit for that month. If the City's account is billed in the aggregate to the City, the previous month's Recycling Commodity Credit will be issued as a credit on the next month's invoice to the City (if the Recycling Commodity Credit exceeds the City's invoice amount, then Contractor will issue a check to City for the balance of its Recycling Commodity Credit). If the City's account is Customer-billed, then Contractor will issue a check to City for its full Recycling Commodity Credit each month (in arrears).

7. Changes in Market Conditions. If market conditions develop that limit or inhibit Contractor from selling some or all of the Acceptable Material, Contractor may at its option and upon notice to Supplier (i) redefine Acceptable and Unacceptable Materials, (ii) update the processing facility's Average Commodity Mix; (iii) suspend or discontinue any or all Services, or (iv) dispose of the Acceptable Material (as currently defined) in a landfill and update the pricing to City accordingly. Any such actions, if taken, may be reversed or further changed as market conditions dictate.

8. Acceptable Material. All material must be empty, clean and dry. Contractor may modify the following list of Acceptable Materials in its sole and absolute discretion but will provide City with at least thirty (30) days' prior written notice of any such modifications.

- Aluminum food and beverage containers - aluminum soda and beer cans, cat food cans, etc.
- Ferrous Cans - soup, coffee cans, etc.
- P.E.T. plastic containers with the symbol #1 - no microwave trays
- H.D.P.E. natural plastic containers with the symbol #2 - milk jugs and water jugs containers only (narrow neck containers)
- H.D.P.E. pigmented plastic containers with the symbol #2 - detergent, shampoo, bleach bottles without caps (narrow neck containers); butter and margarine tubs
- Polypropylene plastic food and beverage containers symbol #5 - yogurt containers
- Mixed Paper (54), as defined in the most recent ISRI Scrap Specifications Circular
- Sorted Residential Paper and News (56), as defined in the most recent ISRI Scrap Specifications Circular
- Kraft Paper Bags
- Old Corrugated Containers (OCC) - no wax coated

- Magazines (OMG) - Coated magazines, catalogues and similar printed materials, junk mail, and soft cover books
- [Aseptic Cartons - Juice boxes, gable top milk and juice containers, soy milk and soup cartons]
- [Glass food and beverage containers - Flint (clear), Amber (brown), Emerald (*green*)

9. Unacceptable Material. Contractor may modify the following list of Unacceptable Materials in its sole and absolute discretion but will provide City with at least thirty (30) days' prior written notice of any such modifications.

- Yard Waste
- Styrofoam
- Pizza Boxes, unless free of *any* food or grease residue
- Food
- Any liquids
- Diapers
- Clothing/textiles
- Plastic Bags or bagged material (newsprint may be placed in a Kraft bag)
- Plastic containers with #3, #4, #6, or #7 on them or no # at all
- Mirrors, window or auto glass, light bulbs, ceramics
- Oil or antifreeze containers
- Coat hangers
- Paint cans
- Medical Waste/Sharps
- Any Acceptable Material that is no longer acceptable due to its coming into contact with or being contaminated by Unacceptable Material.

**EXHIBIT A-1**  
**RECYCLING FACILITY AVERAGE COMMODITY MIX**

**Rockwall TX - SAMPLE**

***Single Stream Commodity Mix / Value***

Every recycle stream is different and should be

Disposal Cost / Ton for Residual	\$ 32.00
Transportation Cost / Ton for Residual	\$ 24.00
MRF Processing Cost / Ton	\$ 110.00

audited to determine contents.

Commodity Type	to Year Average Commodity Revenue Per Ton (Mon)	Mix of Recycling Stream %
OCC/Cardboard	\$85.00	35.4%
Mixed Paper	\$35.90	26.2%
ONP	\$ -	0.0%
Sorted Office	\$ -	0.0%
Sorted White Ledger	\$ -	0.0%
HDPE Natural	\$560.00	0.0%
HDPE Color	\$300.00	1.5%
PET	\$320.00	5.0%
Mixed Plastics (3-7)	\$280.00	1.2%
Steel Cans/Metal	\$130.00	1.9%
Aluminum	\$1,130.00	1.2%
Mixed Glass	\$ -	8.1%
Green Glass	\$ -	0.0%
Brown Glass	\$ -	0.0%
Clear Glass	\$ -	0.0%
Mixed Aggregate	\$ -	0.0%
Concrete	\$ -	0.0%
Asphalt	\$ -	0.0%

Wood - Unprocessed	S -	0.0%
Wood - Processed	S -	0.0%
Fines - Daily Cover	S -	0.0%
Dirt	\$ -	0.0%
Bulk Metal	S -	0.0%
Bulk Plastics	S -	1.0%
Custom I	S -	0.0%
Custom 2	S -	0.0%
Custom 3	S -	0.0%
Custom 4	\$ -	0.0%
Custom 5	S -	0.0%
Residual Waste	S(55.00)	18.6 %



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** WORK SESSION ON ITINERANT VENDORS ORDINANCE

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Attachments  
Memorandum  
Draft Ordinance

Summary/Background Information

Discuss and consider amending Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances for the purpose of providing requirements that specifically regulate itinerant vendors, and take any action necessary.

Action Needed

The City Council is being asked to review the proposed changes to the Municipal Code of Ordinance and take any action necessary.





# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
Max Geron, *Chief of Police*

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

**DATE:** September 8, 2020

**SUBJECT:** *Itinerant Vendors, Solicitors and Peddlers Ordinance*

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This item has been added to the agenda to allow the City Council the ability to act on the changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, which were presented in the work session prior to the meeting.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 12, *BUSINESSES AND SALES*, FOR THE PURPOSE OF CLAIFYING THE PROCESS FOR PERMITTING AND LICENSING PEDDLERS, SOLICITORS, AND ITINERANT VENDORS IN THE CITY OF ROCKWALL; 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 of Rockwall, Texas (*City*) is a *Home-Rule City* in accordance with Chapter 9, *Home-Rule Municipality*, of Subtitle A, *Types of Municipalities*, of Title 2, *Organization of Municipal Government*, of the Texas Local Government Code, and by State law and City Charter is permitted to establish ordinances for the purpose of protecting the health, safety, and general welfare of its residents; and

**WHEREAS**, the City Council seeks to change and clarify the permitting and licensing process for solicitors, peddlers, and Itinerant vendors seeking to use public or private land to offer goods or services within the *City*.

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

**SECTION 1.** That Article III, *Peddlers, Solicitors and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances of the City of Rockwall for the purpose of incorporating language clarifying the process for permitting and licensing peddlers, solicitors, and itinerant vendors in the City of Rockwall, and that these sections shall be as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 2.** 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 3.** 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 4.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: September 8, 2020

2<sup>nd</sup> Reading: September 21, 2020

**Footnotes:**

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**Editor's Note**— Ord. No. 14-20, § 2, adopted May 19, 2014, amended the Code by repealing former art. III, §§ 12-51—12-60, and adding a new art. III. Former art. III pertained to similar subject matter, and derived from Ord. No. 76-9, adopted July 12, 1976; the Code of 1982, §§ 15-81—15-83.2; Ord. No. 87-52, adopted September 21, 1987; Ord. No. 95-7, adopted April 3, 1995; Ord. No. 04-44, adopted July 19, 2004; Ord. No. 11-06, adopted February 21, 2011; and Ord. No. 11-11, adopted March 7, 2011.

**State Law Reference**— Authority to regulate peddlers, etc., V.T.C.A., Local Government Code § 215.075.

## **DIVISION 1: IN GENERAL**

### **SECTION 12-51: PURPOSE**

The primary purpose of the public streets, sidewalks, and other public ways is for use by vehicular and pedestrian traffic. Vending on such public ways promotes the public interest by contributing to an active and attractive pedestrian environment. Reasonable regulation of vending on public rights-of-way and in public places is necessary to protect the public health, safety and welfare. To protect local residents against trespassing by peddlers, solicitors, and vendors upon the private property of such residents if they have given reasonable notice that they do not wish to be solicited by such persons or do not desire to receive merchandise or services. The regulations contained in this article are not intended in any way to prohibit or hamper speech that is protected by the constitution of both the United States and the state but merely to regulate specific activities, which are commercial in nature. This entire article is and shall be deemed an exercise of the police power of the state and of the city for the process set forth above.

(Ord. No. 14-20, § 2, 5-19-2014)

### **SECTION 12-52: DEFINITIONS**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Canvasser* means any person who attempts to make contact with a resident at their residence without prior specific invitation or appointment from the resident, for the primary purpose of:

- (1) Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue, or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or
- (2) Distributing a handbill or flyer advertising a non-commercial event or service.

*Door-to-Door Selling* means going to one (1) or more residence within the city in person or by the agent for the purpose of peddling, soliciting, or vending, who engages in a business of selling or offering for sale, food, beverages, goods, services, wares and merchandise or engages in soliciting orders for the sale of goods, services, wares and merchandise for future delivery.

*Itinerant Vendor* or *Transient Merchant* means a person who temporarily sets up business out of a vehicle, trailer, tent, other portable shelter on privately owned property for the purpose of selling or taking orders for any goods or services. Individuals may not remain in one (1) location for more than 14 consecutive days.

*Nonprofit Organization* means an organization that can provide a 501(c)3 letter from the IRS or state documentation indicating its status, and whereby all the proceeds raised during the event will benefit the sponsoring agency.

*Peddler* means any person who engages in commercial activities within city limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from door-to-door, business-to-business, or upon public property.

*Person* means any natural individual, group, organization, corporation, partnership, or similar association.

*Public Area* means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

*Solicitor* means any person who solicits or attempts to solicit, from house-to-house, business-to-business, or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time, or who passively begs by standing or sitting with a sign or other indication that a donation or service is being sought, without any vocal request other than in response to an inquiry to another person.

(Ord. No. 14-20, § 2, 5-19-2014)

## SECTION 12-53: EXCEPTIONS TO DEFINITIONS

For the purpose of this chapter, the terms *peddler*, *solicitor* and *Itinerant vendor* shall not apply to:

- (1) Non-commercial door-to-door advocates. Nothing within this article shall be interpreted to prohibit or restrict non-commercial door-to-door advocates, including, without limitation, religious and charitable organizations, schools, and other non-profit organizations. Persons engaging in door-to-door advocacy shall not be required to register as a solicitor under [Section 12-57](#).
- (2) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.
- (3) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.
- (4) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
- (5) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales. Provided, as set forth below, nothing herein shall exempt such sales from complying with other sections of the Code of Ordinances which regulate such sales.
- (6) Any person participating in an organized multi-person bazaar or flea market.
- (7) Any person conducting an auction as a properly licensed auctioneer.
- (8) Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirements of this Code of Ordinances.

(Ord. No. 14-20, § 2, 5-19-2014)

## SECTION 12-54: LICENSE/PERMIT REQUIRED

It shall be unlawful for any peddler or solicitor to engage in the business of selling or offering for sale any food, beverage, goods, services or merchandise at any public or private area within the city without first obtaining a license from the Chief of Police or his duly authorized representative. Likewise, it shall be unlawful for any Itinerant vendor to engage in the business of selling, displaying, or offering for sale any food, beverage, goods, services or merchandise at any public or private area within the city without first obtaining a permit from the Chief Building Official or his duly authorized representative.

(Ord. No. 14-20, § 2, 5-19-2014)

## SECTION 12-55: HOURS OF OPERATION

The hours of operation for any peddler, solicitor, or Itinerant vendor shall be limited to the hours of between 8:00 a.m. through 6:00 p.m. local time in Rockwall, Texas.

(Ord. No. 14-20, § 2, 5-19-2014)

## SECTION 12-56: VIOLATION/PENALTY

Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars (\$500.00). Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.

(Ord. No. 14-20, § 2, 5-19-2014; Ord. No. 14-30, § 2, 7-21-2014)

## SECTION 12-57: SOLICITATION BY COERCION AND SOLICITATION ON PUBLIC AREA PROHIBITED

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Coercion* means:

- (1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:
  - (A) Imminent bodily injury; or
  - (B) The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;
- (2) To persist in a solicitation after the person solicited has given a negative response;
- (3) To block, either individually or as part of a group of persons, the passage of a solicited person; or
- (4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.

- (b) A person commits an offense if he conducts a solicitation by coercion or conducts a solicitation in any public area in the city at any time on any day of the week.
- (c) It is a defense to prosecution under Subsection (b) of this section if the solicitation:
  - (1) Consisted exclusively of passive, nonverbal acts; or
  - (2) Was being conducted on private property with the advance written permission of the owner, manager, or other person in control of the property.
- (d) The provisions of [Section 12-60 & Section 12-72](#) regarding exemptions shall apply to this section.

(Ord. No. 14-30, § 2, 7-21-2014)

## DIVISION 2: PEDDLERS AND SOLICITORS

### SECTION 12-58: APPLICATION

- (a) Application for a license required by [Section 12-54](#) shall be made upon forms furnished by the Chief of Police and shall contain such information as deemed necessary by the Chief of Police to properly identify the applicant, the nature of his business, and the business entity by which he is employed. The information shall include, but not be limited to, the following:
  - (1) The name;
  - (2) The date of birth;
  - (3) Home and business addresses;
  - (4) The supervisor's name, address and telephone number;
  - (5) The applicant's driver's license number and state, if applicable;
  - (6) The applicant's right thumbprint;
  - (7) The full legal name, telephone number and address of commercial organization;
  - (8) Full and complete list of goods to be sold and services to be delivered;
  - (9) The specific location, if any, in which the vendor/peddler intends to conduct business; and
  - (10) If the applicant is peddling or making solicitations from private property, a written statement from the property owner consenting to applicant's use of his/her property for the sales activities indicated in the license application.
- (b) Not later than ten (10) days after the filing of a completed license application the applicant shall be notified by the city of the decision on the issuance or denial of the license.

(Ord. No. 14-20, § 2, 5-19-2014)

### SECTION 12-59: FEES

License fees shall be accompanied with the license application. All peddlers and solicitors not exempted by [Section 12-60](#) shall be required to pay the license fee of \$65.00 per individual.

(Ord. No. 14-20, § 2, 5-19-2014)

### SECTION 12-60: EXEMPTIONS

- (a) License application is not required for the following individuals or groups:



- (1) Newspaper carriers;
  - (2) Political groups;
  - (3) Canvassers;
  - (4) Government affiliates;
  - (5) Deliveries on regular routes;
  - (6) Wholesalers making direct sales to retail establishments;
  - (7) Sales made pursuant to an invitation by an owner or legal occupant;
- (b) License application is required but fees may be waived by the city for the following individuals or groups:
- (1) Farmers who sell agricultural products that were raised or grown by them;
  - (2) Non-profit organizations.
- (c) License application is not required for any person or entity exempted by state law in obtaining a license. However, hours of operation outlined in [Section 12-55](#) still are applicable to all vendors.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECT 12-61: DENIAL; APPEAL

A copy of the application for a license will be referred to the Police Department who will undertake an investigation of the applicant's record and background, such as shall be reasonably necessary to protect the public. An application for a license under this chapter may be denied where:

- (1) Required application information is incomplete or incorrect;
- (2) Applicant or any individual involved in the peddling or solicitation campaign is currently wanted on a warrant for arrest, under indictment or has a pending class B misdemeanor or above;
- (3) The applicant is a person against whom a judgment, conviction or deferred adjudication has been entered within five (5) years preceding the date of application, based upon fraud, deceit or misrepresentation;
- (4) The applicant or an employee of an applicant has been convicted of a felony;
- (5) The applicant provided no proof of authority to serve as agent for the principal;
- (6) The applicant has been denied a license under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the Chief of Police that the reason for such earlier denial no longer exists; or
- (7) A license fee has not been paid.

Should an applicant be denied a license, they may appeal that action to the City Manager by submitting a letter within ten (10) days of the denial or revocation. Upon receipt of the letter, the City Manager will review the appeal and render a decision within seven (7) days to reject the action complained of and order that the license be granted or reinstated or uphold the denial or revocation. The decision of the City Manager on the appeal shall be final and binding on all parties concerned.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-62: ISSUANCE, DURATION

- (a) If the application for a license is approved, the license shall be issued. The license shall be the original application with an official stamp indicating approval. The license provided for in this article shall continue so long as the licensee is conducting business in the city, but in no event shall it continue for more 12 months from date of issue.
- (b) The licensee is required to update any new or changed information required under the original license.
- (c) The city will retain one (1) copy of the approved license for official records. The license may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the licensee.
- (d) Only those peddlers or solicitors whose names are listed on the approved application may conduct business under the issued license. If any new peddlers or solicitors join the campaign after the original license is issued, they must supply the Police Department with the information required in this chapter. It shall be unlawful for any peddler or solicitor to intimidate or aggressively solicit or beg a person into giving money, goods or services (see [Section 12-57](#)).

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-63: DISPLAY OF LICENSE

Each peddler or solicitor will carry his or her license at all times while engaging in business in the city. Upon request or demand, the peddler or solicitor will exhibit the license to indicate compliance with all of the relevant requirements of this chapter.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-64: NOT TRANSFERABLE

Licenses issued under the provisions of this chapter are not transferable in any situation and will be clearly marked "Not Transferable."

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-65: SUSPENSION

- (a) The Chief of Police or his/her designee may suspend any and all licenses issued during an Emergency Declaration in order to protect the health, safety and welfare of the public.
- (b) The Chief of Police or his/her designee may, upon documented complaint, violation of this article or violation of law, suspend and confiscate a license issued under this article.
- (c) Peddlers and solicitors whose licenses are suspended because of complaint or violation have three (3) business days during which to request an administrative review of the suspension. If request for administrative review is not made within three (3) working days, the permit is revoked.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-66: REVOCATION

- (a) Upon licensee's request, the Police Department shall provide the licensee with written notice containing particulars of any and all complaints, and the time, date and place for an administrative review of the suspension.

- (b) The Chief of Police or his/her duly authorized representative will conduct an administrative review to determine whether the license shall be restored or revoked.
- (c) After notice and review, the Chief of Police may revoke any license issued under this article including but not limited to the following reasons:
  - (1) Fraudulent statements, omissions on license application or in conduct of permitted business;
  - (2) Any violation of federal or state statute, or city ordinance;
  - (3) Endangerment of public welfare, health or safety;
  - (4) The licensee is a registered sex offender;
  - (5) The licensee continues efforts to sell to or solicit from an individual once that individual informs the vendor or solicitor that he does not wish to give anything to or to buy anything from that vendor or solicitor;
  - (6) The licensee misrepresented the purpose of the solicitation or offer to sell;
  - (7) The licensee misrepresented the affiliation of the vendor or solicitor.
- (d) If the Chief of Police revokes a license, the applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief of Police.
- (e) Revocation of any permit shall bar the licensee from eligibility for any license or permit regulated under this article for a period of one (1) year from the date of revocation.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-67: NO SOLICITOR SIGNS

- (a) It shall be unlawful for any person to distribute or cause to be distributed, deposited, placed, thrown, scattered or cast any handbill upon any private property if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous place upon or near the main entrance to the premises, a weatherproof card, bearing the words "no solicitation," "no advertisements," "no handbills," "no trespassing," or any similar notice indicating in any manner that the occupants of such premises do not desire to have any such handbills left upon their premises. The letters on such cards shall be not less than two-thirds of an inch in height.
- (b) It shall be unlawful for any person to use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.
- (c) It shall be unlawful for any person to remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.
- (d) This section does not apply to any department, branch or agency of federal, state, or municipal government and any permitted religious, political or charitable advertisements or handbills.

(Ord. No. 14-20, § 2, 5-19-2014)

#### DIVISION 3: ITINERANT VENDORS

##### SECTION 12-68: ITINERANT VENDORS ON PRIVATE PROPERTY

Itinerant vendors may operate on private property -- *subject to the requirements of [Section 12-69](#) --* with the consent of the property owner. A permit in accordance with the procedures outlined in [Section 12-70](#) shall be required to be approved prior to the commencement of operations. The

private property will need to be in compliance with the requirements for *Incidental Display* (which regulate outdoor sales and display) as specified by [Article 04, Permissible Uses, of the Unified Development Code \(UDC\)](#).

#### SECTION 12-69: PROHIBITED AREAS

Itinerant vendors shall be permitted to operate on private or public land; however, it shall be unlawful for Itinerant vendors to operate, with or without a permit, in the following areas:

- (a) *Public or Private Schools*. No Itinerant vendor shall conduct any business from or on any public areas that are within 300-feet of a public or private school, or on any street within 300-feet of said public or private school that could create traffic congestion during school hours (*i.e.* 7:00 AM to 4:00 PM). The measurement of this distance shall be in a direct line from all property lines of the public or private school extending in a linear format to 300-feet. This section shall not apply during vacation periods where no pupils are attending the school.
- (b) *City Property/Rights-of-Way*. No Itinerant vendor shall conduct any business on City property or within the public rights-of-way of the city.
- (c) *Vacant Property*. No Itinerant vendor shall conduct any business from an unimproved, vacant property within the city. In this case, a vacant property is considered any parcel or tract of land that does not have permanent improvements, parking, and sanitation facilities.
- (d) *Parks*. No Itinerant vendor shall conduct any business from or on any public park without first securing a vendor's agreement with the city.
- (e) *Downtown*. No Itinerant vendor shall conduct any business within the *Downtown* area. For the purposes of this section, the boundaries of the *Downtown* area are defined as the same boundaries as the Downtown (DT) District as described [Article 03, Zoning Districts and Maps](#), and [Article 05, District Development Standards, of the Unified Development Code \(UDC\)](#) and as depicted on the city's official zoning map.

#### SECTION 12-70: APPLICATION; TERM; RENEWAL

- (a) Application for a permit required by [Section 12-54](#) shall be made upon forms furnished by the Chief Building Official and shall contain such information as deemed necessary by the Chief Building Official to properly identify the applicant, the nature of his business, the business entity by which they are employed, and the proposed location for the temporary business operations. In addition, the Itinerant vendor shall be required to provide:
  - (1) Proof of a valid state sales tax certificate. If this cannot be provided, a valid tax exemption form will need to be provided.
  - (2) If on private property, proof of permission from the property owner where the temporary business will be located.
  - (3) A dimensioned site plan showing the location of the Itinerant vendor in relation to all existing improvements and ingress, egress, and vehicular/pedestrian ways.
- (b) Not later than ten (10) days after the filing of a completed permit application the applicant shall be notified by the city of the decision on the issuance or denial of the permit.
- (c) If the application for a permit is approved, the permit shall be issued. The permit shall be the original application with an official stamp indicating approval. The permit provided for in this article shall continue so long as the licensee is conducting business in the city, but in no event shall it continue for more than 14-days from the date of issuance. A new application for the same Itinerant vendor or the same location shall not be issued within 30-days of the expiration of any previous permit.

- (d) The permittee is required to update any new or changed information required under the original permit; however, changing the information on a permit will not extend the time period the permit is valid.
- (e) The city will retain one (1) copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the city of the purposed product or products being offered by the permittee.
- (f) Only the Itinerant vendor whose name is listed on the approved application may conduct business under the issued permit. If any new Itinerant vendor joins the location after the original permit is issued, they must apply for a new permit under the requirements of this section. It shall be unlawful for any Itinerant vendor to intimidate or aggressively solicit or beg a person into giving money, goods, or services (see [Section 12-57](#)).

#### SECTION 12-71: FEES

Permit fees shall be accompanied with the permit application. All Itinerant vendors not exempted by [Section 12-72](#) shall be required to pay the permit fee of \$100.00 per individual Itinerant vendor.

#### SECTION 12-72: EXEMPTIONS

- (a) Permit application is not required for the following individuals or groups:
  - (1) Newspaper carriers;
  - (2) Political groups;
  - (3) Government affiliates;
  - (4) A seller or exhibitor in a firearms collection show involving two (2) or more sellers or exhibitors;
  - (5) The Farmer's Market or other city sanction events;
  - (6) Itinerant vendors associated with a special event permit issued to an existing business in the city.
- (b) Permit application is required but fees may be waived by the Chief Building Official or his/her designee for the following individuals or groups:
  - (1) Farmers who sell agricultural products that were raised or grown by them;
  - (2) Non-profit organizations.
- (c) Temporary uses that could be considered Itinerant vendors (e.g. *Food Trucks/Trailers; Portable Beverage Service Facilities; Temporary Carnivals, Circuses, or Amusement Rides; and etcetera*), but which are defined and regulated by [Article 04, Permissible Uses, of the Unified Development Code \(UDC\)](#) shall be exempted from the requirements of this article.

#### SECTION 12-73: DISPLAY OF PERMIT

Each Itinerant vendor will wear their permit on the outer clothing of the individual or otherwise displayed, as so to be reasonable visible to any person who might be approached by said person while engaging in business in the city.

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-74: NOT TRANSFERABLE



Permits issued under the provisions of this section are not transferable in any situation and will be clearly marked "Not Transferable."

(Ord. No. 14-20, § 2, 5-19-2014)

#### SECTION 12-75: SUSPENSION/REVOCAION

- (a) The Chief Building Office or his/her designee may suspend any and all Itinerant vendor permits issued during an *Emergency Declaration* in order to protect the health, safety and welfare of the public.
- (b) The Chief Building Official or his/her designee shall have the discretion to revoke a permit issued pursuant to this division based on the following actions:
  - (1) The Itinerant vendor for which a permit has been issued is found to be in violation of any local, state, or federal laws.
  - (2) The Itinerant vendor for which a permit has been issued is found to be in violation of any of the City's ordinances.
  - (3) The Itinerant vendor for which a permit has been issued is found to have obtained the permit through false or misleading statements or omissions of fact on the application or otherwise.
- (c) If the Chief Building Official revokes a permit, the applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief Building Official.
- (d) Revocation of any permit shall bar the permittee from eligibility for any license or permit under this article for a period of one (1) year from the date of revocation.

**Editor's Note**— Ord. No. 14-30, § 2, adopted July 21, 2014, amended the Code by, in effect, renumbering former § 12-66 as a new § 12-67.

Secs. 12-76—12-87. - Reserved.



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** September 8, 2020

**SUBJECT:** USE OF CITY PARK FACILITIES BY RISD

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### Attachments

#### Summary/Background Information

Mayor Pruitt has requested that this be placed as a discussion item for possible action on the Tues., Sept. 8 council meeting agenda.

#### Action Needed





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

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**TO:** Honorable Mayor and City Council

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

**FROM:** Travis E. Sales, Director of Parks and Recreation

**DATE:** September 8, 2020

**SUBJECT:** Halloween Extravaganza October 24, 2020 at The Harbor

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Attached are three options for our annual Halloween Extravaganza event. Staff wanted to provide options outside our normal operations which would be multiple vendors handing out candy and participating in games, along with several bounce houses and finally a Halloween costume contest.

Due to the Covid Pandemic staff estimates that many vendors will not participate and the cross contamination potential with bounces houses and handing out candy may pose a risk.

### Halloween Event options:

#### Option 1 – Virtual Costume Contest

- Virtual costume contest taking place on Facebook
- Users post their pictures using a specified hashtag to enter by specified date
- Judges will choose their favorites and the public will vote accordingly on social media
- Once votes are counted we will announce winners and contact them about receiving their prize
- This would also be an opportunity to require people to like us on Facebook and have more interaction with the community

#### Option 2 – Combine our costume contest with the event on the square

- We would move our normal contest to downtown

- It would occur either early afternoon or at night depending the timeline for the event.
- Judging could either be done by selected individuals or interactively with the crowd at the event.

#### Option 3 – Movie night at The Harbor

- The last option would be to reimagine the event at The Harbor.
- It would consist of an outdoor movie in the evening on The Harbor amphitheater
- The possibility of colder weather could cause a reduced number of participants



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

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**TO:** Honorable Mayor and City Council

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

**FROM:** Travis E. Sales, Director of Parks and Recreation

**DATE:** September 8, 2020

**SUBJECT:** 2020 Fall RBSL Covid 19 Action Plan

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The plan below is an action plan based on USSSA sanctioned league and the Open Texas Guidelines. Several surrounding cities were also surveyed including the RISD and UIL to assist in developing the RBSL action plan. Most of the participants just played throughout the summer at Leon Tuttle Athletic Complex under similar guidelines while playing in the Baseball Nations tournament series and should be very familiar with the guidelines.

### **RBSL COVID-19 Action Plan (Draft)**

- ❖ This action plan is derived from Open Texas, USSSA, and local guidelines.
- ❖ Health Protocols for Participants:
  - Consistent with many policies in place for City of Rockwall, participants are encouraged to wear a facemask while in the dugout.
  - Participants are highly recommended to wear a mask while warming up or waiting for the game to begin, if social distancing is not possible.
  - Water, snacks, and gear are recommended not to be shared with other participants.
  - Sunflower seeds are prohibited in any city complex.
- ❖ Health Protocols for Spectators:

- Spectators are encouraged to wear a mask in the complex where social distancing is not possible.
- Spectators are encouraged to limit the number of family members entering the complex.
- Sunflower seeds are prohibited in any city complex.
- Spectators are encouraged to bring their own seating, reducing the number of people in the bleachers for one team.
- 6ft of social distancing is recommended at all times.
- Scoreboards will not be in operation. Visiting team will be responsible for keeping a score book.
- ❖ Health Protocols for Coaches:
  - Coaches are encouraged to wear a mask while in the dugout, or anywhere that social distancing is not possible.
  - Coaches are encouraged to wear a mask while on the field of play.
  - Coaches are encouraged to reduce personnel in the dugout.
  - Only one coach should approach the plate for the coaches meeting at the beginning of each game. No players or assistant coaches should join the meeting.
  - All coaches are responsible for cleaning up after their team. Dugouts must have all trash put in cans and all equipment removed at the end of game.
  - All teams 10U and up are recommended to wear a facemask while in the dugout.
  - Coaches and players are required to wait outside the dugout before their game for staff to sanitize all hard surfaces. Once staff gives the okay coaches and players may enter the dugout.
- ❖ Health protocols for Umpires:
  - Umpires are required to wear a mask when 6ft of social distancing is not possible.
  - Umpires behind the plate must wear a mask while the game is in play.
  - Umpires are encouraged to reduce the number of personnel at the plate for the coaches meeting.
  - Umpires are required to keep the scorecard and verbally confirm with all coaches the final score. No coach will sign the card, the head umpire on each field will be the one and only signature on the card.
  - Scoreboards will not be in operation. The umpire is responsible for keeping the score. The visiting team will also keep a book if necessary to cross check.
- ❖ If a player/coach tests positive for COVID-19 (Symptom Based Protocol):
  - In the event a player in our league that has played a game(s) at the facility tests positive for COVID-19 the City will notify the league participants at its earliest possible opportunity via email. The player or coach that tested positive will not be eligible to return to play or coach for 10 days, followed by 3 consecutive days of being symptom free.
    - The player/coaches on the team other than the player that tested positive will be asked to self-evaluate. If they are showing symptoms they will be

recommended to self-quarantine for 10 days, followed by 3 consecutive days of being symptom free.

- In the event the league has more than 3 positive cases. The City will consult the local health official to advise the best course of action as to allowing the team to participate in games. In the event that multiple teams within a single division are ineligible to play due to multiple persons testing positive that division will be dissolved.
  - If a division is dissolved or a team becomes ineligible the City of Rockwall Parks and Recreation Department will issue a refund. Refunds will only be issued to teams/leagues that play less than 50% of their scheduled games.



## MEMORANDUM

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

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

**DATE:** September 4, 2020

**SUBJECT:** Updates to YAC Program

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Staff has included in the meeting packet a draft resolution to update existing Youth Advisory Council (YAC) bylaws. The main purpose of the updates is to add provisions related to adult participation in the YAC (i.e. requiring annual criminal/sex offender background checks, detailing expectations for student interactions, overnight trip stays, etc.). Also included for Council review are various release/waiver/indemnification forms as well as a medical-related information form. The language within the resolution as well as each of the forms has been drafted and provided by City Attorney Frank Garza.

Staff will not be asking Council to take formal action on the resolution or forms Tues. evening – only to review and provide input regarding the content. Thereafter, staff will send the resolution out to parents of existing YAC members to solicit their input, as was previously indicated to them a few months back. The resolution will then return to Council for formal adoption, likely at one of the October meetings.

After meeting with existing YAC students to discuss preferences and expectations, staff is proposing ‘in person’ monthly meetings with masks being required to be worn and social distancing being observed. The first several YAC related activities for the school year are proposed as follows:

- **Thurs. Sept. 10** – YAC interviews conducted
- **Mon., Sept. 21** – Council appoints YAC students
- **Thurs., Oct. 1** – 1<sup>st</sup> regular, monthly mtg. (orientation, ice breaker games, etc.)
- A “date TBD” (Saturday or Sunday in **October**) – YAC to meet for kickball in the park, Cornhole and/or Giant Jenga (a fun, outdoor social event)
- **Thurs., Nov. 5** – Regular, monthly YAC mtg. – meet at Pettinger Preserve (Travis Sales to speak)
- **Thurs., Dec. 3** – Regular, monthly YAC mtg. – meet at City Hall (Police Dept. rep. to speak)

**CITY OF ROCKWALL**  
**RESOLUTION NO. 20-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING RESOLUTION NO. 14-05 IN ITS ENTIRETY AND ESTABLISHING UPDATED, REVISED BYLAWS FOR THE YOUTH ADVISORY COUNCIL (YAC) OF THE CITY OF ROCKWALL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rockwall, Texas finds that modifications to the existing bylaws of the Youth Advisory Council are in the best interest of students participating in the program;

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

**SECTION 1.** That the City Council of the City of Rockwall hereby repeals Resolution No. 14-05 in its entirety, which established revised bylaws for the City of Rockwall Youth Advisory Council (YAC).

**SECTION 2.** That a new set of bylaws are heretofore adopted as set forth below:

**I. CREATION**

There will be an established Youth Advisory Council (YAC) for the City of Rockwall, which shall be sponsored by the City of Rockwall.

**II. APPOINTMENT OF MEMBERS & ADULT ADVISORS / LIAISONS**

The Youth Advisory Council shall consist of no less than nine (9) youth members and no less than ~~two~~ **(2) one** adult advisor(s). Adult advisors shall be faculty for any school serving students living in the City of Rockwall. The schools shall **be asked to** appoint adult advisors and notify the City of their appointments.

The city council shall designate one of its members to serve as a liaison to the YAC. The City Secretary of Rockwall or her designee shall serve as an advisor and staff liaison to the Youth Advisory Council.

All Youth Advisory Council Members shall be selected via an open application process. Applications must be submitted through the City Secretary's Office. Deadlines for submitting applications shall be established by the City Secretary's Office. To be eligible for membership, potential candidates must be at least freshman level students residing within the City of Rockwall. The Rockwall City Secretary, City Council (or designated member(s) of the Council) and the City Manager and/or her designee shall interview applicants wishing to serve on the Youth Advisory Council.

Selection will be based on the following: (1) residency requirements – the student must reside within the corporate city limits of the City of Rockwall or be financially sponsored by either the government of the jurisdiction in which they live, by an individual or by a group; (2) strength of the candidate's application and letter(s) of recommendation; (3) schedule and availability of the candidate; (4) candidate's willingness to commit the time and effort required to participate in the program; and (5) the



candidate's performance in the interview process. Preference will be given to those students residing within the City of Rockwall. Once the interview panel has made its selections, it will present the recommended candidates to the full City Council for consideration. The Rockwall City Council will make final selection decisions regarding candidates. Appointments to the YAC shall be made by the City Council whenever vacancies exist.

### III TERMS & OFFICERS

Youth Advisory Council members shall be reappointed annually until which time as they either graduate from high school or are no longer willing or able to remain actively involved in serving on the YAC. All Youth Advisory Council members shall serve at the pleasure of the Rockwall City Council. The Youth Advisory Council shall include a chair, vice-chair, secretary and historian, all of whom shall be selected annually by members of the Youth Advisory Council.

### IV. ATTENDANCE

Members of the Rockwall Youth Advisory Council are expected to take their appointment to the YAC seriously through display of leadership, courtesy, punctuality, and consistent attendance. YAC members are asked to attend all regularly-scheduled, monthly YAC meetings as well as any additional YAC-related events which may be scheduled throughout the school year. Absence from more than two scheduled YAC meetings or events during a school year may operate to vacate a member's seat, unless such absences are excused by an adult advisor at least seventy-two hours (72 hours) in advance of said, scheduled meeting or event. Should absenteeism become excessive ("excessive" here is defined as missing more than two YAC meetings or events during the course of a school year), the YAC member in question may be called before his or her fellow YAC members to give an account for his / her absenteeism. It shall then be up to the discretion of the remaining YAC members to determine, through deliberation and majority vote, if the YAC member shall remain in his / her position on the YAC or be recommended for removal from YAC for the remainder of the school year. Recommendations from the YAC regarding removal of a fellow member due to excessive absenteeism shall be submitted to the Rockwall City Council for final determination and disposition.

### V. OBJECTIVE AND DUTIES

It shall be the purpose of the Rockwall Youth Advisory Council to educate youth about local government, to provide participation by local youth in municipal government and to routinely report thereon to the Rockwall City Council. **Members of the YAC may take initiatives directed toward effective change that benefit local youth and provide positive community impact through organized participation in various city sponsored activities and events.** The Youth Advisory Council shall be consultative in nature and, **may shall** be charged with evaluating issues relevant to youth and submitting recommendations to the Rockwall City Council and other pertinent parties for advisement or consideration.

Specifically, the Rockwall Youth Advisory Council **shall may** be responsible for the following:

- A. Promoting participation in and understanding of local government by youth.
- B. Working, as necessary, with certain special events, projects, and fundraisers.
- C. Periodically attending Rockwall City Council and other Board and Commission meetings to better understand local government operations.

- D. “Shadowing” Rockwall City Councilmembers and certain City staff in order to better understand their roles in serving citizens and setting policy.
- E. Conducting “pseudo” city council meetings on an ‘as needed’ basis to obtain feedback from youth in the community related to issues of concern to them or related to Council assigned projects.
- F. Monitoring municipal programs and Boards/Commissions Agenda topics in regard to their bearing on youth in the Rockwall community.
- G. Making recommendations to the Rockwall City Council relative to programs and activities affecting youth in the community.
- H. Providing access for comment and input from the youth of the Rockwall community.
- I. Performing other duties as assigned by the Rockwall City Council, designated council liaison, City Manager, or staff liaison.

## **VI. EVALUATION**

The Staff liaison for the YAC shall, on an annual basis, conduct a short survey of YAC members to obtain feedback related to the program. The results of this survey along with a summary of the YAC’s yearly events and accomplishments shall be presented to the City Council for review during the summer months. Any recommendations related to the program may be discussed and considered by Council and Staff at this time each year.

## **VII. GUIDELINES FOR ADULT PARTICIPATION IN THE YAC**

These guidelines are adopted in an effort to protect participants in YAC, especially during overnight trips.

### **Adopted Guidelines:**

- A. All potential volunteer chaperones must be at least 25 years of age or older.
- B. All potential volunteer chaperones should be the parent or guardian of a member of the Youth Advisory Council, or members of City staff or City Council.
- C. All volunteer chaperones must undergo a criminal background check using a criminal history database for each volunteer’s permanent residence.
- D. All volunteer chaperones must undergo a sex offender background check using the sex offender registry available at Texas Department of Public Safety- Crime Records Service.
- E. The background check and sex offender registry check shall be completed annually to ensure strict compliance.
- F. A volunteer chaperone shall be disqualified from service if the person has the following types of convictions or deferred adjudications: a misdemeanor or felony under Texas Penal Code Title 5

(Offenses Against the Person), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, Chapter 43 (Public Indecency) or §42.072 (Stalking) of Title 9, §15.031 (Criminal Solicitation of a Minor) of Title 4, §38.17 (Failure to Stop or Report Aggravated Sexual Assault of Child) of Title 8, or any like offense under the law of another state or under federal law.

- G.** If selected, the volunteer chaperone must attend a detailed pre-trip briefing outlining the logistics and health and safety protocols of the trip.
- H.** The student to volunteer chaperone ratio shall not exceed 8 students to 1 chaperone.
- I.** Volunteer chaperones must take precaution not to be alone with a student for both the safety of the child as well as the chaperone.
- J.** Volunteer chaperones should also avoid one-on-one digital contact with a student through games, social media, etc. Chaperones are expected to copy another chaperone, staff or council member on all digital communications with a student.
- K.** In the event of overnight stays, the volunteer chaperone(s) should not retire their room for the night until all the minors / students are accounted for and in their assigned rooms.

**SECTION 3.** That this Resolution shall become effective immediately upon passage and approval and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this**  
**\_\_\_\_\_ day of \_\_\_\_\_, 2020.**

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

**ATTEST:**

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



City of Rockwall  
*The New Horizon*

**RELEASE AND INDEMNIFICATION AGREEMENT FORM**  
***City of Rockwall's Youth Advisory Council Participation/Travel***

**Name of Activity:** \_\_\_\_\_ **Activity Date(s):** \_\_\_\_\_

**GENERAL PROGRAM DESCRIPTION:**

\_\_\_\_\_

**PARTICIPANT INFORMATION:**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**PARENT/GUARDIAN INFORMATION FOR MINOR PARTICIPANTS-Under 18 years of age:**

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

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone

#: \_\_\_\_\_ Alternate Phone #: \_\_\_\_\_

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

**1. Acknowledgment of Terms of Participation and Risks.**

- A.** I am the above-named participant who is eighteen years of age or older, (or the Parent/Guardian of the above-named participant who is under eighteen years of age), and I fully understand and hereby acknowledge that the City of Rockwall ("City") volunteer activities and/or City facilities or property tours (hereinafter, the "City Activities") have inherent risks, dangers, and hazards, and that my own or my child's participation in City Activities may result in injury, illness, or personal property damage; and
- B.** These risks may be the result of inherent risks from participating in City Activities located indoors or outdoors or may be caused by the actions of the City, their officers, officials, agents, and/or employees, other participants, sponsoring agencies, sponsors, advertisers, donors and if applicable, owners and lessors of premises used to host activities; and
- C.** I am fully aware of risks and hazards connected with participating in the City Activities. Further, I am fully aware that there may be risks and hazards **unknown** to me or the City that are associated with participating in City Activities, and I hereby have voluntarily applied to participate in (or give my participant permission to engage in) the above City Activities. I acknowledge that the nature of the City Activities may expose me (or my participant) to hazards or

risks that may result in my (or participant's) illness, personal injury, and/or personal property damage, and I understand and appreciate the nature of such hazards and risks.

**2. Assumption of Risks and Release and Waiver from Liability/Duty to Indemnify City.**

- A.** IN CONSIDERATION OF MY (OR THE PERMISSION I GIVE MY PARTICIPANT IN) TAKING PART IN THE CITY ACTIVITY, I HEREBY VOLUNTARILY ACCEPT AND ASSUME FULL RESPONSIBILITY OF ANY AND ALL RISKS TO MY (OR MY PARTICIPANT'S) HEALTH AND OF MY (OR HIS/HER) ILLNESS, PERSONAL INJURY, DEATH OR PERSONAL PROPERTY DAMAGE THAT MAY RESULT FROM SUCH PARTICIPATION AND I HEREBY WAIVE AND RELEASE THE CITY, THEIR OFFICERS, OFFICIALS, AGENTS, AND/OR EMPLOYEES, OTHER PARTICIPANTS, SPONSORING AGENCIES, SPONSORS, ADVERTISERS, DONORS AND IF APPLICABLE, OWNERS AND LESSORS OF PREMISES USED TO HOST ACTIVITIES, INSURERS, (HEREINAFTER REFERRED TO COLLECTIVELY AS "RELEASEES") FROM ANY AND ALL LIABILITY TO ME (OR PARTICIPANT), MY (OR PARTICIPANT'S) PERSONAL REPRESENTATIVES, ESTATE, HEIRS, NEXT OF KIN, AND ASSIGNS FOR ANY AND ALL CLAIMS AND CAUSES OF ACTION FOR LOSS OF OR DAMAGE TO MY (OR PARTICIPANT'S) PROPERTY AND FOR ANY AND ALL ILLNESS OR INJURY TO MY (OR PARTICIPANT'S) PERSON THAT MAY RESULT FROM OR OCCUR DURING MY (OR PARTICIPANT'S) PARTICIPATION IN CITY ACTIVITIES, WHETHER CAUSED BY ACTIONS OF THE CITY, THEIR OFFICERS, OFFICIALS, AGENTS, AND/OR EMPLOYEES, OTHER PARTICIPANTS, SPONSORING AGENCIES, SPONSORS, ADVERTISERS, DONORS AND IF APPLICABLE, OWNERS AND LESSORS OF PREMISES USED TO HOST ACTIVITIES, OR OTHERWISE.
- B.** I FURTHER AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS THE RELEASEES AND EACH OF THEM, FROM ANY LOSS, LIABILITY FOR INJURY OR DEATH OF ANY PERSON(S) AND DAMAGE TO PROPERTY THAT MAY RESULT FROM MY (OR PARTICIPANT'S) NEGLIGENT OR INTENTIONAL ACT OR OMISSION WHILE PARTICIPATING IN THE DESCRIBED CITY ACTIVITY.
- C.** I HAVE CAREFULLY READ THIS AGREEMENT AND UNDERSTAND IT TO BE A RELEASE OF ALL CLAIMS AND CAUSES OF ACTION FOR PARTICIPANT'S ILLNESS, INJURY, DEATH OR DAMAGE TO PARTICIPANT'S PROPERTY THAT OCCURS WHILE PARTICIPATING IN THE DESCRIBED CITY ACTIVITIES AND IT OBLIGATES ME TO INDEMNIFY THE PARTIES NAMED FOR ANY LIABILITY FOR ILLNESS, INJURY OR DEATH OF ANY PERSON AND DAMAGE TO PROPERTY CAUSED BY PARTICIPANT'S NEGLIGENT OR INTENTIONAL ACT OR OMISSION.

3. It is my express intent that this Agreement shall bind me, my spouse and any other members of my or my spouse's family, if I am alive, and my heirs, next of kin, and assigns, if I am deceased, and shall be deemed as a Release, Waiver, Indemnity, Discharge and Covenant Not to Sue as to the above-named

Releasees.

**4. I execute this Agreement for full, adequate and complete consideration fully intending to be bound by same. Venue for any dispute arising out of this Agreement shall be Rockwall County, Texas.**

Participant's Signature: \_\_\_\_\_ Date : \_\_\_\_\_ City Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_ City Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## ***City of Rockwall's Release of Participant's Pictures & Video***

### **AUTHORIZATION FOR RELEASE OF PHOTOGRAPHS**

I, \_\_\_\_\_, authorize the City of Rockwall to use photographs of \_\_\_\_\_.  
*Parent/Guardian Name* *Participant*

I understand that these photographs will be utilized for promotional, recruitment, and informational purposes in the form of city-related publications including, but not limited to, newsletter, newspaper, pamphlet, brochure, scrapbook, commercials, news, documentary, promotional video, and/or any other media form and/or any other media form that will require his/her image.

- ☐ Yes, I **do** agree with the conditions stated above.
- ☐ No, I **do not** agree with the conditions stated above.

### **PARENT/GUARDIAN SIGNATURE FOR ABOVE STATEMENTS**

\_\_\_\_\_  
*Parent/Guardian Signature*

\_\_\_\_\_  
*Date*



## **City of Rockwall's Release of Participant for Travel in a Private or Public Vehicle**

In consideration for the City of Rockwall Youth Advisory Council granting permission for my child(ren) to travel to and or from City Activities in a vehicle not owned and operated by the City or ride with a vehicle owned and operated by the City.

1. I hereby **release, waive, discharge and covenant not to sue** the City, their officers, officials, agents, and/or employees, other participants, sponsoring agencies, sponsors, advertisers, donors and if applicable, owners and lessors of premises used to host activities, or otherwise any driver of my child(ren) (hereinafter referred to as "releasees") from any and all liability, claims, demands, actions, and causes of action whatsoever arising out of or related to any loss, damage, or injury, including death, that may be sustained by my child(ren) or me, or any of the property belonging to me, as result of, or in any way arising out of my child(ren) traveling to and or from City Activities in a vehicle not owned or operated by the City or while riding in a vehicle owned or operated by the City.
2. **I voluntarily assume full responsibility for any risks of loss.**
3. I further hereby **agree to indemnify and hold harmless** the **releasees** from any loss, liability, damage or costs due to my child(ren) traveling to and or from City Activities in a vehicle not owned and operated by the City or while riding in a vehicle owned or operated by the City.
4. I hereby further agree that this Waiver of Liability and Hold Harmless Agreement shall be construed and enforced in accordance with the laws of the state of Texas.
5. **In signing this release, I acknowledge and represent that** I have read the foregoing Waiver of Liability and Hold Harmless Agreement, understand it and sign it voluntarily as my own free act and deed.
6. Child(ren): \_\_\_\_\_, \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_



City of Rockwall  
*The New Horizon*

**CITY OF ROCKWALL ACTIVITY PARTICIPATION  
RELEASE, WAIVER OF LIABILITY & INDEMNITY AGREEMENT**

In consideration for the City of Rockwall ("City") allowing my child to participate in City Activities, including without limitation, **Youth Advisory Council**, which may include City facility or property tours (hereinafter, the "City Activities") with the **City of Rockwall, Texas**, I hereby agree to the terms of this release, waiver and indemnity agreement ("Agreement") as follows:

**A. Acknowledgement of Terms of Participation and Risks**

1. I fully understand and hereby acknowledge that City Activities may have risks, dangers and hazards and that my child's participation in City Activities may result in injury; and
2. I am fully aware of risks and hazards connected with participating in the City Activities. Further, I am fully aware that there may be risks and hazards unknown to me or the City that are associated with participating in City Activities, and I hereby elect to voluntarily participate in the City Activities, to enter upon City property and engage in City Activities knowing that conditions may be hazardous, or may become hazardous or dangerous to me or my child.

**B. Assumption of Risks**

1. I VOLUNTARILY ASSUME FULL RESPONSIBILITY FOR ANY RISKS OR LOSS, PROPERTY DAMAGE OR PERSONAL INJURY THAT MAY BE SUSTAINED BY ME OR MY CHILD, OR ANY LOSS OR DAMAGE TO PROPERTY OWNED BY ME OR MY CHILD, AS A RESULT OF PARTICIPATING IN CITY ACTIVITIES, WHETHER CAUSED BY THE NEGLIGENCE OF RELEASEES, AS HEREINAFTER DEFINED, OR OTHERWISE.

**C. Release and Waiver from Liability/Duty to Indemnify City**

1. I, on behalf of myself, my child, my personal representatives, my equipment, my heirs and assigns, hereby RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE THE CITY, ITS OFFICERS, SERVANTS, AGENTS, EMPLOYEES, CONTRACTORS AND INSURERS (HEREINAFTER REFERRED TO COLLECTIVELY AS "RELEASEES") FROM ANY AND ALL LIABILITY, CLAIMS, DEMANDS, ACTIONS AND CAUSES OF ACTION WHATSOEVER ARISING OUT OF OR RELATING TO ANY LOSS, DAMAGE OR INJURY, INCLUDING DEATH, THAT MAY BE SUSTAINED BY ME OR MY CHILD, OR TO ANY PROPERTY BELONGING TO ME OR MY CHILD, WHETHER CAUSED BY THE NEGLIGENCE OF THE RELEASEES, OR OTHERWISE, WHILE PARTICIPATING IN CITY ACTIVITIES, OR WHILE IN, ON OR UPON ANY PREMISES WHERE THE CITY ACTIVITIES ARE BEING CONDUCTED, WHILE IN TRANSIT TO OR FROM THE PREMISES, OR IN ANY PLACE OR PLACES CONNECTED WITH THE CITY ACTIVITIES.
2. I FURTHER HEREBY AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS THE RELEASEES AND EACH OF THEM, FROM ANY LOSS, LIABILITY, DAMAGE OR COSTS THEY MAY INCUR DUE TO MY OR MY CHILD'S PARTICIPATION IN CITY ACTIVITIES, WHETHER CAUSED BY THE NEGLIGENCE OF ANY OR ALL OF THE RELEASEES, OR OTHERWISE.
3. It is my express intent that this Agreement shall bind me, my spouse and any other members of my family, my heirs, assigns and personal representative.
4. In signing this release, I further acknowledge and represent that:
  - A. I have read the foregoing Agreement, understand it, and sign it voluntarily as my own free act and deed;
  - B. No oral representation, statements or inducements, apart from the foregoing terms of this Agreement have been made;

- C. I am at least eighteen (18) years of age and fully competent or, if a minor, my parent(s) or guardian(s), by their signatures below, indicate they have fully read and understand this Agreement and indicate, on behalf of their minor child, their full and unqualified consent to the terms of this Agreement;
- D. I execute this Agreement for full, adequate and complete consideration fully intending to be bound by same;
- E. Venue for any dispute arising out of this Agreement shall be Rockwall County, Texas; and
- F. IN ADDITION TO THE ABOVE, BY SIGNING BELOW, I ALSO HEREBY AUTHORIZE THE CITY TO USE ANY PHOTO OR VIDEO ACQUIRED DURING CITY ACTIVITIES FOR PROMOTIONAL PURPOSES.

**I have read this Agreement and by signing it agree with its terms. It is my intention to exempt and relieve the City of Rockwall from any and all liability related to my/my minor child's participation in City Activities.**

**PARTICIPANT:**

_____ Printed Name	_____ Signature	_____ Age	_____ Date
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**PARENT / GUARDIAN:  
(If Participant is under the age of 18)**

_____ Printed Name	_____ Signature	_____ Date
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## CITY OF ROCKWALL'S YOUTH ADVISORY COUNCIL (YAC) PROGRAM APPLICANT AND CONFIDENTIAL MEDICAL INFORMATION

**PLEASE READ THE FOLLOWING INFORMATION CAREFULLY.**

**AS A CITY OF ROCKWALL'S YAC MEMBER, PARENT OR GUARDIAN I UNDERSTAND THAT:** The information requested on this form is intended to help inform staff of any pre-existing medical conditions. **This information will be kept in strict confidence and will only be shared with your permission.** The City requests the information below so that, in case of emergency, we will have accurate information so that we can provide and/or seek appropriate treatment. If your minor child has any medical issue that is not requested below, but which you think is important, please include that information.

### PART 1. GENERAL INFORMATION

Participant Name: \_\_\_\_\_ Address: \_\_\_\_\_

Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_ Gender: M \_\_\_\_ F \_\_\_\_

Parent/Legal Guardian Name: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

**Please list two emergency contacts:**

Emergency Contact #1 Name	Home Phone #	Work Phone #	Cell Phone #	Relation
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Emergency Contact #2 Name	Home Phone #	Work Phone #	Cell Phone #	Relation
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### PART 2. MEDICAL INFORMATION

**If you are uncertain about any pre-existing medical conditions, it is your responsibility to consult with your own physician prior to participating in YAC. Please answer all of the questions. If you answer yes to any of the following questions, please explain as indicated. Use back and/or additional paper if needed.**

Physician's Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Are you up to date with immunizations required by your school (circle one): Yes No

Please indicate the health insurance policy number, name, and address of company. Please also include a copy of the back and front of your insurance card:

Company Name: \_\_\_\_\_ Policy Number: \_\_\_\_\_

Address: \_\_\_\_\_

For the following, circle appropriate response and explain as appropriate:

Does the Participant have any medical conditions that may limit YAC participation?

Yes    No    If yes, identify and explain:

\_\_\_\_\_  
\_\_\_\_\_

Does the Participant have allergies or reactions to medications or insect stings/bites?

Yes    No    If yes, identify and explain:

\_\_\_\_\_  
\_\_\_\_\_

Does the Participant have a medical condition(s) with which City should be aware?

Yes    No    If yes, identify and explain:

\_\_\_\_\_  
\_\_\_\_\_

### **PART 3. AUTHORIZATION FOR MEDICAL CARE**

Unless prior arrangements have been made, medical needs will be handled through the nearest hospital. If traveling, the City Program Staff will select qualified facility. In cases where medical attention is necessary, parents will be contacted for approval when possible. However, before medical treatment can be provided, we are required to have a medical release signed by the parent. Medical facilities may not perform services unless this medical release form is signed.

\_\_\_\_\_(Participant Name) has my permission to receive medical attention in the event of illness or medical emergency while participating in City Activities. I will assume financial responsibility for any cost of health care that may occur during City Activities.

**PLEASE READ:** As a participant, parent or guardian I understand and acknowledge that my failure to disclose relevant information may result in harm to myself/my child and/or others during City Activities. By signing my name, I represent and warrant that I have provided all materials and important information to the City pertaining to my child's medical, mental and physical condition and that it is accurate and complete. I agree to notify the City of any changes in my/my child's mental, physical or medical condition prior to my child's scheduled City Activity.

By revealing or disclosing the above medical information, it will not be used by City personnel or employees to determine my child's ability to participate safely in activities. I understand that, if my child chooses to participate in activities, he/she does so voluntarily and of his/her own accord and the final decision regarding participation is solely the responsibility of my child and myself.

**SIGNATURE IS REQUIRED:**

**PARTICIPANT:**

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Age

\_\_\_\_\_  
Date

**PARENT / GUARDIAN:**

**(If Participant is under the age of 18)**

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PARENT OR GUARDIAN MUST SIGN THIS FORM FOR A MINOR UNDER THE AGE OF 18**



City of Rockwall  
*The New Horizon*

**CITY OF ROCKWALL'S ACTIVITY PARTICIPATION MEDICATION  
PARENT AUTHORIZATION**

**PRESCRIBER /**

**Activity Name(s):** \_\_\_\_\_

**Date(s):** \_\_\_\_\_ **Time(s):** \_\_\_\_\_

**PARTICIPANT INFORMATION**

Participant Name: \_\_\_\_\_ Parent/Legal Guardian Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

\_\_\_\_ **NO, my child does not need to take any prescription medication while participating in a City Activity. (Go to Section C)**

\_\_\_\_ **YES, my child will need to take prescription medication while participating in a City Activity.**

**This form must be completed fully in order for youth program participants to administer required medication to themselves. A new medication administration form must be completed for each Youth Program attended by the participant, for each medication, and each time there is a change in dosage or time of administration of a medication. Requires licensed health care authorization, signature, and parent signature.**

- Prescription medication must be in its original container labeled by the pharmacist or prescriber.
- Containers must hold only the amount required for the time the participant will be attending the City Activity.
- *All prescription medications, including medications for conditions such as food, drug or insect allergies; diabetes; or epilepsy may be brought to the City Activity under the conditions that the Participant can self-manage care and delivery of medication with written authorization to do so at the City Activity by a licensed health care provider.*

**A. PRESCRIBER AUTHORIZATION FOR SELF-ADMINISTRATION OF PRESCRIPTION MEDICATION**

Medication Name: \_\_\_\_\_ Dose: \_\_\_\_\_



Is the Participant capable of self-manage care? (circle one) Yes No

If yes - complete Section B. below. If no - complete the following:

Condition for which medication is being administered: \_\_\_\_\_

Specific Directions (e.g. on empty stomach/with water, etc.) \_\_\_\_\_

Time/Frequency of Administration: \_\_\_\_\_

Medication shall be administered from \_\_\_\_\_ to \_\_\_\_\_

Special Storage Requirements: \_\_\_\_\_

**B. PARENT/GUARDIAN AUTHORIZATION, WAIVER AND CONSENT FOR SELF-ADMINISTRATION OF PRESCRIPTION MEDICATION**

I authorize and recommend self-medication by my child for the above medication. I also affirm that he/she has been instructed in the proper self-administration of the prescribed medication by his/her attending physician. I shall indemnify and hold harmless the City, their officers, officials, agents, and/or employees, other participants, sponsoring agencies, sponsors, advertisers, donors and if applicable, owners and lessors of premises used to host activities against any claims that may arise relating to my child's self-administration of prescribed medication(s).

I/We have legal authority to consent to medical treatment for the participant named above, including the administration of medication at the above referenced City Activity.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**C. PARENT/GUARDIAN AUTHORIZATION, WAIVER AND CONSENT FOR OVER-THE-COUNTER MEDICATION**

Over-the-Counter (OTC) Medication may at times be administered, if the youth participant's parent or guardian indicates approval. Please complete the following section to save time if your child needs any of these OTC medications during his/her stay. **Note: Unless we have parental authorization, we cannot administer ANY medication.**

\_\_\_ **NO, my child does not need to take any OTC medication.**

\_\_\_ **YES, my child may need to take OTC medication. If yes, complete the section below:**

I hereby authorize that the following medications may be given to \_\_\_\_\_ (Participant's Name) if the need arises. You may dispense only those checked below:

\_\_\_ Ointments for minor wound care, first aid as directed. (antiseptic, anti-itch, anti-sting, antibiotic, sunburn)

- \_\_\_ Tylenol/Acetaminophen as directed.
- \_\_\_ Throat lozenges and/or spray as directed for sore throat.
- \_\_\_ Micatin or anti-fungus treatment as directed for athlete's foot.
- \_\_\_ Kaopectate or Imodium for diarrhea as directed.
- \_\_\_ Milk of Magnesia, Pepto Bismol or Mylanta for upset stomach or nausea as directed.
- \_\_\_ Rolaids or Tums for acid reflux, heartburn or indigestion as directed.
- \_\_\_ Benadryl for swelling, hives, allergic reaction as directed.
- \_\_\_ Actifed or Sudafed as directed for nasal congestion or allergy relief per instructions.
- \_\_\_ Medicated lip ointment for dry chapped lips, lip blisters or canker sores as directed.
- \_\_\_ Swimmer's ear drops as directed.
- \_\_\_ Medicated powder for skin irritation as directed.
- \_\_\_ Robitussin or other cough syrup as directed.
- \_\_\_ Calamine lotion for bug bites or poison ivy.
- \_\_\_ Other (list any other approved OTC drugs) \_\_\_\_\_

Any condition which is associated with fever, significant inflammation, and/or does not respond to the above outlined treatment will be followed up by a consultation with the participant's parents. Parent/guardian will be contacted if any conditions develop requiring treatment with any of the above over-the-counter medications that are not checked.

I understand that the OTC medications are not necessarily kept on hand and available to be administered immediately.

I authorize the administration of over-the-counter medications to my child as indicated above. **I shall indemnify and hold harmless the City, their officers, officials, agents, and/or employees, other participants, sponsoring agencies, sponsors, advertisers, donors and if applicable, owners and lessors of premises used to host activities against any claims that may arise relating to my child being administered the above indicated over-the-counter medications.**

I/We have legal authority to consent to medical treatment for the participant named above, including the administration of medication at the above referenced City Activity location.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_



City of Rockwall  
*The New Horizon*

## NOTICE AND ASSUMPTION OF RISK / WAIVER OF LIABILITY / INDEMNIFICATION AGREEMENT

The City of Rockwall's **Youth Advisory Council** ("YAC") is hereby providing notice to the undersigned that it intends to reactivate City Activities and trips. I understand that YAC cannot protect me and/or my family or others from risks which may be encountered as a result of my attendance in YAC activities and trips. I realize there are natural, mechanical, and environmental conditions and hazards which independently or in combination with any activities engaged in while participating in this program may result in the exposure to certain risks including exposure to coronavirus (**COVID-19**), or other biological agents, virus or similar bacteriological agents, and the risk of being quarantined, or illness that may result in medical care, hospitalization or death.

In consideration of being allowed to participate in YAC and related activities and trips, the undersigned acknowledges, appreciates, and agrees that:

1. Participation includes possible exposure to and illness from infectious diseases including but not limited to MRSA, influenza, and COVID-19.

2. I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, **both known and unknown**, EVEN IF ARISING FROM THE ACTIONS OF THE CITY OF ROCKWALL, THEIR OFFICERS, OFFICIALS, AGENTS, AND/OR EMPLOYEES, OTHER PARTICIPANTS, SPONSORING AGENCIES, SPONSORS, ADVERTISERS, DONORS AND IF APPLICABLE, OWNERS AND LESSORS OF PREMISES USED TO HOST EVENTS, ACTIVITIES, OR TRIPS ("RELEASEES"), and assume full responsibility for my participation.

3. I willingly agree to comply with all stated and customary terms and conditions for participation as regards protection against infectious diseases. If I observe any unusual or significant hazard during my presence or participation, I will remove myself from participation and bring such to the attention of the nearest supervisor immediately.

4. I, for myself and on behalf of my heirs, assigns, and next of kin, HEREBY RELEASE AND HOLD HARMLESS THE RELEASEES, WITH RESPECT TO ANY AND ALL ILLNESS, DISABILITY, OR DEATH, WHETHER ARISING FROM THE ACTIONS OF RELEASEES OR OTHERWISE, TO THE FULLEST EXTENT PERMITTED BY LAW.

I HAVE CAREFULLY READ THE FOREGOING RELEASE AND KNOW AND UNDERSTAND THE CONTENTS THEREOF. I SIGN THIS RELEASE VOLUNTARILY AS MY OWN FREE ACT WITH FULL KNOWLEDGE OF ITS SIGNIFICANCE, INTENDING TO BE LEGALLY BOUND THEREBY.

Name of Participant: \_\_\_\_\_

Participant Signature: \_\_\_\_\_

Parent Signature (if Participant under 18): \_\_\_\_\_

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



City of Rockwall  
*The New Horizon*

## MEMORANDUM

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

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

**DATE:** September 2, 2020

**SUBJECT:** Appointments to the “Diverse History of Rockwall” ad hoc Committee

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At the last city council meeting, Council adopted the attached resolution, creating an ad hoc, exploratory, citizen committee for the purpose of determining the best means by which to recognize the diverse history of Rockwall. Councilmember Campbell will serve as the Council liaison and a member of said committee.

This is a seven person committee, with each member of Council being afforded an opportunity to select one appointee. Staff has included an agenda item that allows Council to take action to appoint members to this committee.

**CITY OF ROCKWALL  
RESOLUTION NO. 20-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING THE CREATION OF AN ADHOC COMMITTEE TO EXPLORE HOW BEST TO RECOGNIZE THE DIVERSE HISTORY OF ROCKWALL; ESTABLISHING THAT SAID COMMITTEE SHALL BE CALLED “ROCKWALL’S DIVERSE HISTORY COMMITTEE” (HEREIN REFERRED TO AS ‘THE COMMITTEE’); ESTABLISHING THE MAKE-UP AND PURPOSE(S) OF SAID COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Rockwall has a diverse history that warrants thoughtful research, discussion and acknowledgement by the City; and

**WHEREAS**, the Rockwall City Council has determined it to be in the best interest of the public that we honor and recognize the diverse history of our City; and

**WHEREAS**, the City Council desires to assemble a diverse group of community leaders to explore the history and report to the council with recommendations regarding how best to recognize our city’s historical events and accomplishments.

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

**SECTION 1.** That an ad hoc committee made up of seven (7) Rockwall citizens is hereby created with appointments to said committee being made by a majority vote of the Rockwall City Council with each council member having the opportunity to select one appointee; and

**SECTION 2.** That the makeup of the Committee shall aptly represent the cultural, gender, and age diversity of the Rockwall community as a whole; and

**SECTION 3.** That the name of said committee shall be “Rockwall’s Diverse History Committee”; and

**SECTION 4.** That at least one liaison from the Rockwall City Council shall be designated to act as the Chairperson of this citizen comprised committee and shall periodically report to the Council, as necessary, regarding the progress and activities of the Committee; and

**SECTION 5.** That the City Manager shall assign staff resources necessary to assist the Committee in its work; and

**SECTION 6.** That any recommendations of the Committee which result in potential monetary expenditures shall be subject to Council approval and funding; and

**SECTION 7.** That by a majority vote of the Committee, Committee members may call upon selected members of the community and/or existing boards or commissions of the City (or individual members of said boards or commissions) to serve as a reference for the Committee's work; and

**SECTION 8.** That the Committee shall meet at a frequency established by the Chairperson, with the work of the committee ending after a final report has been delivered to the Rockwall City Council, at which time the ad hoc committee shall be dissolved at the Council's discretion; and

**SECTION 9.** That this resolution shall take effect immediately upon its passage by the Rockwall City Council, and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17<sup>th</sup> DAY OF August, 2020.**

**ATTEST:**

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

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





City of Rockwall  
*The New Horizon*

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# **Building Inspections Department Monthly Report**

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## **July 2020**

### **Permits**

**Total Permits Issued: 393**

Building Permits: 33

Contractor Permits: 360

**Total Commercial Permit Values: \$ 65,619,582.87**

Building Permits: \$65,484,500.00 Contractor Permits: \$135,082.87

**Total Fees Collected: \$880,396.43**

Building Permits: \$842,689.44

Contractor Permits: \$37,706.99

### **Board of Adjustment**

**Board of Adjustment Cases**

**0**



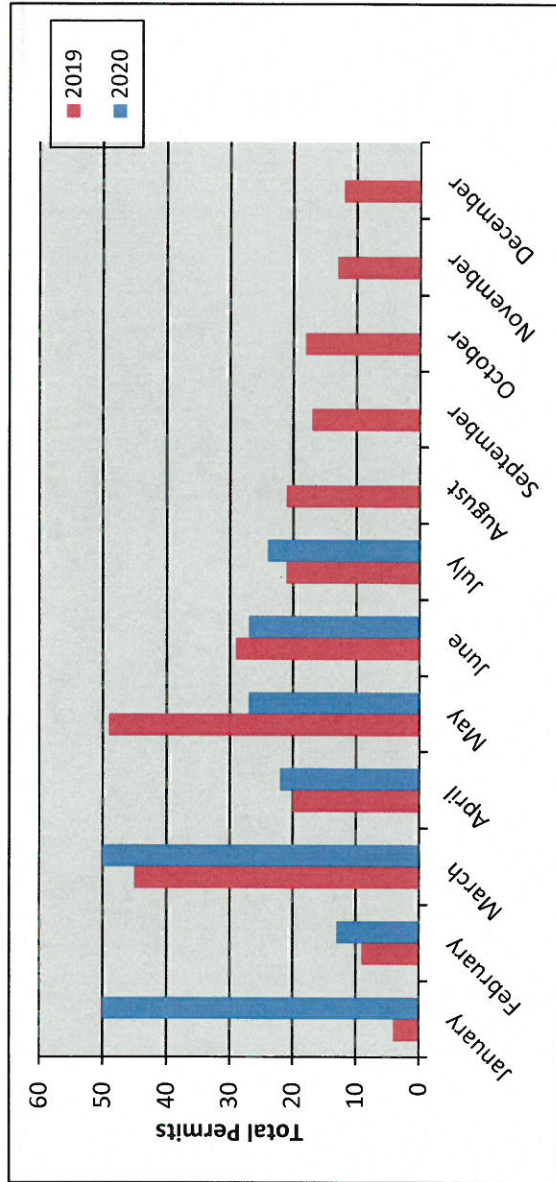
8/20/2020  
10:51:45AM

City of Rockwall  
PERMITS ISSUED - Summary by Type and Subtype  
For the Period 7/1/2020 to 7/31/2020

Type/Subtype	# of Permits Issued	Valuation of Work	Fees Charged
Commercial Building Permit	36	\$65,619,582.87	\$715,409.77
Addition	2	64,039,500.00	636,935.51
Certificate of Occupancy	6		450.00
Electrical Permit	4	4,000.00	1,758.75
Irrigation Permit	2		2,032.84
Mechanical Permit	3	86,800.00	1,103.75
New Construction	2	1,445,000.00	71,114.72
Plumbing Permit	6	27,195.00	677.90
Pool	1		150.00
Remodel	1	17,087.87	304.75
Sign Permit	8		781.55
Temporary Construction Trailer	1		100.00
Residential Building Permit	357		\$164,986.66
Accessory Building Permit	10		997.95
Addition	5		1,775.56
Concrete Permit	18		2,021.00
Deck Permit	1		125.00
Demolition	3		150.00
Driveway Permit	1		286.00
Electrical Permit	16		1,675.00
Fence Permit	83		4,100.00
Irrigation Permit	29		2,175.00
Mechanical Permit	30		3,375.00
New Construction	24		132,863.65
Patio Cover/Pergola	26		2,775.00
Plumbing Permit	33		2,575.00
Pool	39		5,800.00
Remodel	3		711.00
Retaining Wall Permit	2		100.00
Roofing Permit	14		1,050.00
Solar Panel Permit	6		1,731.50
Window & Door Permit	14		700.00
<b>Totals:</b>	<b>393</b>		<b>\$880,396.43</b>

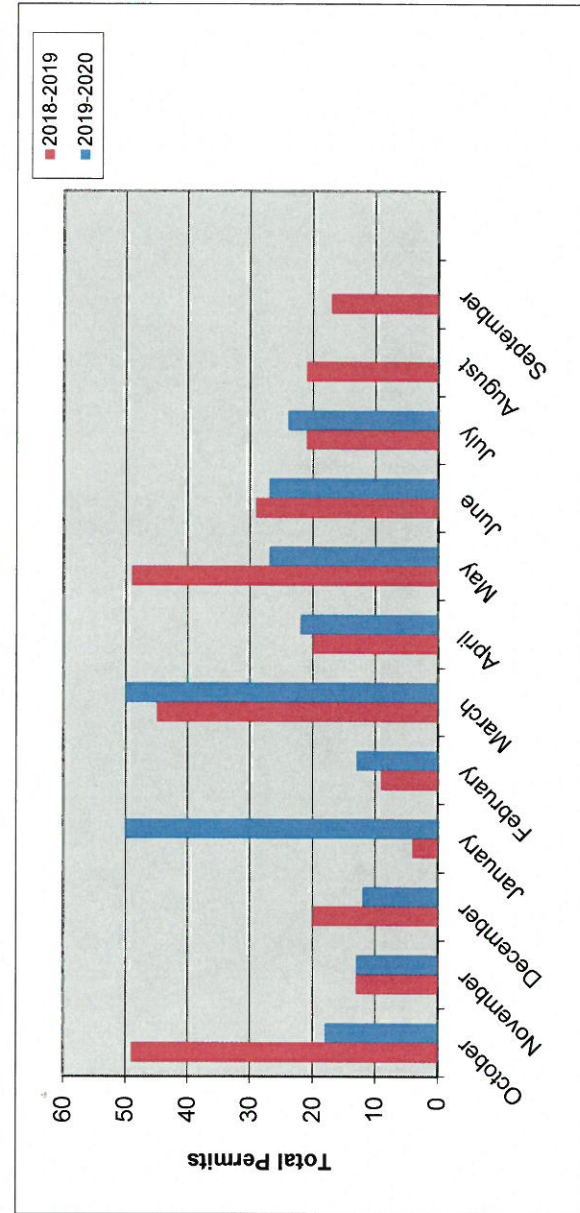
## New Residential Permits      Calendar Year

Year		
	2019	2020
January	4	50
February	9	13
March	45	50
April	20	22
May	49	27
June	29	27
July	21	24
August	21	
September	17	
October	18	
November	13	
December	12	
<b>Totals</b>	<b>258</b>	<b>213</b>



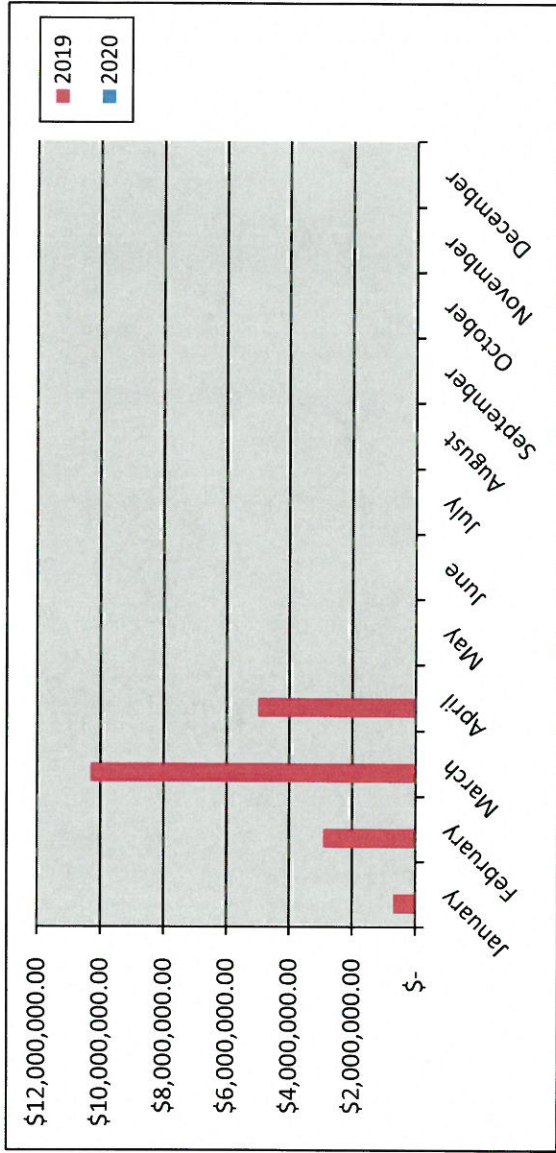
## New Residential Permits      Fiscal Year

Year		
	2018-2019	2019-2020
October	49	18
November	13	13
December	20	12
January	4	50
February	9	13
March	45	50
April	20	22
May	49	27
June	29	27
July	21	24
August	21	
September	17	
<b>Totals</b>	<b>297</b>	<b>256</b>



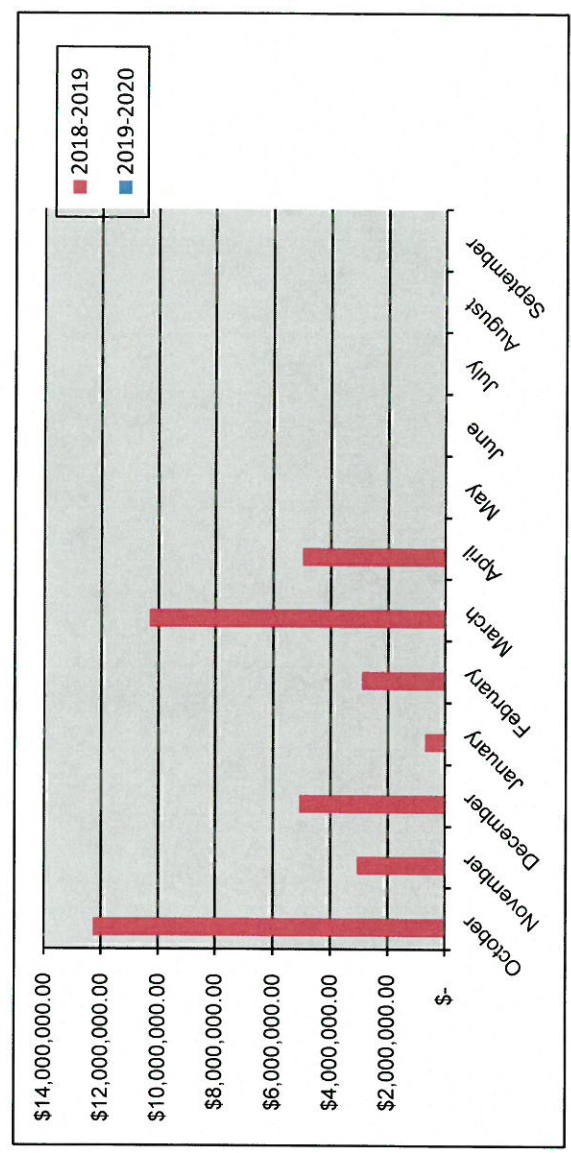
## New Residential Value      Calendar Year

Year		
	2019	2020
January	\$ 681,618.00	\$ -
February	\$ 2,897,344.85	\$ -
March	\$ 10,294,717.00	\$ -
April	\$ 4,977,668.00	\$ -
May		\$ -
June		\$ -
July		\$ -
August		\$ -
September		\$ -
October		\$ -
November		\$ -
December		\$ -
<b>Totals</b>	<b>\$ 18,851,347.85</b>	<b>\$ -</b>



## New Residential Value      Fiscal Year

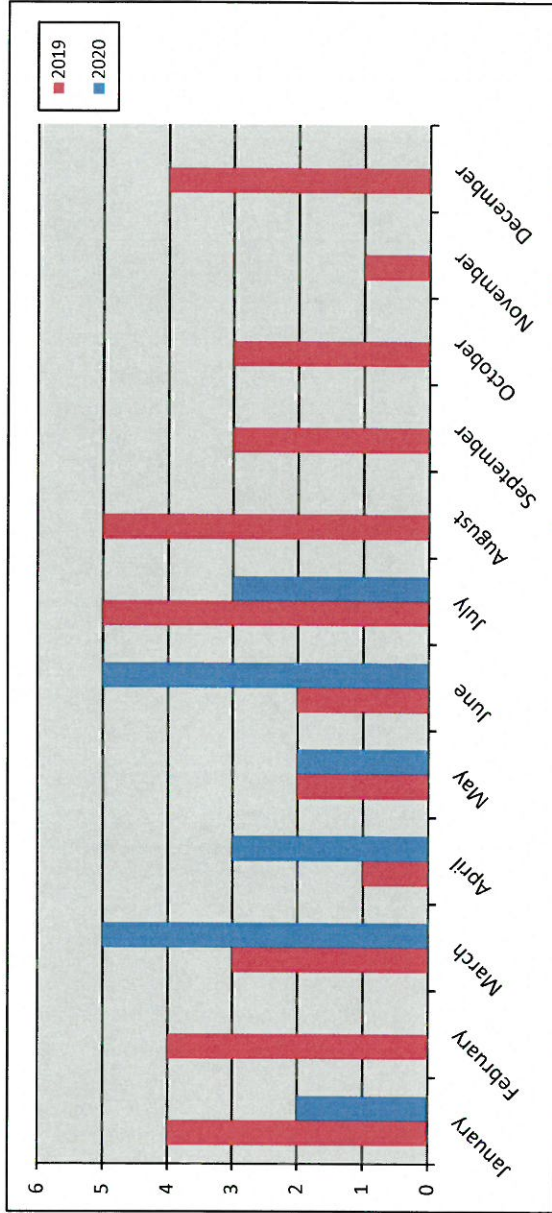
Year		
	2018-2019	2019-2020
October	\$ 12,263,973.00	\$ -
November	\$ 3,064,499.00	\$ -
December	\$ 5,072,758.00	\$ -
January	\$ 681,618.00	\$ -
February	\$ 2,897,344.85	\$ -
March	\$ 10,294,717.00	\$ -
April	\$ 4,977,668.00	\$ -
May	\$ -	\$ -
June	\$ -	\$ -
July	\$ -	\$ -
August	\$ -	\$ -
September	\$ -	\$ -
<b>Totals</b>	<b>\$39,252,577.85</b>	<b>\$ -</b>





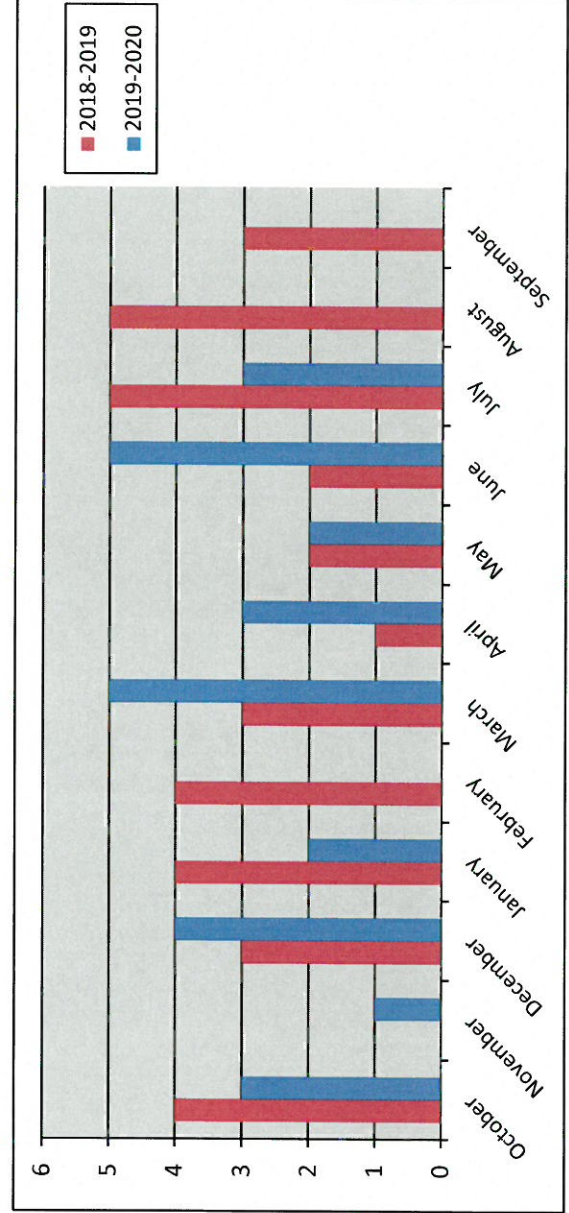
## Residential Remodel Permits      Calendar Year

	Year	
	2019	2020
January	4	2
February	4	0
March	3	5
April	1	3
May	2	2
June	2	5
July	5	3
August	5	
September	3	
October	3	
November	1	
December	4	
<b>Totals</b>	<b>37</b>	<b>20</b>



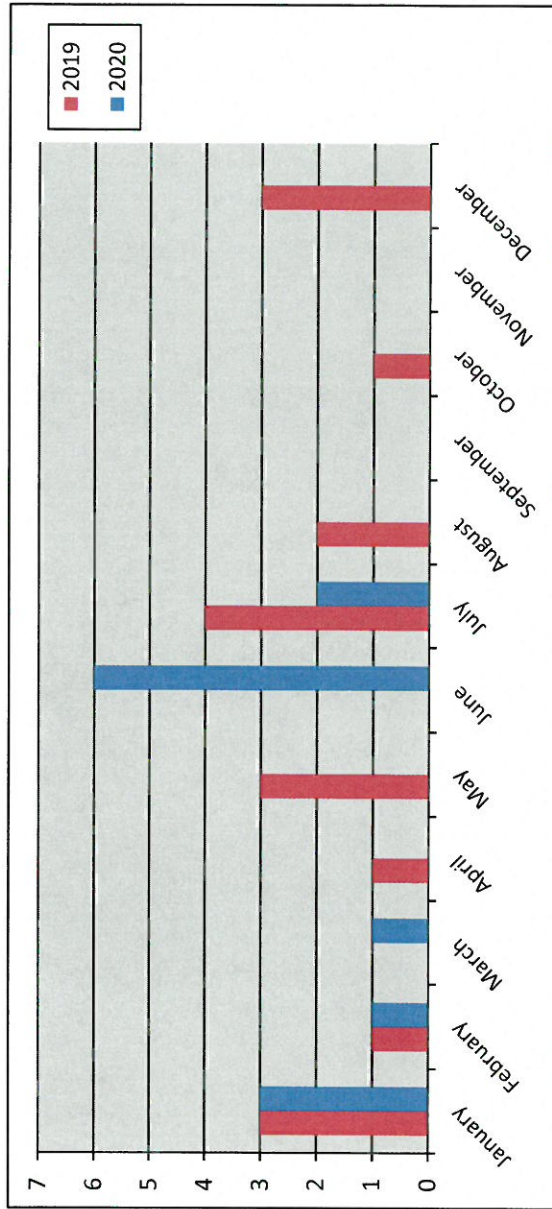
## Residential Remodel Permits      Fiscal Year

	Year	
	2018-2019	2019-2020
October	4	3
November	0	1
December	3	4
January	4	2
February	4	0
March	3	5
April	1	3
May	2	2
June	2	5
July	5	3
August	5	
September	3	
<b>Totals</b>	<b>36</b>	<b>28</b>



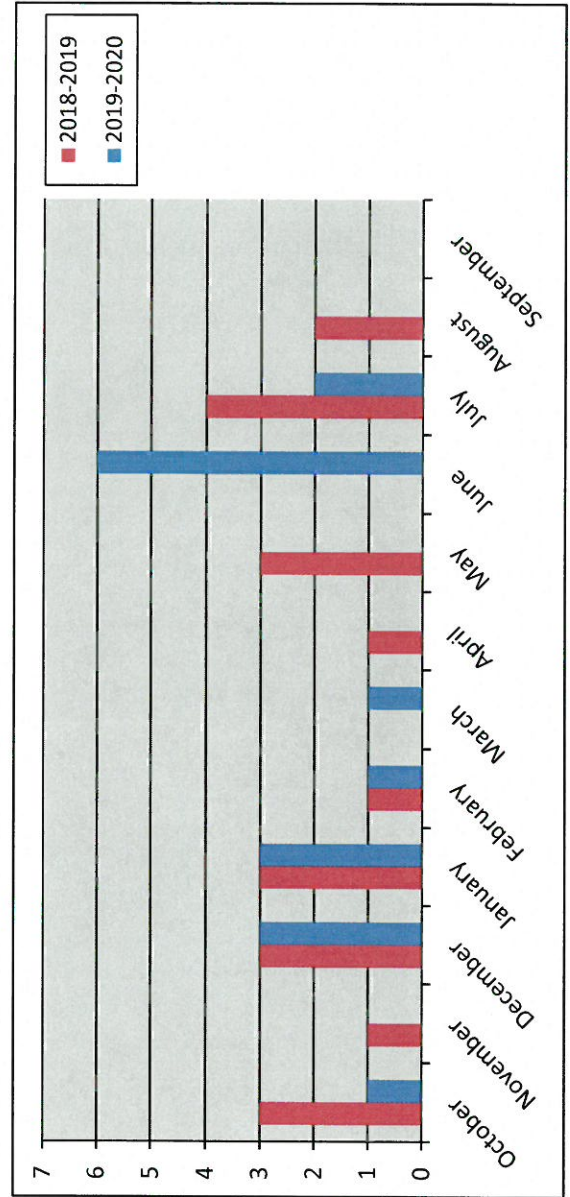
## New Commercial Permits      Calendar Year

	Year	
	2019	2020
January	3	3
February	1	1
March	0	1
April	1	0
May	3	0
June	0	6
July	4	2
August	2	
September	0	
October	1	
November	0	
December	3	
<b>Totals</b>	<b>18</b>	<b>13</b>



## New Commercial Permits      Fiscal Year

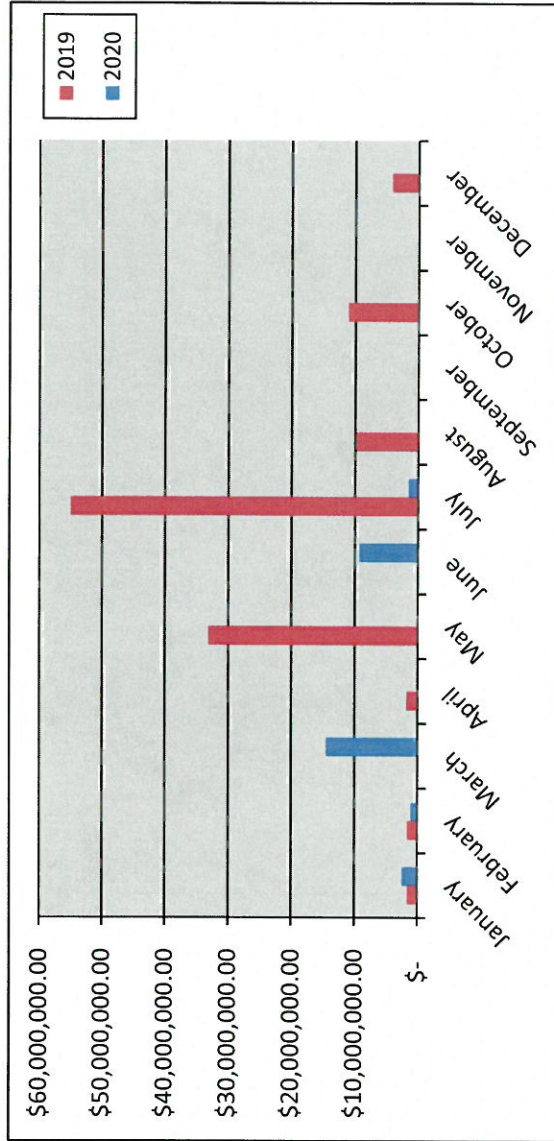
	Year	
	2018-2019	2019-2020
October	3	1
November	1	0
December	3	3
January	3	3
February	1	1
March	0	1
April	1	0
May	3	0
June	0	6
July	4	2
August	2	
September	0	
<b>Totals</b>	<b>21</b>	<b>17</b>





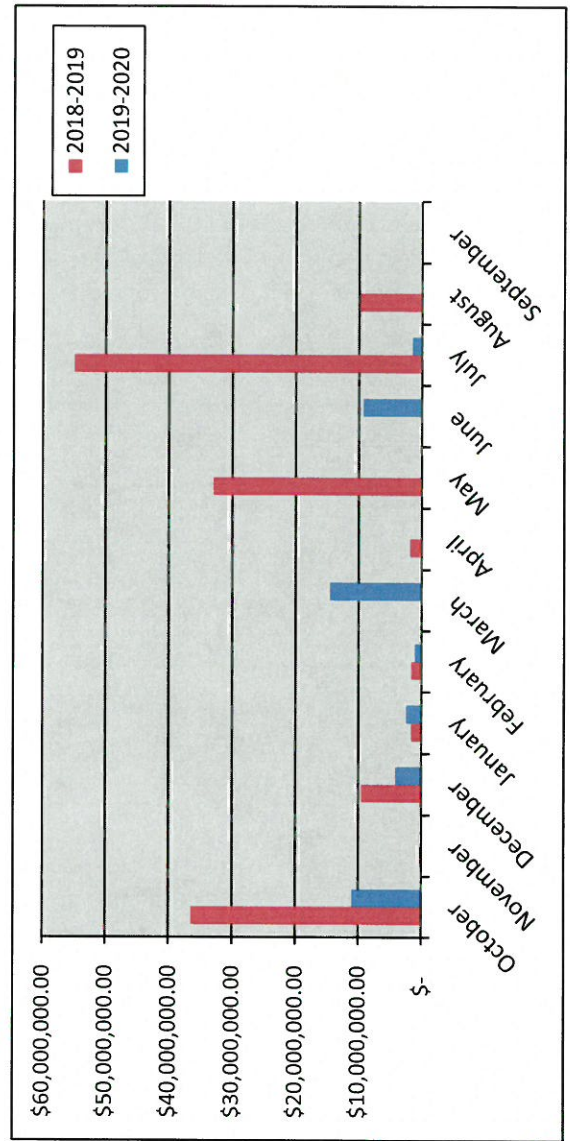
## New Commercial Value      Calendar Year

Year		
	2019	2020
January	\$ 1,530,000.00	\$ 2,375,000.00
February	\$ 1,500,000.00	\$ 995,000.00
March	-	\$ 14,500,000.00
April	\$ 1,700,000.00	-
May	\$ 32,969,700.00	-
June	-	\$ 9,244,001.00
July	\$ 54,900,000.00	\$ 1,445,000.00
August	\$ 9,736,987.00	
September	-	
October	\$ 11,000,000.00	
November	-	
December	\$ 4,100,000.00	
<b>Totals</b>	<b>\$ 117,436,687.00</b>	<b>\$ 28,559,001.00</b>



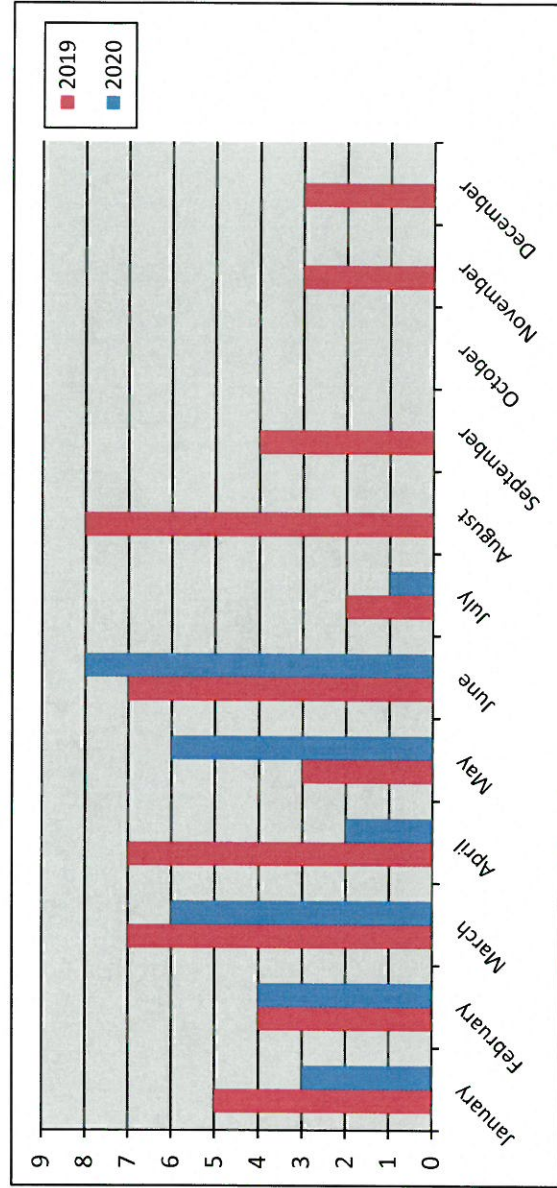
## New Commercial Value      Fiscal Year

Year		
	2018-2019	2019-2020
October	\$ 36,425,000.00	\$ 11,000,000.00
November	\$ 180,000.00	-
December	\$ 9,427,800.00	\$ 4,100,000.00
January	\$ 1,530,000.00	\$ 2,375,000.00
February	\$ 1,500,000.00	\$ 995,000.00
March	-	\$ 14,500,000.00
April	\$ 1,700,000.00	-
May	\$ 32,969,700.00	-
June	-	\$ 9,244,001.00
July	\$ 54,900,000.00	\$ 1,445,000.00
August	\$ 9,736,987.00	
September	-	
<b>Totals</b>	<b>\$ 148,369,487.00</b>	<b>\$ 43,659,001.00</b>



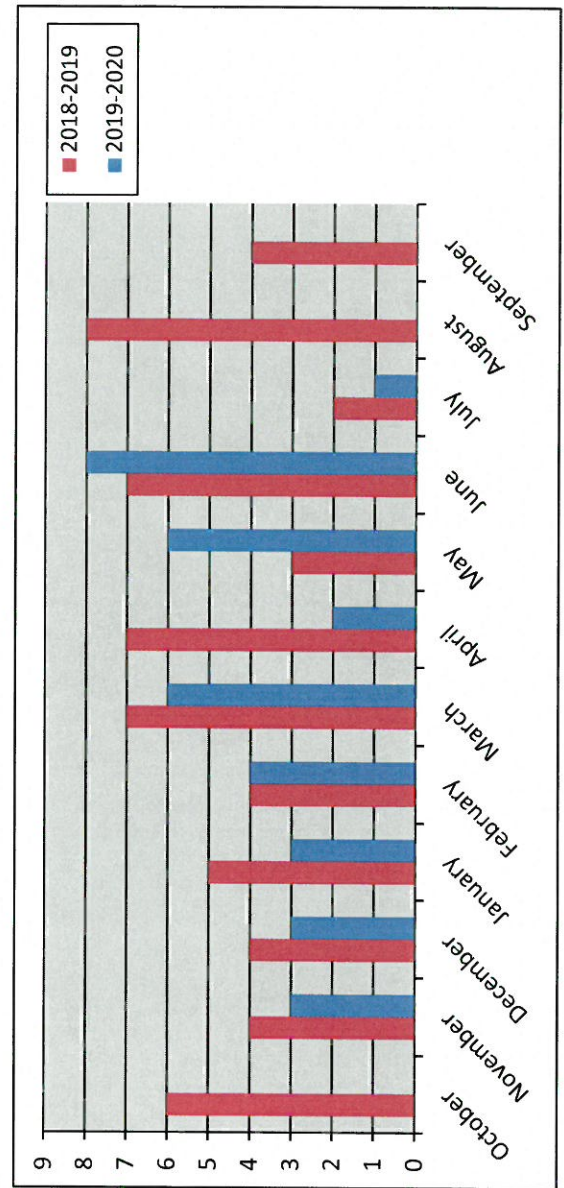
## Commercial Remodel Permits      Calendar Year

	Year	
	2019	2020
January	5	3
February	4	4
March	7	6
April	7	2
May	3	6
June	7	8
July	2	1
August	8	
September	4	
October	0	
November	3	
December	3	
<b>Totals</b>	<b>53</b>	<b>30</b>



## Commercial Remodel Permits      Fiscal Year

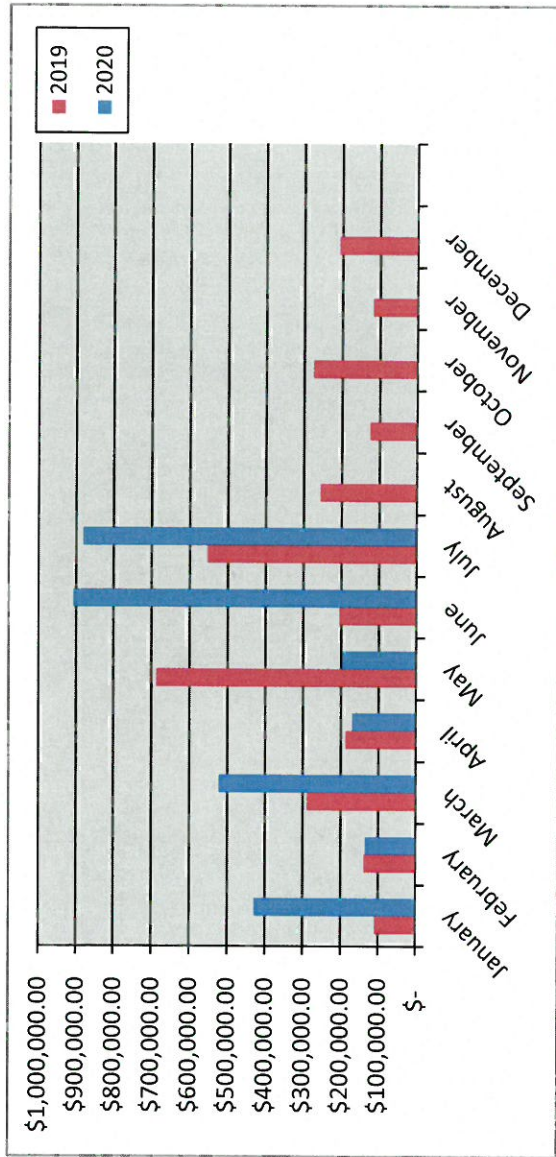
	Year	
	2018-2019	2019-2020
October	6	0
November	4	3
December	4	3
January	5	3
February	4	4
March	7	6
April	7	2
May	3	6
June	7	8
July	2	1
August	8	
September	4	
<b>Totals</b>	<b>61</b>	<b>36</b>





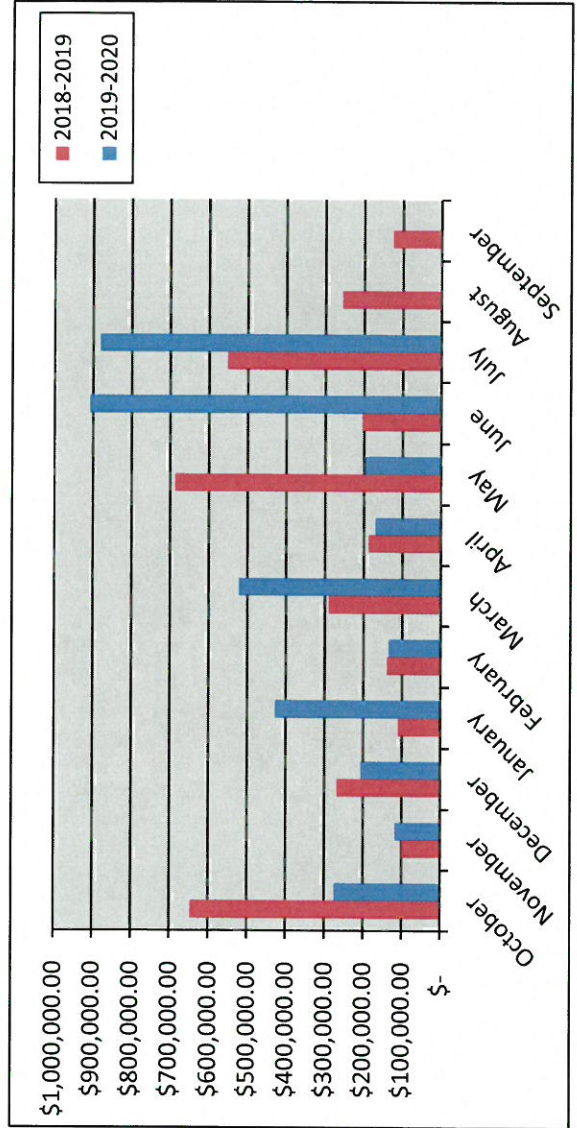
## Total Fees Collected      Calendar Year

	Year	
	2019	2020
January	\$ 108,325.23	\$ 427,697.11
February	\$ 137,260.79	\$ 134,061.03
March	\$ 288,576.03	\$ 521,238.63
April	\$ 186,555.47	\$ 169,632.18
May	\$ 685,938.85	\$ 196,119.77
June	\$ 203,335.14	\$ 906,969.19
July	\$ 551,248.76	\$ 880,396.43
August	\$ 254,601.49	
September	\$ 123,811.68	
October	\$ 274,121.49	
November	\$ 116,656.13	
December	\$ 205,859.61	
<b>Totals</b>	<b>\$ 3,136,290.67</b>	<b>\$ 3,236,114.34</b>



## Total Fees Collected      Fiscal Year

	Year	
	2018-2019	2019-2020
October	\$ 645,511.95	\$ 274,121.49
November	\$ 99,983.92	\$ 116,656.13
December	\$ 266,328.43	\$ 205,859.61
January	\$ 108,325.23	\$ 427,697.11
February	\$ 137,260.79	\$ 134,061.03
March	\$ 288,576.03	\$ 521,238.63
April	\$ 186,555.47	\$ 169,632.18
May	\$ 685,938.85	\$ 196,119.77
June	\$ 203,335.14	\$ 906,969.19
July	\$ 551,248.76	\$ 880,396.43
August	\$ 254,601.49	
September	\$ 123,811.68	
<b>Totals</b>	<b>\$ 3,551,477.74</b>	<b>\$ 3,832,751.57</b>



## PERMITS ISSUED

For the Period 7/1/2020 to 7/31/2020

Permit Number	Permit Type	Site Address	Total Fees	
Application Date	Subtype	Parcel Number		
Issue Date	Status of Permit	Subdivision Name		
		Plan Number	Valuation	Fees Paid
CO2020-0032	Commercial Building Permit			
07/01/2020	Certificate of Occupancy	2012 S Goliad Street,		\$75.00
07/01/2020	ACTIVE	ROCKWALL, TX 75087		\$75.00
				5,858.00

Contact Type	Contact Name	Contact Address			
Owner	ROCKWALL, CENTRAL S/C II LTD		TULSA	OK	74174
Applicant	Jimmy Brown Jr	Assistant Secretary			
Business Owner	QT South LLC	4705 S 129th E Ave	Tulsa	OK	74134
Business Owner	QuikTrip #935	2012 S. Goliad Street	Rockwall	TX	75087
Historical	Chappell, Madison	QT License Analyst			
Contact	LOGAN ALLEN				
<b>Contractors</b>					

CO2020-0038	Commercial Building Permit			
07/20/2020	Certificate of Occupancy	2040 Kristy Ln, Rockwall,		\$75.00
07/23/2020	ISSUED	TX 75032		\$75.00
				15,710.00

Contact Type	Contact Name	Contact Address			
Owner	Morsco Supply LLC	15850 Dallas Pkwy, #200	Dallas	TX	75248
Business Owner	Morsco Supply LLC	15850 Dallas Pkwy, # 200	Dallas	TX	75248
Property Owner	Jowers Inc	P.O. Box 1870	Rockwall	TX	75087
<b>Contractors</b>					

CO2020-0040	Commercial Building Permit			
07/07/2020	Certificate of Occupancy	2911 Greenway Dr,		\$75.00
07/07/2020	ISSUED	Rockwall, TX 75087		\$75.00
				91,992.00

Contact Type	Contact Name	Contact Address			
Owner	Rockwall ISD	1050 Williams St	Rockwall	TX	75087
Applicant	Tim Lyssy	RISD	75087	TX	75087
Business Owner	Rockwall Independent School District	1050 Williams St	Rockwall	TX	75087
Business Owner	Sherry & Paul Hamm	2911 Greenway Dr	ROCKWALL	TX	75087
Historical	Elementary School				
	Niels Berzanskis	Northstar Builders	Coppell	TX	75019
<b>Contractors</b>					

COM2020-1681	Commercial Building Permit			
06/26/2020	Certificate of Occupancy	107 E Bourn St. Rockwall		\$75.00
07/07/2020	ISSUED	TX, 75087		\$75.00
				1,200.00

## PERMITS ISSUED

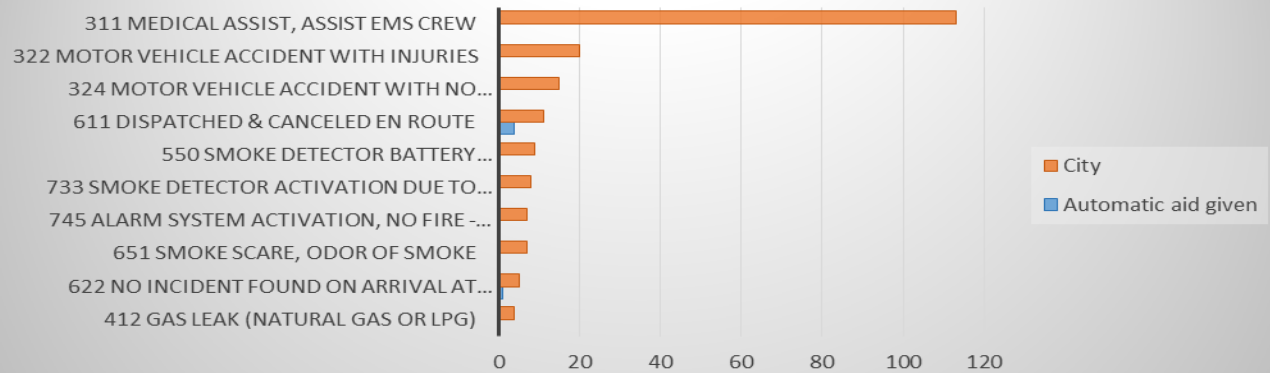
For the Period 7/1/2020 to 7/31/2020

Permit Number	Permit Type	Site Address				
Application Date	Subtype	Parcel Number			Total Fees	
Issue Date	Status of Permit	Subdivision Name				
		Plan Number	Valuation	Total SQFT	Fees Paid	
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>				
Business Owner	Simon Ybarra	107 E. Bourn Ave.	Rockwall	TX	75087	
Property Owner	Jason Edwards	10 Dancing Waters	Rockwall	TX	75087	
<b>Contractors</b>						
<hr/>						
COM2020-1804	Commercial Building Permit					
07/01/2020	Certificate of Occupancy	382 Ranch Trail, Rockwall			\$75.00	\$75.00
07/17/2020	ISSUED	TX 75032			3,280.00	
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>				
Business Owner	Cory Fleck	382 Ranch Trail	Rockwall	TX	75032	
Property Owner	Big Buck Properties, LLC	382 Ranch Trail	Rockwall	TX	75032	
<b>Contractors</b>						
<hr/>						
COM2020-1994	Commercial Building Permit					
07/12/2020	Certificate of Occupancy	316 S GOLIAD ST S. 201			\$75.00	\$75.00
07/31/2020	ISSUED	ROCKWALL 75087			1,200.00	
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>				
Business Owner	REVITAL LISA MENASCHE	1588 N HILLS DR	ROCKWALL	TX	75087	
Property Owner	DJ ROCKWALL LLC	12900 PRESTON RD, #615	DALLAS	TX	75230	
<b>Contractors</b>						
<hr/>						
			<b>Total Valuation:</b>			
			<b>Total Fees: \$450.00</b>			
			<b>Total Fees Paid: \$450.00</b>			



# July Monthly Report 2020

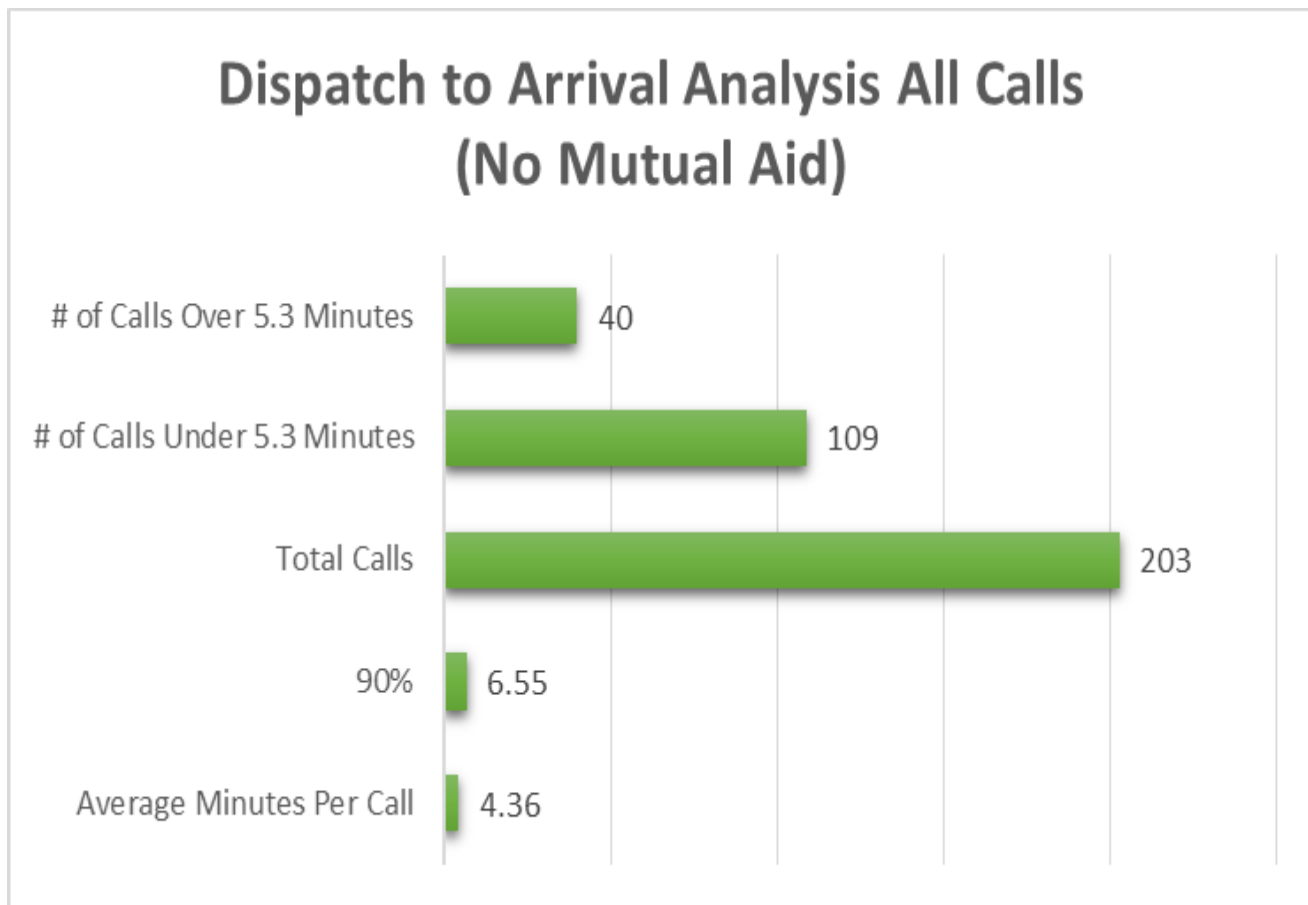
## July 2020 Top Ten Calls



July 2020 - All Calls			
Situation Type	Automatic aid given	Mutual aid given	City
611 Dispatched & canceled en route	4		11
622 No incident found on arrival at dispatch address	1		5
365 Watercraft rescue	1		1
122 Fire in motor home, camper, recreational vehicle			1
542 Animal rescue			1
746 Carbon monoxide detector activation, no CO			2
130 OTHER-Mobile property (vehicle) fire			1
111 Building fire			2
131 Passenger vehicle fire (cars, pickups, SUV's)			1
742 Extinguishing system activation			1
132 Road freight or transport vehicle fire (Commercial Vehicles)			1
520 Water problem, other			1
142 Brush or brush-and-grass mixture fire			1
550 Smoke Detector Battery Change/Install			9
150 OTHER Outside rubbish fire			1
631 Authorized controlled burning			1
154 Dumpster or other outside trash receptacle fire			2
735 Alarm system sounded due to malfunction			4
160 Special outside fire, other			1
744 Detector activation, no fire - unintentional			1
311 Medical assist, assist EMS crew			113
100 Fire, other		1	1
322 Motor vehicle accident with injuries			20
531 Smoke or odor removal			2
324 Motor vehicle accident with no injuries.			15
550 Public service assistance, other			1
340 Search for lost person, other			1
551 Assist police or other governmental agency			1
350 Extrication, rescue, other			1
118 Trash or rubbish fire, contained			1
651 Smoke scare, odor of smoke			7
641 Vicinity alarm (incident in other location)			1
652 Steam, vapor, fog or dust thought to be smoke			1
730 System malfunction, other			1
700 False alarm or false call, other			4
411 Gasoline or other flammable liquid spill			2
733 Smoke detector activation due to malfunction			8
412 Gas leak (natural gas or LPG)			4
740 Unintentional transmission of alarm, other			3
424 Carbon monoxide incident			1
743 Smoke detector activation, no fire - unintentional			4
444 Power line down			3
745 Alarm system activation, no fire - unintentional			7
462 Aircraft standby			1
813 Wind storm, tornado/hurricane assessment			1
511 Lock-out			1
512 Ring or jewelry removal			1
<b>Totals</b>	<b>6</b>	<b>1</b>	<b>254</b>

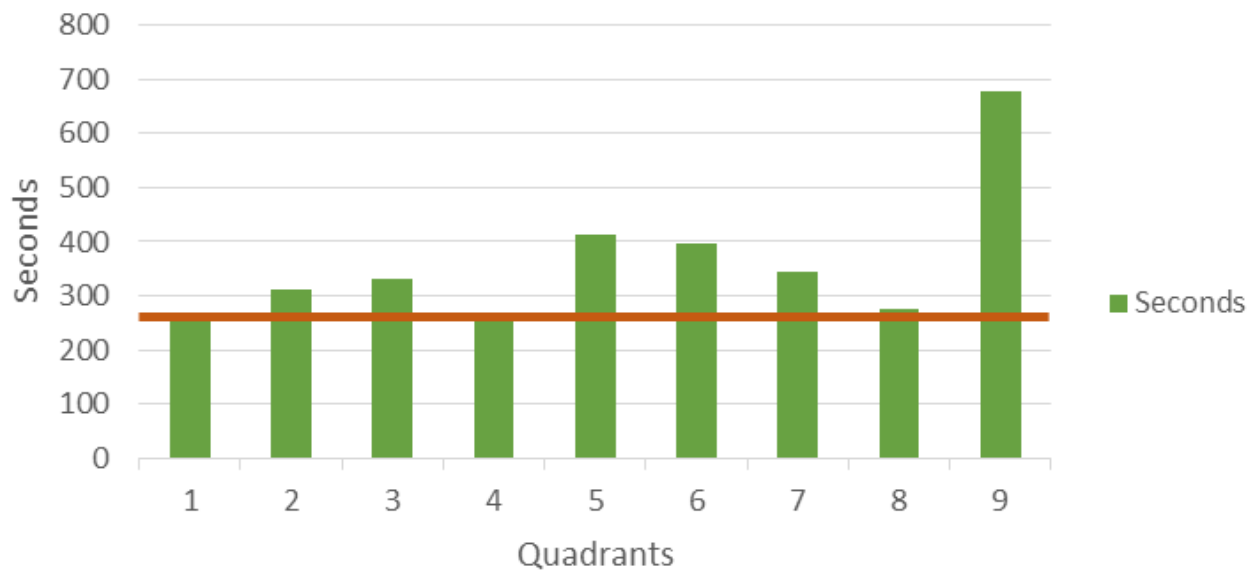
## July 2020 Dispatch to Arrival Analysis

<u><i>Dispatch to Arrival Analysis-(No Mutual Aid)</i></u>				Total Calls
73.40%	On Scene in	5.3	minutes or less	109
82.27%	On Scene in	6.0	minutes or less	121
94.09%	On Scene in	7.0	minutes or less	133
97.54%	On Scene in	8.0	minutes or less	143
99.01%	On Scene in	9.0	minutes or less	146
99.51%	On Scene in	11.0	minutes or less	149
	Total Calls		203	





## Travel Time July 2020 90% of the Time



Travel Time Analysis- <i>By District</i> ALL CALLS- (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% in 4 min or less    All Code 3 Calls-No Cancelled enroute calls						
<u>100s</u>						
83%	On Scene in	4.0	minutes or less	66	1.65	32.84%
<u>200s</u>						
81%	On Scene in	4.0	minutes or less	62	2.75	30.85%
<u>300s</u>						
58%	On Scene in	4.0	minutes or less	19	3.75	9.45%
<u>400s</u>						
79%	On Scene in	4.0	minutes or less	28	2.68	13.93%
500s						
33%	On Scene in	4.0	minutes or less	12	1.76	5.97%
600s						
33%	On Scene in	4.0	minutes or less	3	2.10	1.49%
700s						
25%	On Scene in	4.0	minutes or less	8	3.88	3.98%
800s						
50%	On Scene in	4.0	minutes or less	2	1.39	1.00%
900s						
0%	On Scene in	4.0	minutes or less	1	1.00	0.50%
Total Calls				201		





# Total Dollar Losses

July 2020



City of Rockwall  
*The New Horizon*

Rockwall Fire Department

Print Date/Time: 08/19/2020 11:34  
Login ID: rck\ihatcher  
Layer: All  
Areas: All

ORI Number: TX504  
Incident Type: All  
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$152,200.00	\$8,402.00	\$10,500.00	\$189,413.00	\$136,215.00
Total Content Loss:	\$91,700.00	\$2.00	\$5,500.00	\$137,952.00	\$50,500.00
Total Property Pre-Incident Value:	\$324,707.00	\$15,359,500.00	\$450,450.00	\$30,508,562.00	\$5,164,756.92
Total Contents Pre-Incident Value	\$50,500.00	\$5,200.00	\$108,660.00	\$1,143,200.00	\$636,576.35
Total Losses:	\$243,900.00	\$8,404.00	\$16,000.00	\$327,365.00	\$243,900.00
Total Value:	\$375,207.00	\$15,364,700.00	\$559,110.00	\$31,651,762.00	\$5,801,333.27



# Fire Marshal Division

## July 2020 Report



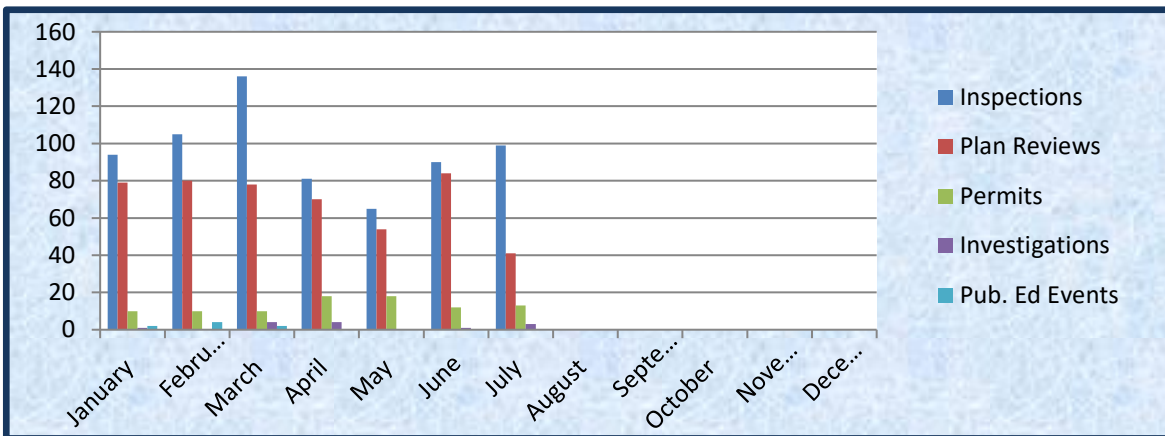
Inspections Conducted	
Total for the Month	99

Plan Reviews Completed	
Total for the Month	41

Permits Issued	
Total for the Month	13

Fire Investigations	
Active Investigations	0
Closed Investigations	3
Total for the Month	3

Public Education Events	
Total for the Month	0



# JULY 2020 MONTHLY REPORT



ROCKWALL PARKS  
& RECREATION

## PARTICIPATION



CBTL: 1,000 ATTENDANCE



4TH OF JULY FIREWORKS: 1,500 ATTENDANCE



4TH OF JULY PARADE: 500 ATTENDANCE

### MONTHLY OVERVIEW

JULY '20

Part Time Labor Hours	68
Program Offerings	0
Program Participants	0
Resident Participants	0
Non-Resident Participants	0
Programs that Made	0
Cancelled Programs	0
% of Programs Cancelled	0%

### FEE BASED RESIDENT VS NON-RESIDENT

0 programs

0%

0%

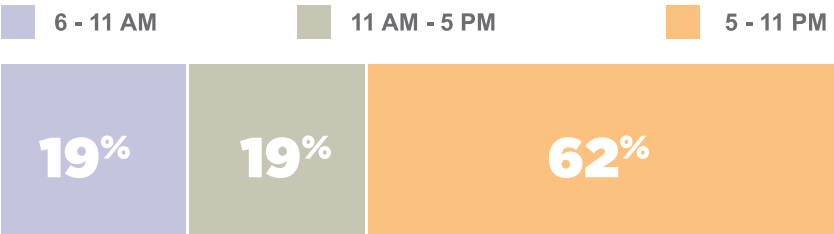
# RENTALS



HMCC	JULY '20
Time Blocks Rented	21
Monthly Revenue	\$480

## HMCC RENTAL ACTIVITY BY TIME BLOCK

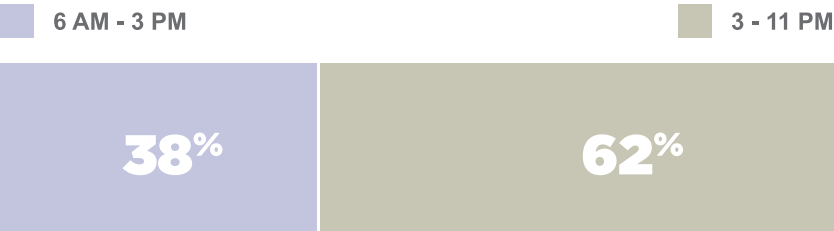
21 Rentals



PAVILIONS	JULY '20
Time Blocks Rented	16
Monthly Revenue	\$640

## PAVILION RENTAL ACTIVITY BY TIME BLOCK

16 Rentals





# PARKS



## **FACILITY MAINTENANCE:**

Disc Golf / Myers basket repair



## **ASSET PROTECTION:**

LED Bridge light bases to help prevent vandalism



## **FACILITY UPGRADE**

Basketball Court / Gloria Williams resurface and resripe



## MARKETING

### FACEBOOK PAGE LIKES



JUN

GAIN OR LOSS

**+110**

JUL

**+152**

TOTAL LIKES THRU 7/31/2020



**14,867**

### ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

JUN

ACCOUNTS

**9444**

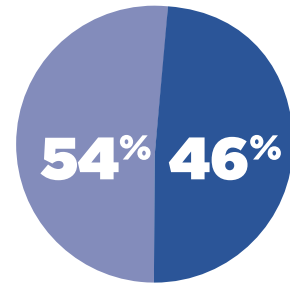
GAIN OR LOSS

**+47**

JUL

**9512**

**+68**



**RESIDENT VS NON-RESIDENT  
ACCOUNTS**

### PLAYROCKWALL.COM PERFORMANCE METRICS

# PLAYROCKWALL.COM

## PAGEVIEWS

Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of July 2020.

**115,250**

## SESSIONS

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

**29,819**

## USERS

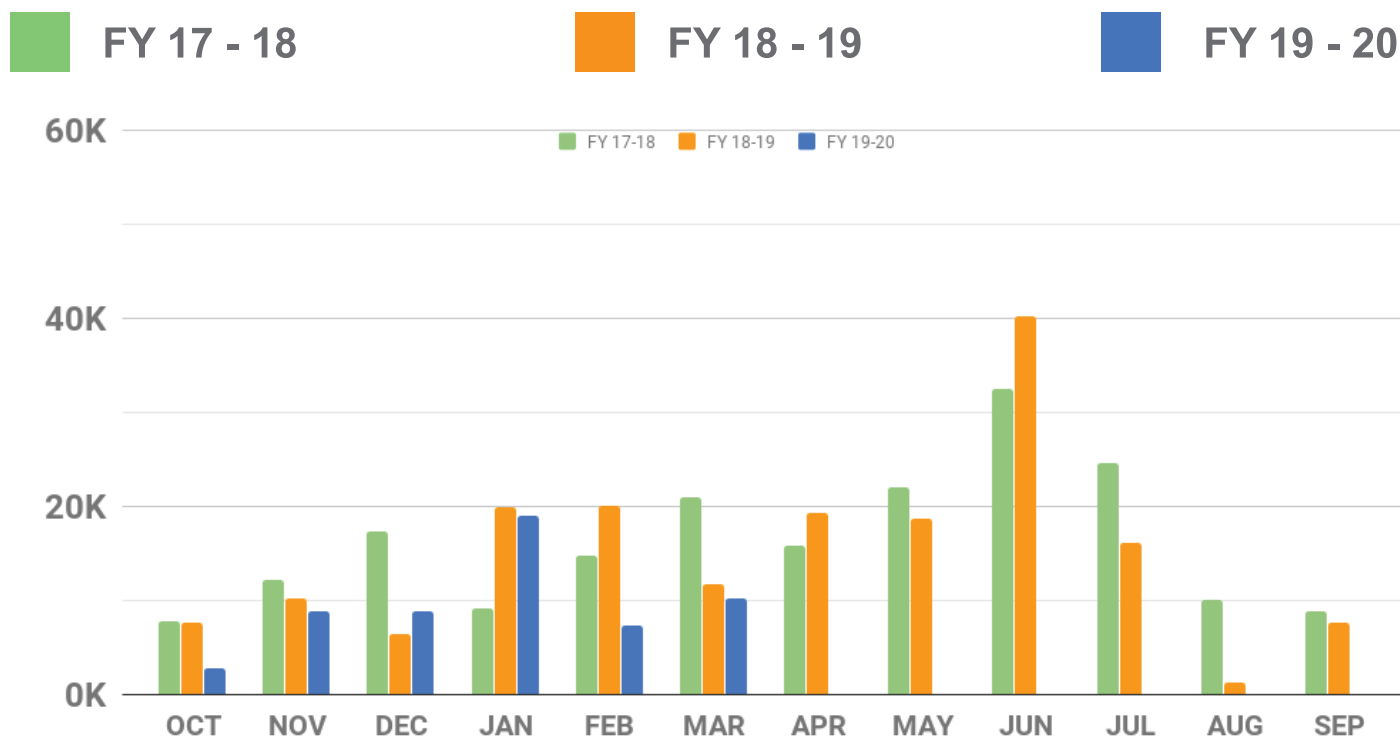
Visitors to playrockwall.com

**22,447**

# REVENUE

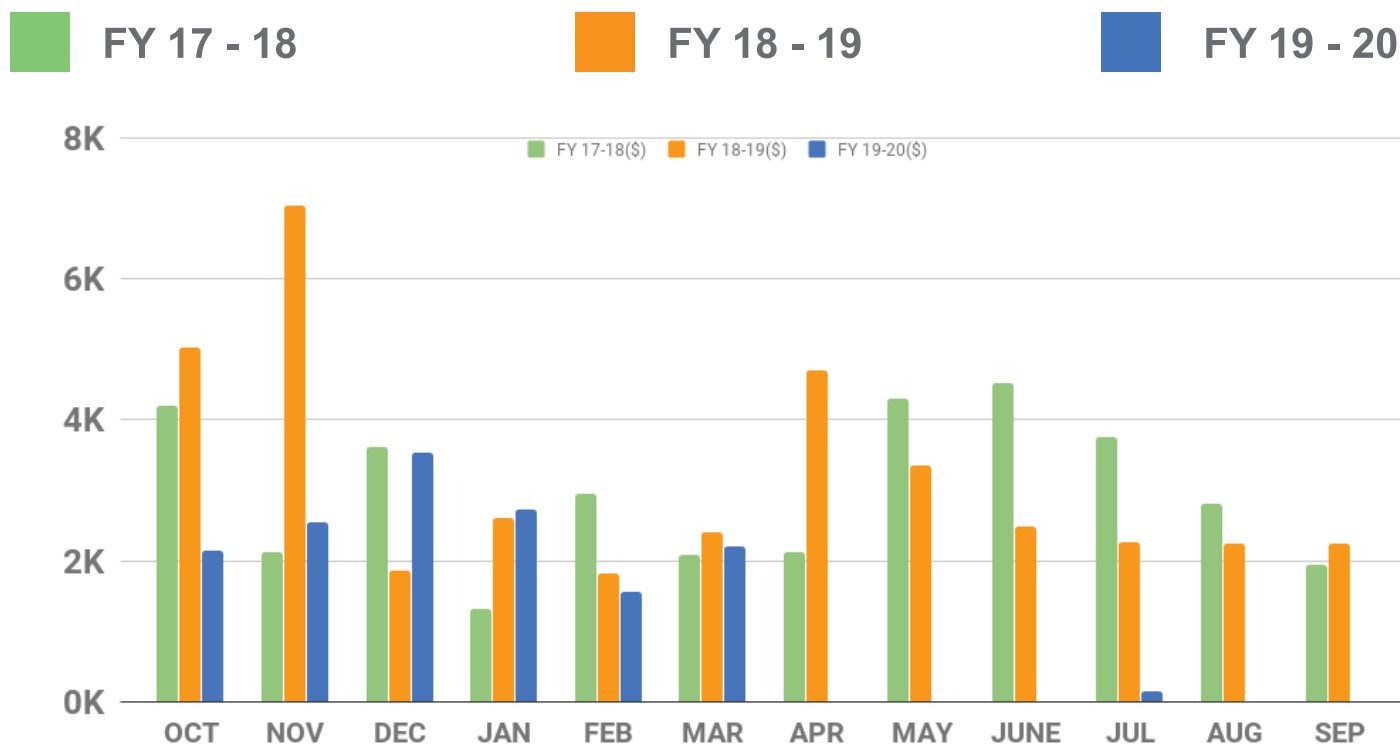
## FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



## FACILITY REVENUE BY MONTH

3 fiscal years





# Rockwall Police Department

## Monthly Activity Report

July-2020

ACTIVITY	CURRENT MONTH JULY	PREVIOUS MONTH JUNE	YTD 2020	YTD 2019	YTD % CHANGE
----------	-----------------------	------------------------	-------------	-------------	-----------------

### PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	1	2	4	11	-63.64%
Robbery	0	0	7	7	0.00%
Aggravated Assault	3	2	14	16	-12.50%
Burglary	8	3	39	32	21.88%
Larceny	73	50	367	365	0.55%
Motor Vehicle Theft	6	5	40	28	42.86%
<b>TOTAL PART I</b>	<b>91</b>	<b>62</b>	<b>471</b>	<b>459</b>	<b>2.61%</b>
<b>TOTAL PART II</b>	<b>141</b>	<b>119</b>	<b>852</b>	<b>943</b>	<b>-9.65%</b>
<b>TOTAL OFFENSES</b>	<b>232</b>	<b>181</b>	<b>1323</b>	<b>1402</b>	<b>-5.63%</b>

### ADDITIONAL STATISTICS

FAMILY VIOLENCE	15	11	86	115	-25.22%
D.W.I.	10	13	90	110	-18.18%

### ARRESTS

FELONY	30	29	192	224	-14.29%
MISDEMEANOR	36	56	324	429	-24.48%
WARRANT ARREST	6	8	66	72	-8.33%
JUVENILE	2	1	31	24	29.17%
<b>TOTAL ARRESTS</b>	<b>74</b>	<b>94</b>	<b>613</b>	<b>749</b>	<b>-18.16%</b>

### DISPATCH

CALLS FOR SERVICE	1633	1461	9699	10472	-7.38%
-------------------	------	------	------	-------	--------

### ACCIDENTS

INJURY	65	1	90	77	16.88%
NON-INJURY	3	49	287	427	-32.79%
FATALITY	0	0	1	0	100.00%
<b>TOTAL</b>	<b>68</b>	<b>50</b>	<b>378</b>	<b>504</b>	<b>-25.00%</b>

### FALSE ALARMS

RESIDENT ALARMS	41	39	293	399	-26.57%
BUSINESS ALARMS	190	163	942	919	2.50%
<b>TOTAL FALSE ALARMS</b>	<b>231</b>	<b>202</b>	<b>1235</b>	<b>1318</b>	<b>-6.30%</b>
Estimated Lost Hours	152.46	133.32	815.1	869.88	-6.30%
Estimated Cost	\$3,626.70	\$3,171.40	\$19,389.50	\$20,692.60	-6.30%

### ROCKWALL NARCOTICS UNIT

	Number of Cases	7
	Arrests	7
	Arrest Warrants	1
	Search Warrants	2
	Seized	
	Adderall	10g
	Cocaine	29g
	Hydrocodone	30 pills
	Marijuana	7 ounces
	Methamphetamine	12g
	THC Oil	32g

Total Offenses			
Month	Total Part I Crimes	Total Part II Crimes	Total Crimes
January-19	65	154	219
February-19	55	132	187
March-19	52	153	205
April-19	51	140	191
May-19	83	147	230
June-19	58	109	167
July-19	96	108	204
August-19	80	122	202
September-19	61	173	234
October-19	63	129	192
November-19	80	157	237
December-19	71	157	228
<b>Totals</b>	<b>815</b>	<b>1681</b>	<b>2496</b>
January-20	78	130	208
February-20	70	112	182
March-20	62	134	196
April-20	52	78	130
May-20	56	138	194
June-20	62	119	181
July-20	91	141	232
August-20			0
September-20			0
October-20			0
November-20			0
December-20			0
<b>Totals</b>	<b>471</b>	<b>852</b>	<b>1323</b>
Crime Index per 1,000 population			
Month	Total Part I Crimes	Population Estimate	Crime Index
January-19	65	44,123	1.5
February-19	55	44,188	1.2
March-19	52	44,257	1.2
April-19	51	44,350	1.1
May-19	83	44,425	1.9
June-19	58	44,542	1.3
July-19	96	44,632	2.2
August-19	80	44,658	1.8
September-19	61	44,710	1.4
October-19	63	44,767	1.4
November-19	80	44,924	1.8
December-19	71	44,966	1.6
<b>Average</b>	<b>67.9</b>	<b>Average</b>	<b>1.5</b>
January-20	78	44,982	1.7
February-20	70	45,044	1.6
March-20	62	45,124	1.4
April-20	52	45,186	1.2
May-20	56	45,261	1.2
June-20	62	45,318	1.4
July-20	91	45,367	2.0
August-20			0.0
September-20			0.0
October-20			0.0
November-20			0.0
December-20			0.0
<b>Average</b>	<b>67.3</b>	<b>Average</b>	<b>1.5</b>

The City of Rockwall Crime Index is calculated by taking the UCR Part I crimes and comparing them with the City of Rockwall's estimated population.

Violent Crimes			
Month	Total Violent Crimes	Population	Crime Index / 1000 population
January-19	4	44,123	0.09
February-19	4	44,188	0.09
March-19	3	44,257	0.07
April-19	3	44,350	0.07
May-19	6	44,425	0.14
June-19	6	44,542	0.13
July-19	8	44,632	0.18
August-19	3	44,658	0.07
September-19	5	44,710	0.11
October-19	2	44,767	0.04
November-19	0	44,924	0.00
December-19	4	44,966	0.09
<b>Total</b>	<b>48</b>	<b>Average</b>	<b>0.09</b>
January-20	6	44,126	0.14
February-20	1	45,044	0.02
March-20	3	45,124	0.07
April-20	4	45,186	0.09
May-20	5	45,261	0.11
June-20	4	45,318	0.09
July-20	4	45,367	0.09
August-20			0.00
September-20			0.00
October-20			0.00
November-20			0.00
December-20			0.00
<b>Total</b>	<b>27</b>	<b>Average</b>	<b>0.00</b>
Property Crimes			
Month	Total Property Crimes	Population	Crime Index / 1000 population
January-19	84	44,123	1.90
February-19	54	44,188	1.22
March-19	56	44,257	1.27
April-19	52	44,350	1.17
May-19	89	44,425	2.00
June-19	63	44,542	1.41
July-19	98	44,632	2.20
August-19	89	44,658	1.99
September-19	88	44,710	1.97
October-19	69	44,767	1.54
November-19	95	44,924	2.11
December-19	75	44,966	1.67
<b>Total</b>	<b>912</b>	<b>Average</b>	<b>1.71</b>
January-20	87	44,982	1.93
February-20	81	45,044	1.80
March-20	68	45,124	1.51
April-20	57	45,186	1.26
May-20	68	45,261	1.50
June-20	70	45,318	1.54
July-20	107	45,367	2.36
August-20			0.00
September-20			0.00
October-20			0.00
November-20			0.00
December-20			0.00
<b>Total</b>	<b>538</b>	<b>Average</b>	<b>0.00</b>

## Rockwall Police Department

### Dispatch and Response Times

July 2020

#### Police Department

Average Response Time		
<b>Priority 1</b>		Number of Calls <b>114</b>
Call to Dispatch	0:00:46	
Call to Arrival	0:06:05	
% over 7 minutes	26%	
Average Response Time		
<b>Priority 2</b>		Number of Calls <b>311</b>
Call to Dispatch	0:02:26	
Call to Arrival	0:08:53	
% over 7 minutes	45%	
Average Response Time		
<b>Priority 3</b>		Number of Calls <b>74</b>
Call to Dispatch	0:03:40	
Call to Arrival	0:10:34	
% over 7 minutes	50%	

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

Priority 1: 1 Minute

Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes

**July 2020**

[illegible]

Rockwall Police Detective Case Status Statistics

January-20	Detective Name	Total Cases Assigned	Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA	Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	13	8	3	2		4	3	7	53.85%	16	0.81
	Jalena Page	21	19	4	10	3	4	10	17	80.95%	13	1.62
	Steve Tigert	25	17		13		1		1	4.00%	13	1.92
	Kevin Tilley	27	26	4	4		2		2	7.41%	16	1.69
	John Tinsley	26	23		1		1	4	5	19.23%	17	1.53
	Phillip Young	8	5	2			4		4	50.00%	15	0.53
	Monthly Totals	120	98	13	30	3	16	17	36	30.00%	90	1.35
February-20	Detective Name	Total Cases Assigned	Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA	Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	9	5	4			4	4	8	88.89%	14	0.64
	Jalena Page	25	20	3	11	1	1	7	9	36.00%	15	1.67
	Steve Tigert	25	24	18	21			2	2	8.00%	15	1.67
	Kevin Tilley	35	21	6	8			1	1	2.86%	14	2.50
	John Tinsley	23	18	3	4		1	3	4	17.39%	10	2.30
	Phillip Young	8	8		1		1		1	12.50%	15	0.53
	Monthly Totals	125	96	34	45	1	7	17	25	20.00%	83	1.55
March-20	Detective Name	Total Cases Assigned	Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA	Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	18	7	6	1		2	5	7	38.89%	17	1.06
	Jalena Page	18	5	2	13	2	1	7	10	55.56%	14	1.29
	Steve Tigert	29	16	6	16		1	2	3	10.34%	15	1.93
	Kevin Tilley	23	15		8		1		1	4.35%	15	1.53
	John Tinsley	28	17	4	4	3		3	6	21.43%	17	1.65
	Phillip Young	14	10	4			1		1	7.14%	12	1.17
	Monthly Totals	130	70	22	42	5	6	17	28	21.54%	90	1.44
April-20	Detective Name	Total Cases Assigned	Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA	Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	14	5	1			3		3	21.43%	16	0.88
	Jalena Page	15	1	1	2				0	0.00%	17	0.88
	Steve Tigert	21	2	1	1				0	0.00%	16	1.31
	Kevin Tilley	26	4	2			1	1	2	7.69%	17	1.53
	John Tinsley	19	5	1		1		1	2	10.53%	16	1.19
	Phillip Young	6	4					1	1	16.67%	18	0.33
	Monthly Totals	101	21	6	3	1	4	3	8	7.92%	100	1.02

May-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	14		12	7			8	6		14	100.00%	16	0.88
	Jalena Page	15		15	4	6	2				2	13.33%	14	1.07
	Steve Tigert	21		6	2	11			2		2	9.52%	15	1.40
	Kevin Tilley	26		19	5			1	2		3	11.54%	15	1.73
	John Tinsley	19		17	3	6	1		6		7	36.84%	17	1.12
	Phillip Young	6		15				1	1		2	33.33%	16	0.38
	Monthly Totals	101		84	21	23	3	10	17		30	29.70%	93	1.10
June-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	12		7	7	1	1	7	3		11	91.67%	18	0.67
	Jalena Page	32		12	12	13	1	2	3		6	18.75%	16	2.00
	Steve Tigert	22		14		17	2	2	2		6	27.27%	17	1.29
	Kevin Tilley	22		14	5	2		3	3		6	27.27%	16	1.38
	John Tinsley	23		13	1	5		1	5		6	26.09%	18	1.28
	Phillip Young	12		12							0	0.00%	15	0.80
	Monthly Totals	123									0	0.00%	100	1.24
	6 Month Totals	700		369	96	143	13	43	71		127	18.14%	556	1.28
July-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	19		11	1	13		5	3		8	42.11%	18	1.06
	Jalena Page	33		23	7			1	7		8	24.24%	16	2.06
	Steve Tigert	21		8	4	29		2	4		6	28.57%	17	1.24
	Kevin Tilley	27		13	9	7			3		3	11.11%	17	1.59
	John Tinsley	35		22		7		3	4		7	20.00%	18	1.94
	Phillip Young	10		10		1			1		1	10.00%	11	0.91
	Monthly Totals	145		87	21	57	0	11	22		33	22.76%	97	1.47
August-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks										0	--		--
	Jalena Page										0	--		--
	Steve Tigert										0	--		--
	Kevin Tilley										0	--		--
	John Tinsley										0	--		--
	Phillip Young										0	--		--
	Monthly Totals	0		0	0	0	0	0	0		0	--	233	0.00



September-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks										0	--		--
	Jalena Page										0	--		--
	Steve Tigert										0	--		--
	Kevin Tilley										0	--		--
	John Tinsley										0	--		--
	Phillip Young										0	--		--
	Monthly Totals	0		0	0	0	0	0	0		0	--	0	0.00
October-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks										0	--		--
	Jalena Page										0	--		--
	Steve Tigert										0	--		--
	Kevin Tilley										0	--		--
	John Tinsley										0	--		--
	Phillip Young										0	--		--
	Monthly Totals	0		0	0	0	0	0	0		0	--	0	0.00
November-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks										0	--		--
	Jalena Page										0	--		--
	Steve Tigert										0	--		--
	Kevin Tilley										0	--		--
	John Tinsley										0	--		--
	Phillip Young										0	--		--
	Monthly Totals	0		0	0	0	0	0	0		0	--	0	0.00
December-20	Detective Name	Total Cases Assigned		Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA		Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks										0	--		--
	Jalena Page										0	--		--
	Steve Tigert										0	--		--
	Kevin Tilley										0	--		--
	John Tinsley										0	--		--
	Phillip Young										0	--		--
	Monthly Totals	0									0	--		0.00
	Yearly Totals	845		456	117	200	13	54	93		160	18.93%	234	1.53

Detective Yearly Totals 2020	Detective Name	Total Cases Assigned	Open Cases	Unfounded	Suspended	Except Clear	Clear Arrest	Filed DA	Total Cases Solved	% of Cases Solved	Days Worked on Cases	Daily Case Load
	Laurie Burks	99	55	29	17	1	33	24	58	58.59%	115	0.86
	Jalena Page	159	95	33	55	9	9	34	52	32.70%	105	1.51
	Steve Tigert	164	87	31	108	2	6	12	20	12.20%	108	1.52
	Kevin Tilley	186	112	31	29	0	8	10	18	9.68%	110	1.69
	John Tinsley	173	115	12	27	5	6	26	37	21.39%	113	1.53
	Phillip Young	64	64	6	2	0	7	3	10	15.63%	102	0.63
	Totals	845	528	142	238	17	69	109	195	23.08%	653	1.53

July-20

**Crimes Against Persons**

<b>Crime</b>	<b>Total Number July</b>	<b>Total Cleared July</b>	<b>Clearance Rate July</b>	<b>Total YTD</b>	<b>Cleared YTD</b>	<b>Clearance Rate YTD</b>
Murder	0	0	0%	0	0	#DIV/0!
Aggravated Assault	1	0	0%	11	5	45%
Simple Assault	12	4	33%	49	25	51%
Robbery	0	0	0%	7	6	86%
Sex Offenses	1	1	100%	10	6	60%

**Property Crimes**

<b>Crime</b>	<b>Total Number July</b>	<b>Total Cleared July</b>	<b>Clearance Rate July</b>	<b>Total YTD</b>	<b>Cleared YTD</b>	<b>Clearance Rate YTD</b>
Motor Vehicle Theft	5	4	80%	29	18	62%
BMV	19	6	32%	73	26	36%
Burglary	6	0	0%	31	3	10%
Larceny	35	12	34%	215	51	24%
Criminal Mischief	8	3	38%	54	19	35%

**Financial Crimes**

<b>Crime</b>	<b>Total Number July</b>	<b>Total Cleared July</b>	<b>Clearance Rate July</b>	<b>Total YTD</b>	<b>Cleared YTD</b>	<b>Clearance Rate YTD</b>
Forgery	3	2	67%	19	8	42%
ID Thefts	0	0	0%	23	4	17%
Credit/Debit Card Abuse	2	1	50%	20	8	40%

**Rockwall Police Narcotics Unit  
2020 - Statistics**

Activity	January	Feburary	March	April	May	June	July	August	September	October	November	December	Totals	
Cases	8	6	5	4	6	7	7						43	
Arrests	7	3	7	7	6	5	7						42	
Assist other Agencies	3	3	4	1	3	2	1						17	
Search Warrants	2	1	3			2	2						10	
Arrest Warrants		2	3	1	2	3	1						12	
Drugs Seized														
PCP (ounces)													0	Pounds
Marijuana (ounces)	3	15	1.25	7.75	1	12.5	7						2.97	Pounds
Cocaine (grams)	2500	28.6	227.2		4	2000	29						4788.8	grams
Methamphetamine (grams)	1002	29.6	180			148000	12						149.22	Kilograms
Heroin (grams)		1			31.9								32.9	grams
Ecstasy (grams)			4	19	8.3								31.3	grams
Adderall (grams)							10						10	grams
Xanax (pills)		4	1525		34	21	20						1604	pills
Hydrocodone (pills)			250		25		30						305	pills
Dangerous Drugs (pills)			50										50	pills
Clenbuterol													0	grams
Steroids (grams)		6											6	grams
Lysergic Acid					5								5	units
Hashish (ounces)													0.00	Pounds
Synthetic Marijuana (ounces)													0.00	Pounds
MDMA (grams)													0	Grams
THC Oil (grams)		8		156		15	32						211	Grams
Recovered Stolen Vehicle			1				1						2	Vehicles
Weapons Seized	5		3	1		7	2						18	Weapons
Equipment Seized													0	Total Equipment
Money Seized						\$5,346	\$6,865						\$12,211	
Vehicles Seized	3					2							5	

## ROCKWALL POLICE DEPARTMENT-JULY 2020

OFFICERS MONTHLY BREAKDOWNS				
WILLIAMSON	MONTH REPORT		ANNUAL REPORT	
	Total	Recovered	Total	Recovered
Arrests:	0	\$ -	0	\$ -
On-Line:	0	\$ -	0	\$ -
Transfers	0	\$ -	0	\$ -
Bonds:	0	\$ -	0	\$ -
Jail Time Serve:	0	\$ -	0	\$ -
Mail:	0	\$ -	0	\$ -
Window:	0	\$ -	0	\$ -
Payment Plans:	0	\$ -	0	\$ -
Dismissals	0	\$ -	0	\$ -
*** Warrants Cleared	0	0	0	\$ -
TIME BREAKDOWN			0	0
			0	0
	WILLIAMSON		ANNUAL AMOUNT	
	# Served	Hours Managed	# Served	Hours Managed
Summons	0	0	#REF!	0
Subpoenas	0	0	#REF!	0
Transfers	0	0	0	0
Bailiff		0		0
General Office		0		0
Warrants		0		0
Total Time Consumed:	0	0	#REF!	0

By DEPARTMENT as a WHOLE				
			0	0
	THIS MONTH		ANNUALLY 20??	
	# of Cases	Recovered	# of Cases	Recovered
Arrests:	0	\$ -	0	\$ -
On-Line:	0	\$ -	0	\$ -
Transfers:	0	\$ -	0	\$ -
Bonds:	0	\$ -	0	\$ -
Jail Time Serve:	0	\$ -	0	\$ -
Mail:	0	\$ -	0	\$ -
Window:	0	\$ -	0	\$ -
Payment Plans:	0	\$ -	0	\$ -
Dismissals:	0	\$ -	0	\$ -
Warrants Cleared:	0	0	0	0
New Warrants Received:	196	61380	968	300797.14
PURGED WARRANTS	0	0	0	0

## July 2020 Officer Activity Report

Totals	1303	181	73	60	285	69	17	6	407
Primary Officer	Calls for Service	Offense Reports	Accident Reports	Arrests	Traffic Stops	Citations	Violator Contacts	Emergency Detentions	Days Worked
Adair, Kristopher	59	6		2	9	1		1	17
Avery, Michael Todd									N/A
Blackwood, Jason Blaine	31	4	1	1	3				7
Brink, Christie	15	1							4
Bruce, Thomas	70	6	5	1	40	6			13
Campbell, Christopher	27	3	1	1	3	2			10
Church, Colton	41	11			2	2			14
Clay, Melissa A.	44	3		2					13
Collier, Michael O	26	2	7		4	2			10
Crowsey, Timothy	80	6	2	4	42	4	1		13
Ealy, Kaleb	47	16	5	6	17	8		1	16
Gibraltar, Stephan	35	4			14		1		13
Goff, James Craig									N/A
Hartman, Collin J	50	7	3	1	3	3			15
Jaurequi, Ryan David	44	6		1	1				13
Joseph, Mathew C	9	4	3	2	4	2	1		11
Lamb, Clayton	60	18	3	10	13	8	2	2	14
Lombana, Gil	62	8	5	2	2	2	1		12
Manuel, Michael	48	2			1	1			11
McAuley, Heather	49	10		3	2		1		16
McCreary, Michael	21		10				1		16
McGee, Gunnor Lee	32	5	1	3	19	2	1		8
McIntire, Robert J	14		7		2		1		15
Morris, Barrett	31	2			3				12
Nagy, Stephen	36	5		1		1	2		14
Otto, Michael J	48	7	5		1			1	17
Parker, Cameron	17	3			8	3			15
Patterson, Matthew	12	1			1				5
Perez, Wener Luis	8	4	3		6				17
Poindexter, Andrew									N/A
Raymond, Aaron	22	3		2	4				7
Sparks, Joshua Dylan	58	13	5	13	57	12	1		17
Stewart, Garrett	73	3	2	2	2		1		15
Taylor, David	29	3	1		1				10
Thompson, Demi	30	4	1		1	1			9
West, Jake	45	8	2	3	15	9	3	1	11
Woodruff, Benjamin	30	3	1		5				12

\* Reflection of CFS where listed Officer is primary

## Sales Tax Collections - Rolling 27 Months

	General Fund	TIF
	<u>Sales Tax</u>	<u>Sales Tax</u>
May-18	1,697,970	23,752
Jun-18	1,308,372	19,941
Jul-18	1,463,243	28,867
Aug-18	1,679,728	27,594
Sep-18	1,174,074	23,370
Oct-18	1,301,342	15,641
Nov-18	1,349,253	16,403
Dec-18	1,423,386	15,708
Jan-19	1,457,584	39,247
Feb-19	2,080,043	22,109
Mar-19	1,459,018	21,606
Apr-19	1,293,524	20,077
May-19	1,679,076	24,582
Jun-19	1,420,483	31,523
Jul-19	1,467,376	28,951
Aug-19	1,810,970	29,022
Sep-19	1,478,622	31,577
Oct-19	1,565,868	24,818
Nov-19	1,730,541	21,787
Dec-19	1,547,746	23,781
Jan-20	1,365,040	26,330
Feb-20	2,273,520	27,472
Mar-20	1,458,193	19,955
Apr-20	1,292,639	15,829
May-20	1,605,986	17,538
Jun-20	1,345,598	5,881
Jul-20	1,376,026	13,529

**Notes:**

75% of total sales tax collected is deposited to the General Fund each month

Comptroller tracks sales tax generated in the TIF and reports it monthly to the City

75% of TIF sales tax (city share) is pledged to the TIF



## Monthly Water Consumption - Rolling 27 Months

	<u>Total Gallons</u>	<u>Daily Average</u>	<u>Maximum Day</u>
May-18	317,417,845	10,239,290	12,779,480
Jun-18	422,841,722	14,094,730	18,886,210
Jul-18	512,582,590	16,534,920	20,871,860
Aug-18	474,885,847	15,318,900	19,781,800
Sep-18	304,052,374	10,135,080	19,307,450
Oct-18	240,262,264	7,750,396	10,191,580
Nov-18	194,498,356	6,483,279	7,438,044
Dec-18	186,450,313	6,014,526	7,818,894
Jan-19	222,027,420	7,162,175	13,160,330
Feb-19	166,796,311	5,957,011	7,181,853
Mar-19	216,172,991	6,973,323	8,899,546
Apr-19	230,304,224	7,676,809	9,546,692
May-19	246,447,588	7,949,923	10,806,480
Jun-19	273,477,588	9,115,919	12,818,660
Jul-19	479,403,830	15,464,640	19,686,560
Aug-19	557,577,730	17,986,380	20,877,020
Sep-19	480,076,300	16,002,544	19,898,562
Oct-19	377,192,895	12,167,513	17,708,812
Nov-19	237,328,307	7,910,944	9,218,867
Dec-19	229,083,044	7,389,776	8,396,266
Jan-20	215,978,847	6,967,060	8,691,306
Feb-20	196,611,134	6,779,695	7,579,604
Mar-20	197,281,791	6,363,929	8,569,168
Apr-20	226,508,245	7,550,275	10,263,848
May-20	317,650,425	10,246,788	13,193,218
Jun-20	455,022,410	15,167,411	20,100,668
Jul-20	511,667,880	16,505,415	20,073,454

Source: SCADA Monthly Reports generated at the Water Pump Stations
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