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Z2015-032 - Consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval for renewal of Specific Use Permit (SUP) No. S-115 (Ordinance No. 13-46) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary. (2nd reading)

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Discuss and consider approval of an ordinance modifying Chapter 38. Subdivisions, Article 1. In General, Section 38-19. Street Improvements and Oversizing, of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary. (2nd reading)

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Discuss and consider extending the Facilities Agreement for Damascus Road with Our Lady of the Lake Catholic Church for an additional 90 calendar days, and take any action necessary.

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Discuss and consider approval of a joint contract between the City of Rockwall, the Rockwall Independent School District (RISD) and the Elections Administrator of Rockwall County for administration of the May 7, 2016 General (Municipal) Election, and take any action necessary.

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Discuss and consider adoption of an ordinance authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding and Improvement Bonds, Series 2016; establishing procedures and delegating authority for the sale and delivery of the bonds; providing an effective date; enacting other provisions relating to the subject. (1st Reading - No Action Will Be Taken)

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# AGENDA
# ROCKWALL CITY COUNCIL
**Monday, January 04, 2016**
**4:00 p.m. Regular City Council Meeting**
**City Hall - 385 S. Goliad, Rockwall, Texas 75087**

## I. CALL PUBLIC MEETING TO ORDER

## II. EXECUTIVE SESSION

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

**1.** Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).

**2.** Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).

**3.** Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

## III. ADJOURN EXECUTIVE SESSION

# AGENDA
# ROCKWALL CITY COUNCIL
**Monday, January 04, 2016**
**6:00 p.m. Regular City Council Meeting**
**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

**IV. RECONVENE PUBLIC MEETING**

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

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

**VII. OPEN FORUM**

**VIII. CONSENT AGENDA**

p.10 **1.** Consider approval of the minutes from the December 21, 2015 regular city council meeting, and take any action necessary.

p.33 **2.** **Z2015-030** - Consider approval of an **ordinance** for a City initiated request for a zoning amendment to Planned Development District 75 (PD-75) being Ordinance No. 09-37, containing 329.53-acres of land, identified as the Lake Rockwall Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, being situated east of Tubbs Road and north of County Line Road, and take any action necessary. **(2nd reading)**

p.40 **3.** **Z2015-032** - Consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval for renewal of Specific Use Permit (SUP) No. S-115 (**Ordinance** No. 13-46) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(2nd reading)**

p.44 **4.** **Z2015-033** - Consider a request by Stephen B. North for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary. **(2nd reading)**

p.49 **5.** **Z2015-034** - Consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single

Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of FM-552, and take any action necessary. **(2nd reading)**

p.61 **6.** **Z2015-035** - Consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Larry Hance for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. **(2nd reading)**

## IX. APPOINTMENTS

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

p.75 **2.** Appointment with Steven Nosworthy to hear presentation regarding his completed Eagle Scout project, and take any action necessary.

## X. ACTION ITEMS

p.84 **1.** Discuss and consider adoption of a resolution regarding cost of treated water from the North Texas municipal water District, and take any action necessary.

p.86 **2.** **Z2015-031** - Discuss and consider a request by John and Lenny James on behalf of the owner Rockway Partners for the approval of an **ordinance** for a Specific Use Permit (SUP) for a carwash on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of La Jolla Pointe Drive and Ridge Road [FM-740], and take any action necessary. **(2nd reading)**

p.91 **3.** Discuss and consider approval of an **ordinance** modifying Chapter 38. Subdivisions, Article 1. In General, Section 38-19. Street Improvements and Oversizing, of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary. **(2nd reading)**

p.94 **4.** Discuss and consider possible amendment to second reading of the ordinance for MIS2015-003 to collect data on alternative solutions for the roadway designation of Goliad from downtown to East Fork, to include but not be limited to considering the possibility of two through lanes, one

north and one south, divided by a dedicated turn lane, and take any action necessary.

p.99 **5.** **MIS2015-003** - Discuss and consider approval of an **ordinance** for a City initiated request to amend the Comprehensive Plan by approving changes to the Master Thoroughfare Plan Map contained within the Transportation section, add a street cross section for a M4U-M (minor arterial, four [4] lane, undivided roadway, modified) and modify existing street cross sections in Appendix 'D', Thoroughfare Cross Sections, and take any action necessary. **(2nd reading)**

p.159 **6.** Discuss and consider a request by Price Pointer for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of five (5) years on the subject property at 602 Williams Street, further identified as the east ½ of Lot 121, Block A of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

p.201 **7.** Discuss and consider extending the Facilities Agreement for Damascus Road with Our Lady of the Lake Catholic Church for an additional 90 calendar days, and take any action necessary.

p.203 **8.** Discuss and consider approval of a joint contract between the City of Rockwall, the Rockwall Independent School District (RISD) and the Elections Administrator of Rockwall County for administration of the May 7, 2016 General (Municipal) Election, and take any action necessary.

p.218 **9.** Discuss and consider adoption of an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding and Improvement Bonds, Series 2016; establishing procedures and delegating authority for the sale and delivery of the bonds; providing an effective date; enacting other provisions relating to the subject. **(1st Reading - No Action Will Be Taken)**

p.250 **10.** Discuss and consider adoption of an **ordinance** authorizing the issuance of City of Rockwall, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2016; establishing procedures and delegating authority for the sale and delivery of the certificates; providing an effective date; and enacting other provisions relating to the subject. **(1st Reading - No Action Will Be Taken)**

p.279 **11.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 8. Aviation by adding a new article, Article III, establishing an Airport Advisory Board at the Ralph M. Hall / Rockwall Municipal Airport to be appointed and removed by the city council, and take any action necessary. **(1st reading)**

## XI. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

**1.** Departmental Reports

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316 Internal Operations Department Monthly Report - November 2015.
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**2.** City Manager's Report

## XII. EXECUTIVE SESSION

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

**1.** Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).

**2.** Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).

**3.** Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

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

## XIV. ADJOURNMENT

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

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of December, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

# MINUTES
# ROCKWALL CITY COUNCIL
## Monday, December 21, 2015
## 4:00 p.m. Regular City Council Meeting
## City Hall, 385 S. Goliad, Rockwall, Texas 75087

### I. CALL PUBLIC MEETING TO ORDER

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

### II. WORK SESSION

**1.** Hold work session with representative(s) of the city's Park Board to hear and discuss update concerning the Parks & Recreation Department's marketing initiatives, and take any action necessary.

**Brad Bassett, Chair of the Park Board, came forth and introduced Bob Lewis, Vice Chair. He then provided an update to the Council concerning a recent strategic initiative related to bring more awareness to Parks and Recreation activities and amenities that are available to the public. New registration software has been put in place for all programs, the websites have been redesigned, and the marketing budget has really helped. "Go Outside and Play" is the catch phrase that has been coined for this marketing campaign. Both digital and print media communications have been in development. February 1st is the target date for launching this campaign. Vehicle wraps, ads in various media, water bill inserts, signage, and a YouTube message from the Mayor will all be part of the campaign launch. A new website, www.playrockwall.com, will also be launched. It will be internet and mobile/tablet friendly, and it will show the user everything that there is to do in Rockwall. He then explained the functionality that the new website will have. The City Council provided positive comments concerning the new campaign and website. It was suggested that this new website link back to the portion of the city's website where 'outside organizations' list their events and activities taking place within the city (i.e. non-city sponsored triathlons).**

**At 4:15 p.m. Mayor Pruitt then read the below listed discussion items into the record and recessed the public meeting to hold Executive Session.**

### III. EXECUTIVE SESSION.

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

**1.** Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding negotiations of Access Agreement pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Ex-Officio Board Members - pursuant to Section 551.074 (personnel matters)

5. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).

6. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

7. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

## IV. ADJOURN EXECUTIVE SESSION

**Executive Session was held from 4:15 p.m. until 4:55 p.m. and then again from 5:13 p.m. until 5:52 p.m.**

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

**Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council members being present.**

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

**Mayor Pro Tem Lewis made a motion to reappoint Linda Duran to serve as a non-voting, Ex Officio board member on the Rockwall Economic Development Corporation (term to expire in December of 2017). Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

## VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

**Councilmember Townsend delivered the invocation and led the pledge of Allegiance.**

## VIII. OPEN FORUM

**Mayor Pruitt asked if anyone would like to come forth and speak at this time. There being no one, he then closed the Open Forum.**

## IX. CONSENT AGENDA

1. Consider approval of the minutes from the December 7, 2015 regular city council meeting, and take any action necessary.

2. Consider awarding a bid to New Star Grading and Paving Company and authorizing the City Manager to execute a Purchase Order for utility cuts

pavement repair services for an estimated annual amount of $75,000 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

**3.** Consider awarding a bid to Nortex Concrete Lift and Stabilization and authorizing the City Manager to execute a Purchase Order for concrete paving stabilization services for an estimated annual amount of $50,000 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

**4.** Consider authorizing the City Manager to execute a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP in the amount of $124,400 to perform a wastewater lift station evaluation update on the City's wastewater lift stations to be funded by water/sewer revenue bonds, and take any action necessary.

**5.** Consider awarding a bid to Hoyt Breathing Air Products and authorizing the City Manager to execute a Purchase Order for new Fire Fighter SCBA Air Paks and Bottles in the amount of $343,016.20 to be funded out of the General Fund, and take any action necessary.

**6.** Consider designation of the city's newspaper of record, naming the Rockwall County Herald Banner, as annually required by the City's Charter, and take any action necessary.

**Mayor Pro Tem Lewis made a motion to approve the Consent Agenda (#s 1, 2, 3, 4, 5, and 6). Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

## X. APPOINTMENTS

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

**The P&Z Chairman was not present, so this item was not addressed by Council, and no action was taken.**

**2.** Appointment with Patricia Davis, Chief Appraiser with the Rockwall Central Appraisal District, to discuss and consider CAD-related matters, including a proposed interlocal agreement for assessment and collection of taxes, and take any action necessary.

**Mrs. Davis indicated that she is here at the request of the City Council to answer any questions the council may have concerning the proposed interlocal agreement.**

**Mrs. Smith, Assistant City Manager, provided brief comments concerning some of the challenges with the CAD over the last year or more, for example, getting timely and accurate information concerning the Tax Increment Financing District (TIF) and getting the effective tax rate and associated calculations correct.**

**Mrs. Davis explained she came in the middle of things last year, and, as a new employee, she did not have a good handle on what was going on. She generally assured the Council that the upcoming TIF calculations spreadsheet has already been prepared, and**

**this coming year, the city should have information from the CAD by February, which is even earlier than prior years before she came.**

**Mayor Pruitt asked for clarification regarding how the CAD passes individual collections monies onto the City and how lawyers who collect funds are paid. Mrs. Davis indicated that the law provides that the lawyers can charge an additional fee directly to the property owner, which does not come out of the CAD budget, and it does not come from any of the taxing entities. Mayor Pruitt pointed out that the contract speaks of this issue in a manner contrary to how Mrs. Davis is explaining. Mrs. Davis suggested that the language in the contract can be corrected.**

**Mayor Pruitt asked for clarification regarding other types of costs such as lawsuit costs and how those things are paid for. Mrs. Davis explained that those types of expenses come out of the appraisal budget, not the collection budget. If it has to do with collection, then it comes directly from the property owner.**

**Mayor Pruitt explained that he has personally met with Mrs. Davis several times to try and remedy some concerns that have arisen over time. Mr. Crowley requested that Mrs. Davis notify the City of Rockwall once the recent CAD board nominations and votes have been tallied and concluded. She assured him that she would.**

**Mayor Pruitt asked if the assessment of taxes is based on how many accounts or on the assessed value. Mrs. Davis indicated that, prior to her coming, it was based on a per parcel basis. However, when she came, the RISD pointed out to her that this was unfair because everyone did not pay the same dollar amount per parcel. So, Rockwall County was getting a lower rate. So, RISD did not choose to do anything about it last year, but she did have discussions with the board regarding a fair way to address this issue. After conducting a survey around the state and evaluating the matter, she has put the County on notice that in the future, it will need to make a decision to either collect its own taxes, or else get on board and pay its own fair share like every other taxing entity.**

**He thanked Mrs. Davis for coming, explaining that the City of Rockwall is a customer of the CAD, and he would like Mrs. Davis to continue to get to know her customers, including the city manager.**

**See very end of agenda/minutes (following Action Item #8) for Council action concerning the interlocal agreement.**

## XI. PUBLIC HEARING ITEMS

1. **MIS2015-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated request to amend the Comprehensive Plan by approving changes to the Master Thoroughfare Plan Map contained within the Transportation section, add a street cross section for a M4U-M (minor arterial, four [4] lane, undivided roadway, modified) and modify existing street cross sections in Appendix 'D', Thoroughfare Cross Sections, and take any action necessary [**1st Reading].**

**Planning Director Ryan Miller provided background information concerning this agenda item, explaining each of the proposed changes regarding the Master Thoroughfare Plan.**

**The Planning & Zoning Commission reviewed these changes at its last meeting and has recommended approval of all the proposed changes.**

**Mayor Pruitt asked how what is shown in these changes for SH205 / John King fits into the city's desire to have John King be designated as the alternate route for SH205. It was clarified that John King will remain a principal, six-lane, divided roadway, which is also what the state would have in mind if it becomes a state roadway.**

**Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak.**

**Matt Parker**
**1118 Lubbock Lane**
**Melissa, Texas**

**Mr. Parker came forth and explained that he is a developer with Skorburgh and is wondering if proposed roadway changes will affect Phase 9 of the Breezy Hill development. Mr. Miller indicated that, no, it would not affect Phase 9 at all.**

**Mayor Pro Tem Lewis assumed oversight of the meeting at this point (6:23 p.m.), asking if anyone else would like to come forward and speak at this time. There being on one indicating such, he then closed the public hearing.**

**Councilmember Milder explained he has concerns about the North portion of SH205 running up to East Fork. Mr. Miller and Mr. Crowley explained how and why it is being proposed as it is at this time, especially pertaining to the city council's desire to have TXDOT designate John King as the alternate route for SH205.**
**Mayor Pruitt returned to the meeting at 6:28 p.m.**

**Discussion ensued related to SH-205 and future modifications to the north portion of the roadway, including pertaining to designation of John King Boulevard as the proposed bypass route for 205.**

**Councilmember White made a motion to approve MIS2015-003. Councilmember Townsend seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-__**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET CROSS SECTION FOR A M4U-M (*MINOR ARTERIAL, FOUR [4] LANE, UNDIVIDED ROADWAY, MODIFIED*), AND MODIFY EXISTING STREET CROSS SECTIONS IN APPENDIX 'D', THOROUGHFARE CROSS SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.**

**The motion passed by a vote of 6 in favor with 1 against (Milder).**

2. **Z2015-030** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated request for a zoning amendment to Planned Development District 75 (PD-75) being Ordinance No. 09-37, containing 329.53-acres of land, identified as the Lake Rockwall Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, being situated east of Tubbs Road and north of County Line Road, and take any action necessary **[1st Reading].**

**Ryan Miller, Planning Director, provided brief background information concerning this agenda item. Notifications were sent out on November 20 (qty: 1,541 notices in English and Spanish) to property owners within 500' of the property. Also, the Linden Park, Fox Chase and Rainbow Lakes HOAs were also notified. Eleven responses were received, with 4 indicating opposition to the amendment and the remainder expressing they were in favor. However, two of the opposition responses actually appeared to be in favor, rather than opposed, based on what they actually wrote. One additional reply was received back in favor today. The Planning & Zoning Commission did hear this case and has unanimously recommended approval of this item.**

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

**Connie Powell**
**532 Eva Place**
**Rockwall, TX**

**Mrs. Powell came forth and asked for clarification regarding what these changes mean. Mayor Pruitt explained that these changes will allow the citizens an opportunity to be more informed about zoning changes that the Council is considering in LRE and allow them an opportunity for their voices to be heard regarding those future, proposed changes. Councilmember White provided some additional clarification, explaining that this cleans up a phrase in the existing ordinance that allows the Council to do whatever it wants without allowing for input from the neighborhood residents. The change being considered tonight will modify that language to ensure that residents are notified and have an ability to be heard before zoning changes are made by Council in the future.**

**Mayor Pruitt asked if anyone else would like to come forth and speak during this time. There being no one indicating such, he then closed the public hearing.**

**Councilmember White made a motion to approve Z2015-030. Councilmember Townsend seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 [*ORDINANCE NO. 09-37*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING EXHIBIT 'B' AND EXHIBIT 'C' OF ORDINANCE NO. 09-37, BEING A 329.53.00-ACRE TRACT OF LAND IDENTIFIED AS THE LAKE ROCKWALL ESTATES SUBDIVISION, 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.** **Z2015-031** - Hold a public hearing to discuss and consider a request by John and Lenny James on behalf of the owner Rockway Partners for the approval of an **ordinanc**e for a Specific Use Permit (SUP) for a carwash on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of La Jolla Pointe Drive and Ridge Road [FM-740], and take any action necessary **[1st Reading].**

**Mr. Miller, Planning Director, provided background information concerning this agenda item. Notices were sent out with 21 notices being mailed out to property and homeowners owners located within 500' of the subject property. In addition, the Lakeside Village and Turtle Cove HOAs were also notified. Four total notices of opposition have been received back, and two letters of support have been received from residents. The Planning & Zoning Commission has recommended denial of this request by a vote of 6 to 1. Therefore, in order for it to be approved, it will require a super majority vote of the City Council (3/4 of all council members present).**

**John James**
**2283 Lafayette Lane**
**Heath, TX**

**Mr. James came forth and provided a presentation to the Council concerning this proposed car wash, including the perceived advantages, the services it would offer patrons, its hours, traffic/parking plans, a rendering of how it is proposed to look. He explained that this piece of property has been on the market for a long time, most likely because it is not suitable for a lot of business uses due to it being so unusual.**

**Councilman Hohenshelt asked if the property poses challenges. Mr. Miller indicated that, yes, the topography of the property does pose some challenges.**

**Councilmember Milder expressed concern with not having heard from the P&Z Chairman to know more about why the P&Z Commission objected to this proposal. Mr. Miller indicated that the P&Z did not provide comments publicly as to their reasoning for making a motion and associated vote to recommend denial.**

**Councilmember Fowler expressed concern with the look of the facility, expressing he does not believe it aesthetically fits in with the surrounding buildings. He explained that this is a gateway to our city, and he would like for it to look as optimal as possible.**

**Councilmember Hohenshelt expressed that there is a car wash in existence over by Lowes on the S. side of IH-30. It contains a lot of nice stone on the facade, and it fits in a lot better with the surrounding buildings compared to this one.**

**Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak.**

**Richard Burkes came forth indicating that he owns the building located to the north of this proposed car wash. He does not believe a half acre is at all sufficient for this proposed car wash. He explained that he believes it will bring a lot of unwanted traffic, and the vacuums will make a lot of noise, especially considering that there is a sleep study office located in the adjacent medical office building. He suggested that this would be a perfect place for a bank to be located instead. He expressed concern about the back part of his parking lot potentially being used by employees of this car wash. He does not believe this facility fits in with the scenic overlay district standards. He is opposed to its approval.**

**Richard Harris**
**210 Glen Avenue**
**Rockwall, TX**

**He explained that he and his wife own the building located at 2604 Ridge Road, currently occupied by Ebby Halliday. He had to grant a lot of utility easements to the city back in the 1980s. He is against this proposed car wash, and he does not believe it fits in or belongs in this scenic overlay district. He also expressed that the property owner next door to him, who is currently in Arizona, is opposed to this as well. He believes this business would degrade his property values. He also explained that Wayne Hogg, the property owner next door to him, was unable to be here this evening, so he asked Mr. Harris to express on his behalf that he is also opposed to this proposed car wash.**

**Derek Anderson**
**218 Cullins Road**
**Rockwall, TX 75032**

**Mr. Anderson explained that he is in favor of this proposed car wash. He believes this would provide a convenient, more affordable way for him to get his truck washed. He explained that he has lived here in Rockwall since 1998, and this piece of property has been sitting vacant ever since he moved here. He believes that this development might bring some revenue to the city, as opposed to the property continuing to sit vacant. He expressed that the closest car washes of this nature, in his research, are located in Mesquite on Belt Line Road by the old movie theater or in Rowlett on SH-66 just before George Bush. He suggested planting a landscape buffer to hide some of the car wash building on the Ridge Road side. He also suggested that it could be a different color, other than red, to better fit in with the surrounding buildings and their facades. He pointed out that this scenic overlay district, which is a "gateway to the City" also contains a Long John Silvers, a Wendy's and an IHOP. He stated that a large, neon "Rosas Café" is also located in another "gateway" area to the city, and the sign blinds you. He encouraged the Council to control the way the car wash will ultimately look, aesthetically, if they have concerns about it.**

**Mr. Ben Weible**
**215 Trout Drive**
**Rockwall, TX**

**Mr. Weible expressed that this item has aroused an emotional response from him, explaining that he loves these types of car washes. He explained that there is no other car wash of this nature in Rockwall. There is no other car wash in town that will allow this sort of quick, convenient car wash at an affordable price. He expressed a desire for the City Council to get out of the way and allow the free market to work as it is intended to, especially considering that this property has been sitting vacant for a while because it poses some challenges. He is not sure why the Planning & Zoning Commission did not recommend approval of this item, but he generally encouraged the Council to approve the request.**

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

**Councilmember Milder explained that he texted the P&Z Chairman to inquire as to why the Planning & Zoning Commission recommended denial. He indicated that Mr. Renfro provided four reasons as follows:**

- **the majority of the existing properties are either commercial or medical;**
- **it is one of the only the vacant lots left;**
- **the proposed development encroaches the majority of the lot;**
- **there are concerns regarding increased traffic with potential backups onto Ridge.**

**Councilmember White made a motion to approve Z2015-031. Mayor Pro Tem Lewis seconded the motion. Councilmember Milder expressed that he initially had some reservations, mainly due to not knowing why the P&Z Commission recommended its denial; however, he is now comfortable with supporting this item. Councilmember White asked if the setbacks and color may be addressed during the site plan phase. Mr. Miller indicated that the setback is already established, but the building itself could be repositioned on the property, and the Architectural Review Board (ARB) will still review it. Mayor Pro Tem Lewis expressed he would like to see it be a different color (other than red) and that it be set back on the lower end of the property. Mayor Pruitt expressed that this is to be located in the "scenic overlay district," and he sees nothing "scenic" about a car wash.**

**The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-__**
**SPECIFIC USE PERMIT NO. S-__**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A CAR WASH WITHIN THE SCENIC OVERLAY (SOV) DISTRICT, FOR A 0.688-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK D, LA JOLLA POINTE ADDITION, PHASE 2, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING**

**FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**The motion passed by a vote of 6 in favor with 1 against (Pruitt).**

**4.** **Z2015-032** - Hold a public hearing to discuss and consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval of an renewal of Specific Use Permit (SUP) No. S-115 (**Ordinance** No. 13-46) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary **[1st Reading].**

**Mr. Miller indicated that this SUP was first approved in December of 2013. The applicant is now requesting extension of the SUP for a period of five (5) years with the ability to extend rather than expire. Thirty-four notices were mailed out to adjacent properties located within 500' of the subject property, and a notice was placed on site on the property itself. One notice was received back in favor, and one notice was received back in opposition. The P&Z Commission has voted to recommend approval for an extension for a period of five years with the option to extend it at that time rather than have it expire.**

**Mr. Waldrop came forth and stood prepared to answer any questions of the Council.**

**Mayor Pruitt opened the public hearing.**

**Mr. John White**
**1929 S. Lakeshore**
**Rockwall, TX**

**Mr. White explained that he is fully in favor of this request. He expressed that the owners are first class individuals who run a very good business.**

**Mr. Ben Weible**
**215 Trout Drive**
**Rockwall, TX**

**Mr. Weible explained that he is speaking on behalf of the Waldrops, explaining that these business owners are good folks who are involved in a positive way in the community. He spoke in favor of the Council approving this request.**

**Mayor Pruitt closed the public hearing.**

**Mayor Pro Tem Lewis asked for clarification regarding "extend" versus "expire." Mr. Miller indicated that if it "expires," the owner would have to go back through the full process (i.e. notifications to adjacent property owners).**

**Mayor Pro Tem Lewis made a motion to approve this request. Councilmember White seconded the motion.**

**Mayor Pruitt asked why the notification signage on the property is insufficient (there's nothing that says, "zoning change from (blank) to (blank)." Mr. Miller's indicated that there have been various complications associated with signage, and staff is working to spend some money on some alternative signs to rectify these complications. The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-XX**
**SPECIFIC USE PERMIT NO. S-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

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

**Mayor Pruitt explained that he initially voted against this SUP when it was first approved two years ago; however, he has since observed this to be a very nice business, one of the best he has ever seen.**

**5.** **Z2015-033** - Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary **[1st Reading].**

**Mr. Miller, Planning Director, provided background information concerning this agenda item. The applicant is asking to place a 288 sq. foot accessory structure in order to put a decorative porch on front (exceeds the allowable max. of 250 sq. ft.). Also, he is proposing to use 100% hardy plank siding, which does not match materials on the primary structure. Seventy-two notices were sent out to adjacent property owners. Two notices were received back in favor, and two were received back in opposition. The P&Z Commission did unanimously recommend approval of this request.**

**Stephen North**
**513 Windsor Way**

**Mr. North came forth and indicated that he initially wanted to have the structure be even larger than what's being ultimately proposed now. The only reason for the decorative 'front porch' is so that his wife may hang plants there. He explained that the back of his house does have siding on it, and it is not as durable as the hardy plank that will be utilized on this accessory building. So the hardy plank is above and beyond the material on the back of his house.**

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

**Mayor Pro Tem Lewis made a motion to approve Z2015-033. Councilmember White seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-___**
**SPECIFIC USE PERMIT NO. _____**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE STANDARDS STIPULATED BY THE UNIFIED DEVELOPMENT CODE, ON THE PROPERTY ADDRESSED AS 513 WINDSOR WAY, BEING A 0.23-ACRE PARCEL OF LAND IDENTIFIED AS LOT 14, BLOCK F, HARLAN PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

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

**Mayor Pruitt recessed the meeting for a break at 7:30 p.m. He called the meeting back to order at 7:47 p.m.**

**6.** **Z2015-034** - Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of FM-552, and take any action necessary **[1st Reading].**

**Mr. Miller, Planning Director, provided background information related to this agenda item. The applicant has submitted an application requesting to rezone a 45.318-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 113 single-family lots. The subject property, which was annexed into the City on March 16, 1998 by Ordinance No. 98-10, is located on the west side of John King Boulevard -- south of Featherstone Drive and north of E. Quail Run Road -- and is currently vacant agricultural land.**

**The concept plan shows that in addition to the 45.318-acre 247 tract of land being considered under this zoning case, two (2) additional tracts (north of the subject property) will be included as future phases for the proposed subdivision. Currently, both of these tracts are outside of the City's corporate boundaries; however, they are located within the City's Extraterritorial Jurisdiction (ETJ) and can be annexed. The applicant has stated that the intent of this project is to receive entitlement on the 45.318-acre tract of land and then initiate a voluntary annexation case to bring the remaining tracts of land into the City. The applicant will also be requesting that the proposed PD (if approved) be amended to incorporate this area. The current request is for 113, 70' x 125' lots or a gross residential density of ~2.49 units/acre. Incorporated within the development will be 6.73-acres of open space (or ~14.85%), which includes a 3.64-acre neighborhood park [the applicant has revised the plan to show 17% open space. In addition, the applicant is proposing to incorporate a ten (10) foot trail and trail rest area along John King Boulevard in conformance with the John King Boulevard Design Concept Plan contained in the Comprehensive Plan (staff has incorporated this into the proposed ordinance). It should be pointed out that the proposed PD Ordinance has similar standards as were approved in the adjacent Planned Development District 77 (PD-77), and according to the applicant will incorporate a similar product as those in the Stone Creek and Breezy Hill Subdivisions.**

**The applicant is requesting variances to allow for j-swing and front entry garages in lieu of alleyways. On November 20, 2015, staff mailed three (3) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Stone Creek Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign along John King Boulevard, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff. On December 8, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the zoning change by a vote of 7-0; however, the Planning and Zoning Commission did also recommend that Section 12, Open Space, of Exhibit 'C' of the PD Ordinance be amended to reflect a minimum of 20% open space. The applicant has agreed to increase the proposed open space from ~14.85% to a minimum of 17%, but has stated that an increase to 20% is not feasible for this project. Staff has changed the ordinance to reflect the 17% requested by the applicant.**

**Pat Atkins**
**3076 Hays Lane**

**Mr. Atkins indicated that he is representing Saddlestar Estates. He then shared an animated PowerPoint presentation with the Council and explained various aspects of his request associated with this PD.**

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

**Councilmember Hohenshelt asked for clarification on the proposed open space. The proposal is for 17%, which is 3% less than the required 20% suggested in the city's Comp Plan. Councilmember Hohenshelt, after asking several questions, indicated that the change in open space being requested (to be lowered) equates to about 3 residential lots. He clarified that the anticipated added property tax value expressed are for the two developments combined.**

**Brief discussion took place regarding who owns the adjacent tracts.**

**Mr. Miller indicated that once this approval is secured, Mr. Atkins will be coming forth with a request for voluntary annexation on the other tract of land, likely as soon as January 4th. Mr. Atkins clarified that the pool and amenities center are anticipated to go on the ground once about 100 units have been constructed. It was clarified that the open space land will not meet the 11 acre minimum required to be used as a neighborhood park. It will only be designated as "open space," not a park.**

**Various comments took place concerning the proposal. Then, Councilmember White made a motion to approve Z2015-034, granting the 17% open space variance. Councilmember Milder seconded the motion. After brief comments, the ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 45.318-ACRE TRACT OF LAND IDENTIFIED AS TRACT 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.**

**7.** **Z2015-035** - Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Larry Hance for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,

situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary **[1st Reading].**

**Mr. Miller provided background information concerning this request. On November 16, 2015, the applicant submitted an application requesting to rezone a 44.56-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 109 single-family lots. The subject property, which was annexed into the City on February 4, 2008 by *Ordinance No. 08-10*, is located at the northwest corner of John King Boulevard, north of FM 552 and is currently vacant land zoned Agricultural (AG) district. According to the concept plan, it is the intent of the development to provide 109 single-family residential lots that are to be a minimum of 10,000 sq. ft*. (i.e.80' x 125' lots)* in area; however, the development does not include a neighborhood park, rather a trail system meanders through the floodplain area and is to be the developments primary amenity. The applicant has stated that the neighborhood park to be located within the South Saddle Star Estates Addition will be available to this development. In addition, the concept plan shows the inclusion of 5.61-acres of net open space, the majority of which is situated within a 100-year floodplain, which transects the property from the north to the south. Additionally, the applicant has also agreed to provide a corner enhancement that will incorporate a seat wall and additional landscaping at the corner of the intersection of John King Boulevard and FM-552 (*see the Corner Enhancement Concept contained in the John King Boulevard Design Concept Plan*). Staff has included these as development requirements within the Planned Development District Ordinance. In addition, the applicant has also indicated that a minimum of a 50-foot landscape buffer will be provided along John King Blvd, and a minimum of a ten (10) foot meandering sidewalk will be constructed within this landscape buffer. It should be pointed out that the proposed PD Ordinance has similar standards as were approved in the in the Stone Creek and Breezy Hill Subdivisions. The applicant is requesting to allow J-Swing and/or Front Entry garages that comply with Article VI, Parking and Loading, of the Unified Development Code (UDC) in lieu of alleys. This requirement has been waived for other subdivisions throughout the City when the PD Ordinance conforms to the requirements stipulated by the UDC.**

**The proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the proposed open space requirement. The applicant is proposing a total 5.61 acres of open space (or 12.59%) which is primarily flood plain. It should be noted that if the floodplain were calculated at 100% (as opposed to 50%) the development would meet the minimum 20% requirement. With this being said, the proposed open space standard is a discretionary decision for the City Council. On November 20, 2015, staff mailed twenty-four (24) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Stone Creek Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of John King Boulevard and FM552 and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.**

**Pat Atkins**
**3076 Hays Lane**

**Mr. Atkins came forth and provided comments, requesting that the Council consider approval of this item.**

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

**Caroline Newton**
**304 Wooded Trail**
**Rockwall, TX (in Hidden Valley Estates, on the W. side)**

**She would like the developer to commit to larger lot sizes near the side that abuts Hidden Valley Estates. She explained that these new homes would be "invading her backyard," and where she lives is characteristic of 'country living' with a lot of open space. She has some concern about the floodplain area, especially for homeowners that will be living down by the creek, expressing she believes those homeowners may have problems. She would like some answers to ensure that these concerns are being considered and addressed. She generally expressed concern about the density. She would like the area where the larger homes are to be built to have larger lots than what are currently being proposed for approval. She encouraged the Council to consider quality of life, rather than just tax money.**

**Jonas Odom**
**303 Wooded Trail**
**Rockwall, TX**

**Mr. Odom asked for the 3,200 square footage to be added to the ordinance, as well as larger lots to be added like his neighbor who also spoke, Mrs. Newton, has requested. He expressed that he has some neighbors who are living by the floodplain, and flooding has been a concern for them. He is concerned about this public hearing being held the week of Christmas, as several homeowners may be out of town.**

**Mayor Pruitt indicated that he has received emails from several homeowners expressing concern about the floodplain area.**

**Mr. Tumulty, City Engineer, indicated that with any development, the developer hires a consultant to conduct a hydraulics study in order to verify that it meets all of the city's requirements.**

**Jennifer Huber**
**400 Country Ridge**
**Rockwall, TX**

**Mrs. Huber indicated that she and her neighbors live in the county, so they do not receive notification of requests like this (including Mrs. Newton). She is concerned about the floodplain area, also expressing that she is very frustrated with this development because it will consist of a lot of houses built on top of one another. She expressed strong opposition to this request.**

**Ben Weible**
**215 Trout**
**Rockwall, TX**

**Mrs. Weible indicated that he is a citizen of the City of Rockwall and has been living in Rockwall County for about 15 years. He knew when he moved in that he would be able to control his own property, but he would not be able to control what happens to the properties around him that may change and develop over time. He generally expressed support for this request, especially because it will allow the property owner to develop it and use the property as he sees fit. He believes this request is representative of 'bit lots' and 'big homes,' which is something he has understood to be of importance to the city. He believes, as a citizen of Rockwall, that this is a very good use of the land.**

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

**Councilmember Fowler asked what the price point of the homes will be. Mr. Atkins indicated that the price point will be a little more expensive in this area as compared to the development addressed in the previous public hearing item.**

**Councilmember Milder expressed that even though those who spoke during the public hearing do not live within the City limits, they are part of the Rockwall community, and he does want to be a 'good neighbor' to those residents. He asked what sort of buffer may exist between this development and the existing, adjacent homes/neighborhood. Mr. Atkins expressed that he is happy to work with the adjacent homeowners to, for example, install fencing and/or a retaining wall (perhaps wrought iron fencing or board-on-board with adjacent retaining walls…whatever the adjacent property owners might want).**

**Mayor Pruitt expressed that the 12.5% of open space being proposed here is quite significantly less than the required 20%. Allowing for larger lots abutting to the adjacent, existing homes, will result in about 4 less lots for Mr. Atkins' development. He suggested that Mr. Atkins consider putting in the larger lots along this area in exchange for the city approving the lowered amount of open space.**

**Councilmember Hohenshelt generally expressed concern about ongoing requests to reduce the city's required 20% of open space, suggesting that the city may need to amend this requirement if the Council continues to grant variances, allowing for less open space to be dedicated associated with proposed developments.**

**The Council and Mr. Atkins proceeded to go back and forth concerning proposed lot sizes and the percentage of open space that will or won't be permissible associated with approval of his request.**

**Councilmember White spoke briefly to the open space requirement, indicating that the floodplain is working against him. He again pointed out that this request represents exactly what the Council has been wanting for a long time – larger lots and larger homes.**

**Mayor Pro Tem Lewis expressed that this property proposes challenges because of the topography and the creek. He explained that the Council reviewed a preliminary proposal during a previous work session in which putting townhomes on this particular piece of property was suggested. He believes this proposal is a great improvement.**

**Mayor Pro Tem Lewis made a motion to approve Z2015-035, maintaining the 12.59% open space, with 100' lots on the west side of the property and a minimum of 3,200 square foot houses on the west side. Mayor Pruitt seconded the motion. Councilmember White asked if this motion passes, will Mr. Atkins choose to not build. Mr. Atkins indicated that, no, it does not mean he will not build; however, he is not truly in favor of the motion on the floor. He prefers to somehow achieve the same number of lot sizes.**

**Councilmember Milder requested that Lewis consider amending his motion.**

**After brief discussion, Mayor Pro Tem Lewis amended his original motion to allow for thirty (30) of the interior lots to be changed to 70' lots with all of the other provisions stated in his original motion remaining unchanged. Mayor Pruitt seconded the amended motion. The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 44.56-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE T. R. BAILEY SURVEY, ABSTRACT NO. 30, 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.**

## XII. ACTION ITEMS

1. **SP2015-018** - Discuss and consider a request by Michael Liang of the Dimension Group on behalf of Jeffery Baird of RaceTrac for the approval of a variance to the secondary material requirements stipulated by Section 6.8 of Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a retail store with gasoline sales on a 2.46-acre parcel of land identified as Lots 1R & 2R of the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

**Mr. Miller explained that the applicant is requesting approval of an amended site plan for a retail store with gasoline sales located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane. The property is zoned Commercial (C) District and**

**is located within the Scenic Overlay (SOV) District. If approved, the amendment would allow RaceTrac convenience store to change the approved exterior elevations to appear as represented in the drawings submitted along with this request. Staff has provided a copy of the exterior elevations that were approved back in December 2013 and the exterior elevations that are now being proposed for Council's review. They essentially would like to change the material proposed to be used.**

**Councilmember White made a motion to approve SP2015-018. Councilmember Townsend seconded the motion.**

**The motion passed by a vote of 6 in favor with 1 against (Pruitt).**

**2.** **P2015-041** - Discuss and consider a request by Tony Rangel of Rangel Land Surveying on behalf of the owner Shawn Valk of Platinum Storage, LLC for the approval of a replat for Lots 2 & 3, Block A, Platinum Storage Addition being a 5.549-acre parcel of land currently identified as Lot 1, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of Townsend Drive and north of SH-276, and take any action necessary.

**Mr. Miller provided background information concerning this agenda item.**

**Tony Rangel**
**1012 Timberline**
**Heath, TX**

**Mr. Rangel came forth and provided brief comments pertaining to his request. Councilmember White made a motion to approve P2015-041. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**3.** Discuss and consider adoption of a resolution fixing the water and wastewater rates of the city, and take any action necessary.

**Assistant City Manager Mary Smith explained that this is the rate schedule that has been being discussed since budget time. It reflects a just over 10% increase for water and sewer rates. It also includes a rate increase for the city's wholesale customers. Councilmember White asked how much of the rate increase is going towards NTMWD's fancy new building or its new employees. Mrs. Smith indicated that she does not know. Councilmember Fowler indicated that this rate increase is about a 10.79%, and it will raise roughly a million and a half or a million nine in revenue. Mr. Crowley indicated that the NTWD is anticipating increases in water rates for the foreseeable future years. Councilmember Fowler expressed concern about the public mistakenly believing that the Council is arbitrarily raising water rates by more than 10% each year. Mayor Pruitt indicated that staff is working to put out educational information to our citizens to better explain various aspects concerning water rates and reading water meters when the city assesses fees to customers. Mayor Pruitt explained he has heard from a lot of people on fixed incomes. Perhaps those using 2,000 – 5,000 gallons of water could be given a little break before the rates then jump up for those who utilize over 5k gallons. Mrs. Smith indicated that the city will likely hire a firm to conduct another rate study next year, however, we will have to choose another firm since the gentleman we have previously used recently passed away.**

**Councilmember Milder expressed that this is his third water rate increase discussion in three years, and each time it's gone up in double digit percentages. He has a lot of concern about NTMWD continuing to increase its water rates, knowing that its member cities have no alternative and are not able to 'pull out.' He is irritated with the NTMWD organization and believes it is most concerned about self-preservation rather than the interests of its customers. Therefore, he suggested that paragraph 2 of the resolution be changed to read as follows:**

> ***Whereas city council finds itself with its back against the wall; and Whereas the NTMWD is mandating water rate increases, it is under duress and reluctantly that the council raises its water rates to accommodate the NTMWD's mandated rate increase.***

**Mayor Pruitt suggested that the Council consider having staff draft a separate resolution to express its dissatisfaction associated with NTMWD and its continued increases in water rates and bring that back for the Council to consider at the next meeting.**

**Councilmember Townsend clarified that if the Council does not approve this rate increase, then the city's budget 'takes the hit' for the increases in water rates charged to the City. Yes, Mr. Crowley, indicated that this is true.**

**Councilmember Townsend made a motion to approve the resolution as is. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes to 1 nays (White).**

**4.** Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary.

**Assistant City Manager Mary Smith provided brief comments concerning this agenda item. Councilmember Townsend made a motion to approve the resolution. Mayor Pro Tem Lewis seconded the motion. Councilmember Milder expressed strong opposition to this item, explaining he believes the city should have gone out for bid. The motion passed by a vote of 5 ayes to 2 nays (White and Milder).**

**5.** Consider approval of an **ordinance** modifying Chapter 38. Subdivisions, Article 1. In General, Section 38-19. Street Improvements and Oversizing, of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary. **(1st reading)**

**Mr. Milder indicated that at the last meeting, Council directed staff to draft this ordinance. It is being brought forth as an Action Item since it was not unanimously approved by the Council to move forward with this ordinance. Councilmember Milder asked where this concern came from. Mr. Miller indicated that residents living next to a school in Fontana Ranch brought this concern forth to staff. He expressed concern about future developers having to spend a lot of money to build wider roads next to schools and parks. He does not believe that the wider roads are going to represent a positive benefit concerning traffic that occurs in and around schools. Mayor Pro Tem Lewis indicated that this has to do with more than just a handful of complaints from Fontana Ranch residents. He expressed that this has been a concern in other areas of the city too, and it represents a safety concern. Lewis expressed that widening the road by 3' is not going to 'kill' a developer. When sports teams have been practicing in parks, other residents in the past have also expressed concern about not being able to move around due to the congestion.**

**Councilmember Townsend left the meeting for a few minutes at this time (9:29 p.m.)**

**Mayor Pro Tem Lewis made a motion to approve the ordinance. Mayor Pruitt seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL**
**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING SECTION 38-19, *STREET IMPROVEMENTS AND OVERSIZING*, OF CHAPTER 38, SUBDIVISIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.**

**The motion passed by a vote of 4 in favor, 2 against (Milder and White), and 1 absent (Townsend).**

**6.** Discuss and consider the City's selection of nominees to the Texas Coalition for Affordable Power (TCAP) Board of Directors for the 2016-2017 term of office, and take any necessary action.

**Councilmember Townsend rejoined the meeting at this time (9:32 p.m.). Mr. Crowley provided brief background information concerning this agenda item. After brief comments, the Council chose not to take any action concerning this agenda item.**

**7.** Discuss and consider the final report presented by Aecom related to transit services in the City of Rockwall, and take any necessary action.

**Mr. Crowley expressed that this item was placed on the agenda to have a follow-up discussion after the Aecom consultant provided its findings to the Council at the last regular meeting. Council had expressed a desire to discuss this a bit more before passing along the report to Rockwall County. The Council generally indicated that it is ok with the City Manager sending the study findings to the County for its information and consideration. Councilmember Townsend suggested that the city needs to sit down with the County and with STAR in the coming months to figure out a preferred, agreed upon 'fixed route.' The Council took no formal action concerning this agenda item.**

**8.** Discuss and consider the formation of an Airport Advisory Board at the Ralph M. Hall / Rockwall Municipal Airport, and take any necessary action.

**Councilmember White indicated that some citizens and users of the airport have expressed concern that the Council does not have any seasoned pilots and/or airport users to advise the Council when it discusses airport-related matters and makes airport-related decisions. Councilmember White made a motion to instruct staff to draft an ordinance to bring back to the Council for consideration concerning formation of an Airport Advisory Board. Mr. Crowley pointed out that the city's charter stipulates that any board members who serve will need to be residents of the City of Rockwall. Councilmember Hohenshelt seconded the motion, which passed unanimously of Council present (7 ayes to 0 nays).**

**Regarding Appointment Item #2, Mayor Pruitt made a motion to approve the interlocal agreement with the Central Appraisal District for collection of taxes. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**The Council did not go back into Executive Session following conclusion of the public meeting agenda.**

## XIII. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding negotiations of Access Agreement pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Ex-Officio Board Members - pursuant to Section 551.074 (personnel matters)
5. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).
6. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
7. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

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

## XV. ADJOURNMENT

**The meeting was adjourned at 9:39 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th day of January, 2016.**

_____
**Jim Pruitt, Mayor**

**ATTEST:**

_____
**Kristy Cole, City Secretary**

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**CITY OF ROCKWALL**

**ORDINANCE NO. 16-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 [*ORDINANCE NO. 09-37*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING EXHIBIT 'B' AND EXHIBIT 'C' OF ORDINANCE NO. 09-37, BEING A 329.53.00-ACRE TRACT OF LAND IDENTIFIED AS THE LAKE ROCKWALL ESTATES SUBDIVISION, 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 initiated a zoning change for the Lake Rockwall Estates Subdivision for the purpose of updating the *PD Concept Plan* in *Exhibit 'B'* and amending the development standards in *Exhibit 'C'* of *Ordinance No. 09-37* for a 329.53-acre tract of land, zoned Planned Development District 75 (PD-75) [*Ordinance No. 09-37*], situated within the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas 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 75 (PD-75) [*Ordinance No. 09-37*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

**Section 1.** That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 09-37*;

**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. 04-38*] 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 any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**Section 6.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**Section 7.** 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 8.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, Mayor

**ATTEST:**

_____
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

_____
Frank J. Garza, City Attorney

1st Reading: 12-21-2015

2nd Reading: 01-04-2016

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

*Lake Rockwall Estates Subdivision:*

*BEING* a 329.53 acre tract of land, in the G. Wells Survey, Abstract No. 219, in Rockwall County, Texas, said tract being more particularly described by metes and bounds as follows;

*BEGINNING* at a point at the intersection of the Centerline of Tubbs Road and the South Right of Way line of FM-3097 (*Horizon Road*);

*THENCE* N 44° 03' 32.586" E, along the Centerline of said Tubbs Road, for a distance of 3196.715 feet to a point for a corner;

*THENCE* S 45°18' 40.548" E, departing said line Tubbs Road for a distance of 987.963 feet to a point for a corner;

*THENCE* S 45° 01' 47 .969" E, for a distance of 305.802 feet to a point for a corner; THENCE S 57° 46' 29.390" E, a distance of 618.885 feet to a point for a corner;

*THENCE* N 89° 29' 58.294" E, a distance of 2177 .687 feet to a point for a corner in the North line of Rockwall Lake Estates No. 2;

*THENCE* S 0° 20' 12.986" E, along the Easterly most line of Rockwall Lake Estates No. 2 for a distance of 2420.324 feet to a point for a corner in the North line of County Line Road;

*THENCE* S 88° 49' 05.513" W, along the said North line of County Line Road for a distance of 3751.248 feet to a point for a corner;

*THENCE* S 77° 48' 25.087" W, continuing along the said North line of County Line Road for a distance of 388.521-feet to a point for a corner in the Northeast line of said Horizon Road;

*THENCE* N 49 ° 33' 00" W, along said Northeast line of Horizon Road for a distance of 231.08-feet to a point for a corner;

*THENCE* S 39° 24' 11.999" W, crossing Horizon Road for a distance of 100.00 feet to a point for a corner;

*THENCE* N 46° 5' 44.798" W, continuing along the south right-of-way line of Horizon Road for a distance of 2,064.651-feet to the *Point of Beginning* and containing 329.53-acres and 14,354,361.518 square feet of land more or less.

**Exhibit 'B':**
*Concept Plan*

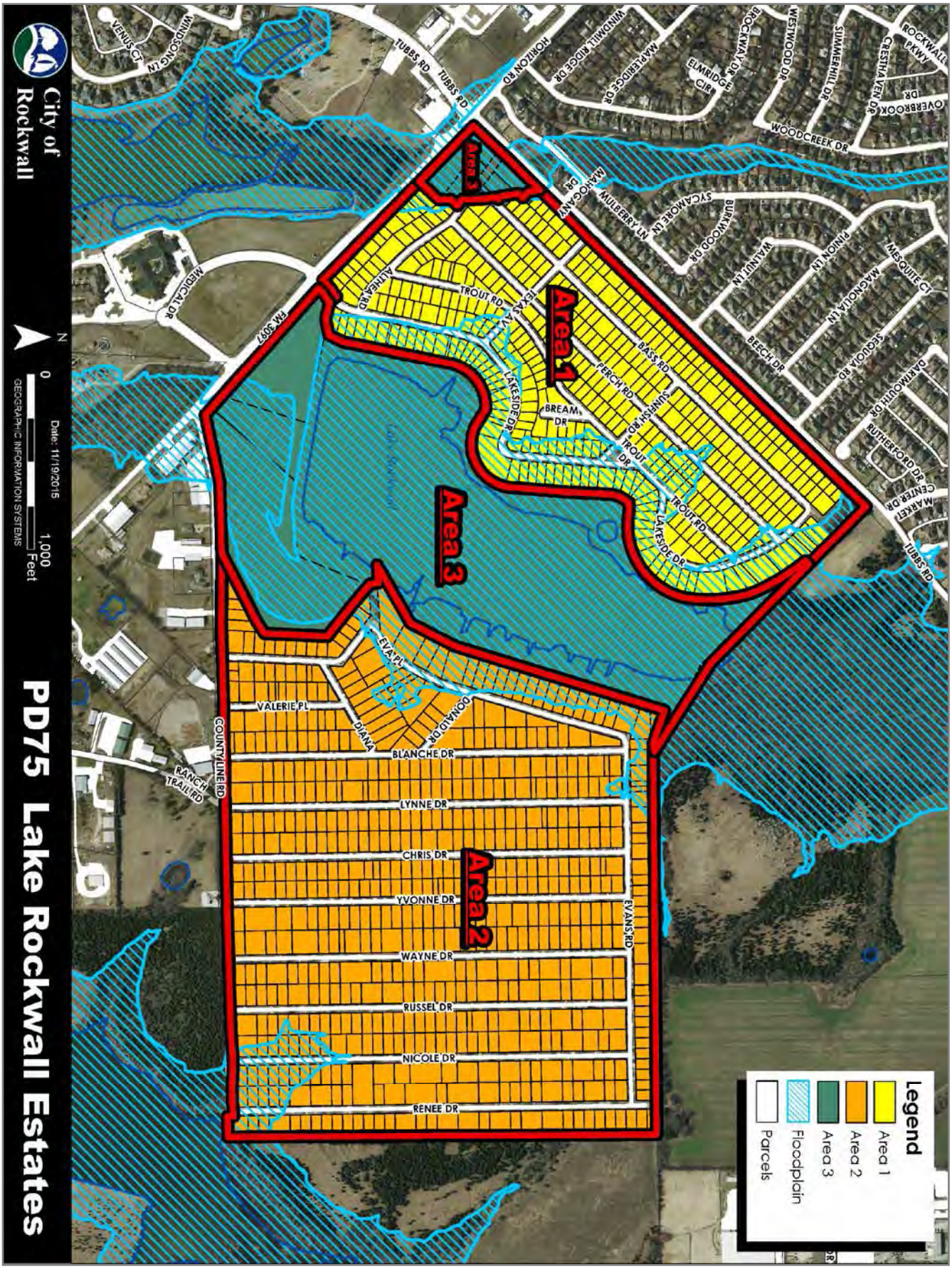

**Exhibit 'C':**
*PD Development Standards*

***PD Development Standards.***

1. *Density and Dimensional Requirements.* Development of *Area 1* or *Area 2* as depicted in *Exhibit 'B'* of this ordinance shall be subject to the land uses and development standards stipulated for properties within a *Single Family 7 (SF-7) District* as required by Section 3.6, *Single Family Residential (SF-7) District*, and Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, and shall be subject to the following additional standards:

*Table 2: Lot Dimensional Requirements*

| *Lot Type (see Concept Plan)* ► | ***Area 1*** | ***Area 2*** |
|---|---|---|
| *Minimum Number of Single Family Units Per Lot* | *1* | *1* |
| *Minimum Lot Width/Frontage* (1) | *50-Feet* | *50-Feet* |
| *Minimum Lot Depth* (1) | *100-Feet* | *100-Feet* |
| *Minimum Lot Area* (1) | *5,000-SF* | *5,000-SF* |
| *Minimum Front Yard Setback* (1) | *20-Feet* | *20-Feet* |
| *Minimum Side Yard Setback (Internal Lot)* (1) | *5-Feet* | *5-Feet* |
| *Minimum Side Yard Setback (Adjacent to a Street)* (1) | *20-Feet* | *20-Feet* |
| *Minimum Distance Between Buildings on the Same Lot* | *10-Feet* | *10-Feet* |
| *Minimum Length of Driveway Pavement* (2) | *20-Feet* | *20-Feet* |
| *Minimum Number of Off-Street Parking Spaces* (3) & (4) | *2* | *2* |
| *Maximum Height* | *32-Feet* | *32-Feet* |
| *Minimum Rear Yard Setback* | *10-Feet* | *10-Feet* |
| *Minimum Area/Dwelling Unit (SF)* | *1,100-SF* | *1,100-SF* |
| *Maximum Lot Coverage* | *45 %* | *45 %* |

*General Notes:*

1: These setbacks and frontage requirements may be varied in accordance with Section 3.C, *Consideration of a Special Request*, of this Ordinance.

2: The minimum length of the driveway pavement as measured from public right-of-way for the rear and side-yard.

3: An enclosed garage shall not be considered in meeting the off-street parking requirements.

4: Number denotes residential property only. For all other land uses, see Article VI, *Parking and Loading*, of the Unified Development Code.

2. *Manufactured Home Replacement.* This standard only applies to *Area 2* as depicted in *Exhibit 'B'* of this ordinance. As of September 21, 2009, properties within *Area 2* containing a habitable mobile/manufactured home, as defined by state law and the US Department of Housing and Urban Development's (HUD's) code, shall be permitted a *one-time* replacement of a new or used manufactured home (*conforming to HUD's standards*) pending the replacement manufactured home meets the following minimum standards:

(a) The manufactured home shall be permanently attached to a concrete foundation.

(b) The primary roof pitch is a minimum of 3:12 inches.

(c) At least 90% of the exterior materials, including the skirting material, excluding doors and windows, must be comprised of Hardi-Board lap siding or a similar durable cementaceous lap siding material with a minimum width of 6¼-inches. Alternatively, the manufactured home may conform to the minimum masonry requirements as stipulated in Section 3.1, *General Residential Standards*, of the Unified Development Code.

(d) The proposed manufactured home is newer and larger in living space than the prior manufactured home.

3. *Additional Standards for Area 1 and Area 2.* The following additional standards are required/permitted within *Area 1* and *Area 2:*

   (a) *Fencing Requirements.* All fences within Planned Development District 75 (PD-75) shall be required to meet the regulations and requirements stipulated by the City of Rockwall *Municipal Code of Ordinances* with the following exceptions:

      (i) *Front Yard Fences.* Fences constructed in the required front yard for residential properties shall not require a special exception by the City Council as long as they adhere to the requirements of the Municipal Code of Ordinances. Exceptions to the height requirements for front yard fences shall be appealed in accordance with Section 3.C, *Consideration of a Special Request*, of this Ordinance.

      (ii) *Chain-Link Fences.* All properties within *Area 1* and *Area 2* shall be permitted to construct a chain-link fence along the rear and side yard property lines, provided said fence complies to the requirements of the *Municipal Code of Ordinances*.

   (b) *Exterior Materials.* Buildings 120-SF of greater and over ten (10) feet in height shall have exterior walls constructed of a minimum of 80% standard masonry construction, excluding windows and doors. In the event that an exterior wall is on a porch, patio, courtyard, or breezeway the wall may be of non-masonry construction. Hardi-Board or similar cementaceous material may be used on up to 50% of the total masonry requirement. A building with less than 80% standard masonry construction or which utilizes an excess of 50% cementaceous material shall require approval by the City Council in accordance with Section 3.C, *Consideration of a Special Request*, of this Ordinance.

      Buildings less than 120-SF and under ten (10) feet in height may be constructed with non-masonry materials or be metal with a baked-on enamel surface.

   (c) *Consideration of a Special Request.* The City Council may consider special requests in the Lake Rockwall Estates Subdivision (*i.e. Area 1 and Area 2 as depicted in Exhibit 'B' of this ordinance*). Such request may include, but not necessarily be limited to the use of alternate building materials, reductions in the building setbacks, exceptions to the fencing requirements, or other requests submitted for consideration to the Planning and Zoning Department.

      Upon receipt of such requests, the Planning and Zoning Commission shall review the case and forward a recommendation to the City Council for consideration. The City Council may approve special request. Any such approval shall preempt any other underlying zoning restrictions in the Unified Development Code. Such special requests may be denied by the City Council by the passage of a motion to deny.

      *Special requests shall not include any request to change the land use of a property.*

4. *Area 3.* The area indicated as *Area 3* in *Exhibit 'B'* of this ordinance shall be restricted to open space and drainage, and development in this area shall be prohibited.

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**CITY OF ROCKWALL, TEXAS**

**ORDINANCE NO. 16-05**
**SPECIFIC USE PERMIT NO. S-142**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a Specific Use Permit (SUP) for a "*Pawnshop*" within a Commercial (C) zoning district has been requested by Lloyd Waldrop of Rockwall Gold & Silver and on behalf of Donna Pritchard (property owner), on a portion of a 0.423-acre parcel of land, and more specifically identified as "Suite 1" as depicted in Exhibit "A" attached hereto, and described as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition City of Rockwall, Rockwall County, Texas, which is situated at the southeast corner of SH-205 and Yellow Jacket Lane, and also known as 1901 S. Goliad Street, 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 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a "*Pawnshop*" within a Commercial (C) zoning district as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

**SECTION 2.** That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

**2.1 Operational Conditions**

The following conditions pertain to the operation of a "*Pawnshop*" as a use for an existing commercial facility on the *Subject Property*, and conformance to these operational conditions on required for continued operations:

1. That the "Pawnshop" shall generally be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as "Suite 1" and as depicted in *Exhibit "A"* attached hereto, and

2. That incidental display and outside storage shall be strictly prohibited, and

3. That this Specific Use Permit (SUP) shall be valid for a period of five (5) years from the date of approval as granted upon herein, and that the City Council shall review this SUP ordinance and determine if an extension is warranted. Ninety (90) days prior to the cessation of this ordinance the applicant shall submit an application for renewal of this SUP ordinance for a certain period of time to be determined by the City Council.

**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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4th DAY OF January, 2016.**

_____
Jim Pruitt, Mayor

**ATTEST:**

1st Reading: 12-21-2015
2nd Reading: 01-04-2016

_____
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

_____
Frank J. Garza, City Attorney

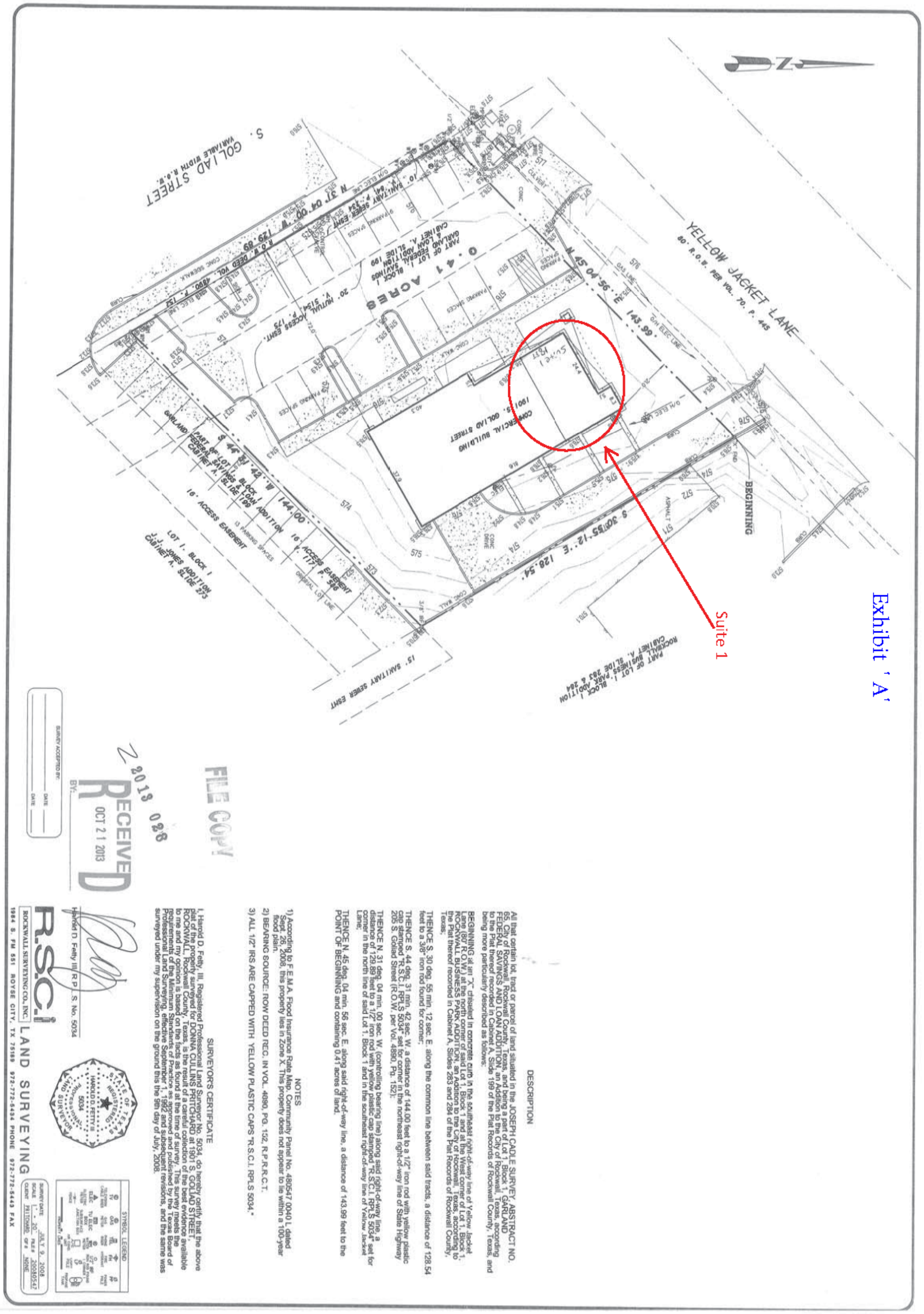
Exhibit 'A'
Suite 1
YELLOW JACKET LANE
S. GOLIAD STREET
BEGINNING
FILE COPY!
RECEIVED OCT 21 2013
R.S.C.I. LAND SURVEYING
DESCRIPTION
NOTES
SURVEYOR'S CERTIFICATE

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**CITY OF ROCKWALL, TEXAS**

**ORDINANCE NO. 16-06**
**SPECIFIC USE PERMIT NO. 143**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE STANDARDS STIPULATED BY THE UNIFIED DEVELOPMENT CODE, ON THE PROPERTY ADDRESSED AS 513 WINDSOR WAY, BEING A 0.23-ACRE PARCEL OF LAND IDENTIFIED AS LOT 14, BLOCK F, HARLAN PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a request has been made by Stephen B. North for a Specific Use Permit allowing for an accessory building not meeting the standards stipulated by the Unified Development Code within the Single-Family Residential (SF-10) District, on the property located at 513 Windsor Way, being a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building not meeting the standards stipulated by the Unified Development Code within the Single-Family Residential (SF-10) District for the *Subject Property*; and

**Section 2.** That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards, and

2. That submittal and approval of a building permit is required prior to the construction of the accessory building, and

3. That the accessory building shall generally not exceed 288 sq. ft. in area or a maximum height of 15-ft. (measured at the midpoint of the pitched roof), and

4. That the accessory building shall generally conform to the site plan (Exhibit 'A' - Survey), building elevations as submitted, including the use of up to 100% Hardi Board lap siding (or other comparable cementaceous lap siding product) on all exterior walls, a composition roof, and a porch/roof overhang as generally depicted in the attached photo, and

5. That the accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted, and

6. That the City Council reserves the right to review the Specific Use Permit granted herein, and

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

**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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4th DAY OF January, 2016.**

_____
Jim Pruitt, Mayor

**ATTEST:**

_____
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

_____
Frank J. Garza, City Attorney

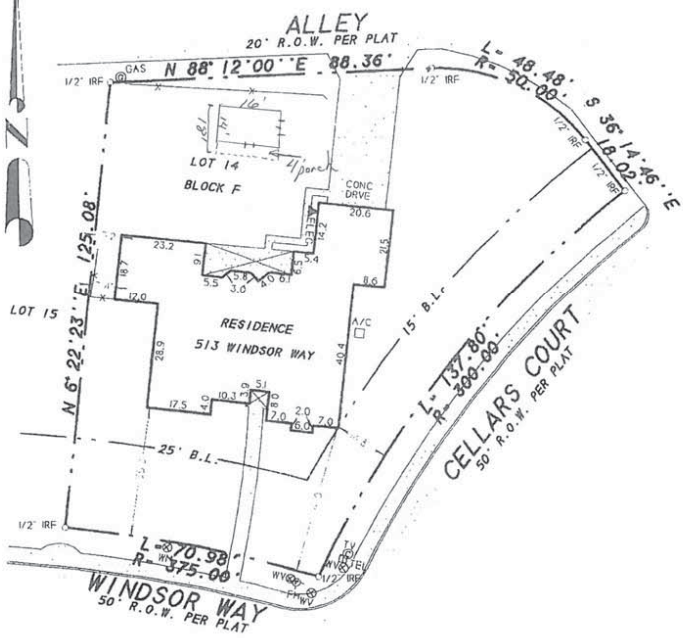
1st Reading: 12-21-2015

2nd Reading: 01-04-2016

Exhibit 'A'
Survey

DESCRIPTION

Lot 14, Block "F" REPLAT OF HARLAN PARK, an Addition in Rockwall County, Texas, according to the Plat thereof recorded in Slide B, Page 226 of the Plat Records of Rockwall County, Texas.




NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480547 0005 C dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED PLAT.

3) The following easements do not lit on this lot: (i) V. 82, P. 376, (ii) V. 91, P. 159, (iii) V. 383, P. 253, (iv) V. 392, P. 325.

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for RANGER TITLE COMPANY and GEORGE K, & MARILYN A. HALL, at 513 Windsor Way, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 5th day of Nov., 1999.

Harold D. Fetty III, R.P.L.S. No. 5034

SURVEY DATE NOV. 5, 1999
SCALE 1" = 30' FILE # 992278
CLIENT HALL GF # 321747

ROCKWALL SURVEYING COMPANY, INC.
306 E. WASHINGTON, SUITE G ROCKWALL, TEXAS 75087 PHONE (972) 772-5434 FAX (972) 772-5443

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**CITY OF ROCKWALL**

**ORDINANCE NO. 16-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 45.318-ACRE TRACT OF LAND IDENTIFIED AS TRACT 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 Saddle Star Land Development, Inc. on behalf of the owner Randa Hance of R&R Hance Investment, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses, on a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas 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 the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

**Section 1.** That the *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. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**Section 2.** 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 3.** 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 4.** That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'B'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

**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(e) 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) *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.

(d) *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.

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

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

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

**Section 10.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, Mayor

**ATTEST:**

_____
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

_____
Frank J. Garza, City Attorney

1st Reading: 12-21-2015

2nd Reading: 01-04-2016

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

Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas:

*BEING*, a tract of land situated in the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, and further being a part of 137.0-acre tract of the R. R. Hance Investments LLP, and being more particularly described as follows:

*BEGINNING* at a point on the east line of county road John King Boulevard, said point being the southwest corner of said 45.31-acre tract point for corner;

*THENCE*, N. 71 37' 49" W., a distance of 1,091.80' to a point for a corner and beginning of a curve;

*THENCE, BEGINNING* a point for a curve R=1,143' for a distance 1,428.90' to a point for a corner;

*THENCE*, N. 89 46' 06" E., a distance of 1,784.02' to a point for a corner;

*THENCE*, S. 00 04' 13" W., a distance of 1,415.57' to the *PLACE OF BEGINNING* and containing 45.31-acres of land.

**Exhibit 'B':**
*Concept Plan*

**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 IV, *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 | 113 | 100.00% |
| | | *Maximum Permitted Units:* | *113* | *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 V, *District Development Standards*, of the Unified Development Code 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 *113* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

*Table 2: Lot Dimensional Requirements*

| | |
|---|---|
| *Minimum Lot Width* (1) | 70' |
| *Minimum Lot Depth* | 125' |
| *Minimum Lot Area* | 8,750 SF |
| *Minimum Front Yard Setback* (2) & (5) | 20' |
| *Minimum Side Yard Setback* | 5' |
| *Minimum Side Yard Setback (Adjacent to a Street)* (2) & (5) | 10' |
| *Minimum Length of Driveway Pavement* | 25' |
| *Maximum Height* (3) | 30' |
| *Minimum Rear Yard Setback* (4) | 20' |
| *Minimum Area/Dwelling Unit (SF)* | 2,700 SF |
| *Maximum Lot Coverage* | 65% |
| *Permitted Encroachment into Required Setbacks* (5) | 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:

   *(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.* Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration; however garages oriented toward the street in a front entry configuration must be situated a minimum of 20-feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

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*).

*Table 3 : Anti-Monotony Matrix*

| *Lot Type* | *Minimum Lot Size* | *Elevation Features* |
|---|---|---|
| A | 70' x 120' | (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*).

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

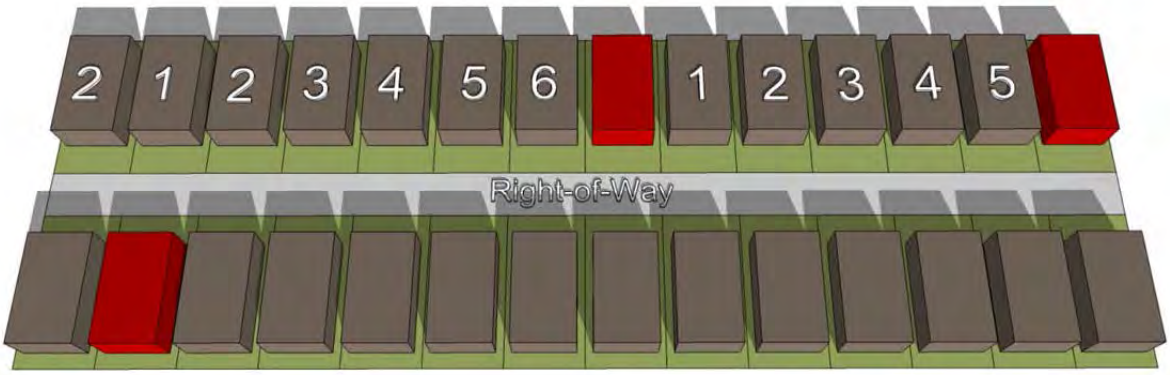
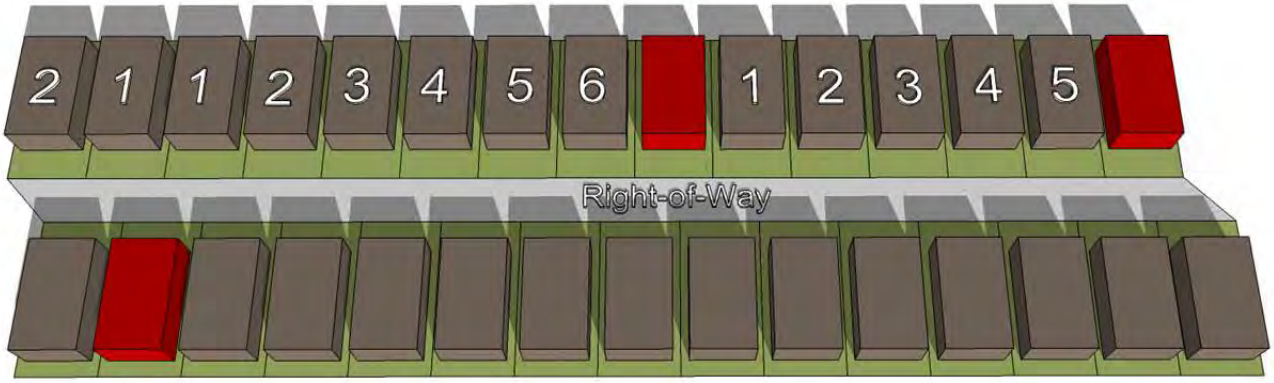



*Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.*




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:

*(a) 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.

*(b) 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.

*(c) 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.

*(d) Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

*7. Landscape and Hardscape Standards.*

(1) *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:

*(a) Canopy/Shade Trees*. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

*(b) Accent/Ornamental/Under-Story Trees*. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

*(a) 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/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or 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 sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(3) *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:

(i) 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.
(ii) 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.*

(4) *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.

(5) *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.

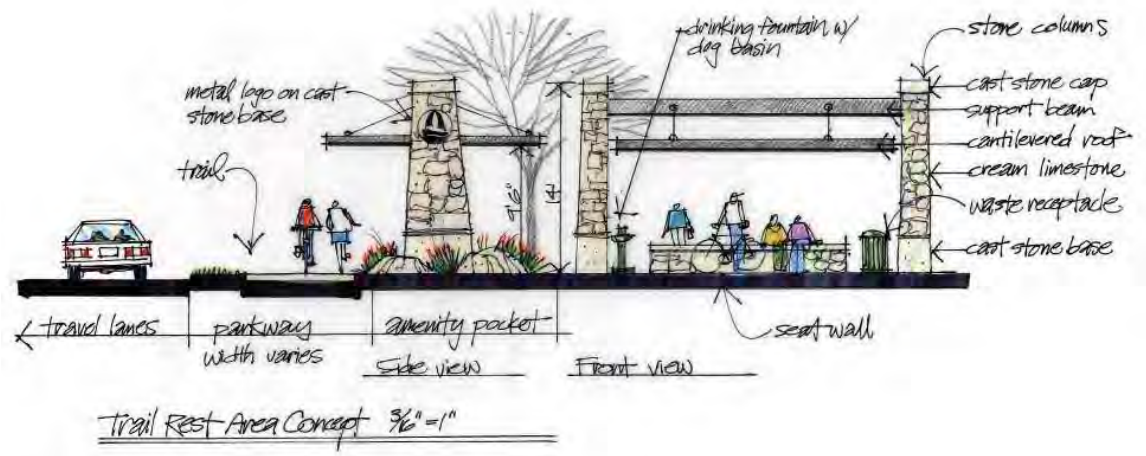
11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. 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 *17%* open space (*or 7.704-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).

*Continued on Next Page …*

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*




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. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (*approved in August 2003 and updated in October 2007*). The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *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.

17. *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.

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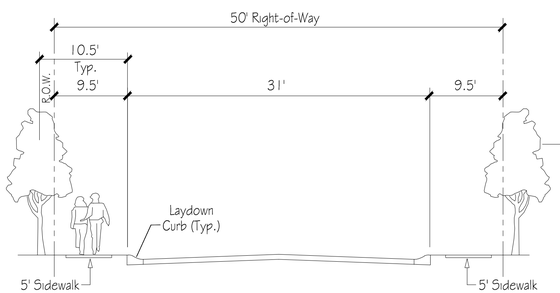
Scale: 1" = 100'




Section "A-A"

Vicinity Map

n. t. s.

## Land Use Data

Total Area - 44.56 Ac.

Total Open Space - 5.61 Ac.

Typ. Lot Size - 80'x125' - 79 Lots

Lot Size - 70'x125' - 12 Lots

Lot Size - 100'x125' - 18 Lots

Total Lots - 109

Density - 2.446 D.U. / Ac.

## CONCEPT PLAN

# Saddle Star Estates North

Rockwall, Texas

City of Rockwall, Rockwall County, Texas


Owner:
**LARRY HANCE**
14241 North Dallas Pkwy., S 1050
Dallas, Texas 75234
972.991.1600

Engineer:
ENGINEERING CONCEPTS & DESIGN, L.P.
CIVIL ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION MANAGEMENT
TBPE Firm Registration No. F-2654
801 Windco Circle, Suite 200, Wylie, TX. 75098
972.941.8400 www.ecdpl.com fax: 972.941.8401


Dec. 29, 2015 Scale:1" = 100' Case No. Z-2015-035



61

**CITY OF ROCKWALL**

**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 44.56-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE T. R. BAILEY SURVEY, ABSTRACT NO. 30, 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 Saddle Star Land Development, Inc. on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses, on a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas 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 the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

**Section 1.** That the *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. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**Section 2.** 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 3.** That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;



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**Section 4.** That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'B'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

**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(e) 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) *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.

(d) *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.

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

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

**Section 9.** The standards in this ordinance shall control in the event of a conflict between



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

**Section 10.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, *Mayor*

**ATTEST:**

_____
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 01.04.2016

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

**Exhibit "A"**

Description of the Land

All that certain lot, tract or parcel of land situated in the T.R. Bailey Survey Abstract NO. 30, Rockwall County, Texas, and being all of a tract of land as described in a Quit Claim deed from Roy Hance and Randa Hance to Larry Hance, dated March 16, 1993 and being recorded in Volume 769, Page 168 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at ½" iron rod found for corner in the west boundary line of said Hance tract at its intersection with the north right-of-way line of F.M. 552 said point being at the southeast corner of Lot 12B HIDDEN VALLEY ESTATES NO 2 an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 379 of the Plat Records of Rockwall County, Texas;

THENCE N. 00 deg. 37 min. 18 sec. W. along the west line of said Hance tract and the east line of said subdivision, a distance of 1591.38 feet to a 3/8" iron rod found for corner at the northeast corner of Lot 14A, and at the northwest corner of said Hance tract;

THENCE N. 89 deg. 11 min. 33 sec. E. along the south line of said subdivision, a distance of 440.23 feet to a 1/2" iron rod found for corner at the southeast corner of lot 15B;

THENCE N. 89 deg. 16min. 20 sec. E. along the north line of said Hance tract, a distance 783.97 feet to a P-K nail in fence corner post found at the northeast corner of said Hance tract and in west right-of-way line of John King Boulevard Hwy 205 bypass;

THENCE S. 00 deg. 31 min. 14 sec. E. along the east line of said Hance tract and along said right-of-way line, a distance of 1584.01 feet to a ½" iron rod found for corner at the intersection of the east line of Hance tract with the north right-of-way line of F.M. 552,

THENCE along said right-of-way line as follows:

S. 89 deg. 21 min. 56 sec. W. a distance of 668.40 feet;
S. 00. Deg. 38 min. 04 sec. E. a distance of 10.00 feet;
S. 89 deg. 21 min. 56 sec. W. a distance of 553.00 feet to the POINT OF BEGINNING and containing 44.56 acres of land.

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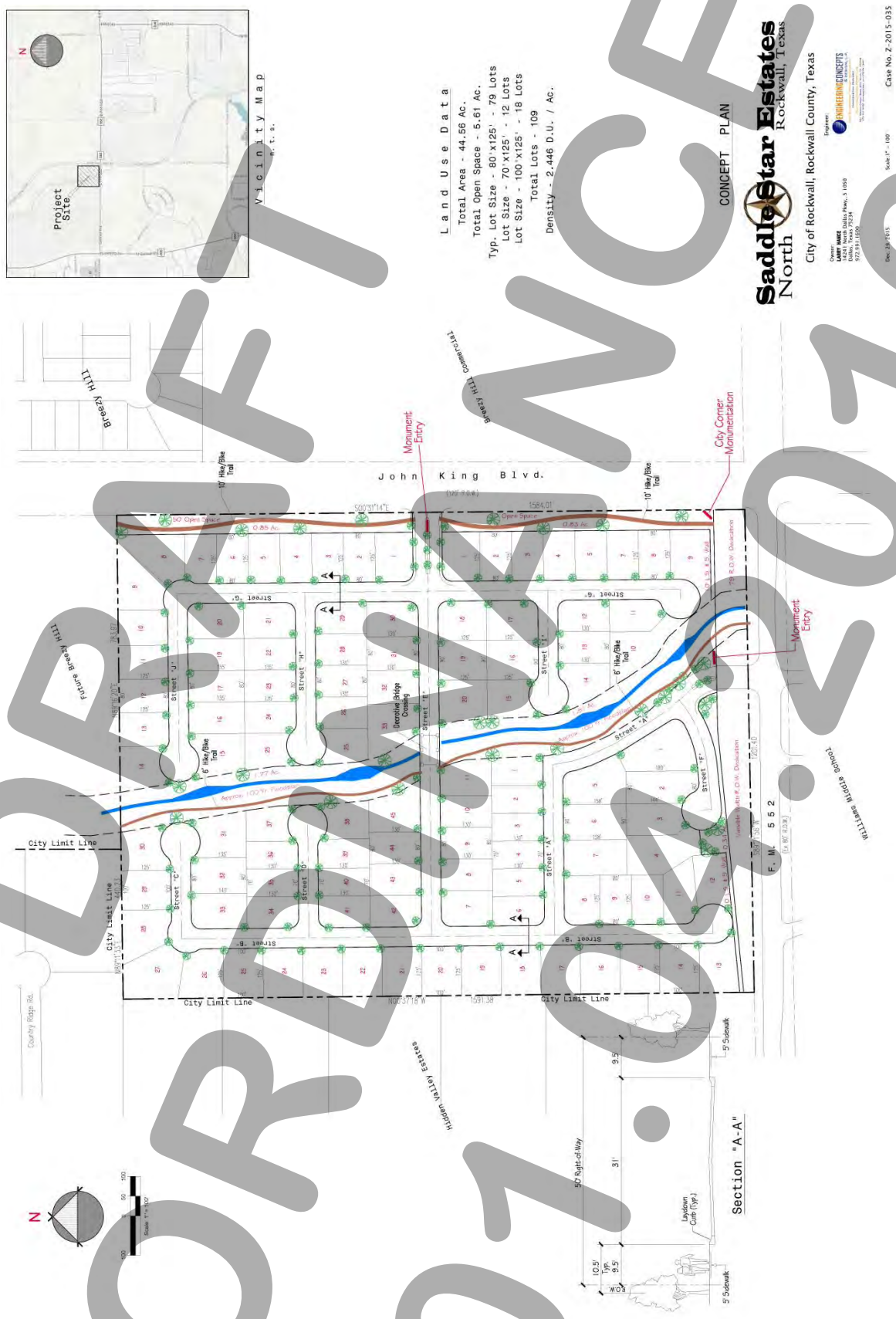
**Exhibit 'B':**
*Concept Plan*




DRAFT ORDINANCE 01.04.2016

**Exhibit 'C':**
*Survey*

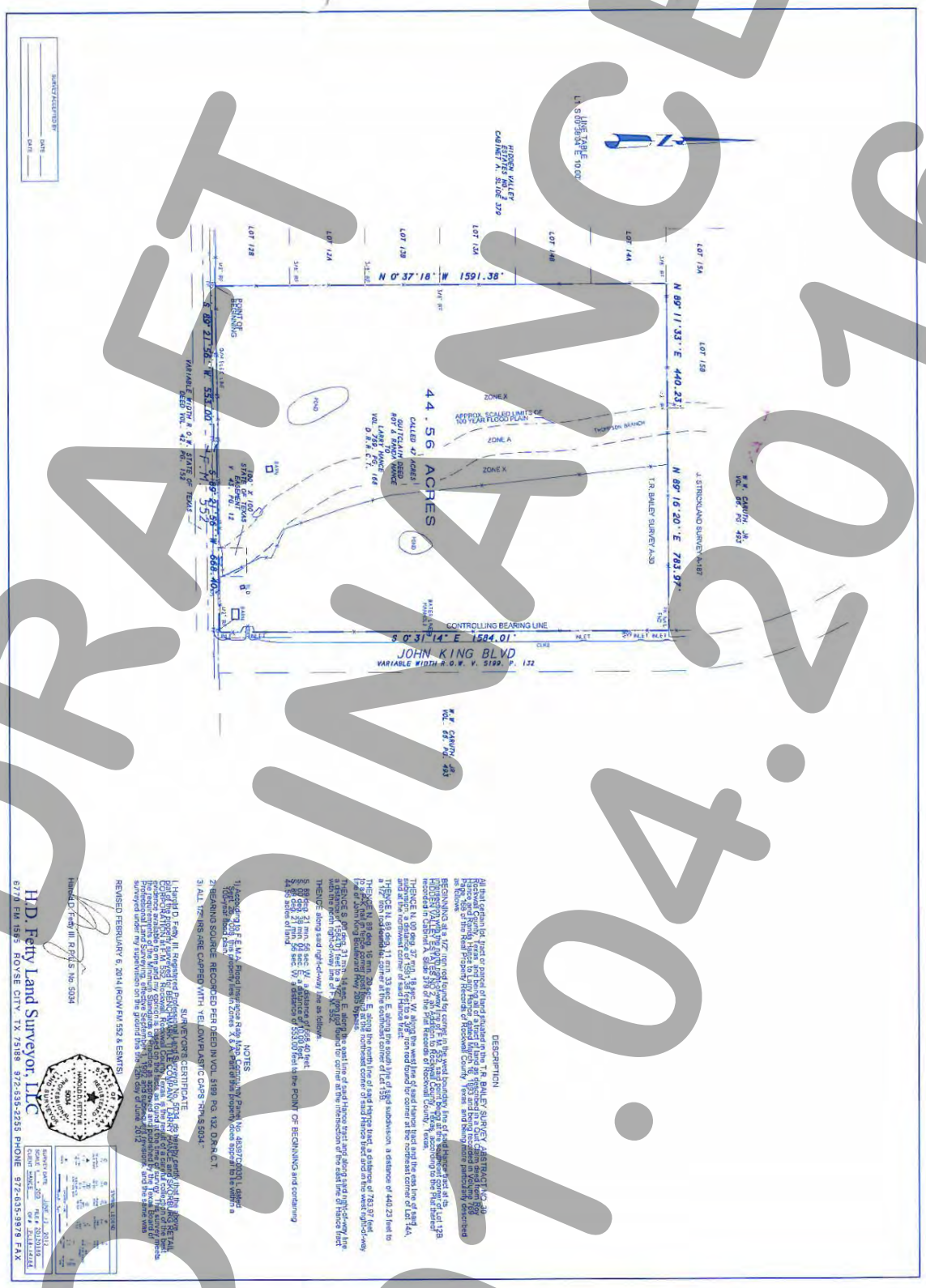


**Exhibit 'D':**
*Development Standards*

***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 IV, *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)* | *Maximum Dwelling Units (#)* | *Dwelling Units (%)* |
|---|---|---|---|---|
| *A* | 70' x 125' | 8,750 SF | 12 | 11.01% |
| *B* | 80' x 125' | 10,000 SF | 79 | 72.48% |
| *C* [1] | 100' x 125' | 12,500 SF | 18 | 16.51% |
| | | *Maximum Permitted Units:* | *109* | |

*General Notes:*
[1]: All properties adjacent to the western property line shall be a *Type 'C'* lot (*i.e. 100' x 125'*).

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 V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed *2.446* dwelling units per gross acre of land; however, in no case should the proposed development exceed *109* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

*Table 2: Lot Dimensional Requirements*

| *Lot Type (see Concept Plan)* ► | ***A*** | ***B*** | ***C*** |
|---|---|---|---|
| *Minimum Lot Width* [1] | 70' | 80' | 100' |
| *Minimum Lot Depth* | 125' | 125' | 125' |
| *Minimum Lot Area* | 8,750 SF | 10,000 SF | 12,500 SF |
| *Minimum Front Yard Setback* [2] & [5] | 20' | 20' | 20' |
| *Minimum Side Yard Setback* | 5' | 5' | 5' |
| *Minimum Side Yard Setback (Adjacent to a Street)* [2] & [5] | 10' | 10' | 10' |
| *Minimum Length of Driveway Pavement* | 25' | 25' | 25' |
| *Maximum Height* [3] | 30' | 30' | 30' |
| *Minimum Rear Yard Setback* [4] | 20' | 20' | 20' |
| *Minimum Area/Dwelling Unit (SF)* | 2,700 SF | 2,700 SF | 3,200 SF |
| *Maximum Lot Coverage* | 65% | 65% | 65% |
| *Permitted Encroachment into Required Setbacks* [5] | Allowed | 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]

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4. *Building Standards.* All development shall adhere to the following building 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.* Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration; however garages oriented toward the street in a front entry configuration must be situated a minimum of 20-feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

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*).

*Table 3 : Anti-Monotony Matrix*

| *Lot Type* | *Minimum Lot Size* | *Elevation Features* |
|---|---|---|
| A | 70' x 125' | (1), (2), (3), (4) |
| B | 80' x 125' | (1), (2), (3), (4) |
| C | 100' 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



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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*).

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

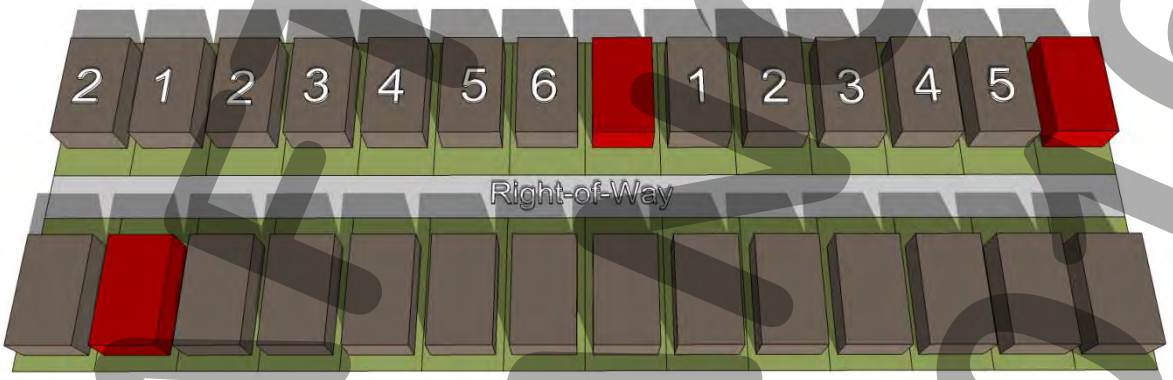


*Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.*

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:

*(a) 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.

*(b) 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.

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*(c) 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.

*(d) Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

*7. Landscape and Hardscape Standards.*

(1) *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:

*(a) Canopy/Shade Trees*. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

*(b) Accent/Ornamental/Under-Story Trees*. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

*(a) 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/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or 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 sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(3) *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:

(i) 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.
(ii) 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.



DRAFT ORDINANCE 01.04.2016

*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.*

(4) *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.

(5) *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. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. 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 *12.59%* open space (*or 5.61-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).

13. *Corner Enhancement Concept.* The developer shall be responsible for the construction of a *Corner Enhancement* that generally conforms to the concept design as depicted in *Figure 1 & Figure 2* (*below*).

DRAFT ORDINANCE 01.05.2016

**Exhibit 'D':**
*Development Standards*

***Figure 1:*** *Corner Enhancement Concept (Aerial View)*

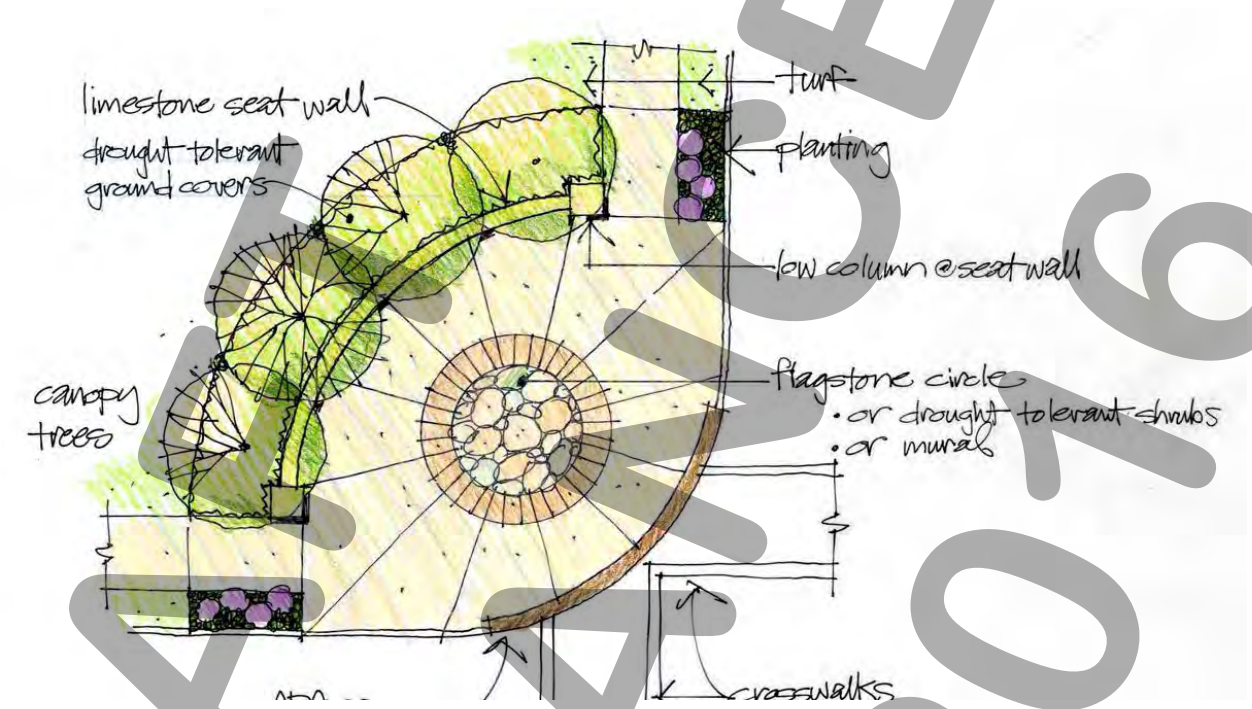


***Figure 2:*** *Corner Enhancement Concept (Street View)*

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*.

DRAFT ORDINANCE 01.09.16

15. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (*approved in August 2003 and updated in October 2007*). The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *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.

17. *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.

DRAFT ORDINANCE 01.04.2016

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# Locating Rockwall's Heros

Steven Nosworthy

Eagle Project 2015



76

# AGENDA

- Purpose
- Time, Date and Location
- Process
- Project Images
- Historical Data
- Conclusion



77

# Purpose / Date, Time, and Location

- The purpose of my project was to locate the military veterans that are buried in the cemetery so that the city could have a record of them.
- Date: June 13, 2015
- Time: 8:30 A.M.
- Location: Rockwall Memorial Cemetery



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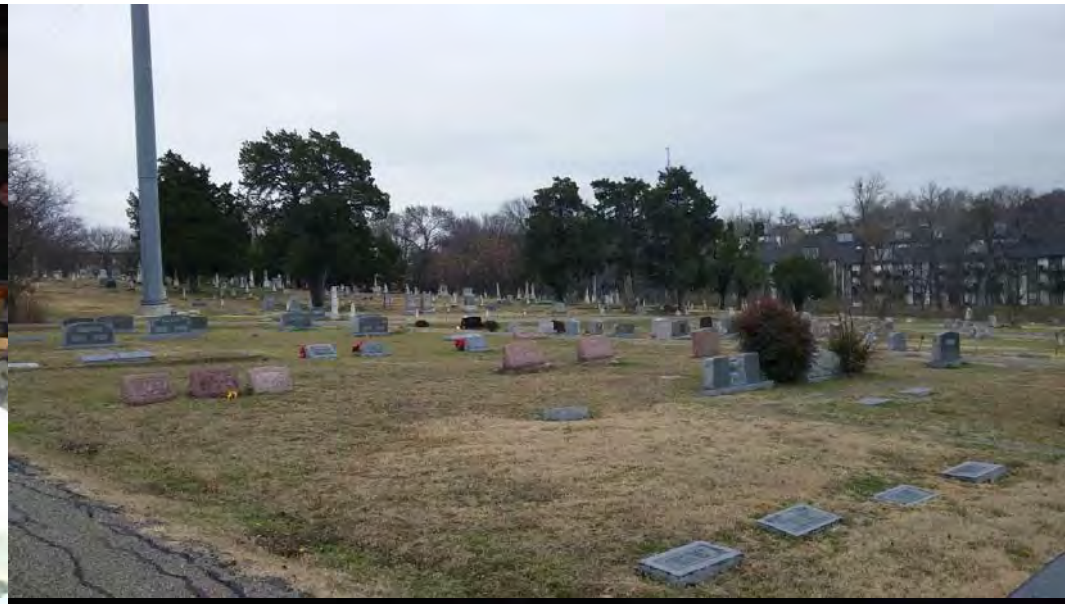
# Project Execution

- I divided the cemetery into sections based on the existing naming convention and assigned scouts to specific sections.  I then gave each group of scouts a stack of survey flags to be placed at the headstones of military veterans.
- A second group of scouts would then go to the marked graves and write down all of the information that is on the headstones.
- Lastly I walked behind them to make sure no one was missed.



79



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# HISTORICAL DATA

## VETERANS BY BRANCH

| US ARMY | US NAVY / USNR | US AIRFORCE | US MARINE CORPS / USMCR | US COAST GUARD | CONFEDERATE STATES OF AMERICA | ARMY AIR FORCE | ARMY AIR CORPS | OTHERS / UNK |
|---|---|---|---|---|---|---|---|---|
| 79 | 23 / 6 | 10 | 8 / 1 | 4 | 6 | 5 | 3 | 34 / 1 |

## VETERANS BY CAMPAIGN (S)

| WW I | WW II | KOREA | VIETNAM | SPANISH AMERICAN | CIVIL WAR | MULTIPLE | UNKNOWN | 2 / 3 CAMPAIGNS |
|---|---|---|---|---|---|---|---|---|
| 24 | 104 | 16 | 10 | 2 | 6 | 6 | 26 | |

## VETERANS BY RANK

| OFFICERS | ENLISTED | UNKOWN |
|---|---|---|
| 14 | 141 | 25 |

## VETERANS BY GENGER

| MALE | FEMALE |
|---|---|
| 174 | 6 |

## FIRST VETERAN BURIED IN CEMETERY

| LAST | FIRST | MIDDLE | RANK | BRANCH OF SERVICE | CAMPAIGN | BIRTH | DEATH |
|---|---|---|---|---|---|---|---|
| FUTRELL | L | SHADRACK | PVT | FARRIS' BAT MO LT ARTY CSA | CIVIL WAR | 12/24/1831 | 09/17/1096 |

## YOUNGEST VETERAN BURIED IN CEMETERY

| LAST | FIRST | MIDDLE | RANK | BRANCH OF SERVICE | CAMPAIGN | BIRTH | DEATH |
|---|---|---|---|---|---|---|---|
| CARR | WALTER | ESTELL | TXARM | US NAVY | WW II | 8/19/1923 | 10/12/1944 |



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# Conclusion

- I would first like to thank the City of Rockwall for allowing me the opportunity to conduct me Eagle Scout Service Project.
- I feel this project benefited me by helping me strengthen my communication skills.
- I feel this project benefited the City of Rockwall by providing a data base of all of the veterans buried in the cemetery and what military services are represented in order for others to have access to the information.


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City of Rockwall
*The New Horizon*

# MEMORANDUM

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

**FROM:** **Rick Crowley, City Manager**

**DATE:** **December 31, 2015**

**SUBJECT:** **Cost of Treated Water from NTMWD**

Draft Resolution for consideration will be provided under separate cover.

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12/21 motion to approve passed by a vote of 6 in favor with 1 against (Pruitt).

**CITY OF ROCKWALL, TEXAS**

**ORDINANCE NO. 16-02**
**SPECIFIC USE PERMIT NO. S-141**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A CAR WASH WITHIN THE SCENIC OVERLAY (SOV) DISTRICT, FOR A 0.688-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK D, LA JOLLA POINTE ADDITION, PHASE 2, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a request has been made by John and Lenny James on behalf of the owner Rockway Partners, LLP for the approval of a Specific Use Permit (SUP) to allow a *car wash* on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *car wash* within the Scenic Overlay (SOV) District as stipulated by Section 6.8, *Scenic Overlay (SOV) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

**SECTION 2.** That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, and as stipulated by Section 6.8, *Scenic Overlay (SOV) District*, Section 4.1, *General Commercial District Standards*, and Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

**2.1 Operational Conditions**

The following conditions pertain to the operation of a *car wash* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,

2) The c*ar wash* shall be setback a minimum of 50-feet from Ridge Road.

**SECTION 3.** That the official zoning map of the City of Rockwall be corrected to reflect the changes 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 of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____

Jim Pruitt, Mayor

**ATTEST:**

1st Reading: 12-21-2015

_____

Kristy Cole, City Secretary

2nd Reading: 01-04-2016

**APPROVED AS TO FORM:**

_____

Frank J. Garza, City Attorney

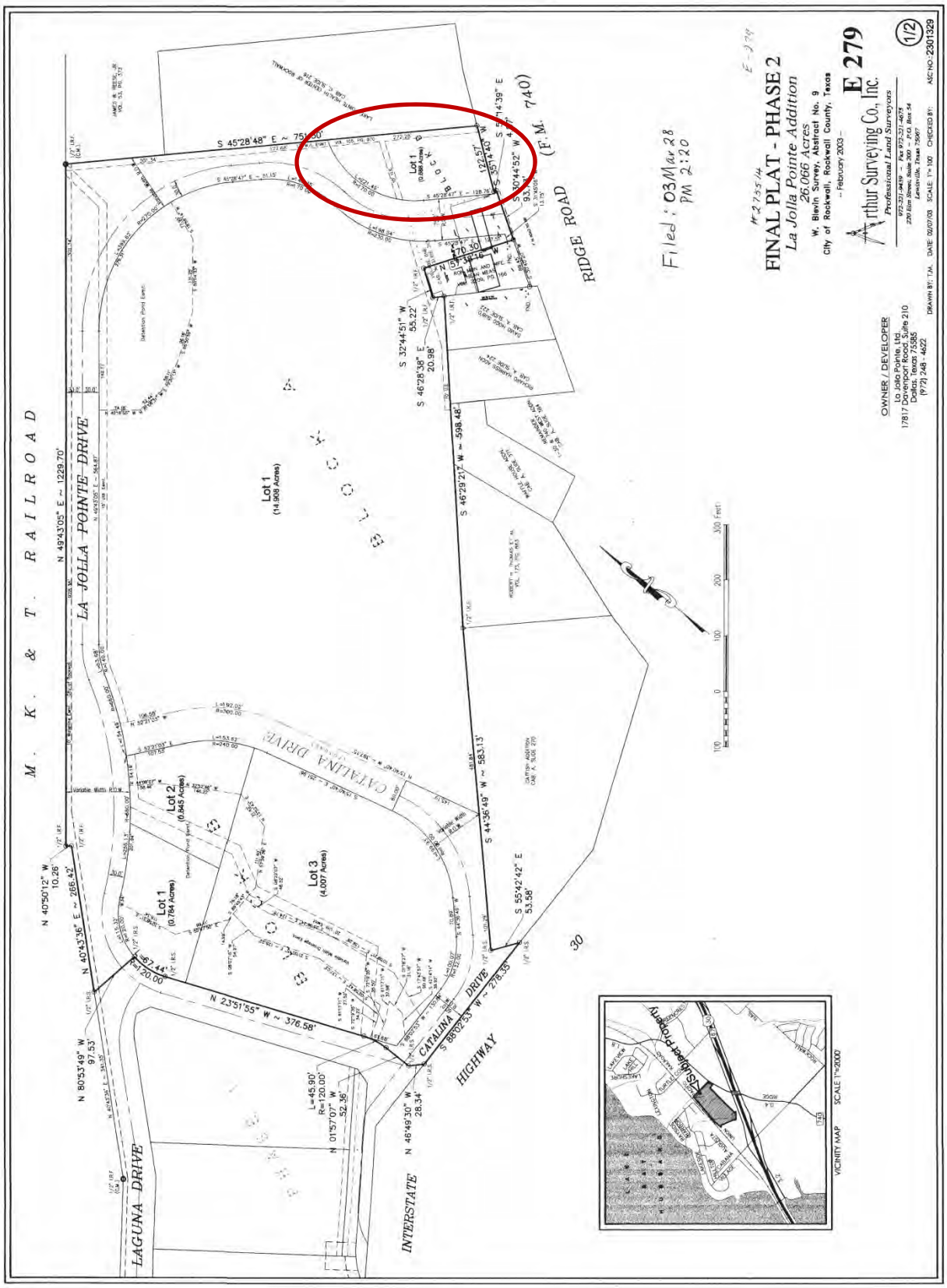
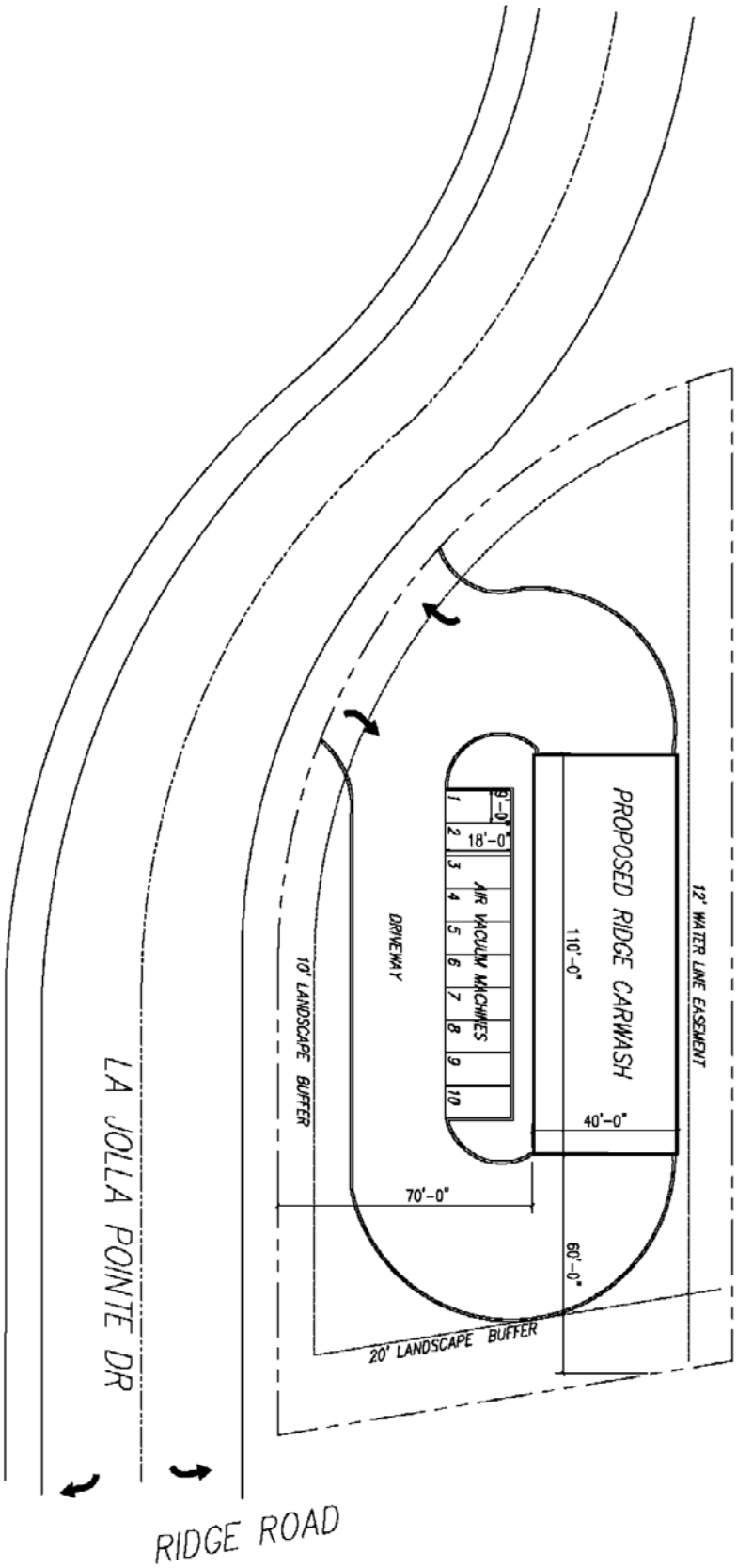

FINAL PLAT - PHASE 2
La Jolla Pointe Addition
26.066 Acres
W. Blevin Survey, Abstract No. 9
City of Rockwall, Rockwall County, Texas
February 2003
Arthur Surveying Co., Inc.
Professional Land Surveyors
E 279
1/2
ASC NO: 2301329
OWNER / DEVELOPER
La Jolla Pointe, Ltd.
17817 Dodson Road, Suite 210
Dallas, Texas 75385
(972) 248 - 4622
Filed: 03 Mar 28 PM 2:20
#2755/4
M. K. & T. RAILROAD
LA JOLLA POINTE DRIVE
CATALINA DRIVE
LAGUNA DRIVE
INTERSTATE HIGHWAY 30
RIDGE ROAD (F.M. 740)
Lot 1 (14.908 Acres)
Lot 1 (0.784 Acres)
Lot 2 (0.945 Acres)
Lot 3 (4.007 Acres)
Lot 1 (0.888 Acres)
S 45°28'48" E ~ 751.20'
N 49°43'05" E ~ 1229.70'
S 46°29'21" W ~ 598.48'
S 44°36'49" W ~ 563.13'
S 88°03'53" W ~ 278.35'
N 23°51'55" W ~ 376.58'
N 40°43'38" E ~ 266.42'
N 40°50'12" W 10.26'
N 80°53'49" W 97.53'
S 55°42'42" E 53.58'
S 32°44'51" W 55.22'
S 46°28'38" E 20.98'
N 46°49'30" W 28.34'
N 01°57'07" W 52.36'
L=45.90' R=120.00'
L=67.44' R=120.00'
L=192.02' R=300.00'
L=53.93' R=240.00'
VICINITY MAP SCALE 1"=2000'
DRAWN BY: TJK DATE: 02/07/03 SCALE: 1"=100' CHECKED BY:

*Exhibit 'B': Concept Plan*



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12/21 motion to approve passed by a vote of 4 in favor, 2 against (Milder and White), and 1 absent (Townsend).

**CITY OF ROCKWALL, TEXAS**

**ORDINANCE NO. 16-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING SECTION 38-19, *STREET IMPROVEMENTS AND OVERSIZING*, OF CHAPTER 38, SUBDIVISIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Rockwall, Texas, a *Home Rule City*, by State Law and the City's Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

**WHEREAS,** the City Council of the City of Rockwall, Texas has directed staff to increase the size of streets adjacent to schools and parks to allow for proper traffic circulation during peak usage hours; and

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

**Section 1.** That the Section 38-19(b), *Street Improvements and Oversizing*, of Article I, *In General*, of Chapter 38, *Subdivisions*, of the Code of Ordinances be hereby amended to henceforth read in its entirety as follows:

(b) All new roads within proposed subdivisions shall, at a minimum, be built to a width and design which will adequately serve that subdivision. In addition, when required by the city in the interest of the community, the developer may be required to build larger streets to the width shown on the thoroughfare plan. If more than 48-feet (back of curb to back of curb) is constructed, the city will reimburse the developer for the excess width when funds become available, unless the additional width was required by the city engineer or ~~***traffic***~~ planner to adequately serve the needs of that subdivision. ***In cases were a street is adjacent to a school or public park, the city engineer or planner may require a 41-foot street (back of curb to back of curb) to facilitate proper traffic circulation.*** Streets which dead-end at power lines, railroads, or similar rights-of-way, which are intended for future extension across these rights-of-way, shall be constructed in rights-of-way for half the distance across the rights-of-way. Where streets are adjacent to undeveloped land and the property line is normally the centerline of the street, the developer shall provide right-of-way of sufficient width and shall construct paving a minimum width of 24 feet, if deemed necessary by the city engineer or ~~***traffic***~~ planner. If the city, in the interest of the community, requires the subdivider to construct more than 24 feet, the city will reimburse the cost of the excess width to the developer who installed the paving, at the actual cost of construction, with no reimbursement for additional right-of-way which required to construct the additional paving in excess of 24 feet as funds are available. No reimbursement will be made, however, when the city engineer or ~~***traffic***~~ planner determines that the excess width is required to serve that subdivision. When, in the city council's judgment, it is not feasible to construct the street and/or railroad crossing at the time of development of the subdivision, escrow for the development of the subdivision, escrow for the developer's portion of the cost may be provided in accordance with this section. In the event the street and/or railroad crossing has been constructed or is being constructed by others, the developer shall pay his pro rata share of the improvements. Escrow or pro rata shall be payable prior to construction of streets and utilities.

**Section 2.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

**Section 3.** That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance;

**Section 4.** That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable;

**Section 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, Mayor

**ATTEST:**

_____
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

_____
Frank J. Garza, City Attorney

1st Reading: 12-21-2015

2nd Reading: 01-04-2016

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## Cole, Kristy

**Subject:** FW: Council Agenda Item Request

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**From:** Crowley, Rick
**Sent:** Tuesday, December 22, 2015 12:08 PM
**To:** Scott Milder
**Cc:** Pruitt, Jim; Cole, Kristy
**Subject:** Re: Council Agenda Item Request

Sent from my iPhone

On Dec 22, 2015, at 10:29 AM, "Scott Milder" <smilder@fotps.org> wrote:

> Mr. Crowley,
>
> Please place item on the agenda for discussion and possible action on an amendment to the second reading of MISD2015-003 to collect data on alternative solutions for the roadway designation of Goliad from downtown to East Fork, to include but not limited to considering the possibility of two through lanes, one north and one south, divided by a dedicated turn lane. This solution would be much more agreeable to the property owners along that corridor, would keep traffic moving along at a reduced speed, and would better preserve the small-town approach leading into and out of downtown Rockwall on the north side.
>
> Thank you,
>
> Scott Milder
> 214-497-6411 cell

City of Rockwall
The New Horizon

# MEMORANDUM

**TO:** Mayor and City Council

**FROM:** Rick Crowley, City Manager

**DATE:** December 30, 2015

**SUBJECT:** 2015 Thoroughfare Plan Update

As a supplement to the packet information from the Planning Department and the Thoroughfare Plan recommendations from the Planning and Zoning Commission, several things related to the Thoroughfare Plan amendment should be pointed out:

**SH205/North Goliad/John King Blvd. Route**

The adoption of these amendments would replace the six-lane divided roadway section for SH205/North Goliad (north of Downtown Rockwall) in the current Thoroughfare Plan with a four-lane divided section. The amendments also include a six-lane roadway section for John King Blvd. which would serve as the future route for SH205. The use of John King Blvd as the ultimate route for SH205 is consistent with the position that the Council has adopted. The City's position has been provided to TxDoT as advance planning for that roadway (from Lavon to Terrell) which is underway at this time and with the recommendations that the City has been made to the County Consortium as revisions to the Rockwall County Thoroughfare Plan have been considered.

The Consortium retained the North Central Texas Council of Governments (NCTCOG) to perform traffic analysis modeling as the update to the County Thoroughfare Plan has been developed. NCTCOG projections and recommendations have indicated that the John King Route for SH205 works with the traffic projections and modeling that has been done to date – with SH205 being reduced from a six-lane section to a four-lane section. This was HUGE in terms of lending credibility to the City's recommendation to designate the John King Blvd. Route and providing justification for reducing North Goliad to less than six lanes. The County Thoroughfare Plan, as is currently being considered by the County, does include the reduction on SH205 from six lanes to four and does include the ultimate six lane route along John King Blvd. as the ultimate route for SH205.

Councilmember Milder has requested an item on the agenda which, if approved, would likely commission a City study of further reducing the required width of North Goliad from the four-lane section to a two-lane section with either a continuous turn lane or dedicated turn lanes. Such a study, in my view, would be necessary if the City is to provide evidence to the State and the County that the four-lane section (which the NCTCOG study indicated was needed) can be reduced further and still handle the traffic that will occur on that section of roadway. I do not know if the study, if commissioned by the Council, will show that the further reduced section (to two lanes with continuous or dedicated turn lanes) will handle the traffic volume that will be on the roadway or not.

Such a study would, however, be valuable to the City to provide information to the City as to whether a further reduced section will or will not handle the traffic volumes. Factual data would be needed to convince TxDoT that the further reduction in North Goliad width is warranted, and the City will want assurance that a reduced roadway section will handle the future traffic volumes as well.

Pushing for such a reduction without that factual data support might result, in my view, in the John King Route for SH205 not being as seriously considered in the current TxDoT planning efforts for that roadway. It might also lead them to taking a position that the TxDoT technically preferred route would be a six-lane section on North Goliad or a one-way couplet using Goliad and Alamo Streets.

With all of that being said, the City Council may want to consider adoption of the Thoroughfare Plan amendments which are currently being considered on second reading. Doing so would at least solidify local planning to eliminate the six-lane section on North Goliad in favor of the proposed four-lane section. We know that a two-lane section (with continuous or dedicated turn lanes) would be less intrusive to existing properties and business along North Goliad. That being the case, the Council may want to consider commissioning the study proposed by Councilmember Milder to determine if that width reduction could adequately handle the traffic projected for North Goliad in the future. If the study indicates that it will, the City would then have evidence of that to present to TxDoT and others. This, then, might be the basis for an additional Thoroughfare Plan amendment in the future.

**FM552 and FM3549**

The Council may recall that both FM3549 (Stodghill Rd.) and FM552 were previously slated in all Thoroughfare Plan documents to be six-lane roadways.

**In the case of FM3549**, the right-of-way needed to expand the roadway to a six-lane roadway would have required the relocation of the large NTMWD reuse water line located adjacent to the existing right-of-way (in separate NTMWD right-of-way), and this would have also required the acquisition of new NTMWD right-of-way in which that line would have been relocated. The extreme high cost of this relocation caused the question of whether a reduction to a four-lane section should be considered as a part of the NCTCOG traffic modeling work. The NCTCOG study determined that the four-lane section on FM3549 would adequately handle the projected

traffic volumes, and, therefore, the amendments being considered by the City with the current City Thoroughfare Plan update reflect FM3549 as a four-lane section. TxDoT has agreed with this change.

**In the case of FM552**, as indicated in both City and County thoroughfare planning documents, the advance planning work performed by the Consortium for that roadway was initially done to reflect a future six-lane roadway. When the planning documents progressed to the point requisite for holding a TxDoT public meeting on the project, that meeting was held by TxDoT. Overwhelming citizen and property owner input strongly questioned the ultimate need for a six-lane roadway. This public input resulted in the inclusion of FM552 in the NCTCOG traffic modeling study to determine if a four-lane section would handle the projected traffic volumes on the roadway. The NCTCOG study concluded that a four-lane section would handle the projected traffic volumes. As a result, the Consortium has commissioned revisions to the advance planning documents and the FM552 is included in the proposed thoroughfare plan update as a four-lane roadway. TxDoT has agreed with this change.

**FM549**

**FM549** (south of SH276) is and has been previously shown in adopted local thoroughfare planning documents as a future six-lane roadway. Since advance planning was begun well before the County Thoroughfare update project, the advance planning work has been done in accordance with those adopted plans – six lanes. When the advance planning documents reached the requisite stage of completion for TxDoT to hold a public meeting on the project, a public meeting on the project as a six-lane roadway was held. This was last month. NCTCOG traffic modeling study however, has indicated that the projected traffic volumes warrant a four-lane section. TxDoT has not yet compiled and distributed the public meeting input that was received.

The proposed update to the City Thoroughfare plan includes FM549 as a four-lane roadway as indicated by the traffic modeling study and the proposed County Thoroughfare Plan Update. TxDoT has preliminarily indicated to me that they have stronger reservation about reducing the width of the roadway to four lanes on FM549 than they had for FM3549 and FM552.

Adoption (if the Council is so inclined) of the proposed City Thoroughfare Plan Update as proposed should be done recognizing that there will be a future resolution of the inconsistency between the advance planning documents and the local thoroughfare planning documents. The inclusion of the four-lane section in the City Thoroughfare Plan update is supported by the NCTCOG traffic modeling study and is consistent with the proposed update to the County Thoroughfare Plan.


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Note: this is a duplicate memo (also included w/ previous agenda item)

City of Rockwall
The New Horizon

# MEMORANDUM

**TO:** Mayor and City Council

**FROM:** Rick Crowley, City Manager

**DATE:** December 30, 2015

**SUBJECT:** 2015 Thoroughfare Plan Update

As a supplement to the packet information from the Planning Department and the Thoroughfare Plan recommendations from the Planning and Zoning Commission, several things related to the Thoroughfare Plan amendment should be pointed out:

**SH205/North Goliad/John King Blvd. Route**

The adoption of these amendments would replace the six-lane divided roadway section for SH205/North Goliad (north of Downtown Rockwall) in the current Thoroughfare Plan with a four-lane divided section. The amendments also include a six-lane roadway section for John King Blvd. which would serve as the future route for SH205. The use of John King Blvd as the ultimate route for SH205 is consistent with the position that the Council has adopted. The City's position has been provided to TxDoT as advance planning for that roadway (from Lavon to Terrell) which is underway at this time and with the recommendations that the City has been made to the County Consortium as revisions to the Rockwall County Thoroughfare Plan have been considered.

The Consortium retained the North Central Texas Council of Governments (NCTCOG) to perform traffic analysis modeling as the update to the County Thoroughfare Plan has been developed. NCTCOG projections and recommendations have indicated that the John King Route for SH205 works with the traffic projections and modeling that has been done to date – with SH205 being reduced from a six-lane section to a four-lane section. This was HUGE in terms of lending credibility to the City's recommendation to designate the John King Blvd. Route and providing justification for reducing North Goliad to less than six lanes. The County Thoroughfare Plan, as is currently being considered by the County, does include the reduction on SH205 from six lanes to four and does include the ultimate six lane route along John King Blvd. as the ultimate route for SH205.

Councilmember Milder has requested an item on the agenda which, if approved, would likely commission a City study of further reducing the required width of North Goliad from the four-lane section to a two-lane section with either a continuous turn lane or dedicated turn lanes. Such a study, in my view, would be necessary if the City is to provide evidence to the State and the County that the four-lane section (which the NCTCOG study indicated was needed) can be reduced further and still handle the traffic that will occur on that section of roadway. I do not know if the study, if commissioned by the Council, will show that the further reduced section (to two lanes with continuous or dedicated turn lanes) will handle the traffic volume that will be on the roadway or not.

Such a study would, however, be valuable to the City to provide information to the City as to whether a further reduced section will or will not handle the traffic volumes. Factual data would be needed to convince TxDoT that the further reduction in North Goliad width is warranted, and the City will want assurance that a reduced roadway section will handle the future traffic volumes as well.

Pushing for such a reduction without that factual data support might result, in my view, in the John King Route for SH205 not being as seriously considered in the current TxDoT planning efforts for that roadway. It might also lead them to taking a position that the TxDoT technically preferred route would be a six-lane section on North Goliad or a one-way couplet using Goliad and Alamo Streets.

With all of that being said, the City Council may want to consider adoption of the Thoroughfare Plan amendments which are currently being considered on second reading. Doing so would at least solidify local planning to eliminate the six-lane section on North Goliad in favor of the proposed four-lane section. We know that a two-lane section (with continuous or dedicated turn lanes) would be less intrusive to existing properties and business along North Goliad. That being the case, the Council may want to consider commissioning the study proposed by Councilmember Milder to determine if that width reduction could adequately handle the traffic projected for North Goliad in the future. If the study indicates that it will, the City would then have evidence of that to present to TxDoT and others. This, then, might be the basis for an additional Thoroughfare Plan amendment in the future.

**FM552 and FM3549**

The Council may recall that both FM3549 (Stodghill Rd.) and FM552 were previously slated in all Thoroughfare Plan documents to be six-lane roadways.

**In the case of FM3549**, the right-of-way needed to expand the roadway to a six-lane roadway would have required the relocation of the large NTMWD reuse water line located adjacent to the existing right-of-way (in separate NTMWD right-of-way), and this would have also required the acquisition of new NTMWD right-of-way in which that line would have been relocated. The extreme high cost of this relocation caused the question of whether a reduction to a four-lane section should be considered as a part of the NCTCOG traffic modeling work. The NCTCOG study determined that the four-lane section on FM3549 would adequately handle the projected

traffic volumes, and, therefore, the amendments being considered by the City with the current City Thoroughfare Plan update reflect FM3549 as a four-lane section. TxDoT has agreed with this change.

**In the case of FM552**, as indicated in both City and County thoroughfare planning documents, the advance planning work performed by the Consortium for that roadway was initially done to reflect a future six-lane roadway. When the planning documents progressed to the point requisite for holding a TxDoT public meeting on the project, that meeting was held by TxDoT. Overwhelming citizen and property owner input strongly questioned the ultimate need for a six-lane roadway. This public input resulted in the inclusion of FM552 in the NCTCOG traffic modeling study to determine if a four-lane section would handle the projected traffic volumes on the roadway. The NCTCOG study concluded that a four-lane section would handle the projected traffic volumes. As a result, the Consortium has commissioned revisions to the advance planning documents and the FM552 is included in the proposed thoroughfare plan update as a four-lane roadway. TxDoT has agreed with this change.

**FM549**

**FM549** (south of SH276) is and has been previously shown in adopted local thoroughfare planning documents as a future six-lane roadway. Since advance planning was begun well before the County Thoroughfare update project, the advance planning work has been done in accordance with those adopted plans – six lanes. When the advance planning documents reached the requisite stage of completion for TxDoT to hold a public meeting on the project, a public meeting on the project as a six-lane roadway was held. This was last month. NCTCOG traffic modeling study however, has indicated that the projected traffic volumes warrant a four-lane section. TxDoT has not yet compiled and distributed the public meeting input that was received.

The proposed update to the City Thoroughfare plan includes FM549 as a four-lane roadway as indicated by the traffic modeling study and the proposed County Thoroughfare Plan Update. TxDoT has preliminarily indicated to me that they have stronger reservation about reducing the width of the roadway to four lanes on FM549 than they had for FM3549 and FM552.

Adoption (if the Council is so inclined) of the proposed City Thoroughfare Plan Update as proposed should be done recognizing that there will be a future resolution of the inconsistency between the advance planning documents and the local thoroughfare planning documents. The inclusion of the four-lane section in the City Thoroughfare Plan update is supported by the NCTCOG traffic modeling study and is consistent with the proposed update to the County Thoroughfare Plan.

12/21 motion to approve passed by a vote of 6 in favor with 1 against (Milder).

**CITY OF ROCKWALL, TEXAS**

**ORDINANCE NO. 16-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET CROSS SECTION FOR A M4U-M (*MINOR ARTERIAL, FOUR [4] LANE, UNDIVIDED ROADWAY, MODIFIED*), AND MODIFY EXISTING STREET CROSS SECTIONS IN APPENDIX 'D', THOROUGHFARE CROSS SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.**

**WHEREAS**, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

**WHEREAS,** the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Comprehensive Plan; and

**WHEREAS,** the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings; and

**WHEREAS,** the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements; and

**WHEREAS,** Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Plan should be amended as follows:

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

**Section 1.** That the Master Thoroughfare Plan contained within the *Transportation* section of the City's Comprehensive Plan be amended as depicted in *Exhibit 'A'* of this ordinance; and

**Section 2.** That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended to include a street cross section for a M4U-M (*minor arterial, four [4] lane, undivided roadway, modified*) as depicted in *Exhibit 'B'* of this ordinance; and

**Section 3.** That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended as depicted in *Exhibit 'C'* of this ordinance; and

**Section 4.** That the Comprehensive Plan shall be used by the City Staff in the planning and as a guide for the future development of the City of Rockwall; and

**Section 5.** That this ordinance shall take effect immediately from and after its passage

and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, Mayor

**ATTEST:**

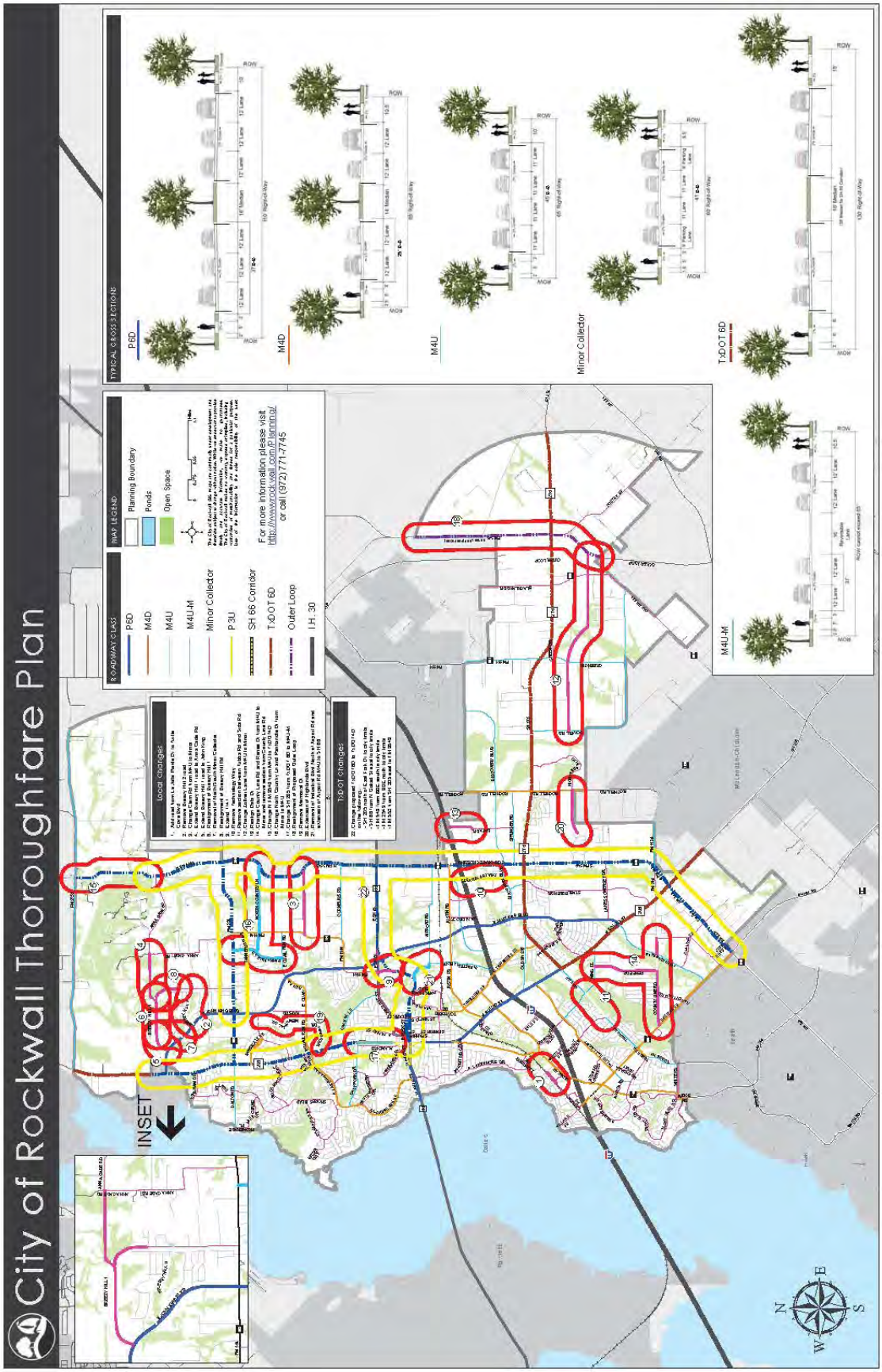
_____
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

_____
Frank J. Garza, City Attorney

1st Reading: 12-21-2015

2nd Reading: 01-04-2016


City of Rockwall Thoroughfare Plan
INSET
Local Changes
T-DOT Changes
ROADWAY CLASS
P6D
M4D
M4U
M4U-M
Minor Collector
P3U
SH 66 Corridor
TxDOT 6D
Outer Loop
I.H. 30
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Planning Boundary
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TYPICAL CROSS SECTIONS
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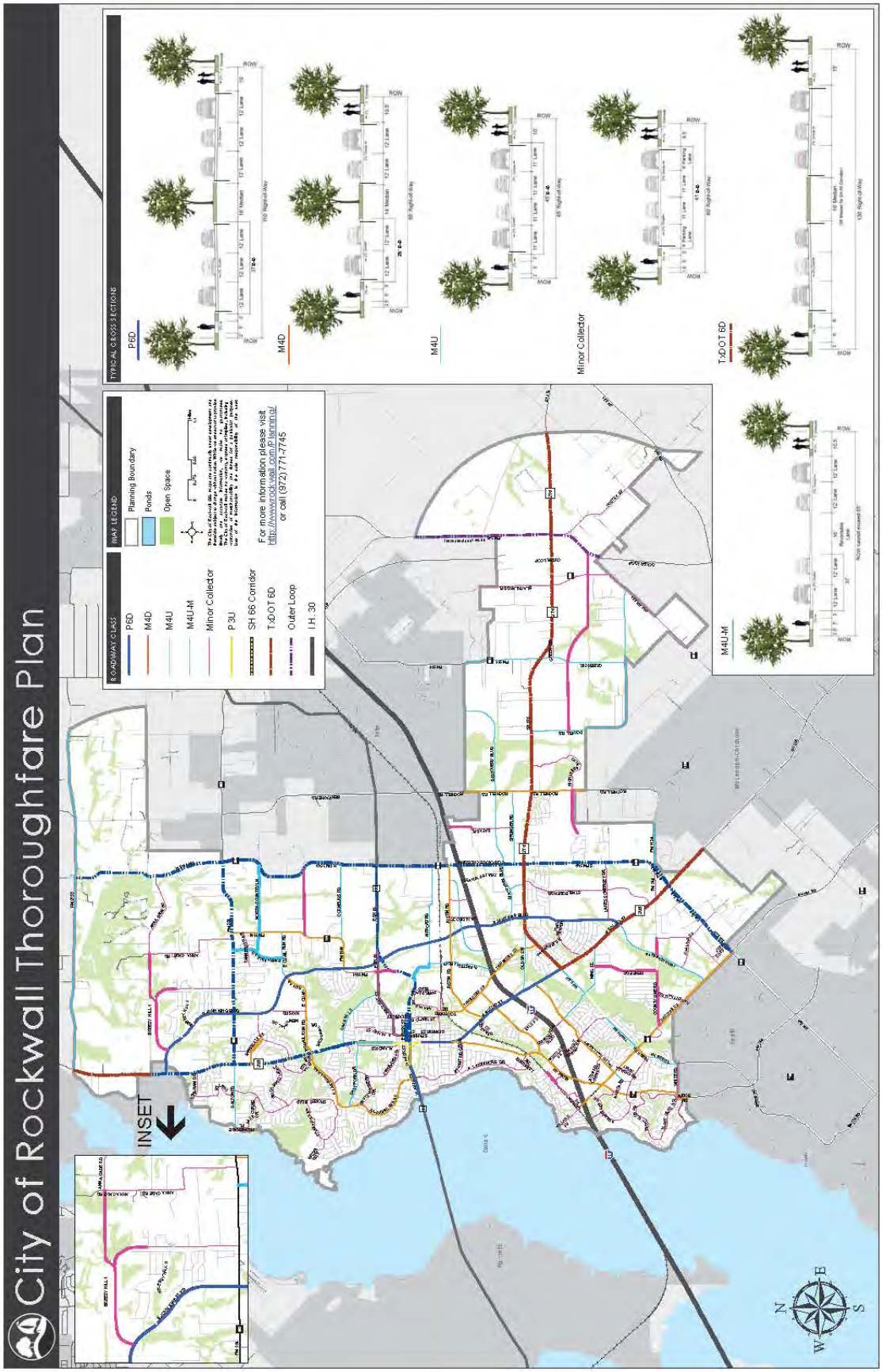
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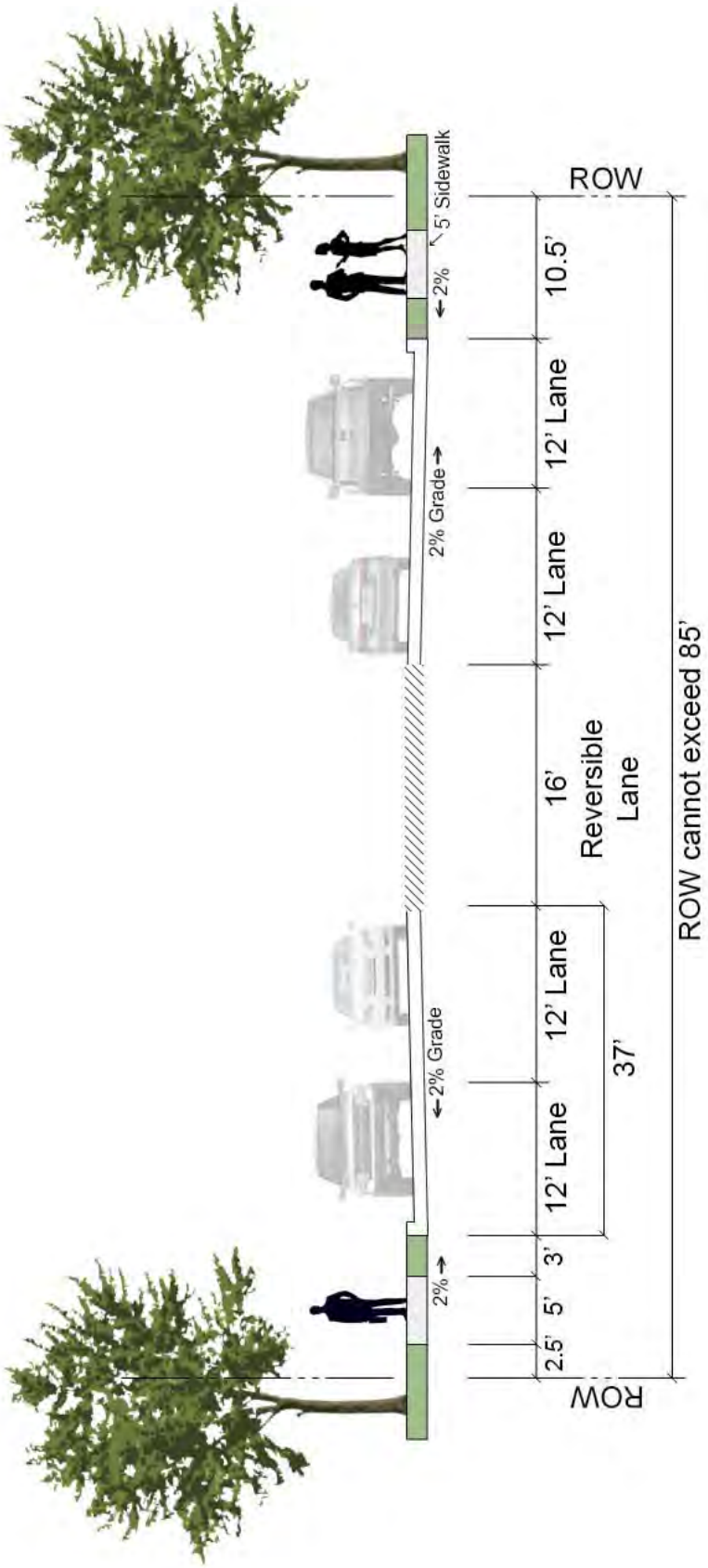
***Exhibit 'B'***
*M4U-M Cross Section*

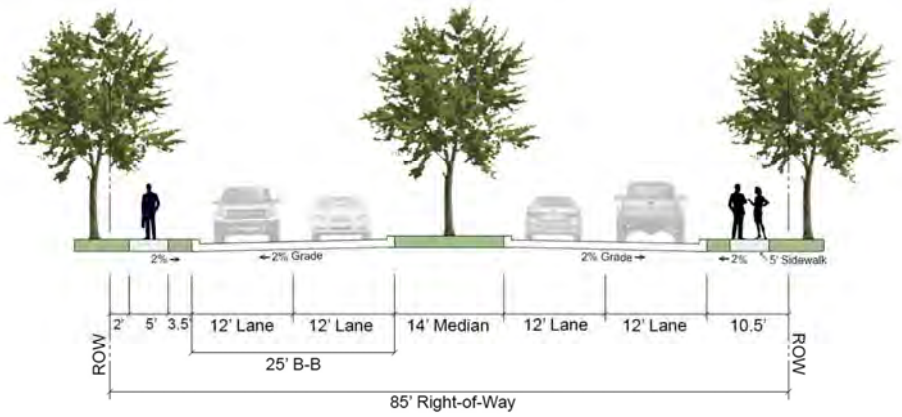


# Appendix D

# Street Type: M4-D

## Major Collector 4 lane divided highway

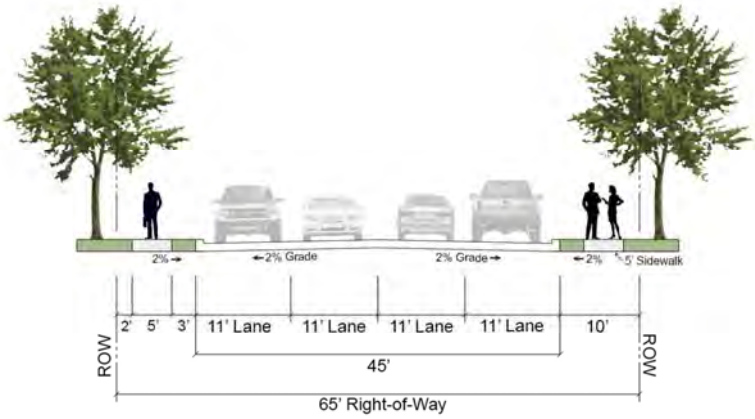
- 85' Right-of-Way
- No on-street parking
- 40 MPH Design Speed



# Street Type: M4-U

## Major Collector 4 lane undivided highway

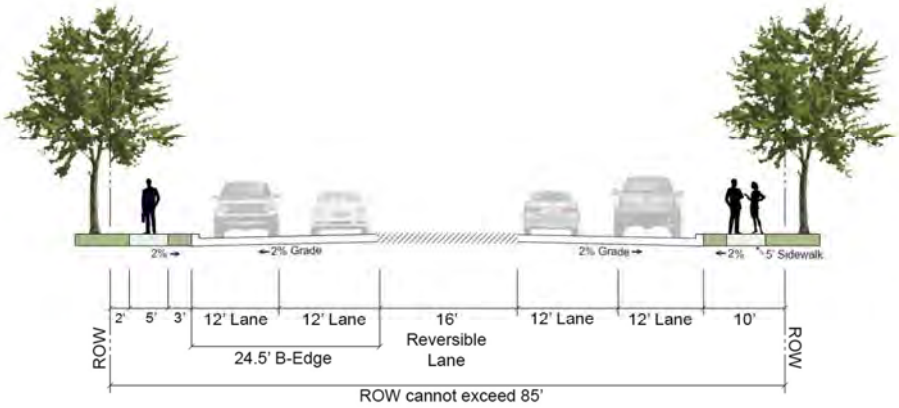
- 65' Right-of-way
- No on-street parking
- 35 MPH Design Speed



# Street Type: M4-U-M

## Major Collector 4 lane undivided highway modified

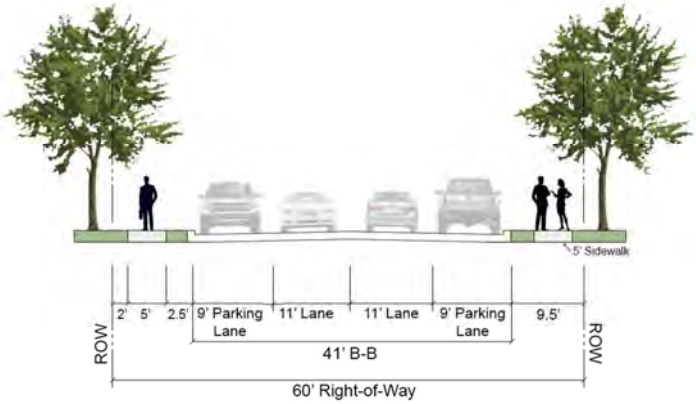
- Right-of-way cannot exceed 85'
- No on-street parking



# Street Type: Minor Collector

## Minor Collector 2 lane undivided highway

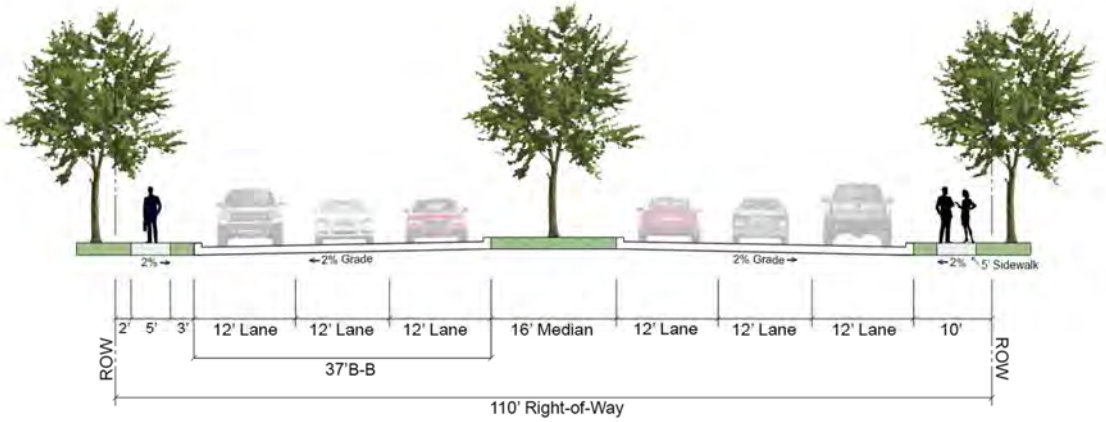
- 60' Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed



# Street Type: P6-D

## Principal Arterial 6 lane divided highway

- 110' Right-of-Way
- No on-street parking
- 45 MPH Design Speed



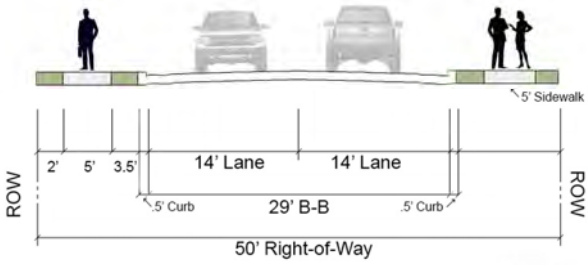
# Street Type: TX DOT

## Texas Department of Transportation Principle Arterial highways

# Street Type: Residential

## Residential 2 lane undivided roadway

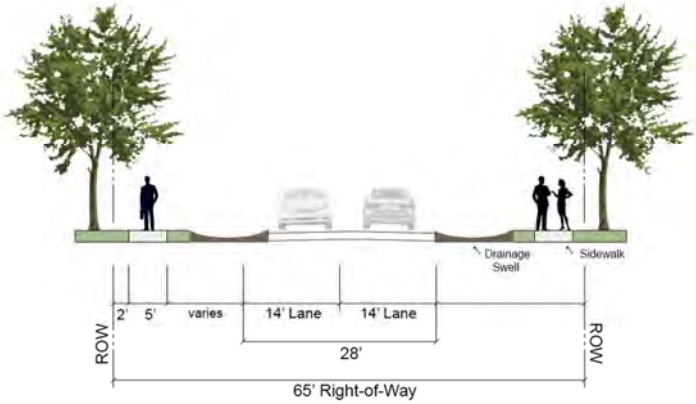
- 50' Right-of-way
- On-street parking
- 30 MPH Design Speed



# Street Type: Rural Local

## Rural Local 2 lane undivided roadway

- 65' Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter



# CITY OF ROCKWALL, TEXAS
## *MEMORANDUM*

**TO:** Mayor and City Council

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

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

**DATE:** December 21, 2015

**SUBJECT:** MIS2015-003; *Amendment to Master Thoroughfare Plan*

In May 2014, Rockwall County initiated a review of the *County Master Thoroughfare Plan* with the assistance of city staff. Recently, the County has completed this review and requested staff codify the proposed changes into the City's *Master Thoroughfare Plan* prior to the County's adoption of the *County Thoroughfare Plan*. In addition, City staff has also been assisting the North Central Texas Council of Governments (NCTCOG) with the *2014 Amendment* to the *Mobility 2035 & 2040* studies. Through both these programs and through a review of the City's current *Master Thoroughfare Plan*, staff has identified several additional adjustments to local roadways that should be adopted to account for current and future development. These changes have been outlined in the revised *Master Thoroughfare Plan* attached to this memorandum.

In addition, staff is proposing that a new roadway cross section be adopted for the area between East Fork Drive and the SH-205 couplet in the downtown area. This new roadway cross section is identified as a M4U-M (*minor arterial, four [4] lane, undivided roadway, modified*), which will consist of 85-feet of right-of-way (*i.e. four [4], 12-foot travel lanes; one [1], 16-foot reversible lane; two [2], 10½-foot parkways; and, two [2], one [1] foot curbs*). Staff has also taken this amendment as an opportunity to address various changes and updates within Appendix 'D', *Thoroughfare Cross Sections*, of the Comprehensive Plan.

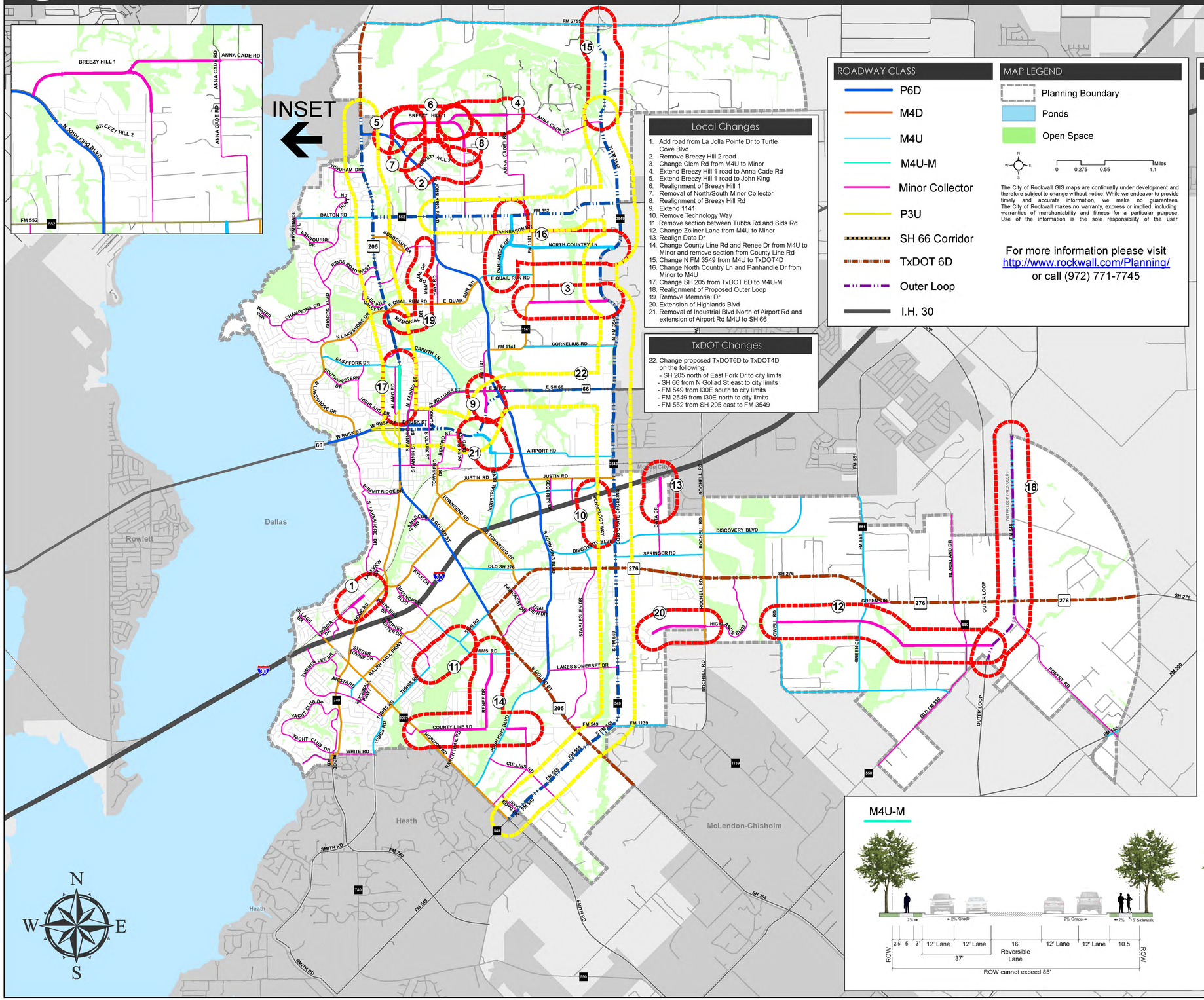
According to Section 213.003 of the *Texas Local Government Code*, *"(a) comprehensive plan may be adopted or amended by ordinance following:*

1) *A hearing at which the public is given the opportunity to give testimony and present written evidence; and*
2) *Review by the municipality's planning commission or department, if one exists."*

Additionally, Section 9.03 of the City's *Home Rule Charter* states that "(r)ecommended changes to the Master Plan shall be submitted to the City Manager after the Planning and Zoning Commission holds at least one [*1*] public hearing on the proposed change." Furthermore, Section 9.04 states that the "City Manager shall submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, shall adopt or reject such proposed revision or any part thereof as submitted within sixty (60) days following its submission by the City Manager. If the proposed revision or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council." On December 8, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed *Comprehensive Plan Amendment* by a vote of 7-0.

The City Council will be required to hold a public hearing prior to taking action on this case. Staff will be available to answer any additional questions.

# City of Rockwall Thoroughfare Plan




## Local Changes

1. Add road from La Jolla Pointe Dr to Turtle Cove Blvd
2. Remove Breezy Hill 2 road
3. Change Clem Rd from M4U to Minor
4. Extend Breezy Hill 1 road to Anna Cade Rd
5. Extend Breezy Hill 1 road to John King
6. Realignment of Breezy Hill 1
7. Removal of North/South Minor Collector
8. Realignment of Breezy Hill Rd
9. Extend 1141
10. Remove Technology Way
11. Remove section between Tubbs Rd and Sids Rd
12. Change Zollner Lane from M4U to Minor
13. Realign Data Dr
14. Change County Line Rd and Renee Dr from M4U to Minor and remove section from County Line Rd
15. Change N FM 3549 from M4U to TxDOT4D
16. Change North Country Ln and Panhandle Dr from Minor to M4U
17. Change SH 205 from TxDOT 6D to M4U-M
18. Realignment of Proposed Outer Loop
19. Remove Memorial Dr
20. Extension of Highlands Blvd
21. Removal of Industrial Blvd North of Airport Rd and extension of Airport Rd M4U to SH 66

## TxDOT Changes

22. Change proposed TxDOT6D to TxDOT4D on the following:
    - SH 205 north of East Fork Dr to city limits
    - SH 66 from N Goliad St east to city limits
    - FM 549 from I30E south to city limits
    - FM 2549 from I30E north to city limits
    - FM 552 from SH 205 east to FM 3549

## ROADWAY CLASS

- P6D
- M4D
- M4U
- M4U-M
- Minor Collector
- P3U
- SH 66 Corridor
- TxDOT 6D
- Outer Loop
- I.H. 30

## MAP LEGEND

- Planning Boundary
- Ponds
- Open Space

N W E S

0 0.275 0.55 1.1 Miles

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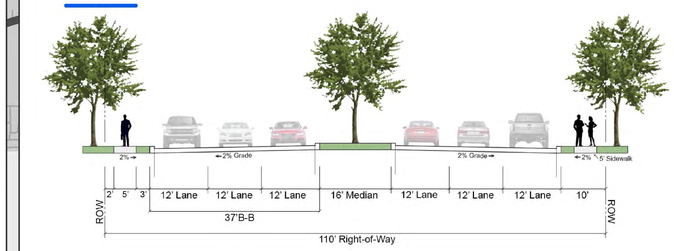
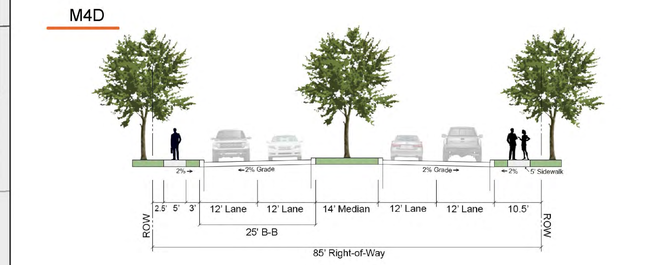
## TYPICAL CROSS SECTIONS

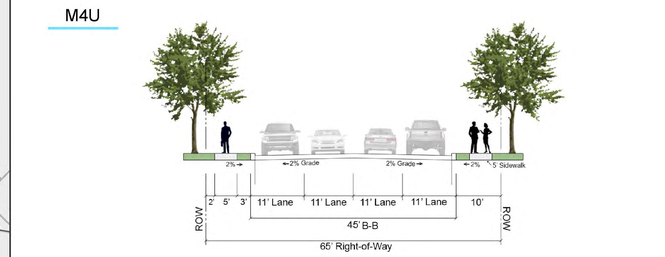
### P6D



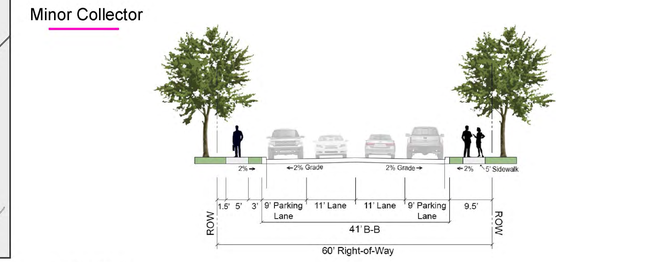

### M4D




### M4U



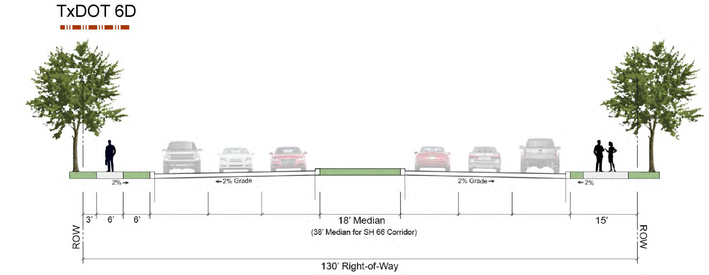

### Minor Collector



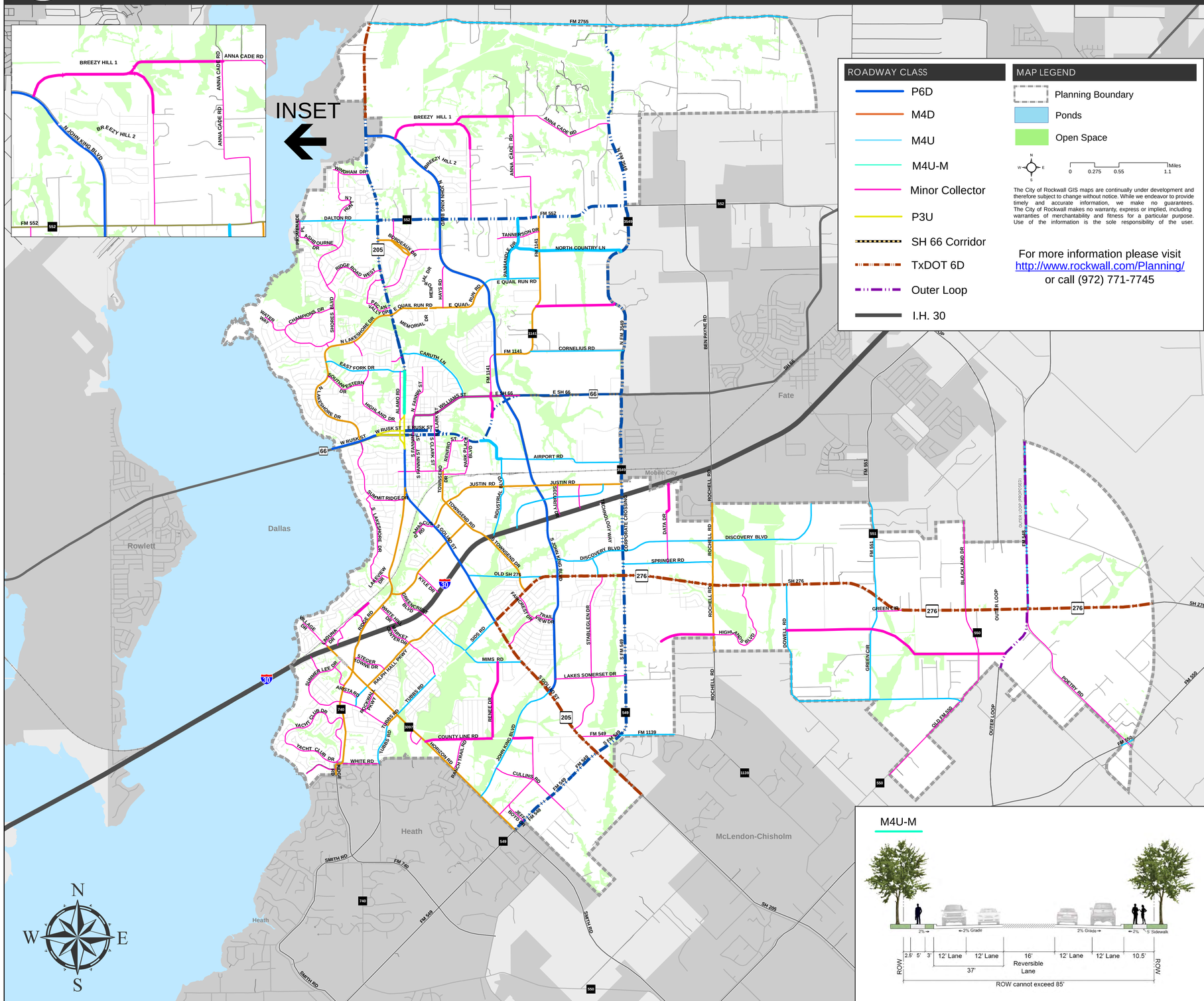

### M4U-M




### TxDOT 6D



# City of Rockwall Thoroughfare Plan




## ROADWAY CLASS

- P6D
- M4D
- M4U
- M4U-M
- Minor Collector
- P3U
- SH 66 Corridor
- TxDOT 6D
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- Planning Boundary
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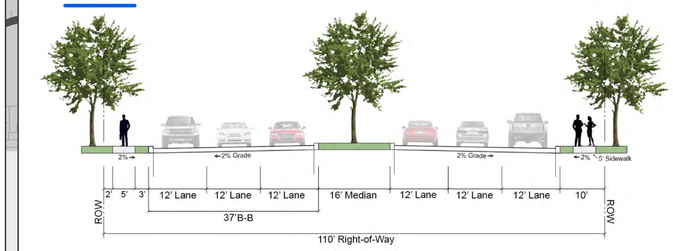
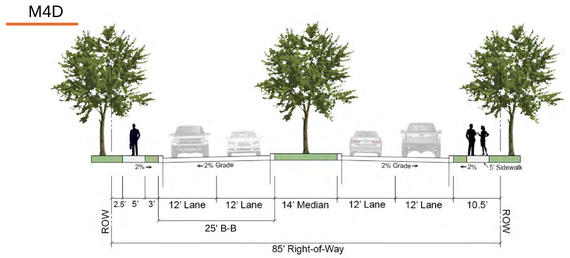
## TYPICAL CROSS SECTIONS

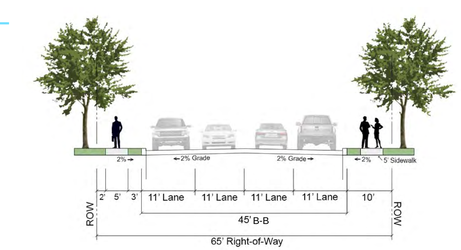
### P6D



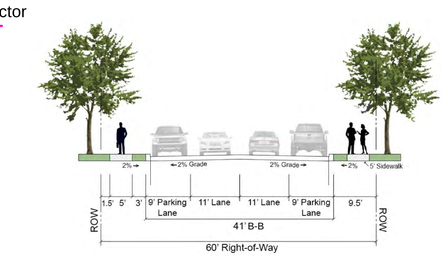

### M4D




### M4U



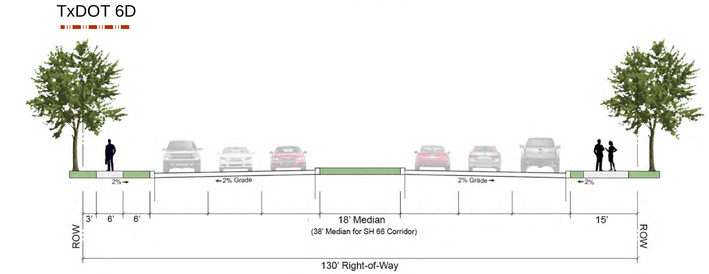

### Minor Collector




### M4U-M




### TxDOT 6D





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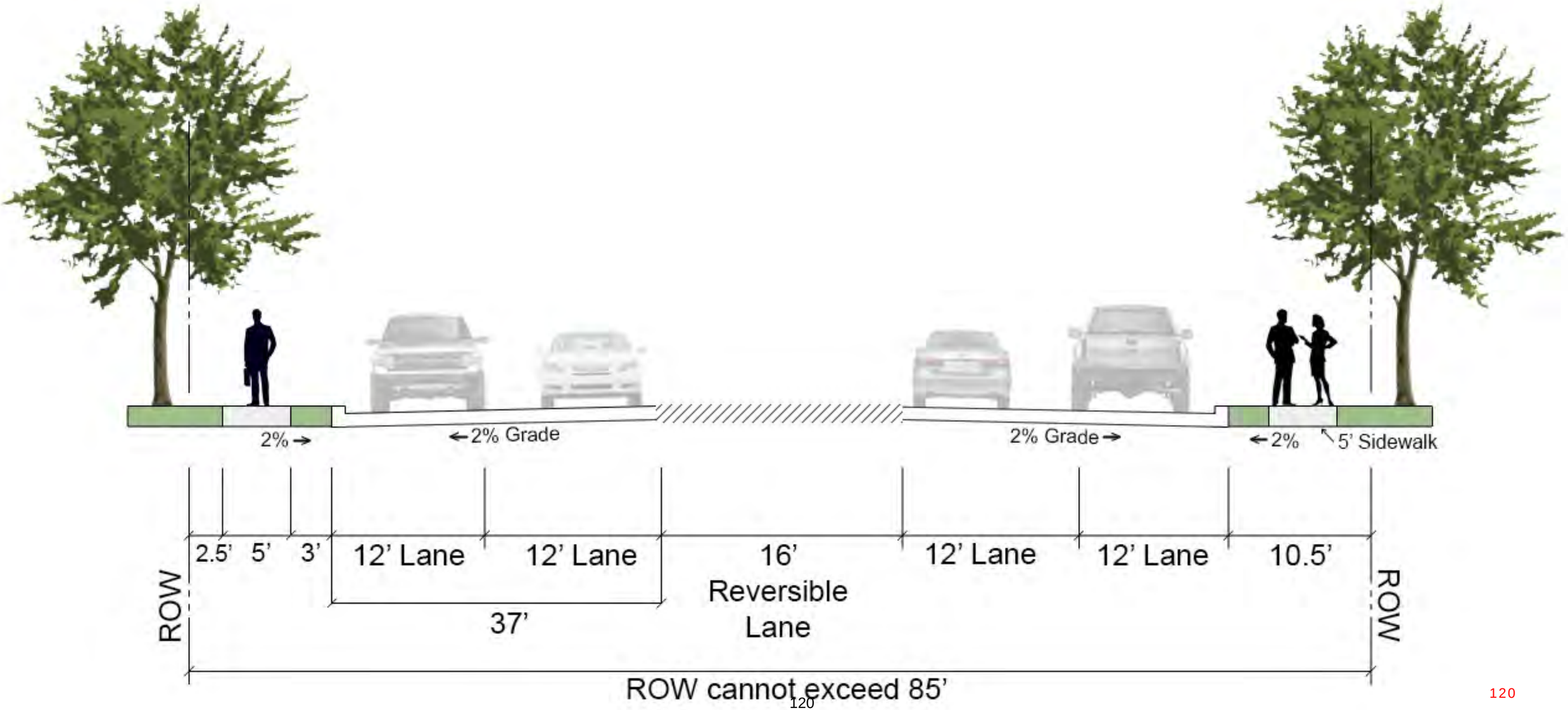

2% →
← 2% Grade
2% Grade →
← 2%
5' Sidewalk
2.5'
5'
3'
12' Lane
12' Lane
16'
Reversible
Lane
12' Lane
12' Lane
10.5'
37'
ROW
ROW
ROW cannot exceed 85'


120

Highlighted Buildings are within 10 ft of buffer but do not intersect it.

**Legend**

85 ft Buffer

**City of Rockwall**

0 50 100 200 Feet

1 inch = 200 feet

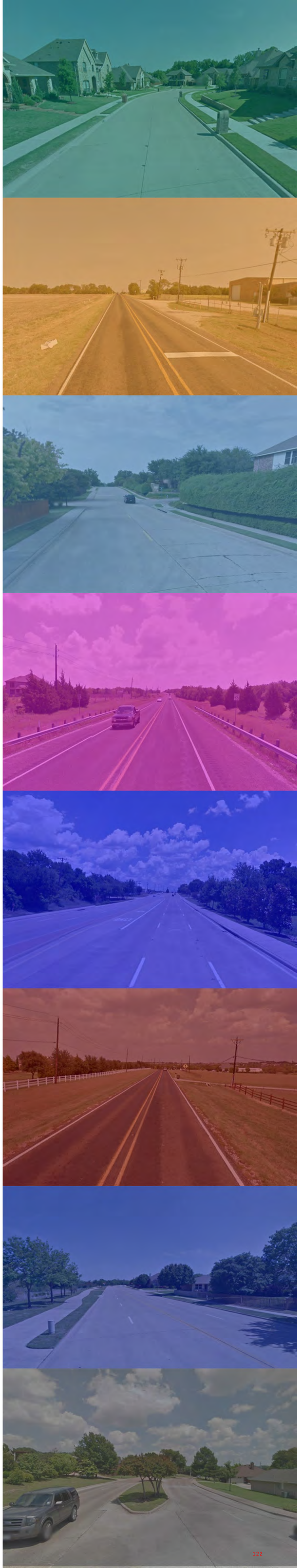
*Date: 11/20/2015*

N

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.

**NORTH GOLIAD ST ROW EXHIBIT**

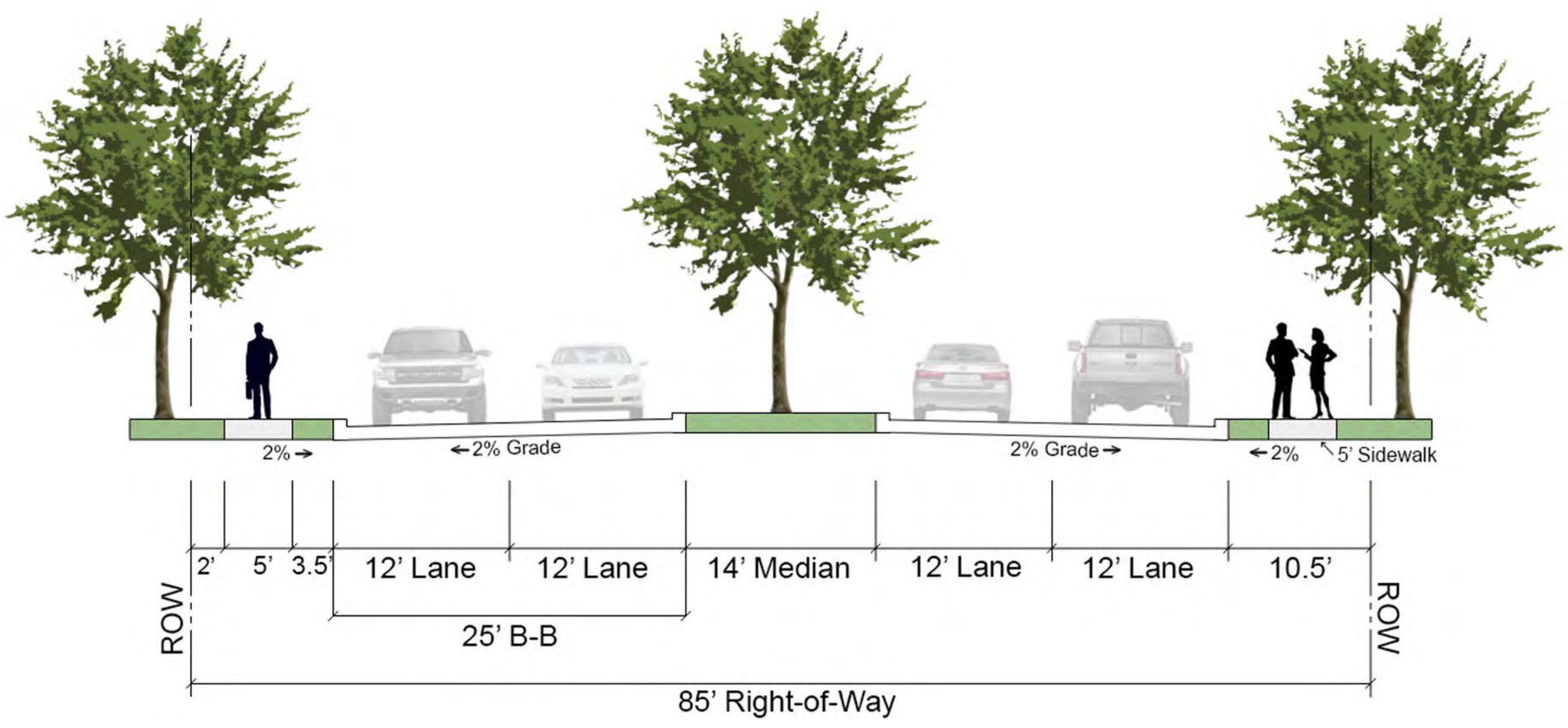
# Appendix D



# Street Type: M4-D

## Major Collector 4 lane divided highway

- 85’ Right-of-Way
- No on-street parking
- 40 MPH Design Speed



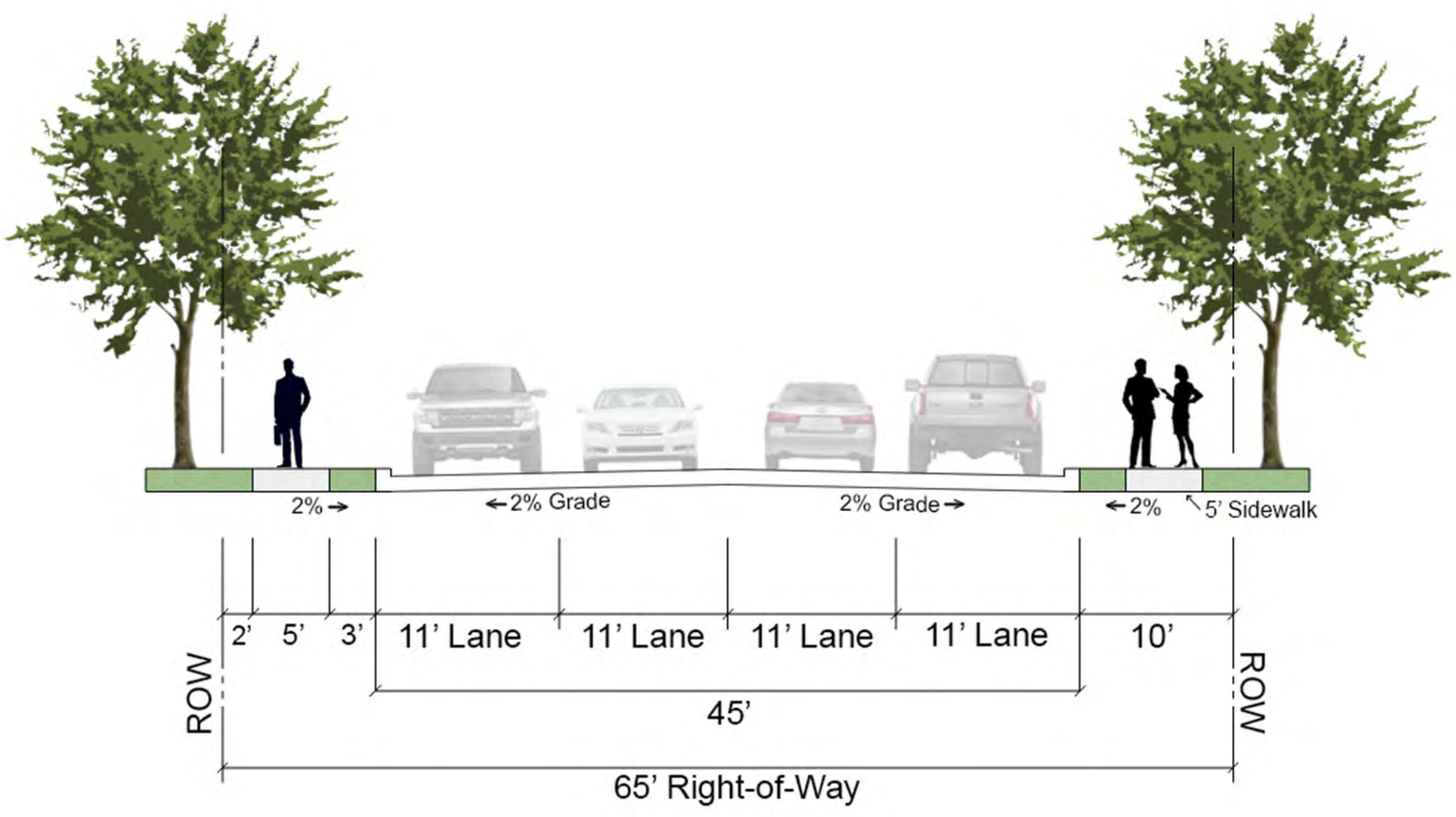


123

# Street Type: M4-U

## Major Collector 4 lane undivided highway

- 65’ Right-of-way
- No on-street parking
- 35 MPH Design Speed



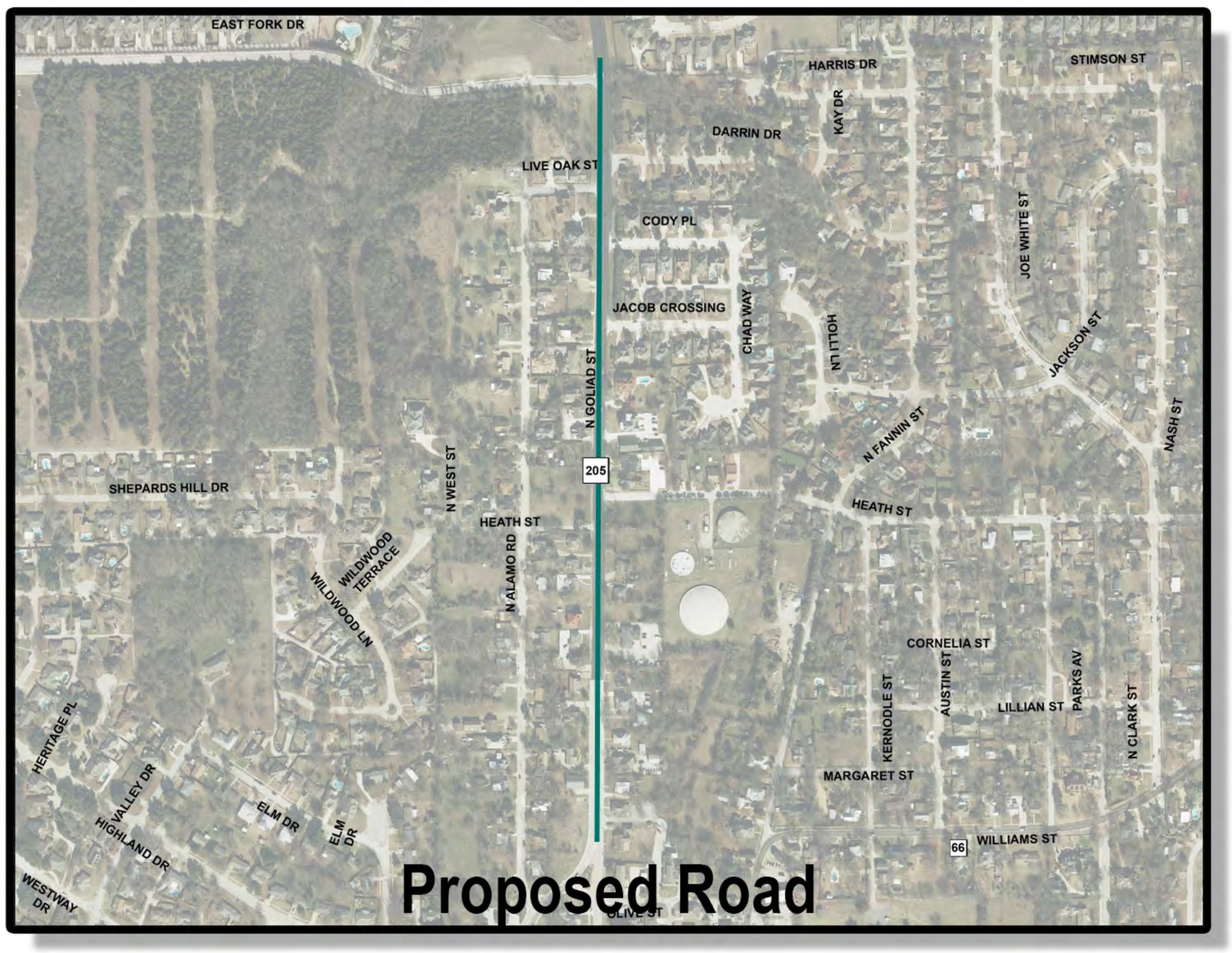


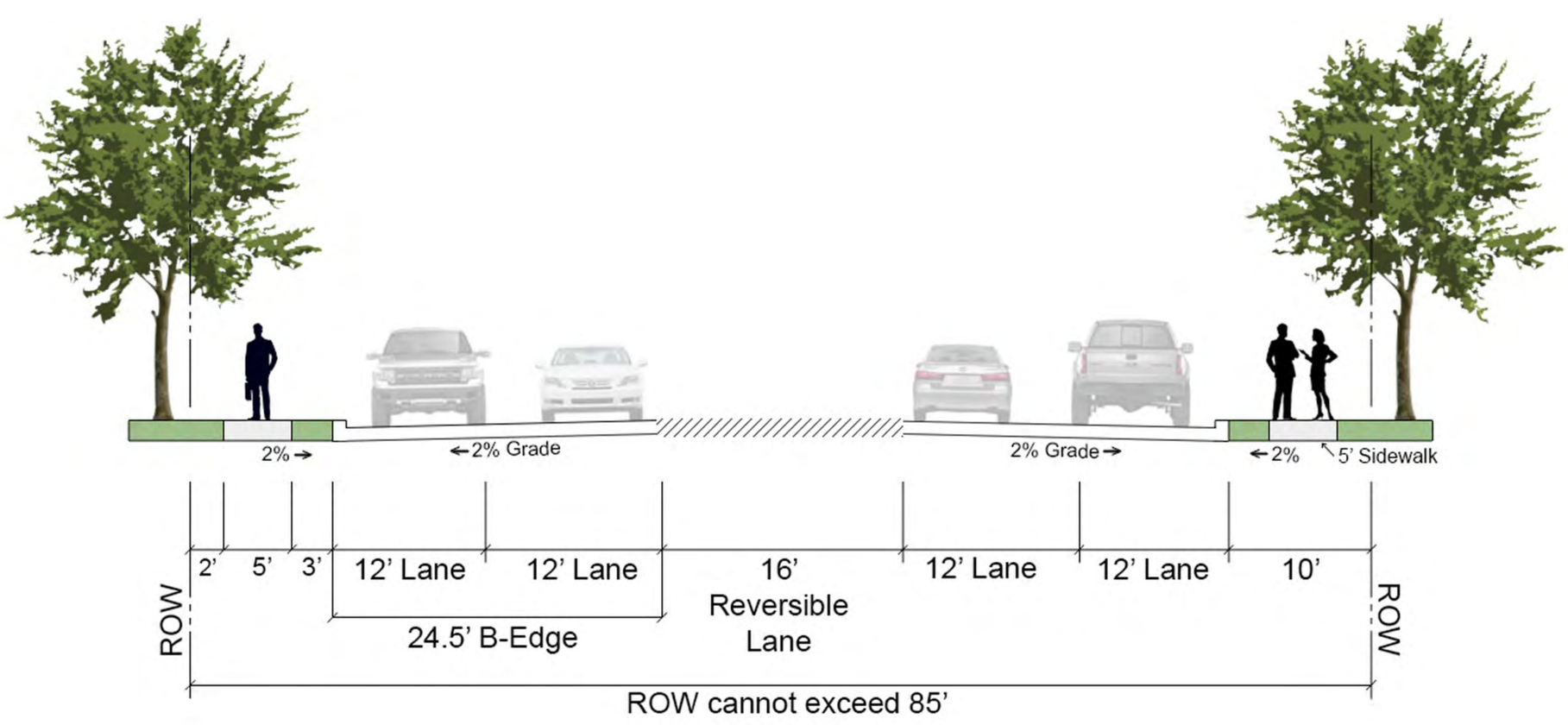
124

# Street Type: M4-U-M

## Major Collector 4 lane undivided highway modified

- Right-of-way cannot exceed 85’
- No on-street parking



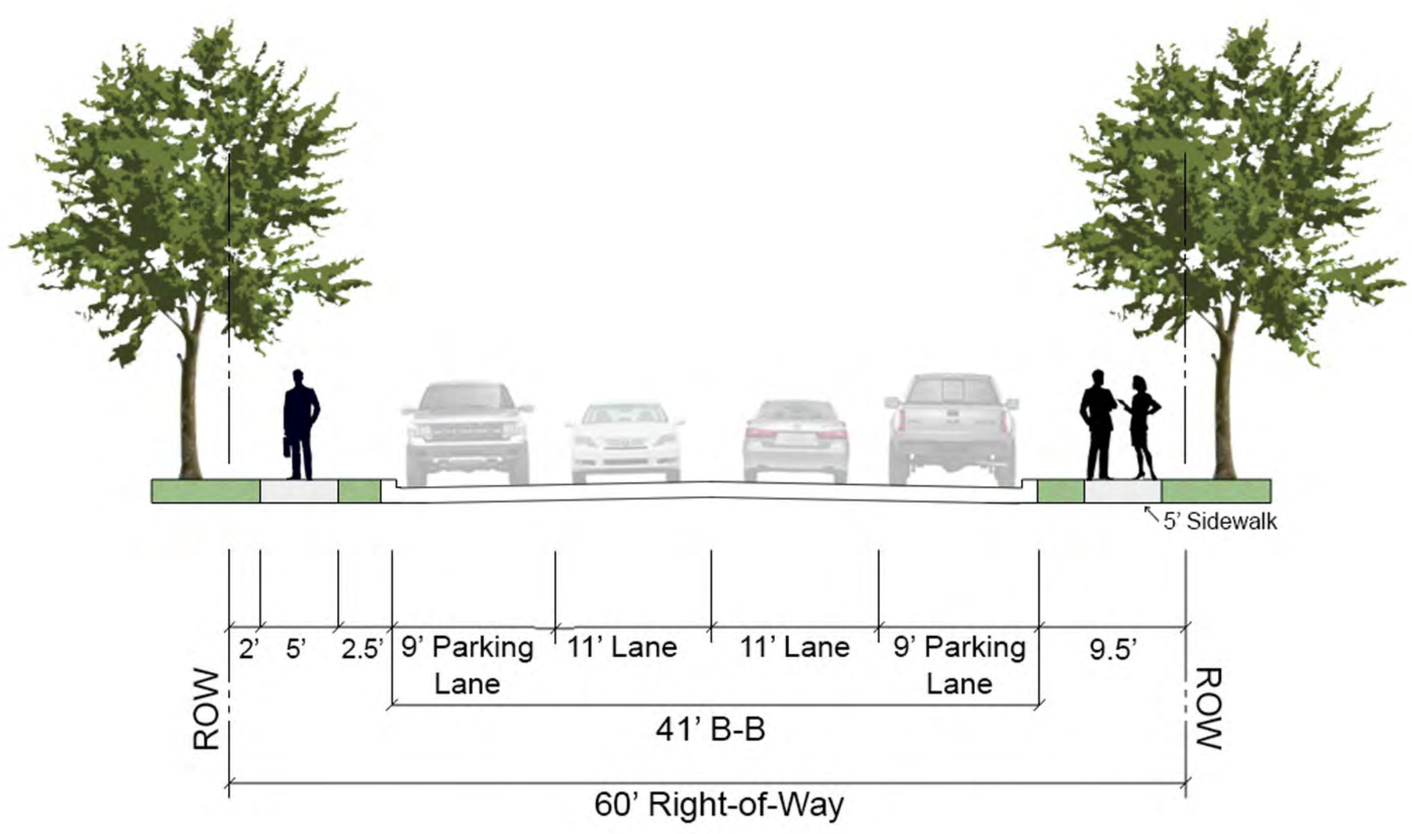


125

# Street Type: Minor Collector

## Minor Collector 2 lane undivided highway

- 60’ Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed



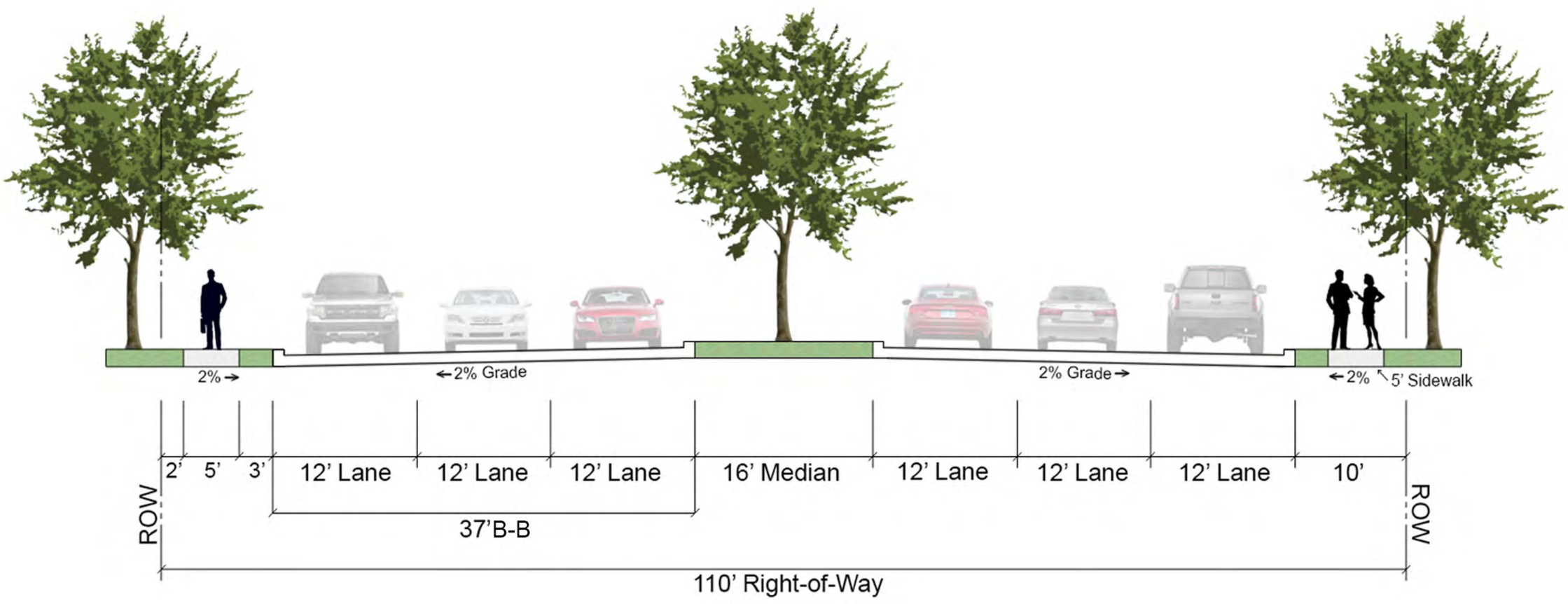



126

# Street Type: P6-D

## Principal Arterial 6 lane divided highway

- 110’ Right-of-Way
- No on-street parking
- 45 MPH Design Speed





127

# Street Type: TX DOT

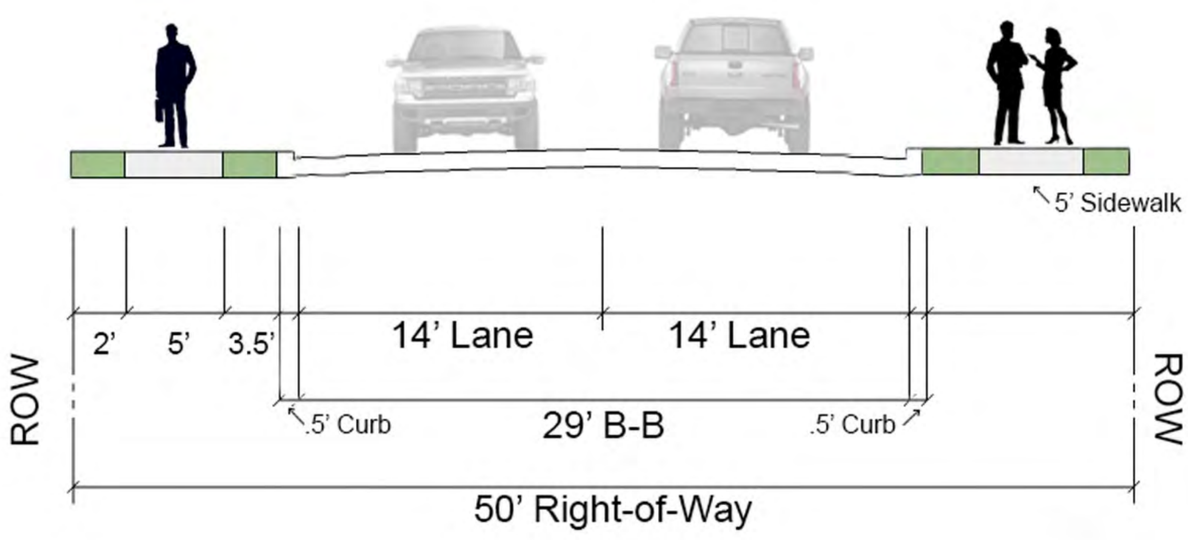
## Texas Department of Transportation Principle Arterial highways

128

# Street Type: Residential

## Residential 2 lane undivided roadway

- 50’ Right-of-way
- On-street parking
- 30 MPH Design Speed



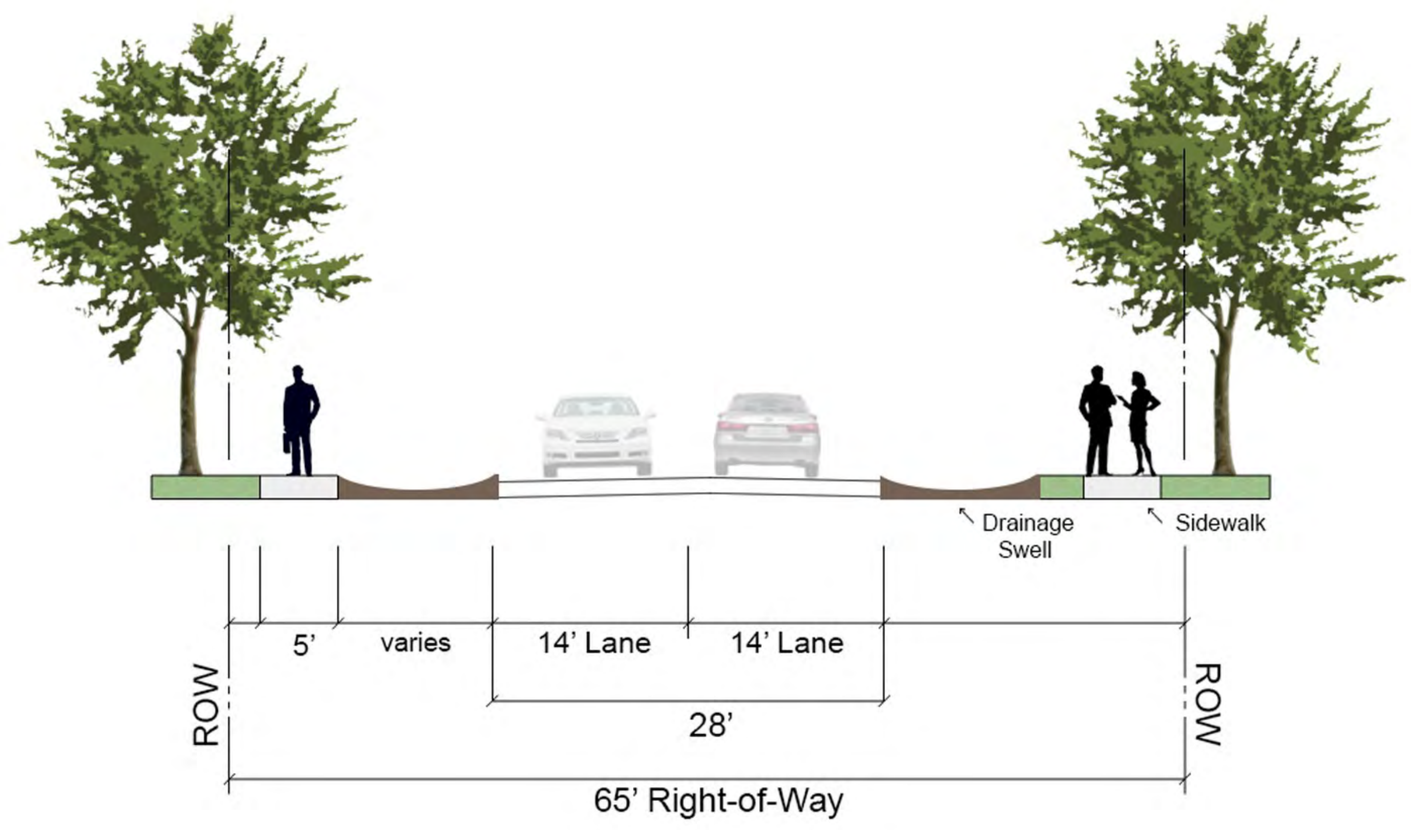


129

# Street Type: Rural Local

## Rural Local 2 lane undivided roadway

- 65’ Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter





130

**CITY OF ROCKWALL**

**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET CROSS SECTION FOR A M4U-M (*MINOR ARTERIAL, FOUR [4] LANE, UNDIVIDED ROADWAY, MODIFIED*), AND MODIFY EXISTING STREET CROSS SECTIONS IN APPENDIX 'D', THOROUGHFARE CROSS SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.**

**WHEREAS**, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

**WHEREAS,** the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Comprehensive Plan; and

**WHEREAS,** the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings; and

**WHEREAS,** the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements; and

**WHEREAS,** Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Plan should be amended as follows:

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

**Section 1.** That the Master Thoroughfare Plan contained within the *Transportation* section of the City's Comprehensive Plan be amended as depicted in *Exhibit 'A'* of this ordinance; and

**Section 2.** That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended to include a street cross section for a M4U-M (*minor arterial, four [4] lane, undivided roadway, modified*) as depicted in *Exhibit 'B'* of this ordinance; and

**Section 3.** That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended as depicted in *Exhibit 'C'* of this ordinance; and

**Section 4.** That the Comprehensive Plan shall be used by the City Staff in the planning and as a guide for the future development of the City of Rockwall; and

**Section 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, *Mayor*

**ATTEST:**

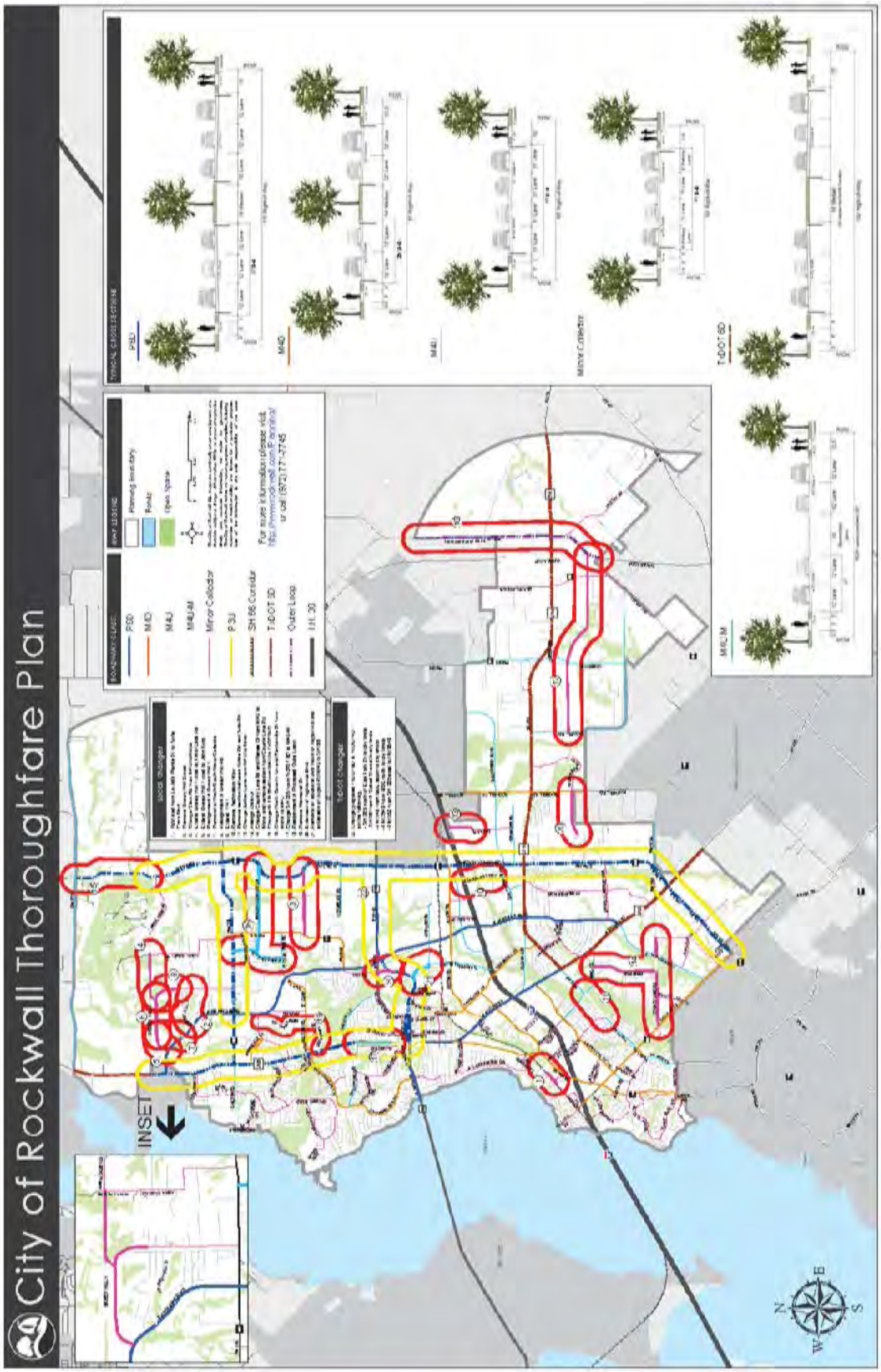
_____
Kristy Ashberry, *City Secretary*

**APPROVED AS TO FORM:**

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*


City of Rockwall Thoroughfare Plan
INSET
TYPICAL CROSS SECTIONS
P6D
M4D
M4U
Minor Collector
TxDOT 6D
MR2U
ROADWAY CLASS
P6D
M4D
M4U
M4U/M
Minor Collector
P3U
SH 66 Corridor
TxDOT 3D
Outer Loop
IH 30
Planning Inventory
Exists
Open Space
For more information please visit
http://www.rockwall.com/Planning/
or call (972) 771-7745
Local Changes
TxDOT Changes
N
W
E
S

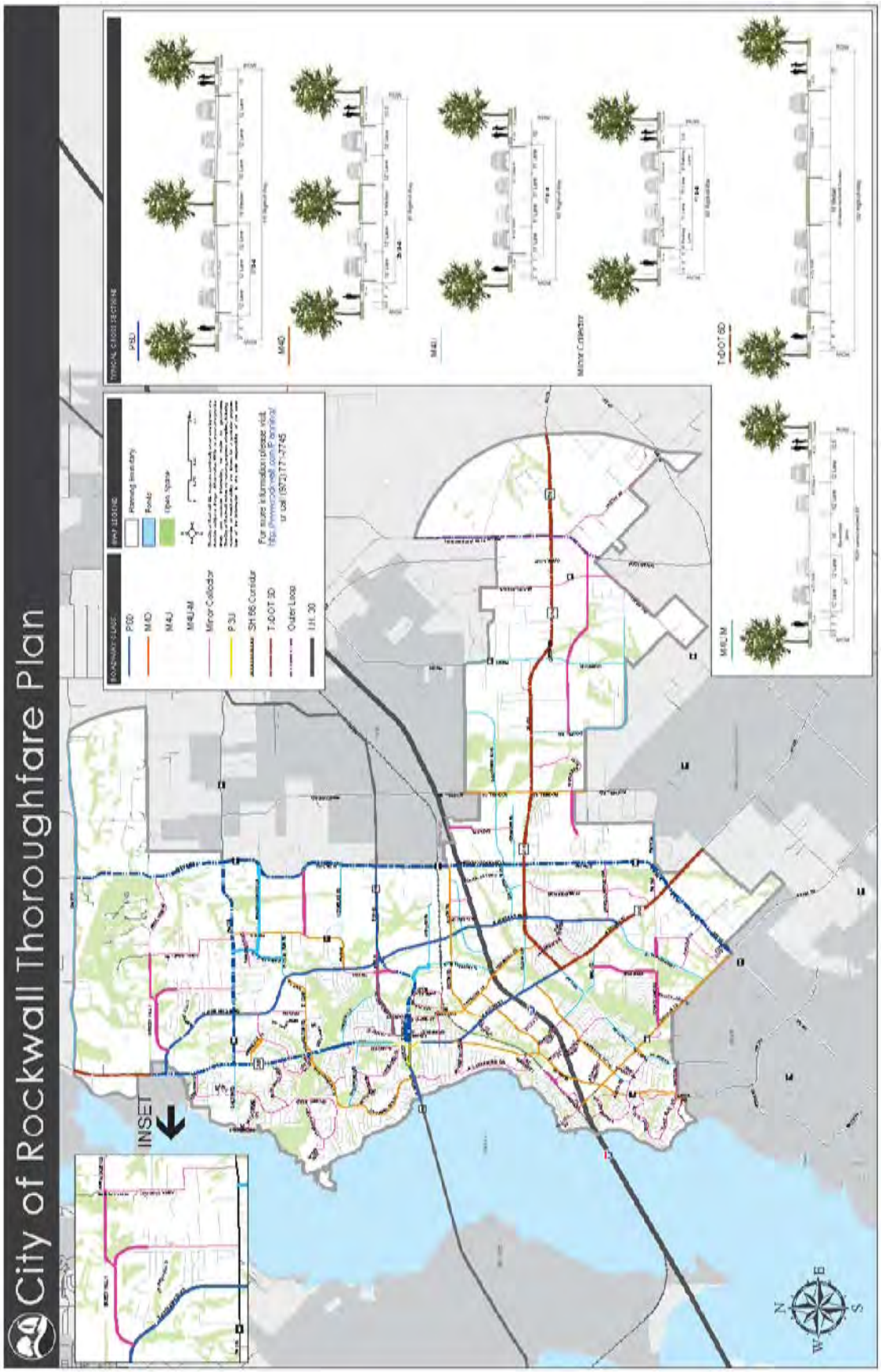
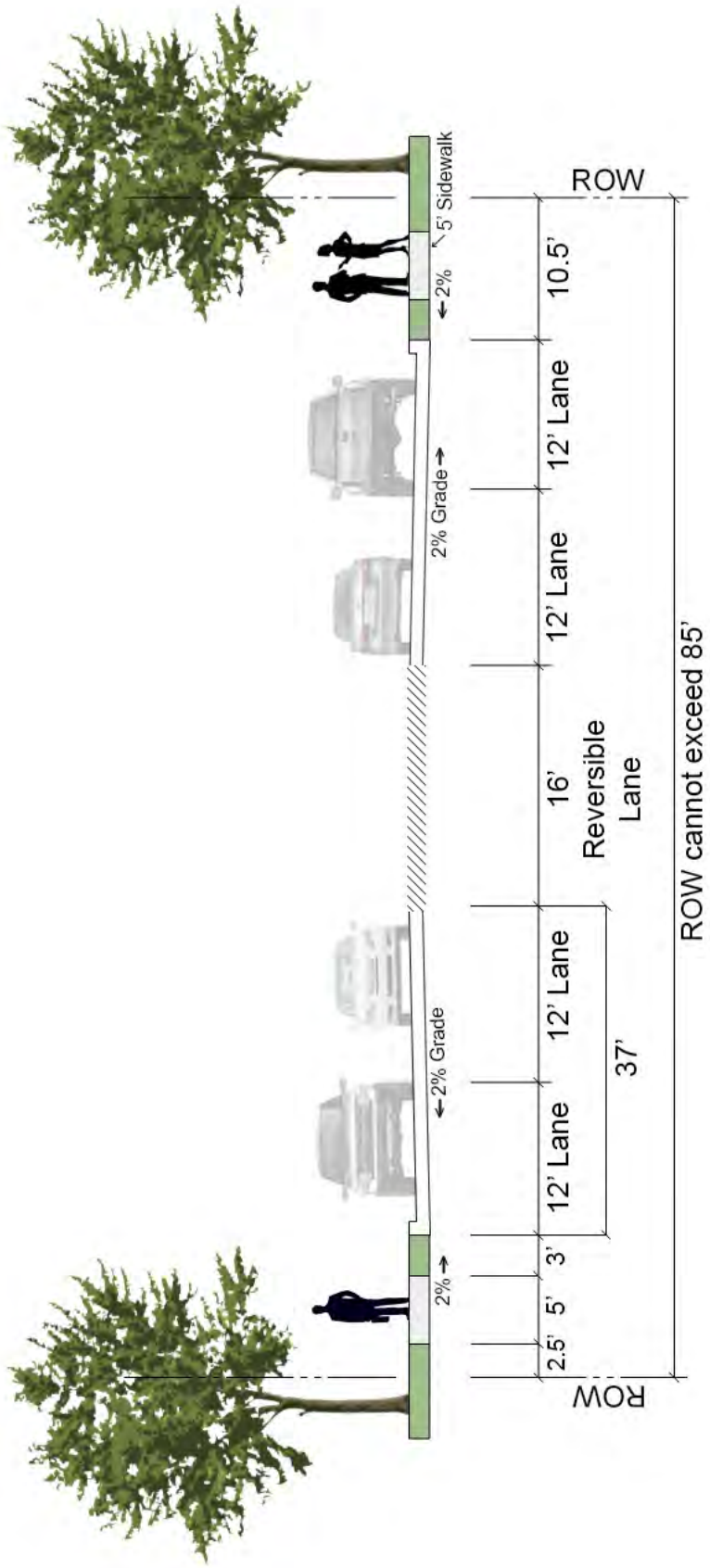
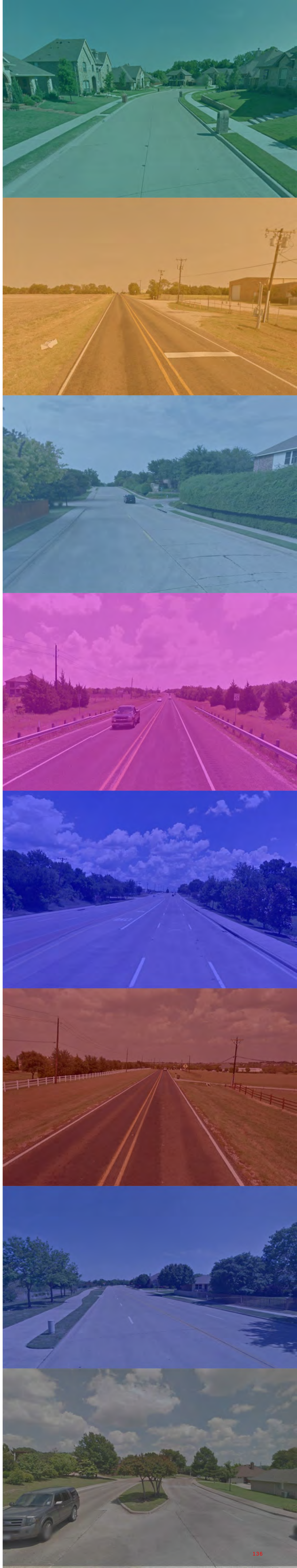

City of Rockwall Thoroughfare Plan
INSET
PRIMARY PLAN
P6D
M4D
M4U
M4U-M
Minor Collector
P3U
SH 66 Corridor
TxDOT 3D
Outer Loop
I.H. 30
PLAN ZONE
Planning Inventory
Public
Open Space
For more information please visit
http://www.rockwall.com/planning/
or call (972) 771-4745
TYPICAL CROSS SECTIONS
P6D
M4D
M4U
Minor Collector
TxDOT 6D
M4U-M
N
W
E
S

***Exhibit 'B'***
*M4U-M Cross Section*



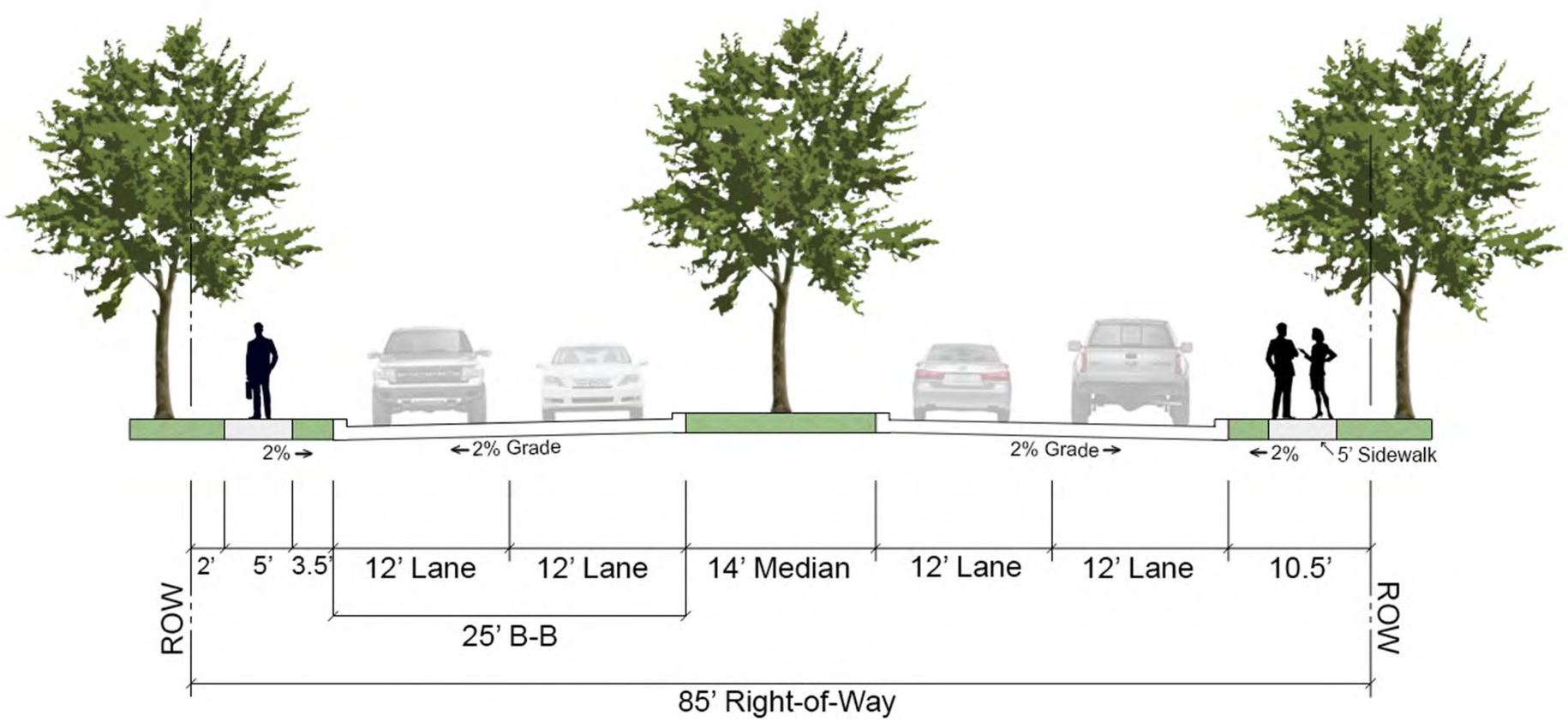
# Appendix D



# Street Type: M4-D

## Major Collector 4 lane divided highway

- 85’ Right-of-Way
- No on-street parking
- 40 MPH Design Speed



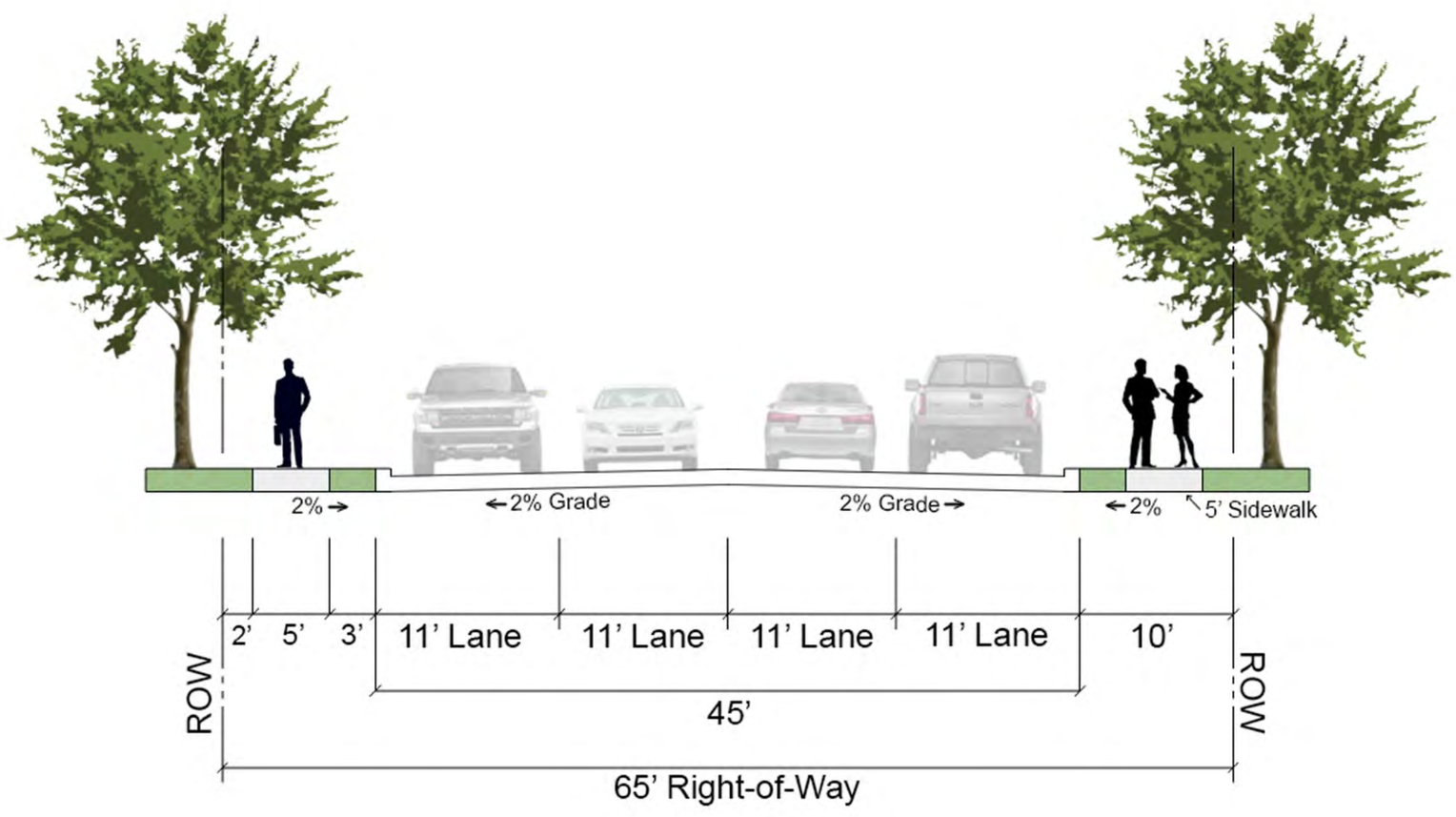


137

# Street Type: M4-U

## Major Collector 4 lane undivided highway

- 65’ Right-of-way
- No on-street parking
- 35 MPH Design Speed



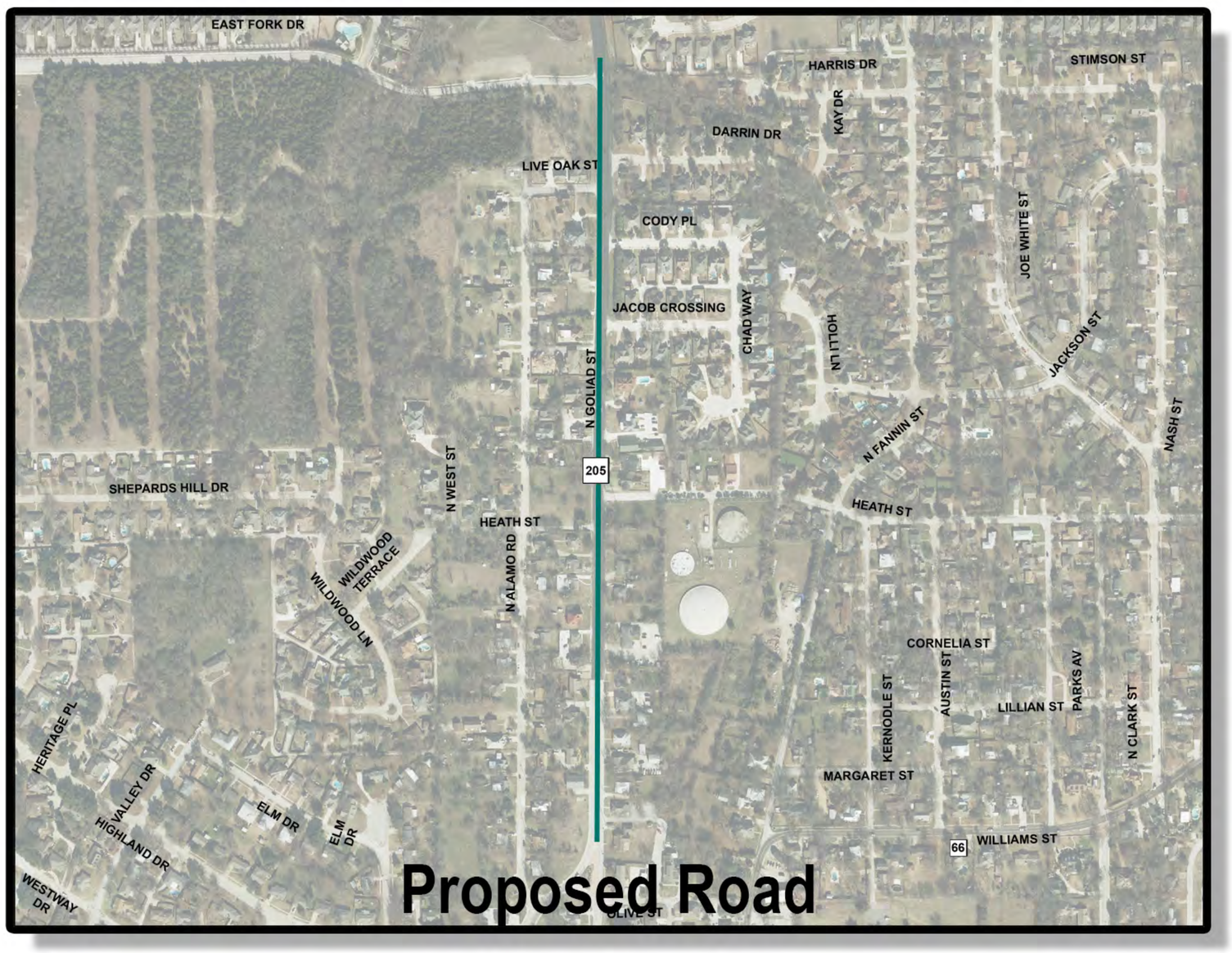


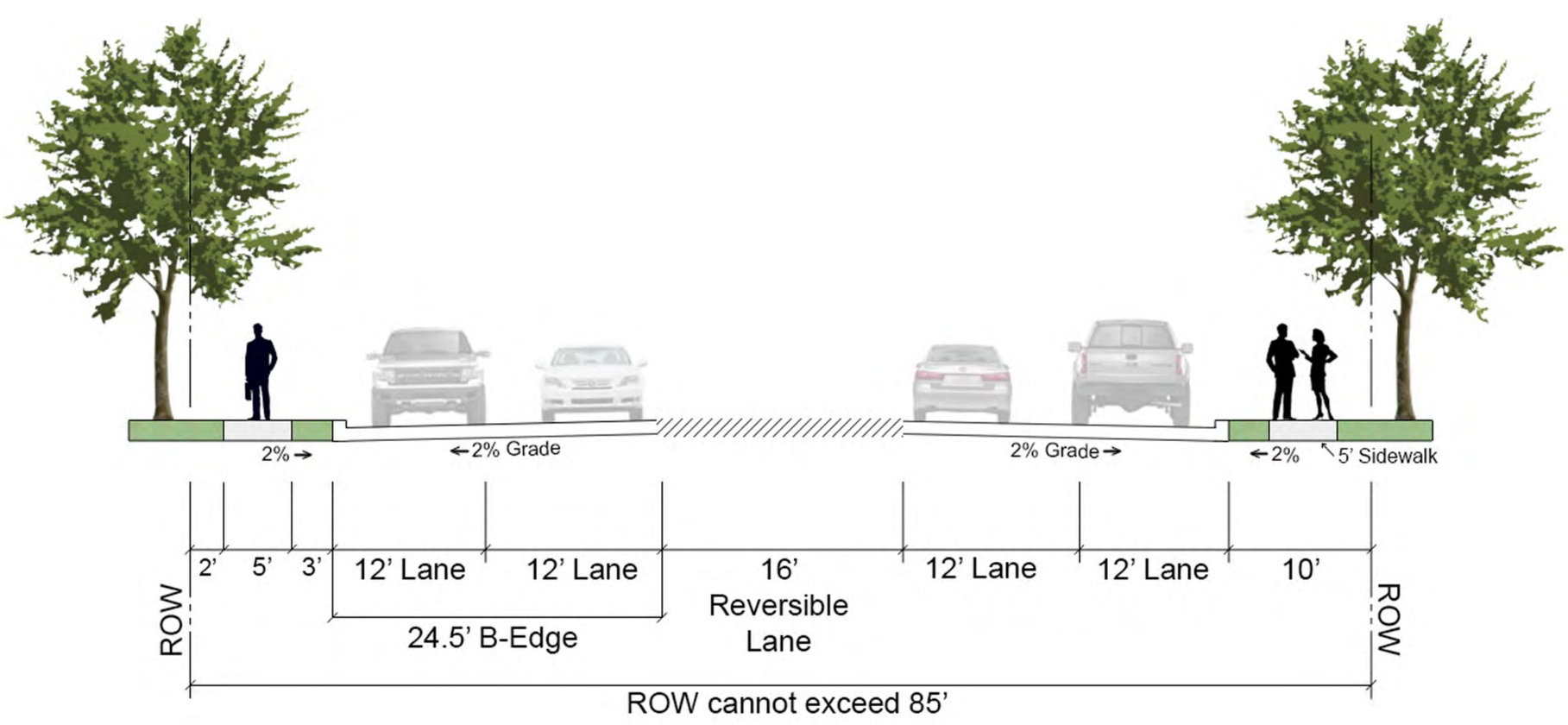

138

# Street Type: M4-U-M

## Major Collector 4 lane undivided highway modified

- Right-of-way cannot exceed 85’
- No on-street parking



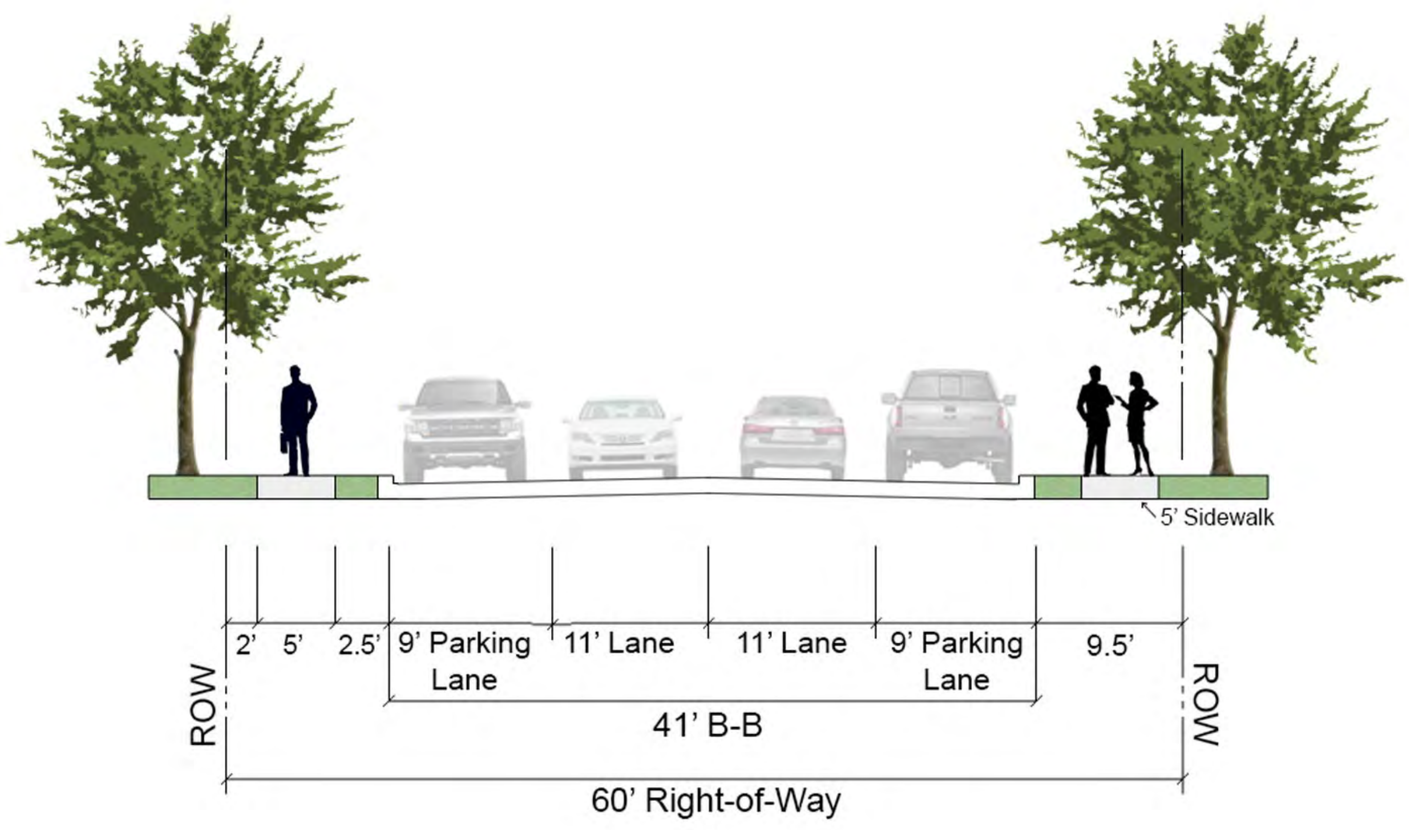



139

# Street Type: Minor Collector

## Minor Collector 2 lane undivided highway

- 60’ Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed



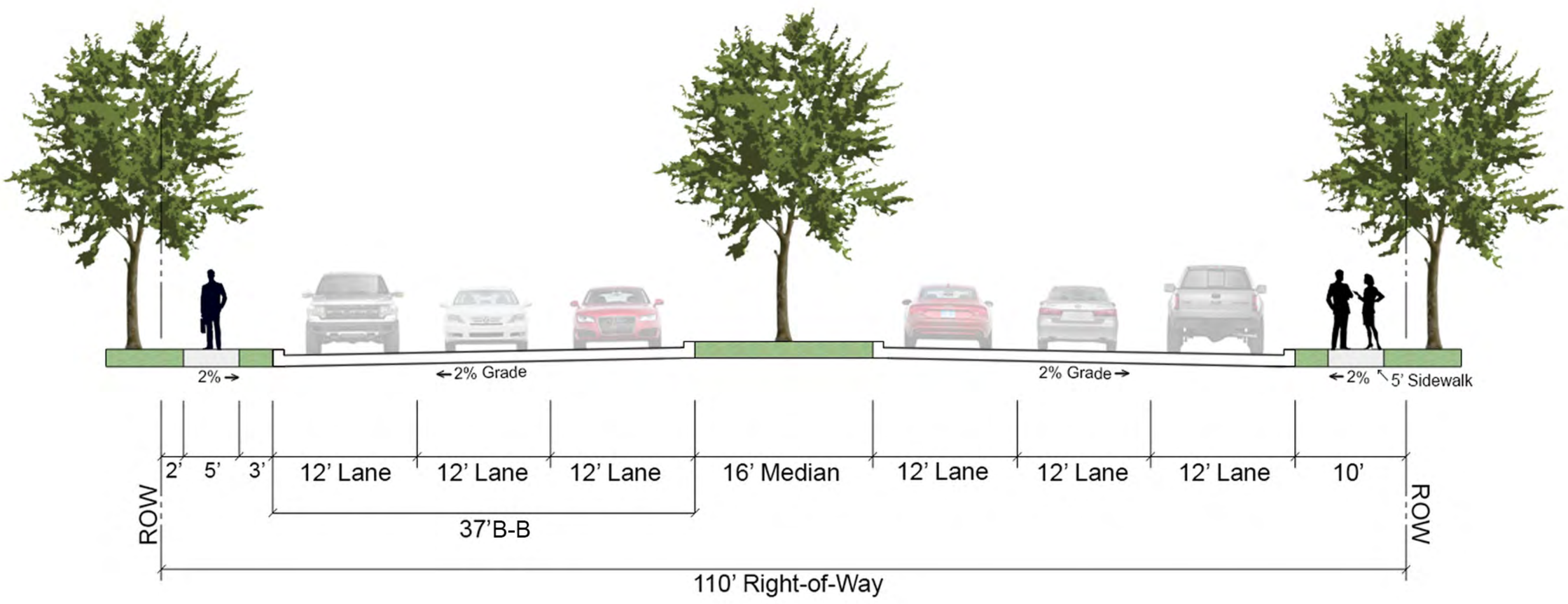



140

# Street Type: P6-D

## Principal Arterial 6 lane divided highway

- 110’ Right-of-Way
- No on-street parking
- 45 MPH Design Speed





141

# Street Type: TX DOT

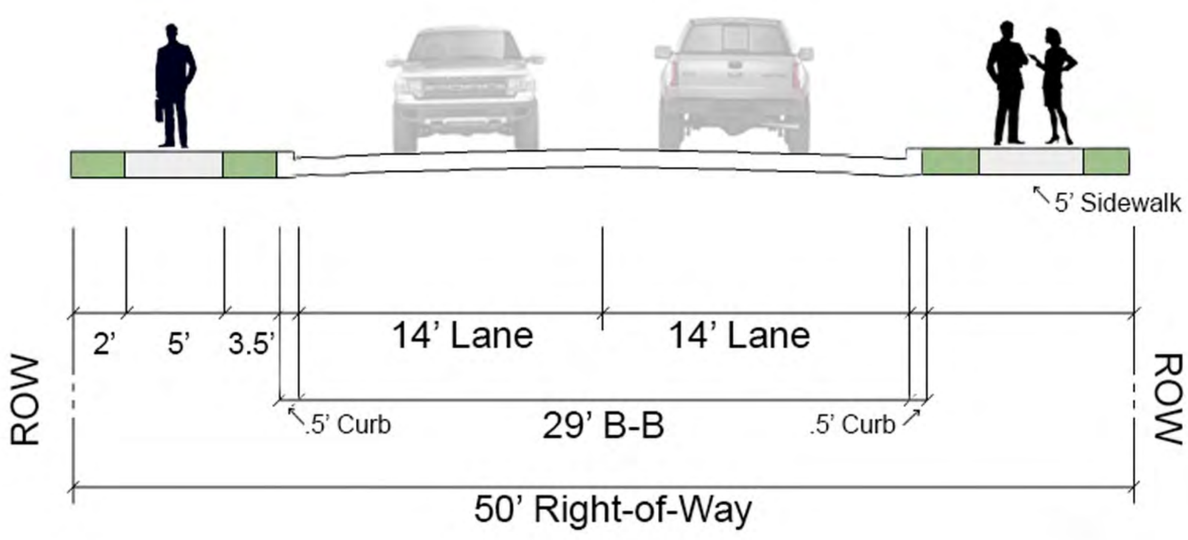
## Texas Department of Transportation Principle Arterial highways

142

# Street Type: Residential

## Residential 2 lane undivided roadway

- 50’ Right-of-way
- On-street parking
- 30 MPH Design Speed



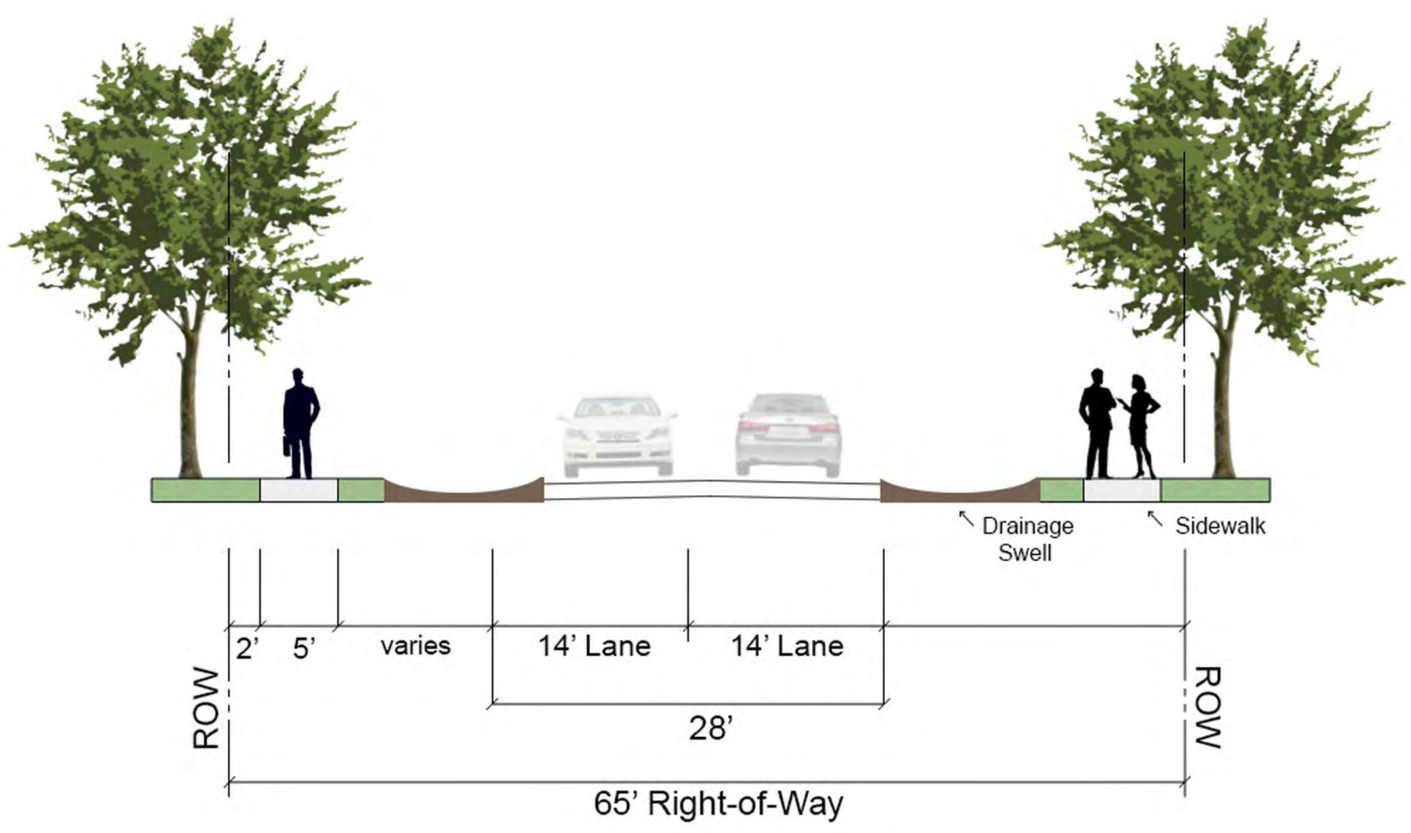


143

# Street Type: Rural Local

## Rural Local 2 lane undivided roadway

- 65’ Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter





144

**CITY OF ROCKWALL**

**ORDINANCE NO. 16-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET CROSS SECTION FOR A M4U-M (*MINOR ARTERIAL, FOUR [4] LANE, UNDIVIDED ROADWAY, MODIFIED*), AND MODIFY EXISTING STREET CROSS SECTIONS IN APPENDIX 'D', THOROUGHFARE CROSS SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.**

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**Section 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.



DRAFT ORDINANCE 12.21.2015

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.**

_____
Jim Pruitt, *Mayor*

**ATTEST:**

_____
Kristy Ashberry, *City Secretary*

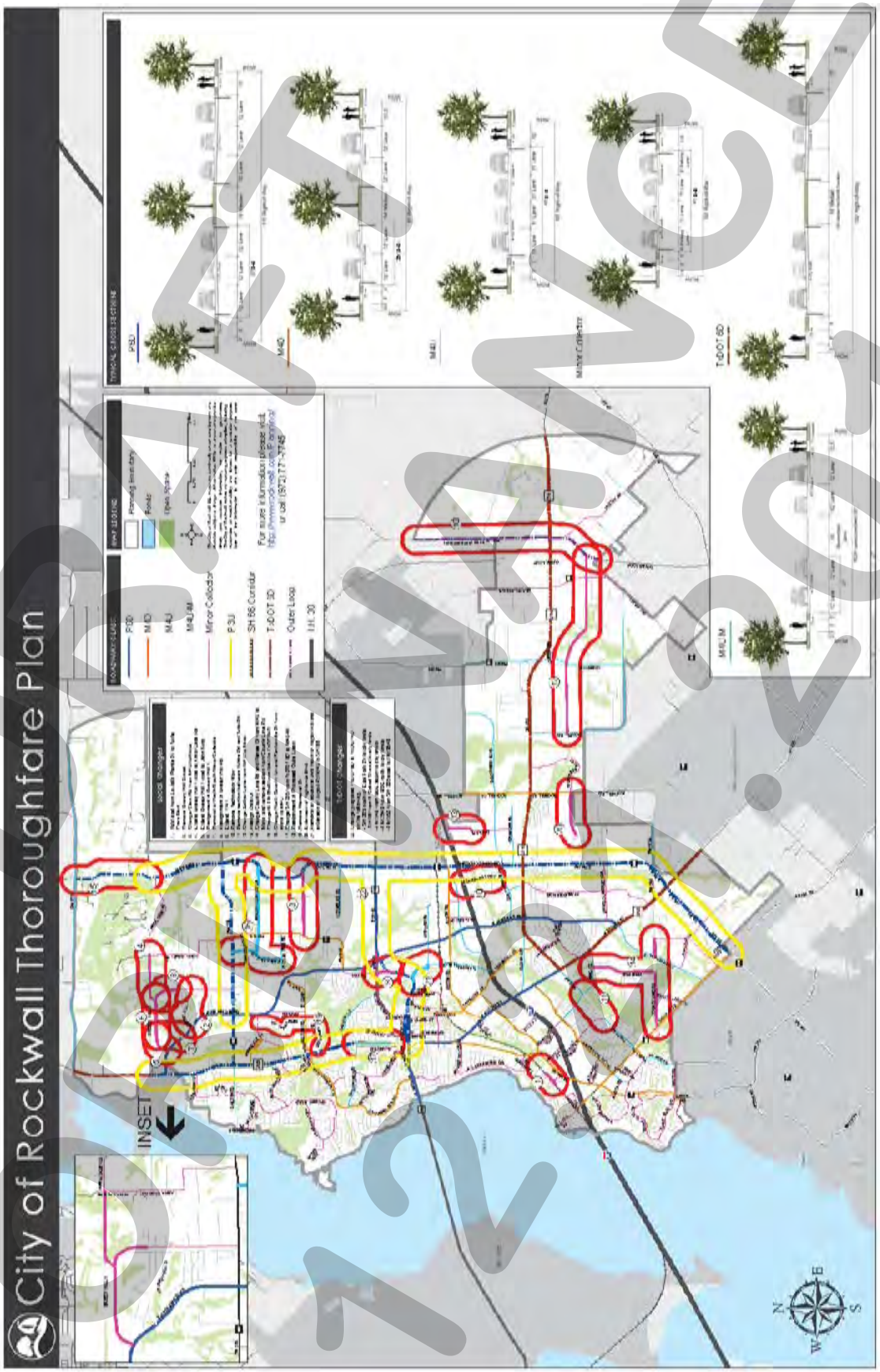
**APPROVED AS TO FORM:**

_____
Frank J. Garza, *City Attorney*

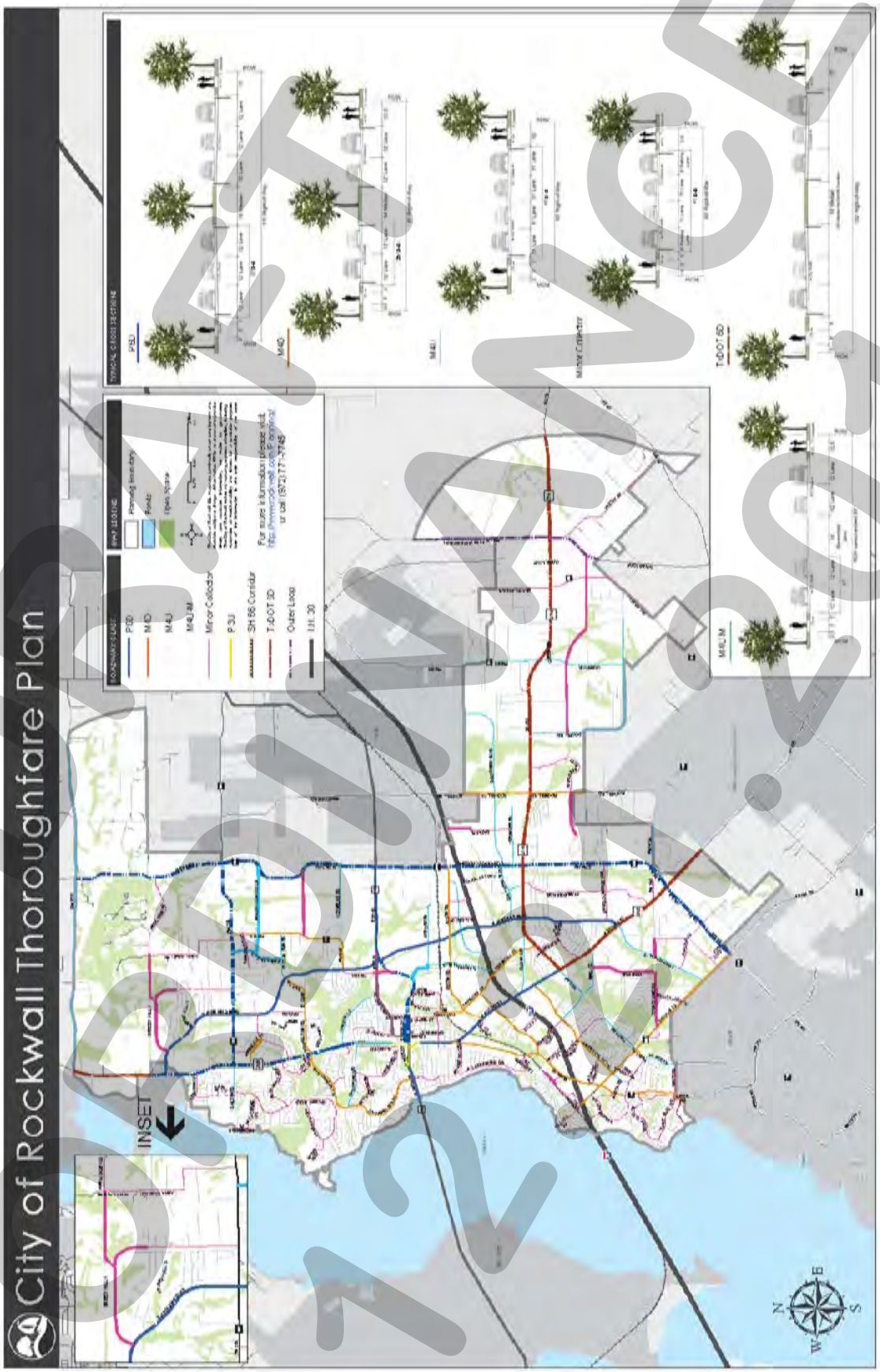
1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 12.21.2015

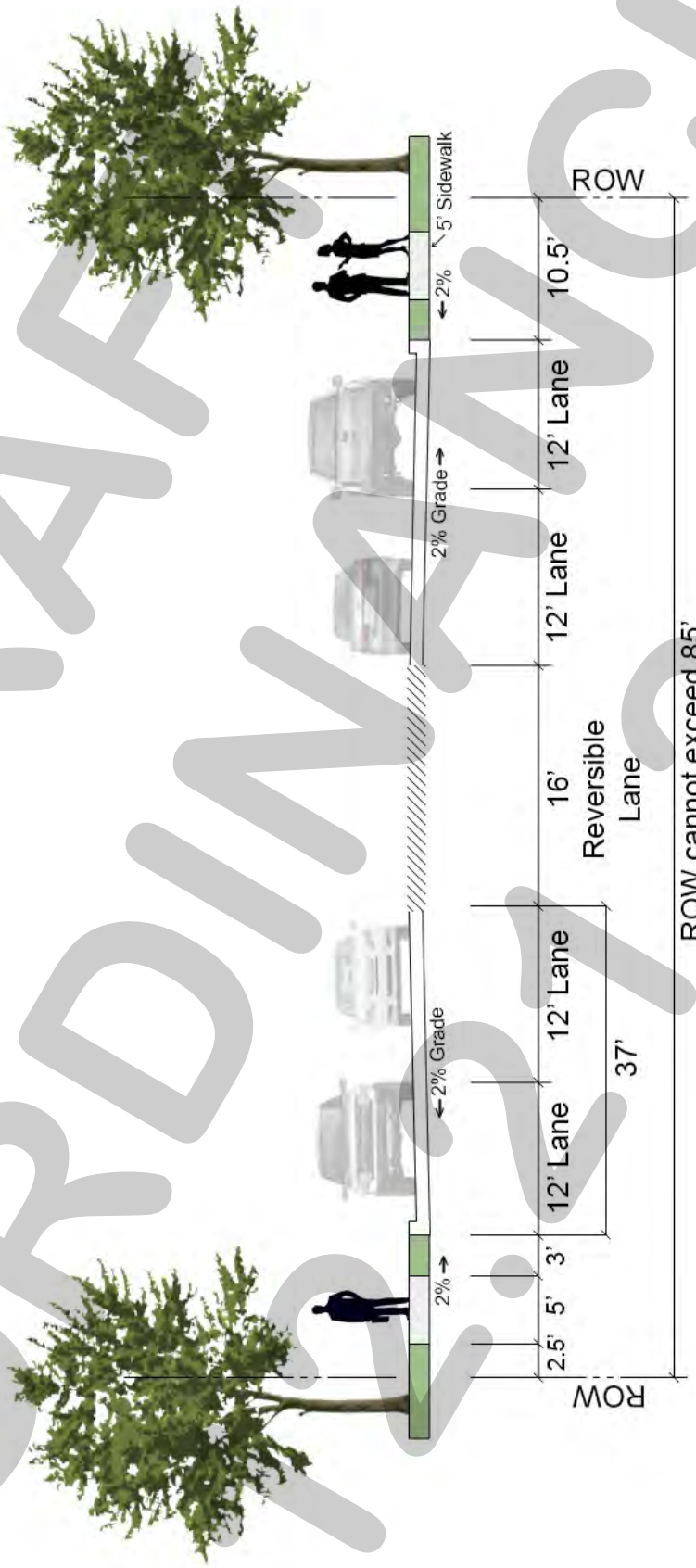



DRAFT NOT FOR ADOPTION 12/2/2015




DRAFT ORDINANCE 12-04-2015

***Exhibit 'B'***
*M4U-M Cross Section*




DRAFT
ORDINANCE
12.21.2015

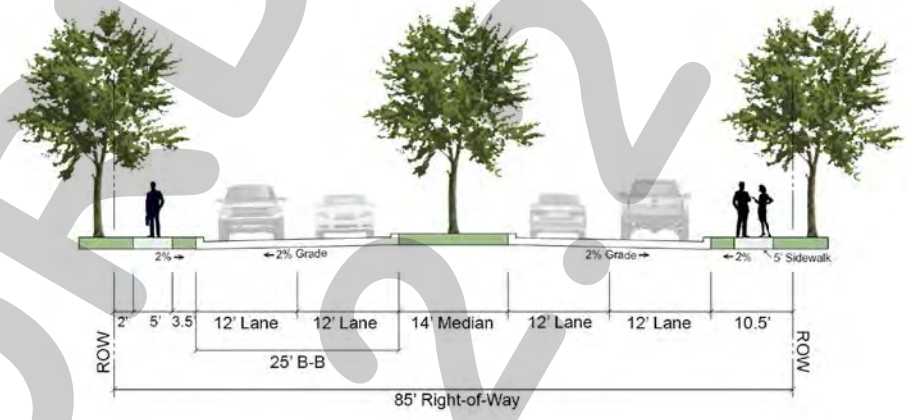
# Appendix D

DRAFT
ORDINANCE
12.21.2015

# Street Type: M4-D

## Major Collector 4 lane divided highway

- 85' Right-of-Way
- No on-street parking
- 40 MPH Design Speed

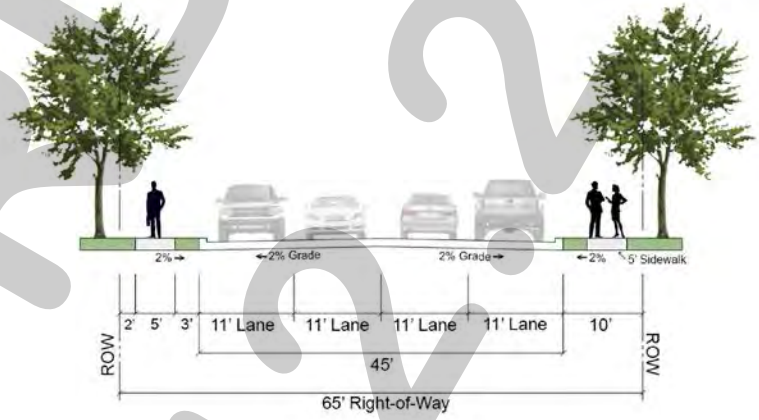



DRAFT ORDINANCE 12.21.2015

# Street Type: M4-U

## Major Collector 4 lane undivided highway

- 65' Right-of-way
- No on-street parking
- 35 MPH Design Speed

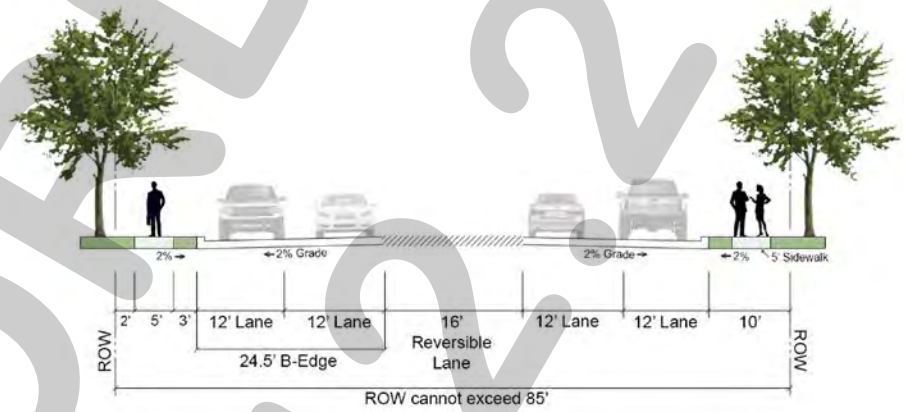



DRAFT ORDINANCE 12.21.2015

# Street Type: M4-U-M

## Major Collector 4 lane undivided highway modified

- Right-of-way cannot exceed 85'
- No on-street parking

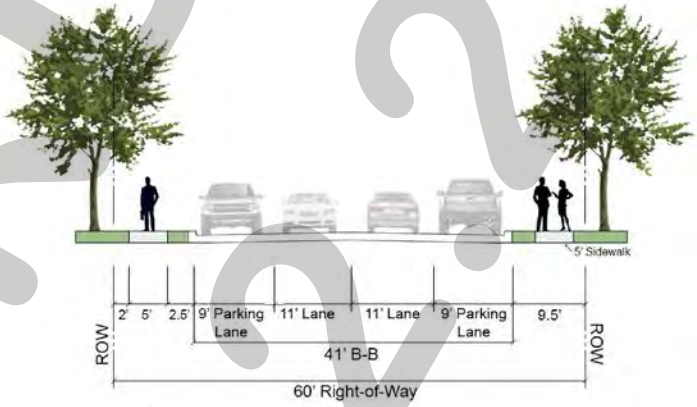



DRAFT ORDINANCE 12.21.2015

# Street Type: Minor Collector

## Minor Collector 2 lane undivided highway

- 60' Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed

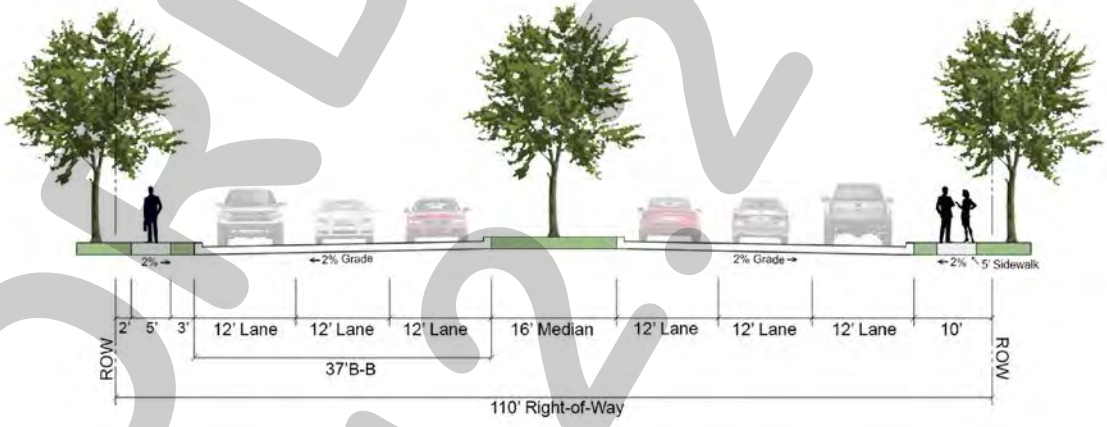



DRAFT ORDINANCE 12.21.2015

# Street Type: P6-D

## Principal Arterial 6 lane divided highway

- 110' Right-of-Way
- No on-street parking
- 45 MPH Design Speed




DRAFT ORDINANCE 12.21.2015

# Street Type: TX DOT

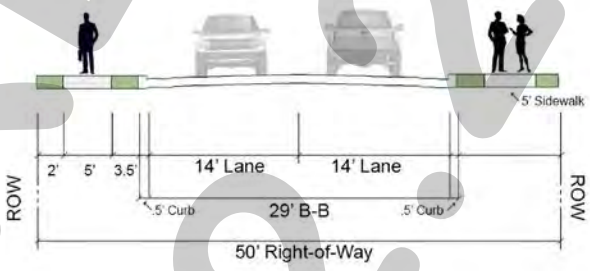
## Texas Department of Transportation Principle Arterial highways

DRAFT ORDINANCE 10.27.2015

# Street Type: Residential

## Residential 2 lane undivided roadway

- 50' Right-of-way
- On-street parking
- 30 MPH Design Speed

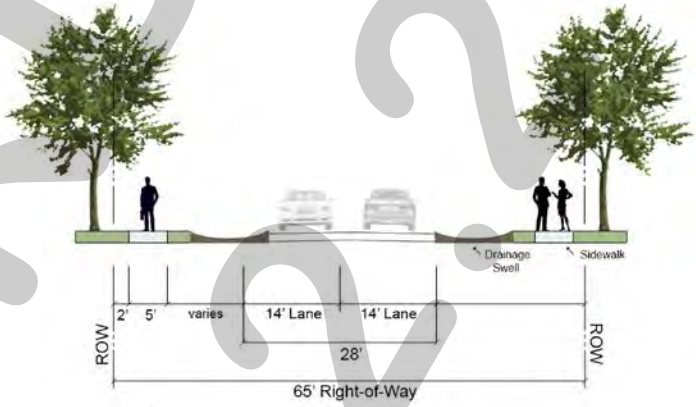



DRAFT ORDINANCE 12-21-2015

# Street Type: Rural Local

## Rural Local 2 lane undivided roadway

- 65' Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter




DRAFT ORDINANCE 12.21.2015

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159

# CITY OF ROCKWALL, TEXAS
## *MEMORANDUM*

**TO:** Mayor and City Council

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

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

**DATE:** January 4, 2016

**SUBJECT:** Structure Preservation Tax Exemption (*602 Williams Street*)

Ordinance No. 03-28 was drafted in 2003 with the intent of providing an incentive program for redevelopment within the *"Old Town" Rockwall (OTR) Historic District*, *Southside Residential Neighborhood Overlay (SRO) District* and designated *Landmark* properties. In accordance with this ordinance the applicant, Price Pointer, is requesting to have the assessed value for ad valorem taxation "frozen" for a period of five (5) years on the subject property at 602 Williams Street for the purpose of upgrading the electrical system in the existing single-family home. Specifically, the applicant has submitted a quote indicating that an investment of $5,700.00 will be made for the purpose of installing a new electrical panel and making various wiring improvements to the existing electrical system. The applicant has also provided staff with a copy of the home inspection report that was performed at the time the property was purchased. *A copy of the quote and inspection report has been provided in the attached packet.*

According to Ordinance No. 03-28 a tax abatement of five (5) years can be approved, "…if the amount of the increment project is $5,000.00 of greater." In this case, the current taxable value of the subject property is $578,870.00. If the City Council chooses to approve the applicants' request then the effective tax rate for the subject property would be fixed at this amount for a period of five (5) years. The applicant has provided all required supporting information stipulated by the ordinance including a legal description, proof of title, an owner's affidavit, and a tax certificate verifying that all current taxes have been paid. Should the request be approved the applicant would be required to submit a sworn statement of completion, at the conclusion of the proposed work, acknowledging that the electrical system has been upgraded in compliance with the quote submitted to staff. Additionally, the applicant shall be required to provide staff with documentation verifying the total cost of all electrical improvements. All information will be verified prior to staff notifying the Rockwall County Central Appraisal District's (RCAD's) Chief Appraiser of the applicable ad valorem tax exemption.

Should the City Council have any questions concerning the scope of work the applicant will be present at the meeting. Staff will also be available to answer any technical questions concerning the request.

# City of Rockwall

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

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161

# STRUCTURE PRESERVATION TAX EXEMPTION

PLANNING AND ZONING DEPARTMENT
CITY OR ROCKWALL, TEXAS
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7748

STAFF USE ONLY
RECEIVED BY
DATE RECEIVED
PROPERTY
ZONING
INSPECTION DATE (WITHIN 10 DAYS)
DIRECTOR'S SIGNATURE

## 1.1 PROPERTY OWNER INFORMATION [PLEASE PRINT]

OWNER(S) NAME: Price Pointer
ADDRESS: 602 Williams St
Rockwall TX
PHONE: 214-708-2685
E-MAIL ADDRESS: price@tcbconstructiongroup.com

## 1.2 ADDRESS OF PROPERTY BEING CONSIDERED [PLEASE PRINT]

ADDRESS: 602 Williams St
Rockwall TX 75087

## 1.3 HISTORIC DISTRICT

- [x] OLD TOWN ROCKWALL HISTORIC DISTRICT
- [ ] SOUTHSIDE OVERLAY DISTRICT
- [ ] DESIGNATED LANDMARKED PROPERTY

## 1.4 STATEMENT OF COST

TOTAL COST FOR THE RESTORATION OR REHABILITATION WORK: $ 5,700

*NOTE: DOCUMENTATION OF COST SHALL BE SUBMITTED WITH THE SWORN COMPLETION.*

## 1.5 SUBMITTAL CRITERIA CHECKLIST

- [x] LEGAL DESCRIPTION
- [ ] PROOF OF TITLE
- [ ] TAX CERTIFICATE
- [ ] CONSTRUCTION PLANS
- [ ] OWNER'S AFFIDAVIT *

* FOR MORE INFORMATION ON THE OWNER'S AFFIDAVIT PLEASE REFER TO THE BACK OF THIS APPLICATION.

## 1.6 STATEMENT OF TIME FOR THE RESTORATION OR REHABILITATION

CONSTRUCTION WILL BEGIN ON: 1/2016

CONSTRUCTION WILL BE COMPLETED ON (ESTIMATED): 1/2016

## 1.7 SCOPE OF WORK

IF THE PROPERTY WILL BE USED FOR COMMERCIAL, USES PROVIDE A DETAILED STATEMENT OF THE PROPOSED USE FOR THE PROPERTY. OTHERWISE, INDICATE THAT THE PROPERTY WILL BE USED FOR RESIDENTIAL, SINGLE FAMILY USES. IN ADDITION PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT MAYBE HELPFUL TO STAFF IN EVALUATING THIS REQUEST.

Residential - single family use

## 1.8 OWNER'S ACKNOWLEDGEMENTS [INITIAL AND SIGN BELOW]

I AUTHORIZE REPRESENTATIVES OF THE CITY OF ROCKWALL TO VISIT AND INSPECT THE PROPERTY AND THE RECORDS AND BOOKS OF THE OWNER AS NECESSARY TO CERTIFY THAT THE PROPERTY IN QUESTION IS IN SUBSTANTIAL NEED OF RESTORATION OR REHABILITATION.

I ACKNOWLEDGE MY FUTURE OBLIGATION TO NOTIFY THE DIRECTOR OF PLANNING & ZONING UPON THE COMPLETION OF THE PROPOSED PROJECT, AND PROVIDE A SWORN STATEMENT OF COMPLETION. THIS WILL BEGIN THE VERIFICATION PROCESS NOTED IN SECTION 25.4 OF ORDINANCE 03-28, WHICH IS STATED ON THE BACK OF THIS APPLICATION.

I HEREBY ATTEST THAT THE INFORMATION THAT I HAVE PROVIDED IS, TO THE BEST OF MY KNOWLEDGE, CORRECT AND TRUE, AND THAT I OWN THE PROPERTY DESCRIBED ABOVE OR THAT I AM LEGALLY THE AUTHORITY IN CHARGE OF THE PROPERTY. I ALSO UNDERSTAND THAT, IF THE REQUESTED EXEMPTION IS GRANTED, I HAVE ENTERED INTO A COVENANT WITH THE CITY OF ROCKWALL IN WHICH I MUST AGREE TO MAINTAIN THE CHARACTER OF THE PROPERTY AND THE QUALIFYING IMPROVEMENTS FOR THE TERM OF THE EXEMPTION.

OWNER'S SIGNATURE: DATE: 12-29-15

# STRUCTURE PRESERVATION TAX EXEMPTION

PLANNING AND ZONING DEPARTMENT
CITY OR ROCKWALL, TEXAS
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7748

## PURPOSE

ORDINANCE 03-28 APPROVED ON SEPTEMBER 3, 2003 WAS ENACTED TO PROVIDE AN AD VALOREM TAX EXEMPTION FOR STRUCTURES IN NEED OF TAX RELIEF FOR THE PURPOSE OF ENCOURAGING TAX RELIEF WITHIN CERTAIN HISTORIC DISTRICTS WITHIN THE CITY. SPECIFICALLY, THIS ORDINANCE IS APPLICABLE TO STRUCTURES WITHIN THE SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT, THE OLD TOWN ROCKWALL HISTORIC DISTRICT AND PROPERTIES THAT ARE DESIGNATED AS LANDMARKS. THE FOLLOWING SECTIONS ARE EXCERPTS FROM THE ORDINANCE TO CLARIFY THE PROCESS OF SEEKING A TAX EXEMPTION.

## § 25 – 39 STRUCTURE PRESERVATION TAX EXEMPTION

A RESIDENTIAL BUILDING OR DESIGNATED LANDMARK PROPERTY WHICH MEETS THE REQUIREMENTS OF THIS ORDINANCE SHALL BE CERTIFIED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT TO HAVE THE ASSESSED VALUE FOR AD VALOREM TAXATION "FROZEN" AS DESCRIBED AND LISTED BELOW IN ORDER TO QUALIFY FOR AD VALOREM TAX EXEMPTION. THE ASSESSED VALUE SHALL BE FROZEN AT THE VALUE FOR THE TAX YEAR IN WHICH THE INCREMENT PROJECT WAS COMPLETED. THE ASSESSED VALUE OF THE IMPROVEMENT SHALL BE SO "FROZEN" IN ACCORDANCE WITH THE SCHEDULE BELOW:

THE PERIOD OF THE TAX ABATEMENT SHALL BE FIVE (5) YEARS IF THE AMOUNT OF THE INCREMENT PROJECT IS $5,000 OR GREATER; OR THE PERIOD OF THE TAX ABATEMENT SHALL BE SEVEN (7) YEARS IF THE AMOUNT OF THE INCREMENT PROJECT IS EQUAL TO OR EXCEEDS 25% OF THE ASSESSED VALUE OF THE IMPROVEMENT ON JANUARY 1ST OF THE YEAR THE INCREMENT PROJECT WAS COMPLETED.

FURTHERMORE, THIS EXEMPTION SHALL BEGIN ON THE FIRST DAY OF THE NEXT TAX YEAR AFTER VERIFICATION OF COMPLETION OF THE PRESERVATION REQUIRED FOR CERTIFICATION; PROVIDED THAT: THE BUILDING SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS FOR ITS USE AND LOCATION; AND

## § 25 – 40. APPLICATION PROCESS (C) [OWNER'S AFFIDAVIT]

C) INCLUDE AN AFFIDAVIT BY THE OWNER DESCRIBING THE STRUCTURE IN NEED OF TAX RELIEF AND ITS COMPLIANCE WITH THE REQUIREMENTS OF SECTION 25 - 39 HEREIN;

## § 25 – 41: CERTIFICATION PROCESS

WITHIN 30 DAYS AFTER RECEIPT OF THE PROPERLY COMPLETED APPLICATION, THE CITY SHALL MAKE AN INVESTIGATION OF THE PROPERTY AND SHALL CERTIFY THE FACTS TO THE DIRECTOR OF COMMUNITY DEVELOPMENT ALONG WITH THE DOCUMENTATION AND RECOMMENDATION FOR APPROVAL OR DISAPPROVAL.

UPON RECEIPT OF A RECOMMENDATION, THE DIRECTOR OF COMMUNITY DEVELOPMENT SHALL IMMEDIATELY FORWARD THE APPLICATION TO THE ROCKWALL CITY COUNCIL AND, WITHIN THIRTY (30) DAYS, THE COUNCIL SHALL CONSIDER APPROVAL OR DISAPPROVAL ELIGIBILITY OF THE PROPERTY FOR TAX RELIEF PURSUANT TO THIS ORDINANCE. IN DETERMINING ELIGIBILITY, THE CITY COUNCIL SHALL FIRST DETERMINE THAT ALL THE REQUIREMENTS OF THIS ORDINANCE HAVE BEEN MET AND THAT ONLY THE STRUCTURE IS TO BE PROVIDED FAVORABLE TAX RELIEF AS PROVIDED IN SECTION II HEREIN. WRITTEN NOTICE OF THE DETERMINATION SHALL BE SENT TO THE APPLICANT.

## § 25 – 42: VERIFICATION PROCESS

UPON COMPLETION OF THE ENHANCEMENT OF A STRUCTURE, THE CERTIFIED APPLICANT SHALL SUBMIT A SWORN STATEMENT OF COMPLETION ACKNOWLEDGING THAT THE PROPERTY HAS BEEN SUBSTANTIALLY REHABILITATED OR RESTORED. WITHIN (30) DAYS AFTER RECEIPT OF THE SWORN STATEMENT OF COMPLETION, THE DIRECTOR OF COMMUNITY DEVELOPMENT SHALL MAKE AN INVESTIGATION OF THE PROPERTY AND SHALL DETERMINE IF THE ENHANCEMENT HAS BEEN COMPLETED AS REQUIRED FOR CERTIFICATION. IF THE ENHANCEMENT IS DEEMED INCOMPLETE, THE APPLICANT SHALL BE REQUIRED TO COMPLETE THE ENHANCEMENT IN ORDER TO SECURE THE TAX EXEMPTION. IF THE ENHANCEMENT IS DETERMINED TO BE COMPLETE, THE DIRECTOR OF COMMUNITY DEVELOPMENT SHALL NOTIFY THE CHIEF APPRAISER OF THE ROCKWALL COUNTY CENTRAL APPRAISAL DISTRICT IN WRITING THAT THE APPLICABLE AD VALOREM TAX EXEMPTION SHALL APPLY.

Dec 29th 2015

Re: Price and Taylor Pointer
602 Williams St
Rockwall, TX 75087
214-708-2685

**Affidavit of Eligibility for Tax Exemption**

To Whom It May Concern:

We, Price and Taylor Pointer, are respectfully requesting consideration for tax exemption for our property at 602 Williams St, Rockwall, TX 75087, B F BOYDSTON, BLOCK E 1/2 121, LOT A, ACRES .907. Our property lies within the historic district and is in great need of repair and rehabilitation. We are beginning the first of many projects. The first is rewire some old dangerous wiring (as per the inspection report attached). The project has been quoted by reputable local electrician and the quote is attached.

The work is going to be starting in January and will be compete about 1 week later. We will be informing the City of Rockwall upon completion and will turn in a signed completion affidavit.

Upon completion of the project, we will be using this property as our primary residence with no intention of selling or moving.

Thank you for your consideration. Please let us know if there are any questions we can answer or clarify.

Sincerely,

Price and Taylor Pointer

Taylor Pointer

Through Tax Year
2015

# TAX CERTIFICATE

Certificate #
2313

**Issued By:**
ROCKWALL CENTRAL APPRAISAL DISTRICT
841 JUSTIN RD
ROCKWALL, TX 75087

## Property Information

Property ID: 14396 Geo ID: 3140-0121-0000-A0-0R
Legal Acres: 0.9070
Legal Desc: B F BOYDSTON, BLOCK E 1/2 121, LOT A, ACRES .907
Situs: 602 WILLIAMS ST
DBA:
Exemptions: HS

**Owner ID:** 1074880 100.00%
POINTER PRICE AND TAYLOR
602 WILLIAMS ST
ROCKWALL, TX 75087

## For Entities

CITY OF ROCKWALL
ROCKWALL COUNTY
ROCKWALL ISD

## Value Information

| | |
|---|---|
| Improvement HS: | 533,430 |
| Improvement NHS: | 440 |
| Land HS: | 45,000 |
| Land NHS: | 0 |
| Productivity Market: | 0 |
| Productivity Use: | 0 |
| Assessed Value | 578,870 |

## Current/Delinquent Taxes

**This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):**

| Year | Entity | Taxable | Tax Due | Disc./P&I | Attorney Fee | Total Due |
|---|---|---|---|---|---|---|
| **Totals:** | | | **0.00** | **0.00** | **0.00** | **0.00** |

Effective Date: 12/30/2015 Total Due if paid by: 12/31/2015 0.00

| Tax Certificate Issued for: | Taxes Paid in 2015 |
|---|---|
| CITY OF ROCKWALL | 2,809.25 |
| ROCKWALL COUNTY | 2,291.74 |
| ROCKWALL ISD | 7,975.73 |

**If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].**

**Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.**

**A tax certificate issued through fraud or collusion is void.**

**This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.**

**May Be Subject to Court Costs if Suit is Pending**

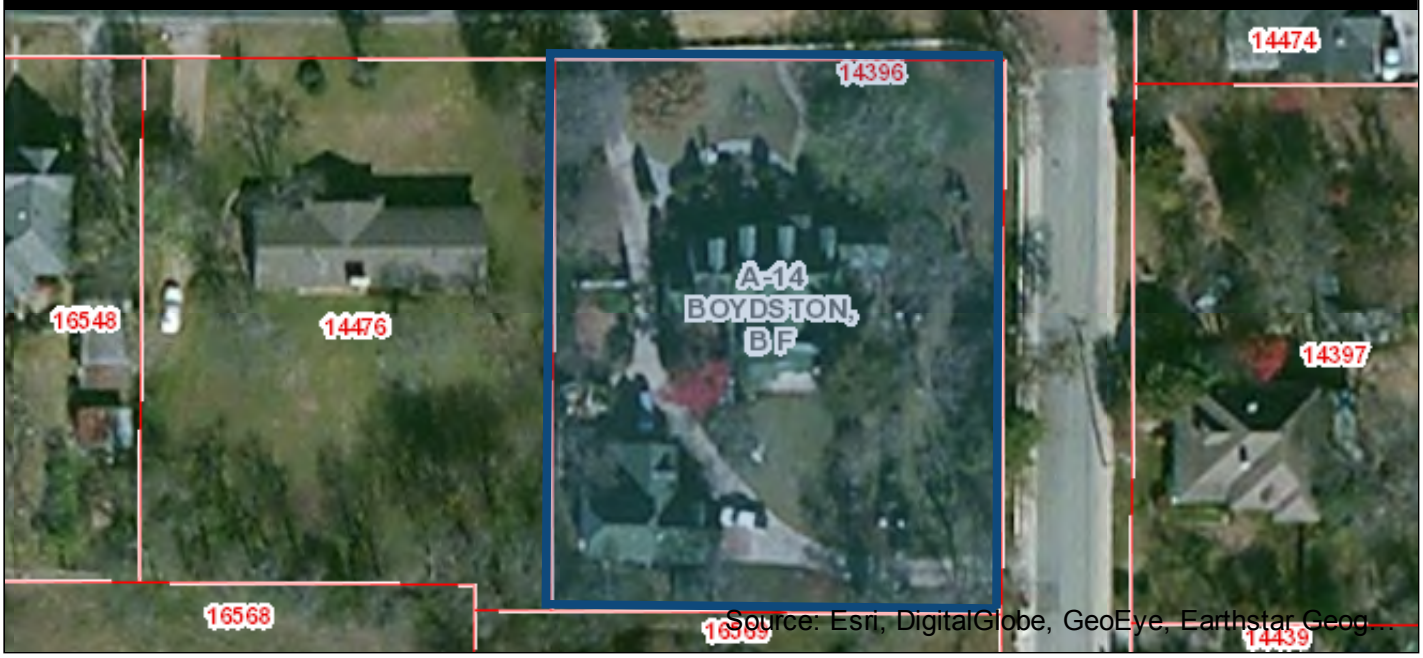
Date of Issue: 12/30/2015
Requested By: POINTER PRICE A AND TAYLO
Fee Amount: 10.00
Reference #:

Signature of Authorized Officer of Collecting Office

# Property Search and Tax Payment

## Property ID: 14396 For Year 2015

### Map




### Property Details

| Account | |
|---|---|
| Property ID: | 14396 |
| Legal Description: | B F BOYDSTON, BLOCK E 1/2 121, LOT A, ACRES .907 |
| Geographic ID: | 3140-0121-0000-A0-0R |
| Agent Code: | |
| Type: | Real |
| **Location** | |
| Address: | 602 WILLIAMS ST |
| Map ID: | 2-3 |
| Neighborhood CD: | N3600 |
| **Owner** | |
| Owner ID: | 1053270 |
| Name: | TEINERT JAY G & JULIE A |
| Mailing Address: | 602 WILLIAMS ST<br>ROCKWALL, TX 75087-2611 |
| % Ownership: | 100.0% |
| Exemptions: | HS - Homestead<br>For privacy reasons not all exemptions are shown online. |

## Property Values

| | |
|---|---|
| Improvement Homesite Value: | $533,430 |
| Improvement Non-Homesite Value: | $440 |
| Land Homesite Value: | $45,000 |
| Land Non-Homesite Value: | $0 |
| Agricultural Market Valuation: | $0 |
| | |
| Market Value: | $578,870 |
| Ag Use Value: | $0 |
| | |
| Appraised Value: | $578,870 |
| HS Cap: | $0 |
| | |
| Assessed Value: | $578,870 |

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|---|---|---|---|---|---|---|
| CAD | ROCKWALL CAD | 0.000000 | $578,870 | $578,870 | $0.00 | |
| CRW | CITY OF ROCKWALL | 0.485300 | $578,870 | $578,870 | $2,809.26 | |
| GRW | ROCKWALL COUNTY | 0.395900 | $578,870 | $578,870 | $2,291.75 | |
| SRW | ROCKWALL ISD | 1.440000 | $578,870 | $553,870 | $7,975.73 | |

Total Tax Rate: 2.321200 Estimated Taxes With Exemptions: $13,076.73 Estimated Taxes Without Exemptions: $13,436.73

## Property Improvement - Building

Type: RESIDENTIAL State Code: A1 Living Area: 4,623.00sqft Value: $381,230

| Type | Description | Class CD | Year Built | SQFT |
|---|---|---|---|---|
| MA | MAIN AREA | VM3P | 1935 | 2,955.00 |
| MA | MAIN AREA | VM3P | 1935 | 1,668.00 |
| PA | PATIO - 20% (REGULAR) | VM3P | 1935 | 360.00 |
| PA | PATIO - 20% (REGULAR) | VM3P | 1935 | 120.00 |

Type: RESIDENTIAL State Code: A1 Living Area: 1,049.00sqft Value: $152,200

| Type | Description | Class CD | Exterior Wall | Year Built | SQFT |
|---|---|---|---|---|---|
| MA | MAIN AREA | VW4P | 36 | 1995 | 506.00 |
| MA | MAIN AREA | VW4P | 36 | 1995 | 253.00 |
| MA | MAIN AREA | VW4P | 36 | 1995 | 290.00 |
| AG | ATTACHED GARAGE | VW4P | | 1995 | 1,360.00 |
| BA | BALCONY | VW4P | | 1995 | 110.00 |
| CP | COVERED PORCH | VW4P | | 1995 | 30.00 |

Type: MISC IMP State Code: A1 Living Area: 0.00sqft Value: $440

| Type | Description | Class CD | Year Built | SQFT |
|---|---|---|---|---|
| ST | STORAGE | * | 1995 | 0.00 |

## Property Land

| Type | Description | Acres | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|---|---|---|---|---|---|---|
| A1 | RES SFR NON WF | 0.91 | 39,880.00 | 180.20 | 221.31 | $45,000 | $0 |

## Property Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed |
|---|---|---|---|---|---|---|
| 2016 | N\A | N\A | N\A | N\A | N\A | N\A |
| 2015 | $533,870 | $45,000 | $0 | $578,870 | $0 | $578,870 |
| 2014 | $539,380 | $45,000 | $0 | $584,380 | $0 | $584,380 |
| 2013 | $559,160 | $45,000 | $0 | $604,160 | $0 | $604,160 |
| 2012 | $565,020 | $45,000 | $0 | $610,020 | $0 | $610,020 |
| 2011 | $581,620 | $45,000 | $0 | $626,620 | $0 | $626,620 |
| 2010 | $420,330 | $45,000 | $0 | $465,330 | $0 | $465,330 |
| 2009 | $408,460 | $45,000 | $0 | $453,460 | $0 | $453,460 |
| 2008 | $415,930 | $45,000 | $0 | $460,930 | $23,471 | $437,459 |
| 2007 | $355,690 | $42,000 | $0 | $397,690 | $0 | $397,690 |

## Property Deed History

| Deed Date | Type | Description | Grantor | Grantee | Volume | Page | Number |
|---|---|---|---|---|---|---|---|
| 12/10/2015 | WD | WARRANTY DEED | TEINERT JAY G & JULIE A | POINTER PRICE AND TAYLOR | 2015 | 0000019834 | |
| 12/10/2010 | WD | WARRANTY DEED | SMITH PEGGY JEAN PANNELL | TEINERT JAY G & JULIE A | 6312 | 290 | 443291 |
| 7/21/2009 | EXDE | EXECUTOR'S DEED | SMITH GLEN A | SMITH PEGGY JEAN PANNELL | 5857 | 90 | 2009-00419598 |
| 11/22/1993 | WD | WARRANTY DEED | TATUM MARIE BREWER | SMITH GLEN A | 847 | 36 | 0 |
| 11/16/1992 | WD | WARRANTY DEED | SPEIGHTS R J | TATUM MARIE BREWER | 740 | 197 | 0 |
| | OT | | | SPEIGHTS R J | | | 0 |

## Estimated Tax Due

NOTE: Indicated amount due may not reflect delinquent tax due beyond a 5 year history. Partial payments or contract payments may not be reflected. Quarterly payments according to Section 31.031 of the Texas Property Tax Code are not considered delinquent. For the most current tax due amount please contact the Appraisal District.

| Year | Taxing Jurisdiction | Taxable Value | Base Tax | Base Taxes Paid | Base Tax Due | Discount/Penalty & Interest | Attorney Fees | Amount Due |
|---|---|---|---|---|---|---|---|---|
| 2016 | CITY OF ROCKWALL | N\A | N\A | N\A | N\A | N\A | N\A | N\A |
| 2016 | ROCKWALL COUNTY | N\A | N\A | N\A | N\A | N\A | N\A | N\A |
| 2016 | ROCKWALL ISD | N\A | N\A | N\A | N\A | N\A | N\A | N\A |
| | 2016 Total: | | N\A | N\A | N\A | N\A | N\A | N\A |
| 2015 | CITY OF ROCKWALL | $578,870 | $2,809.25 | $2,809.25 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2015 | ROCKWALL COUNTY | $578,870 | $2,291.74 | $2,291.74 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2015 | ROCKWALL ISD | $553,870 | $7,975.73 | $7,975.73 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2015 Total: | | $13,076.72 | $13,076.72 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2014 | CITY OF ROCKWALL | $584,380 | $2,895.61 | $2,895.61 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2014 | ROCKWALL COUNTY | $584,380 | $2,313.56 | $2,313.56 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2014 | ROCKWALL ISD | $569,380 | $8,199.07 | $8,199.07 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2014 Total: | | $13,408.24 | $13,408.24 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2013 | CITY OF ROCKWALL | $604,160 | $3,035.90 | $3,035.90 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2013 | ROCKWALL COUNTY | $604,160 | $2,391.87 | $2,391.87 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2013 | ROCKWALL ISD | $589,160 | $8,601.73 | $8,601.73 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2013 Total: | | $14,029.50 | $14,029.50 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2012 | CITY OF ROCKWALL | $610,020 | $3,065.35 | $3,065.35 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2012 | ROCKWALL COUNTY | $610,020 | $2,357.12 | $2,357.12 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2012 | ROCKWALL ISD | $595,020 | $8,746.80 | $8,746.80 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2012 Total: | | $14,169.27 | $14,169.27 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2011 | CITY OF ROCKWALL | $626,620 | $3,152.53 | $3,152.53 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2011 | ROCKWALL | $626,620 | $2,421.26 | $2,421.26 | $0.00 | $0.00 | $0.00 | $0.00 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | COUNTY | | | | | | | |
| 2011 | ROCKWALL ISD | $611,620 | $8,990.82 | $8,990.82 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2011 Total: | | $14,564.61 | $14,564.61 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2010 | CITY OF ROCKWALL | $465,330 | $2,341.07 | $2,341.07 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2010 | ROCKWALL COUNTY | $465,330 | $1,798.04 | $1,798.04 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2010 | ROCKWALL ISD | $450,330 | $6,619.85 | $6,619.85 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2010 Total: | | $10,758.96 | $10,758.96 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2009 | CITY OF ROCKWALL | $393,460 | $1,115.52 | $1,115.52 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2009 | ROCKWALL COUNTY | $418,460 | $1,107.37 | $1,107.37 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2009 | ROCKWALL ISD | $408,460 | $4,494.68 | $4,494.68 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2009 Total: | | $6,717.57 | $6,717.57 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2008 | CITY OF ROCKWALL | $377,459 | $1,115.52 | $1,115.52 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2008 | ROCKWALL COUNTY | $402,459 | $1,107.37 | $1,107.37 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2008 | ROCKWALL ISD | $392,459 | $4,494.68 | $4,494.68 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2008 Total: | | $6,717.57 | $6,717.57 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2007 | CITY OF ROCKWALL | $337,690 | $1,115.52 | $1,115.52 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2007 | ROCKWALL COUNTY | $362,690 | $1,107.37 | $1,107.37 | $0.00 | $0.00 | $0.00 | $0.00 |
| 2007 | ROCKWALL ISD | $352,690 | $4,494.68 | $4,494.68 | $0.00 | $0.00 | $0.00 | $0.00 |
| | 2007 Total: | | $6,717.57 | $6,717.57 | $0.00 | $0.00 | $0.00 | $0.00 |

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

BIG SKY ELECTRIC
PO Box 2558
ROCKWALL, TX 75087
214-729-4080
ericlandisbigsky@gmail.com

December17, 2015

Quote

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Submitted to:
Price Pointer
TCB Construction Group
906 N. Goliad St.
Rockwall, TX 75087

REFERENCE: 602 Williams Street, Rockwall, TX 75087

---

INCLUDES:

1. Multiple electrical upgrades to property. This includes the panel and safe wiring work as mentioned onsite.

Total Due $5,700.00

---

Thank you,

Shawn Castonguay, Owner
TX Contractors License # 24618

Eric Landis
Business Manager-972-983-9644

Regulated by The Texas Department of Licensing and Regulation,
P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599;
website: www.license.state.tx.us/complaints

**Mike Sims, Professional Real Estate Inspector**
**1207 Green Meadow Dr.**
**Richardson, TX 75081-5438**
**214-697-6863 Phone**
**972-644-2704 Fax**
**Mike_Sims@sbcglobal.net**

# PROPERTY INSPECTION REPORT

**Prepared For:** Price Pointer
(Name of Client)

**Concerning:** 602 Williams St., Rockwall, TX 75087
(Address or Other Identification of Inspected Property)

**By:** Mike Sims TREC# 6414
Robert Sims TREC# 8557 10/21/2015
(Name and License Number of Inspector) (Date)

(Name, License Number and Signature of Sponsoring Inspector, if required)

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

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

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

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

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


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

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

**ITEMS IDENTIFIED IN THE REPORT DO NOT OBLIGATE ANY PARTY TO MAKE REPAIRS OR TAKE OTHER ACTIONS, NOR IS THE PURCHASER REQUIRED TO REQUEST THAT THE SELLER TAKE ANY ACTION.** When a deficiency is reported, it is the client's responsibility to obtain further evaluations and/or cost estimates from qualified service professionals. Any such follow-up should take place prior to the expiration of any time limitations such as option periods. Evaluations by qualified tradesmen may lead to the discovery of additional deficiencies which may involve additional repair costs. Failure to address deficiencies or comments noted in this report may lead to further damage of the structure or systems and add to the original repair costs. The inspector is not required to provide follow-up services to verify that proper repairs have been made.

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

## TEXAS REAL ESTATE CONSUMER NOTICE CONCERNING HAZARDS OR DEFICIENCIES

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

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

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


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

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

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

## ADDITIONAL INFORMATION PROVIDED BY INSPECTOR

| | | | | | |
|---|---|---|---|---|---|
| **Time** | 9:00 AM | **SF Home** | ☑ | **Mech/Structural** | ☑ |
| **Weather** | Overcast | **Condo** | ☐ | **Pier & Beam** | ☑ |
| **Temperature** | 70° F | **Mobile Home** | ☐ | **Slab** | ☐ |
| **Agent** | Alison Odom | **One Story** | ☐ | **WDI Report** | ☑ |
| **Agent Phone** | 214-240-2293 | **Two Story** | ☑ | **Sprinkler** | ☐ |
| **Agent Email** | | **Multi Story** | ☐ | **Pool/Spa** | ☐ |
| **Square Footage** | 4623 | **Occupied** | ☑ | **Gas Line** | ☑ |
| **Year Built** | 1935 | **Vacant** | ☐ | **Buyer Present** | ☑ |


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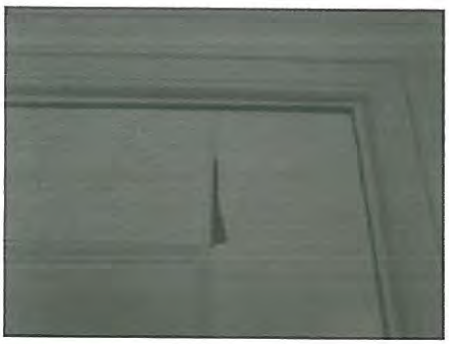
**PLEASE NOTE THAT THE PHOTOGRAPHS IN THIS REPORT ARE NOT ALL INCLUSIVE AND ARE REPRESENTATIVE OF ITEMS DISCOVERED AT THE TIME OF THE INSPECTION. THE EXTERIOR AND INTERIOR PAINT WAS CHIPPING AND PEELING AT THE TIME OF THE INSPECTION. THIS MAY PRESENT A LEAD-BASED PAINT ISSUE AS THIS HOUSE WAS CONSTRUCTED BEFORE 1978.**



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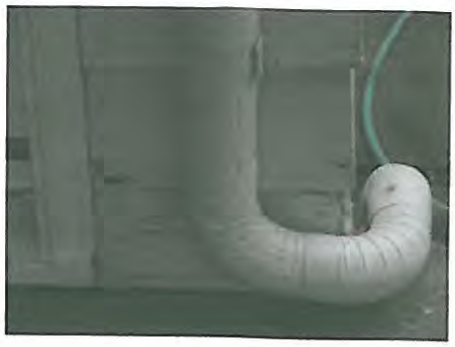

## I. STRUCTURAL SYSTEMS

☑ ☐ ☐ ☑ **A. Foundations**

*Type of Foundation(s):* Pier and beam

*Comments:*

The foundation is performing as intended. No significant problems were observed.

A vapor barrier has been installed along with a humidifier and sump pump. The piers have been partially wrapped. Bois D' Arc piers are present. One pier near the crawlspace access is leaning slightly. Insufficient crawlspace ventilation is present. It is recommended that the humidity level and the sump pump be monitored closely. The humidifier and sump pump were not tested.

**Note:** For orientation purposes, the structure is facing north.

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| ☑ | ☐ | ☐ | ☐ | **B. Grading & Drainage** |

*Comments:* The Client is advised, maintaining proper grade & drainage is essential in the maintenance of the foundation and preventing moisture penetration to the structure.

The property sits on a relatively flat surface.

☑ ☐ ☐ ☐ **C. Roof Covering Materials**

*Type(s) of Roof Covering:* Metal Roofing Material and Composite fiberglass shingle.
*Viewed From:* Ground with binoculars
*Comments:* The Inspector is not a roofing expert. The Client should have a roofing company inspect the roof for further evaluation if the Client so chooses. It is also recommended that the Client have the roof inspected by the Insurance Company prior to closing.

Functioning as intended.

☑ ☐ ☐ ☑ **D. Roof Structure & Attic**

*Viewed From:* Viewed attic from access hatches
*Approximate Average Depth of Insulation:* 3"
*Approximate Average Thickness of Vertical Insulation:* 3"
*Comments:*

The main attic entry could not be accessed due to closet storage. It is recommended that additional insulation be added.

☑ ☐ ☐ ☑ **E. Walls (Interior & Exterior)**

*Comments:* **Evidence of remodeling or repainting? ___ YES _X_ NO**
The Inspector does not move furniture, storage or appliances to access wall areas or report the condition of paints or other surface coatings. Damage or defects that are cosmetically masked to prevent detection or are cosmetic in nature are beyond the scope of this inspection.

Vegetation growing against the structure should be trimmed 9-12 inches away to prevent contact. Different siding joints should be sealed. Several sections of the wood siding are affected by wood rot. Fractured sheetrock from settlement is present at the fireplace.


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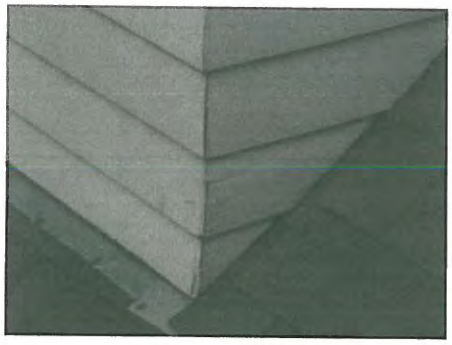
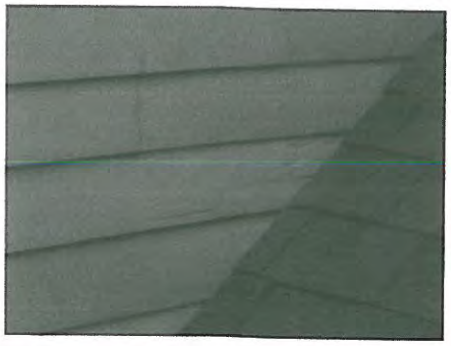

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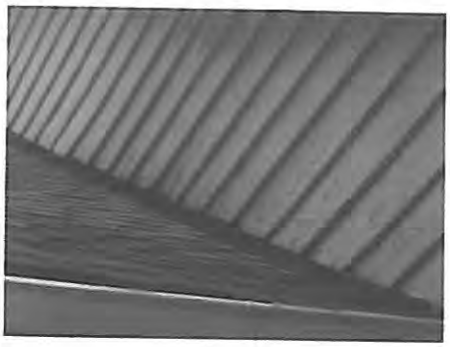

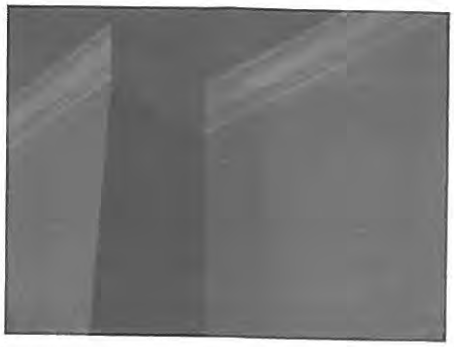

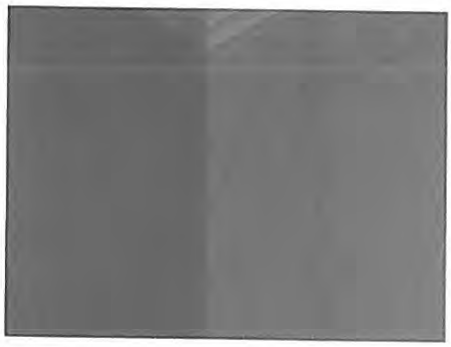

☑ ☐ ☐ ☑ **F. Ceilings & Floors**

*Comments:* If the structure is furnished, it should be assumed that some areas are not accessible and are not inspected..Inspectors are not allowed to move rugs, furniture or storage. Defects determined to be cosmetic in nature are not reported.

There are six cracked tiles in the south bath.

☑ ☐ ☐ ☑ **G. Doors (Interior & Exterior)**

*Comments:* Defects considered to be cosmetic in nature are not reported.

Some doors could not be tested due to furniture or storage placement. Wood rot is present at the exterior jambs. The north main entry does not latch. The doors for separating the east living area from the sunroom do not function properly and will not latch due to general settlement. The master bath door has a keyed lock present. The south bath door latch does not function properly. The Formal Dining area doors do not latch. The Southeast bedroom entry and closet door do not latch.

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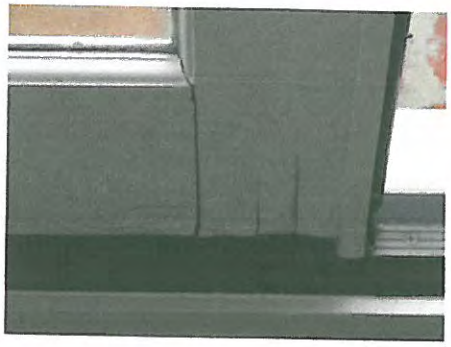

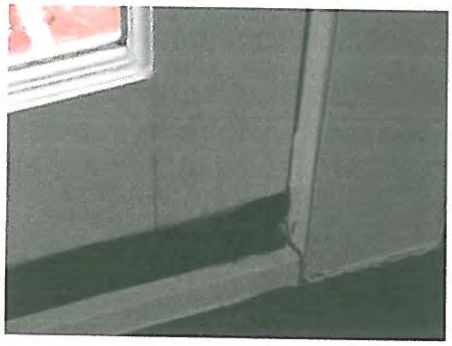

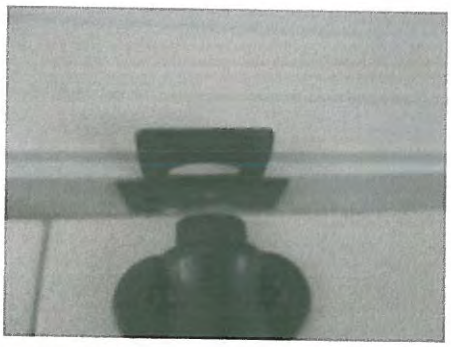

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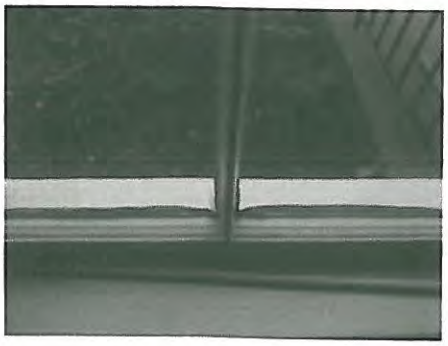
| ☑ | ☐ | ☐ | ☑ | **H. Windows** |

*Comments:* Early stages of seal loss are difficult to detect. Only those with obvious seal loss are reported. Only windows that are easily accessed will be mechanically checked.

The majority of the windows have been painted shut. Wood rot is present at some. The window glazing is in poor condition. One upstairs window has a broken thermopane seal. One lower bathroom window has been covered. One window shutter is broken and some of the window frames are weak. No window screens are installed.



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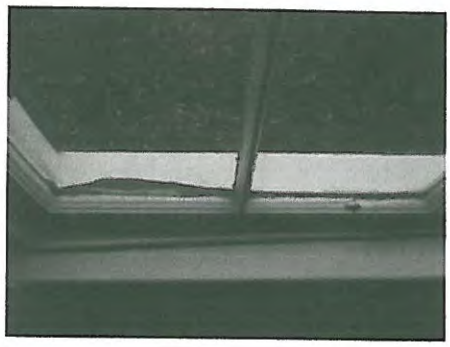

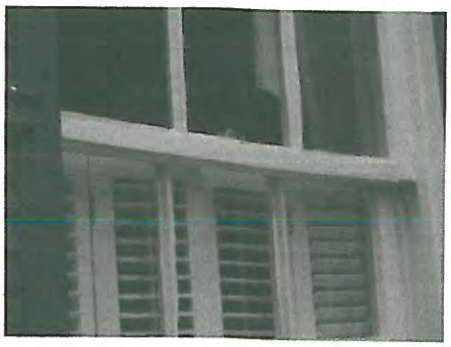

☑ ☐ ☐ ☑ **I. Stairways (Interior & Exterior)**

*Comments:*

The stairway spindles are greater than 4 inches apart.

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

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| ☑ | ☐ | ☐ | ☑ | **J. Fireplace/Chimney** |

*Comments:* No smoke test nor determination of the adequacy of the draft has been performed.

The gas valve for the gas-fueled logs is leaking and should be repaired. A block is required for the damper due to the presence of gas-fueled logs.

| | | | | |
|---|---|---|---|---|
| ☑ | ☐ | ☐ | ☑ | **K. Porches, Balconies, Decks, and Carports** |

*Comments:*

The southeast porch railing has spindles that are greater than 4 inches apart.

| | | | | |
|---|---|---|---|---|
| ☐ | ☐ | ☑ | ☐ | **L. Other** |

*Comments:*

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## II. ELECTRICAL SYSTEMS

☑ ☐ ☐ ☑ **A. Service Entrance and Panels**

*Comments:* Present electrical capacity and correct labeling are not determined.

The service entrance and the main and subpanels are located on the southeast exterior. One glass fuse panel is present in the southwest mudroom. The service line should be cleared of tree limbs. the main breaker is rated at 200 amps and a ground rod is present. The subpanels have 60 amp main breakers. The main panel has 3 breakers that have been double tapped. Some labeling is present.

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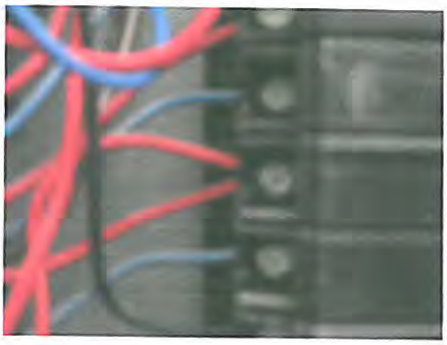

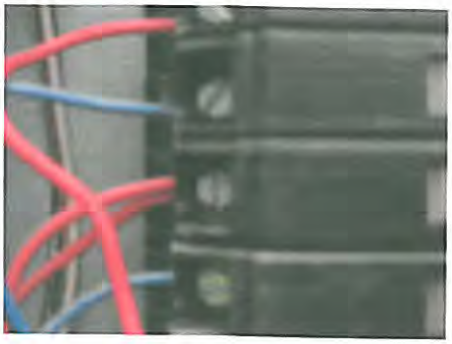

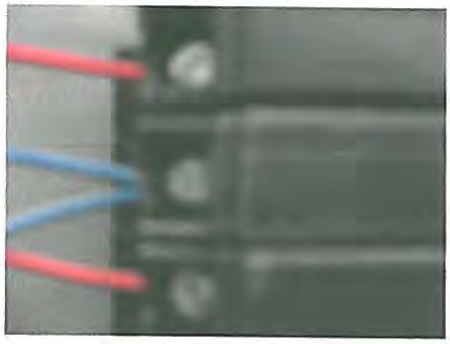

☑ ☐ ☐ ☑ **B. Branch Circuits, Connected Devices, and Fixtures**

*Type of Wiring:* Copper

*Comments:*

Several exterior light fixtures are not functioning properly possibly due to missing or burnt-out bulbs. Some exterior light fixtures are photo-optically controlled and were not tested. There is no GFCI protection for the exterior outlets. Some exterior outlet covers need to be replaced. The Kitchen GFCI is wired hot/neutral reversed and will not trip. The Northeast bath has no GFCI protection and the South bath GFCI is not functioning. All wiring junction boxes should be covered. Closets that have uncovered incandescent bulbs installed should have the bulbs replaced with fluorescent (spiral) bulbs. Wiring next to the fireplace has no known function. Uncovered junction boxes should have covers installed. The east door bell switch has no function. The interior outlets have open grounds, hot/neutral reversed wiring, open neutral wiring and some dead outlets. There are several switches present that the function cannot be determined. It is highly recommended that a qualified, licensed electrician inspect and repair the entire system. No smoke detectors are present in or directly outside the bedrooms. Smoke detectors are also required at the top and bottom of staircases. It is recommended that carbon monoxide detectors be installed near the bedrooms due to the presence of gas-fueled appliances.

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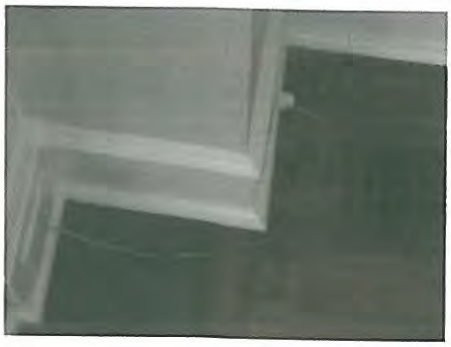

## III. HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS

☑ ☐ ☐ ☑ **A. Heating Equipment**

*Type of System:* Central Forced Air Furnaces
*Energy Source:* Electricity & Gas
*Comments:* No determination of the sizing, efficiency, adequacy or capacity of the system is made. Gas fired heat exchangers cannot be thoroughly inspected for deficiencies without disassembly. Heat pumps cannot be tested when the outdoor temperature is above 70° F. IT IS RECOMMENDED THAT MAINTENANCE & SERVICE BE PERFORMED PRIOR TO USE.

The upper Living area thermostat was malfunctioning and the unit was not tested. The other units were tested and found to be functioning properly at the time of the inspection.


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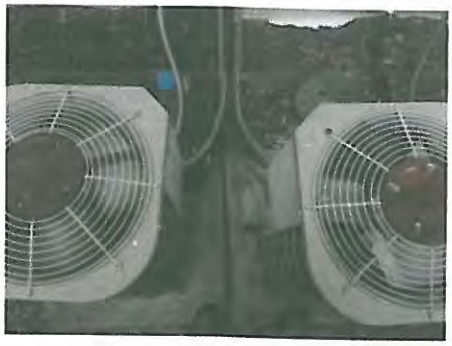
| ☑ | ☐ | ☐ | ☑ | **B. Cooling Equipment** |

*Type of System:* Central Forced Air Systems

*Comments:* No determination of the sizing, efficiency, adequacy, capacity, compatibility of components, or tonnage match of the indoor coils and outside coils or condensing unit of the system is made. Cooling systems cannot be checked when the outdoor temperature is below 60° F. IT IS RECOMMENDEDTHAT MAINTENANCE & SERVICE BE PERFORMED PRIOR TO USE.

There are no service disconnects for two of the air conditioner condenser units. The condenser units should be leveled. There are no secondary drain pan cutoff switches installed. some suction line insulation needs repair. The thermostat for the upper Living area was not functioning properly at the time of the inspection.



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☑ ☐ ☐ ☐ **C. Duct System, Chases, and Vents**

*Comments:* No determination of the efficiency, adequacy or capacity of the system is made. Functioning as intended.

## IV. PLUMBING SYSTEM

☑ ☐ ☐ ☑ **A. Water Supply System and Fixtures**

*Location of water meter:* East side of the lot

*Location of main water supply valve:* One cutoff is located at the northwest shrub bed.

*Static water pressure reading:* 55 PSI

*Comments:* The Inspector has attempted to discover and report any condition requiring repair however, determining the condition of the piping contained beneath the foundation, located within wall voids or otherwise concealed and reporting any deficiency that does not appear or become evident during the limited course of the inspection, is beyond the scope of the inspection.

There are no anti-siphon devices on the exterior hose bibs. The crawlspace plumbing has not been insulated. The Northeast bath toilet does not flush properly.

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☑ ☐ ☐ ☑ **B. Drains, Wastes, and Vents**

*Comments:* Reporting the condition of drain, waste or vent piping that is not visible and accessible or reporting any defect or deficiency that requires extended use of the system to develop or does not become evident during the course of the inspection, is beyond the scope of the inspection.

The northeast bath mechanical bathtub stopper is not functioning properly.

☑ ☐ ☐ ☑ **C. Water Heating Equipment**

***Energy Source:*** Gas
***Capacity:*** 50 Gallons
***Number of Units:*** _1_
*Comments:*

The unit is open inside the Laundry room and has no exterior air for the burner. There is no emergency drain pan present and the unit has not been raised 18 inches above the floor. The temperature-pressure relief valve is working, but it appears that the line terminates within the crawlspace. The unit is a 2003 model and at the end of its normal service life. It is recommended that the unit be replaced in the near future.

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| ☑ | ☐ | ☐ | ☑ | **D. Hydro-Massage Therapy Equipment**<br>*Comments:*<br>The unit needs cleaning. |

## V. APPLIANCES

| | | | | |
|---|---|---|---|---|
| ☑ | ☐ | ☐ | ☐ | **A Dishwasher**<br>*Comments:*<br>There is no high loop in the unit drain line. |
| ☑ | ☐ | ☐ | ☐ | **B. Food Waste Disposers**<br>*Comments:*<br>Functioning as intended. |
| ☑ | ☐ | ☐ | ☐ | **C. Range Hood and Exhaust Systems**<br>*Comments:*<br>Functioning as intended. |
| ☑ | ☐ | ☐ | ☑ | **D. Ranges, Cooktops, and Ovens**<br>***Range Source:*** **Gas**<br>***Oven Source:*** **Gas**<br>*Comments:*<br>The right lower burner control does not turn all the way to the "low" setting. |

| | | | | |
|---|---|---|---|---|
| ☑ | ☐ | ☐ | ☐ | **E. Microwave Oven**<br>*Comments:*<br>Functioning as intended. |
| ☐ | ☑ | ☐ | ☑ | **F. Mechanical Exhaust Vents and Bathroom Heaters**<br>*Comments:*<br>The gas bathroom heaters should be disconnected and not used due to venting issues. |


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I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

☐ ☐ ☑ ☐ **G. Garage Door Operator(s)**
*Comments:*

☐ ☑ ☐ ☑ **H. Dryer Exhaust Systems**
*Comments:*
The dryer was attached to the unit and it appears that the vent terminates within the crawlspace.
**Note:** The system should be checked at least twice a year for lint buildup.

☑ ☐ ☐ ☐ **I. Other**
*Comments:*
The refrigerator/freezer is functioning as intended. The small Kitchen cooler is functioning as intended. The motorized gate was not inspected.

## VI. OPTIONAL SYSTEMS

☐ ☑ ☐ ☐ **A. Landscape Irrigation (Sprinkler) Systems**
*Comments:*
The system was not inspected due to contractors repairing the buildings.

☐ ☐ ☑ ☐ **B. Swimming Pools, Spas, Hot Tubs, and Equipment**
*Type of Construction:* INFO
*Comments:*

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|
| ☑ | ☐ | ☐ | ☑ | **C. Outbuildings** |

*Comments:*

The foundation is a slab that has some signs of general settlement. The foundation is functioning as intended.

Gutter downspouts should have extensions added to help direct roof water runoff away from the foundation.

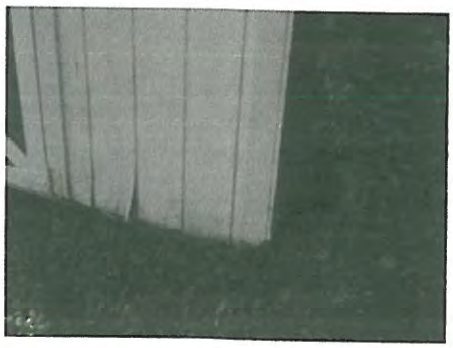
The roof has composition asphalt shingles present. Tree limbs should be trimmed to prevent contact with the roofing materials.

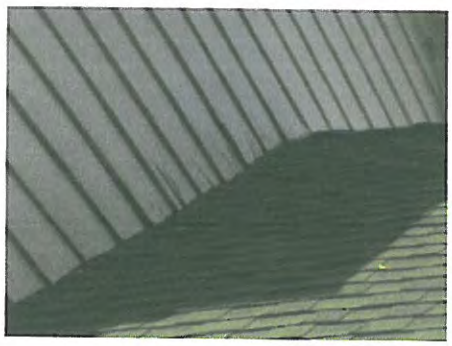
The attic has 3 inches of insulation with a radiant barrier present. Additional insulation is recommended.

The wood siding has wood rot present.

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|



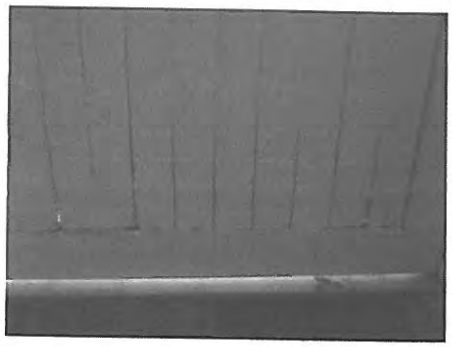
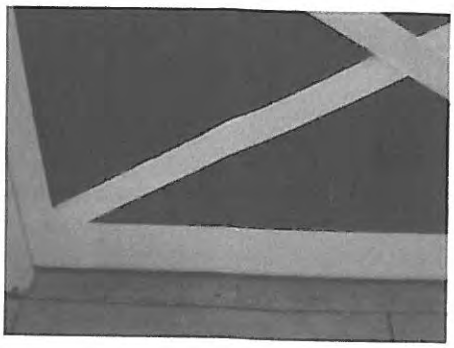
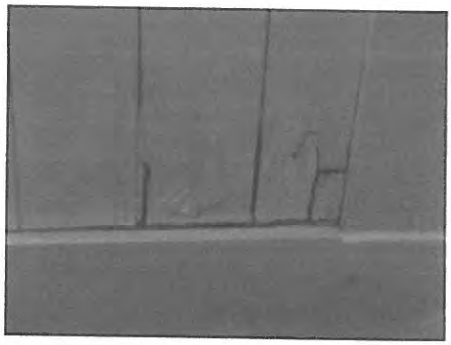
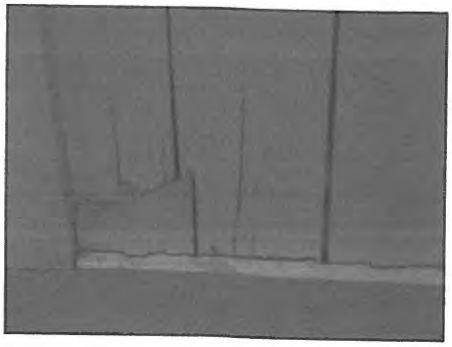
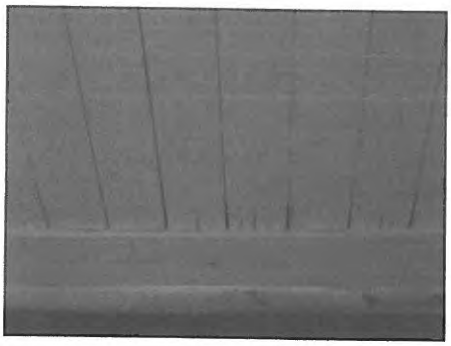
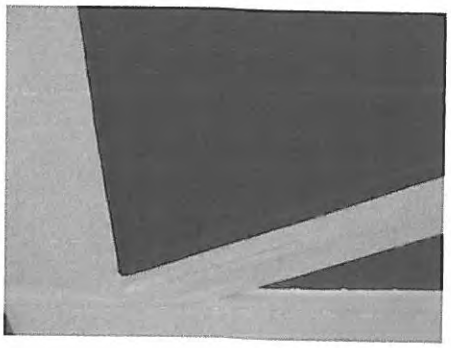
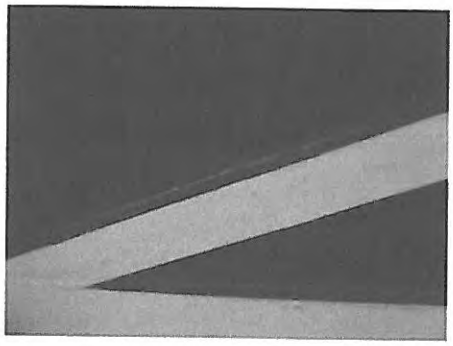
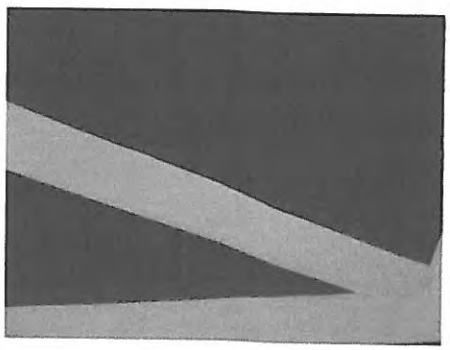


The lower level has 26 broken tiles present.

**I=Inspected** **NI=Not Inspected** **NP=Not Present** **D=Deficiency**

| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

The lower level doors have wood rot present. The northeast entry threshold is missing. The bedroom doors have peeling paint present. The east bedroom doorknob tends to come off.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I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

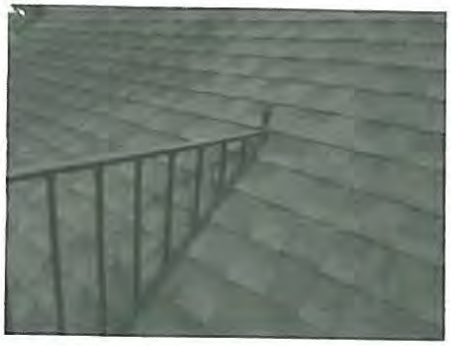
| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

The windows have peeling paint present. A couple of lower level panes are broken. The bedroom windows will not open.

**I=Inspected** **NI=Not Inspected** **NP=Not Present** **D=Deficiency**

| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

The balcony railing is not secured.



The electrical service entrance and panel are located at the southeast corner of the structure. The main breaker is rated at 200 amps and a ground rod is present. The breakers are labeled. There is no arc-fault protection present. The electrical wiring is not properly attached to the panel. The Kitchen light fixture bulb is missing. The lower level smoke detector is not functioning.

The lower heat pumps were not inspected due to the outdoor temperature was above 70°f at the time of the inspection. The upper units are functioning as intended. The upper gas unit gas supply line is not hard piped to the exterior of the air handler.

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| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

The east lower air conditioner is not functioning. The south unit air conditioner is noisy during operation. The west unit is functioning as intended. The upper unit is not producing the minimum 16°F temperature differential of a normal functioning unit.

The outer hose bibs do not have anti-siphon devices installed. The lower level Utility sink plumbing should be insulated. The water heater was obstructed and was not inspected.

There is no range hood installed. The exhaust fan pull switch is missing.

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| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

The gas line to the range was turned off at the time of the inspection. The range was not inspected.

☐ ☐ ☑ ☐ **D. Private Water Wells** (A coliform analysis is recommended.)

*Type of Pump:* INFO

*Type of Storage Equipment:* INFO

*Comments:*

☐ ☐ ☑ ☐ **E. Private Sewage Disposal (Septic) Systems**

*Type of System:* INFO

*Location of Drain Field:* INFO

*Comments:*

☐ ☐ ☑ ☐ **F. Other**

*Comments:*

☑ ☐ ☐ ☑ **G. Gas Supply Systems**

*Comments:*

CSST piping was seen inside the Master bedroom closet access to the gas heating unit. It is recommended that this line be replaced by iron pipe. A gas leak is present at the lower level fireplace neat to the gas logs.

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

| I | NI | NP | D | Inspection Item |
|---|---|---|---|---|

# IMPORTANT AGREEMENTS AND LIMITATIONS

**Scope:** This is a visual inspection only. We inspect only what we see. We do not disassemble anything. We do not inspect for any environmental issues such as lead paint, asbestos, etc. We do not inspect for building codes, soil analysis, adequacy of design, capacity, efficiency size, value, flood plain location, pollution or habitability. Please remember that older houses do not meet the same standards as newer houses, even though items in both might be performing the function for which they are intended. We do not hold ourselves to be specialists for any particular item; nor are we engineers. We are a general real estate inspection company. This inspection report covers only the items listed in the report which are reasonably observable, and are based only on the present condition of those items.

For example, we do not move furniture, rugs, paintings or other furnishings. There is no responsibility expressed or implied for latent defects, or for defects not reasonably observable at the time of the inspection, or for defects that would require the removal of major or permanent coverings for observation. No representation is made concerning any condition other than the operability of any item. No representation is made as to the future performance of any item. There are no warranties, either expressed or implied. If you would like a warranty or guarantee, you must obtain it from a warranty company. When an item is noted as not functioning or in need of repair, replacement or further evaluation by a specialist, the Purchaser agrees to contact a qualified specialist to make further evaluations of the item before you purchase the home.

**Dispute Resolution:** In the event a dispute arises regarding this inspection, the Purchaser agrees to notify us in writing within 7 days, so as to give a reasonable opportunity to reinspect the property. **Purchaser further agrees that the company can either conduct the reinspection itself or can employ others (at its expense) to reinspect the property, or both.**

**Defense Costs:** You agree that, to the extent allowed by law, any damages for breach this contract and report are limited to the amount of the inspection fee. In the event the purchaser files suit against the company or its inspector, the purchaser agrees to pay all the company's and inspectors legal fees, costs of expert witnesses, court costs, costs of depositions and all other such expenses incurred by both if the purchaser fails to prevail in the lawsuit.

**Exclusivity:** The report is prepared exclusively for the Client(s) named and is not transferable to anyone in any form. Client(s) gives permission for the company or the inspector to discuss report findings with real estate agents, specialists or repair persons for the sake of clarification.

---

By my signature below or the acceptance of this report, I acknowledge that I have read this agreement and limitations and the attached report and that I understand the terms and conditions and I agree to be bound by these.

**THIS REPORT IS OUR INVOICE**

Inspection Fee $ 600.00 Report # 102115A

Inspector/License No.: Michael Sims TREC# 6414

Buyer: _____ Date: _____

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City of Rockwall
*The New Horizon*

# MEMORANDUM

**TO:** **Rick Crowley, City Manager**

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

**DATE:** **December 28, 2015**

**SUBJECT:** **Damascus Road Pro-Rata Facility Agreement Extension**

Our Lady of the Lake Catholic Church widened Damascus Road back in 2010 to improve access to the Church and Heritage Christian Academy. The City Subdivision Ordinance required that adjacent properties along an unimproved road construct the road to City Standards at the time of development. These improvements would have been the responsibility of the Heritage Christian Academy and the undeveloped property owner along Damascus Road. The City approved a Pro-Rata Facility Agreement with the church on October 4, 2010 to address the future reimbursement.

The original agreement was for a term of five-years. This agreement would have expired on October4, 2015; however, the agreement was extended 90 days to allow staff time to execute a Proportionality Study for Damascus Road. Staff hired Kimley-Horn and Associates, Inc. to perform this study. They are nearing completion of the study. Since this study started, staff received word the church and school are trying to work an agreement that might resolve this matter. The church has requested another 90 day extension to allow this process to be completed. Staff request City Council consideration to approve this additional delay of 90 days.

If you have any questions, please advise.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

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203

City of Rockwall
The New Horizon

# MEMORANDUM

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

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

**DATE:** **December 30, 2015**

**SUBJECT:** **Joint Elections Contract**

The County Elections Administrator, Christopher Lynch, has provided me with the attached "Contract for Election Services" concerning the May 7, 2016 General Election. This is a joint agreement between the City of Rockwall, the Elections Administrator of Rockwall County, and the Rockwall Independent School District (RISD). This contract is the same contract that was reviewed last January (2015) by City Attorney, Frank Garza, and ultimately approved by the Rockwall City Council with the only difference being the dates (2016 instead of 2015).

Should the City of Rockwall end up cancelling its election due to uncontested city council member races, then the only expense the City of Rockwall will incur under this contract is a $75.00 "non-refundable contract preparation" fee.

With regards to the election in general, please know that the State's 2016 General Election Calendar outlines the dates of "January 25 - February 9" as the 'recommended period for calling election and posting notice of election on bulletin board.' Therefore, I will prepare an 'election order' (resolution) for the Council to adopt at its Monday, February 1st meeting in order to call the election.

Staff is available to answer any questions the Council may have concerning this contract.

# May 7, 2016

## General Election

# Contract for Election Services

# Elections Administrator of Rockwall County
# and
# City of Rockwall
# and
# Rockwall Independent School District

# May 7, 2016

# General Election

## Table of Contents

I ..... Principal Duties and Services of the Elections Administrator
II .....Principal Duties and Services of the City and School District
III……Cost of Services
IV ……..General Provisions

## Appendix

Appendix A ……Early Voting Schedule and Polling Locations
Appendix B ……Election Day Schedule and Polling Locations
Appendix C ……Cost ofServices
Appendix D……Joint Election Agreement

**STATE OF TEXAS**
**COUNTY OF ROCKWALL**
**CITY OF ROCKWALL**
**ROCKWALL INDEPENDENT SCHOOL DISTRICT**

# CONTRACT FOR ELECTION SERVICES

**BY THE TERMS OF THIS CONTRACT** made and entered into by and between the **CITY OF ROCKWALL** (the "City"), the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (the "School District") and the **ELECTIONS ADMINISTRATOR OF ROCKWALL COUNTY** (the "EA"), pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the City's General Election and the School District's General Election to be held on May 7, 2016.

**THIS AGREEMENT** is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

**I**. **PRINCIPAL DUTIES AND SERVICES OF THE EA**. The EA shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The EA shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Tabulation Room and judge of the Early Voting Balloting Board.

1. The EA shall be responsible for notification of each Election day and Early Voting presiding judge and alternate judge of his or her appointment. The EA recommends providing up to six (4) election workers including alternate judges, clerks and interpreters. The presiding election judge of each polling place, however, will use his/her discretion to determine the working hours of the election workers during normal and peak voting hours. The EA will determine the number of clerks to work in the Tabulation Room and the number of clerks to work on the Balloting Board.

2. Election judges (including Presiding and Alternate) shall attend the EA's school of instruction (Elections Seminar) to be held on a date determined by the EA. The Elections Seminar shall provide training in standard procedures as set forth by the Secretary of State and will also include training on the ES&S Model 100 Precinct Ballot Scanners, the ES&S Ivotronic ADA voting machines and the ADA headphones.

3. Election judges shall be responsible for picking up from and returning election supplies to the Rockwall County Election Administrator's office located at 915 Whitmore Dr. Suite D, Rockwall, Texas. Compensation for this pickup and delivery of supplies will be $25.00.

4. The EA shall compensate each election judge, alternate judge, clerk and interpreter. Each election judge and interpreter shall receive $12.00 per hour for services rendered. Each alternate judge and clerk shall receive $10.00 per hour for services rendered. The expenses shall be shared equally pursuant to the Joint Election Agreement as

shown in Appendix D attached and incorporated by reference into this contract.

B. The EA shall procure, prepare, and distribute voting machines, election kits and election supplies.

1. The EA shall secure election kits which include the legal documentation required to hold an election and all supplies including locks, pens, magic markers, etc.

2. The EA shall secure all tables, chairs, and legal documentation required to run the Tabulation Room.

3. The EA shall provide all lists of registered voters required for use on election day and for the early voting period required by law. The Election Day List of registered voters shall be arranged in alphabetical order by polling place.

4. The EA shall procure and arrange for the distribution of all election equipment and supplies required to hold an election. Equipment includes the rental of ES&S Model 100 Precinct Ballot Scanners, ES&S Ivotronic ADA voting machines, ADA headphones, transfer cases, voting signs and supply bags.

C. The EA shall be appointed as the Early Voting Clerk by the City and School District.

1. The EA shall supervise and conduct early voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.

2. Early Voting by personal appearance for the City's General Election and School District's General Election held on May 7, 2016 shall be conducted during the time period and at the locations listed in Appendix A, attached and incorporated by reference into this contract.

3. All applications for an Early Voting mail ballot shall be received and processed by the Rockwall County Elections Administrator's office located at 915 Whitmore Dr. Suite D, Rockwall, Texas 75087.

(a) Applications for mail ballots erroneously mailed to the City or School District shall immediately be faxed to the EA for timely processing. The original application shall then be forwarded to the EA for proper retention.

(b) All Federal Post Card Applicants (FPCA) will be sent a mail ballot. No postage is required.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed by the EA. The Board shall meet for preparation of the early voting ballots at a time agreed to between the EA and the Early Voting Ballot Board Judge.

D. The EA shall arrange for the use of all election day polling places. The City and School District shall each assume the responsibility of incurring and absorbing the cost of its employees required to provide access, security and/or custodial services for the polling locations pursuant to a Joint Election Agreement as shown in Appendix D attached and incorporated by reference into this contract. The election day polling locations are listed in Appendix B, attached and incorporated by reference into this contract.

E. The EA shall be responsible for establishing and operating the Tabulation Room to receive the ES&S Ivotronic Flashcards and the ES&S Model 100 PCMIA memory cards.

1. The EA shall prepare, test and run the County's Tabulation System in accordance with the statutory requirements.

2. The Public Logic and Accuracy Test of the electronic voting system shall be conducted by the EA and notice of the date shall be posted in local newspapers.

3. The EA shall cause to be published in the local newspapers the required notices including notices of early voting locations, election day voting locations, and tabulation testing.

4. Election night reports will be available to the City and School District after tabulation is completed. Provisional ballots will be tabulated after election night in accordance with the law.

5. The EA shall prepare the unofficial canvass report after all precincts have been counted, and will provide a copy of the unofficial canvass to the City and School District as soon as possible after all returns have been tallied.

6. The EA shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the City and School District in a timely manner. Unless waived by the Secretary of State, if applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(e) of the aforementioned code.

**II. PRINCIPAL DUTIES AND SERVICES OF THE CITY AND SCHOOL DISTRICT.** Each entity shall assume the following responsibilities:

A. The City and School District shall prepare the election orders, resolutions, notices, official canvass and other pertinent documents for adoption by the appropriate office or body.

B. The City and School District shall provide the EA with an updated map and street index of its jurisdictions in an electronic or printed format as soon as possible.

C. The City and School District shall design and provide the EA with the ballot layout and Spanish interpretation in an electronic format.

D. The City and School District shall cause to be published in the local newspapers the required notice of election.

1. The City and School District shall deliver to the EA as soon as possible the official wording for the City's General Election and School District's General Election to be held on May 7, 2016.

2. The City and School District shall approve the ballot format prior to the final printing.

E. The City, School District and the EA shall determine the number of ballots to be purchased.

F. The City and School District shall compensate the EA for any additional verified cost incurred in the process of running this election or for a manual count of this election, if required, consistent with charges and rates shown on Appendix C for required services. These costs will be invoiced for reimbursement.

G. The City and School District shall reimburse Rockwall County for its portion of the printing costs of any and all related materials for ballots, early voting, election day voting, election kits, and for the ES&S Model 100 Precinct Ballot Scanner and ES&S ADA Ivotronic voting machines pursuant to a Joint Election Agreement as shown in Appendix D attached and incorporated by reference into this contract.

H. The City and School District shall reimburse Rockwall County for its portion of the rental of all electronic voting equipment, including Model 100 Precinct Ballot Scanners and ADA Ivotronic voting machines, compliance headphones, PEBs, flash cards, PCMIA cards and any other equipment required to complete the counting of votes pursuant to a Joint Election Agreement as shown in Appendix D attached and incorporated by reference into this contract.

I. The City and School District shall each reimburse the EA for an administrative fee not to exceed ten percent (10%) of the City and School District's portion of the total cost of the election.

J. The City and School District shall each deposit its share of the election costs as set forth on Appendix C. The check is to be made payable to Rockwall County and delivered to the EA. The final costs of the election along with the ten percent (10%) administration fee will be prepared on a format similar to Appendix C and the invoice along with any supporting documentation shall be delivered by the EA. The invoice is due and payable 30 days after receipt by the City and School District.

K. The City and School District, in the event of a contested election, agrees to provide competent legal counsel and representation for the EA and staff, covering any and all legal fees and costs as a result of this elections process.

L. The City and School District, in the event of a recount, agrees to reimburse any expenses incurred by the EA's office not covered by the charges assessed to the person requesting the recount. This would include, but not be limited to the compensation costs of any Rockwall County Election personnel required to work beyond regular office hours in

order to conduct said recount of this election. The recount shall take places in the EA's office and the EA's office shall assist the Recount Supervisor and/or the Recount Coordinator in the completion of the recount.

M. The EA shall be the custodian of the voted ballots and shall retain all election materials for a period of 6 months.

N. The City and School District shall prepare and submit to the U.S. Department of Justice under the Federal Voting Rights Act of 1965, any required submissions on voting changes.

**III. COST OF SERVICES.** See Appendix C.

A. The City and School District shall share equally in the expense of conducting early voting and election day voting pursuant to a Joint Election Agreement as shown in Appendix D attached incorporated by reference into this contract.

B. The cost of site support by Third Party Contractors shall be shared equally by the City and School District pursuant to a Joint Election Agreement as shown in Appendix D attached and incorporated by reference into this contract.

**IV. GENERAL PROVISIONS.**

A. To the extent of the law, the City and School District agree to save and hold harmless the EA from any and all claims arising out of the failure or omission of the City or School District to perform its obligations under this contract.

B. To the extent of the law, the EA agrees to save and hold harmless the City and School District from any all claims arising out of the failure or omission of the County and the EA to perform their obligations under this contract.

C. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the City's General Election or School District's General Election held on May 7, 2016 is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

D. Upon request, the EA shall provide copies of all invoices, cost reports and other charges incurred in the process of running said election for the City and School District.

E. The EA shall file copies of this contract with the County Auditor and the County Treasurer of Rockwall County, Texas.

F. The City and School District shall enter into a Joint Election Agreement as shown in Appendix D attached and incorporated by reference into this contract.

G. If the City and/or School District cancels their election pursuant to Section

2.053 of the Texas Election Code, the EA shall be paid a contract preparation fee of $75.00. The City and School District will not be liable for any further costs incurred by the EA in conducting the May 7, 2016 Election.

H. This Agreement contains the entire agreement of the parties to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts relating to each Entity's May 2016 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

I. Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent or employee of any Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Entity.

J. This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one and the same Agreement.

WITNESS BY MY HAND THIS _____ DAY OF _____, 2016.

_____
Christopher J. Lynch, Elections Administrator
Rockwall County, Texas

_____
Rick Crowley,City Manager
City of Rockwall, Texas

ATTEST:

_____
Kristy Cole, City Secretary

_____
Jeff Bailey, Superintendent
Rockwall Independent School District

ATTEST:

_____
Secretary

# APPENDIX A
## EARLY VOTING LOCATIONS & HOURS FOR GENERAL ELECTION
**(votacion anticipada horarios y ubicaciones para elecciones generales)**

# May 7, 2016
**(7 de mayo de 2016)**

| POLLING PLACE (lugar de votacion) | | LOCATION & ADDRESS (lugar y direccion) | | CITY (ciudad) | | |
|---|---|---|---|---|---|---|
| ROCKWALL | | COUNTY LIBRARY (conado biblioteca) 1215 E. YELLOWJACKET LN | | | ROCKWALL | |
| SUNDAY (Domingo) | MONDAY (Lunes) | TUESDAY (Martes) | WEDNESDAY (Miercoles) | THURSDAY (Jueves) | FRIDAY (Viernes) | SATURDAY (Sabado) |
| N/A | APRIL 25 8am – 5pm Early Voting | APRIL 26 8am – 5pm Early Voting | APRIL 27 8am – 5pm Early Voting | APRIL 28 8am – 5pm Early Voting | APRIL 29 8am – 5pm Early Voting | APRIL 30 8am –5pm Early Voting |
| SUNDAY N/A | MAY 2 7am –7pm* Early Voting | MAY 3 7am – 7pm* Early Voting | MAY 4 N/A | MAY 5 N/A | MAY 6 N/A | MAY 7 Election Day 7am-7pm |

***Extended hours on Monday, May 2 and Tuesday, May 3 , 2016**

# Appendix B

## ELECTION DAY VOTING LOCATIONS & HOURS FOR GENERAL ELECTION
**(lugares de votacion de dia de la eleccion para elecciones generales)**

# May 7, 2016
**(7 de mayo de 2016)**

# 7:00 a.m. – 7:00 p.m.

| POLLING PLACE (lugar de votacion) | LOCATION & ADDRESS (lugar y direccion) | CITY (ciudad) |
|---|---|---|
| Rockwall | Utley Middle School (Utley escuela) 901 W. Yellowjacket Ln. | Rockwall |

# Appendix C

## Cost of Services

| | Quantity | Unit Costs | Subtotal Costs | Extended Costs |
|---|---|---|---|---|
| Non-Refundable Contract Preparation<br><br>(Payable only if Contract is Canceled) | | | | 75.00 |
| **Direct Costs** | | | | |
| Ballots | 5000 | 0.30 | 1500 | 1500 |
| Shipping | 5000 | | 15 | 15 |
| Sample Ballots | 50 | 0.30 | 15 | 15 |
| Early Voting Election Kits | 1 | 40 | 40 | 40 |
| Election Day Kits | 1 | 40 | 40 | 40 |
| Supply Costs [Based upon # voting places] | 2 | 15 | 30 | 30 |
| Metal Voting Signs | 16 | 1 | 16 | 16 |
| Equipment Rental | | | | |
| Early Voting DRE Machine | 3 | 250 | 750 | 750 |
| Election Day DRE Machine | 6 | 250 | 1500 | 1500 |
| Precinct Counter – EV & ED | 3 | 450 | 1350 | 1350 |
| Equipment Delivery Fee/Truck Rental | 12 | 20 | 240 | 240 |
| L & A Machine Testing | 12 | 20 | 240 | 240 |
| Judges Pickup & Delivery Fees | 2 | 25 | 50 | 50 |
| Notices* | | | | |
| Notice of Tabulation Testing | 1 | 50 | 50 | 50 |
| Notice of Election Day Polling Locations\n | 1 | 50 | 50 | 50 |
| Notice of Early Voting Polling Locations | 1 | 50 | 50 | 50 |
| Compensation of Judges & Clerks** | | | | |
| Early Voting Workers | | | 2000 | 2000 |
| Election Day Workers | | | 600 | 600 |
| Compensation of County Employees*** | | | | |
| Staff Overtime for Early& Election Day Voting | | | 150 | 150 |
| Process Election Workers' Checks | | | 50 | 50 |
| Tabulation of Ballots | | | 150 | 150 |
| ES&S Site Support Fee (Based on # entities) Subject to change | | | 500 | 500 |
| Programming Electronic Voting Machines | | | 1500 | 1500 |
| Subtotal of Direct Costs | | | | 11,246.00 |
| | | | | |
| Total Contract Costs | | | | 11,247.00 |
| Number of participating entities | | | | |
| 25 % Due from Each Entity 45 days before election | | | | 2811.50 |

* Costs for notices will be determined by newspapers and the final invoice will be based upon costs charged by the newspapers.

** The compensation of election judges and clerks will be adjusted on the final billing to reflect actual costs paid after all timesheets have been tabulated and paid. Where applicable, compensation includes payroll appendages.

*** County employees will be paid in accordance with County policies regarding overtime. Hours worked in excess of 40 during a week are paid at 1.5 times each employee's hourly rate. Compensation includes payroll appendages.

A 10% Administration fee will be added to the total amount of the contract. This fee will be determined based upon final actual costs and included on the final invoice.

## Appendix D

**STATE OF TEXAS**
**CITY OF ROCKWALL**
**ROCKWALL INDEPENDENT SCHOOL DISTRICT**

## JOINT ELECTION AGREEMENT

This Agreement is entered into by and between the City of Rockwall, Texas (the "City") and the Rockwall Independent School District ( the "School District").

By the terms of this agreement, the City and School District do hereby agree, pursuant to the provisions of the Texas Election Code, to hold a joint election of the General Election of the City and the General Election of the School District to be held on Saturday, May 7, 2016. All entities have contracted with the Rockwall County Elections Administrator (the "EA") to perform various duties and responsibilities on behalf of the two entities.

The two entities shall share equally in the expense of conducting Early and Election Day voting, polling locations, election officials, election supplies, ballots and other and all necessary expenses for the election upon receipt of satisfactory billing and invoices reflecting the total of such election.

An entity canceling an election pursuant to Section 2.053 of the Texas Election Code will not be liable for costs incurred by the EA in conducting the May 7, 2016 Joint General Election; they will be liable for on the contract preparation fee of $75.00.

This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts relating to each Entity's May 2016 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent or employee of any Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Entity.

This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitue one and the same Agreement.

**APPROVED BY THE CITY COUNCIL OF ROCKWALL, TEXAS**, in its meeting held on the _____ day of _____, 2016, and executed by its authorized representative.

_____
Rick Crowley, City Manager
City of Rockwall, Texas

ATTEST:

_____
Kristy Ashberry, City Secretary

**APPROVED BY THE TRUSTEES OF THE ROCKWALL INDEPENDENT SCHOOL BOARD,** in its meeting held on the _____ day of _____, 2016 and executed by its authorized representative.

_____
Jeff Bailey, Superintendent
Rockwall Independent School District

ATTEST:

_____
Secretary

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City of Rockwall
*The New Horizon*

# MEMORANDUM

**TO:** **Rick Crowley, City Manager**

**FROM:** **Mary Smith, Assistant City Manager**

**DATE:** **December 30, 2015**

**SUBJECT:** **Bond Issuance Ordinances – No Action**

City staff is preparing to issue debt for various city projects street and utility projects as has been discussed at previous Council meetings. We will issue voter approved General Obligation Bonds for the remaining funding of the downtown project and engineering of approved street projects. In addition, bonds will be issued for water/sewer related projects and water/sewer equipment in the budget were designated to be coming from short or mid-term debt.

Also previously discussed was the condition of the bond market and the city's ability to refund (refinance) several of our outstanding debt issues for interest savings. The repayment term would remain the same but the interest rates from 2005-08 to current have dropped significantly. Our debt, when issued is structured with a 10-year call provision to be able to take advantage of just such a situation.

We will refund seven issues from the 2005-2008 periods totaling just over $75 million dollars and resulting in an estimated interest savings over $9million dollars over the remaining terms of the issuance. The new money for bond election projects will be included in this issuance saving issuance costs and includes funds for design and to begin construction of the roadways as design is completed, the new I-30 on-ramp and the remaining funds to be issued that complete the downtown project contract with Hill-Wilkinson. The new bonds will total $7,895,000 for roadways and $880,000 for Downtown. There will remain the authorization for downtown totaling $1,244,000 since other funds were applied to the project.

**<u>Parameters Sale</u>**

The City began using a Parameters Sale format for debt issues in 2011 due to the financial advantages the format affords. Using this format, the Council sets up criteria by which the Tax Notes may be sold including maximum interest rate to be repaid, amortization period and any other special repayment terms and then authorizes the City Manager and Finance Director to conduct the sale when First Southwest finds that economic conditions warrant it. The Council is asked to set an end date by which the bonds are to be sold and allow them to be sold in one or more series (installments). This allows the sale to be finalized when the market is most advantageous to the City. The Parameters Sale can be conducted either by bidding or by negotiation with bond buying institutions.

An Ordinance authorizing issuance of the General Obligation Bonds and a separate ordinance authorizing the Certificates of Obligation are included on the Council agenda. State law provides that debt ordinances are effective when approved by Council vote with the first reading. Since our Charter requires ordinances have two readings, the Council will be asked to read the caption but not vote on the Ordinance on the 4th. Adoption of the Ordinance would be considered on January 19th.


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CITY OF ROCKWALL

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2016; ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF THE BONDS; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

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| | |
|---|---|
| THE STATE OF TEXAS | § |
| COUNTY OF ROCKWALL | § |
| CITY OF ROCKWALL | § |

WHEREAS, by virtue of elections held within the City of Rockwall, Texas ("the Issuer"), this City Council became authorized to issue, sell and deliver the general obligation bonds of the Issuer, of which there have been issued heretofore, are authorized to be issued by this Ordinance, and will remain authorized but unissued hereafter, as described in Schedule I attached hereto and incorporated herein;

WHEREAS, this City Council finds and determines that it is necessary and proper to order the issuance, sale and delivery of such voted bonds (the "Voted Bonds");

WHEREAS, there are presently the outstanding obligations of the Issuer described in Schedule II attached hereto, collectively, the "Eligible Refunded Obligations";

WHEREAS, the Issuer now desires to refund all or part of the Eligible Refunded Obligations, and those Eligible Refunded Obligations designated by the Pricing Officer in the Pricing Certificate, each as defined below, to be refunded are herein referred to as the "Refunded Obligations";

WHEREAS, Chapter 1207, Texas Government Code, authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, together with any other available funds or resources, directly with a paying agent for the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer and is named in these proceedings, and such deposit, if made before the payment dates of the Refunded Obligations, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, further authorizes the Issuer to enter into an escrow agreement with such paying agent for the Refunded Obligations or trust company or commercial bank with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such paying agent or trust company or commercial bank may agree;

WHEREAS, The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, is a paying agent for the Refunded Obligations and the Escrow Agreement, wherein The Bank of New York Mellon Trust Company, N.A., Dallas, Texas is the Escrow Agent, hereinafter authorized constitutes an escrow agreement of the kind authorized and permitted by said Chapter 1207;

WHEREAS, this City Council hereby finds and determines that it is a public purpose and in the best interests of the Issuer to refund the Refunded Obligations in order to restructure debt service payments and to achieve a present value debt service savings of at least 5.00%, with such savings, among other information and terms, to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing

Officer (hereinafter designated), all in accordance with the provisions of Chapters 1207 and 1371, Texas Government Code;

WHEREAS, this City Council hereby further finds and determines that the manner in which the refunding is being executed, in that the pricing and terms of the bonds hereinafter authorized are to be determined at a future date pursuant to the provisions of this Ordinance, does not make it practicable to determine the amount of debt service loss or debt service savings that will result from the refunding of the Refunded Obligations;

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bonds hereinafter authorized;

WHEREAS, the Issuer is an "Issuer" under Section 1371.001(4)(P), Texas Government Code, having (i) a principal amount of at least $100 million in outstanding long-term indebtedness, in long-term indebtedness proposed to be issued, or a combination of outstanding or proposed long-term indebtedness; and (ii) some amount of long-term indebtedness outstanding or proposed to be issued that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation;

WHEREAS, the Bonds hereinafter authorized to be issued were voted and are to be issued, sold and delivered pursuant to the general laws of the State of Texas, including Tex. Gov't Code Ann. Chapters 1207, 1251, 1331 and 1371, as amended; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE BONDS.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The bonds of the City of Rockwall, Texas (the "Issuer") are hereby authorized to be issued and delivered in the aggregate principal amount not to exceed $83,890,000 for (i) constructing, installing and equipping street and sidewalk improvements, parking lots, landscaping, pedestrian areas and related improvements in the historic downtown area, and the acquisition of land and interests in land necessary therefor; (ii) constructing, improving, extending, expanding, upgrading and developing streets, roads and thoroughfares in the City, as follows: reconstruction and rehabilitation of existing streets, road and thoroughfares and Interstate 30 ramps, access road and related improvements, including bridges, intersections, utility relocation, landscaping, sidewalks, traffic safety and operational improvements, the purchase of any necessary land and right-of-way, drainage and other related costs, with any remaining bond proceeds to be used for construction and improvement of such other streets and roads as the City Council may determine (the “Improvement Projects”); (iii) refunding certain outstanding obligations of the Issuer; and (iv) paying costs of issuance of the Bonds (collectively, the "Projects").

(c) Each bond issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND, SERIES 2016," and initially there shall be issued, sold, and delivered hereunder fully registered Bonds, without interest coupons, payable to the respective registered owners thereof (with the initial bonds being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the "Registered Owner"). The Bonds shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Chapters 1207 and 1371, Texas Government Code, as amended, the City Manager and the Assistant City Manager/Director of Finance of the Issuer (each a "Pricing Officer") are each hereby authorized to act on behalf of the Issuer in selling and delivering the Bonds, determining which of the Eligible Refunded Obligations shall be refunded and carrying out the other procedures specified in this Ordinance, including, determining the date of the Bonds, any additional or different designation or title by which the Bonds shall be known, the price at which the Bonds will be sold, the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bonds and the refunding of the Refunded Obligations, including without limitation establishing the redemption dates for and effecting the redemption of the Refunded Obligations and obtaining municipal bond insurance for all or any portion of the Bonds and providing for the terms and provisions thereof applicable to the Bonds (including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements), all of which shall be specified in the Pricing Certificate; provided that:

(i) the aggregate principal amount of the Voted Bonds (taking into account principal and premium applied against the voted authorization) shall not exceed $8,775,000 (Prop 2 - $880,000; Prop 5 - $7,895,000);

(ii) the aggregate principal amount of the Bonds issued to refund the Refunded Obligations shall not exceed $75,115,000;

(iii) the refunding of the Refunded Obligations must produce a present value debt service savings of not less than 5.00% (net of any Issuer contribution);

(iv) the true interest cost of the Bonds shall not exceed 3.25% per annum; provided that the net effective interest rate on the Bonds shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;

(v) the final maturity of the Bonds shall not be later than August 1, 2037; and

(vi) the delegation made hereby shall expire if not exercised by the Pricing Officer on or prior to April 18, 2016.

(b) In establishing the aggregate principal amount of the Bonds, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount

to provide for the purposes for which the Bonds are authorized and to pay costs of issuing the Bonds. The Bonds shall be sold with and subject to such terms as set forth in the Pricing Certificate.

(c) The Pricing Officer shall select the Eligible Refunded Obligations to be refunded in accordance with the limitations set forth above.

(d) The Pricing Officer shall determine whether the Bonds will be sold by private placement or negotiated or competitive sale.

Section 3. CHARACTERISTICS OF THE BONDS.

(a) Appointment of Paying Agent/Registrar. The selection and appointment of the paying agent/registrar for the Bonds (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Mayor or either Pricing Officer is authorized and directed to execute and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Bonds (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in subsection (j) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Bonds issued in exchange for the Bonds initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof and the ownership of each such Bond shall be registered

in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC"), and except as provided in subsections (j) and (k) of this Section, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Bonds. Notwithstanding anything to the contrary contained herein, while the Bonds are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(ji) Bonds Registered in the Name of Cede & Co. With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Bonds. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi)

shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance. The Bonds initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/registrar's Authentication Bond, in the FORM OF BOND set forth in this Ordinance.

(n) Cancellation of Initial Bonds. On the closing date, one initial Bond representing the entire principal amount of the Bonds, payable in stated installments to the purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for such initial Bond, the Paying Agent/Registrar shall cancel such initial Bond and deliver to the DTC on behalf of such purchaser one registered definitive Bond for each year of maturity of such Bonds, in the aggregate principal amount of all of the Bonds for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 4. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Bond.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL AMOUNT
$_____

CITY OF ROCKWALL, TEXAS
GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND
SERIES 2016

| INTEREST RATE | DATE OF BONDS | MATURITY DATE | CUSIP NO. |
|---|---|---|---|
| _____ | _____ | _____ | _____ |

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above, the City of Rockwall, in Rockwall County, Texas, (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-

day months) from _____, _____ at the Interest Rate per annum specified above. Interest is payable on _____, ____ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of _____, _____, _____, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Bond (the "Bond Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the _____ day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Bond for payment or redemption at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

IF THE DATE for any payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated _____, _____, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of $_____ for the public purposes of providing funds for constructing, installing and equipping street and sidewalk improvements, parking lots, landscaping, pedestrian areas and related improvements in the historic downtown area, and the acquisition of land and interests in land necessary therefor; constructing, improving, extending, expanding, upgrading and developing streets, roads and thoroughfares in the City, as follows: reconstruction and rehabilitation of existing streets, road and thoroughfares and Interstate 30 ramps, access road and related improvements, including bridges, intersections, utility relocation, landscaping, sidewalks, traffic safety and operational improvements, the purchase of any necessary land and right-of-way, drainage and other related costs, with any remaining bond proceeds to be used for construction and improvement of such other streets and roads as the City Council may determine; refunding certain outstanding obligations of the Issuer; and to pay the costs incurred in connection with the issuance of the Bonds.

ON _____, or on any date thereafter, the Bonds of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of $5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

THE BONDS scheduled to mature on _____ in the years ____ and ____ (the "Term Bonds") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Bonds, on the dates and in the respective principal amounts, set forth in the following schedule:

| Term Bond<br>Maturity: _____, ____ | | Term Bond<br>Maturity: _____, ____ | |
|---|---|---|---|
| Mandatory Redemption Date | Principal Amount | Mandatory Redemption Date | Principal Amount |
| _____, ____ | $_____ | _____, ____ | $_____ |
| _____, ____ | _____ | _____, ____ | _____ |
| _____, ____ | _____ | _____, ____ | _____ |
| _____, ____(maturity) | _____ | _____, ____ (maturity) | _____ |

The principal amount of Term Bonds of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Bonds of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow

agent at or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

AT LEAST 30 DAYS prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bonds or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of $5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Ordinance.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of $5,000. As provided in the Bond Ordinance, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of $5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of $5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Bonds.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in his absence, the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

| | |
|---|---|
| (signature) | (signature) |
| City Secretary | Mayor |

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed
Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a Bond, Bonds, or a portion of a Bond or Bonds of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

_____
_____, _____
Paying Agent/Registrar

By: _____

Authorized Representative

(c) Form of Assignment.

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

_____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

_____

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

| | |
|---|---|
| _____ | _____ |
| NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program. | NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever. |

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

_____
Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) Initial Bond Insertions.

(i) The initial Bond shall be in the form set forth is paragraph (a) of this Section, except that:

A. immediately under the name of the Bond, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF ROCKWALL, TEXAS, in Rockwall County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on August 1 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

| Years | Principal Installments | Interest Rates |
|---|---|---|

(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____ at the respective Interest Rate per annum specified above. Interest is payable on _____, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

C. The Initial Bond shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bonds. All ad valorem taxes levied and collected for and on account of said Bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Bonds are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Bonds as such principal matures (but never less than 2% of the original amount of said Bonds as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Bonds are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bonds, as such

interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. Notwithstanding the requirements of this section, if lawfully available moneys of the Issuer are on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Article 1208, Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bonds are outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Bonds a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in Subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in Subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying

Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Bonds.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the registered owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Section 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying

Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Bonds issued in conversion and exchange for other Bonds.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer and each of the Pricing Officers is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bonds is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bonds to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Internal Revenue Code of 1986 (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bonds or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bonds, other than investment property acquired with –

(A) proceeds of the Bonds invested for a reasonable temporary period of 3 years or less or, in the case of an advance refunding bond, for a period of 30 days or less, and in the case of a current refunding bond, for a period of 90 days or less, until such proceeds are needed for the purpose for which the Bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bonds;

(7) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the Refunded Obligations expended prior to the date of issuance of the Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bonds, the Issuer will not be

required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and each Pricing Officer, or any one of them, to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

(d) Allocation of, and Limitation on, Expenditures for the Improvement Projects. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Improvement Projects on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Improvement Project is completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Bonds or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Bonds or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The Issuer covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Bonds. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF BONDS AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) The Bonds shall be sold and delivered subject to the provisions of Section 1 and Section 2 and pursuant to the terms and provisions of a purchase agreement or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers (the "Underwriters") of the Bonds shall be designated. The Bonds shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Mayor and City Secretary are further authorized and directed to execute and deliver for and on behalf of the Issuer copies of a Preliminary Official Statement and Official Statement, if prepared in connection with the offering of the Bonds by the Underwriters, in final form as may be required by the Underwriters, and such final Official Statement in the form and content as approved by the Pricing Officer or as manually executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Underwriters. The form and substance of the Preliminary Official Statement for the Bonds and any addenda, supplement or amendment thereto, all as

approved by the Pricing Officer, are hereby deemed to be approved in all respects by the City Council, and the Preliminary Official Statement is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purpose of paragraph (b)(1) of the Rule (hereinafter defined).

(c) The Pricing Officer is authorized, in connection with effecting the sale of the Bonds, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Bonds. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer.

(d) The Mayor and Mayor Pro Tem, the City Secretary and the Pricing Officers of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the sale of the Bonds and the Official Statement. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INTEREST EARNINGS ON BOND PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Bonds issued for the Improvement Projects shall be used along with other Bond proceeds for the Improvement Projects; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on Bond proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2016 General Obligation Bonds Construction Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Improvement Projects as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Bonds (including investment earnings thereon) issued for Improvement Projects and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Bonds will be used as soon as practicable for the purposes for which the Bonds are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within 6 months after the end of each fiscal year ending in or after 2016, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by Section 10 of this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide audited financial statements when and if available, and in any event, within 12 months after the end of each fiscal year ending in or after 2016. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the Issuer will file unaudited financial statements within such 12 month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet website or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Bonds, if such event is material within the meaning of the federal securities laws:

1. Non-payment related defaults;

2. Modifications to rights of Bondholders;

3. Bond calls;

4. Release, substitution, or sale of property securing repayment of the Bonds;

5. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms; and

6. Appointment of a successor or additional trustee or the change of name of a trustee.

(ii) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Bonds, without regard to whether such event is considered material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;

2. Unscheduled draws on debt service reserves reflecting financial difficulties;

3. Unscheduled draws on credit enhancements reflecting financial difficulties;

4. Substitution of credit or liquidity providers, or their failure to perform;

5. Adverse tax opinions or the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701–TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

6. Tender offers;

7. Defeasances;

8. Rating changes; and

9. Bankruptcy, insolvency, receivership or similar event of an obligated person.

(iii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer

undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Bonds in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Bonds. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant

additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Bonds aggregating in principal amount 51% of the aggregate principal amount of then outstanding Bonds that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Bonds, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Bonds so as to:

(1) Make any change in the maturity of any of the outstanding Bonds;

(2) Reduce the rate of interest borne by any of the outstanding Bonds;

(3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Bonds;

(4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Bonds or any of them or impose any condition with respect to such payment; or

(5) Change the minimum percentage of the principal amount of the Bonds necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Bonds a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Bonds then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Bonds then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Bonds, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Bonds then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 16. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. In furtherance of authority granted by Section 1207.007(b), Texas Government Code, the Mayor or either of the Pricing Officers are further authorized to enter into and execute on behalf of the Issuer with the escrow agent

named therein, an escrow or similar agreement, in the form and substance as shall be approved by the Pricing Officer, which agreement will provide for the payment in full of the Refunded Obligations. In addition, the Mayor or the Pricing Officer is authorized to purchase such securities, to execute such subscriptions for the purchase of the Escrowed Securities (as defined in the agreement), if any, and to authorize such contributions for the escrow fund as provided in the agreement.

Section 17. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) Subject to execution and delivery of the Purchase Agreement with the Underwriters, the Issuer hereby directs that the Refunded Obligations be called for redemption on the dates and at such prices as set forth in the Pricing Certificate. The Pricing Officer is hereby authorized and directed to issue or cause to be issued Notice of Redemption of the Refunded Obligations, completed with information from the Pricing Certificate, to the paying agents for the Refunded Obligations.

(b) In addition, the paying agents for the Refunded Obligations are hereby directed to provide the appropriate notices of redemption and defeasance as specified by the ordinances authorizing the issuance of Refunded Obligations and are hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on their redemption dates. The Refunded Obligations shall be presented for redemption at the paying agents therefor, and shall not bear interest after the date fixed for redemption.

(c) If the redemption of the Refunded Obligations results in the partial refunding of any maturity of the Refunded Obligations, the Pricing Officer shall direct the paying agent/registrar for the Refunded Obligations to designate at random and by lot which of the Refunded Obligations will be payable from and secured solely from ad valorem taxes of the Issuer pursuant to the ordinance of the Issuer authorizing the issuance of such Refunded Obligations (the "Refunded Bond Ordinance"). The paying agent/registrar shall notify by first-class mail all registered owners of all affected bonds of such maturities that: (i) a portion of such bonds have been refunded and are secured until final maturity solely with cash and investments maintained by the Escrow Agent in the Escrow Fund, (ii) the principal amount of all affected bonds of such maturities registered in the name of such registered owner that have been refunded and are payable solely from cash and investments in the Escrow Fund and the remaining principal amount of all affected bonds of such maturities registered in the name of such registered owner, if any, have not been refunded and are payable and secured solely from ad valorem taxes of the Issuer described in the Refunded Obligation Ordinance, (iii) the registered owner is required to submit his or her Refunded Obligations to the paying agent/registrar, for the purposes of re-registering such registered owner's bonds and assigning new CUSIP numbers in order to distinguish the source of payment for the principal and interest on such bonds, and (iv) payment of principal of and interest on such bonds may, in some circumstances, be delayed until such bonds have been re-registered and new CUSIP numbers have been assigned as required by (iii) above.

(d) The source of funds for payment of the principal of and interest on the Refunded Obligations on their respective maturity or redemption dates shall be from the funds deposited with the Escrow Agent pursuant to the Escrow Agreement approved in Section 16 of this Ordinance.

Section 18. APPROPRIATION. To pay the debt service coming due on the Bonds, if any (as determined by the Pricing Certificate) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 19. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional

by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 20. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

(Execution Page Follows)

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of January, 2016.

ATTEST:

_____
Mayor, City of Rockwall, Texas

_____
City Secretary, City of Rockwall, Texas

[CITY SEAL]

APPROVED AS TO FORM:

_____
City Attorney

1ST Reading: _____

2ND Reading: _____

SCHEDULE I

Voted Bonds

| Purpose | Amount Authorized | Amount Previously Issued | Unissued Balance | Amount Being Issued |
|---|---|---|---|---|
| December 7, 1985 Election | | | | |
| Street Improvements | $ 1,500,000 | $ 600,000 | $ 900,000 | $ -0- |
| December 3, 1994 Election | | | | |
| FM 740 Road Improvements (Prop. 1) | 3,100,000 | 2,600,000 | 500,000 | -0- |
| May 12, 2012 Election | | | | |
| Street and Other Improvements in Downtown Area (Prop. 2) | 8,625,000 | 6,500,000 | 2,125,000 | 880,000 |
| Street and Road Improvements (Prop. 5) | 19,155,000 | 1,500,000 | 17,655,000 | 7,895,000 |
| | | | | $ 8,775,000 |

SCHEDULE II

Schedule of Refunded Obligations

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2005.

City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2005.

City of Rockwall, Texas General Obligation Bonds, Series 2006.

City of Rockwall, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2007.

City of Rockwall, Texas General Obligation Bonds, Series 2007.

City of Rockwall, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2008.

City of Rockwall, General Obligation Bonds, Series 2008.

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City of Rockwall
*The New Horizon*

# MEMORANDUM

**TO:** **Rick Crowley, City Manager**

**FROM:** **Mary Smith, Assistant City Manager**

**DATE:** **December 30, 2015**

**SUBJECT:** **Bond Issuance Ordinances – No Action**

City staff is preparing to issue debt for various city projects street and utility projects as has been discussed at previous Council meetings. We will issue voter approved General Obligation Bonds for the remaining funding of the downtown project and engineering of approved street projects. In addition, bonds will be issued for water/sewer related projects and water/sewer equipment in the budget were designated to be coming from short or mid-term debt.

Also previously discussed was the condition of the bond market and the city's ability to refund (refinance) several of our outstanding debt issues for interest savings. The repayment term would remain the same but the interest rates from 2005-08 to current have dropped significantly. Our debt, when issued is structured with a 10-year call provision to be able to take advantage of just such a situation.

We will refund seven issues from the 2005-2008 periods totaling just over $75 million dollars and resulting in an estimated interest savings over $9million dollars over the remaining terms of the issuance. The new money for bond election projects will be included in this issuance saving issuance costs and includes funds for design and to begin construction of the roadways as design is completed, the new I-30 on-ramp and the remaining funds to be issued that complete the downtown project contract with Hill-Wilkinson. The new bonds will total $7,895,000 for roadways and $880,000 for Downtown. There will remain the authorization for downtown totaling $1,244,000 since other funds were applied to the project.

**<u>Parameters Sale</u>**

The City began using a Parameters Sale format for debt issues in 2011 due to the financial advantages the format affords. Using this format, the Council sets up criteria by which the Tax Notes may be sold including maximum interest rate to be repaid, amortization period and any other special repayment terms and then authorizes the City Manager and Finance Director to conduct the sale when First Southwest finds that economic conditions warrant it. The Council is asked to set an end date by which the bonds are to be sold and allow them to be sold in one or more series (installments). This allows the sale to be finalized when the market is most advantageous to the City. The Parameters Sale can be conducted either by bidding or by negotiation with bond buying institutions.

An Ordinance authorizing issuance of the General Obligation Bonds and a separate ordinance authorizing the Certificates of Obligation are included on the Council agenda. State law provides that debt ordinances are effective when approved by Council vote with the first reading. Since our Charter requires ordinances have two readings, the Council will be asked to read the caption but not vote on the Ordinance on the 4th. Adoption of the Ordinance would be considered on January 19th.

CITY OF ROCKWALL

ORDINANCE NO. ____

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ROCKWALL, TEXAS, COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016; ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF THE CERTIFICATES; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

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THE STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

WHEREAS, the City Council of the City of Rockwall, Texas (the "Issuer"), deems it advisable to issue Certificates of Obligation for the purposes hereinafter set forth; and

WHEREAS, the Certificates of Obligation hereinafter authorized and designated are to be issued and delivered for cash pursuant to Subchapter C of Chapter 271, Local Government Code, Subchapter B, Chapter 1502, Government Code; and

WHEREAS, this City Council finds and determines that it is necessary and in the best interest of the Issuer and the health, welfare and safety of its residents to issue certificates of obligation to provide funds as described herein for waterworks and sewer system improvements and acquisition of equipment and vehicles for the public health and welfare; and

WHEREAS, this City Council further finds and determines that it is in the best interest of the Issuer and its residents to include in the proposed issue of certificates of obligation funds for the public improvements and acquisition of the equipment and vehicles hereinafter described, rather than fund such projects with the issuance of other debt instruments, in order to reduce the costs of such transactions; and

WHEREAS, the City Council has heretofore passed a resolution authorizing and directing the City Secretary to give notice of intention to issue Certificates of Obligation, and said notice has been duly published in a newspaper of general circulation in said City, said newspaper being a "newspaper" as defined in §2051.044, Texas Government Code; and

WHEREAS, the Issuer received no petition from the qualified electors of the City protesting the issuance of such Certificates of Obligation;

WHEREAS, it is considered to be to the best interest of the Issuer that said interest-bearing Certificates of Obligation be issued;

WHEREAS, the Issuer is an "Issuer" under Section 1371.001(4)(P), Texas Government Code, having (i) a principal amount of at least $100 million in outstanding long-term indebtedness, in long-term indebtedness proposed to be issued, or a combination of outstanding or proposed long-term indebtedness and (ii) some amount of long-term indebtedness outstanding or proposed to be issued that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE CERTIFICATES.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The certificates of the City of Rockwall, Texas (the "Issuer") are hereby authorized to be issued and delivered, in one or more series, in the aggregate principal amount not to exceed $6,000,000 for paying all or a portion of the Issuer's contractual obligations incurred in connection with (i) acquiring, constructing, installing and equipping additions, extensions and improvements to the Issuer's waterworks and sewer system, including the acquisition of vehicles and equipment for the waterworks and sewer system; and (ii) legal, fiscal and engineering fees in connection with such projects (collectively, the "Project").

(c) Each certificate issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, COMBINATION TAX AND SURPLUS REVENUE CERTIFICATE OF OBLIGATION, SERIES 2016," and initially there shall be issued, sold, and delivered hereunder fully registered certificates, without interest coupons, with certificates issued in replacement thereof being in the denominations and principal amounts hereinafter stated and numbered consecutively from R-1 upward, payable to the respective Registered Owners thereof (with the initial certificate being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignees of said certificates or any portion or portions thereof (in each case, the "Registered Owner"). The Certificates shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Chapter 1371, Texas Government Code, as amended, the City Manager and the Assistant City Manager/Director of Finance of the Issuer (each a "Pricing Officer") are each hereby authorized to act on behalf of the Issuer in selling and delivering the Certificates, carrying out the other procedures specified in this Ordinance, including, determining the date of the Certificates, any additional or different designation or title by which the Certificates shall be known, whether the Certificate shall be sold and delivered in one or more series and the date and sale and delivery of each such series, the amount of Certificates to be sold and the authorized purposes set forth in Section 1 for which such Certificates are issued, the price at which the Certificates will be sold, the years in which the Certificates will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Certificates shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Certificates and obtaining municipal bond insurance for all or any portion of the Certificates and providing for the terms and provisions thereof applicable to the Certificates (including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements), all of which shall be specified in the Pricing Certificate; provided that:

(i) the aggregate principal amount of the Certificates shall not exceed $6,000,000;

(ii) the true interest cost of the Certificates shall not exceed 3.35% per annum; provided that the net effective interest rate on the Certificates shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;

(iii) the final maturity of the Certificates shall not be later than August 1, 2035; and

(iv) the delegation made hereby shall expire if not exercised by the Pricing Officer on or prior to April 18, 2016.

(b) In establishing the aggregate principal amount of the Certificates, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Certificates are authorized and to pay costs of issuing the Certificates. The Certificates shall be sold with and subject to such terms as set forth in the Pricing Certificate.

(c) The Pricing Officer shall determine whether the Certificates will be sold by private placement or negotiated or competitive sale.

Section 3. CHARACTERISTICS OF THE CERTIFICATES.

(a) Appointment of Paying Agent/Registrar. The selection and appointment of the paying agent/registrar for the Certificates (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Mayor or either Pricing Officer is authorized and directed to execute and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Certificates (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE set forth in this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

(c) Authentication. Except as provided in subsection (j) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Certificate, date and manually sign said Certificate, and no such Certificate shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Certificates in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Registration Books as the absolute owner of such Certificate for the purpose of payment of principal and interest with respect to such Certificate, for the purpose of registering transfers with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Certificate certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Certificates that at all times while the Certificates are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be

effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Certificates issued in exchange for the Certificates initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Certificate for each of the maturities thereof and the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC"), and except as provided in subsections (ji) and (kj) of this Section, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Certificates. Notwithstanding anything to the contrary contained herein, while the Certificates are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(j) Certificates Registered in the Name of Cede & Co. With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Certificates, as shown on the Registration Books, of any notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Certificates, as shown in the Registration Books of any amount with respect to principal of or interest on the Certificates. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and

transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Certificates. The Certificates (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Certificates, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth in this Ordinance. The Certificates initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in conversion of and exchange for any Certificate or Certificates issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/registrar's Authentication Certificate, in the FORM OF CERTIFICATE set forth in this Ordinance.

(n) Cancellation of Initial Certificate. On the closing date, one initial Certificate representing the entire principal amount of the Certificates, payable in stated installments to the purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for such initial Certificate, the Paying Agent/Registrar shall cancel such initial Certificate and deliver to the DTC on behalf of such purchaser one registered definitive Certificate for each year of maturity of such Certificates, in the aggregate principal amount of all of the Certificates for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Certificates in safekeeping for DTC..

Section 4. FORM OF CERTIFICATES. The form of the Certificates, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Certificates initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Certificate.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL
AMOUNT
$_____

CITY OF ROCKWALL, TEXAS
COMBINATION TAX AND SURPLUS REVENUE CERTIFICATE OF OBLIGATION
SERIES 2016

| INTEREST RATE | DATE OF CERTIFICATES | MATURITY DATE | CUSIP NO. |
|---|---|---|---|
| _____ | _____ | _____ | _____ |

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above, the City of Rockwall, in Rockwall County, Texas, (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____, _____ at the Interest Rate per annum specified above. Interest is payable on _____, ____ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Certificate shall be paid to the registered owner hereof upon presentation and surrender of this Certificate at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of _____, _____, _____, which is the "Paying Agent/Registrar" for this Certificate. The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Certificate (the "Certificate Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the _____ day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-

class postage prepaid, to the address of each owner of a Certificate appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Certificate for payment or redemption at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Certificate that on or before each principal payment date and interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Certificate Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

IF THE DATE for any payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS CERTIFICATE is one of a series of Certificates dated _____, _____, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of $_____ for the public purposes of acquiring, constructing, installing and equipping additions, extensions and improvements to the Issuer's waterworks and sewer system, including the acquisition of vehicles and equipment for the waterworks and sewer system; paying legal, fiscal and engineering fees in connection with such projects; and to pay the costs incurred in connection with the issuance of the Certificates.

ON _____, or on any date thereafter, the Certificates of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Certificates, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Certificate may be redeemed only in an integral multiple of $5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

THE CERTIFICATES scheduled to mature on _____ in the years ____ and ____ (the "Term Certificates") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Certificates, on the dates and in the respective principal amounts, set forth in the following schedule:

| Term Certificate Maturity: _____, ____ | | Term Certificate Maturity: _____, ____ | |
|---|---|---|---|
| Mandatory Redemption Date | Principal Amount | Mandatory Redemption Date | Principal Amount |
| _____, ____ | $_____ | _____, ____ | $_____ |
| _____, ____ | _____ | _____, ____ | _____ |
| _____, ____(maturity) | _____ | _____, ____ (maturity) | _____ |

The principal amount of Term Certificates of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Certificates of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Certificates called for redemption, such notice may state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

AT LEAST 30 DAYS prior to the date fixed for any redemption of Certificates or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the registered owner of each Certificate to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Certificates or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of $5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Certificate Ordinance.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered certificates, without interest coupons, in the denomination of any integral multiple of $5,000. As provided in the Certificate Ordinance, this Certificate may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Certificates, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of $5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Certificate Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying

Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of $5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Certificate may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Certificates is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Certificate Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Certificates.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed, existed and been done in accordance with law; that this Certificate is a general obligation of said Issuer, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law, and that this Certificate is additionally secured by and payable from a pledge of the net revenues of the Issuer's waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are payable from all or part of said revenues, all as provided in the Certificate Ordinance.

THE ISSUER HAS RESERVED THE RIGHT to amend the Certificate Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Certificates.

BY BECOMING the registered owner of this Certificate, the registered owner thereby acknowledges all of the terms and provisions of the Certificate Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Certificate Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Certificate and the Certificate Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in his absence, the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Certificate.

| | |
|---|---|
| (signature) | (signature) |
| City Secretary | Mayor |

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Certificate is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Certificate has been issued under the provisions of the Certificate Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

_____
_____, _____
Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

_____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

_____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

| | |
|---|---|
| NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program. | NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever. |

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Certificate has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

_____
Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) Initial Certificate Insertions.

(i) The initial Certificate shall be in the form set forth is paragraph (a) of this Section, except that:

A. immediately under the name of the Certificate, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF ROCKWALL, TEXAS, in Rockwall County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on August 1 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

| Years | Principal Installments | Interest Rates |
|---|---|---|

(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____ at the respective Interest Rate per annum specified above. Interest is payable on _____, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such

Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full."

C. The Initial Certificate shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND; SURPLUS REVENUES.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Certificates. All ad valorem taxes levied and collected for and on account of said Certificates shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Certificates are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Certificates as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Certificates as such principal matures (but never less than 2% of the original amount of said Certificates as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Certificates are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

(b) The Certificates are additionally secured by revenues of the Issuer's waterworks and sewer system that remain after the payment of all maintenance and operation expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are secured by a lien on all or any part of the net revenues of the Issuer's waterworks and sewer system, constituting "Surplus Revenues." The Issuer shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to subsection (a) of this section, to the extent necessary to pay the principal of and interest on the Certificates. Notwithstanding the requirements of subsection (a) of this section, if Surplus Revenues or other lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the Surplus Revenues or other lawfully available funds then on deposit in the Interest and Sinking Fund.

(c) Article 1208, Government Code, applies to the issuance of the Certificates of Obligation and the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Certificates of Obligation are outstanding and unpaid, the result of such amendment being that the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Certificates of Obligation a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and

necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF CERTIFICATES.

(a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Certificates that is made in conjunction with the payment arrangements specified in subsections (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Certificates immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsections (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Certificates, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Certificates.

(d) Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Certificates of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Certificates by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

(a) Replacement Certificates. In the event any outstanding Certificate is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new certificate of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) Application for Replacement Certificates. Application for replacement of damaged, mutilated, lost, stolen or destroyed Certificates shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Certificate, the registered owner applying for a replacement certificate shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Certificate, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Certificate shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Certificate, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement certificate, the Paying Agent/Registrar shall charge the registered owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Section 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement certificate without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such certificates is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Certificates issued in conversion and exchange for other Certificates.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Certificates initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificates pending their

delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificates said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificates, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Certificates issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Certificates. In addition, if bond insurance is obtained, the Certificates may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Certificates is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Certificates to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Certificates is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE CERTIFICATES.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Certificates (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Certificates, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Certificates, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Certificates, other than investment property acquired with –

(A) proceeds of the Certificates invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 30 days or less until such proceeds are needed for the purpose for which the Certificates are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Certificates;

(7) to otherwise restrict the use of the proceeds of the Certificates or amounts treated as proceeds of the Certificates, as may be necessary, so that the Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings);

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Certificates) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Certificates have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(9) use the proceeds of the Certificates solely for new money purposes.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Certificateholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Certificates. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Certificates, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Certificates, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of

interest on the Certificates under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and each Pricing Officer, or any one of them, to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates.

(d) Allocation of, and Limitation on, Expenditures for the Project. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Project on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Project is completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Certificates or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Certificates, or (2) the date the Certificates are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Certificates or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Project. The Issuer covenants that the property constituting the Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Certificates. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF CERTIFICATES AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) Each series of Certificates shall be sold and delivered subject to the provisions of Section 1 and Section 2 and pursuant to the terms and provisions of a purchase agreement or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers (the "Underwriters") of the Certificates shall be designated. The Certificates shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Mayor and City Secretary are further authorized and directed to execute and deliver for and on behalf of the Issuer copies of a Preliminary Official Statement and Official Statement, if prepared in connection with the offering of Certificates by the Underwriters, in final form as may be required by the Underwriters, and such final Official Statement in the form and content as approved by the Pricing Officer or as manually executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Underwriters. The form and substance of the Preliminary Official Statement for the Certificates and any addenda, supplement or amendment thereto, all as approved by the Pricing Officer, are hereby deemed to be approved in all respects by the City Council, and the Preliminary Official Statement is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purpose of paragraph (b)(1) of the Rule (hereinafter defined).

(c) The Pricing Officer is authorized, in connection with effecting the sale of each series of the Certificates, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Certificates. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer.

(d) The Mayor and Mayor Pro Tem, the City Secretary and the Pricing Officers of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Certificates, the sale of the Certificates and the Official Statement. In case any officer whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INTEREST EARNINGS ON CERTIFICATE PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Certificates shall be used along with other certificate proceeds for the Project; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on certificate proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2016 Combination Tax and Surplus Revenue Certificate of Obligation Construction Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Project as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Certificates (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within 6 months after the end of each fiscal year ending in or after 2016, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by Section 10 of this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide audited financial statements when and if available, and in any event, within 12 months after the end of each fiscal year ending in or after 2016. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the Issuer will file unaudited financial statements within such 12 month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

(b) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Certificates, if such event is material within the meaning of the federal securities laws:

1. Non-payment related defaults;

2. Modifications to rights of Certificateholders;

3. Certificate calls;

4. Release, substitution, or sale of property securing repayment of the Certificates;

5. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms; and

6. Appointment of a successor or additional trustee or the change of name of a trustee.

(ii) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Certificates, without regard to whether such event is considered material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;

2. Unscheduled draws on debt service reserves reflecting financial difficulties;

3. Unscheduled draws on credit enhancements reflecting financial difficulties;

4. Substitution of credit or liquidity providers, or their failure to perform;

5. Adverse tax opinions or the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701–TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;

6. Tender offers;

7. Defeasances;

8. Rating changes; and

9. Bankruptcy, insolvency, receivership or similar event of an obligated person.

(iii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(c) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Certificates within the meaning of the Rule, except that the Issuer in any event will give the notice required by Subsection (b) hereof of any Certificate calls and defeasance that cause the Issuer to no longer be such an "obligated person".

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF

ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Certificates in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Certificates. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (a) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates.

(d) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board or any successor to its functions under the Rule.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or

corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Certificates aggregating in principal amount 51% of the aggregate principal amount of then outstanding Certificates that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Certificates, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

(1) Make any change in the maturity of any of the outstanding Certificates;

(2) Reduce the rate of interest borne by any of the outstanding Certificates;

(3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates;

(4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Certificates or any of them or impose any condition with respect to such payment; or

(5) Change the minimum percentage of the principal amount of the Certificates necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Certificates a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Certificates then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Certificates shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Certificate pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Certificate during such period. Such consent may be revoked at any time after six months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Certificates then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Certificates, the Issuer shall rely solely upon the registration of the ownership of such Certificates on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Certificates, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Certificates then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Certificate authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 16. APPROPRIATION. To pay the debt service coming due on the Certificates, if any (as determined by the Pricing Certificate) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 17. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 18. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

[Execution Page Follows]

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of January, 2016.

ATTEST:

_____
Mayor, City of Rockwall, Texas

_____
City Secretary, City of Rockwall, Texas

[CITY SEAL]

APPROVED AS TO FORM:

_____
City Attorney

1ST Reading: _____

2ND Reading: _____


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City of Rockwall
*The New Horizon*

# MEMORANDUM

**TO:** **City Council**

**FROM:** **Joey Boyd, Director of Internal Operations**

**DATE:** **December 22, 2015**

**SUBJECT:** **Airport Advisory Board Ordinance**

A group of airport tenants met with the Airport Subcommittee in December to discuss their desire to form an Airport Advisory Board. The City Council approved the formation of an Airport Advisory Board at its last meeting. Attached for your review and consideration is an ordinance that formally establishes the Board and outlines its responsibilities and duties.

**CITY OF ROCKWALL, TEXAS**

**ORDINANCE NO. 16-___**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 8. AVIATION BY ADDING A NEW ARTICLE, ARTICLE III, ESTABLISHING AN AIRPORT ADVISORY BOARD TO BE APPOINTED AND REMOVED BY THE CITY COUNCIL; PRESCRIBING TERMS FOR INITIAL BOARD MEMBERS; ESTABLISHING THE PURPOSE & RESPONSIBILITIES OF THE BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City Council of the City of Rockwall, Texas finds that the establishment of an Airport Advisory Board is in the best interest of the City of Rockwall;

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

**Section 1.** The Code of Ordinances is hereby amended in Chapter 8. Aviation, by adding a new article, Article III, which shall henceforth read as follows:

**ARTICLE III. Airport Advisory Board**

**Sec. 8-23.** ***Establishment; composition; appointment of members and terms; officers; compensation.***

City Council of the City of Rockwall hereby establishes an Airport Advisory Board for the Ralph M. Hall / Rockwall Municipal Airport. The board will consist of 7 members, all of whom shall be resident citizens and qualified voters of the City of Rockwall. Board members should be representative of the community, including citizens interested in airport-related business and/or aviation. A staff liaison will be appointed by the city manager. Appointment and removal of board members shall be by majority vote of the Rockwall City Council. Terms shall be for a period of two (2) years with initial board members drawing lots to establish four (4) initial two-year terms and three (3) initial one-year terms. From its membership, the Airport Advisory Board shall annually select the following officers: Chairperson and Vice-Chairperson, each of whom will serve for a period of one year in this capacity. All board members shall serve without compensation.

**Sec. 8-24. Meetings, purpose and responsibilities.**

Meetings shall be held at least on a quarterly or on an 'as needed basis' as determined by the Chair, the staff liaison, or by direction from the City Council. The purpose of the Airport Advisory Board is to provide recommendations to the City Council.

The responsibilities and duties of the Airport Advisory Board shall include, but not limited the following:

- Make recommendations on both short-term and long-term strategic planning
- Make recommendations how to use the airport for local and regional economic development opportunities
- Advise the City Council on how to market the airport to new customers
- Make recommendations as to how to build a partnership with all stakeholders for a successful airport
- Undertake direction from the City Council on any other related matters

**Section 2.** That this ordinance shall become effective immediately upon passage and approval and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of January, 2016.**

**Jim Pruitt, Mayor**

**ATTEST:**

**Kristy Cole, City Secretary**

**1st Reading: 01-04-16**

**2nd Reading: 01-19-16**

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City of Rockwall
*The New Horizon*

# Building Inspections Department
# *Monthly Report*

# November 2015

## *Permits*

**Total Permits Issued: 263**
Building Permits: 56 Contractor Permits: 207

**Total Permit Values: $ 12,977,791.53**
Building Permits: $ 11,930,845.49 Contractor Permits: $ 1,046,946.04

**Total Fees Collected: $ 265,948.80**
Building Permits: $ 252,128.36 Contractor Permits: $ 13,820.44

## *Board of Adjustment*

**Board of Adjustment Cases 0**


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# City of Rockwall

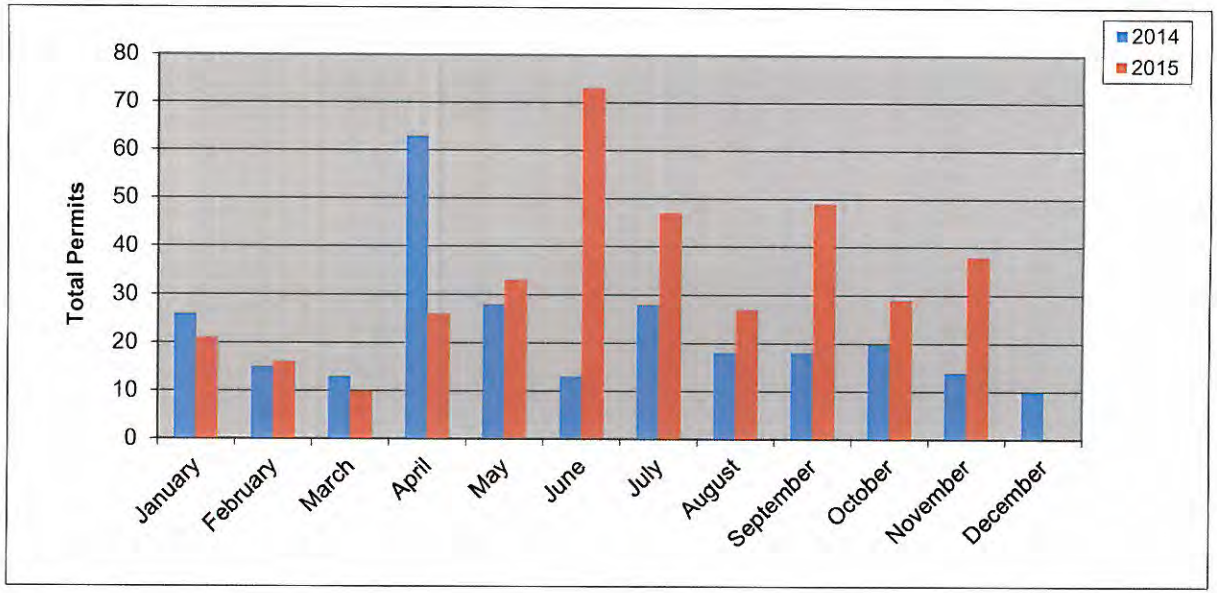
## PERMITS ISSUED - Summary by Type and Subtype

## For the Period 11/1/2015 thru 11/30/2015

| Type / SubType | # of Permits Issued | Valuation of Work | Fees Charged |
|---|---|---|---|
| BANNER | 6 | $0.00 | $301.50 |
| 30 DAY BANNER | 6 | $0.00 | $301.50 |
| CLEAN SHOW | 1 | $0.00 | $75.00 |
| | 1 | $0.00 | $75.00 |
| CO | 10 | $0.00 | $753.00 |
| BUSINESS | 8 | $0.00 | $601.50 |
| INTERIOR | 1 | $0.00 | $76.50 |
| NEW CONSTRUCTION | 1 | $0.00 | $75.00 |
| COMM | 23 | $2,049,769.00 | $53,139.59 |
| DEMO | 2 | $5,000.00 | $100.00 |
| ELECTRICAL | 6 | $115,200.00 | $1,480.88 |
| INTERIOR COMP | 2 | $300,000.00 | $2,500.50 |
| IRRIGATION | 1 | $4,000.00 | $35.00 |
| MECHANICAL | 1 | $8,400.00 | $178.75 |
| NEW | 1 | $1,500,000.00 | $47,101.42 |
| PLUMBING | 5 | $5,864.00 | $239.15 |
| REMODEL | 4 | $108,105.00 | $1,467.39 |
| ROOF | 1 | $3,200.00 | $36.50 |
| MISCELLANEOUS | 2 | $0.00 | $0.00 |
| | 2 | $0.00 | $0.00 |
| SIGNAGE | 8 | $0.00 | $750.00 |
| DIRECTORY | 1 | $0.00 | $75.00 |
| MONUMENT | 1 | $0.00 | $75.00 |
| TEMP REAL ESTATE | 1 | $0.00 | $75.00 |
| WALL | 5 | $0.00 | $525.00 |
| SINGLE FAMILY | 197 | $10,928,022.53 | $210,143.71 |
| ACC BLDG | 5 | $52,858.00 | $903.02 |
| ADDITION | 3 | $126,200.49 | $1,356.25 |
| CONCRETE | 3 | $13,500.00 | $357.93 |
| DECK | 1 | $4,000.00 | $110.93 |
| DEMO | 1 | $9,656.00 | $51.50 |
| ELECTRICAL | 3 | $35,980.00 | $207.50 |
| FENCE | 35 | $99,259.04 | $1,233.20 |
| IRRIGATION | 30 | $46,850.00 | $1,051.50 |
| MECHANICAL | 11 | $92,272.00 | $1,939.56 |
| NEW | 38 | $9,823,135.00 | $198,333.53 |
| PATIO COVER | 2 | $13,547.00 | $315.50 |
| PERGOLA | 1 | $7,000.00 | $150.75 |
| PLUMBING | 33 | $46,924.00 | $1,948.54 |
| RETAINING WALL | 6 | $74,000.00 | $350.00 |
| ROOF | 11 | $83,005.00 | $388.00 |
| SEAWALL | 2 | $14,500.00 | $100.00 |
| SWIM POOL | 8 | $376,335.00 | $1,206.00 |
| WINDOWS | 4 | $9,001.00 | $140.00 |
| SPECIAL EVENT | 16 | $0.00 | $786.00 |
| | 16 | $0.00 | $786.00 |
| Totals: | 263 | $12,977,791.53 | $265,948.80 |

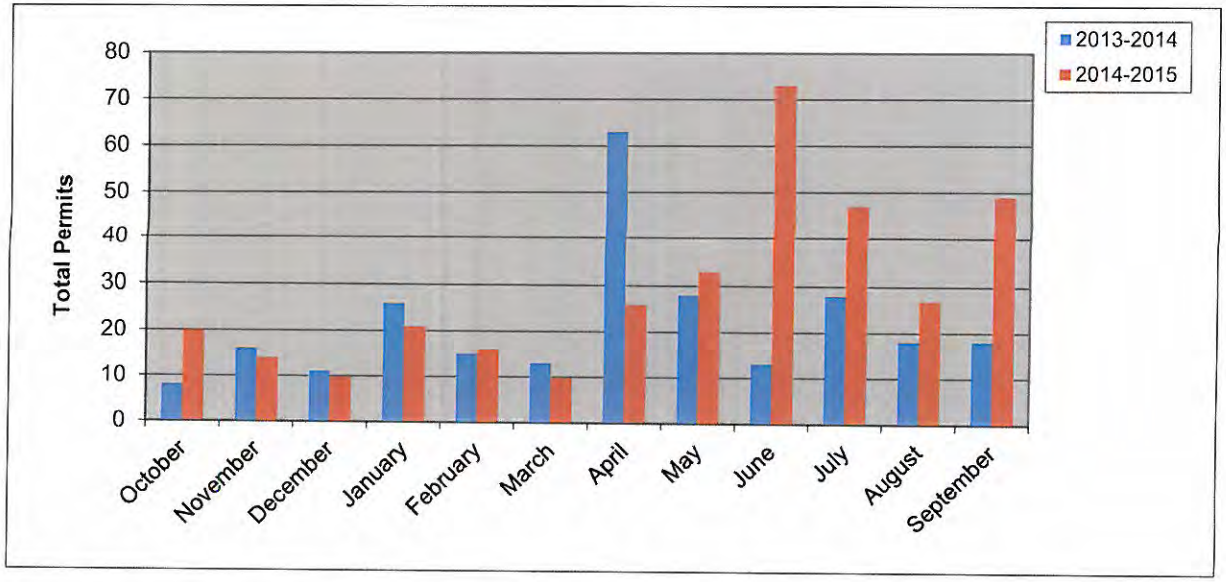
# New Residential Permits Calendar Year

| | Year | |
|---|---|---|
| | 2014 | 2015 |
| January | 26 | 21 |
| February | 15 | 16 |
| March | 13 | 10 |
| April | 63 | 26 |
| May | 28 | 33 |
| June | 13 | 73 |
| July | 28 | 47 |
| August | 18 | 27 |
| September | 18 | 49 |
| October | 20 | 29 |
| November | 14 | 38 |
| December | 10 | |
| **Totals** | **266** | **369** |




# New Residential Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2013-2014 | 2014-2015 |
| October | 8 | 20 |
| November | 16 | 14 |
| December | 11 | 10 |
| January | 26 | 21 |
| February | 15 | 16 |
| March | 13 | 10 |
| April | 63 | 26 |
| May | 28 | 33 |
| June | 13 | 73 |
| July | 28 | 47 |
| August | 18 | 27 |
| September | 18 | 49 |
| **Totals** | **257** | **346** |





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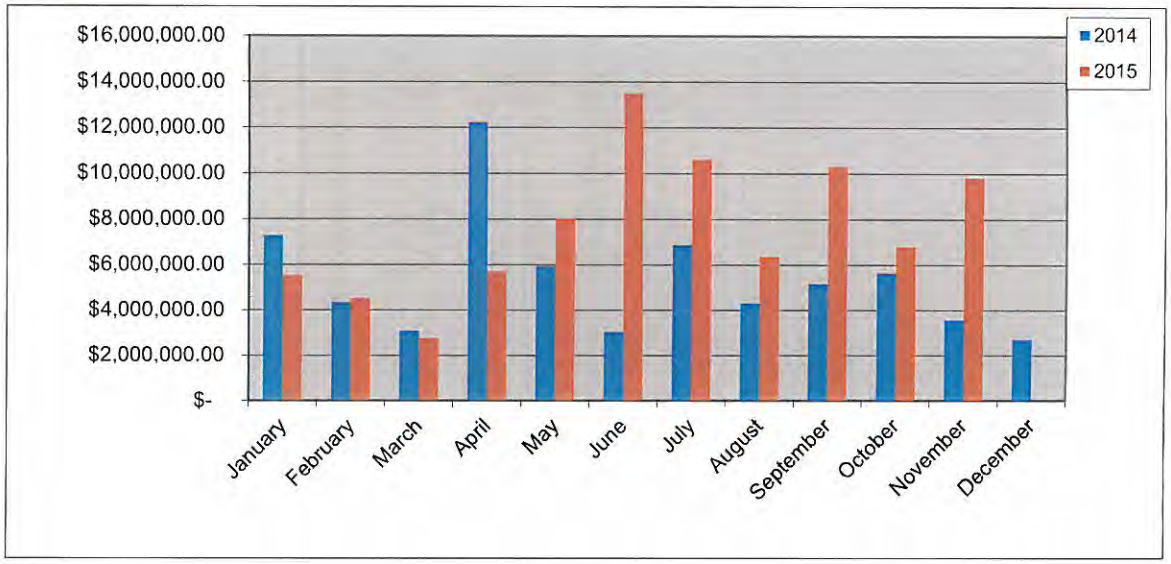
## New Residential Value Calendar Year

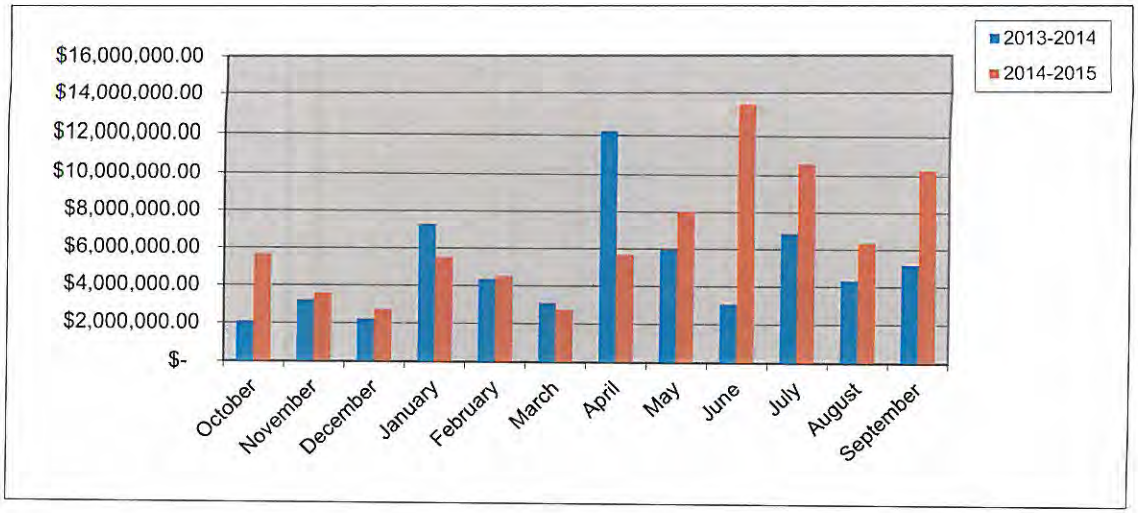
| Year | 2014 | 2015 |
|---|---|---|
| January | $ 7,288,000.00 | $ 5,509,932.00 |
| February | $ 4,353,427.00 | $ 4,518,552.00 |
| March | $ 3,094,927.74 | $ 2,742,324.00 |
| April | $ 12,228,936.33 | $ 5,703,968.00 |
| May | $ 5,960,240.00 | $ 8,039,718.52 |
| June | $ 3,048,536.00 | $ 13,489,179.50 |
| July | $ 6,883,062.87 | $ 10,619,616.00 |
| August | $ 4,330,100.19 | $ 6,369,414.00 |
| September | $ 5,184,201.79 | $ 10,314,177.00 |
| October | $ 5,661,792.00 | $ 6,812,889.57 |
| November | $ 3,581,756.00 | $ 9,823,135.00 |
| December | $ 2,712,503.00 | |
| **Totals** | **$64,327,482.92** | **$ 83,942,905.59** |





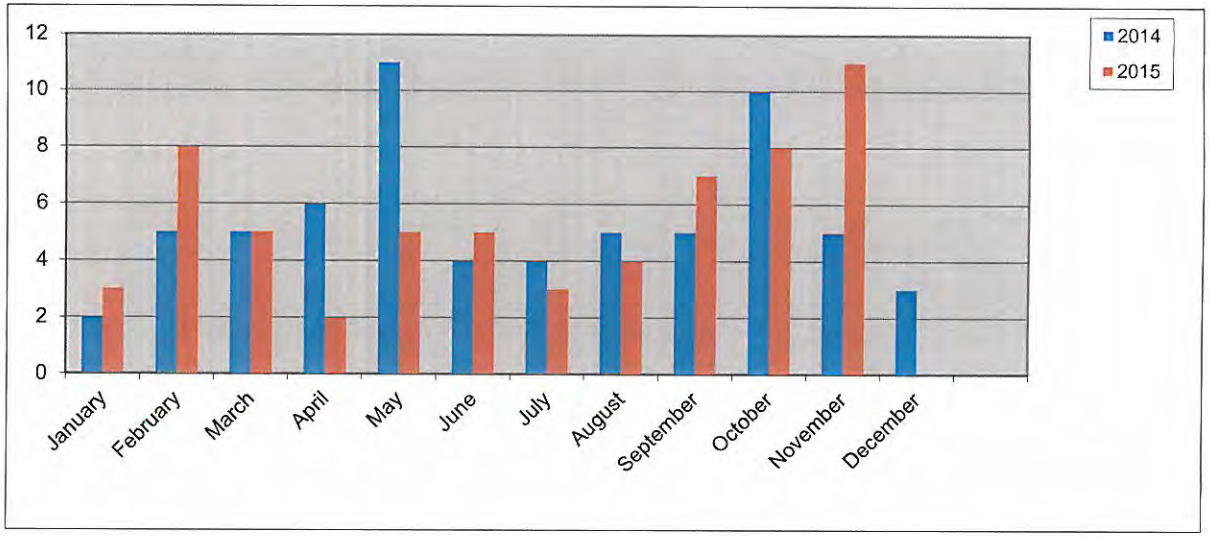

## New Residential Value Fiscal Year

| Year | 2013-2014 | 2014-2015 |
|---|---|---|
| October | $ 2,078,584.00 | $ 5,661,792.00 |
| November | $ 3,202,067.00 | $ 3,581,756.00 |
| December | $ 2,215,924.00 | $ 2,712,503.00 |
| January | $ 7,288,000.00 | $ 5,509,932.00 |
| February | $ 4,353,427.00 | $ 4,518,552.00 |
| March | $ 3,094,927.74 | $ 2,742,324.00 |
| April | $ 12,228,936.33 | $ 5,703,968.00 |
| May | $ 5,960,240.00 | $ 8,039,718.52 |
| June | $ 3,048,536.00 | $ 13,489,179.50 |
| July | $ 6,883,062.87 | $ 10,619,616.00 |
| August | $ 4,330,100.19 | $ 6,369,414.00 |
| September | $ 5,184,201.79 | $ 10,314,177.00 |
| **Totals** | **$59,868,006.92** | **$ 79,262,932.02** |



# Residential Remodel Permits Calendar Year

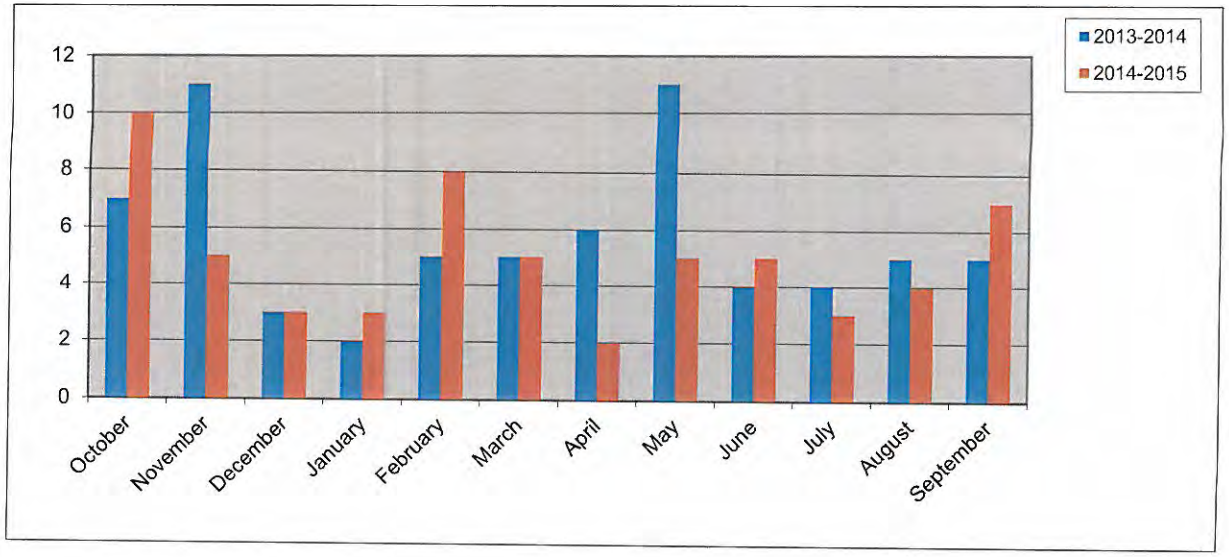
| | Year | |
|---|---|---|
| | 2014 | 2015 |
| January | 2 | 3 |
| February | 5 | 8 |
| March | 5 | 5 |
| April | 6 | 2 |
| May | 11 | 5 |
| June | 4 | 5 |
| July | 4 | 3 |
| August | 5 | 4 |
| September | 5 | 7 |
| October | 10 | 8 |
| November | 5 | 11 |
| December | 3 | |
| **Totals** | **65** | 61 |





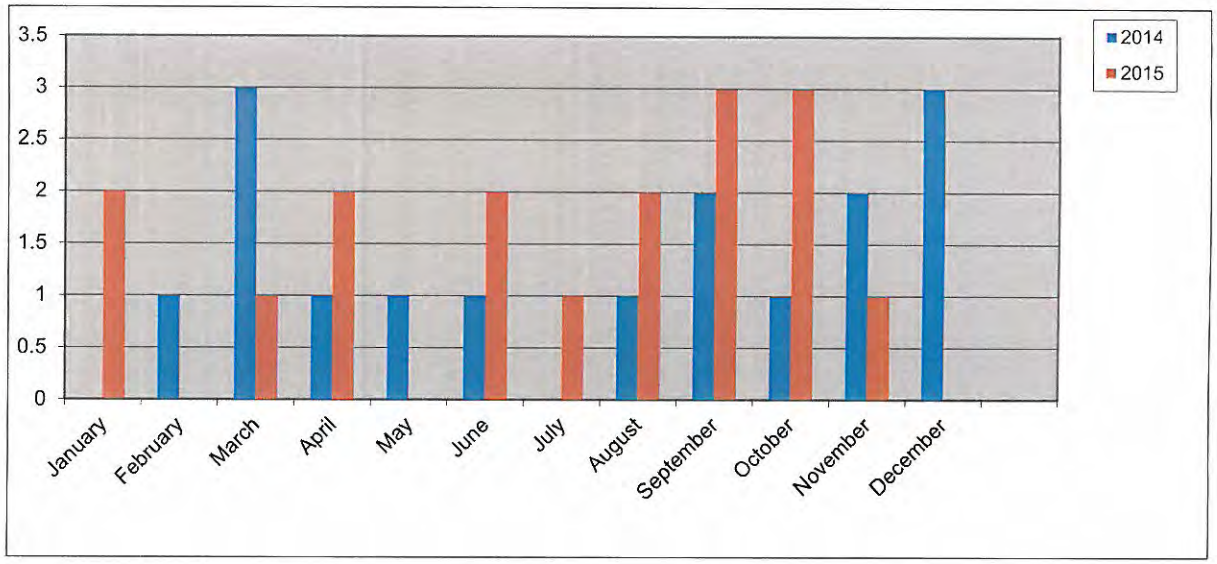

# Residential Remodel Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2013-2014 | 2014-2015 |
| October | 7 | 10 |
| November | 11 | 5 |
| December | 3 | 3 |
| January | 2 | 3 |
| February | 5 | 8 |
| March | 5 | 5 |
| April | 6 | 2 |
| May | 11 | 5 |
| June | 4 | 5 |
| July | 4 | 3 |
| August | 5 | 4 |
| September | 5 | 7 |
| **Totals** | **68** | **60** |



# New Commercial Permits Calendar Year

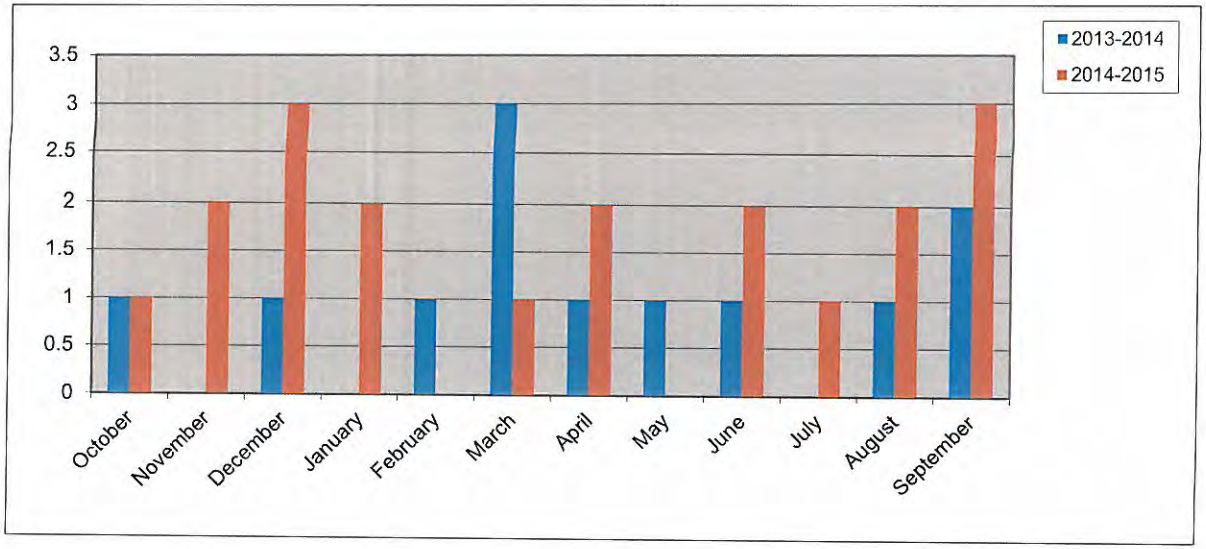
| | Year | |
|---|---|---|
| | 2014 | 2015 |
| January | 0 | 2 |
| February | 1 | 0 |
| March | 3 | 1 |
| April | 1 | 2 |
| May | 1 | 0 |
| June | 1 | 2 |
| July | 0 | 1 |
| August | 1 | 2 |
| September | 2 | 3 |
| October | 1 | 3 |
| November | 2 | 1 |
| December | 3 | |
| **Totals** | **16** | **17** |





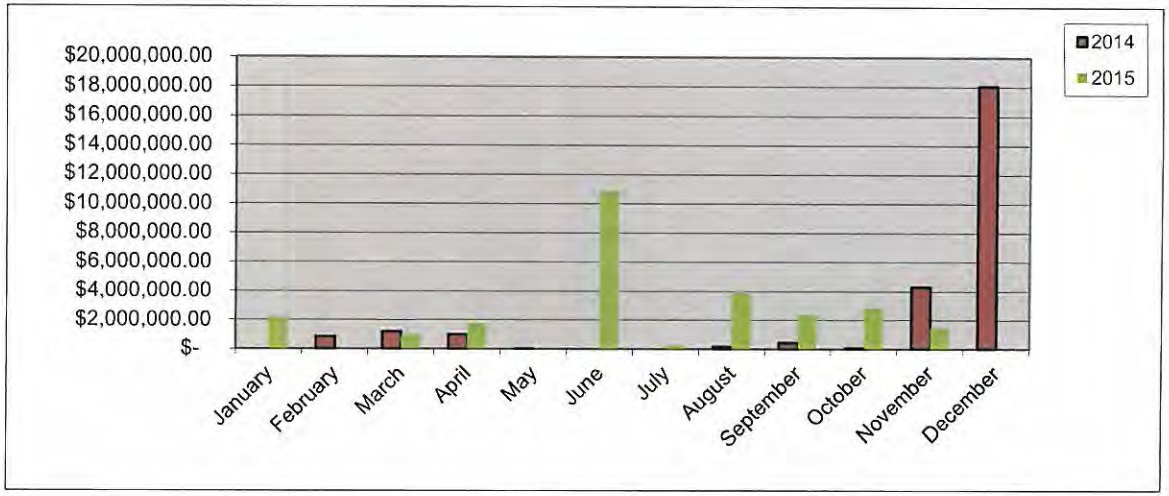

# New Commercial Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2013-2014 | 2014-2015 |
| October | 1 | 1 |
| November | 0 | 2 |
| December | 1 | 3 |
| January | 0 | 2 |
| February | 1 | 0 |
| March | 3 | 1 |
| April | 1 | 2 |
| May | 1 | 0 |
| June | 1 | 2 |
| July | 0 | 1 |
| August | 1 | 2 |
| September | 2 | 3 |
| **Totals** | **12** | **19** |



## New Commercial Value Calendar Year

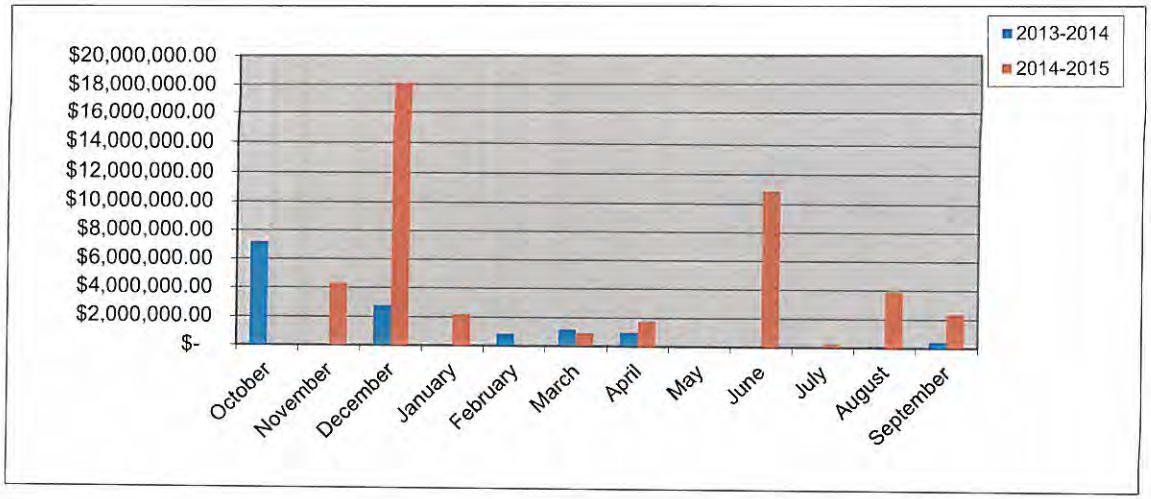
| | Year | |
|---|---|---|
| | 2014 | 2015 |
| January | $ - | $ 2,200,000.00 |
| February | $ 850,000.00 | $ - |
| March | $ 1,185,000.00 | $ 930,000.00 |
| April | $ 1,000,000.00 | $ 1,780,000.00 |
| May | $ 5,000.00 | $ - |
| June | $ - | $ 10,900,000.00 |
| July | | $ 282,279.31 |
| August | $ 150,000.00 | $ 3,903,000.00 |
| September | $ 430,795.00 | $ 2,370,000.00 |
| October | $ 49,000.00 | $ 2,830,000.00 |
| November | $ 4,300,000.00 | $ 1,500,000.00 |
| December | $ 18,050,000.00 | |
| **Totals** | **$ 26,019,795.00** | **$ 26,695,279.31** |





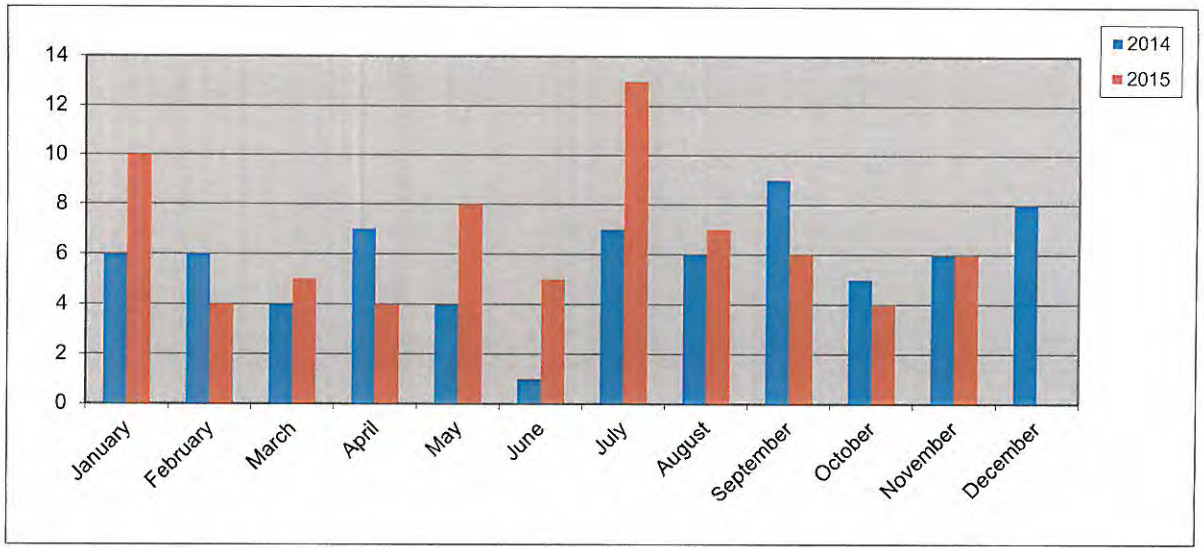

## New Commercial Value Fiscal Year

| | Year | |
|---|---|---|
| | 2013-2014 | 2014-2015 |
| October | $ 7,225,000.00 | $ 49,000.00 |
| November | $ - | $ 4,300,000.00 |
| December | $ 2,800,000.00 | $ 18,050,000.00 |
| January | $ - | $ 2,200,000.00 |
| February | $ 850,000.00 | $ - |
| March | $ 1,185,000.00 | $ 930,000.00 |
| April | $ 1,000,000.00 | $ 1,780,000.00 |
| May | $ 5,000.00 | $ - |
| June | $ - | $ 10,900,000.00 |
| July | | 282279.31 |
| August | $ 150,000.00 | $ 3,903,000.00 |
| September | $ 430,795.00 | $ 2,370,000.00 |
| **Totals** | **$ 13,645,795.00** | **$ 44,764,279.31** |



# Commercial Remodel Permits Calendar Year

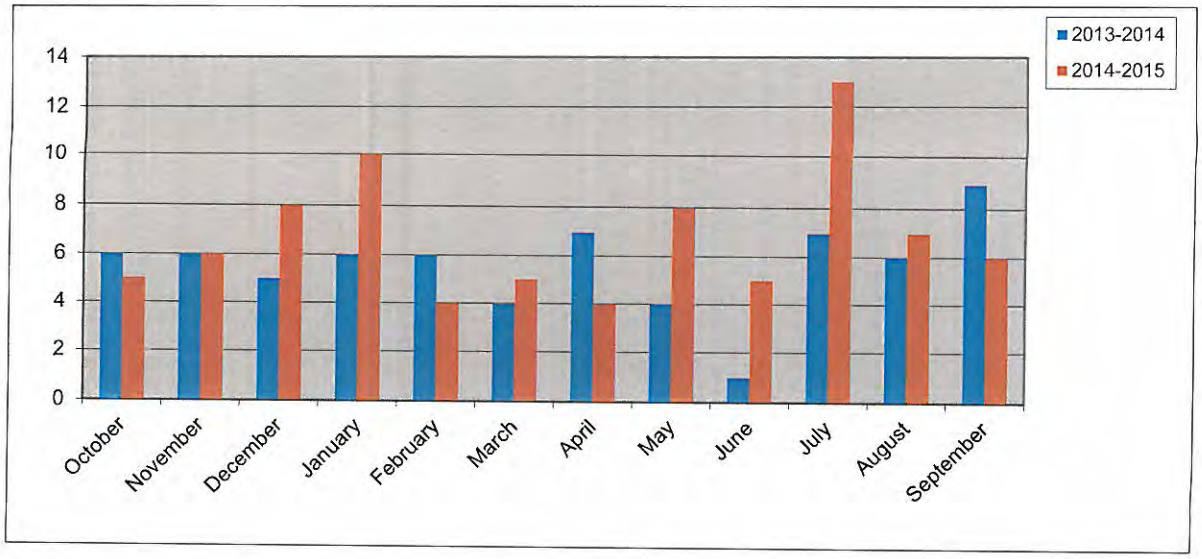
| | Year | |
|---|---|---|
| | 2014 | 2015 |
| January | 6 | 10 |
| February | 6 | 4 |
| March | 4 | 5 |
| April | 7 | 4 |
| May | 4 | 8 |
| June | 1 | 5 |
| July | 7 | 13 |
| August | 6 | 7 |
| September | 9 | 6 |
| October | 5 | 4 |
| November | 6 | 6 |
| December | 8 | |
| **Totals** | **69** | **72** |





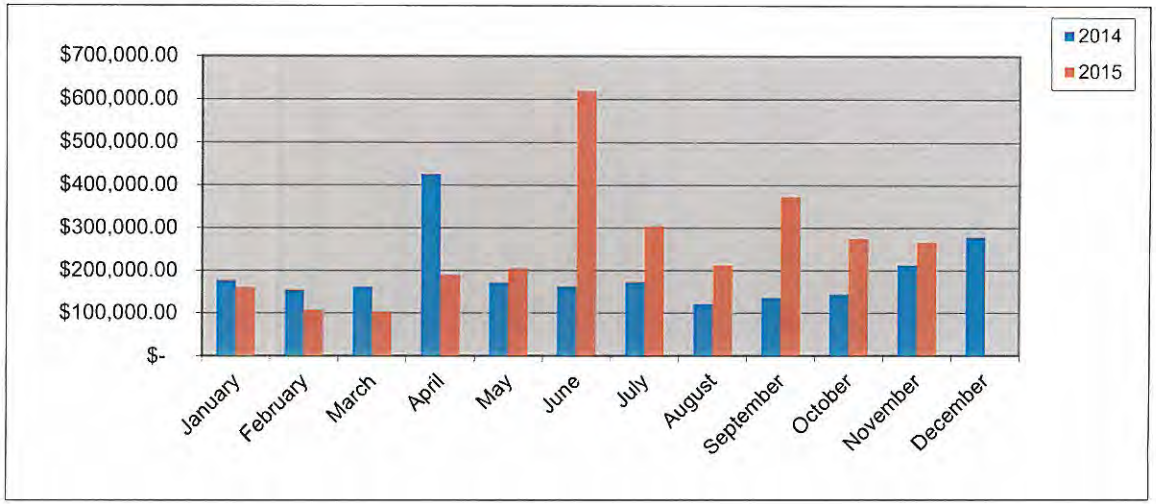

# Commercial Remodel Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2013-2014 | 2014-2015 |
| October | 6 | 5 |
| November | 6 | 6 |
| December | 5 | 8 |
| January | 6 | 10 |
| February | **6** | **4** |
| March | 4 | 5 |
| April | 7 | 4 |
| May | 4 | 8 |
| June | 1 | 5 |
| July | 7 | 13 |
| August | 6 | 7 |
| September | 9 | 6 |
| **Totals** | **67** | **81** |



## Total Fees Collected Calendar Year

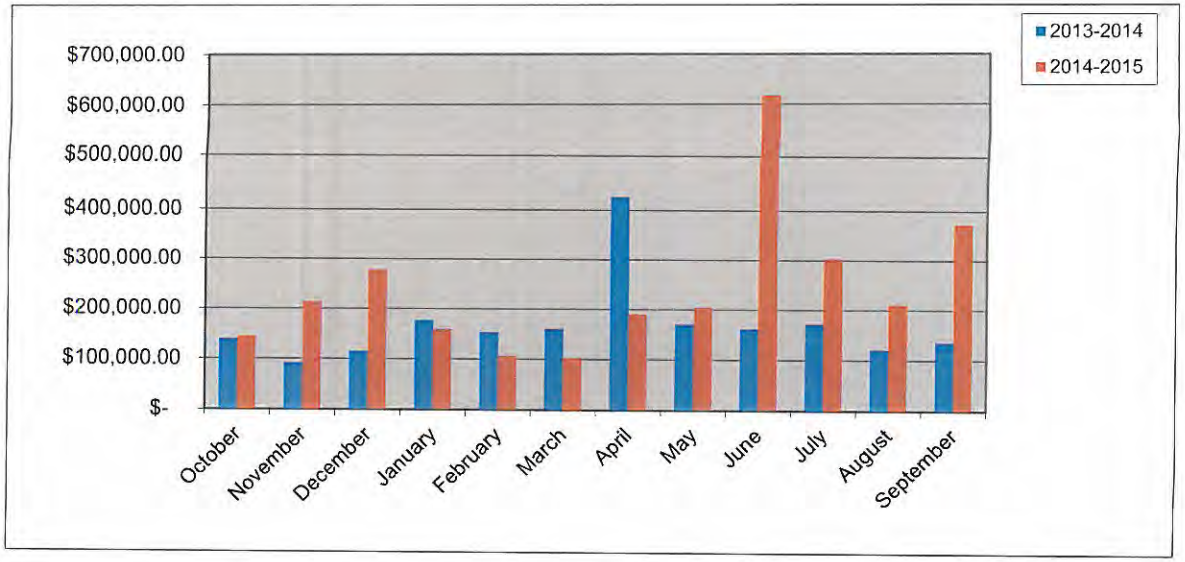
| | Year | |
|---|---|---|
| | 2014 | 2015 |
| January | $ 176,162.63 | $ 159,026.65 |
| February | $ 153,458.98 | $ 106,693.21 |
| March | $ 160,530.91 | $ 103,029.95 |
| April | $ 425,003.86 | $ 189,684.37 |
| May | $ 170,849.07 | $ 204,062.18 |
| June | $ 161,690.82 | $ 618,061.51 |
| July | $ 172,232.70 | $ 303,359.40 |
| August | $ 120,790.39 | $ 210,598.47 |
| September | $ 135,478.13 | $ 373,210.63 |
| October | $ 143,153.00 | $ 274,380.31 |
| November | $ 212,222.54 | $ 265,948.80 |
| December | $ 277,864.58 | |
| **Totals** | **$ 2,309,437.61** | **$ 2,808,055.48** |






## Total Fees Collected Fiscal Year

| | Year | |
|---|---|---|
| | 2013-2014 | 2014-2015 |
| October | $ 138,771.53 | $ 143,153.00 |
| November | $ 91,778.83 | $ 212,222.54 |
| December | $ 114,645.28 | $ 277,864.58 |
| January | $ 176,162.63 | $ 159,026.65 |
| February | $ 153,458.98 | $ 106,693.21 |
| March | $ 160,530.91 | $ 103,029.95 |
| April | $ 425,003.86 | $ 189,684.37 |
| May | $ 170,849.07 | $ 204,062.18 |
| June | $ 161,829.08 | $ 618,061.51 |
| July | $ 172,232.70 | $ 303,359.40 |
| August | $ 120,790.39 | $ 210,598.47 |
| September | $ 135,478.13 | $ 373,210.63 |
| **Totals** | **$ 2,021,531.39** | **$ 2,900,966.49** |

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# City of Rockwall

## PERMITS ISSUED

## For the Period 11/1/2015 thru 11/30/2015

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| CO2015-0041 | CO | 199 IH 30 | 0.00 | $ 75.00 | $ 75.00 |
| 4/29/2015 | BUSINESS | 4819-000A-0004-00-0R<br>HARBOR - ROCKWALL, THE | | | |
| 11/17/2015 | ACTIVE | Advanced Foot Specialists | | 0 | |

| Contact Type | Contact Name | Contact Address | | | | Phone Number |
|---|---|---|---|---|---|---|
| OWNER | DRZW, HOLDINGS LTD | | DALLAS | TX | 75229 | |
| APPLICANT | Ben Bassichis | 4515 Dorset Rd. | Dallas | TX | 75229 | (214) 394-8645 |
| BUS OWNER | Ben Bassichis | 4515 Dorset Rd. | Dallas | TX | 75229 | (214) 394-8645 |
| BUSINESS | Advanced Foot Specialists | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| CO2015-0102 | CO | 3018 Ridge Rd 120 | 0.00 | $ 76.50 | $ 76.50 |
| 9/23/2015 | INTERIOR | 4818-000A-0002-00-0R<br>ROCKWALL ASSISTED LIVING ADDITION | | | |
| 11/13/2015 | ACTIVE | The Smiley Tooth | | 0 | |

| Contact Type | Contact Name | Contact Address | | | | Phone Number |
|---|---|---|---|---|---|---|
| OWNER | AJ, SQUARED LLC | 271 RABBIT RIDGE | HEATH | TX | 75032 | (469) 338-2397 |
| APPLICANT | Z CONSTRUCTORS NATIONW | 11886 GREENVILLE AVE. STE 12 | Dallas | TX | 75243 | (972) 682-1435 |
| INSP RPT EMAIL | Z CONSTRUCTORS NATIONW | 11886 GREENVILLE AVE. STE 12 | Dallas | TX | 75243 | (972) 682-1435 |
| CONTRACTOR | Z CONSTRUCTORS NATIONW | 11886 GREENVILLE AVE. STE 12 | Dallas | TX | 75243 | (972) 682-1435 |
| PLB CONTR | Givens & Associates | 6708 Olive Wood | Arlington | TX | 76001 | (817) 320-8227 |
| ELEC CONTR | Big Sky Electric | P. O. BOX 2558 | Rockwall | TX | 75032 | (214) 729-4080 |
| MECH CONTR | All American HVAC | 9090 Skillman #182-A | Dallas | TX | 75243 | |
| BUS OWNER | Jennifer Chou | 3018 Ridge Rd #120 | Rockwall | TX | 75032 | (972) 772-7553 |

| | | | | | |
|---|---|---|---|---|---|
| CO2015-0104 | CO | 1551 IH 30 300 | 0.00 | $ 75.00 | $ 75.00 |
| 9/28/2015 | BUSINESS | 0099-0000-0016-00-0R | | | |
| 11/4/2015 | ACTIVE | ROCKWALL HEATING & AIR INC. | | 0 | |

| Contact Type | Contact Name | Contact Address | | | | Phone Number |
|---|---|---|---|---|---|---|
| OWNER | AM ROCKWALL INVESTMENT | 1551 IH 30 EAST STE 100 | ROCKWALL | TX | 75087 | (972) 772-9089 |
| APPLICANT | NATHAN DICKINSON | | | | | |
| BUS OWNER | NATHAN DICKINSON | 1506 WESTFIELD LN. | ROCKWALL | TX | 75087 | (972) 978-2247 |
| BUSINESS | ROCKWALL HEATING & AIR, | 1551 IH 30 E. STE 300 | ROCKWALL | TX | 75087 | (972) 978-2247 |

| | | | | | |
|---|---|---|---|---|---|
| CO2015-0109 | CO | 557 IH 30 E | 0.00 | $ 75.00 | $ 75.00 |
| 10/9/2015 | BUSINESS | 3245-0000-0003-00-0R<br>CARLISLE PLAZA ADDN | | | |
| 11/17/2015 | ACTIVE | Unrefined Bakery | | 0 | |

| Contact Type | Contact Name | Contact Address | | | | Phone Number |
|---|---|---|---|---|---|---|
| BUSINESS | Unrefined Bakery | 557 IH 30 | ROCKWALL | TX | 75087 | |
| OWNER | BENT, TREE REALTY CO | 16475 DALLAS PKWY STE 880 | ADDISON | TX | 75001 | |

# City of Rockwall
## PERMITS ISSUED
## For the Period 11/1/2015 thru 11/30/2015

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit | Site Address / Parcel Number / Subdivision Name / Plan Number | | | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|---|---|
| APPLICANT | ANNE HOYT | | | | | | (214) 414-2414 |
| BUS OWNER | Anne Hoyt / Taylor Nicholson | 557 IH 30 | Rockwall | TX 75087 | | | (214) 414-2414 |
| CO2015-0110 | CO | 381 NATIONAL DR | | | 0.00 | $ 76.50 | $ 76.50 |
| 10/22/2015 | BUSINESS | 0128-0000-0002-12-0R<br>ROCKWALL 205 BUSINESS PARK | | | | | |
| 11/16/2015 | ACTIVE | Rockwall Ford | | | | 0 | |
| **Contact Type** | **Contact Name** | **Contact Address** | | | | | **Phone Number** |
| OWNER | WOOD, BROTHERS INVESTMI | | ROCKWALL | TX 75032 | | | |
| APPLICANT | Rockwall Ford | 990 IH 30 | ROCKWALL | TX 75087 | | | (972) 290-2200 |
| INSP RPT EMAIL | Rockwall Ford | 990 IH 30 | ROCKWALL | TX 75087 | | | (972) 290-2200 |
| BUS OWNER | Rockwall Ford | 990 IH 30 | ROCKWALL | TX 75087 | | | (972) 290-2200 |
| CO2015-0111 | CO | 2850 Ridge Rd #102 | | | 0.00 | $ 75.00 | $ 75.00 |
| 10/22/2015 | BUSINESS | 3245-0000-0005-00-0R<br>CARLISLE PLAZA ADDN | | | | | |
| 11/11/2015 | ACTIVE | Van Chan's Chinese Restaurant | | | | 0 | |
| **Contact Type** | **Contact Name** | **Contact Address** | | | | | **Phone Number** |
| CONTRACTOR | VAN CHAN'S | 2850 RIDGE ROAD | ROCKWALL | TX 75087 | | | (469) 222-8791 |
| OWNER | SABRE REALTY | 10475 DALLAS PARKWAY | Addison | TX 75001 | | | (972) 931-7400 |
| APPLICANT | ANGEL HU | 2850 RIDGE ROAD, STE 102 | Richardson | TX 75080 | | | (972) 238-9275 |
| BUS OWNER | Angel Hu | 2850 Ridge Rd, #102 | Rockwall | TX 75087 | | | (972) 722-2208 |
| CO2015-0112 | CO | 427 IH 30 | | | 0.00 | $ 75.00 | $ 75.00 |
| 10/26/2015 | BUSINESS | 3245-0000-0001-00-0R<br>CARLISLE PLAZA ADDN | | | | | |
| 11/17/2015 | ACTIVE | Nail Unique | | | | 0 | |
| **Contact Type** | **Contact Name** | **Contact Address** | | | | | **Phone Number** |
| BUSINESS | NAIL UNIQUE | 427 IH 30 E | ROCKWALL | TX 75087 | | | (214) 771-0600 |
| OWNER | BUILDERS, ASSOCIATES #3 | ATTN: ARNOLD SCHLESINGER | BEVERLY HILLS | CA 90212 | | | |
| BUS OWNER | SANG TRAN | 427 IH 30 E | ROCKWALL | TX 75087 | | | (469) 226-5765 |
| CO2015-0114 | CO | 537 IH 30 E | | | 0.00 | $ 75.00 | $ 75.00 |
| 10/30/2015 | BUSINESS | 3245-0000-0003-00-0R<br>CARLISLE PLAZA ADDN | | | | | |
| 11/17/2015 | ACTIVE | Mattress Firm | | | | 0 | |
| **Contact Type** | **Contact Name** | **Contact Address** | | | | | **Phone Number** |
| OWNER | SABRE REALTY | 16475 DALLAS PKWY | Addison | TX 75001 | | | (972) 931-7400 |
| APPLICANT | WENDI UPTEGRAFT | | | | | | |
| BUS OWNER | Jason Preston | 537 IH 30 E | ROCKWALL | TX 75087 | | | (972) 931-7400 |

# City of Rockwall

## PERMITS ISSUED

## For the Period 11/1/2015 thru 11/30/2015

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| CO2015-0115 | CO | 3045 N GOLIAD ST 109 | 0.00 | $ 75.00 | $ 75.00 |
| 10/30/2015 | BUSINESS | 4938-0001-0001-00-0R<br>SHOPS AT RIDGE CREEK | | | |
| 11/10/2015 | ACTIVE | Alliance Bank | | 0 | |

| Contact Type | Contact Name | Contact Address | | | | Phone Number |
|---|---|---|---|---|---|---|
| OWNER | PCB, PROPERTIES LLC | ABDUL RAHMAN KHAN AND MA | BATON ROUGE | LA | 70816 | |
| APPLICANT | Bearing General Contractors, Inc. | 120 Dabbs St. | Sulphur Springs | TX | 75482 | |
| BUS OWNER | Kevin W. Monk | 100 W. Jefferson | Sulphur Springs | TX | 75482 | (903) 439-6812 |

| | | | | | |
|---|---|---|---|---|---|
| CO2015-0118 | CO | 1880 IH 30 E | 0.00 | $ 75.00 | $ 75.00 |
| 11/9/2015 | NEW CONSTRUCTION | 0134-0000-0009-04-0R<br>K.H.D. INC. SUBDIVISION | | | |
| 11/24/2015 | ACTIVE | Cavenders Boot City | | 0 | |

| Contact Type | Contact Name | Contact Address | | | | Phone Number |
|---|---|---|---|---|---|---|
| OWNER | 1860, INVESTMENTS LTD | | ROCKWALL | TX | 75087 | |
| APPLICANT | PERRY THOMPSON | | | | | (903) 539-4067 |
| INSP RPT EMAIL | SHERRILL CONSTRUCTION C | P. O. BOX 420 | TYLER | TX | 75710 | (903) 526-5323 |
| CONTRACTOR | SHERRILL CONSTRUCTION C | P. O. BOX 420 | TYLER | TX | 75710 | (903) 526-5323 |
| MECH CONTR | ABSOLUTE COMFORT | P. O. BOX 4784 | Wichita Falls | TX | 76308 | (940) 691-1102 |
| PLB CONTR | RUDD CONTRACTING | P. O. BOX 298 | TYLER | TX | 75710 | (903) 593-9707 |
| ELEC CONTR | Pro Electrical Services | P.O. Box 70 | cHANDLER | tx | 75758 | |
| PLB CONTR 2 | TRI DAL LTD - Eddie Thomas | 540 Commerce St. | Southlake | TX | 76092 | (817) 319-5141 |
| BUS OWNER | Jim Thompson | 1880 IH 30 E | Rockwall | TX | 75087 | (903) 509-9509 |

**10** **Permits Issued from: 11/1/2015** **Thru: 11/30/2015**

**Total Valuation: $ 0.00**
**Total Fees: $ 753.00**
**Total Fees Paid: $ 753.00**

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City of Rockwall
The New Horizon

CALLS BY TYPE

NOVEMBER 2015

| CITY CALLS | November |
|---|---|
| Situation Type | # |
| 131 Passenger vehicle fire (cars, pickups, SUV's) | 1 |
| 154 Dumpster or other outside trash receptacle fire | 1 |
| 251 Excessive heat, scorch burns with no ignition | 1 |
| 311 Medical assist, assist EMS crew | 3 |
| 322 Motor vehicle accident with injuries | 2 |
| 323 Motor vehicle/pedestrian accident (MV Ped) | 1 |
| 324 Motor vehicle accident with no injuries. | 3 |
| 331 Lock-in (if lock out , use 511 ) | 1 |
| 353 Removal of victim(s) from stalled elevator | 1 |
| 411 Gasoline or other flammable liquid spill | 4 |
| 412 Gas leak (natural gas or LPG) | 3 |
| 444 Power line down | 1 |
| 445 Arcing, shorted electrical equipment | 2 |
| 551 Assist police or other governmental agency | 11 |
| 553 Public service | 6 |
| 556 Public service - Non paged | 6 |
| 611 Dispatched & canceled en route | 1 |
| 622 No incident found on arrival at dispatch address | 3 |
| 631 Authorized controlled burning | 1 |
| 651 Smoke scare, odor of smoke | 4 |
| 653 Smoke from barbecue, tar kettle | 1 |
| 671 HazMat release investigation w/no HazMat | 3 |
| 733 Smoke detector activation due to malfunction | 3 |
| 735 Alarm system soundad due to malfunction | 2 |
| 740 Unintentional transmission of alarm, other | 3 |
| 741 Sprinkler activation, no fire - unintentional | 1 |
| 743 Smoke detector activation, no fire - unintentional | 4 |
| 744 Detector activation, no fire - unintentional | 1 |
| 745 Alarm system activation, no fire - unintentional | 9 |
| 746 Carbon monoxide detector activation, no CO | 1 |
| Unknown | 2 |
| Totals: | 86 |

| COUNTY CALLS | November |
|---|---|
| Situation Type | # |
| 111 Building fire | 1 |
| 324 Motor vehicle accident with no injuries. | 1 |
| 551 Assist police or other governmental agency | 3 |
| Totals: | 5 |



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CITY RESPONSE
NOVEMBER 2015

| | | | |
|---|---|---|---|
| ENROUTE TIMES | | | |
| CITY CALLS | STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS | | STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS |
| 0-1 1/2 Minutes<br>CRITERIA MET %<br>CRITERIA -ACHIEVE RESPONSE TIME<br>90% OF TIME IN BOXES WITH<br>STATIONS | 0.95%<br>21 of 22<br>Criteria Met | 0- 1 1/2 MINUTES<br>CRITERIA MET %<br>CRITERIA -ACHIEVE RESPONSE TIME<br>60% OF TIME IN BOXES WITH<br>STATIONS | 3 of 3<br>100.00%<br>Criteria Met |
| | | | |
| ARRIVAL TIMES | | | |
| | STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS | | STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS |
| 0 - 6 MINUTES<br>CRITERIA MET %<br>CRITERIA -ACHIEVE RESPONSE TIME<br>90% OF TIME IN BOXES WITH<br>STATIONS | 0.86%<br>19 of 22<br>Criteria Not Met | 0-6 MINUTES<br>CRITERIA MET %<br>CRITERIA -ACHIEVE RESPONSE TIME<br>60% OF TIME IN BOXES WITH<br>STATIONS | 3 of 3<br>100.00%<br>Criteria Met |
| | | | |
| RESPONSE TIMES | | | |
| CITY CALLS | STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS | | STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS |
| 0-7 1/2 MINUTES<br>CRITERIA MET%<br>CRITERIA -ACHIEVE RESPONSE TIME<br>90% OF TIME IN BOXES WITH<br>STATIONS | 0.86%<br>19 of 22<br>Criteria Not Met | 0-7 1/2 MINUTES<br>CRITERIA MET%<br>CRITERIA -ACHIEVE RESPONSE TIME<br>60% OF TIME IN BOXES WITH<br>STATIONS | 3 of 3<br>100.00%<br>Criteria met |


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COUNTY AND MUTUAL AID
RESPONSE
NOVEMBER 2015



| COUNTY/MUTUAL | |
|---|---|
| ENROUTE | STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS |
| 0- 1 1/2 MINUTES | |
| CRITERIA MET % | 100.00% |
| CRITERIA -ACHIEVE RESPONSE TIME | 3 of 3 |
| 60% OF TIME IN BOXES WITH | Criteria Met |
| STATIONS | |
| | |
| ARRIVAL | STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS |
| 0 - 10 MINUTES | |
| CRITERIA MET % | 100.00% |
| CRITERIA -ACHIEVE RESPONSE TIME | 3 of 3 |
| 60% OF TIME IN BOXES WITH | Criteria Met |
| STATIONS | |
| | |
| RESPONSE | STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS |
| 0-11 1/2 MINUTES | |
| CRITERIA MET% | 100.00% |
| CRITERIA -ACHIEVE RESPONSE TIME | 3 of 3 |
| 60% OF TIME IN BOXES WITH | Criteria Met |
| STATIONS | |

ENROUTE OVERAGES
CITY CALLS
NOVEMBER 2015

| Venue | Alarm Date | Alarm Time | Enroute Time | alarm to enroute | Inc. Number | Station | Lights and Sirens | Apparatus | reason for overages |
|---|---|---|---|---|---|---|---|---|---|
| Rockwall | 11/02/2015 | 00:57:51 | 01:03:54 | 0:06:03 | 2015-00000991 | Rockwall 4 | Code 3 | E4 | CAD Time do not match radio times |


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ARRIVAL OVERAGES
CITY CALLS
NOVEMBER 2015

| Venue | Alarm Date | Enroute Time | Arrival Time | Enroute to arrival | Inc. Number | Station | Lights and Sirens | Apparatus | reason for overages |
|---|---|---|---|---|---|---|---|---|---|
| Rockwall | 11/05/2015 | 12:05:35 | 12:20:28 | 0:14:53 | 2015-00001001 | Rockwall 4 | Code 3 | E4 | reduced to code one while enroute |
| Rockwall | 11/12/2015 | 15:14:23 | 15:22:31 | 0:08:08 | 2015-00001029 | Rockwall 2 | Code 3 | E4 | E2 was at station #1 |
| Rockwall | 11/06/2015 | 23:32:02 | 23:39:19 | 0:07:17 | 2015-00001012 | Rockwall 1 | Code 3 | E1 | E4 had radio problems |


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RESPONSE OVERAGES
CITY CALLS
NOVEMBER 2015

| Venue | Alarm Date | Alarm Time | Arrival Time | response overages | Inc. Number | Station | Lights and Sirens | Apparatus | REASON FOR OVEARGES |
|---|---|---|---|---|---|---|---|---|---|
| Rockwall | 11/05/2015 | 12:04:42 | 12:20:28 | 0:15:46 | 2015-00001001 | Rockwall 4 | Code 3 | E4 | reduced to code one while enroute |
| Rockwall | 11/12/2015 | 15:13:24 | 15:22:31 | 0:09:07 | 2015-00001029 | Rockwall 2 | Code 3 | E4 | E2 was at station #1 |
| Rockwall | 11/06/2015 | 23:31:03 | 23:39:19 | 0:08:16 | 2015-00001012 | Rockwall 1 | Code 3 | E1 | E4 had radio problems |


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# Total Dollar Losses

November 2015

City of Rockwall
The New Horizon

| | Current Month | Last Month | Same Month Last Year | Year To Date | Last Year To Date |
|---|---|---|---|---|---|
| **Total Property Loss:** | $0.00 | $62,052.00 | $1,000.00 | $991,569.24 | $263,650.00 |
| **Total Content Loss:** | $0.00 | $37,231.20 | $0.00 | $453,402.90 | $96,394.00 |
| **Total Property Pre-Incident Value:** | $0.00 | $124,104.00 | $300,000.00 | $11,967,635.40 | $672,440.00 |
| **Total Contents Pre-Incident Value** | $0.00 | $74,462.40 | $150,000.00 | $6,068,682.50 | $373,224.00 |
| **Total Losses:** | $.00 | $99,283.20 | $1,000.00 | $1,444,972.14 | $.00 |
| **Total Value:** | $.00 | $198,566.40 | $450,000.00 | $18,036,317.90 | $1,045,664.00 |

# Inspection Status Summary Report

City of Rockwall
The New Horizon

**Print Date/Time:** 12/22/2015 10:23
**Login ID:** rck\lbrewer
**Inspection Type:** *All

**From Date:** 11/01/2015
**To Date:** 11/30/2015
**Inspection Status:** *All

Rockwall Fire Department
**FDID Number:** TX504
**Inspected By:** *All

| Status | Inspection Type | Total Number of Inspections |
|---|---|---|
| **Finaled** | Access Control Doors | 3 |
| | Annual | 2 |
| | Certificate of Occupancy | 8 |
| | Construction Final | 6 |
| | Courtesy | 24 |
| | Draft stop | 1 |
| | Dry Chemical (i.e. paint booth) | 1 |
| | Fire Alarm System | 4 |
| | Flow Test | 1 |
| | Follow Up | 10 |
| | Foster Care / Adoption | 2 |
| | Go Vertical | 2 |
| | Knox Box | 13 |
| | Remote FDC | 1 |
| | Tanks-AST | 1 |
| | Tanks-TEMP | 1 |
| | Tanks-UST | 1 |
| | Wet Fire Spinkler System | 1 |
| | **Total Finaled :** | **82** |
| **Pending** | Annual | 2 |
| | Certificate of Occupancy | 6 |
| | Construction Final | 11 |
| | Draft stop | 1 |
| | Fire Alarm System | 4 |
| | Flow Test | 1 |
| | Follow Up | 2 |

# Fire Investigation Status Summary

City of Rockwall
The New Horizon

**Print Date/Time:** 12/22/2015 10:20
**Login ID:** rck\lbrewer

**From Date:** 11/01/2015
**To Date:** 11/30/2015

Rockwall Fire Department
**FDID Number:** TX504

**Status:** All

**Investigation Type:** All

| Status | Investigation Type | | Total Number of Investigations |
|---|---|---|---|
| Admin | No Investigations Exist For This Status | | |
| | | Total Admin | 0 |
| Active (Open) | No Investigations Exist For This Status | | |
| | | Total Active (Open) : | 0 |
| Admin Closed- | No Investigations Exist For This Status | | |
| | | Total Admin Closed- no | 0 |
| Closed - by | No Investigations Exist For This Status | | |
| | | Total Closed - by | 0 |
| Pending Final | No Investigations Exist For This Status | | |
| | | Total Pending Final | 0 |
| | | Total : | |

# Fire Permit Listing

City of Rockwall
The New Horizon

**Print Date/Time:** 12/22/2015 10:24
**Login ID:** rck\lbrewer
**Permit Type:** All
**Permit Number From/To:** All

**From Application Date:** 11/1/2015
**Thru Application Date:** 11/30/2015
**Permit Status:** All

Rockwall Fire Department
**FDID Number:** TX504
**Inspector:** All

| Permit Number | Application Date | Applicant | Location | Permit Type | Status | Status Date |
|---|---|---|---|---|---|---|
| 1743 | 11/16/2015 | Eye Care and Laser Shell Building | 810 ROCKWALL PKWY ROCKWALL, TX 75032 | Overhead- | Approved | 12/11/2015 |
| 1744 | 11/19/2015 | Buffalo Wild Wings | 951 E I 30 101 ROCKWALL, TX 75032 | Fire Alarm | Approved | 11/20/2015 |
| 1745 | 11/19/2015 | Ortho Specialist of Dallas Shell | 1301 SUMMER LEE DR ROCKWALL, TX 75032 | Underground- | Approved | 11/20/2015 |
| 1746 | 11/20/2015 | TJ Maxx | . | Fire Alarm | Approved | 11/20/2015 |
| 1747 | 11/23/2015 | Family Medical Center at Baylor | 1975 ALPHA DR 204 ROCKWALL, TX 75087 | Fire Alarm | Approved | 12/02/2015 |
| 1748 | 11/23/2015 | Bimbo Bakery | 3055 DISCOVERY BLVD ROCKWALL, TX 75032 | Clean Agent | Re-Submit | 12/07/2015 |

**Total Number of Permits:** 6

# City of Rockwall

## Permit Routing Report By Date Sent (then by permit)

## For the Period 11/1/2015 thru 11/30/2015



| Permit # | Appl. Date / Permit Type | Aging | Address / Description | Owner Name | Plan Review Detail: Contact | Review Type | Status | Date Sent | Date Due | Completed |
|---|---|---|---|---|---|---|---|---|---|---|
| BLD2015-161 | 11/02/15 COMM | 50 | 202 N WEST ST RE-ROOFING (SHINGLES ONLY) | HOLLIMAN, ANDREA J & | Ariana Hargrove | FIRE 972-772-6431 | | 11/02/15 | 11/12/15 | |
| PLB2015-035 | 11/02/15 COMM | 50 | 2332 GREENCREST BLVD Fireside Chicken & Tacos - Gas test | JLIU, ASSET MANAGEMENT LTD | Ariana Hargrove | FIRE 972-772-6431 | | 11/02/15 | 11/12/15 | |
| PLB2015-035 | 11/02/15 COMM | 50 | 815 E WASHINGTON ST. HARRY MYERS PARK - WATER HEATER | CITY, OF ROCKWALL | Ariana Hargrove | FIRE 972-772-6431 | | 11/02/15 | 11/12/15 | |
| SPEC2015-02 | 11/02/15 SPECIAL EVENT | 50 | 2255 S GOLIAD VETERAN'S DAY BBQ | TOTAL, PETROLEUM INC | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/02/15 | 11/12/15 | 11/02/15 |
| BLD2015-162 | 11/03/15 COMM | 49 | 730 IH 30 AT&T - adding cell equipment to water tower | CITY, OF ROCKWALL | Ariana Hargrove | FIRE 972-772-6431 | | 11/03/15 | 11/13/15 | |
| BLD2015-163 | 11/03/15 COMM | 49 | 577 IH 30 AP's Thread Salon - interior remodel | BENT, TREE REALTY CO | Ariana Hargrove | FIRE 972-772-6431 | COMMENTS NEEDED | 11/03/15 | 11/13/15 | 11/11/15 |
| BLD2015-163 | 11/03/15 COMM | 49 | 3018 RIDGE RD 110 Orthodontex | AJ, SQUARED LLC | Ariana Hargrove | FIRE 972-772-6431 | COMMENTS NEEDED | 11/03/15 | 11/13/15 | 11/11/15 |
| CO2015-0116 | 11/03/15 CO | 49 | 811 YELLOW JACKET 116 Authentic Ridge Church | LANDLOW, LLC | Ariana Hargrove | FIRE CO | APPROVED | 11/03/15 | 11/06/15 | 11/03/15 |
| CO2015-0117 | 11/03/15 CO | 49 | 1411 S GOLIAD ST A THE RUSTIC WAREHOUSE | T-ROCK, LP | Ariana Hargrove | FIRE CO | APPROVED | 11/03/15 | 11/06/15 | 11/04/15 |
| PLB2015-035 | 11/03/15 COMM | 49 | 381 NATIONAL DR INSTALL BACKFLOW DEVICE FOR ROCKWALL FORD | ROCKWALL FORD | Ariana Hargrove | FIRE 972-772-6431 | | 11/03/15 | 11/13/15 | |
| CO2015-0118 | 11/09/15 CO | 43 | 1880 IH 30 E Cavenders Boot City | 1860, INVESTMENTS LTD | Ariana Hargrove | FIRE CO | APPROVED | 11/09/15 | 11/12/15 | 12/07/15 |
| DEM2015-001 | 11/09/15 COMM | 43 | 104 N SAN JACINTO Interior Demo - Heffernan Bldg. | HEFFERNAN, & HEFFERNAN BOOKKEEPING | Ariana Hargrove | FIRE 972-772-6431 | | 11/09/15 | 11/19/15 | |
| ELE2015-007 | 11/10/15 COMM | 42 | 3007 RIDGE RD North American Title Co - Install electrical outlet | AREZZO, HOME FAMILY HOLDINGS | Ariana Hargrove | FIRE 972-772-6431 | | 11/10/15 | 11/20/15 | |
| BLD2015-167 | 11/11/15 COMM | 41 | 1699 LAGUNA DR Starbucks extending patio & adding fence | BRENDA KINET | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/11/15 | 11/21/15 | 11/12/15 |
| CO2015-0119 | 11/11/15 CO | 41 | 2332 Greencrest Blvd. Fireside Chicken & Tacos | JLIU, ASSET MANAGEMENT LTD | Ariana Hargrove | FIRE CO | APPROVED | 11/11/15 | 11/14/15 | 11/11/15 |
| MISC2015-00 | 11/11/15 COMM | 41 | 455 NATIONAL DR Adding Cellular equip. to existing tower | FRAUSTO, MICKEY & LISA L | Ariana Hargrove | FIRE 972-772-6431 | | 11/11/15 | 11/21/15 | |
| BLD2015-115 | 08/04/15 COMM | 140 | 2601 Lakefront Trail Springhill Suites Marriott | ROCKWALL, RENTAL PROPERTIES LP | Ariana Hargrove | FIRE 972-772-6431 | COMMENTS NEEDED | 11/12/15 | 11/22/15 | 11/12/15 |
| BLD2015-168 | 11/12/15 COMM | 40 | 760 Ralph Hall Pkwy W 120 Standard Service | FLEMING, INVESTMENTS INC | Ariana Hargrove | FIRE 972-772-6431 | COMMENTS NEEDED | 11/12/15 | 11/22/15 | 11/16/15 |
| BLD2015-168 | 11/12/15 COMM | 40 | 602 WHITE HILLS DR NEW IRRIGATION SYSTEM. | FIRST, PRESBYTERIAN CHURCH | Ariana Hargrove | FIRE 972-772-6431 | | 11/12/15 | 11/22/15 | |

# City of Rockwall

## Permit Routing Report By Date Sent (then by permit)

## For the Period 11/1/2015 thru 11/30/2015

| Permit # | Appl. Date / Permit Type | Aging | Address / Description | Owner Name | Plan Review Detail: Contact | Review Type | Status | Date Sent | Date Due | Completed |
|---|---|---|---|---|---|---|---|---|---|---|
| PLB2015-037 | 11/12/15 COMM | 40 | 945 IH 30 Kirklands - Replace Backflow Assembly | ROCKWALL, CROSSING LTD | Ariana Hargrove | FIRE 972-772-6431 | | 11/12/15 | 11/22/15 | |
| BLD2015-115 | 08/04/15 COMM | 140 | 2601 Lakefront Trail Springhill Suites Marriott | ROCKWALL, RENTAL PROPERTIES LP | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/13/15 | 11/13/15 | 11/13/15 |
| BLD2015-169 | 11/13/15 COMM | 39 | 1215 ARISTA RD 103 Pilates studio | NERITA, LLC | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/13/15 | 11/23/15 | 11/13/15 |
| BLD2015-171 | 11/16/15 COMM | 36 | 2435 Ridge Rd. 111 Papa Murphy's - Remodel | ROCKWALL, OCEANHILL LLC | Ariana Hargrove | FIRE 972-772-6431 | COMMENTS NEEDED | 11/16/15 | 11/26/15 | 11/17/15 |
| CO2015-0120 | 11/16/15 CO | 36 | 2650 Champions Dr Shores HOA Clubhouse | SHORES, COUNTRY CLUB LLC | Ariana Hargrove | FIRE CO | APPROVED | 11/16/15 | 11/19/15 | 12/07/15 |
| BLD2015-163 | 11/03/15 COMM | 49 | 3018 RIDGE RD 110 Orthodontex | AJ, SQUARED LLC | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/17/15 | 11/27/15 | 11/17/15 |
| BLD2015-170 | 11/16/15 COMM | 36 | 951 Calm Crest Breezy Hill Amenity Ctr- pool & Splash pad | BREEZY HILL 405 LTD | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/17/15 | | 11/17/15 |
| PLB2015-037 | 11/17/15 COMM | 35 | 1039 IH 30 107 TEST FOR GAS LEAK | ROCKWALL MODERN DENTISTY | Ariana Hargrove | FIRE 972-772-6431 | | 11/17/15 | 11/27/15 | |
| SPEC2015-02 | 11/16/15 SPECIAL EVENT | 36 | KAUFMAN Hometown Christmas-Rockwall Old Town Shoppes | COUNTY, OF ROCKWALL | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/17/15 | 11/24/15 | 11/17/15 |
| BLD2015-172 | 11/18/15 COMM | 34 | 2701 Sunset Ridge Dr TREND TOWERS -3RD FLOOR INTERIOR FINISH OUT | HARBOR, HEIGHTS INVESTORS LP | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/18/15 | 11/28/15 | 11/20/15 |
| CO2015-0121 | 11/19/15 CO | 33 | 2010 INDUSTRIAL BLVD. 604 ULTRASOUND FLUID TECHNOLOGY | ROCKWALL, STEEL CO | Ariana Hargrove | FIRE CO | APPROVED | 11/19/15 | 11/22/15 | 11/20/15 |
| DEM2015-00 | 11/19/15 COMM | 33 | 2555 RIDGE RD 150 INTERIOR DEMO | CBAX, PROPERTIES LLC | Ariana Hargrove | FIRE 972-772-6431 | | 11/19/15 | 11/29/15 | |
| BLD2015-163 | 11/03/15 COMM | 49 | 577 IH 30 AP's Thread Salon - interior remodel | BENT, TREE REALTY CO | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/20/15 | 11/30/15 | 11/20/15 |
| BLD2015-172 | 11/18/15 COMM | 34 | 2555 RIDGE RD. 150 CHIROPRACTIC OFFICE REMODEL | ROCKWALL, TOWN CENTRE LTD | Ariana Hargrove | FIRE 972-772-6431 | APPROVED | 11/20/15 | 11/20/15 | 11/20/15 |
| ELE2015-007 | 11/20/15 COMM | 32 | 520 WASHINGTON ST. E BURY ELECTRICAL CABLE FROM BOX TO ELECTRICAL POLE | BETHEL BAPTIST CHURCH | Ariana Hargrove | FIRE 972-772-6431 | | 11/20/15 | 11/30/15 | |
| PLB2015-038 | 11/23/15 COMM | 29 | 1011 N FANNIN ST Water Heater Replacement | SEIFERT, RICHARD J ETUX DEBORAH | Ariana Hargrove | FIRE 972-772-6431 | | 11/23/15 | 12/03/15 | |
| TCO2015-000 | 11/23/15 TCO | 29 | 1411 S Goliad St. A The Rustic Warehouse | T-ROCK, LP | Ariana Hargrove | FIRE CO | APPROVED | 11/23/15 | 11/26/15 | 11/24/15 |
| CO2015-0122 | 11/24/15 CO | 28 | 3045 N Goliad St 107 Expert Cuts - New Interior finishout | PCB, PROPERTIES LLC | Ariana Hargrove | FIRE CO | APPROVED | 11/24/15 | 11/27/15 | 11/24/15 |
| CO2015-0123 | 11/24/15 CO | 28 | 811 E YELLOW JACKET LN 107 Seyco Joist Inc | LANDLOW, LLC | Ariana Hargrove | FIRE CO | APPROVED | 11/24/15 | 11/27/15 | 11/24/15 |

# City of Rockwall

## Permit Routing Report By Date Sent (then by permit)

## For the Period 11/1/2015 thru 11/30/2015

| Permit # | Appl. Date / Permit Type | Aging | Address / Description | Owner Name | Plan Review Detail | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Contact | Review Type | Status | Date Sent | Date Due | Completed |
| MEC2015-01' | 11/30/15 | 22 | 2233 RIDGE RD | DGR, ASSOCIATES INC A MISSOURI CORP | Ariana Hargrove | FIRE 972-772-6431 | | 11/30/15 | 12/10/15 | |
| | COMM | | Replace existing 3 ton a/c condensor & Air Handler on ground | | | | | | | |

# City of Rockwall
## Project Routing Report By Date Sent (then by project)
## For the Period 11/1/2015 thru 11/30/2015



| Project # | Appl. Date / Project Type | Aging | Address / Description | Status / Owner Name | Plan Review Detail: Contact / Review Type | Date Sent / Date Due | Completed / Status |
|---|---|---|---|---|---|---|---|
| E2015-026 | 10/08/2015 ENGINEERING | 75 | 254 RANCH Trail | | Ariana Hargrove Engineering: Fire | 11/13/2015 12/01/2015 | 11/17/2015 APPROVED |
| E2015-029 | 11/09/2015 ENGINEERING | 43 | | | Ariana Hargrove ENG - FIRE | 11/09/2015 11/20/2015 | 11/11/2015 APPROVED |
| P2015-038 | 10/13/2015 PLAT | 70 | JOHN KING BLVD | | Ariana Hargrove FIRE | 11/09/2015 11/16/2015 | 11/09/2015 APPROVED |
| P2015-040 | 11/05/2015 PLAT | 47 | | | Ariana Hargrove FIRE | 11/05/2015 11/12/2015 | 11/12/2015 APPROVED |
| P2015-040 | 11/05/2015 PLAT | 47 | | | Ariana Hargrove FIRE | 11/19/2015 11/26/2015 | 11/19/2015 APPROVED |
| P2015-041 | 11/16/2015 PLAT | 36 | TOWNSEND DR | | Ariana Hargrove FIRE | 11/16/2015 11/23/2015 | 11/17/2015 APPROVED |
| SP2015-018 | 07/20/2015 SITE PLAN | 155 | YELLOW JACKET LANE | | Ariana Hargrove FIRE | 11/19/2015 11/26/2015 | 11/19/2015 COMMENTS |
| SP2015-024 | 11/16/2015 SITE PLAN | 36 | RALPH HALL PKWY | | Ariana Hargrove FIRE | 11/16/2015 11/23/2015 | 11/17/2015 APPROVED |
| Z2015-031 | 11/12/2015 ZONING | 40 | LA JOLLA POINTE DR | | Ariana Hargrove FIRE | 11/12/2015 11/19/2015 | 11/17/2015 COMMENTS |
| Z2015-032 | 11/16/2015 ZONING | 36 | 1901 S GOLIAD | | Ariana Hargrove FIRE | 11/16/2015 11/23/2015 | |

# City of Rockwall
## Project Routing Report By Date Sent (then by project)
## For the Period 11/1/2015 thrn 11/30/2015



| Project # | Appl. Date<br>Project Type | Aging | Address<br>Description | Status<br>Owner Name | Plan Review Detail<br>Contact<br>Review Type | Date Sent<br>Date Due | Completed<br>Status |
|---|---|---|---|---|---|---|---|
| Z2015-033 | 11/16/2015<br>ZONING | 36 | 513 WINDSOR WAY | | Ariana Hargrove<br>FIRE | 11/16/2015<br>11/23/2015 | 11/17/2015<br>APPROVED |
| Z2015-034 | 11/16/2015<br>ZONING | 36 | JOHN KING BLVD | | Ariana Hargrove<br>FIRE | 11/16/2015<br>11/23/2015 | 11/19/2015<br>APPROVED |
| Z2015-034 | 11/16/2015<br>ZONING | 36 | JOHN KING BLVD | | Ariana Hargrove<br>FIRE | 11/19/2015<br>11/26/2015 | 11/19/2015<br>APPROVED |
| Z2015-035 | 11/16/2015<br>ZONING | 36 | FM552 | | Ariana Hargrove<br>FIRE | 11/16/2015<br>11/23/2015 | 11/19/2015<br>COMMENTS |

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City of Rockwall
GIS Department Report
November 2015

GIS Project Request:

| *Month* | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | **2015** | *% Change from 2014* | 2015 Trend |
|---|---|---|---|---|---|---|---|---|---|---|---|
| January | 5 | 14 | 19 | 24 | 31 | 21 | 26 | 28 | 38 | 35.71% | ↑ |
| February | 13 | 16 | 26 | 28 | 28 | 25 | 26 | 27 | 33 | 22.22% | ↑ |
| March | 4 | 6 | 32 | 23 | 36 | 22 | 23 | 28 | 30 | 7.14% | ↑ |
| April | 9 | 25 | 17 | 22 | 29 | 37 | 23 | 30 | 35 | 16.67% | ↑ |
| May | 16 | 25 | 18 | 30 | 32 | 33 | 38 | 24 | 31 | 29.17% | ↑ |
| June | 11 | 9 | 27 | 22 | 38 | 35 | 28 | 15 | 34 | 126.67% | ↑ |
| July | 15 | 24 | 15 | 32 | 23 | 27 | 21 | 31 | 41 | 32.26% | ↑ |
| August | 15 | 7 | 23 | 24 | 38 | 35 | 36 | 34 | 27 | -20.59% | ↓ |
| September | 9 | 7 | 28 | 31 | 37 | 27 | 20 | 39 | 50 | 28.21% | ↑ |
| October | 10 | 33 | 32 | 39 | 40 | 39 | 27 | 44 | 38 | -13.64% | ↓ |
| November | 35 | 6 | 15 | 27 | 22 | 13 | 29 | 34 | **46** | 35.29% | ↑ |
| December | 10 | 13 | 13 | 28 | 22 | 17 | 28 | 19 | | | |
| Total: | 152 | 185 | 265 | 330 | 376 | 331 | 325 | 353 | **403** | | |

Key Projects:

(1) **New Internet Maps / GIS Day Event**. Successfully held second annual GIS Day event. Released new online maps. Demonstrated to Council and P&Z Commission.

(2) **911 Addressing**. Assigned addresses to new homes, businesses, and utilities. Updated state database.

(3) **GPS Intern Projects**. New GPS projects locating all Utility updates, and planimetric update of Building Footprints.

(4) **Rockwall County Critical Infrastructure Mitigation Plan**. Compiled data for County Emergency Management Team.

(5) **Event Maps**. Prepared various events maps for Christmas Parade, Downtown, Park's etc.

Year to Date Project Request by Department:

| | |
|---|---|
| Admin / HR / Internal Ops | 4 |
| Building Inspections | 0 |
| Citizen Request | 2 |
| City Council | 0 |
| City Manager's Office | 2 |
| Neighborhood Improvement Services | 0 |
| Engineering / Public Works | 3 |
| Finance / Utilities | 0 |
| Fire Department | 3 |
| GIS (Citywide Projects) | 10 |
| IT | 0 |
| Main Street Program | 0 |
| Outside Agencies | 6 |
| Parks and Recreation | 3 |
| Planning | 11 |
| Police Department | 2 |
| REDC | 0 |
| Total | 46 |

(6) **NCTCOG Next Generation 911**. Updating NCTCOG NG911 data and repairing any city or state MSAG errors.

(7) **Parks Department Strategic Plan and Mowing Contract**. Update various parks maps and mowing documents with new zones, walking distances, and calculate acreages.

(8) **SH66 / S Lakeshore Hazmat Information**. Assisted Fire Dept. with hazmat incident historical deed / utility research.

(9) **Various Planning Project Maps.** Created various project study maps. (T'fare, Comp, Zoning, ROW, etc.)

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**Rockwall Police Department**
**Harbor District Call For Service**
**November 2015**

| Incident Number | Date | Time | Common Name | Incident Type | Incident CFS Disposition |
|---|---|---|---|---|---|
| 2015-00037150 | 11/06/2015 | 20:02:44 | Cinemark Movies 12 | Disorderly Conduct | No Report |
| 2015-00038827 | 11/20/2015 | 19:37:52 | Cinemark Movies 12 | Investigation | Arrest |
| 2015-00039167 | 11/23/2015 | 17:40:20 | Cinemark Movies 12 | Criminal Mischief | No Report |
| 2015-00039638 | 11/28/2015 | 15:52:25 | Cinemark Movies 12 | BMV | Report |
| 2015-00039640 | 11/28/2015 | 15:57:51 | Cinemark Movies 12 | BMV | Report |
| 2015-00039641 | 11/28/2015 | 15:58:53 | Cinemark Movies 12 | BMV | Report |
| 2015-00039659 | 11/28/2015 | 16:57:40 | Cinemark Movies 12 | BMV | Report |
| 2015-00000994 | 11/02/2015 | 22:26:05 | Hilton | Fire Alarm | False Alarm |
| 2015-00036788 | 11/04/2015 | 02:23:08 | Hilton | BMV | Report |
| 2015-00036789 | 11/04/2015 | 02:48:17 | Hilton | BMV | Report |
| 2015-00036791 | 11/04/2015 | 03:37:30 | Hilton | BMV | Report |
| 2015-00036792 | 11/04/2015 | 03:38:02 | Hilton | BMV | Report |
| 2015-00036793 | 11/04/2015 | 03:47:14 | Hilton | BMV | Report |
| 2015-00036794 | 11/04/2015 | 03:55:24 | Hilton | BMV | Report |
| 2015-00036795 | 11/04/2015 | 04:06:29 | Hilton | BMV | Report |
| 2015-00036815 | 11/04/2015 | 10:24:43 | Hilton | BMV | Report |
| 2015-00036843 | 11/04/2015 | 15:03:32 | Hilton | BMV | Report |
| 2015-00036886 | 11/04/2015 | 22:52:35 | Hilton | Investigation | No Report |
| 2015-00037770 | 11/11/2015 | 22:48:40 | Hilton | Suspicious Activity | No Report |
| 2015-00037910 | 11/13/2015 | 00:25:04 | Hilton | Investigation | Unable to Locate |
| 2015-00038206 | 11/15/2015 | 02:17:38 | Hilton | Disturbance | No Report |
| 2015-00038212 | 11/15/2015 | 02:55:15 | Hilton | Disturbance | No Report |
| 2015-00038384 | 11/17/2015 | 00:34:16 | Hilton | Investigation | No Report |
| 2015-00038503 | 11/18/2015 | 00:58:45 | Hilton | Intoxicated | No Report |
| 2015-00038507 | 11/18/2015 | 02:06:23 | Hilton | Suspicious Activity | No Report |
| 2015-00038845 | 11/20/2015 | 21:38:20 | Hilton | Suspicious Activity | No Report |
| 2015-00039212 | 11/24/2015 | 01:51:00 | Hilton | Suspicious Activity | No Report |
| 2015-00039347 | 11/25/2015 | 02:48:04 | Hilton | Suspicious Activity | No Report |
| 2015-00039402 | 11/25/2015 | 14:10:24 | Hilton | 911 Hang Up | No Report |
| 2015-00039577 | 11/27/2015 | 20:09:23 | Hilton | Disturbance | No Report |
| 2015-00039582 | 11/27/2015 | 22:36:03 | Hilton | Disturbance | No Report |
| 2015-00039589 | 11/28/2015 | 01:07:36 | Hilton | Disturbance | Arrest |
| 2015-00039643 | 11/28/2015 | 16:15:54 | Hilton | BMV | No Report |
| 2015-00036493 | 11/01/2015 | 22:56:26 | The Harbor | Investigation | No Report |
| 2015-00037272 | 11/07/2015 | 21:05:57 | The Harbor | Suspicious Activity | No Report |
| 2015-00038074 | 11/14/2015 | 08:17:07 | The Harbor | Alarm-BUSN | False Alarm |
| 2015-00038840 | 11/20/2015 | 20:40:45 | The Harbor | Investigation | No Report |
| 2015-00039470 | 11/26/2015 | 03:36:00 | The Harbor | Assault | No Report |
| 2015-00039635 | 11/28/2015 | 15:33:40 | The Harbor | BMV | Report |
| 2015-00038042 | 11/13/2015 | 23:50:55 | Three Sheets | Investigation | No Report |
| | | | | | |
| | | | **Common Name** | | |
| | | | Cinemark Movies 12 | 7 | |
| | | | Hilton | 26 | |
| | | | The Harbor | 6 | |
| | | | Three Sheets | 1 | |
| | | | **Total** | **40** | |


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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
NOVEMBER 2015

| DEPARTMENT | # FMR REQUESTS | # FMR REQUESTS RESPONDED TO W / IN 24 HOURS | # FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS | % ON TIME |
|---|---|---|---|---|
| ADMINISTRATION | 14 | 14 | 0 | 100% |
| ADMINISTRATIVE SERVICES | 3 | 3 | 0 | 100% |
| AIRPORT | 0 | 0 | 0 | 0% |
| ANIMAL SERVICES | 2 | 2 | 0 | 100% |
| BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT | 2 | 2 | 0 | 100% |
| ENGINEERING | 2 | 2 | 0 | 100% |
| FINANCE | 1 | 1 | 0 | 100% |
| FIRE DEPARTMENT | 35 | 33 | 2 | 94% |
| INTERNAL OPERATIONS | 139 | 139 | 0 | 100% |
| MUNICIPAL COURT | 14 | 14 | 0 | 100% |
| PARKS & RECREATION | 23 | 23 | 0 | 100% |
| PLANNING & ZONING | 3 | 3 | 0 | 100% |
| POLICE DEPARTMENT | 19 | 19 | 0 | 100% |
| PUBLIC WORKS | 4 | 4 | 0 | 100% |
| UTILITY BILLING | 0 | 0 | 0 | 0% |
| TOTAL | 261 | 259 | 2 | 99% |


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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
NOVEMBER 2015

| DEPARTMENT | # OF REQUESTS | # OF REQUESTS RESPONDED TO W / IN 24 HOURS | # OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS | % ON TIME |
|---|---|---|---|---|
| ANIMAL SERVICES | 0 | 0 | 0 | 100% |
| CODE ENFORCEMENT | | | 0 | 100% |
| FIRE DEPARTMENT | 1 | 1 | 0 | 100% |
| EMS | 0 | 0 | 0 | 100% |
| INTERNAL OPERATIONS | | | 0 | 100% |
| PARKS & RECREATION | 1 | 1 | 0 | 100% |
| POLICE DEPARTMENT | 8 | 8 | 0 | 100% |
| PUBLIC WORKS | 0 | 0 | 0 | 100% |
| UTILITY BILLING | 0 | 0 | 0 | 100% |
| HEATH DEPT. PUBLIC SAFETY | 1 | 1 | 0 | 100% |
| HOSPITAL CONTROL STATIONS | 0 | 0 | 0 | 100% |
| SYSTEM ISSUES | 1 | 1 | 0 | 100% |
| TOTAL | 12 | 12 | 0 | 100% |


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# Airport Operations Report

**For Month of November 2015**

## FUEL SALES

| | GALLONS SOLD | GROSS SALES |
|---|---|---|
| **Jet - A Sales** | 340.00 | $1,326.00 |
| **Av-Gas Sales** | 1,836.40 | $7,099.42 |
| TOTAL FUEL SALES | 2,176.40 | $8,425.42 |

## HANGAR RENTAL REVENUE

| | |
|---|---|
| **Open T Hangar Rental Revenue** | $2,380.00 |
| **Transient Covered Hgr - Nightly** | $45.00 |
| **Enclosed Hangar Rental Revenue** | $120.00 |
| **Nightly Tiedown Fees** | $49.00 |
| **North Community Hangar Rental Revenue** | $650.00 |
| TOTAL HANGAR RENTALS | $3,244.00 |

## HANGAR OCCUPANCY RATES

| | TOTAL HANGARS | QTY RENTABLE | QUANTITY LEASED | OCCUPANCY RATE |
|---|---|---|---|---|
| **Open T Hangars** | 45 | 40 | 28 | 70.00% |
| **Closed Hangar Rentals** | 2 | 2 | 2 | 100% |
| **Open Hangar Cap Rentals** | 2 | 1 | 1 | 100% |
| TOTAL HANGAR OCCUPANCY | 49 | 43 | 31 | 72% |

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

| CITY FEES DUE | FEE RATE | FRANCHISE FEE DUE | FUEL FLOWAGE FEES DUE | TOTAL FEES DUE |
|---|---|---|---|---|
| **Fuel Sales ( Gallons Sold )** | $0.10 | $0.00 | $217.64 | $217.64 |
| **City Owned Hangar Rentals** | 5.00% | $162.20 | $0.00 | $0.00 |
| TOTAL FEES DUE | | $162.20 | $217.64 | $379.84 |

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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# Rockwall Police Department

**Monthly Activity Report**
**November-2015**

| ACTIVITY | CURRENT MONTH NOVEMBER | PREVIOUS MONTH OCTOBER | YTD 2015 | YTD 2014 | YTD % CHANGE |
|---|---|---|---|---|---|
| **PART 1 OFFENSES** | | | | | |
| Homicide / Manslaughter | 0 | 0 | 0 | 1 | **-100.00%** |
| Sexual Assault | 0 | 0 | 11 | 6 | **83.33%** |
| Robbery | 1 | 0 | 9 | 5 | **80.00%** |
| Aggravated Assault | 1 | 3 | 32 | 23 | **39.13%** |
| Burglary | 8 | 8 | 59 | 80 | **-26.25%** |
| Larceny | 60 | 46 | 585 | 585 | **0.00%** |
| Motor Vehicle Theft | 4 | 2 | 34 | 50 | **-32.00%** |
| **TOTAL PART I** | **74** | **59** | **730** | **750** | **-2.67%** |
| **TOTAL PART II** | **111** | **152** | **1690** | **1504** | **12.37%** |
| **TOTAL OFFENSES** | **185** | **211** | **2420** | **2254** | **7.36%** |
| **ADDITIONAL STATISTICS** | | | | | |
| FAMILY VIOLENCE | 10 | 24 | 177 | 183 | **-3.28%** |
| D.W.I. | 18 | 12 | 184 | 193 | **-4.66%** |
| TEEN CURFEW | 2 | 0 | 7 | 13 | **-46.15%** |
| **ARRESTS** | | | | | |
| FELONY | 20 | 17 | 199 | 195 | **2.05%** |
| MISDEMEANOR | 61 | 60 | 742 | 843 | **-11.98%** |
| WARRANT ARREST | 23 | 48 | 406 | 349 | **16.33%** |
| JUVENILE | 0 | 1 | 26 | 70 | **-62.86%** |
| **TOTAL ARRESTS** | **104** | **126** | **1373** | **1457** | **-5.77%** |
| **DISPATCH** | | | | | |
| CALLS FOR SERVICE | 1449 | 1533 | 16671 | 16065 | **3.77%** |
| **ACCIDENTS** | | | | | |
| INJURY | 14 | 12 | 115 | 128 | **-10.16%** |
| (INJURIES) | 14 | 15 | 163 | 179 | **-8.94%** |
| NON-INJURY | 66 | 64 | 606 | 497 | **21.93%** |
| FATALITY | 0 | 0 | 1 | 1 | **0.00%** |
| (FATALITIES) | 0 | 0 | 1 | 1 | **0.00%** |
| **TOTAL** | **80** | **76** | **722** | **626** | **15.34%** |
| **FALSE ALARMS** | | | | | |
| RESIDENT ALARMS | 64 | 59 | 714 | 647 | **10.36%** |
| BUSINESS ALARMS | 127 | 102 | 1346 | 1409 | **-4.47%** |
| **TOTAL FALSE ALARMS** | **191** | **161** | **2060** | **2056** | **0.19%** |
| **Estimated Lost Hours** | **126.06** | **106.26** | **1359.6** | **1356.96** | **0.19%** |
| **Estimated Cost** | **$2,998.70** | **$2,527.70** | **$32,342.00** | **$32,279.20** | **0.19%** |

**ROCKWALL NARCOTICS UNIT**

| | |
|---|---|
| **Number of Cases** | **3** |
| **Arrests** | **3** |
| **Arrest Warrants** | **0** |
| **Search Warrants** | **0** |
| **Seized** | |
| Marijuana | 4.9 ounces |
| Cocaine | 28 grams |
| Meth | 1 Kilogram |
| Heroin | 0.9 grams |

# Rockwall Police Department
## Dispatch and Response Times

November-2015

**Police Department**

| | Average Response Time | | |
|---|---|---|---|
| **Priority 1** | | Number of Calls | **113** |
| Call to Dispatch | 0:00:56 | | |
| Call to Arrival | 0:05:15 | | |
| % over 7 minutes | 28% | | |

| | Average Response Time | | |
|---|---|---|---|
| **Priority 2** | | Number of Calls | **272** |
| Call to Dispatch | 0:01:27 | | |
| Call to Arrival | 0:07:54 | | |
| % over 7 minutes | 39.34% | | |

| | Average Response Time | | |
|---|---|---|---|
| **Priority 3** | | Number of Calls | **6** |
| Call to Dispatch | 0:02:30 | | |
| Call to Arrival | 0:08:09 | | |
| % over 7 minutes | 50.00% | | |

| | | | |
|---|---|---|---|
| ***Priority 4** | 0:08:58 | Number of Calls | **989** |
| | | | |
| ****Priority 5** | 0:01:05 | Number of Calls | **2** |

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

**Average dispatch response time goals are as follows:**
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

**Fire Department**

| | Average Response Time | | |
|---|---|---|---|
| Call to Dispatch | 0:00:11 | Number of Calls | **67** |
| Call to Arrival | 0:06:51 | | |

**Overages**

| Incident No. | Date | Time Rec'd | Call Type | Time Disp | Resp Time | Reason |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |

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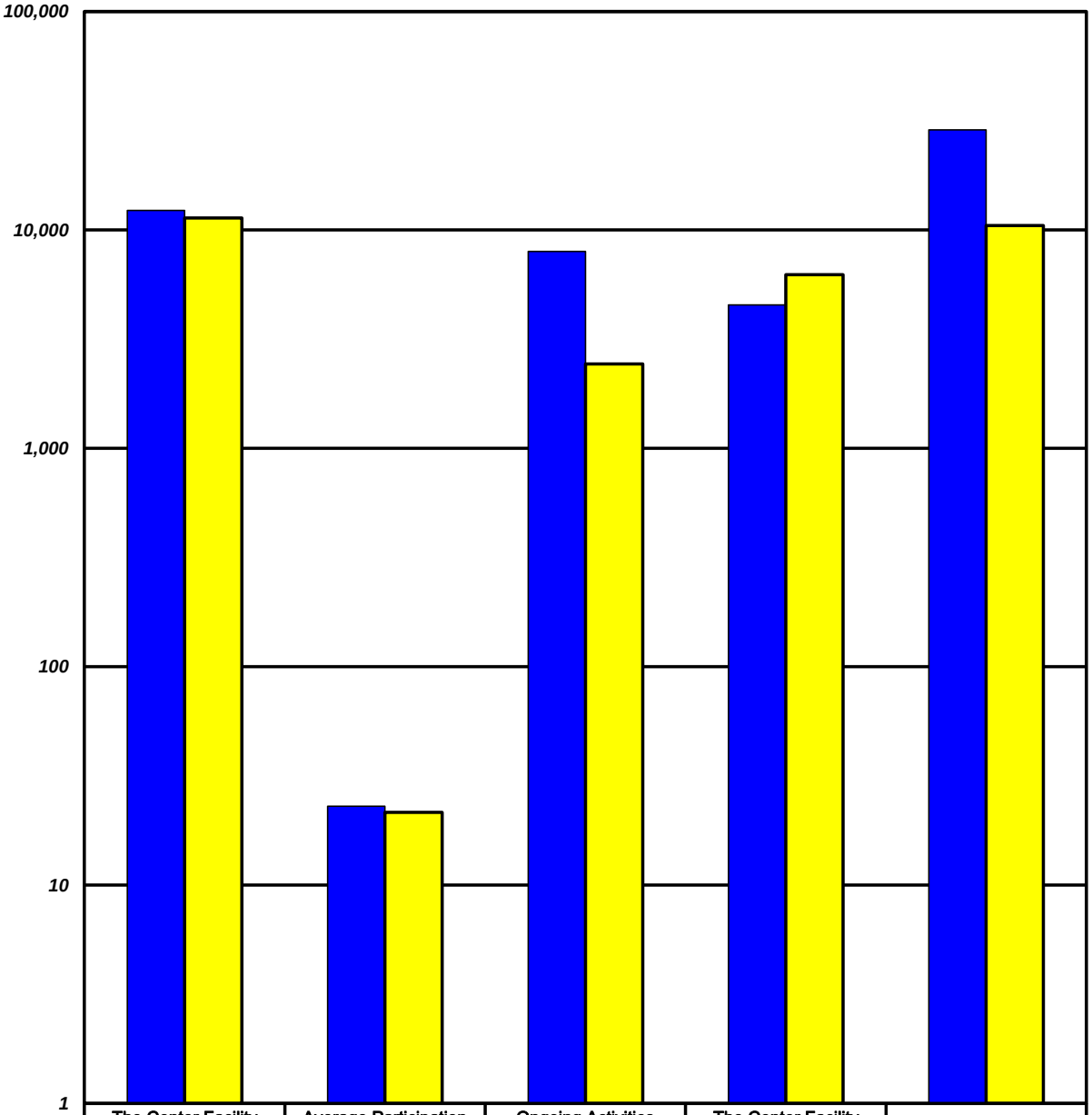
# City of Rockwall
# Parks and Recreation Department
# FY16 November Report




| | The Center Facility Usage | Average Participation per Hour | Ongoing Activities Attendance | The Center Facility Rental Revenue | Program Revenue |
|---|---|---|---|---|---|
| FY16 YTD | 12,307 | 23 | 7,973 | $4,537 | $28,760 |
| FY15 YTD | 11,330 | 22 | 2,434 | $6,234 | $10,467 |

**The Center Facility Usage** - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
**Average Participation per Hour** - The Center Facility Usage divided by the number of hours the facility is open.
**Ongoing Activities Attendance** - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).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# Rockwall Animal Adoption Center Monthly Report
## CCHS at Rockwall
## November 2015

### DISPOSITION REPORT

| | November |
|---|---|
| Intakes | 115 |
| 1045 | 1 |
| Adopted | 52 |
| Returned to Owner | 41 |
| Rescued | 21 |
| Euthanized | 2 |
| **Live Outcome %** | **98%** |
| Number of Animals in Foster | 0 |

### FINANCIAL REPORT

| **Income** | **November** |
|---|---|
| City of Rockwall | $0 |
| Adoption Fee Income | $4,840 |
| Impound Fee Income | $1,105 |
| Owner Surrender | $770 |
| General Donations | $1,603 |
| Medical | $265 |
| Quarantine Fee | $0 |
| **Total Income** | **$8,583** |

| **Expenses** | **November** |
|---|---|
| Administrative Expenses (Payroll, etc) | $33,955 |
| Shelter Expenses (Microchips, Drugs, etc) | $5,132 |
| Veterinary Expenses | $5,999 |
| Professional Services | $0 |
| **Total Expenses** | **$45,085** |
| **Balance** | **-$36,640** |

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