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**MINUTES**  
**ROCKWALL CITY COUNCIL**  
**Monday, June 20, 2016**  
**4:00 p.m. Regular City Council Meeting**  
**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

7 I. CALL PUBLIC MEETING TO ORDER

8  
9 Mayor Pro Tem Townsend called the meeting to order at 4:00 p.m. Present were Mayor  
10 Pro Tem Mike Townsend and Council Members David White, Scott Milder, Kevin Fowler  
11 and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City  
12 Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza. Councilmember  
13 John Hohenshelt and Mayor Jim Pruitt were absent from the meeting.  
14

15 II. WORK SESSIONS

- 16  
17 1. Hold a work session to discuss and consider the minimum square footage  
18 required for residential dwelling units in various zoning districts as stipulated by  
19 Article V, "District Development Standards" of the Unified Development Code

20 Planning Director Ryan Miller provided information concerning this item, indicating that  
21 at the May 16 meeting, Council expressed interest in looking at square footage  
22 associated with, for example, SF-10 zoning districts. As a result, staff has performed a  
23 survey of comparable cities regarding their residential zoning districts. This information  
24 has been compared to the City of Rockwall's residential zoning districts by lot size to  
25 assess the required minimum square footage for dwelling units. A copy of this analysis  
26 has been included in the meeting packet for the City Council's review. Based on the  
27 analysis there is some evidence indicating that the Single Family 10 (SF- 10) and Single  
28 Family 16 (SF-16) Districts minimum square footage for dwelling units could be  
29 increased. If the City Council chooses to direct staff to make changes to this section of  
30 the code, staff would suggest that the City Council also consider setting a minimum  
31 square footage for dwelling units in an Agricultural (AG) District. Currently, no minimum  
32 exists.

33 It was clarified that the smallest that is currently allowable is a zero lot line property,  
34 which would essentially have a 5,000 square foot lot with a minimum 1,000 square foot  
35 home. General discussion took place regarding the standards that other cities have in  
36 place. Price points and property values were discussed as well.

37 Councilmember Milder suggested that there should perhaps be a minimum square  
38 footage of 1,800 for homes within Rockwall; however, he is open to further discussion  
39 regarding what other cities do in this regard (if they do at all).

40 Based on the discussions, staff clarified that it will return to the council with proposed  
41 modifications to the city's current development standards, specifically regarding  
42 minimum square footage (including within AG zoning) for further discussion and  
43 consideration.

- 44 2. Hold a work session to hear a project status on the engineering design for the  
45 East Boydston Avenue (South Goliad to Clark Street) and Throckmorton Street  
46 (East Boydston Avenue to East Bourn Street) Paving Improvement Projects

47 City Engineer Tim Tumulty came forth and indicated that Jeremy White, one of the city's  
48 engineers, has been serving as the project manager on these projects, so he will be  
49 speaking to the Council this afternoon. Mr. White then came forth and provided an  
50 update concerning details associated with these projects.

51 East Boydston Avenue is currently an existing 37 foot wide curb and gutter roadway  
52 approximately 1,800 linear feet from South Goliad to Clark Street. Throckmorton Street is  
53 currently an existing two lane asphalt roadway from East Boydston Avenue to East  
54 Bourn Street. Both East Boydston Avenue and Throckmorton Street are two of four  
55 Roadway Capital Improvement Projects passed in the 2012 Bond Election.

56  
57 East Boydston Avenue will be reconstructed to a 41 foot concrete curb and gutter  
58 roadway with a 5-foot concrete sidewalk on each side. The reconstruction will also  
59 include re-configuring of the South Goliad/East Boydston Avenue intersection to  
60 enhance the northbound South Goliad to eastbound East Boydston Avenue turning  
61 movement. Additional improvements for the project will include improved storm sewer  
62 capacity along with the replacement of the existing sanitary sewer and water lines. The  
63 City hired EJES, Inc. to provide the engineering design and specifications for the East  
64 Boydston Avenue project.

65  
66 Throckmorton Street will be reconstructed to a two lane, 29 foot concrete curb and gutter  
67 roadway with a 5-foot concrete sidewalk on each side. These improvements will be  
68 placed within the existing 50' right of way. Additional improvements for the project will  
69 include improved storm sewer capacity along with the replacement of the existing  
70 sanitary sewer and water lines. The City hired Cobb, Fendley & Associates, Inc. to  
71 provide the engineering design and specifications for the Throckmorton Street project.

72  
73 Both projects are currently at the 60% engineering design stage. City Staff and the  
74 engineering design consultants plan to hold a public meeting on June 29, 2016 at 6:00pm  
75 at City Hall Council Chambers for the residents and businesses along and adjacent to  
76 East Boydston Avenue and Throckmorton Street. Public input will be received at this  
77 meeting and taken into consideration as the engineering design is completed.

78  
79 The Council took no action following this work session item.  
80

81 3. Hold a work session to hear update regarding the South Lakeshore Drive/Summit  
82 Ridge Reconstruction Project

83 Mr. White came forth and briefed the Council on this project as well.  
84

85 It was explained that staff is working with the engineering consultant (Kimley Horne) on  
86 the design for the reconstruction of South Lakeshore Drive/Summit Ridge from SH 66 to  
87 FM 740 (Ridge Road). The existing concrete pavement section along South Lakeshore  
88 (SH 66 to Summit Ridge) is wider than the section along Summit Ridge from South  
89 Lakeshore to FM 740. Both sections of roadway do not provide a walkway for pedestrian  
90 other than in the street.

91  
92 Staff hosted a neighborhood meeting on December 9, 2015 with the residents living  
93 along both roadways allowing residents to express their concerns regarding the existing  
94 roadway and the proposed improvements. About thirty residents / property owners were  
95 in attendance. The main concerns expressed by the public at that time were speeding

96 and 'cut through' traffic. Staff and the consultant have utilized that information to move  
97 forward on the design of the reconstructed roadway.

98  
99 Staff intends to host a second meeting with these residents along with residents living  
100 within four blocks of South Lakeshore Drive/Summit Ridge. The meeting is scheduled for  
101 July 20, 2016.

102  
103 The Council took no action following discussion of this work session item.

104  
105 Mayor Pro Tem Townsend read the below listed discussion items into the public record  
106 before recessing the meeting into Executive Session at 4:43 p.m.

107  
108 **III. EXECUTIVE SESSION.**

109  
110 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS  
111 THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT  
112 CODE:

- 113  
114 1. Discussion regarding proposed renegotiation of City v. Primary Media  
115 settlement agreement pursuant to Section §551.071 (Consultation with  
116 Attorney)
- 117 2. Discussion regarding contract with Holmes Murphy & Associates and  
118 HIPPA Information pursuant to Section §551.071 (Consultation with  
119 Attorney)
- 120 3. Discussion regarding purchase or lease of real property / land acquisition  
121 in the vicinity of FM-3549 and SH-66 pursuant to Section § 551.072 (Real  
122 Property).

123 **IV. ADJOURN EXECUTIVE SESSION**

124  
125 Council adjourned Executive Session at 5:25 p.m.

126  
127 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

128  
129 Mayor Pro Tem Townsend reconvened the public meeting at 6:00 p.m. with five of the  
130 seven council members being present (Hohenshelt and Pruitt were absent).

131  
132 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

133  
134 Councilmember Milder made a motion to accept the offer from TXDOT associated with  
135 Parcels 48 and 49 on the FM-3549 (roadway improvements) project. Councilmember  
136 White seconded the motion, which passed by a vote of 5 in favor with 2 absent  
137 (Hohenshelt and Pruitt).

138  
139 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS**

140  
141 Mayor Pro Tem Lewis delivered the invocation and led the Pledge of Allegiance.

145 **VIII. OPEN FORUM**

146

147 **Mayor Pro Tem Townsend explained how Open Forum is conducted and asked if anyone**  
148 **would like to speak. There being no one indicating such, he then closed Open Forum.**

149

150 **IX. CONSENT AGENDA**

151

152 1. Consider approval of the minutes from the June 6, 2016 regular city  
153 council meeting, and take any action necessary.

154 2. **Z2016-013** - Consider a request by Garrett Lust of Pointe Land &  
155 Development, LLC on behalf of Marven Wu of West Union Investment,  
156 Co. for the approval of an **ordinance** for a zoning change from an  
157 Agricultural (AG) District to a Planned Development District for Single-  
158 Family 10 (SF-10) District land uses on a 81.49-acre parcel of land  
159 identified as Tract 16 of the J. A. Ramsey Survey, Abstract No. 186, City  
160 of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,  
161 located on Rochell Road south of the intersection of Rochell Road the  
162 SH-276, and take any action necessary. **(2nd Reading)**

163 3. **P2016-020** - Consider a request by Cameron Slown of FC Cuny  
164 Corporation on behalf of Randal Currington of Fontanna Ranch Phase II,  
165 LP for the approval of a final plat for Phase II of the Fontanna Ranch  
166 Subdivision containing 49 single-family residential lots on a 19.167-acre  
167 tract of land identified as Tract 5 of the J. A. Ramsey Survey, Abstract No.  
168 186, City of Rockwall, Rockwall County, Texas, zoned Planned  
169 Development District 64 (PD-64) for Single Family 16 (SF-16) land uses,  
170 generally located east of FM-549 and south of SH-276, and take any  
171 action necessary.

172 4. **P2016-028** - Consider a request by Noah Flabiano of the Skorburg  
173 Company on behalf of the owner Lakeside Church of Christ of Rockwall  
174 for the approval of a master plan/ open space plan for the Ridgecrest  
175 Subdivision containing 45 single-family residential lots on a 29.541-acre  
176 parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall  
177 Lakeside Church of Christ Addition, City of Rockwall, Rockwall County,  
178 Texas, zoned Planned Development District 81 (PD-81), located on the  
179 north side of Airport Road, west of the intersection of Airport Road and  
180 FM-3549, and take any action necessary.

181 5. **P2016-029** - Consider a request by Noah Flabiano of the Skorburg  
182 Company on behalf of the owner Lakeside Church of Christ of Rockwall  
183 for the approval of a preliminary plat for the Ridgecrest Subdivision  
184 containing 45 single-family residential lots on a 29.541-acre parcel of land  
185 being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside  
186 Church of Christ Addition, City of Rockwall, Rockwall County, Texas,  
187 zoned Planned Development District 81 (PD-81), located on the north  
188 side of Airport Road, west of the intersection of Airport Road and FM-  
189 3549, and take any action necessary.

190 6. Consider approval of the North Water Improvements Project and  
191 authorize the City Manager to execute a contract with Reytech Services,

192 LLC. in an amount of \$746,704.61 to be funded by 2016 Water & Sewer  
193 Bonds, and take any action necessary.

194 **Mayor Pro Tem Townsend pulled item #6 for further discussion.**

195  
196 **Councilmember Milder made a motion to approve the remaining Consent Agenda Items**  
197 **(#1, 2, 3, 4, and 5). Councilmember White seconded the motion. The ordinance was read**  
198 **as follows:**

199  
200 **CITY OF ROCKWALL**  
201 **ORDINANCE NO. 16-43**  
202

203 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**  
204 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE**  
205 **NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED,**  
206 **SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG)**  
207 **DISTRICT TO PLANNED DEVELOPMENT DISTRICT 82 (PD-82) FOR**  
208 **SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT**  
209 **PROPERTY, BEING AN 81.49-ACRE TRACT OF LAND IDENTIFIED AS**  
210 **TRACT 16 OF THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, CITY OF**  
211 **ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY**  
212 **DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL**  
213 **CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED**  
214 **THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH**  
215 **OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR**  
216 **A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

217  
218 **The motion passed by a vote of 5 in favor with 2 absent (Pruitt and Hohenshelt).**  
219

220 **Townsend asked for clarification as to what we are spending and what areas will be**  
221 **included in this project. Mr. Tumulty indicated that this is a water main replacement**  
222 **project, and some of the following streets will be included:**  
223

- 224 • **Jackson St. From Fannin to Nash**
- 225 • **Clark St. from SH-66 to Heath**
- 226 • **Lilian St. from Fannin to Clark**
- 227 • **Kernoodle from Margaret to Heath**

228  
229 **He explained that some of these water lines have been in the ground since the 1960's or**  
230 **before. So, this replacement project will bring the lines up to today's standards and cut**  
231 **down on ongoing, needed repairs.**  
232

233 **Mayor Pro Tem Townsend then made a motion to approve Consent Agenda item #6.**  
234 **Councilman Milder seconded the motion, which passed unanimously of those present**  
235 **(Pruitt and Hohenshelt absent).**  
236

237 **X. APPOINTMENTS**  
238

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

242 Chairman Craig Renfro came forth and briefed the City Council on recommendations of  
243 the Commission relative to items on tonight's meeting agenda. The Council took no  
244 action following Mr. Renfro's briefing.

245  
246 **XI. PUBLIC HEARING ITEMS**

247  
248 **1. Z2016-017** - Hold a public hearing to discuss and consider a City initiated  
249 zoning request for the approval of an **ordinance** for a text amendment to  
250 Section 1, Land Use Schedule, and Section 2.1.8, Auto and Marine-  
251 Related Use Conditions, of Article IV, Permissible Uses, of the Unified  
252 Development Code for the purpose of changing the requirements for  
253 Used Motor Vehicle Dealerships, and take any action necessary [**1st**  
254 **Reading**].

255 **Planning Director Ryan Miller briefed the Council on this agenda item. On May 16, 2016,**  
256 **staff brought forward an ordinance to the City Council proposing to allow the Motor**  
257 **Vehicle Dealership, Used (Cars and Light Trucks) use by Specific Use Permit (SUP) in the**  
258 **Light Industrial (LI) District and by-right in the Heavy Industrial (HI) District; however, the**  
259 **ordinance also restricted the use in certain overlay districts within the City. This**  
260 **ordinance was denied by the City Council by a vote of 6-1, with Mayor Pruitt dissenting.**  
261 **As part of this motion, staff was directed to draft and bring back for consideration an**  
262 **ordinance that conforms to the motion made by the City Council on March 21, 2016. This**  
263 **motion was to allow a Motor Vehicle Dealership, Used (Cars and Light Trucks) in a Light**  
264 **Industrial (LI) District by a Specific Use Permit (SUP).**

265  
266 **Mayor Pro Tem Townsend opened the public hearing and asked if anyone would like to**  
267 **come forward and speak at this time.**

268  
269 **Maxwell Fisher**  
270 **Echo Park**  
271 **900 Jackson Street, Ste. 640**  
272 **(No city or state provided with address)**

273  
274 **Mr. Fisher came forth and indicated that he has previously come before the city council**  
275 **on two, separate occasions had has made presentations regarding "Echo Park," which**  
276 **he describes as a high-end, pre-owned car dealership. He generally expressed that he**  
277 **believes the Council potentially allowing high end, used car dealerships on a case-by-**  
278 **case basis is a good idea.**

279  
280 **There being no one else wishing to come forth to speak, Townsend then closed the**  
281 **public hearing.**

282  
283 **Councilman Lewis moved to approve Z2016-017. Councilman White seconded the**  
284 **motion. The ordinance was read as follows:**

285  
286 **CITY OF ROCKWALL**  
287 **ORDINANCE NO. 16-XX**

288  
289 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**  
290 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [**ORDINANCE****  
291 **NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED,**  
292 **BY AMENDING SECTIONS 1.1 & 2.1.8 OF ARTICLE IV, **PERMISSIBLE****

293 USES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM  
294 OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;  
295 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A  
296 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
297

298 The motion passed by a vote of 3 in favor, 2 against (Milder and Fowler), and 2 absent  
299 (Pruitt and Hohenshelt).  
300

- 301 2. **Z2016-018** - Hold a public hearing to discuss and consider a request by  
302 Jeff Parker of the Skorburg Company on behalf of BH Balance IV, LLC for  
303 the approval of an **ordinance** for a zoning amendment to Planned  
304 Development District 74 (PD-74) to amend the concept plan to allow for  
305 additional single-family residential lots and for the purpose of  
306 incorporating changes to the development standards contained in Exhibit  
307 'C' of Ordinance 14-26 for a 405.184-acre tract of land identified as the  
308 Breezy Hill Subdivision and situated within the J. Strickland Survey,  
309 Abstract No. 187, Rockwall, Rockwall County, Texas, generally located  
310 north of FM-552 and west of Breezy Hill Road, and take any action  
311 necessary [1st Reading].

312 Mr. Miller, Planning Director, provided background information concerning this agenda  
313 item. He explained that the property was annexed in 2008 after three (3) years of  
314 litigation that lead to the execution of a Chapter 212 Development Agreement. In  
315 accordance with this agreement, the property was zoned to Planned Development  
316 District 74 (PD-74) on April 20, 2009 with the intention of being a master planned,  
317 residential community that offered tracts of land designated for retail/office, residential,  
318 and institutional land uses. The approval of this zoning change altered the existing 212  
319 Development Agreement -- which originally permitted 810 single-family residential lots  
320 and did not contain any retail acreage -- to include 658 single-family residential lots and a  
321 59-acre tract of land designated for general retail land uses. The retail tract of land is  
322 located at the northeast corner of the intersection of FM-552 and John King Boulevard.  
323

324 Mr. Miller explained that on October 1, 2012 the City Council approved an amendment to  
325 Planned Development District 74 (PD-74) modifying the concept plan to remove the  
326 school sites that were originally required by the Facilities Agreement and adjust the lot  
327 mix accordingly [i.e. increasing the number of lots from 658 to 691]. The lot mix was  
328 again increased on July 7, 2014 from 691 lots to 742 lots for the purpose of incorporating  
329 two (2) additional phases (i.e. Phases IXA & IXB) and to reduce the land designated as  
330 commercial/retail from 59.4-acres to 33.7-acres. On March 13, 2015, the applicant  
331 submitted an alternate concept plan depicting a reduction in the number of acres  
332 designated for retail land uses from 33.7-acres to 19.49-acres for the purpose of  
333 amending Planned Development District 74 (PD-74) to include an additional residential  
334 phase of 50' x 120' lots (i.e. *minimum of 6,000 SF*). In addition, this case proposed raising  
335 the number of lots from 742 to 762, but maintain a density of 2.0-units/acre. This case  
336 [Case No. Z2015-013] was denied by the City Council on May 4, 2015.  
337

338 Mr. Miller explained that the applicant has now submitted an application requesting to  
339 amend Planned Development District 74 (PD-74) [Ordinance No. 14-26] to approve an  
340 alternate concept plan and development standards. Specifically, the applicant is  
341 requesting to reduce the number of acres designated for retail land uses from 33.7-acres  
342 to 19.49-acres for the purpose incorporating an additional residential phase that will be  
343 composed of 50' x 120' lots (i.e. *minimum of 6,000 SF*).

344  
345 He shared that 364 notices were mailed out to property owners located within 500' of the  
346 subject property. In addition, the Stoney Hollow and Breezy Hill Homeowners  
347 Associations were also sent notifications. Initially, nineteen responses were received  
348 back in opposition of this zoning change request; however, additional replies have  
349 subsequently been received back, resulting in 31 total responses expressing opposition.  
350

351 On June 14, 2016, the Planning and Zoning Commission approved a motion  
352 recommending that the proposed residential phase -- *identified as Phase X on the*  
353 *concept plan* -- consist of 60-foot lots (*i.e. Lot Type 'A'*) in lieu of the proposed 50-foot  
354 lots (*i.e. Lot Type 'E'*). This motion passed by a vote of 6-0, with Commissioner  
355 Trowbridge absent.  
356

357 Adam Buczek  
358 Skorburg Co.  
359 8214 Westchester Drive, Suite 710  
360 Dallas, TX 75225  
361

362 Mr. Buczek came forth and briefed the city council on what his company is proposing  
363 with regards to this request.  
364

365 General discussion took place regarding how this particular proposal differs from the  
366 previous proposal last year. Councilman Lewis expressed concern regarding the  
367 additional decrease in the retail/commercial portion. He is also concerned about the  
368 developer wanting to put in additional smaller lots, thus increasing the density. He  
369 shared that he has received a lot of emails from homeowners who have expressed that  
370 this current proposal may reduce their property values, and they are opposed to the  
371 council approving this request.  
372

373 Mayor Pro Tem Townsend opened the public hearing and asked if anyone would like to  
374 come forth and speak at this time.  
375

376 David Parks  
377 3718 Drewsbury  
378 Rockwall, TX  
379

380 Mr. Parks expressed that he decided to build in this subdivision because of the larger  
381 lots and larger homes. He acknowledged that the quality of the builders will likely be  
382 good; however, the smaller lot sizes and the smaller square footages proposed to be  
383 built will drive down the home values of other, existing homes. He is opposed to  
384 approval of this request.  
385

386 Mrs. Parks  
387 3718 Drewsbury  
388 Rockwall, TX  
389

390 Mrs. Parks came forth and indicated that she and her husband moved here from New  
391 York, and they have really enjoyed the community. She explained that she is a realtor.  
392 She shared that she and her husband paid more to be in the Breezy Hill subdivision  
393 because of things like the higher valued homes, the larger square footages, and the extra

394 amenities in the homes. She and her husband are generally opposed to the Council  
395 approving this request.

396  
397 **Amanda Warner**  
398 **890 Pleasant View Drive**  
399 **Rockwall, TX**

400  
401 **Mrs. Warner came forth and generally expressed opposition to this request. She**  
402 **explained that she and her husband intentionally chose to build in Breezy Hill instead of**  
403 **Stone Creek because of the bigger lots. She explained that she and her husband paid**  
404 **more for their larger lot. She moved from Dallas to get away from higher density area.**

405  
406 **Lee Nori**  
407 **4189 Lorion Drive**  
408 **Rockwall, TX**

409  
410 **Mr. Nori explained that he purchased a lot and built in this subdivision in particular**  
411 **because of the larger lots and larger homes. He believes this proposal is in opposition of**  
412 **what he was told when he was purchasing his home. He is not in favor of the Council**  
413 **approving this request.**

414  
415 **Mrs. Kelli Nori**  
416 **4189 Lorion Drive**  
417 **Rockwall, TX**

418  
419 **Mrs. Nori expressed opposition to this current proposal, especially pertaining to**  
420 **allowance of 50' lots. She explained her belief that it will lower property values for**  
421 **homeowners that bought and built in this neighborhood based on neighborhood**  
422 **minimum standards expressed at that time (which did not include 50' lots). She believes**  
423 **allowing these would affect the aesthetics of the neighborhood too. She is against the**  
424 **Council approving this item.**

425  
426 **David Cavalli**  
427 **721 Calmcrest Drive**  
428 **Rockwall, TX**

429  
430 **Mr. Cavalli expressed that he chose to build in Breezy Hill because of the larger lots. He**  
431 **believes this proposal would significantly change the dynamics of his community, and**  
432 **he is opposed to the Council approving this request. He also pointed out that the**  
433 **developer is now proposing to not include what was originally planned to be included as**  
434 **far as the commercial / retail area. He does not believe the developer's arguments for**  
435 **wanting 50' lots are valid. He suggested that this and other developers should be**  
436 **required to publicly post and commit to what a subdivision is proposed to be comprised**  
437 **of and then stick with it to fruition. He understands that some minor changes may be**  
438 **necessary, but he does not like a developer making major changes that are different than**  
439 **what home buyers were first "sold on" when purchasing their homes. He strongly**  
440 **encouraged the Council to vote in opposition of this request.**

441  
442  
443  
444

445 **Kristy Dent (unsure of spelling)**  
446 **601 Limmerhill Drive**

447  
448 **Mrs. Dent explained that her home is not quite built yet; however, her and her husband**  
449 **have been shopping around in Breezy Hill for more than two months now, and they have**  
450 **contracted on a home. They used to live in Stoney Hollow, and they selected this**  
451 **community because of the oversized lots. She believes these two subdivisions are**  
452 **intended to be two, different products. She shared that the builders are ‘selling’ them as**  
453 **such, and the consumers are buying them that way. She indicated that a lot of**  
454 **homeowners and potential buyers are watching this discussion closely.**

455  
456 **There being no one else wishing to come forth and speak, Mayor Pro Tem Townsend**  
457 **then closed the public hearing.**

458  
459 **Councilmember Fowler shared that he believes when a developer is telling homebuyers**  
460 **that the future development will include larger lots and larger homes, and then they**  
461 **change what they’ve told people, it is essentially morally and ethically questionable and**  
462 **reprehensible.**

463  
464 **Councilman Milder generally indicated that he does not believe the developer has really**  
465 **been listening to the city council’s past comments or the desires of the residents. He is**  
466 **generally not in favor of supporting this request.**

467  
468 **Mr. Buczek came forth and indicated that he does wish to take into account the desires**  
469 **and opinions of both the city council and the homeowners. His company is putting forth**  
470 **a proposal in accordance with what it believes is the best use of the remaining land;**  
471 **however, he knows that the city council ultimately has the decision making authority.**  
472 **After additional commentary, Mr. Buczek expressed that he would like to now have the**  
473 **City Council consider allowing him to withdraw the case. Some discussion took place**  
474 **regarding ‘withdrawal’ versus ‘denial’ of this proposed case.**

475  
476 **Councilman Milder and Councilman Fowler expressed appreciation to Skorburg Co. for**  
477 **the good things it has done in our community within the existing subdivisions. Fowler**  
478 **asked staff for clarification on the timeframes associated with allowing the applicant to**  
479 **withdraw versus the Council denying the request. General indication was given that if**  
480 **the applicant withdraws, he could come back next month, for example; however, if**  
481 **Council denies the request, the applicant would have to wait at least one year before**  
482 **coming back with a subsequent proposal unless he were to bring it back in a way that it**  
483 **reflects a substantive change(s).**

484  
485 **Councilman Fowler made a motion to deny Z2016-018. Councilman White seconded the**  
486 **motion. Councilmember White then made a suggestion about approving this request by**  
487 **generally following the recommendation of the Planning & Zoning Commission**  
488 **(approving it but with 60’ lots, not 50’ ones). After some additional discussion,**  
489 **Councilman Fowler amended his original motion to instead move to approve Z2016-018,**  
490 **stipulating a requirement of 60’ lots as recommended by the Planning & Zoning**  
491 **Commission (with no 50’ lots). Councilman White seconded the motion. The ordinance**  
492 **was read as follows:**

493  
494  
495

CITY OF ROCKWALL  
ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [ORDINANCE NO. 14-26] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 14-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, 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 4 in favor, 1 against (Lewis), and 2 absent (Pruitt and Hohenshelt).

XII. ACTION ITEMS

1. Discuss and consider a request from Melanie Hancock with the Hancock Sign Company representing Fenton Nissan for an approval of a sign plan located at 1700 IH 30, and take any action necessary.

Jeffrey Widmer, Building Official, came forth and briefed the Council on this agenda item. The applicant is requesting two pole signs, with one being 636 square feet in size and 42.5 feet in height and the other being 200 square feet in size and 50 feet in height. The applicant has indicated that the increased height is necessary to provide needed visibility on IH 30 due to the John King overpass being located directly in front of their property. He explained that the city's current sign ordinance allows a maximum height of 30 feet and a maximum size of 200 square feet for pole signage.

Melanie Hancock  
Hancock Signs  
745 109<sup>th</sup> Street  
Arlington, TX 76011

Mrs. Hancock came forth and explained that when the applicant built the facility, they expected they would be able to come forth to seek approval of a sign variance request associated with signage. The intent is to allow their dealership signage to be visible to traffic headed both ways up and down IH-30. She explained that they believed that this sort of request would be granted since other signs along this same IH-30 corridor have been approved to be higher and larger in the past.

Councilmember Lewis made a motion to approve the sign plan as presented. Councilmember White seconded the motion. Councilmember White generally commented that when the existing sign ordinance height regulations were adopted, IH-30 was very different, as that was back in the late 80's or early 90's.

547 At that time IH-30 was at a lower elevation, and the John King Boulevard did not  
548 even exist. After brief, additional comments, the motion passed by a vote of 5 in  
549 favor with 2 absent (Pruitt and Hohenshelt).

550 2. MIS2016-008 - Discuss and consider a request by Theresa and Ronald  
551 Briones for the approval of an exception to the minimum masonry  
552 requirements stipulated in Section 3.1, General Residential District  
553 Standards, of Article V, District Development Standards, of the Unified  
554 Development Code, for a 0.248-acre parcel of land identified as part of  
555 Lot 7, Block 5, Garner Addition, City of Rockwall, Rockwall County,  
556 Texas, zoned Single Family 10 (SF-10) District, addressed as 905 N.  
557 Alamo Street/906 N. West Street, and take any action necessary.

558 Planning Director, Ryan Miller, provided brief comments related to this agenda item. The  
559 applicant not wishing to come forth and speak, Councilmember White then made a  
560 motion to approve MIS2016-008. Councilmember Lewis seconded the motion, which  
561 passed by a vote of 5 in favor with 2 absent (Pruitt and Hohenshelt).  
562

563 3. Discuss and consider a request from Rod Holland with KW-Rockwall for  
564 the approval of a variance to Section 3.5, Alcoholic Beverage Sales, of  
565 Article IV, Permissible Uses, of the Unified Development Code to allow a  
566 restaurant establishment (Texas Road House) that does not meet the  
567 minimum distance requirements for alcoholic beverage sales on a 1.90-  
568 acre tract of land identified as a portion of Tract 4 of the J. D. McFarland  
569 Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas,  
570 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30  
571 OV) District, located on the north side of IH-30 east of Greencrest  
572 Boulevard, and take any action necessary.

573 Ryan Miller, Planning Director, provided background information related to this agenda  
574 item. He generally indicated that the applicant is seeking a variance to the proximity  
575 requirements for the sale of alcoholic beverages for on-site consumption associated with  
576 a restaurant (i.e. Texas Roadhouse). He explained that, in accordance with the Texas  
577 Alcoholic Beverage Code, the City of Rockwall has adopted distance requirements that  
578 stipulate a minimum separation between businesses that sell alcohol -- for on-site or off-  
579 site consumption -- and schools, churches and hospitals. However, he explained, the  
580 Council may grant a variance to these requirements in certain circumstances.  
581

582 Mr. Crowley indicated that the school district has been notified that this item will be on  
583 tonight's agenda and will be considered by Council. Also, the applicant has indicated  
584 that they have spoken to the school district. He went on to indicate that it is his  
585 understanding that the school district will not be submitting any commentary, either in  
586 opposition or in favor, regarding this request.  
587

588 Rod Holland  
589 2701 Sunset Hill  
590 Rockwall, TX  
591

592 Mr. Holland came forth to answer any questions the Council may have.  
593

594 Milder asked for more details regarding the topography of this location. Mr. Miller  
595 indicated that there is a slope and some trees and vegetation behind this location.

596  
597 Councilman White made a motion to approve the variance request. Councilmember  
598 Lewis seconded the motion, which passed by a vote of 5 in favor with 2 absent (Pruitt  
599 and Hohenshelt).

600  
601 4. **SP2016-012** - Discuss and consider a request by Chet Leugers, PE of  
602 Pacheco Koch on behalf of Michael Hampton of the Rockwall Economic  
603 Development Corporation for the approval of variances and an exception  
604 to the material, parking, articulation screening and landscaping  
605 requirements stipulated by the Unified Development Code in conjunction  
606 with an approved site plan for a warehouse/manufacturing facility on a  
607 30.6-acre portion of a larger 86.806-acre tract of land identified as Tract 1  
608 of the H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall  
609 County, Texas, zoned Light Industrial (LI) District, located at the  
610 northwest corner of Discovery Boulevard and Data Drive, and take any  
611 action necessary.

612 Councilman Lewis indicated that he will be recusing himself from this agenda item (he  
613 filed an affidavit with the City Secretary, as required).

614  
615 Mr. Miller provided background information concerning this agenda item. The applicant,  
616 Pratt Industries, which is a Georgia-based packaging company, is requesting approval of  
617 variances relating to the parking, building materials, articulation, screening, and  
618 landscaping requirements in conjunction with an approved site plan for a 389,500 SF  
619 warehouse/manufacturing facility. He indicated that the subject property is a 30.6-acre  
620 tract of land, located in the REDC Technology Park, and is zoned Light Industrial (LI)  
621 District.

622  
623 He went on to brief the Council on the variance requests, which are related to parking, tilt  
624 wall, building materials, articulation, screening requirements, and detention basin  
625 landscaping. He explained that the Planning & Zoning Commission has recommended  
626 approval of these variances by a vote of 6-0.

627  
628 **Michael Hampton**  
629 **Rockwall Economic Development Corporation (REDC)**  
630 **Rockwall, Texas**

631  
632 Mr. Hampton came forth and shared with the Council some more details related to this  
633 company, sharing that there will be 140 jobs created on each of the three, separate shifts  
634 (it will be a 24 hour operation). He then went on to go into a bit more detail concerning  
635 each of the variances that the applicant is asking the Council to consider this evening.

636  
637 Councilmember Milder welcomed Pratt Industries to Rockwall. He asked for some  
638 clarification related to the tilt wall variance request and articulation variance request. Mr.  
639 Miller indicated that many variances, especially in the Tech Park, have been previously  
640 granted.

641  
642 Councilmember White made a motion to approve SP2016-012, including all of the  
643 requested variances. Mayor Pro Tem Townsend seconded the motion, which passed by  
644 a vote of 4 in favor, 1 abstention (Lewis) and 2 absent (Pruitt and Hohenshelt).

646 5. **SP2016-013** - Discuss and consider a request by Clay Cristy of  
647 ClayMoore Engineering on behalf of the owner Tom R. Briscoe of Briscoe  
648 Oil, Inc. for the approval of a variance to the natural stone requirements  
649 stipulated by Section 6.6, IH-30 Overlay (IH-30 OV) District, of the Unified  
650 Development Code in conjunction with an approved PD Site Plan for an  
651 urgent care facility on a 1.042-acre tract of land identified as Lots 1 & 2,  
652 Block A, Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey,  
653 Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned  
654 Planned Development District 32 (PD-32), situated within the Summit  
655 Office Subdistrict and the IH-30 Overlay (IH-30 OV) District, located at the  
656 southwest corner of Horizon Road [FM3097] and the IH-30 frontage road,  
657 and take any action necessary.

658 **Planning Director, Ryan Miller, provided background information concerning this agenda**  
659 **item. The applicant is requesting approval of a variance to the stone requirements in**  
660 **conjunction with an approved PD Site Plan for a 6,235 SF urgent care facility (CareNow).**  
661 **The 1.042-acre subject property is located directly east of Trend Tower -- adjacent to the**  
662 **IH-30 Frontage Road and Horizon Road --, and is zoned Planned Development District 32**  
663 **(PD-32) [Ordinance No. 10-21]. It should be noted that a PD Development Plan [Ordinance**  
664 **No. 16-28] was approved in May of this year. The variance request is summarized as**  
665 **follows:**

666  
667 **Regarding the city's masonry requirements, according to Section 6.6, C. Architectural**  
668 **Standards, of Article V, District Development Standards, of the UDC, each exterior wall is**  
669 **required to be constructed of 90% masonry materials (i.e. brick, stone, etc.) on walls**  
670 **visible from a public street or open space, including a minimum of 20% being natural or**  
671 **quarried stone. In this case, the proposed building will be comprised of 100% masonry**  
672 **materials with two (2) of the facades incorporating a minimum of 35% natural chopped**  
673 **stone. The two (2) remaining facades (north and west elevations) do not meet the**  
674 **minimum 20% standard for stone.**

675  
676 **Gray Stogner**  
677 **12720 Hillcrest, Suite 650**  
678 **Dallas, TX**

679  
680 **Mr. Miller indicated that the city's Architectural Review Board has recommended**  
681 **approval of the elevations. On June 14, 2016, the Planning and Zoning Commission's**  
682 **motion to approve the site plan with staff conditions passed by a vote of 6 to 0, with**  
683 **Commissioner Trowbridge being absent. In the same motion, the Planning and Zoning**  
684 **Commission's recommendation to approve the variance as requested also passed by a**  
685 **vote of 6 to 0, with Commission Trowbridge being absent. He also pointed out that**  
686 **approval of a variance request to the IH-30 OV requires passage of a 3/4 majority vote of**  
687 **City Council.**

688  
689 **Councilman Lewis made a motion to approve SP2016-013. Councilmember White**  
690 **seconded the motion, which passed unanimously of those present (Pruitt and**  
691 **Hohenshelt absent).**

692  
693 6. **SP2015-018** - Discuss and consider a request by Brad Williams of  
694 Winstead PC on behalf of RaceTrac for the approval of a variance to the  
695 secondary material requirements as stipulated by Section 6.8, Scenic

696 Overlay (SOV) District, of the Unified Development Code in conjunction  
697 with an approved site plan for a retail store with gasoline sales on a 2.46-  
698 acre parcel of land identified as Lots 1R & 2R of the Woods at Rockwall  
699 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial  
700 (C) District, situated within the Scenic Overlay (SOV) District, located at  
701 the southeast corner of the intersection of Ridge Road and Yellow Jacket  
702 Lane, and take any action necessary.

703 **Planning Director, Ryan Miller, provided information on this item as follows:**

704  
705 **On December 10, 2013, the Planning and Zoning Commission approved a site plan (Case**  
706 **No. SP2013-002) for a RaceTrac Gas Station on the subject property at the southeast**  
707 **corner of the intersection of Ridge Road and Yellow Jacket Lane. This site plan was**  
708 **amended on December 21, 2015 by the City Council after the then applicant -- Dimension**  
709 **Group -- requested that a variance to the secondary materials be approved allowing the**  
710 **building to exceed the 10% secondary material requirement for the purpose of allowing**  
711 **EIFS and TrexBoard®. At the time of approval, the applicant submitted elevations**  
712 **showing approximately 14% secondary materials overall (18% as calculated by the**  
713 **ordinance -- i.e. excluding doors and windows). Since this approval, RaceTrac has**  
714 **amended their use of TrexBoard® in favor of a composite/compressed board (i.e.**  
715 **Compact Wood) and altered their prototypical building elevations to incorporate an**  
716 **enclosed dining area. Typically, these changes can be handled administratively;**  
717 **however, in making the changes the applicant, Brad Williams of Winstead PC, is**  
718 **requesting permission to increase the amount of secondary materials for the purpose of**  
719 **accommodating the enclosed dining space (i.e. adding five [5] additional pillars --**  
720 **indicated on the attached elevations). These changes increase the amount of secondary**  
721 **materials from 18% to an average of 21% (i.e. 10.11% to 29.40% per façade -- see attached**  
722 **spreadsheet), thus increasing the non-conformity of the variance. Due to this change and**  
723 **since the applicant is proposing a new material (i.e. Compact Wood) staff has taken the**  
724 **changes back to the Architectural Review Board (ARB) and the Planning and Zoning**  
725 **Commission (P&Z). On June 14, 2016, the ARB reviewed the proposed changes and**  
726 **approved a motion to recommend approval of the proposed building elevations**  
727 **(including the change in materials) by a vote of 4 to 0, with Board Members Strohmeyer,**  
728 **Neill, and Meyrat absent. In addition, on June 14, 2016, the P&Z approved the amended**  
729 **site plan request and recommended approval of the variance request by a vote of 6 to 0,**  
730 **with Commissioner Trowbridge absent. It should be noted that for council to approve**  
731 **this variance it will require a ¾-majority vote as it is a requirement of the Scenic Overlay**  
732 **(SOV) District.**

733  
734 **Brad Williams**  
735 **2728 North Harwood**

736  
737 **Mr. Williams indicated he his representing the applicant. He shared that Mr. Miller has**  
738 **explained the nature of this request quite well, and he pointed out that the ARB and P&Z**  
739 **have both unanimously recommended its approval.**

740  
741 **Councilmember Lewis asked how long it may be before this project actually gets started.**  
742 **Mr. Williams indicated that the first or second quarter of 2017 is the projected start time,**  
743 **and it is listed as a priority project at the corporate level.**

744

745 Councilmember Lewis made a motion to approve SP2015-018. Councilmember White  
746 seconded the motion, which, after brief comments, passed by a vote of 5 in favor with 2  
747 absent (Pruitt and Hohenshelt).  
748

749 7. Discuss and consider a proposal from Primary Media regarding a  
750 billboard generally located just east of the intersection of Horizon Road  
751 and Ridge Road, and take any action necessary.

752 Mayor Pro Tem Townsend indicated that he has received a request for this item to be  
753 pulled and delayed until the next meeting when a full city council is present to address it.  
754 Mr. Garza, City Attorney, has advised that this is allowable. So, the Council did not  
755 discuss this item during the meeting, and no action was taken at this time.

756 8. Discuss and consider improvements to Chandlers Marina and possible  
757 lease extension with Suntex Marina Investors LLC, and take any action  
758 necessary.

759 Assistant City Manager Brad Griggs provided background information concerning this  
760 agenda item. Fire Chief Mark Poindexter provided various comments pertaining to the  
761 existing fire boat that is located at the marina and is currently owned/maintained by  
762 Suntex. He pointed out that the timeframe associated with this possible lease renewal is  
763 much longer than the anticipated lifespan of the current fire boat.

764 Two representatives from Suntex (no names provided) then came forth and spoke to the  
765 city council concerning this potential lease extension. The main speaker indicated that  
766 his company has been working with lenders to try and finance a portion of the  
767 improvements. His company has become self-proclaimed experts in dredging,  
768 elsewhere and at Chandlers. They are seeking approval of a lease extension that would  
769 add an additional nine-and-a-half years on to the current interlocal agreement. This  
770 would result in a 25 year lease, which they have learned is the minimum timeframe that is  
771 required in order for lenders to work with them on funding. He indicated a willingness to  
772 work with staff, including anything related to the fire boat.

773 Chief Poindexter indicated that in 2012, the agreement that the city did with Suntex  
774 included extending the cover on one of the docks in order to house a fire boat. He  
775 explained that this was done so that Suntex did not have to put in a fire suppression  
776 system. Also, the company agreed to purchase the boat and cover all of the  
777 maintenance expenses and upkeep associated with the boat, including a certain amount  
778 of fuel annually. He generally explained that the extension of this lease will likely  
779 'outlive' the existing fire boat. So, the company will need to either agree to purchase a  
780 new fire boat once the lifespan of the existing one has expired; or, they would need to  
781 install a fire suppression system that meets the current code requirements. The speaker  
782 from Suntex indicated that his company is willing to agree to purchase another fire boat  
783 in the future once the lifespan of the current one is exhausted.

784 Mr. Griggs pointed out that extending this lease agreement until 2041 is the longest that  
785 it could be extended at this time since that is the same year that the city's current lease  
786 with the City of Dallas expires.

787 In summary, the discussions centered around strengthening language regarding fire  
788 boat replacement, which is possibly a separate agreement that needs to be referenced.  
789 This language needs to ensure that 1500 gallons-per-minute (GPM) is maintained and  
790 that the fire boat will be replaced by Suntex at the end of its useful life if it is unable to be

791 repaired. Language to address any substantial dock additions that require fire coverage  
792 via boat or sprinklers should also be included.

793  
794 The city manager expressed a desire to include language regarding reasonable efforts on  
795 the part of Suntex to control odor of dredge spoils. Also, spoils that are shipped off site  
796 must be dewatered and not leak out in city roadways. Also, discussion took place  
797 regarding including language associated with construction time frame - if not started and  
798 completed with a certain time frame the extension becomes void and reverts back to  
799 original date.

800  
801 Councilmember Lewis made a motion to authorize the city manager to negotiate the  
802 lease agreement extension with Suntex Marina, LLC for Chandlers Landing, taking into  
803 consideration all of the comments collectively provided by Council and discussed  
804 tonight. Councilmember White seconded the motion, which passed by a vote of 5 in  
805 favor with 2 absent (Pruitt and Hohenshelt).

- 806 9. Discuss and consider a median cut plan associated with improvements to  
807 FM-3549 (generally between IH-30 and just past SH-66), and take any  
808 action necessary.

809 City Manager Rick Crowley provided brief comments to Council concerning this agenda  
810 item. This will be upgraded to a four-lane, divided, concrete roadway in accordance with  
811 TXDOT requirements. One median cut has been added at the north entrance of the  
812 church, which is in our city's jurisdiction. Mr. Crowley indicated that between now and  
813 the next council meeting, staff will proceed notifying property owners, having dialogue  
814 with those owners, and will return to the Council for further discussion in two weeks.  
815 The Council took no action concerning this agenda item at this time.

- 816 10. Discuss and consider improving the reliability of Oncor within the city, and  
817 take any action necessary.

818 Councilmember Milder thanked Mrs. Tayem of Oncor for sitting through the meeting up  
819 until this point. He reminded Council that several conversations have taken place in the  
820 past related to concerns about the reliability of electric power and improvements to the  
821 related infrastructure.

822  
823 Cindy Tayem with Oncor came forth and indicated that there has been a lot of rain, and  
824 the storm season, thus far, has been very interesting. She shared that a very intense  
825 lightning storm occurred a couple of Sundays ago, and it knocked out two feeders. She  
826 indicated that technicians are assigned to the various feeders, and they monitor them,  
827 making recommendations concerning anything that may need to be addressed (either  
828 upgraded, or addressed before or after a storm / loss of power). She shared that a lot of  
829 things can cause power outages, not just storms (i.e. wildlife, including birds, squirrels,  
830 rats and snakes). Also, vehicles can hit the power infrastructure and knock out power.  
831 She shared that scheduled and regularly performed tree and vegetation trimming occurs.  
832 Also, switch gears are regularly inspected, including using infrared technology to bring  
833 to light any hot spot type problems. She also pointed out that Oncor has a Planning  
834 Department, and all they do is plan for future growth, both residentially and  
835 commercially. These plans are made five years in advance, taking into consideration  
836 growth projections. So, she explained, Oncor is constantly planning and looking ahead.

837  
838 Following discussion of this item, the Council took no action.  
839

840 **XIII. EXECUTIVE SESSION**

841  
842 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**  
843 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**  
844 **CODE:**

- 846 1. Discussion regarding proposed renegotiation of City v. Primary Media  
847 settlement agreement pursuant to Section §551.071 (Consultation with  
848 Attorney)
- 849 2. Discussion regarding contract with Holmes Murphy & Associates and  
850 HIPPA Information pursuant to Section §551.071 (Consultation with  
851 Attorney)
- 852 3. Discussion regarding purchase or lease of real property / land acquisition  
853 in the vicinity of FM-3549 and SH-66 pursuant to Section § 551.072 (Real  
854 Property).

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

856  
857 **The Council did not convene in Executive Session following the close of the public**  
858 **meeting agenda. (See start of public meeting (“VI” above) for action taken as a result of**  
859 **the first Executive Session).**

860  
861 **XV. ADJOURNMENT**

862  
863 **The meeting was adjourned at 8:40 p.m.**

864  
865  
866  
867 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**  
868 **THIS 5<sup>th</sup> day of July, 2016.**

869  
870  
871  
872 **ATTEST:**  
873 *Kristy Cole*  
874 \_\_\_\_\_  
875 **Kristy Cole, City Secretary**

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

The seal of the City of Rockwall, Texas, is circular with a dotted border. The words "CITY OF ROCKWALL TEXAS" are written around the perimeter. In the center, the word "SEAL" is written in a bold, sans-serif font. Below the word "SEAL" is a five-pointed star.