



AGENDA
City Council Meeting
Tuesday, April 9, 2024
1371 WEST FM 550 - McLendon-CHISHOLM, TEXAS 75032 6:30 PM

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1. CALL TO ORDER	
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS	
3. PROCLAMATION: CHILD ABUSE PREVENTION AND AWARENESS MONTH	
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4. RULES OF DECORUM	
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6. CONSENT AGENDA	
6.1. Consider approval of the Revised minutes of the March 12, 2024, City Council Meeting. Minutes for March 12, 2024	6 - 14
6.2. Consider approval of the minutes from the March 26, 2024, City Council Meeting. Minutes for March 26, 2024	15 - 25
7. ITEMS FOR CONSIDERATION AND ACTION	
7.1. Presentation on Rockwall County's Strategic Plan 2050	
7.2. Petition of Landowner for release of area from City of McLendon-Chisholm Extra Territorial Jurisdiction Petition of Landowner for Release	26 - 28
7.3. Presentation/Review/Action - Review and approval of continued process of the city-wide Architectural Services Heritage Center - Burditt Architects. Seeking motion to approve the final stages of the overall plan development and process. Staff Report Stakeholder Involvement Plan	29 - 41

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|-------|--|-----------|
| 7.4. | Discuss and consider granting a utility easement and right-of-way request from RCH generally located in McLendon-Chisholm city limits in the King Latham Survey, Abstract 133, Rockwall County, Texas
RCH Request for Easement | 42 - 47 |
| 7.5. | Discuss and consider an Ordinance Amending the code of ordinances to update the City's for Junked Vehicle sections to comply with State law amendments.
MC Ordinance amend junked vehicle Vehicle Ordinance | 48 - 53 |
| 7.6. | Discuss and consider a minor amendment for Horizon Lakes to change the number of lots from 1786 to 1776.
Staff Report
2024 02 28 - Prelim Plat Changes | 54 - 55 |
| 7.7. | Consideration and action of the site plan and landscape plan to proposed Retail Center presented by Brian Berry.
Staff Report
Brian Berry Site Plan | 56 - 67 |
| 7.8. | Discuss and consider options for road repairs, including the possible implementation of a Public Improvement District inside the City limits in an area commonly known as the Glen Acres Subdivision, for and including, but not limited to: parts of Glen Acres Drive., Briar Glen and Meadow Drive (Requested by Council Member McNeal) | |
| 7.9. | Discuss and consider an Amendment Ordinance to the City's Comprehensive Plan passed on Sept 29, 2021, by Ordinance No. 2021-14 to change the word "desired" to "required" in various portions of said Comprehensive Plan. (Requested by Council Member McNeal)
Ordinance 2021-14
McLendon-Chisholm Comprehensive Plan | 68 - 156 |
| 7.10. | Discussion/Action to fill an alternate position on the planning and zoning commission (Rich Dean) (Requested by Council Member McNeal)
Rich Dean Application
Jerry Packer Application | 157 - 158 |
| 7.11. | Discuss and consider amending Resolution No. 2023-06, calling for the City and RCH to work together towards an asset transfer agreement and which was passed on May 24, 2023, but repealing and replacing Section 4 in its entirety (Requested by Council Members Tucker and Day)
MC resolution RCH new section
Resolution 2023-06 | 159 - 182 |

7.12. Discussion and possible action to introduce and discuss relevant concepts and the tentative scope of a future public trail network for the City of McLendon Chisholm, as envisioned in the comprehensive plan, and how said network could operate in conjunction with future parks, businesses, subdivisions, and road layouts throughout the city. Possible action includes, but is not limited to, assigning staff to create a concept plan that generates maps and financial details showing how such a system could be brought about and assigning a date for the staff report and presentation to be due.

(Requested by Council Members Tucker and Day)

7.13. Appoint Council Member to newly created Development Review Committee (DRC)

(Requested by Council Member Tucker)

7.14. Update on all water related issues.

8. EXECUTIVE SESSION

The City Council for the City of McLendon-Chisholm, Texas, reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.961 - Consultation with Attorney; §551.072 - Real Property; §551.073 - Prospective Gifts; §551.074 - Personnel Matters; §551.076 - Security Devices; §551.086 - Utility Competitive Matters; and , §551.087 - Economic Development Negotiation.

9. UPDATES, DISCUSSION AND DIRECTION TO STAFF

10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

10.1. Mayor Keith Short

10.2. Mayor Pro-Tem Balkum

10.3. Council Member Daniel Tucker

10.4. Council Member Paul Day

10.5. Council Member Floyd McLendon, Jr.

10.6. Council Member Bryan McNeal

11. ADJOURN

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

I, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., April 05, 2024, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



Child Abuse Prevention and Awareness Month

- WHEREAS,** the Children's Advocacy Center for Rockwall County was organized in 2016 and provides trauma informed care for children in Rockwall County; and
- WHEREAS,** the Children's Advocacy Center for Rockwall County is an interagency, multi-disciplinary partnership dedicated to providing intervention, hope and healing for abused and neglected children; and
- WHEREAS,** the Children's Advocacy Center for Rockwall County provides a safe, child-friendly environment where law enforcement, child protective services, prosecution, medical and mental health professionals can collaborate within our own community to develop coordinated strategies to more effectively seek justice and promote healing for victims of child abuse; and
- WHEREAS,** through a national effort, Rockwall County community members are encouraged to join together throughout the month of April to raise awareness for those children fallen victim to abuse and neglect; and
- WHEREAS,** this effort will provide abused and neglected children in our community and around the country a chance for a safe and positive future.

NOW, THEREFORE, BE IT RESOLVED, that I, Keith Short, Mayor of the City of McLendon-Chisholm, Texas do hereby recognize April as

CHILD ABUSE PREVENTION AND AWARENESS MONTH

in the City of City of McLendon-Chisholm and urge all citizens to join in a national effort to raise awareness and help prevent child abuse and neglect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of McLendon-Chisholm, Texas to be affixed this 19th day of April 2023.

Keith Short, Mayor



CITY COUNCIL MEETING
CITY OF McLENDON-CHISHOLM, TEXAS
MEETING MINUTES MARCH 12, 2024

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, March 12, 2024, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Adrienne Balkum	Mayor Pro-Tem
	Paul Day	Council Member
	Floyd McLendon	Council Member
	Daniel Tucker	Council Member
	Bryan McNeal	Council Member

ABSENT:	Keith Short	Mayor
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Staff Present:	Konrad Hildebrandt	City Administrator
	Michael Halla	City Attorney

1. **CALL TO ORDER**

Mayor Pro Tem Balkum called the meeting to order at 6:30 p.m.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS**

Council Member Tucker delivered the invocation and Council Member McLendon led the pledge of allegiance to the U.S. and Texas Flags.

3. **RULES OF DECORUM**

Mayor Pro Tem Balkum announced the Rules of Decorum are in effect and are to be observed throughout the meeting.

4. CITIZEN COMMENTS

Lois Bushnell, 1701 Puglia Ct., Rockwall. Ask for a stop sign to be placed at the corner of Puglia Ct. and Salvatore Lane.

Bev Stibbens, 279 Partridge Dr., Rockwall. Requested that Item 5.2 be removed from the consent agenda and please reconsider approving this ordinance for this subdivision.

Jamie Kinney, 1406 Corra Dr., Rockwall. Spoke regarding the water issue and expressed that she is against moving forward at this point in time.

Anthony J. Crawford, 104 Lavender Pl., McLendon-Chisholm. Requested that Item 5.2. be removed from the consent agenda and not be considered at this time.

David Black, 1419 Siena Ln. McLendon-Chisholm. Item 5.2. should not be on the consent agenda and approval should be reconsidered. He thinks City should stop spending money on a hostile takeover of RCH Discussed Items 6.2. and 6.4.-6.7 put on agenda by Council member Tucker, and suggested affirmative action on these items.

Cheryl Evans, 23 Fireside Dr., Rockwall. Addressed 5.2. Voiced her opposition to the Plan community whose tenants fly in the face of the comprehensive plan. She feels collectively citizens are not against growth, but that the growth should be administered responsibly and properly.

Rich Deans 708 Kensington Dr., MC. — Addressed Item 6.2. — expressed his opposition to filing with PUC again. Feels the application failed because City never served notice correctly. Defended RCH in its attempt to prevent the hostile takeover from the City. Requested Council stop and

Erin Easter, 403 Wagon Ct., McLendon-Chisholm. Addressed Items 6.2. and 6.4. Asked the council to approve and refile existing application ASAP. Feels it was not a good dismissed for any substantive reason, it was merely a procedural issue. She felt there was no reason to not pursue it. Although there are complaints about it being a hostile takeover, all negotiations have to start somewhere. She feels that the council is following the advice of the attorney, as it should. She works for a utility that is regulated by the state and these PUC filing and they can go on for years. She states these Mediated agreements happen all the time, it happened with Heath, Rockwall and

Fate and she states this is the only way to keep negotiations moving forward. She states that revoking the process is a mistake.

5. CONSENT AGENDA

- 5.1. Consider approval of the minutes of the February 27, 2024, City Council Meeting

MOTION: APPROVE THE MINUTES OF FEBRUARY 27, 2024, CITY COUNCIL MEETING AS PRESENTED.

MADE BY: Council Member McNeal

SECONDED BY: Council Member Tucker APPROVAL:

Unanimous

- 5.2. Consider approval of an ordinance of the City of McLendon-Chisholm, Texas, Amending the comprehensive zoning ordinance and zoning map of the City of McLendon

Chisholm, Texas, as heretofore amended, by granting a change in zoning district from PD Triple Creek to PD Planned Development Zoning District Legacy Park Estates, providing for 328 Single-Family lots and a community park on a 148.15 acre tract of land located generally around three sides of 1371 West FM 550 [McLendon-Chisholm City Hall], McLendon-Chisholm, Texas, more particularly described herein in Exhibit A, in the City of McLendon-Chisholm, Rockwall County, Texas, providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty or fine not to exceed the sum of two thousand (\$2,000) dollars for each offense; and providing for an effective date.

MOTION: Motion to Remove 5.2 from Agenda

MADE BY: Council Member McNeal

SECONDED BY: Council Member Day

Discussion by Mayor Pro-Tem and council directing City Planner to correct number of lots on 5.2 and included more information about the water tower.

APPROVAL: Unanimously

6. ITEMS FOR CONSIDERATION AND ACTION

- 6.1. Review and action regarding approval of a resolution of the City Council of the City of McLendon-Chisholm, Texas, consenting to the addition of certain land into River Rock Trails Municipal Utility District No. 2; and providing an effective date.

MUD representative explains why they want to change from MUD I to MUD 2 and has asked that this be approved as it was part of the development agreement that was passed at an earlier time. Council Member McNeal challenged whether the agreement had to be approved or if by denying approval, would open up negotiation of the first agreement. Council Member Day states that because there is no agreement with the county yet, he believes this is premature.

MOTION: To approve a resolution of the City Council of the City of McLendonChisholm, Texas, consenting to the addition of certain land into River Rock Trails Municipal Utility District No. 2 and providing an effective date.

MADE BY: Council Member McLendon

SECONDED: Council Member Tucker APPROVAL:

Fail 2 -3

- 6.2. Discussion and action for a resolution of the City of McLendon-Chisholm, Texas authorizing the City Administrator to negotiate terms beneficial to the City for an agreement for the single-certification and purchase of facilities and property within the City limits of the City pursuant to Texas Water Code 13.255; authorizing the Mayor to execute said agreement; authorizing City Administrator to provide a notice of intent to provide service within the incorporated and annexed areas of the City to RCH Water Supply Corporation and High Point Special Utility District; authorizing the City Administrator to prepare and execute a single certification application under Texas Water Code 13.255 and file such application with the Public Utility Commission of Texas; and providing an effective date.

MOTION: To extract all elements except the Letter of intent.

MADE BY: Council Member Tucker

SECONDED BY: Council Member Day

APPROVAL: Fail 2-3

- 6.3. Consider and approval of an ordinance altering the prima facie speed limits established for vehicles under the provisions of Transportation Code, Section 545.356 upon Highway 205 or parts thereof, within the incorporated limits of the City of McLendon-Chisholm, Texas, as set out in this ordinance; and providing a penalty of a fine not to exceed \$200.00 for the violation of this ordinance.

MOTION: No Motion

Mayor Pro Tem Balkum directs city planner to come back CC at the next meeting and provide input and answers to the question, and options for access management plan for safety for the pool

- 6.4. Discuss and act on revoking that portion of Resolution No. 2023-06 Section 4 i-kk wherein the City Administrator and Mayor are provided authorities as described in Section 4 i-ii.

No Action

- 6.5. Update on all issues related to water issues.

Discuss and act on instructing City Administrator and Mayor to implement Section 4 1-11 (revised version) with final authority for review and approval delegated to City Council.

No Action

- 6.6. Discuss and approve assigning second Council member to Water committee. Assigned Council member to have equal standing and all rights and privileges regarding access to any and all information made available to the Committee, Mayor and City Administrator and legal counsel.

MOTION: To approve assigning second Council member to Water committee.

MADE BY: Council Member McNeal SECONDED BY:

Council Member Day APPROVAL:

Unanimous

- 6.7. Discuss and act on having a standing City Council member besides Mayoral designated to appointee be included in all actions and receive all correspondence i.e. e-mails, texts, formal/informal scripts, writings, surveys, etc. and participate in all live interactions to include meetings via zoom, phone, computer video, etc. in regard to developers wishing to do business with MC. Also, said Council member would be included and apprised of any and all actions to include contractual negotiations, discussions, both preliminary and final agreements etc. and that final contracts/agreements between said parties will be reviewed by Council prior to any approval.

MOTION: To approve on having a standing City Council member appointed to be included in all actions and receive all correspondence and participate in all business with developers.

MADE BY: Council Member Tucker

SECONDED BY: Council Member Day

APPROVAL: Passed 3 Ayes, 2 Nays

- 6.8. Discussion and action on road repairs, staff presentation of costs for City Council to consider a priority list, funding options and/or budget amendments.

The City Administrator gave a report on road repairs and referred to the analysis done by the company hired by the city. The report gives an analysis of which streets should be repairs and in what order. Mr. Hildebrandt outlined what the city has done and who they are working with to move forward with some of the more important road repair issues.

MOTION: That the next CC meeting, City Administrator will provide us with Impact E adoption schedule and estimated cost. Also, that a speed table discussion be brought in as well.

MADE BY: Council Member Tucker SECONDED BY: Council Member Day
APPROVAL: Unanimous Pass

6.9. Update on all water related issues.

6.10 Review/Action — Performance Appraisal City Secretary

7. Executive Session

7.1. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.004(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Administrator; City Secretary

7.2. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.071 Consultation with Attorney: Discuss the status of the City's current PUC application as it relates to RCH, it's system, and any other PUC application-related issue.

Mayor Pro Tem Balkum adjourned the meeting into Executive Session at 7:49 p.m.

8.3. Reconvene Regular Meeting

Mayor Pro Tem Balkum reconvened the regular meeting at 9:31 p.m.

8.4. Executive Session Action

No Action

9. **UPDATES, DISCUSSION AND DIRECTION TO STAFF**

No updates, discussion, or direction to staff

10. **COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**

10.1. Mayor Short Absent

10.2. Mayor Pro Tem Balkum –

10.3. Council Member Tucker 10.4. Council Member Day -

10.4. Council Member McLendon

10.5. Council Member McNeal 11. ADJOURN

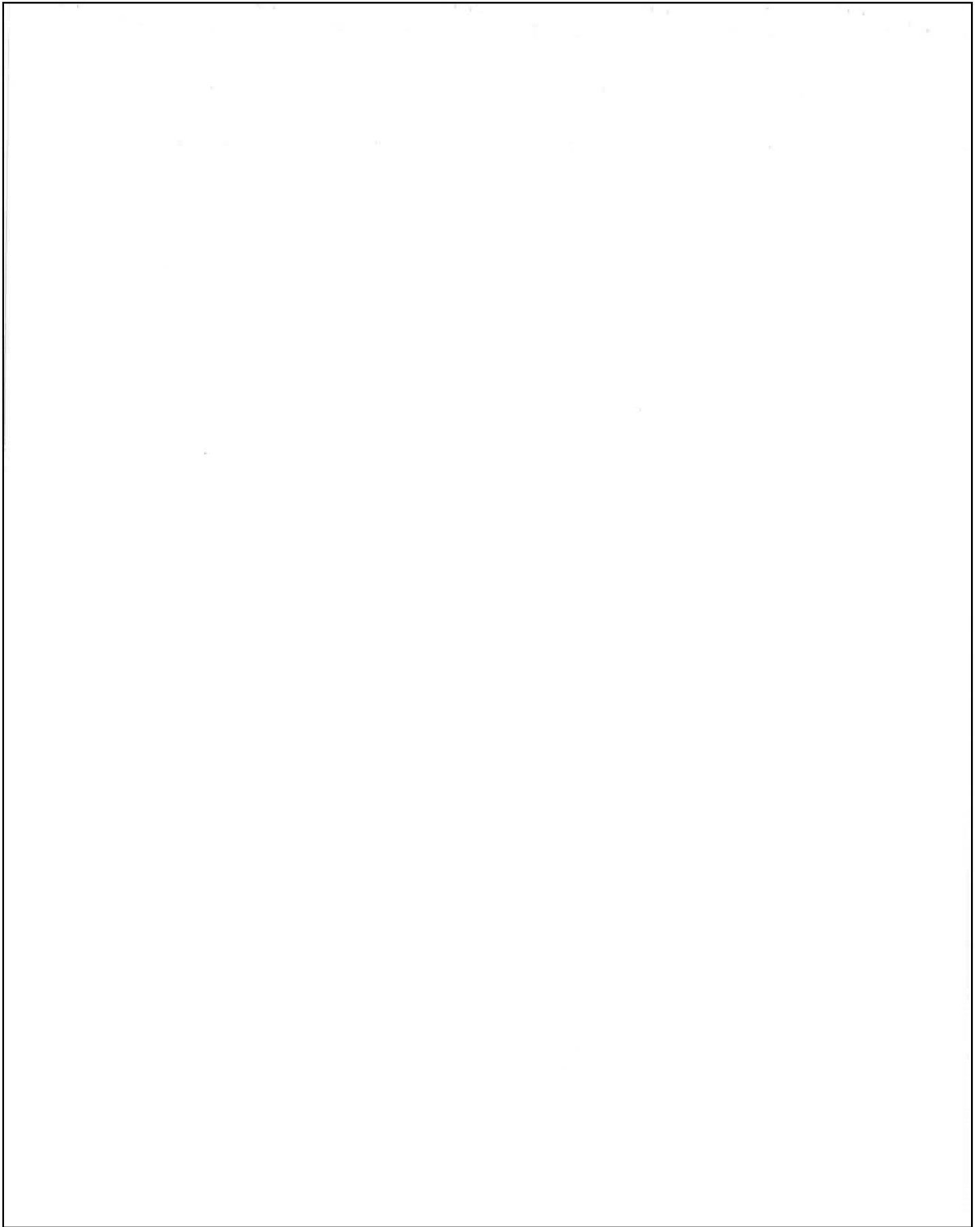
There being no further business to discuss, Mayor Pro Tem Balkum adjourned the meeting at 9:34 P.m.

APPROVED:

Adrienne Balkum, Mayor Pro-Tem

ATTEST:

Konrad Hildebrandt, City Administrator





CITY COUNCIL MEETING
CITY OF McLENDON-CHISHOLM, TEXAS MEETING
MINUTES MARCH 26, 2024

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, March 26, 2024 at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members:

ATTENDING:	Keith Short	Mayor
	Adrienne Balkum	Mayor Pro-Tem
	Floyd McLendon, Jr	Council Member
	Daniel Tucker	Council Member
	Bryan McNeal	Council Member
	Paul Day	Council Member

Staff Present:	Konrad Hildebrandt	City Administrator
	Michael Halla	City Attorney
	Jim Simmons	Fire Chief

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1. **CALL TO ORDER**

Mayor Keith Short called the meeting to order at 6:32 pm

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS**

Council Member Tucker delivered Invocation and Council Member McLendon led Council and citizens in Pledges.

3. **RULES OF DECORUM**

Mayor Short reminded Council and Citizens that Rules of Decorum are in affect, asking everyone be treated with respect. He also acknowledged the tragedy in Baltimore and asked the first responders and the families be kept in our prayers.

4. CITIZEN COMMENTS

Mayor called for Citizen for Comments:

Mark Kipphut – 31 Fireside Dr.

This will be a brief announcement. I understand there's an election coming up and it's going to follow shortly after the eclipse on the 8th, On the 10th we're going to have a forum here in City Hall in this beautiful facility from 6:00 to 8:00 p.m. It's hosted by the McLendon Chisholm Crossing Neighborhoods and all the candidates have agreed to agenda. They will all be provided with a series of questions and will get an opportunity to explain their positions to the city. Its open to everybody in the city and our surrounding communities. So, we invite those folks to come on by and hear the candidates. Thank You.

Bev Stebbins – 279 Partridge Dr.

Good evening Mayor and Council I am here today to talk about item # 6.3 and at the risk of sounding like a broken record, I know the 5 of you heard this 2 weeks ago, the Mayor did not so it might be new to him. Please reconsider approving this ordinance for the Legacy subdivision. The two Mayoral Candidates in the upcoming election who are both current council members have stated in their election platforms to uphold the comprehensive plan. The subdivision clearly violates the comprehensive plan and the wishes of the citizens of McLendon Chisholm. Now is the time to rethink the approval of this development. Do what your citizens want and do not allow smaller than one acre lots, especially in the Heritage Center of our town. To all our Council Members, DO NOT sell us out for a water tower location. This is where the rubber meets the road. Thank You.

David Black – 1419 Siena Ln

Good to see you back Mayor. Regarding the Legacy Park Estates, I think the codifies a disregard the city's comprehensive plan's Heritage Center Land use. So, I am also asking you to please consider disapproval of this ordinance. It violates comprehensive plan in a couple of ways, mixed use, there's too much residential units. It's about 3Xs too many residential units according to the Heritage Center land use. The Planning and Zoning Commission unanimously denied this zoning update, so it certainly has that backing. So please, can't you negotiate something that fulfills the city's desire for a Heritage Center. Athletic fields do not make it mixed use, it doesn't really make it a Heritage Center any more than Sonoma Verde's Athletic Field make it mixed use.

My second subject is this. Notice of Intent to provide service within the Incorporated and Annexed areas of the City of RCH Water and Highpoint special district. Is this intent like the one declared deficient with a motion to dismiss from the PUC last month. The administrative law judge gave several reasons to find McLendon-Chisholm note of intent to be deficient not just using email instead of the required method of delivery. Perhaps the worst part is the judge said quote, "By failing to provide all of the required information in the notice of intent including the applicable Municipal ordinances and an identification of the requested area". It seems likely that McLendon-Chisholm inhibited the ability of RCH Water to meaningfully engage in the negotiation, so let's stop spending resources on this. You

know, when this first started and we had the water outage a couple of years ago, Adreinne Balkum took charge on her own time and enlightened us to just how bad they were. Many already knew I suppose, but this is today, that was two years ago, this is today, the city's various paperwork exercises have been preceded by events. RCH water is not the RCH of a couple of years ago. The board and the operations have been replaced indeed now the general manager of RCH Operations was presented an award from the city last year. Quote" Mayor Pro-Tem Adrienne Balkum proclaims June 13th, Robin Mile appreciation Day in the City of McLendon Chisholm. The Texas House and Texas Senate Representatives also gave him accolades, that was for his work with Blackland Water. So, RCH has the best guy in charge, additionally, RCH is moving ahead fast and efficient. They're businesslike and executing what it takes to get us more water as soon as possible for now and in the future. They are obtaining easements, have recently purchased land off of FM 550 to be their base of operations and customer support, as well as a position for a water tower. They're just getting stuff done more than unfortunately what our tax dollars are doing for us right now. Thank you.

Anthony Crawford – 104 Lavendar Place,

McLendon-Chisholm Thanks for the opportunity to address you tonight, I won't bore you with what I have already talked to you about the last two weeks or the last two or three times about this but just want to remind you that the Heritage Center concept plan has not been developed yet. The Heritage Center is going to be a reflection of our rural Farm, Ranch Heritage for McLendon Chisholm. A neighborhood that has 330 homes in it. Rooftops that are, have 5-foot setback between me, 10 ft between each home does not scream rural Farm Heritage. It is just a sea of roofs. The Comprehensive plan calls for one home per one acre. We need to follow that. This is an opportunity for y'all to develop this Heritage Center to be a showcase for other Cities and other people our size to have entertainment areas that will draw people in. Every small town that I have ever been to that has anything like McKinney, or anything has, their homes are based on Estate lots that are around those areas and it's, it would be very easy to take this plan that Mr. Webb has and develop them into basically estate lots. We've got estate lots across the street. These could be Estate lots here and it could be a showcase for the rest of McLendon-Chisholm. Thank You.

Gina Manis – Cheney place, McLendon-Chisholm

I haven't been here since, for a while because basically I was just really stunned by a vote for yes, on a high-density neighborhood over here that I'm speaking on now is Legacy Park Estates. I was just burnt. I put my trust in you, and you let me down. I swore I would never come back but I feel strongly about this. This is my home and our property, I'm talking about, and I'm going to give you another chance. Hopefully you do the right thing.

As city leader you are elected by we the people. Our vote is our trust that you will lead and guard our shared values. You as city leaders knew our desire. The desire of we the people before you ran, stated clearly in the comprehensive plan. Desire, I love that word, we strongly want, so you know our community strongly wanted MC to maintain a rural feel with houses on a minimum of 1 acre. You knew that they knew that, but some of you, however, lost sight of us, the community and shifted over to semantics of desire as a loophole instead of holding fast to desire as a value to those you served.

You voted Yes to a high-density neighborhood, the very thing that we the people strongly do not want. We want, in fact, strongly want, there's that desire word again, low density neighborhoods with a minimum of one acre lots, less crowded streets and property values that will only increase and not decrease and we want trusted city leaders. For you who voted yes, now is your time to vote no and

regain that value trust you lost. If you want to regain my trust and many more like me. A. do not settle for less than, I'm going to give a little here, $\frac{3}{4}$ of an acre lot, OK, I've come a long way with that $\frac{1}{4}$. Do not settle for less than $\frac{3}{4}$ acre lot. B. Do not settle for less than 125-foot front and for Pete sakes, do not settle for less than 20-foot setbacks. Right now, it is 5 feet from the house to the property line, five foot! I'm five feet so two of me between houses. That's not a rural feel and one-acre minimum Lot. $\frac{3}{4}$ anchor, yeah so that's to put it in perspective. Look again at what we the people desire or strongly want. Now, as you desire our votes in the future, I know for me and the other 2 voters in our household, speaking specifically to Mayors now, we want a mayor who will uphold the comprehensive plan and vote no for high density neighborhoods. Now is your chance to regain our trust. Please. Thank you.

Nancy Jones – 47 Fireside Dr.

I know I've been up here before probably a year or so ago saying that the city council or any government officials, their duty is to serve those that have voted them in. I agree with what Gina said, very true, that's your duty. We do desire the comprehensive plan to be upheld. I would say 1 acre per home. I also have wondered about the fields that they are offering with that other development, with theirs, they are just trying to come in here. I have a feeling the city would probably end up having to run them which would not be something you'd want to do I don't think. I also think it would bring a lot more traffic onto 550 and 205, which we certainly can't handle anymore. I also heard that Heath has a moratorium on development right now. When I heard that, I thought that was probably pretty smart, especially when it comes to our water supply. Because probably this, I don't even know, has more water been promised to other developments that we aren't aware of. Like the one was off Pullen. Anyone know? You can't? OK fine, because we were really surprised when, on our street, they put in a big line to go to the new development off Pullen, and they said that was because it had been promised a while ago, so I hope there aren't any more of those promises. But I do agree with what's already been said, so I don't need to repeat what they've all said. I'm representing in our family; 5 voters and I'm representing a lot of people in the neighborhood. Other people that I know in the community that feel the same way I do. Sorry they couldn't be here but I'm standing up for a lot of people. Thank you for listening.

Trudy Woessner – 43 Fireside Dr.

I have spoken to quite a few of you guys on the same issue that most of us are here for, which is the Legacy subdivision that is going in. I have received quite a few phone calls now that most people know that I'm running for city council. It's not just my neighborhood, which is at Chisholm Crossing, as you can see Mr. Black is also from Sonoma Verde and he is also concerned about this subdivision that is going in. What I would like to ask, since most of, since the ones that are running or most Council that has run stated that they are for low density. Since we are not wanting a high density area, I would like for the vote that you do tonight, If you are in favor of this high density, I would like to know why because you are stating when you run for city council and you're for low density, but you're voting for this high density, I would like to know why you are choosing to vote this way, because there is obviously something that I am missing. I'm missing a reason why you are voting this way. I would like to understand that along with all the other voters. Just help us understand, that's all I am asking for, help us understand why you're running on a low density, but yet you're voting on high. That's all we're asking for, an explanation, and it might be a perfectly good explanation, but help us understand that, ok, that's all I'm asking for. The other thing I would like to explain is that yes, these TAPS have to be used, but they don't have to be used all at once. This land can be used for part of these TAPS and then more land can be bought somewhere else, and the TAPS can be used there. They can be used in multiple

places; they do not have to be used all in one spot. Just because you buy a pack of gum, doesn't mean you have to shove it all in your mouth. You can spread it out, it's ok. You don't have to use them all at one time. Thank you.

Mayor closed Citizen Comments at 6:52 pm

5. CONSENT AGENDA

Mayor moves on the Consent Agenda acknowledging that in has been brought to his attention that the Minutes from March 12, 2024 need to be revised. Mayor Pro-Tem suggest that 5.1 be removed from the Consent Agenda until amended. Mayor suggests that the remaining 5.2 and 5.3 be approved.

Motion: To approve the remaining Consent Agenda 5.2 and 5.3

Made By: Mayor Pro-Tem Adrienne Balkum Seconded By: Council Member McLendon Approval: Unanimous

- 5.1. Consider approval of the minutes of the March 12, 2024, City Council 4 - 10
Meeting.

[03.12.24 Minutes](#)

- 5.2. Set Public Hearing #1 on Land Use Assumptions (LUA) and Capital
Improvement Plan (CIP) - McLendon-Chisholm, Texas Roadway Impact Fee
process for Tuesday, May 14, 2024 @ 7:00 pm

- 5.3. Consider approving the amended contract for professional services for 11 - 19
City Administrator for Konrad Hildebrandt

[City Administrator Employment Agreement - amended 2024](#)

Mayor moves back to 5.1 asking if there needs to be a motion to have the minutes amended.

Motion: To have minutes of March 12, 2024 be amended with Motions, staff directions and votes and presented at the next meeting on April 9, 2024

Made By: Mayor Pro-Tem Balkum Seconded By: Council Member Day Approval: Unanimous

Mayor moves 6.5 to the front of Items for Consideration and Action

6. **ITEMS FOR CONSIDERATION AND ACTION**

- 6.1. Presentation: Roadway Impact Fee 101 20 - 133

[Staff Report](#)

[McLendon-Chisholm Roadway Impact Fee Report 03-2024](#) [Impact](#) [Fee](#)
[Power Point](#)

Presenter of Impact Fee answered Questions from the Council on forming the committee and questions about the Report itself.

- 6.2. Roadway Impact Fee - Development of a Capital Improvements 134
Advisory Committee (CIAC)

[Staff Report](#)

Michael Halla and City Administrator explain more about the committee and what they are expected to do on the committee.

Motion: To create the Capital Improvements Advisory Committee utilizing the members of the P & Z committee plus 1 other member as an alternate

Made By: Mayor Pro-Tem Balkum Seconded By: Council Member Day Approval: Unanimous

- 6.3. Consider approval of an ordinance of the City of McLendon-Chisholm, 135 - 142
Texas, amending the comprehensive zoning map of the City of
McLendon Chisholm, Texas, as heretofore amended, by granting a change in
zoning district from PD Triple Creek to PD Planned Development Zoning District
Legacy Park Estates, providing for 330 Single-Family lots and a community park
on a 148.15 acre tract of land located generally around three sides of 1371 West
FM 550 (McLendon-Chisholm City Hall), McLendon-Chisholm, Texas, more
particularly described herein in Exhibit A, in the City of McLendon-Chisholm,
Rockwall County, Texas, providing a severability clause; providing for a penalty or
fine not to exceed the sum of two thousand (\$2000) dollars for each offense; and
providing for an effective date.

[Legacy Park Estates Ordinance FINAL \(004\)](#)

Konrad Hildebrandt, City Administrator, is available to answer questions on Legacy Park Estates. Council Member McNeal states he is uncomfortable with the changes made and Mr. Hildebrandt states that things are basically the same as it was originally, except for the components that you see in the park facilities. Council

Member McNeal voices continued concerns about the placement of the water tower engages Mr. Halla in a conversation about what the legal aspects of 6.3 and 6.4. Mayor feels that since 6.4 and 6.3 are tied together, they cannot vote on one without the other.

Mayor calls for a 5-minute break. Upon Reconvening, Mayor recaps the discussion as follows: 6.4 intertwines with 6.3 because it is a water tower that is associated with Legacy Park Estates. 6.3 is approving the ordinance amending the comprehensive zoning map and granting a zoning change for that development, so at this point now we will go back to 6.3 approving a zoning ordinance and I will make a motion one way or the other to either approve or disapprove that ordinance.

Motion: To NOT APPROVE 6.3 ordinance from City of McLendon-Chisholm, TX amending the comprehensive zoning map of the city of McLendon-Chisholm, TX as herefore amended by granting change in zoning District PD Triple Creek to PD Plan development zoning District Legacy Park Estates providing for 330 Single-Family lots and a community park on a 148.15 acre tract of land located generally around three sides of 1371 West FM 550 (McLendonChisholm City Hall), McLendon-Chisholm, Texas, more particularly described herein in Exhibit A, in the City of McLendon-Chisholm, Rockwall County, Texas, providing a severability clause; providing for a penalty or fine not to exceed the sum of two thousand (\$2000) dollars for each offense; and providing for an effective date.

Made By: Council Member McNeal Seconded By: Council Member Tucker

Council Member Tucker recaps why he is voting against the Legacy Park Ordinance Council Member Day recaps why he is voting against the Legacy Park

Approval: Unanimous

- 6.4. Discuss and consider authorizing the Mayor to sign a letter agreement 143 - 146 between Altura Homes ("Altura"), the City of McLendon Chisholm (the "City"), High Point SUD ("High Point") and Skorborg Retail Corporation ("Skorborg") regarding the location of a future water tower to be constructed by High Point on land currently owned by Altura and generally located in the North and East part of the Legacy Park Estates proposed development behind the McLendon Chisholm Fire Station.

[Staff Report - Letter Agreement Highpoint Ridge Pointe Estates Legacy Park March 2024 \(1\)](#)
[Water Tower Location Agreement](#)

Mayor states he is not happy with the way the development tried to push this through without CC or Lawyer looking at it.

Motion: Made to NOT authorize the Mayor to sign letter agreement between Altura Homes and High Point and all other parties to the agreement.

Made By: Dan Tucker Seconded By: Bryan McNeal Approval: Unanimous

- 6.5. Review and action regarding approval of a resolution of the City Council 147 - 154 of the City of McLendon-Chisholm, Texas, consenting to the addition of certain land into River Rock Trails Municipal Utility District No. 2; and providing an effective date.

[Petition for Consent to Addition of Land](#)
[Consent Resolution](#)

City Administrator explains that the Resolution is part of the previously approved 1.1 River Rock Development

Motion: Recommends a motion to approve addition of land into River Rock Trails MUD and providing an effective date.

Made by: Council Member McLendon Seconded by:
Mayor Pro-Tem Balkum

Council Member McNeal asked Michael Halla what the Legal Boundaries would be once the land is moved into the MUD 2. Mr. Halla explains that the boundaries are just taken from the boundaries of MUD 1 and adds to MUD 2. Council Member Tucker asked about the breach of contract statement made by the Developer at the last Meeting. The Developer advises Council Member Tucker that he might want to refer to the City Attorney.

Mayor adjourns CC Members to Executive Session to discuss 6.5

Mayor calls regular meeting back into session at 7:20 pm (No Action taken in Executive Session)

Approval : 4 – 2 (Council Member McNeal and Day voted Against)

- 6.6. Discussion and action for a resolution of the City of McLendon- 155 - 159 Chisholm, Texas authorizing the City Administrator to negotiate terms beneficial to the City for an agreement for the single-certification and purchase of facilities and property within the City limits of the City pursuant to Texas Water Code § 13.255; authorizing the Mayor to execute said agreement; authorizing City Administrator to provide a notice of intent to provide service within the incorporated and annexed areas of the City to RCH Water Supply Corporation and High Point Special Utility District, authorizing the City Administrator to prepare and execute a single certification application under Texas Water Code §13.255 and file such application with the Public Utility Commission of Texas; and providing an effective date.

[Resolution Notice of](#)
[Intent 1](#)

Konrad Hildebrandt, City Administration – Let the CC members know they have the Letter of Intent as requested and was explaining the lack of proper notice. He explained the RCH came to the City, not the other way around,

Motion: To approve resolution of the City of McLendon-Chisholm, Texas authorizing the City Administrator to negotiate terms beneficial to the City for an agreement for the single-certification and purchase of facilities and property within the City limits of the City pursuant to Texas Water Code § 13.255; authorizing the Mayor to execute said agreement; authorizing City Administrator to provide a notice of intent to provide service within the incorporated and annexed areas of the City to

RCH Water Supply Corporation and High Point Special Utility District, authorizing the City Administrator to prepare and execute a single certification application under Texas Water Code §13.255 and file such application with the Public Utility Commission of Texas; and providing an effective date.

Made By: Mayor Pro-Tem Balkum Seconded By: Council Member McLendon

Mayor opened floor for discussion: Mayor Pro-Tem Balkum, summarizes why City is taking this stance. In 2022 City started a 13-301, but there was no result from that because the other party (RCH) failed to do what was requested in the agreement. This Request was a timeline of events including an election, certified Audits, our city engineers to be able to inspect and review the system so they can enter the data that is supposed to be included on a STM, Sale/Transfer/Merger application. Once you have the information, the two parties go to the PUC together. Since they (RCH) had not complied the first time, there was concern that it would not be brought to their board again, twice they have failed to hold an election, and these discussions do have a timeline. The Requirements for the PUC have a checklist of things you can do. The first part is a notification to RCH saying we are willing to come back to the table and the notification states clearly what is expected from PUC and the law, what we need to include in this particular letter as well as the exhibit, such as the agreement and the mapping of this particular area of the water boundary which would hopefully include not just the city limits but also in the ETJ. The other issue that seems to be a concern was that the Highpoint SUD wasn't addressed, and the concerns were that there was no agreement yet. The agreement is what we would send information for High Point to basically cure the issue of Filing a separate document just for them, so that's why we have both RCH and Highpoint on here. As far as the actual appearance of the document, the mayor would sign the letter, which includes all the exhibits that have to be sent by US postal service and then we wait for RCH to follow through with the process of placing it on the agenda, process of approving it, and then they respond back to us in a timely manner. If they choose not to do that within the 180 days the law allows, we have the right to then file with the PUC 13.255. At that point we will have met all the requirements, based on the resolution, as well as the notice of intent and all the items that we have already provided. Everything will be checked off to meet the requirements.

Council Member Day asks what the public should expect in terms of negotiation process until the end of the 180 days? Mayor Pro-Tem explains that the first thing we are looking for is RCH having it on their agenda. They can't sit and negotiate with us until it has been on their agenda, and it has been approved. It is explained that in the discussion there is no specific requirements as to who does the negotiations, but there are certain outcomes that have to be achieved. City Administrator will be involved because the data that will be collected

will have to come from the City Engineers. Council Member McNeal ask if at 180 days, if there is a negotiation in progress if that stops or if the 180 days is a minimum. He also states he believes things might go better with RCH if the city would just initiate a meeting or two with RCH to discuss options. Mayor points out that RCH has not tried to reach out to say they are willing to come back to the table. Council Member McNeal is insistent on moving down a different path to reach an agreement with RCH.

Council Member McLendon ask about shortages and restrictions. He does not believe that RCH is acting in good faith. Discussions back and forth about the shortages and restrictions according to the mayor, that caused alarms in Rockwall and cause boil orders. There is a short discussion to answer questions about Highpoint secondary transaction in relation to RCH.

Approval: Failed 3-2 (Day, Tucker & McNeal Voted No)

- 6.7. Request to modify the current McLendon-Chisholm Junked Vehicle 160 - 163
Ordinance to reflect the most recent update to the Texas Transportation code, Section 683-071.

[Vehicle Ordinance](#)

City Administrator

- 6.8. Review Action - Update on all water related issues.

7. EXECUTIVE SESSION

- 7.1. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.071 Consultation with Attorney: Discuss the status of the City's Current PUC application as it relates to RCH, it's system, and any other PUC application related issues.

- 7.2. Reconvene Regular Meeting

- 7.3. Executive Session Action

8. UPDATES, DISCUSSION AND DIRECTION TO STAFF

Mayor ask Council for Updates, Reminds everyone of the upcoming Solar eclipse, Mayor Pro-Tem Balkum gives short explanation of upcoming presentations and upcoming water related issues, Council Member Tucker gives an update on a County Road Consortium that he attended. Council Member McNeal, gave a short update on Ambulance service and states no changes. Mayor asked staff where we were

on getting sewer lines up to four corners. The City Administrator reports that we are in active discussions with the design from TMP.

9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

9.1. Mayor Short

9.2. Mayor Pro Tem Balkum

9.3. Council Member Tucker

9.4. Council Member Day

9.5. Council Member McLendon

9.6. Council Member McNeal

10. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at

Approved _____
Keith Short , Mayor

Attest _____
Konrad Hildebrandt, City Administrator

**PETITION OF LANDOWNER FOR RELEASE OF AREA FROM CITY OF McLENDON
CHISHOLM EXTRATERRITORIAL JURISDICTION**

TO: THE MAYOR AND CITY COUNCIL MEMBERS OF THE CITY OF McLENDON, CHISHOLM, TEXAS:

I, GAURAB BASNET, on behalf of JAKA RE LLC, with a business address at 2655 JOHNSON RD, SOUTHLAKE, TX, 76092, being the lawful owners of the following tracts or parcels of land located in Rockwall County, Texas, we do hereby petition the City Council of the City of McLendon Chisholm, Texas, to release these properties from the extraterritorial jurisdiction of the City of McLendon Chisholm, Texas.

1. PARCEL ID: **63847**

- Legal description **Chisholm Ranch Estates, Block E, Lot 15, Acres 1.62, Common Area Commercial**
- Address Assignment: 11160 S State HWY 205

We certify that this petition is signed and duly acknowledged by each and every person, corporation, or entity having an ownership interest in the said Properties. Attached hereto as Exhibit "A" is a legal description of the area to be released. This petition is made in accordance with the provisions, of S.B. 2038 and other applicable laws and regulations. The release of this Properties from the ETJ of the City of Fort Worth is sought to address and resolve the prolonged delays and confusion we have encountered with our project under the City's jurisdiction. Our goal is to realign our property with Tarrant County to expedite the development process, this shift will enable us to work directly with Tarrant County to understand and adhere to all necessary county procedures, ensuring our project moves forward efficiently and effectively. By obtaining this release, we aim to streamline our development process, aligning more closely with county regulations and expectations, thereby facilitating a smoother and more predictable path to project completion.

For further correspondence, please contact:

Email: dinesh@landmarkretails.com

Mailing Address: JAKA RE LLC, 2655 Johnson RD, Southlake, TX, 76092

Owner:

By: 
Gaurab Basnet
Manager
JAKA RE LLC

STATE OF TEXAS §

§

COUNTY OF Rockwall §

BEFORE ME, the undersigned authority, on this day personally appeared GAURAB BASNET, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed, on behalf of JAKA RE LLC. Given under my hand and seal of office this 13th day of MARCH, 2024.

Notary Public, State of Texas

Printed Name: Manjari Bista
My commission expires: 06-07-2027

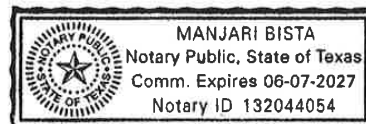


Exhibit "A"

Being a 1.62-acre tract of land out of the King Latham Survey, Abstract No. 733, situated in Rockwall County, Texas, and being a portion of Lot 15, Block E of Chisholm Ranch Estates, a subdivision of record in Cabinet F, Page 247 of the Plat Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an aluminum TxDOT monument found at the Northeast end of a cutback line at the intersection of the West right-of-way line of State Highway 205 (right-of-way width varies) and the North right-of-way line of Farm to Market Highway 548 (F.M. 548 - right-of-way width varies), being the most Easterly Southeast corner of said Lot 15 and hereof;

THENCE

cap stamped "EAGLE SURVEYING" set in the North right-of-way line of F.M. 548, being the Northeast corner of a called 0.3589-acre tract of land conveyed to State of Texas by deed of record in Document Number 20220000006620 of the Official Public Records of Rockwall County, Texas, for the most Southerly Southeast corner hereof;

THENCE, along the North right-of-way line of F.M. 548, being the common North line of said 0.3589-acre tract, along a non-tangent curve to the left, having a

rod with green plastic cap stamped "EAGLE SURVEYING" set in the West line of said Lot 15, being the common East line of Lot 14, Block E of said Chisholm Ranch Estates, for the Southwest corner hereof;

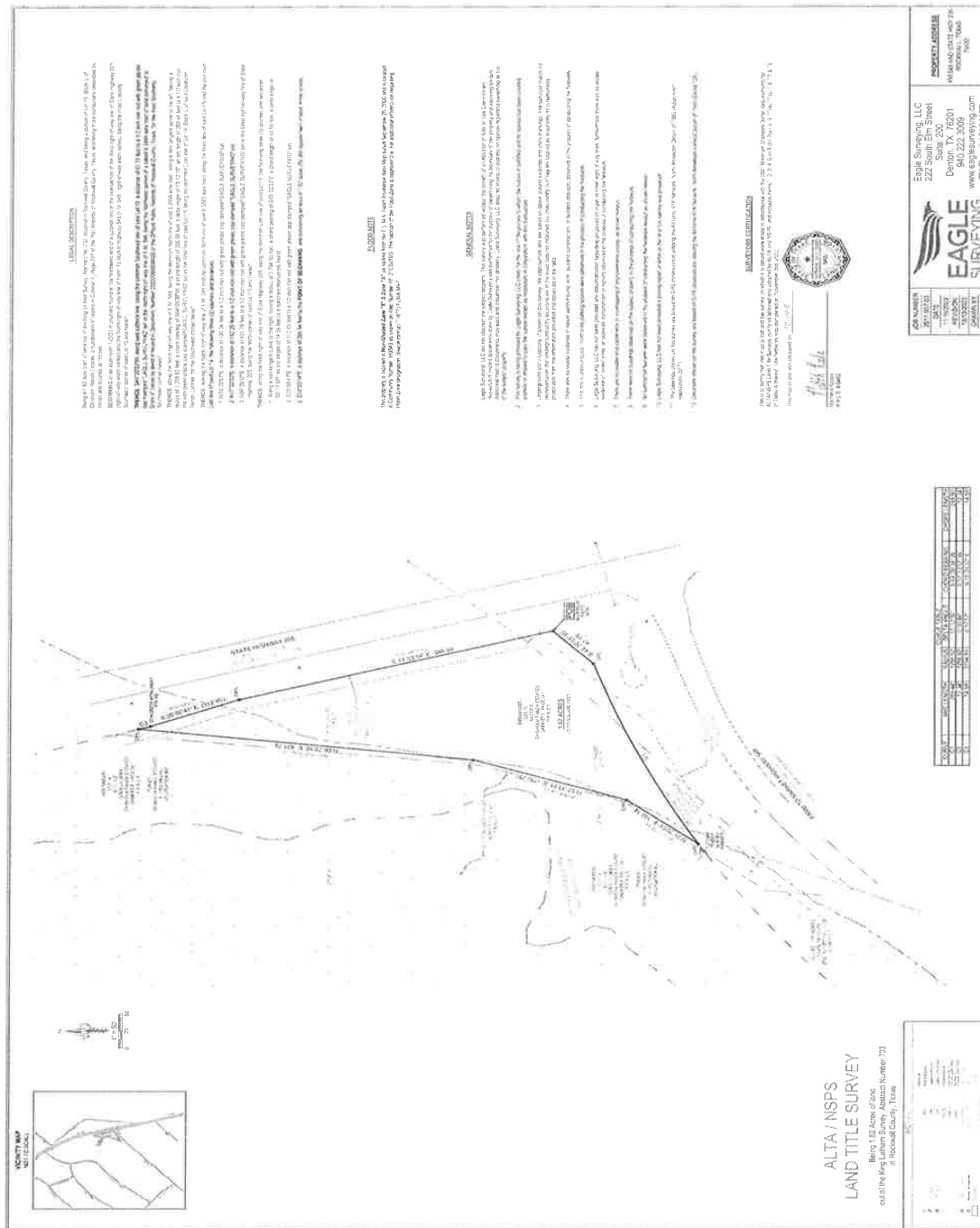
THENCE, leaving the North right-of-way line of F.M. 548 and the common North line of said 0.3589-acre tract, along the West line of said Lot 15 and the common East line of said Lot 14, the following three (3) courses and distances:

1. N36°20'51" E, a distance of 106.34 feet to a ½ inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
2. N17°33'33" E, a distance of 192.25 feet to a ½ inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
3. N06°25'10" E, a distance of 401.79 feet to a ½ inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the West right-of-way line of State Highway 205, being the North corner of said Lot 15 and hereof;

THENCE, along the West right-of-way line of State Highway 205, being the common East line of said Lot 15, the following three (3) courses and distances:

1. Along a non-tangent curve to the right, having a radius of 2,794.93 feet, a chord bearing of S15°03'32" E, a chord length of 14.59 feet, a delta angle of 00°17'57", an arc length of 14.59 feet to a concrete monument found;
2. S20°00'41" E, a distance of 112.45 feet to a ½ inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
3. S14°50'14" E, a distance of 386.94 feet to the **POINT OF BEGINNING**, a containing an area of 1.62 acres (70,369 square feet) of land, more or less.

Exhibit "B"





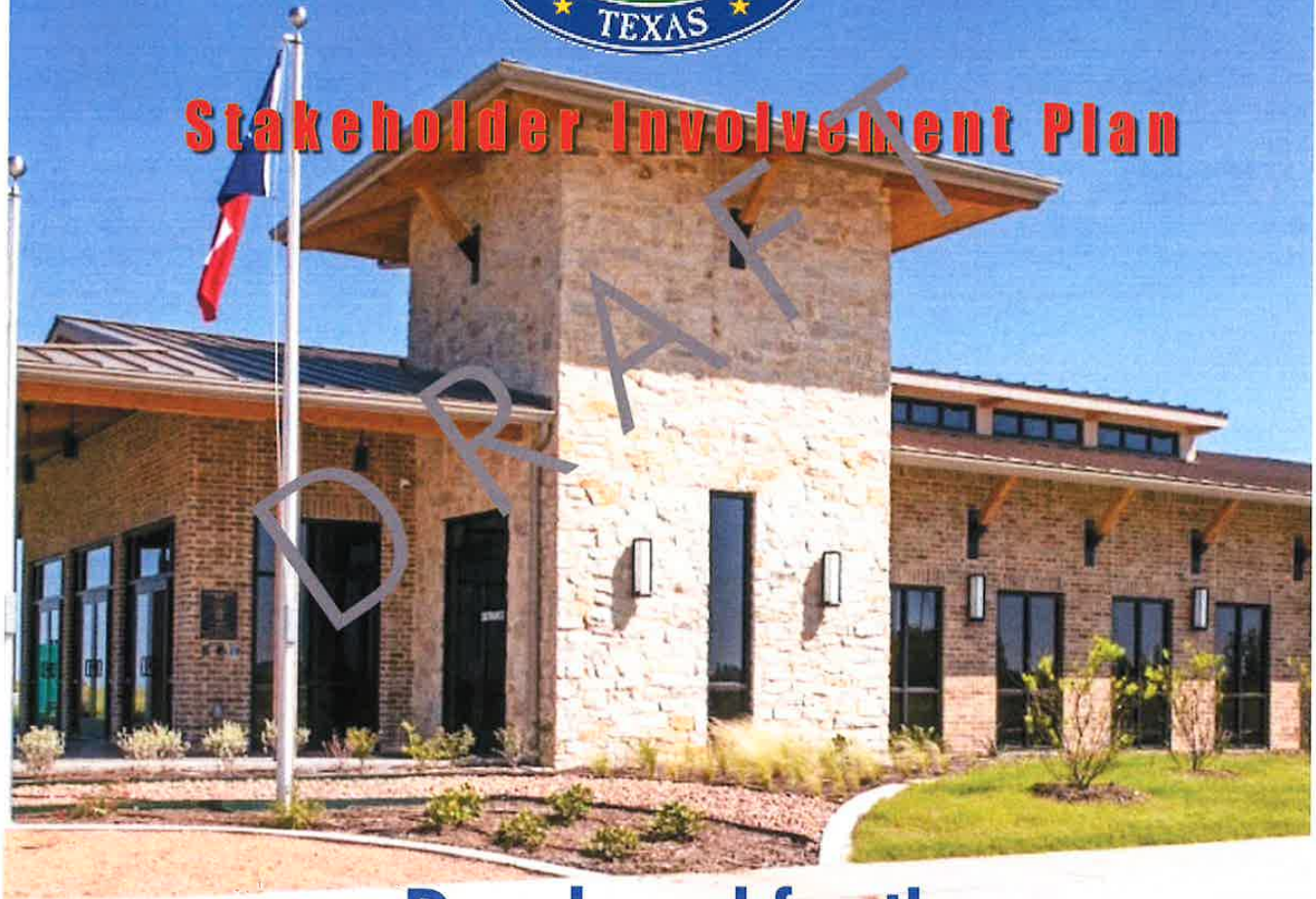
City of McLendon-Chisholm Staff Report

Date:	April 9, 2024
Agenda Item:	Presentation/Review/Action – Review and approval of continued process of the city-wide Architectural Services Heritage Center – Burditt Architects. Seeking motion to approve the final stages of the overall plan development and process.
Fiscal Impact:	N/A
Background:	To date, Burditt Architects have met with the City Council and staff and heard and initiated the beginning stages of the overall planning process and plan development. They will present work completed to date and wish to receive feedback and approval to completion of the overall project. In Quarter 1 of the city's 2023/2024 fiscal year, the city council approved the design and development of a master planning for the Heritage Center Site. This site was identified and mentioned in the City's Comprehensive Plan 2021-2040. Community engagement and public outreach, key stakeholder discussions, web-based survey, townhall meeting, etc. Limited demand analysis, comparable facilities, program demand, etc. Programming and concept design services and scenarios. Development of a final Master Plan of the site and associated city-wide development, including illustrations of the proposed pre-schematic improvements. Finally, opinions of probable cost and proposed site improvements. Submission of final report of feasibility of study, master plan and pre-schematic designs, final opinion of probable costs, cursory needs analysis and supporting documentation.
Staff Assigned:	Konrad Hildebrandt, City Administrator

City of



Stakeholder Involvement Plan



**Developed for the
Heritage Center Master Plan**

A PLAN FOR ENGAGED CITIZEN PARTICIPATION
April - June 2024



MCLENDON CHISHOLM, TEXAS STAKEHOLDER INVOLVEMENT PLAN

Master Plan Project Team

- Konrad Hildebrandt, City Administrator
- Shelly Green, City Secretary

City Council

- Keith Short, Mayor
- Adrienne Balkum, Mayor Pro Tem
- Paul Day, Council Member Place 1
- Bryan McNeal, Council Member Place 2
- Floyd McLendon, Council Member Place 3
- Dan Tucker, Council Member Place 5

Project Team

- Charles Burditt, Principal
- J. Shane Howard, Sr. VP Strategy & Dev.
- Mark Goulas, Director of Design

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 - C. Community Involvement Opportunities and Tools
- IV. Evaluation and Accountability



INTRODUCTION, WORK DESCRIPTION AND BACKGROUND

I. Introduction

The City of McLendon Chisholm is studying a proposed Heritage Center identified in the City's Comprehensive Plan. The Center shall be located on property along Farm Road 550 (an 8-9 +/- acre site) immediately adjacent and southeast of the City Hall and Public Safety Building.

The proposed facility/complex is intended to be a node of development that showcases the City's Rural Heritage, Green Spaces, and Natural Areas in a Country Living Activity Center. Potential facility and land uses may include:

1. Institutional uses associated with the City, County, and School District;
2. McLendon Chisholm's heritage and/or history;
3. Arts and culture;
4. Parks, trails, open/green space, ponds, and creeks;
5. Extensive, shaded, lighted, and landscape areas including trail system.

II. Work Description and Background

The project is considered a first step in the process of future site and facility development for the Heritage Center complex. The objective is to determine the feasibility and recommendations for constructing a new Heritage Center.

The facility intends to provide a variety of key amenities to the community that are desired, needed, and important for social cohesion, education, social cohesion, and quality of life.

The study process involves key exercises affecting the final outcome of feasibility and master planning document including:

1. Site Assessment (including adjacent properties);
2. Stakeholder Engagement;
3. Program Development through:
 - a. Staff meetings
 - b. Council workshops
 - c. Site assessment
 - d. High level market analysis
 - e. Programming interviews
 - f. Public outreach
 - g. Existing review City and other filed planning documents

Proposed Stakeholder Involvement Schedule

APRIL	MAY	JUNE
• City Council • Planning & Zoning • Community Conversations • Topical Focus Groups • Press Release • Online Survey • Civic Organizations	• Community Open House • Press Release • Online Engagement • Civic Clubs (as scheduling permits)	• Publish Results of Stakeholder Involvement

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COMMUNITY INVOLVEMENT PROCESS

III. Community Involvement Process

A. Community Involvement Guidance

Public Involvement Principles & Goals

The City of McLendon Chisholm embraces the following principles for public involvement. These principles represent a road map to guide government officials and staff in establishing consistent, effective and high quality community engagement across McLendon Chisholm's City government.

Partnership

Community members have a right to be involved in decisions that affect them. Participants can influence decision-making and receive feedback on how their input was used. The public has the opportunity to recommend policy and improvement ideas and issues for consideration.

Early Involvement

Public involvement is an early and integral part of issue and opportunity identification, concept development, design, and implementation of the Master Plan.

Building Relationships and Community Capacity

Public involvement processes invest in and develop long-term, collaborative working relationships and learning opportunities with community partners and stakeholders.

Inclusiveness and Outreach

Public dialogue and decision-making processes identify, reach out to, and encourage participation of the community in its full diversity. Processes respect a range of values and interests and the knowledge of those involved. Individuals and groups are included authentically in processes, activities, and decision and policy making. Impacts, including costs and benefits, are identified and distributed fairly.

Good Quality Process Design and Implementation

Public involvement processes and techniques are well-designed to appropriately fit the scope, character, and impact of a policy or project. Processes adapt to changing needs and issues as they move forward.

Transparency

Public decision-making processes are accessible, open, honest, and understandable. Members of the public receive the information they need, and with enough lead time, to participate effectively.

Accountability

City leaders and staff are accountable for ensuring meaningful public involvement in the work of city government.

The City and project partners will strive to:

- Seek partner agency assistance with outreach and engagement.
- Build new and ongoing relationships with under-served and non-geographic issue-oriented groups, including cultural groups, faith communities, and renters.
- Continue, and in some cases broaden, involvement with City of McLendon Chisholm boards, committees and commissions.
- Ensure there is adequate time between the public release of plan drafts and the corresponding public hearings and public comment period, while factoring in time for organizations to meet and coordinate an official response, as well as, avoiding the holidays for the public comment period.
- Draft documents released for public comment and other outreach material should be available in large print and html-friendly versions at the time of public release.
- Continue to coordinate more with venues to advertise events to those who use or visit the facility.
- Consider the date and time of meetings and workshops and verify that the scheduling does not conflict with regularly scheduled meetings or special events.
- Engage more people, especially non-geographic communities and first-timers.
- Demonstrate to participants how previous input is being incorporated into current materials and proposals.

B. Key Audiences

This Stakeholder Involvement Plan is designed to reach all audiences that may be affected or have an interest in the Master Plan process. It will also be designed to reach out to other groups and individuals—those that may not yet have an interest or be compelled to participate—to encourage their awareness, understanding, and involvement in the process. Among potential target stakeholders the audiences that may be important to contact and engage:

- Interested people across the community;
- Faith base organizations;
- City boards and committees;
- Institutional: Healthcare, education, workforce development and training;
- Local Businesses: Industry, large employers and small businesses, business associations, Chamber of Commerce.

COMMUNITY INVOLVEMENT OPPORTUNITIES AND TOOLS

C. Community Involvement Opportunities and Tools

There will be a variety of involvement opportunities and communication tools used to ensure that residents are able to find information and engage in the planning process. Community involvement opportunities will be organized to allow people to engage across several interest levels:

Inform: Some people are just learning of the project and want to track the process and stay up to date on the latest project news.

Consult: Other people want to be slightly more involved, making sure each plan element addresses the topics they are interested in and participate in crafting a shared vision for the future of McLendon Chisholm.

Collaborate: Another group of people want to be deeply involved in the ongoing work of the concept plans, closely tracking process and providing thoughtful and meaningful input into the products. The following opportunities and tools will be used throughout the process, offering ways to stay informed and affect the project outcomes that facilitate the range of interest levels and meet the needs of diverse audiences.

In addition to the opportunities and tools listed below, a variety of outreach materials will be produced for each phase. For the key stakeholder meetings, fact sheets and other summary information materials will be created. For the open house, information boards, handouts and discussion materials will be developed for events, and information comprising the basis for decision-making (the “public record”) will be made available locally for public review at City offices and on the website as appropriate.

Involvement Opportunities

Key Stakeholder Meetings: A series of meetings will be held with key stakeholder groups in the community to gather targeted feedback regarding facility needs, programs and activities. Outreach will be held, in locations around McLendon Chisholm and will be designed to allow stakeholders and the public to engage directly in the planning process to learn about the project and provide input that will meaningfully shape project outcomes.

Suggested Focus Groups include:

- Education
- Healthcare
- Ministerial Alliance
- Youth Athletic Leagues (optional)
- Industry
- Parks and Recreation
- Small Business
- Civic Clubs and Groups

On-Site Open House: One public meeting will be hosted in McLendon Chisholm to facilitate discussion about community needs and opportunities. The meeting will be organized as an interactive workshop to encourage meaningful input from participants.

Staff Workshop: Selected City staff will participate in a workshop that aims to shed light on issues and concerns in the community ranging from technical and operations-based details to programmatic needs and other opportunities.

Social Media: Facebook and other social media outlets may be used to announce project news and promote and document events. Social Media can also be used to make connections to similar efforts, organizations and individuals in McLendon Chisholm.

Tools

City Website: Routine updates of the planning process and meeting announcements.

Online Survey: An online public survey will be conducted to identify priorities and preferences for development of the Heritage Center. Advertisement and links to the survey will be placed on the City website and Facebook page.

EVALUATION AND ACCOUNTABILITY

IV. Evaluation and Accountability

The consultant team will track comments received throughout the planning process and maintain a list of stakeholders, community members and organizations interested in receiving meeting announcements. After each meeting or outreach effort a meeting summary will be prepared and shared with the project team. The project team will brief public officials and decision-makers on the progress of project phases, results of outreach efforts and public input at key points during the planning process.

In order to measure the effectiveness of stakeholder engagement efforts, the following list of public engagement principles and supporting performance measures has been developed. These performance measures are both qualitative and quantitative and provide the framework for thorough and honest engagement of all community members.

McLendon Chisholm Public Involvement Principles and Performance Measures

Principle 1: Partnership: Community members have a right to be involved in decisions that affect them. Participants can influence decision-making and receive feedback on how their input was used. The public has the opportunity to recommend projects and issues for consideration for inclusion in the Master Plan.

Measures

- Describe efforts made to report results and findings of previous outreach phases throughout the planning process

- Describe the influence of partnerships and follow-up activities conducted for specialized outreach to ensure the opinions and needs of various communities are heard.
- % of people who complete surveys and participate on social media discussions.

Principle 2: Early Involvement: Public involvement is an early and integral part of issue and opportunity identification, future land use concept development, and prioritizing implementation projects.

Measures

Describe early involvement efforts to respond to community-driven issues (e.g., housing needs).

Principle 3: Building Relationships and Community Capacity: Public involvement processes invest in and develop long-term, collaborative working relationships and learning opportunities with community partners and stakeholders.

Measures

- Describe the new and existing relationships built upon during the outreach process thus far.
- # of staff from other City departments who participated in the outreach effort; and number of City departments that devoted staff time informing and engaging their contacts and relationships in the planning process.

Principle 4: Inclusiveness: Public dialogue and decision-making processes identify, reach out to, and encourage participation of the community in its full diversity. Processes respect a range of values and interests and the knowledge of those involved.

Measures

- Elaborate on the targeted outreach efforts to reach broader groups with education and information.
- # of targeted outreach groups engaged in the outreach phase.
- # of total people reached through the public engagement process.
- Address readability, event location selection.

Principle 5: Good Quality Process Design and Implementation: Public involvement initiatives are designed to appropriately fit the scope, character, and impact of a policy or project. Processes adapt to changing needs and issues as they move forward.

Measures

- Describe key requests that were implemented by staff.
- Ask participants about the quality of their experience.

Principle 6: Transparency: Public decision-making processes are accessible, open, honest, and understandable. Members of the public receive the information they need, and with enough lead time, to participate effectively.

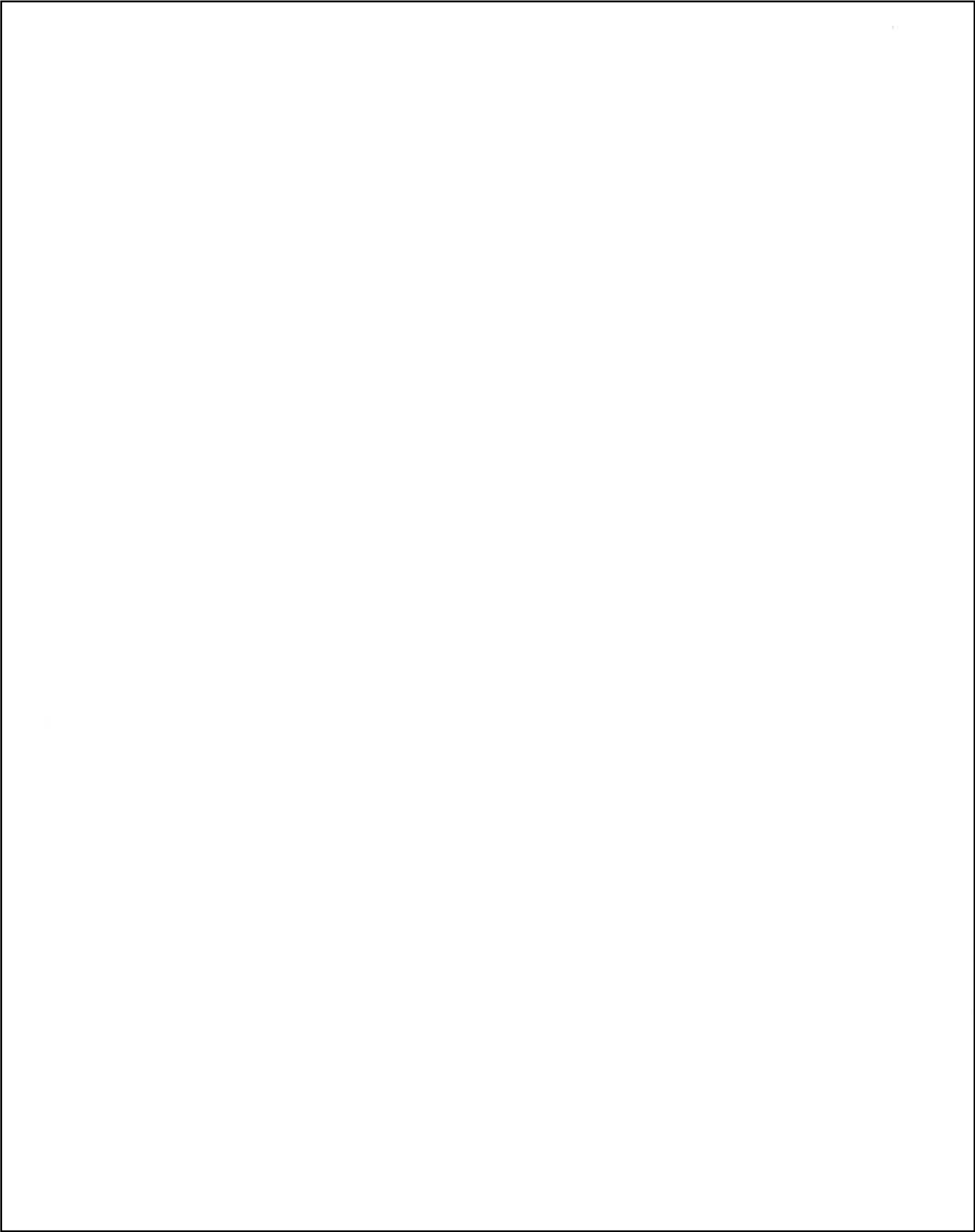
Measures

- Describe the different venues and approaches used for community involvement and engagement.
- Describe the interactive tools used in the outreach effort.
- Describe the various web-based techniques and social media networks utilized in the outreach effort and describe how utilizing social media has engaged community members and allowed for the community to provide feedback.
- # of outlets where materials were made continually available, other than internet (i.e., City offices, etc.)
- Amount of time provided for public comment on key products.

Principle 7: Responsibility: City leaders and staff are responsible for ensuring meaningful public involvement in the work of city government.

Measures

- Describe how community participants might find their comments and opinions reflected in the final product and process at key milestones (stakeholder engagement documentation).



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**UTILITY EASEMENT AND RIGHT-OF-WAY
(Including Temporary Easement for Construction)**

KNOW ALL MEN That CITY OF MCLENDON-CHISHOLM, hereinafter individually or collectively "Grantor"), for and in consideration of TEN DOLLARS AND NO/00 (\$10.00) and other good and valuable consideration paid to Grantor by the **RCH WATER SUPPLY CORPORATION** (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto Grantee, its successors and assigns, a permanent easement and right-of-way to erect, construct, install, and lay and thereafter access and use, operate, inspect, repair, alter, protect, maintain, replace, upgrade, parallel, add and remove water pipelines and appurtenances and any other facilities necessary to serve Grantor's property as well as the Grantee's current and future system-wide customers, under, over and across a tract of land, more particularly described on Exhibit "A", together with the right of ingress and egress over Grantor's adjacent lands for the purpose for which the above mentioned rights are granted. The easement hereby granted shall not exceed fifteen feet (15') in width and shall be located as shown on the attached Exhibit "B".

Grantor also grants and conveys unto Grantee a twenty foot (20') wide temporary construction easement for use in connection with the initial installation of a pipeline or pipelines by Grantee in the permanent easement described above, and for the storage of excavation material resulting from such construction. The temporary construction easement will expire upon completion of construction and acceptance of the pipeline or pipelines by Grantee.

Grantee shall have such other rights and benefits necessary and/or convenient for the full enjoyment and use of the rights herein granted, including without limitation: (i) the reasonable right of ingress and egress over and across lands owned by Grantor which are contiguous to the easement; (ii) the reasonable right from time-to-time to remove any and all paving, trees and undergrowth, and other obstructions that may injure Grantee's pipelines, appurtenances and facilities, or interfere with the construction, installation, use, operation, inspection, repair, alteration, protection, maintenance, replacement, upgrading, paralleling or removal thereof; and (iii) the right to abandon-in-place any and all pipelines, appurtenances and facilities, such that Grantee shall have no obligation or liability to Grantor or their successors or assigns to move or remove any such abandoned pipelines, appurtenances and facilities.

In the event the easement hereby granted abuts on a public road and the county or state hereafter widens or relocates the public road so as to require the relocation of any pipeline or facilities installed by Grantee in the permanent easement described above, Grantor further grants to Grantee an additional easement over and across the land described above for the purpose of laterally relocating said pipeline or facilities as may be necessary to clear the road improvements, which easement hereby granted shall be limited to a strip of land twenty feet (20') in width the center line thereof being the pipeline as relocated.

Grantor, Grantor's successors and assigns, may fully use and enjoy the premises encumbered by

said easement, except that such use and enjoyment shall not hinder, conflict or interfere with the exercise of Grantee's rights hereunder and no building, structure or reservoir shall be constructed upon, over or across the easement hereby granted without Grantee's written consent; provided further that Grantor, Grantor's successors and assigns, may construct, dedicate and maintain over and across the easement such driveways, utility lines and fences as will not interfere with Grantee's use of the easement for the purposes aforesaid.

Grantee shall clean up and remove all trash and debris caused by the installation of pipelines, appurtenances and facilities hereunder, and shall repair or replace existing fences and repair other damages caused by said installation. Grantee shall also restore the surface of the land to a smooth contour following said installation.

The consideration recited herein shall constitute payment in full for all damages sustained by Grantor by reason of the installation of the pipelines, appurtenances and facilities referred to herein, and the Grantee will maintain such easement in a state of good repair so that no unreasonable damages will result from its use to Grantor's premises. This agreement together with other provisions of this grant shall be perpetual and shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns. Grantee's rights hereunder may be assigned in whole or in part to one or more assignees.

TO HAVE AND TO HOLD the easement and rights appurtenant thereto unto the Grantee, its successors and assigns, until the pipelines, appurtenances and facilities are declared permanently abandoned by the Grantee, in which event said easement and rights appurtenant thereto shall cease and terminate and revert to Grantor, Grantor's successors and assigns.

Grantor does hereby bind itself and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular, the easement and rights appurtenant thereto herein granted to Grantee, or Grantee's successors and assigns, against every person whomsoever claiming, or to claim, the same or any part thereof.

It is expressly understood that all rights, conveyances or covenants are herein written, and no verbal agreements of any kind shall be binding or recognized or in any way modify this instrument of conveyance.

When context requires, singular nouns and pronouns include the plural.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF the said Grantors have executed this instrument this _____ day of _____, 2023

GRANTOR(S):

CITY OF MCLENDON-CHISHOLM

By: _____

Name: _____

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF ROCKWALL §

BEFORE ME, the undersigned authority in and for said County, on this day personally appeared _____ as _____ for City of McLendon-Chisholm known to me to be the person whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/they executed the same for purposes and considerations therein expressed and in the capacity so stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

Notary Public in and for the State of Texas

After Recording, Return To:
Whitman Land Group, LLC
1251 Pin Oak #131-152
Katy, TX 77494

EXHIBIT "A"

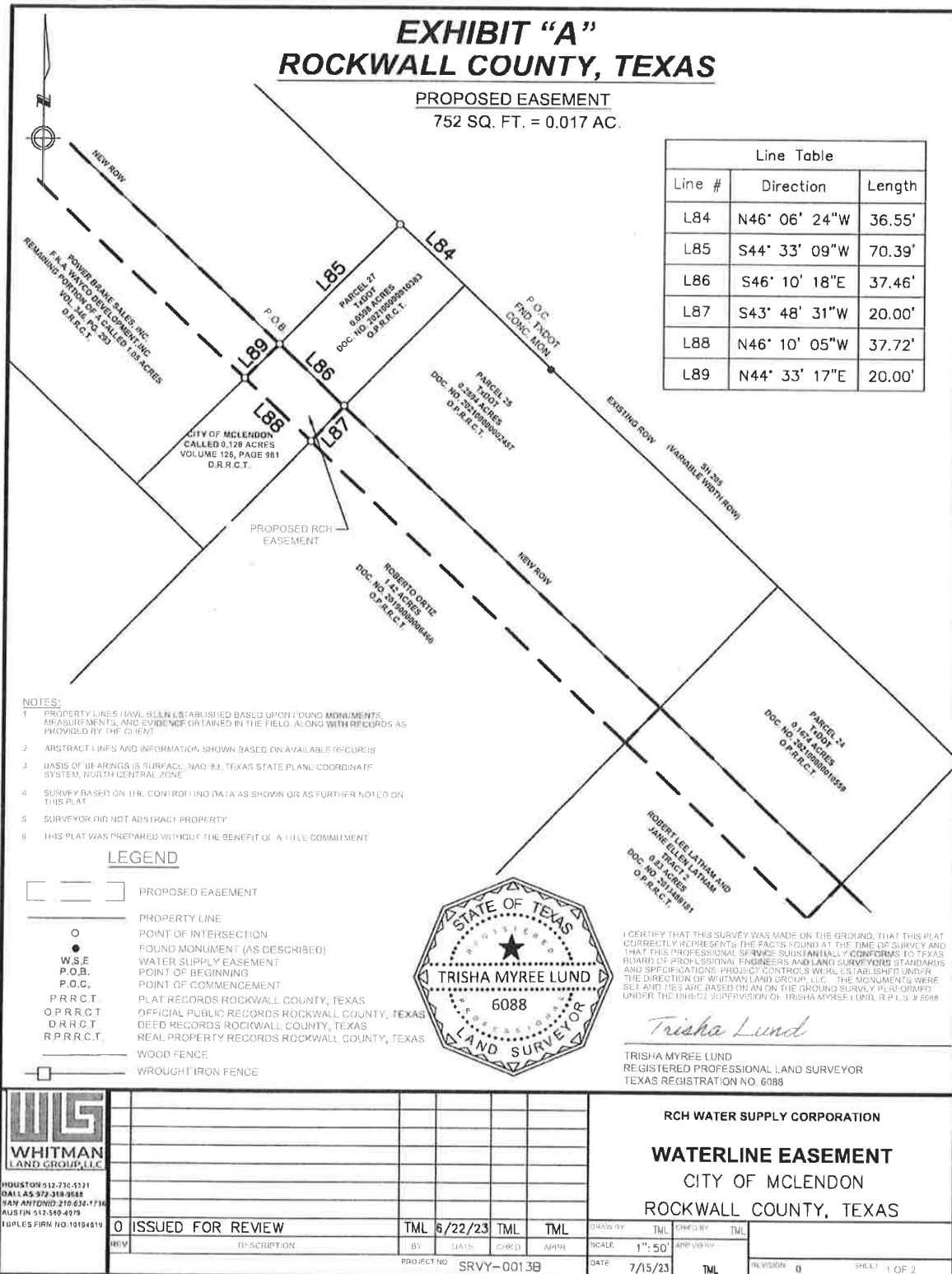
BEING A 0.0598-ACRE (2,604 SQUARE FEET) PARCEL OF LAND LOCATED IN MCLENDON-CHISHOLM CIT LIMITS IN THE KING LATHAM SURVEY, ABSTRACT 133, ROCKWALL COUNTY, TEXAS, SAID 0.0598-ACRE PARCEL BEING OUT OF A CALCULATED 0.1313 ACRE TRACT (TRACT 3-1) CONVEYED TO THE CITY OF MCLENDON-CHISHOLM (NO RECORD INFORMATION FOUND).

EXHIBIT "A"

ROCKWALL COUNTY, TEXAS

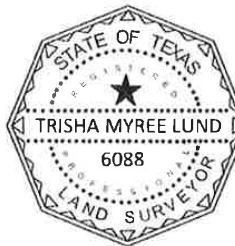
PROPOSED EASEMENT
752 SQ. FT. = 0.017 AC.

Line Table		
Line #	Direction	Length
L84	N46° 06' 24"W	36.55'
L85	S44° 33' 09"W	70.39'
L86	S46° 10' 18"E	37.46'
L87	S43° 48' 31"W	20.00'
L88	N46° 10' 05"W	37.72'
L89	N44° 33' 17"E	20.00'



BEING A DESCRIPTION OF A 15-FOOT WATER EASEMENT BEING OUT OF THE REMAINING PORTION OF A CALLED 0.128 ACRE TRACT DESCRIBED IN DEED UNTO THE CITY OF MCLENDON IN VOLUME 126, PAGE 961 DEED RECORDS ROCKWALL COUNTY, TEXAS (D.R.R.C.T) SAVE AND EXCEPT THAT 0.0598 ACRES DESCRIBED IN DEED UNTO TXDOT IN DOCUMENT NO. 20210000010383 OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.): SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS (BEARINGS AND DISTANCES CITED HEREIN ARE GRID BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD 83):

THENCE, NORTH 44°33'17" EAST, WITH THE WEST LINE OF SAID 0.128 ACRES, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.017 ACRES (752 SQUARE FEET) OF LAND, MORE OR LESS.



I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRELATES REPLICATES THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE SUBSTANTIALLY CONFORMS TO USAS STANDARDS OF PROFESSIONAL ENGINEERING AND LAND SURVEYING STANDARDS AND SPECIFICATIONS. PROJECT CONTROLS WERE ESTABLISHED UNDER THE DIRECTION OF WHITMAN AND GROUP, LLC. THE MONUMENTS WERE SET AND TIES ARE BASED ON AN ON THE GROUND SURVEY PERFORMED UNDER THE DIRECT SUPERVISION OF TRISHA MYHRE LUND, R.P.L.S. #6084

Triska Lund

TRISHA MYREE LUND
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6088

[illegible]

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 8, "OFFENSES AND NUISANCES", ARTICLE 8.06, "DEFINITIONS", BY REPEALING AND REPLACING IN ITS ENTIRETY THE DEFINITION OF 'JUNKED VEHICLE'; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to promote public safety inside its municipal limits; and

WHEREAS, the City Council has determined that in the interest of safety, it is necessary to prohibit the existence of junked vehicles inside the City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1. Chapter 8 of the McLendon-Chisholm Code of Ordinances, "Offenses and Nuisances", Article 8.06 "Abandoned and Junked Vehicles", subsection 8.06.001, "Definitions" by repealing in its entirety "Junked vehicle and junk motor vehicle" and replacing it with a new definition of "Junked vehicle", and said definition shall read as follows:

"...

CHAPTER 8. "OFFENSES AND NUISANCES"

...

Article 8.06 "Abandoned and Junked Vehicles"

...

Section 8.06.001 Definitions

Junked vehicle shall mean a vehicle that:

- (1) is self-propelled; and
- (2) is:
 - (a) wrecked, dismantled or partially dismantled, or discarded; or
 - (b) inoperable and has remained inoperable for more than:
 - (i) 72 consecutive hours, if the vehicle is on public property; or
 - (ii) 30 consecutive days, if the vehicle is on private property.

For purposes of this definition, "junked vehicle" includes a motor vehicle, aircraft, or

Page 1 of 2

- watercraft. This definition applies only to:
- (1) a motor vehicle that displays an expired license plate or does not display a license plate;
 - (2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
 - (3) a watercraft that:
 - (A) does not have lawfully on board an unexpired certificate of number; and
 - (B) is not a watercraft described by Section 31.055, Parks and Wildlife Code.

...”

SECTION 2. All provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of McLendon-Chisholm, Texas.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and publication, as the law in such cases provides.

SECTION 5. That the recitals to this Ordinance are hereby incorporated into the body of this Ordinance as if fully set forth in this Section and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes.

SECTION 6. The City Secretary shall give notice of the passage of this Ordinance by promptly publishing same or its descriptive caption and penalty after final passage in the official newspaper of the City with the Ordinance taking effect upon publication.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, this 9th day of April 2024.

APPROVED:

By: _____
Keith Short, Mayor

ATTEST:

By: _____
_____, City Secretary

Page 2 of 2

MARCH 26, 2021
cc agenda

Request to modify the current McLendon-Chisholm
Junked Vehicle Ordinance to reflect the most
recent update to the Texas Transportation Code,
Section 683-071.

Mark Woodruff
Code Compliance Officer # 2917
City of McLendon-Chisholm

CURRENT :

Junked vehicle and junk motor vehicle.

A motor vehicle as defined in V.T.C.A., Transportation Code, section 683.071:

(1)

That is self-propelled ~~and inoperable~~; and

(2)

That:

(A)

~~Does not have lawfully attached to it either an unexpired license plate or valid motor vehicle inspection certificate;~~

(A)

Is wrecked, dismantled, partially dismantled, or discarded; or

(B)

Has remained inoperable for more than 72 consecutive hours, if the vehicle is on public property, or for more than 30 consecutive days, if the vehicle is on private property.

CHANGE TO :

SUBCHAPTER E. JUNKED VEHICLES: PUBLIC NUISANCE; ABATEMENT

Sec. 683.071. DEFINITION AND APPLICABILITY. (a) In this subchapter, "junked vehicle" means a vehicle that:

- (1) is self-propelled; and
- (2) is:
 - (A) wrecked, dismantled or partially dismantled, or discarded; or
 - (B) inoperable and has remained inoperable for more than:
 - (i) 72 consecutive hours, if the vehicle is on public property; or
 - (ii) 30 consecutive days, if the vehicle is on private property.

(b) For purposes of this subchapter, "junked vehicle" includes a motor vehicle, aircraft, or watercraft. This subchapter applies only to:

- (1) a motor vehicle that displays an expired license plate or does not display a license plate;
- (2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
- (3) a watercraft that:
 - (A) does not have lawfully on board an unexpired certificate of number; and
 - (B) is not a watercraft described by Section [31.055](#), Parks and Wildlife Code.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 1999, 76th Leg., ch. 746, Sec. 1, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 798, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 500 (S.B. 350), Sec. 1, eff. September 1, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 720 (H.B. 787), Sec. 9, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 753 (H.B. 1376), Sec. 1, eff. September 1, 2011.

Reenacted and amended by Acts 2013, 83rd Leg., R.S., Ch. 1291 (H.B. 2305), Sec. 49, eff. March 1, 2015.



City of McLendon-Chisholm
Staff Report

Date: April 1, 2024

Agenda Item: Request for an administrative amendment. An Administrative Approval of amending plats – Horizon Lakes PD Planned Development

Fiscal Impact: NONE

Background: Horizon Lakes, formally Trilogy PD Planned Development, has requested administrative approval to replat portions of their development. The total number of lots for the development has been reduced from 1786 to 1776.

This request meets the definition of a minor amendment as defined in section 10.02.005 (6) of the City of McLendon-Chisholm subdivision regulations. The proposed changes meet one or more of the standards listed in this section.

This development is in our city limits and lot sizes remain the same, building setbacks remain the same, and all building criteria and standards remain unchanged.

Staff Assigned: Asa Woodberry, City Planner

Drawing: J:\Projects\MP\1457\Eng-Civil\Infrastructure\Phase\1457\1457-01-24-24 - Prelim Plat Changes.dwg, at Feb 28, 2024 11:23am by J Powell





CITY COUNCIL– CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: March 26, 2024

Applicant: Brian Berry
3.85 Holdings LLC by Brian Berry
4210 Ridge Road, STE. 201
Heath, Texas 75032

Representative: Brian Berry

Property owner: Brian Berry
3.85 Holdings LLC by Brian Berry
4210 Ridge Road, STE. 201
Heath, Texas 75032

Location: The property is a 3.85-acre tract of land located on the East side of Cattle Barron Drive and South side of FM 550 with frontage along Cattle Barron Drive. Block 1, Lot 2R constitutes 1.2692 acres, Block 1, Lot 3R1 constitutes 1.2239 acres, and Block 1, Lot 3R2 constitutes 1.3565 acres of land. The Rockwall CAD property identification numbers are: 101322 and 101323.

CITY COUNCIL MEETING DATE: April 9, 2024

REQUEST:

The applicant is requesting approval of a site plan approval for the development of three commercial lots. Lot 2R constitutes 1.2692 acres, lot 3R1 constitutes 1.2239 acres, and lot 3R2 constitutes 1.3565 acres of land. The total acreage for the project is 3.85 acres. The development will be built in phases with phase 1 only including lot 3R1. This application is administratively complete and in conformity with the recommendations of the McLendon-Chisholm Comprehensive Plan.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the site plan for 3R1, 3R2, and 2R with conditions as set forth in the staff report.

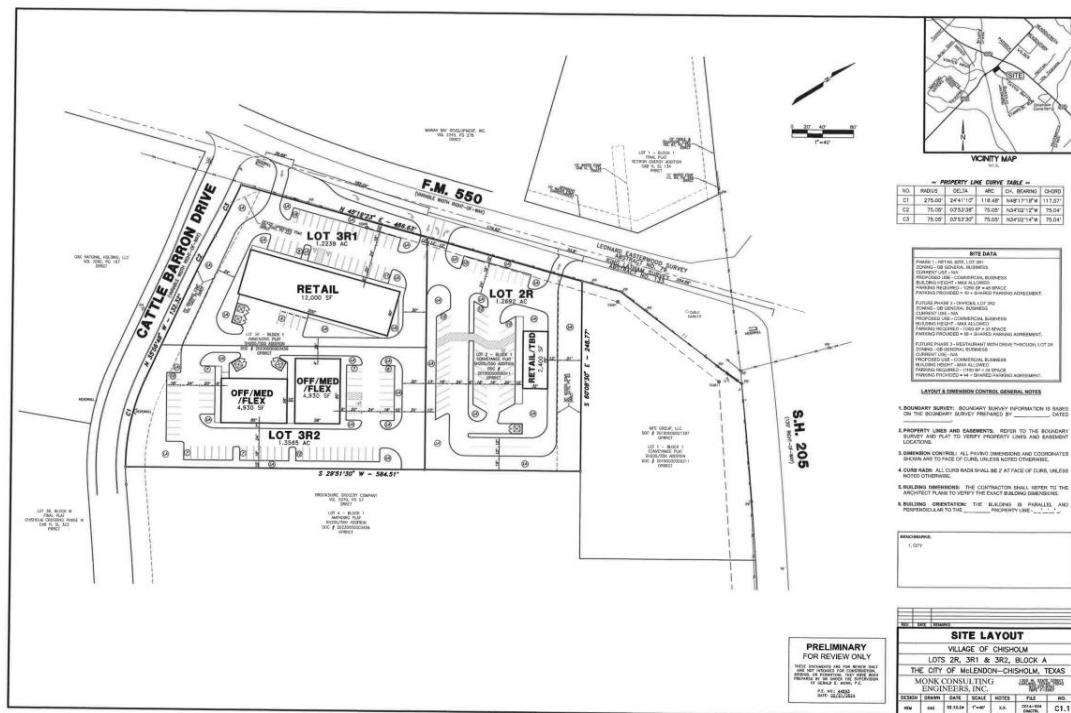
STAFF RECOMMENDATION: Approval subject to the following conditions:

Lot 3R1

- Submission of an irrigation plan to city staff for review and approval prior to any project construction

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Site Plan for the requested General Business District



Current Zoning Map [Subject property generally outlined in blue]



General Business zoning district boundaries along SH 205: Highway 205 distance limitations.

Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:

1.

The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.

2.

The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.

3.

This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

Applicant requested development standards:

EXHIBIT B

3.85 Acres along Cattle Barron Drive and SH 205.

GENERAL BUSINESS DISTRICT DEVELOPMENT STANDARDS

For 3.85 Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This GB General Business District provides for the development standards for lot 3R1. It is intended to provide a wide range of retail and service establishments for the community. Its regulations and use of land are intended to be consistent with the zoning standards with minor modifications for each lot's specified use. Lot 3R1 regulations will be consistent with the city's zoning regulations of a GB General Business District. This development is 3.85 acres of land located along Cattle Barron Drive and SH 205 with lot 3R1 representing 1.2239 acres of land to be developed in phase 1.

2. Special Provisions

This Exhibit includes the Site Plan and the Landscape Plan both of which are included and made a part of the ordinance adopting the GB General Business Development District.

- a. The planning and zoning commission and the city council shall take into consideration the ability of nearby streets to handle traffic generated by the proposed development and shall take into consideration the effects upon the value and amenities of nearby residential properties.

- i. The planning and zoning commission and city council shall weigh the equities between the two using the criterion of community service and maintaining the concept of city's land-use and zoning plan in assessing the position of the proposed development.
- b. Landscaping. Landscaping requirements shall comply with the provisions in section 6-10, Landscaping requirements.
- c. Screening and Buffer requirements. Screening and buffer requirements shall comply with the provisions in section 6-8, Screening and buffer requirements.
- d. Masonry requirements. Masonry requirements shall comply with the provisions in section 6-9, Construction materials.

3. Conceptual and Development Plan

In establishing this GB General Business Development District, the city council shall approve and file as part of the amending ordinance the provided Conceptual Plan and the Development Plan attached.

4. Development Standards

Lot 3R1

- a. Lot 3R1 is located along Cattle Barron Drive and the SH 205 corridor with the entire lot zoned as GB General Business.
- b. Permitted uses. Uses in the GB district shall be in accordance with section 3-1, Permitted use table.
- c. Density, area, yard, height, and lot coverage requirements. The requirements regulating the minimum lot size, minimum yard size (front, side, and rear), maximum building height (stories and feet), and maximum lot coverage, and minimum floor area, as it pertains to this district, shall conform with the provisions provided in the area requirements table for the GB Zoning District (below).
- d. Area requirements.

Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res. 25 ft. abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res. 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

- e. Highway 205 distance limitations. Unless otherwise established by specific ordinance or change in zoning the limit of the GB General Business District, when it is located adjacent to State Highway 205, shall be 350 feet measured from the centerline of S.H. 205. The following conditions shall also apply:
- i. The limit shall be extended to the property line if said property line is located within 100 feet of the 100 foot limit, but shall not be less than 350 feet unless otherwise zoned.
 - ii. The limit of the GB General Business District shall be interpreted by the zoning official, as designated by the mayor or his/her designee. The zoning official may differ interpretation of the distance to the city council.
 - iii. This provision does not limit the depth, size, or shape of any other parcel zoned as GB General Business District that is located anywhere else in the corporate limits of the City of McLendon-Chisholm.

BACKGROUND INFORMATION:

GB Zoning District requirements:

GB - Zoning District Area Requirements	
Minimum Lot Area	10,000 sq. ft.
Minimum Lot Width	100 ft.
Minimum Lot Depth	100 ft.
Minimum Street Yard	20 ft. Front Street 15 ft. Side Street
Minimum Side Yard	15 ft. abutting Non-Res 25 ft abutting Res.
Minimum Rear Yard	20 ft. abutting Non-Res 25 ft. abutting Res.
Maximum Lot Coverage	35 %
Maximum Building Height	35 ft.

Additional background information:

The current zoning district standards for the subject property are GB General Business. The applicant has provided a site plan showing the layout of 3 lots; however, this project will be constructed in phases. Phase 1 will only include lot 3R1 for development. A site plan and landscape plan has been provided.

Thoroughfares/streets:

FM 550 is a two-lane road that is currently maintained by the Texas Department of Transportation (TxDOT) and has been identified as a potential commercial hub for the city of McLendon-Chisholm. SH 205 is a state highway currently maintained by the Texas Department of Transportation (TxDOT) and has been identified as a potential commercial hub for the city of McLendon-Chisholm.

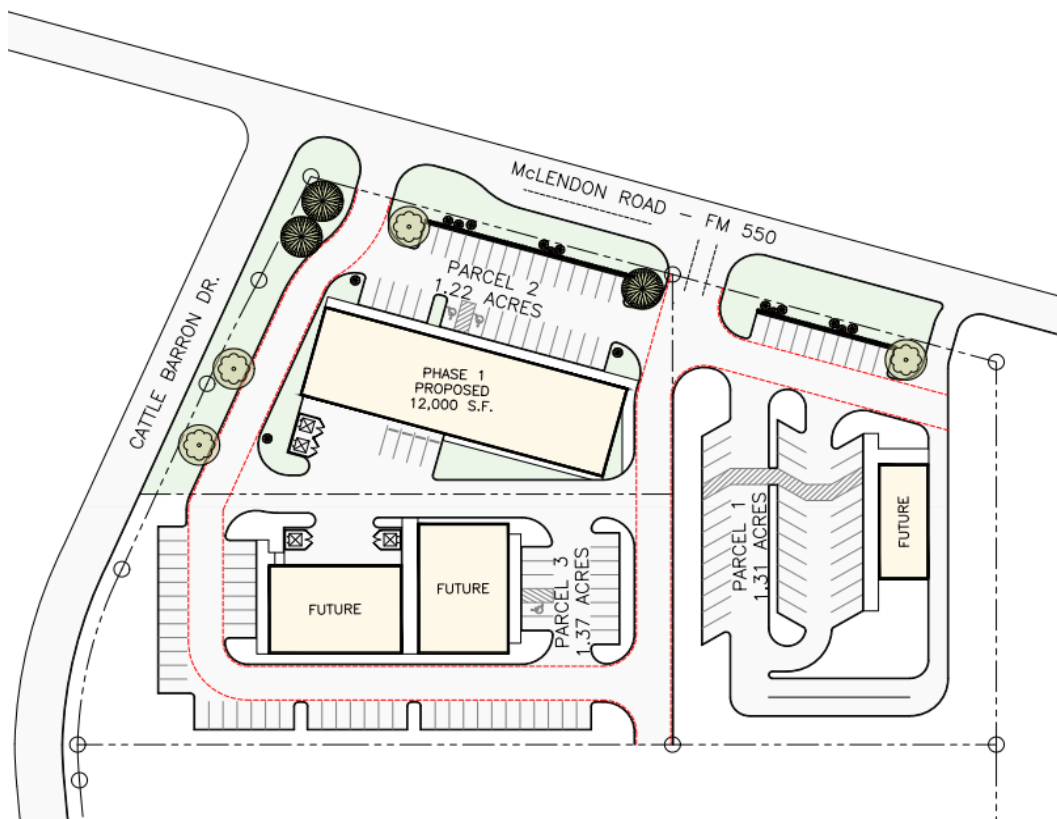
Property legal description:

Lot 1: Rockwall CAD property identification number: 101322

Lot 2: Rockwall CAD property identification number: 101323

Supplemental Applicant information:

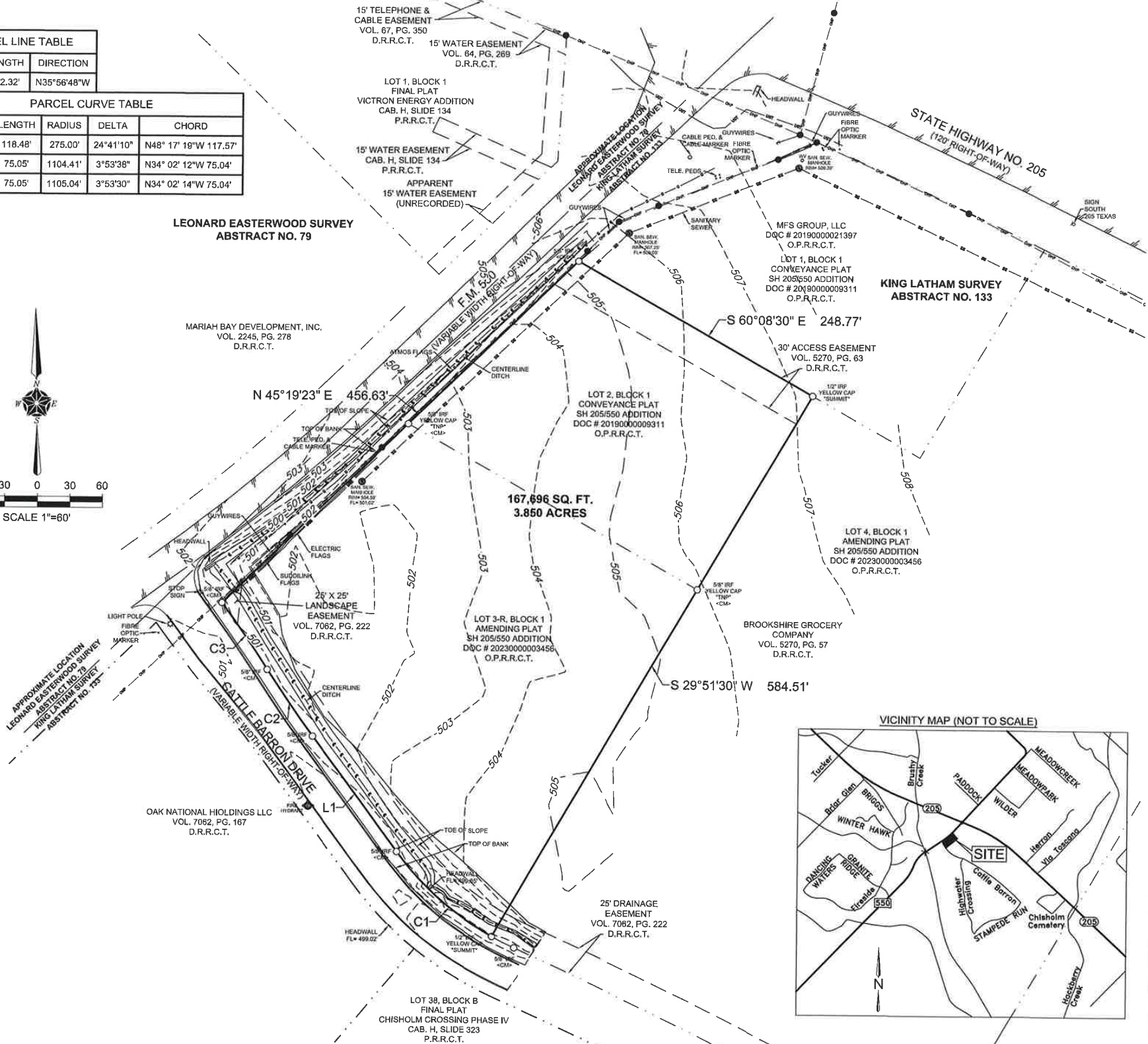
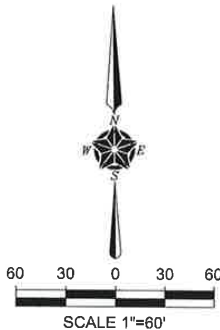
Landscape Plan





PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	132.32'	N35°56'48"W

PARCEL CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	118.48'	275.00'	24°41'10"	N48° 17' 19"W 117.57'
C2	75.05'	1104.41'	3°53'38"	N34° 02' 12"W 75.04'
C3	75.05'	1105.04'	3°53'30"	N34° 02' 14"W 75.04'



LEGEND

- ◉ CONTROL MONUMENT
- ⊗ IRON ROD FOUND
- ⊗ IRON ROD SET "XHS"
- ⊗ IRON PIPE FOUND
- ⊗ FENCE POST CORNER
- ⊗ "X" FOUND / SET
- ⊗ GAS METER
- ASPHALT PAVING
- CHAIN LINK FENCE
- WOOD FENCE (CENTER POST)
- WIRE FENCE
- IRON FENCE
- PIPE FENCE
- DES
- CHIP
- OVERHEAD POWER LINE
- COVERED PORCH, DECK OR CARPORT
- CONCRETE PAVING

- ⊗ SANITARY SEWER MANHOLE COVER
- ⊗ LIGHT POLE
- ⊗ POWER POLE
- ⊗ BRICK COLUMN
- ⊗ AC AIR CONDITIONING
- ⊗ FIRE HYDRANT
- ⊗ ELECTRIC METER
- BRICK
- STONE
- GRAVEL/ROCK ROAD OR DRIVE

GENERAL NOTES

- 1) According to the F.I.R.M. No. 4837C0110L, the subject property lies in Zone X and does not lie within a Special Flood Hazard Area.
- 2) All bearings, easements and building lines are by recorded plat and as furnished in referenced commitment for title insurance unless otherwise noted.
- 3) This survey plat has been prepared without benefit of abstract title; additional matters may be disclosed in the course of a thorough examination of the record title.
- 4) City of Rockwall GPS monument COR-20 was used. Northing- 7,017,666.682 Easting- 2,622,436.195 Elev= 543.55'

TEXAS HERITAGE SURVEYING, LLC



10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com Firm No. 10169300

ENGINEERS BOUNDARY TOPO, TREES AND UTILITIES

FM 550 @ CATTLE BARRON DRIVE
LOTS 2 & 3-R, BLOCK 1
SH 205/550 ADDITION
MCLENDON-CHISOLM
ROCKWALL COUNTY, TEXAS

Task No.
2302433-1

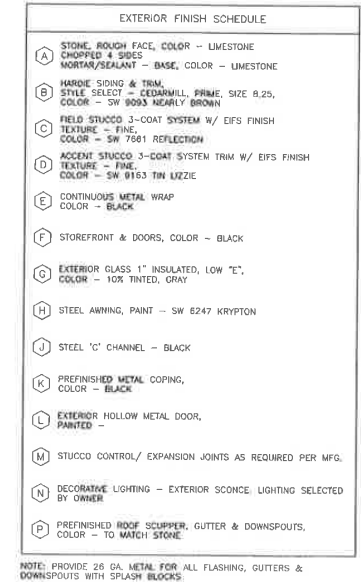
Drawn By
KO

Date
01/29/2024

Scale
1"= 60'







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PROPOSED OUT PARCELS FOR
3.85 RETAIL CENTER
McLendon-Chisholm, Texas 75032

			750 E. Independence 30 Suite 110 Rockwall, TX 75087 F: 972-732-6065 E: 972-732-8058
EXTERIOR ELEVATIONS			
DATE: JAN 2024		SHEET NO.	
PROJECT NO: 2022103			
DRAWN BY: ZJ		A501	
CHECKED BY:			

ORDINANCE NO. 2021-14

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, APPROVING AND ADOPTING THE 2021-2040 COMPREHENSIVE PLAN; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 213 of the Texas Local Government Code authorizes a municipality to adopt a Comprehensive Plan and amendments thereto; and

WHEREAS, a Comprehensive Plan serves as a guideline for the long-range development of a municipality and promotes sound development and the public health, safety and welfare; and

WHEREAS, the City of McLendon-Chisholm (“City”) last updated its Comprehensive Plan in February 2015 and the City Council determined the Comprehensive Plan was in need of updating; and

WHEREAS, the City’s Planning and Zoning Commission, with the assistance of the City’s professional land use planner and City Staff and after much work and consideration, prepared the 2021-2040 Comprehensive Plan, attached to this Ordinance as Exhibit 1 and incorporated herein by reference and which is on file with the City Secretary, and recommended to the City Council the approval and adoption of the 2021-2040 Comprehensive Plan; and

WHEREAS, the public hearing required by law was held and the public given the opportunity to give testimony and present written evidence regarding the 2021-2040 Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission, City Staff and the City Council have reviewed the 2021-2040 Comprehensive Plan which was presented to the City Council for approval and adoption; and

WHEREAS, the City Council finds approval and adoption of the 2021-2040 Comprehensive Plan furthers the public health, safety and welfare and is in the best interest of the City. Now, therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS:

SECTION 1. The recitals set forth in the WHEREAS clauses of this Ordinance are true and correct, constitute findings and determinations by the City Council acting in its legislative capacity and are incorporated herein.

SECTION 2. The City Council hereby approves and adopts the 2021-2040 Comprehensive Plan in its entirety, intending that the 2021-2040 Comprehensive Plan

shall amend, supersede, and replace the City's existing Comprehensive Plan, and any related documents.

SECTION 3. As set forth in more detail in the 2021-2040 Comprehensive Plan, the Comprehensive plan shall serve as a guideline for the City's adoption of, or amendment(s) to, the City's various development regulations. To the extent required by state law, zoning regulations and amendments thereto shall hereafter be adopted in accordance with the 2021-2040 Comprehensive Plan, and any zoning regulation(s) or part thereof that may deviate in any way from or add to the 2021-2040 Comprehensive Plan shall be deemed to automatically amend the 2021-2040 Comprehensive Plan, whether or not reference be made to the 2021-2040 Comprehensive Plan in the ordinance adopting or amending such zoning regulation(s). With respect to any such zoning regulation that automatically amends the 2021-2040 Comprehensive Plan, any requirement under state law that a comprehensive plan be amended after public hearing and after review by the Planning and Zoning Commission shall be deemed to have been satisfied by the public hearing(s) and Planning and Zoning Commission review-and-recommendation procedures set forth in the City's zoning regulations, as amended, in accordance with Chapter 211 of the Texas Local Government Code, as amended.

SECTION 4. The 2021-2040 Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries, nor shall it limit the City's ability to prepare other plans, policies or strategies as needed or required.

SECTION 5. All provisions of the ordinances of the City in conflict with the provisions of this Ordinance are repealed to the extent of such conflict, except that this Ordinance by itself shall not affect any change to any existing zoning districts, zoning classifications, or other zoning regulations or designations of current zoning which, along with all other provisions of the Ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

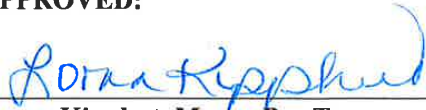
SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, if the law in such cases provides.

DULY PASSED and APPROVED by the City Council of the City of McLendon-Chisholm, Texas, on the 8th day of December 2021.

Ordinance No. 2021-14
Adopted 12.8.2021

APPROVED:



Lorna Kipphut, Mayor Pro Tem

ATTEST:



Rochelle Green
City Secretary





MCLENDON-CHISHOLM COMPREHENSIVE PLAN 2021-2040

APPROVED BY CITY COUNCIL ON
SEPTEMBER 29, 2021

City of McLendon-Chisholm

1371 W FM 550
Rockwall, TX 75032

(972)-524-2077

www.McLendon-Chisholm.com



McLendon-Chisholm Comprehensive Plan

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Acknowledgements and Credits

We wish to acknowledge the following who were instrumental in guiding the Comprehensive Plan process. Also, thank you to the community of McLendon-Chisholm for their vision and contributions to this Plan.

Mayor and Council

Keith Short, Mayor
Lorna Kipphut, Mayor Pro Tem
Norman Willis, Place 2
Trudy Woessner, Place 3
Brian Davis, Place 4
Dan Tucker, Place 5

Planning and Zoning Commission

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Mark Kipphut
Robert Rohde
Daniela Swindoll
Shari London
Jody Wright, Alternate
Brad Martin, Alternate

Comprehensive Plan Advisory Committee

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Stephen Doll
Michael Davis
Ashley Maxfield
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Overview

McLendon-Chisholm is a one-of-a-kind city, with residents who fiercely try to protect a peaceful way of life and wide open, green spaces. This Comprehensive Plan was created by the community utilizing relevant information from the previous Comprehensive Plan adopted in 2016, feedback from multiple sources outlined in the pages that follow, and the direction provided by the Comprehensive Plan Advisory Committee (CPAC).

The Comprehensive Plan for the City of McLendon-Chisholm is a guide for future development and redevelopment of the city and a tool to adopt policies and take actions in line with an envisioned future shared by the community. Most of the property in the City is in large lot residential, undeveloped, or agricultural uses. There are multiple subdivisions that provide for a variety of single family detached housing neighborhoods, from relatively small lots (ex. some as small as approximately 7,500 square feet in Sonoma Verde) to very large lots (ex. some as large as five acres or more), as well as a wide variety of properties for farms, ranches, and agricultural uses.

The City of McLendon-Chisholm is located between the City of Rockwall in Rockwall County and the City of Terrell in Kaufman County (the city limits and Extra-territorial Jurisdiction, or "ETJ," are almost all within Rockwall County, but a small portion in the south is within Kaufman County). Nearby communities include the City of Heath to the west and south and the cities of Rockwall and Fate to the north and west. State Highway 205 (SH 205) runs through the center of McLendon-Chisholm and connects Interstate 30 in Rockwall and US Highway 80 in Terrell. This transportation linkage is bringing traffic, development, and increased population to all of the land along SH 205 and McLendon-Chisholm is no exception. The commercial uses in the city are mainly along SH 205, and this corridor holds the city's best location potential for sales tax-generating uses (ex. shopping, dining, etc.).

The growth in value and numbers of the residential portions of the community has been significant. Over the last several years, the new growth and the evolution of McLendon-Chisholm as a city has resulted in new municipal facilities, including a new City Hall and a Public Safety Building, expanded fire protection services, and interest in the potential provision of law enforcement (in addition to the protection afforded by the Rockwall County Sheriff's Department) and in the potential of parks, recreation, and trails.

The national, State and local transportation systems provide relatively convenient access to the community and to surrounding employment centers, shopping, recreation, and entertainment. The city has steadily grown, due in no small measure to its proximity to major employment centers, its location within drivable commuting distance to and from Dallas, and its commitment to maintain a less dense, rural lifestyle.



Chapter 1: Introduction & Plan Context

Comprehensive Plan Purpose

Chapter 213 of the Texas Local Government Code establishes the foundation for the adoption of the Comprehensive Plan. The main purposes of the Comprehensive Plan are:

- To promote sound development of the municipality;
- To promote the public health, safety and welfare;
- To preserve characteristics that are valuable to the community while creating a vision for the near-term future of McLendon-Chisholm, as well as almost 20 years into the future through year 2040; and
- To bring the community closer to its envisioned future.

Specific objectives the Comprehensive Plan aims to accomplish include:

- Identify desired current and future public services, including essential services, and their efficient delivery;
- Encourage the development and implementation of public and private investment strategies;
- Minimize potential conflicts between existing and future land uses;
- Manage growth in an orderly manner;
- Ensure cost-effective public investments; and
- Ensure future decisions are data driven and rational for the benefit of the overall community.

This Comprehensive Plan does not and shall not constitute zoning regulations or establish zoning district boundaries with this municipality.

Brief History of McLendon-Chisholm

The City began as two separate settlements, McLendon's and Chisholm, each of which was named for a prominent landowning family in the early 1850s. McLendon's was named for P. A. McLendon, a local landowner who about 1870 built a combination store, cotton gin, and blacksmith shop that remained in continuous operation until 1975. A schoolhouse and church were constructed at the same time. A post office was opened in 1880 and remained in operation until 1905. By 1896 the farm settlement had 150 residents and nine businesses.

Chisholm derived its name from Enoch Parson Chisholm, who settled on 200 acres in 1856, and from his brother, B. Frank Chisholm, a colonel in the Civil War. Enoch was not only a farmer and landowner, but a licensed preacher in the Methodist Episcopal Church, South, as well. He organized the Chisholm Methodist Church in his home in 1871 and by 1875 had constructed a small chapel, called Chisholm Chapel by the congregation, which was still standing in the 1980s. The community had two small school buildings, which were combined to form Berry Creek Academy in 1886. In 1898 this school had four rooms, four teachers, and 301 students; it was the second-largest school in the county. A Chisholm post office was opened in 1891 and remained in operation until 1905. The community's first store was built in 1890. Over the 19th Century, two prominent families emerged from Enoch Parson Chisholm, a farmer, landowner, and Methodist preacher, and P.A. McLendon, the landowner and



businessman who advanced the area by building a cotton gin, blacksmith shop, and combination store. The area steadily grew with the addition of two community schools, a post office, and a few small businesses. The City was incorporated in 1969 after the residents decided to seek rural zoning protections for their territory.

Context for Planning

City Government

McLendon-Chisholm is a Type A General Law form of government in Texas, and this Comprehensive Plan's legal authority is bound by the McLendon-Chisholm city limits and its Extraterritorial Jurisdiction (ETJ) as displayed on the map on the following page. There are different levels of authority and governance associated with the city limits versus the ETJ, and the City's zoning cannot be applied to the ETJ—only within the city limits.





New Development and the ETJ

Recent legislative changes at the State level have amended the powers of cities and the way that cities may annex and plan. Annexation is the process of how cities may expand their boundaries into their Extraterritorial Jurisdiction (ETJ) or within a mutually agreed upon area between jurisdictions. What was once a voluntary or involuntary process, annexation now largely requires the property owner to request the annexation or for provisions within a previously executed non-annexation agreement to trigger annexation.

While some developments or property owners may not choose to be within the city's limits, there are positives to being annexed within cities. Services such as law enforcement, centralized sewer, parks, and recreation (just to name a few) are not currently offered by the City, but they could be in the future. The McLendon-Chisholm ETJ is partially controlled by Rockwall and Kaufman Counties for several administrative processes, including site development permitting within the ETJ. Areas within the city limits receive some services from the respective Counties as well, such as the Rockwall County Sheriff.

Recent legislative changes have increased powers of municipal utility districts (MUD's) and other special districts and lessened the powers of cities. Whereas the City had leverage to more easily necessitate developments to come into the city limits if they were proposed in its ETJ before, and thereby be able to control the developments on its fringes, cities are now required to pick between two non-preferred options when development is proposed in the ETJ (where a MUD is now commonly proposed since the changes) as outlined below:

1. MUD or special district outside of the city limits: Allow the MUD to develop outside of the city's limits while those residents enjoy all of the City's amenities and publicly available infrastructure (ex. roads, etc.) without paying any City property taxes, and the City will have no guarantee of the development's design or infrastructure quality.
2. Development inside the city limits with incentives: Negotiate with the developers to annex and construct the development inside the city limits, usually utilizing an incentive package as leverage, and then be forced to stretch way past where development should be with services and infrastructure extensions (ex. fire protection/stations, trash service, roads, sewer capacity, etc.) but securing the property tax and *some control* of the design of the development and its infrastructure. Under this option, negotiations are limited, and lot sizes can be requested but are usually smaller than half an acre and market driven.

Developments coming in under these two non-preferred options, either partially or completely within the ETJ, have fueled wide confusion within the community about why and how smaller lots were approved contrary to the 2016 Comprehensive Plan's policy of 1.5-acre minimum lot size. The smaller lots would have, and will almost certainly be, in the location in question in these scenarios, regardless of what the City wants or requests, under the lessening authority provided to cities in Texas by the State. In McLendon-Chisholm, where police and centralized sewer are not currently provided by the City (outside of the limited capacity on the North Texas Municipal Water District's Buffalo Creek Interceptor Line), and water-related leverage is also not available since the City is not the water provider within the city limits or ETJ, the smaller lots are even more difficult to control than in other cities in Texas with more services to negotiate with as leverage.

Until such a time that McLendon-Chisholm adds City services, such as municipal police protection, water and sewer, and parks and recreation, McLendon-Chisholm's negotiation leverage with developers will remain limited.



There may be times when it is in the City's best interest to compromise on lot sizes, density, or other requirements or standards when negotiating with developers who control large tracts, either partially or entirely within the city's ETJ, in an attempt to obtain a greater outcome overall (ex. amenities provided, design considerations, school sites, etc.), but that does not mean that the City cannot ask for the vision that McLendon-Chisholm wants to see in its undeveloped areas.

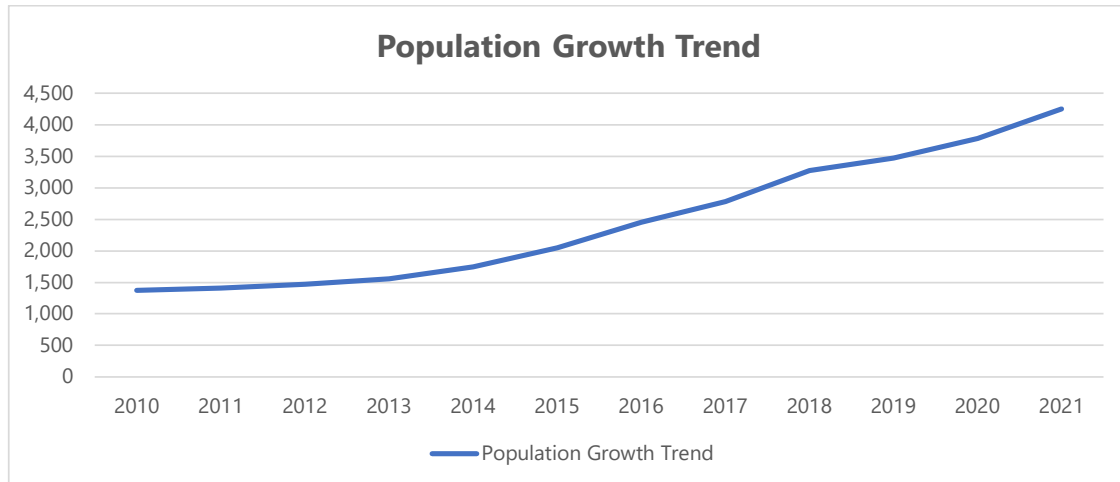
Demographics and Population

Population Growth

The City of McLendon-Chisholm has grown from its humble beginnings as two farming communities to an attractive residential community, while attempting to maintain a housing inventory that is more focused on larger lots and encouraging a more rural atmosphere. Although some lots smaller than one acre are zoned and could potentially be constructed, most community members would like for any new residential development to be on a minimum of one-acre lots or at a maximum of one dwelling unit per acre (see *Land Use & Design* for more details).

Population is growing rapidly in McLendon-Chisholm, although it is at a slower rate than some of the surrounding communities. The entire region is urbanizing, and growth is pushing out from the cores of Dallas and Fort Worth to find open land. There are a few large tracts of land undergoing active planning by their property owners for development within the McLendon-Chisholm city limits and ETJ that could change the population dramatically. The City's population in 1990 was 548 according to the 1990 US Census. The population in 2000, according to the U.S. Census Bureau, was 914. In 2010, the population grew to 1,373. In 2020, the North Central Texas Council of Governments (NCTCOG) estimated population was 3,780, and January 1, 2021's estimate was 4,250 (NCTCOG population estimates are utilized to have a more accurate and local estimate of population). Within approximately one year, the population increased by 12.4 percent. Between 2010 and 2020, the population more than doubled. Growth of residential uses and families within the city limits and the ETJ continues to grow. As the city continues to grow, the community wants to remain committed to a balance of governing policies and land use to ensure McLendon-Chisholm remains a highly sought-after community that provides a rural retreat from the growing urbanization across DFW.

Shown on the following page is a graph illustrating the past growth trends for McLendon-Chisholm in the past 10 years using NCTCOG annual population estimate data.

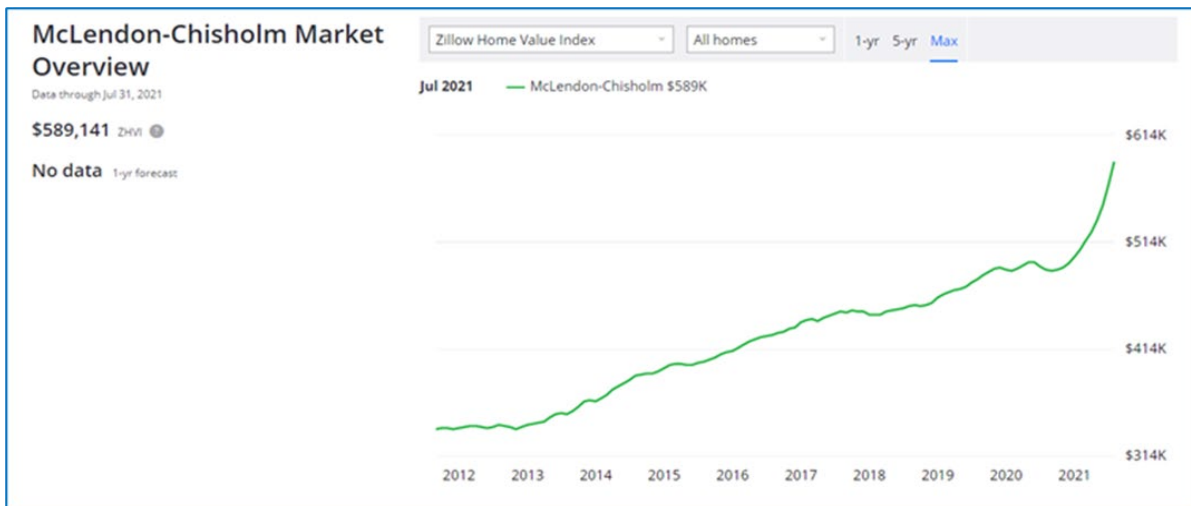


In the 2010 Census, the average persons per household (PPH) was 3.0, and in 2019, it was down slightly to 2.92. In addition to the already approved developments within the city limits, there is a substantial portion of the ETJ that will likely result in increased residential and commercial growth inside or outside of the city's limits due to very limited authority of the City to control it (see previous section regarding the State restricting City authority more and more with each legislative session), and some of that development is in active planning stages by developers and property owners.

A population of more than 25,000 by 2040 is not out of the question without unanticipated measures by State officials to give cities back powers to control growth in the ETJ. The City should actively start communicating the complexities in the ETJ to community members to manage expectations, as well as establishing standard Master Planned Community design and engineering requests of developers. This exponential growth is not consistent with what the community is expecting or what it wants, but it is the reality of what is on the horizon. The City can control all land wholly within the city limits, however, with full zoning powers.

Property Values

Property values in McLendon-Chisholm have steadily increased since incorporation, even in some difficult economic times. According to Zillow.com in 2021, "The typical home value of homes in McLendon-Chisholm is \$589,141. This value is seasonally adjusted and only includes the middle price tier of homes. McLendon-Chisholm home values have gone up 20.6% [between 2020 and 2021]," and they have skyrocketed since 2013, and especially since 2020, as reflected in data shown from Zillow.com on the following page.



The People of McLendon-Chisholm: Consumer Profiles

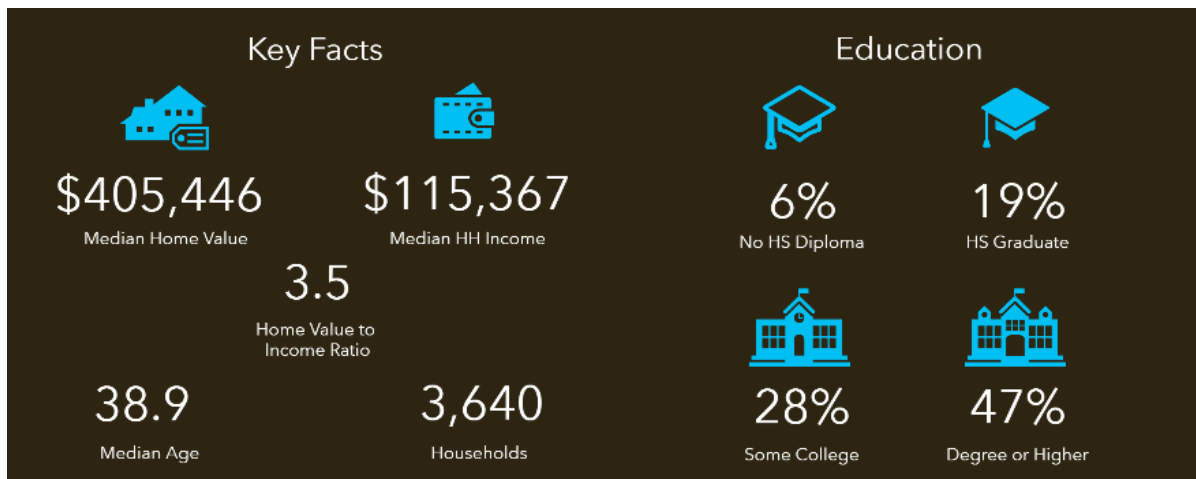
Knowing who lives in McLendon-Chisholm is important to understand just what actions the City and community members may want to take over the coming years. Provided below is a summary of McLendon-Chisholm's Tapestry Segments by ESRI. People have unique needs, spending patterns, and backgrounds, and understanding those profiles of the city's residents inform the customization of the Plan to who lives in the city. Tapestry Segmentation classifies US neighborhoods into 67 unique segments based on demographics and socioeconomic characteristics. There are three main ESRI Tapestry Segments represented in McLendon-Chisholm, including Soccer Moms, Professional Pride, and Green Acres. The descriptions are broad generalizations, and more information on each can be found in Appendix A. Below are summaries of each segment from ESRI:

1. **Soccer Moms:** Soccer Moms is an affluent, family-oriented market with a country flavor. Despite its name, this category includes more than just moms—it includes men who fit the demographic as well. Residents are partial to new housing away from the bustle of the city but close enough to commute to professional job centers. People in this category typically enjoy more suburban environments to escape the hectic pace of being in families with two working parents and growing children. They favor time-saving devices, like banking online or housekeeping services, and family-oriented pursuits.
2. **Professional Pride:** Professional Pride consumers are well-educated, career professionals that have prospered through the Great Recession. To maintain their upscale suburban lifestyles, these goal-oriented couples work, often commuting far and working long hours. However, their schedules are fine-tuned to meet the needs of their school age children. They are financially savvy; they invest wisely and benefit from interest and dividend income. So far, these established families have accumulated an average of 1.6 million dollars in net worth, and their annual household income is more than twice the US average. They take pride in their newer homes and spend valuable time and energy upgrading them. Their homes are furnished with the latest in-home trends, including finished basements, or separate areas of the house here in Texas, equipped with home gyms and in-home theaters.



3. Green Acres: The Green Acres lifestyle features country living and self-reliance. People in this category are avid do-it-yourselfers, maintaining and remodeling their own homes, with all the necessary power tools to accomplish the jobs. Gardening, especially growing vegetables, is also a priority, again with the right tools, tillers, tractors, and riding mowers. Outdoor living also features a variety of sports: hunting and fishing, motorcycling, hiking, camping, and golf. Self-described conservatives, residents of Green Acres remain pessimistic about the near future yet are heavily invested in it.

Provided below are additional characteristics of the local population per ESRI in 2021:



While data sources on home values may vary, it is important to note that McLendon-Chisholm's residents are well-educated, actively engaged, and have personal incomes and home values well above County, State and National averages.

Community Engagement

Community Engagement is an essential part of the development of the Comprehensive Plan. The planning process involved extensive collaboration with the community through a Community Survey, an in-person Community Forum, a Digital Community Forum, stakeholder interviews, three meetings with the Comprehensive Plan Advisory Committee (CPAC), and several meetings with the Planning and Zoning Commission and City Council. CPAC also met informally throughout the duration of the project with groups of local citizens, led by the CPAC Chairman. Each section of the Comprehensive Plan starts with a brief summary of the community feedback about the section topic but does not provide the totality of feedback on each issue. Provided below is an illustrative timeline of the planning process, which was completed in approximately six months from start to finish.

Project Timeline



Community Survey

- Active on the Digital Project Hub from March 29 – April 20, 2021
- Community Survey Report produced

CPAC Meeting 1

- April 12, 2021
- Covered comprehensive planning process and gathered feedback

Community Forums

- In-Person Community Forum occurred on May 15, 2021
- Digital Community Forum was active on the project website from May 17 – May 23, 2021

CPAC Meeting 2

- June 23, 2021
- Discussed Vision Statement, draft Future Land Use Plan, and draft Master Thoroughfare Plan

Stakeholder Interviews

- Occurred between April and June 2021
- 10 Stakeholder interviews completed

TxDOT Focus Group

- June 9, 2021
- Discussed design and options relating to SH 205 expansion

CPAC Meeting 3

- July 12, 2021
- Discussed draft Comprehensive Plan Concepts and Highlights

P&Z and City Council Meetings

- Multiple meetings with elected and appointed officials were held throughout the planning process.

Community Survey

A Community Survey was completed to better understand the community's perceived strengths, weaknesses, opportunities, and threats of McLendon-Chisholm, as well as levels of satisfaction, communication preferences, and general feedback. The Community Survey was open for three weeks and gathered 343 total responses (nine percent of the population), which is very high compared to the healthy city minimum response rate of two percent.

According to the Survey results, McLendon-Chisholm is a community with high levels of satisfaction that takes pride in the city's rural/country lifestyle and the extensive open space and undeveloped agricultural land. Major



strengths of McLendon-Chisholm reported by the Community Survey include the rural/country feel, large lot residential properties, and public safety. As the city continues to grow, attracting new businesses is seen as a positive, but respondents want growth to be done in a planned and strategic way. Respondents were worried that current infrastructure and utility constraints could hinder growth in the future and want the City to stay on top of public safety, planning, and fiscal sustainability. Respondents wanted more restaurants, a grocery store, and retail so that travelling outside of town to run basic errands is not necessary.

Many Survey respondents were open to new businesses but ultimately do not want the city to lose its small-town, rural feel. SH 205 was at top of mind on respondents, and it is a desired improvement in terms of capacity, design, and adjacent development. Parks and recreation, including trails and bike lanes, was highly desired among many Survey respondents. McLendon-Chisholm has some opportunities to explore common ground on what is desired for the City to provide, what the services or improvements cost, and the methods to fund them. Below is an illustrative and generalized summary of the top Strengths, Weaknesses, Opportunities, and Threats identified in the Survey:



TOP STRENGTHS

- 1 RURAL/ COUNTRY FEEL/ OPEN SPACE
- 2 LARGE LOT RESIDENTIAL/ LOW DENSITY
- 3 PUBLIC SAFETY (INCL. NEW FIRE DEPT. UPGRADES)



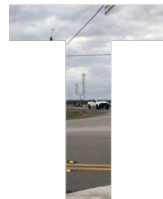
TOP WEAKNESSES

- 1 INFRASTRUCTURE (INCL. DRAINAGE, ROADS, & TRAFFIC)
- 2 LAND USE MIX/ LACK OF COMMERCIAL
- 3 GROWTH/ DEVELOPMENT/ PLANNING



TOP OPPORTUNITIES

- 1 LAND USE MIX/ MORE COMMERCIAL
- 2 AMENITIES/ PARKS/ RECREATION
- 3 INFRASTRUCTURE (INCL. DRAINAGE, ROADS, & TRAFFIC)



TOP THREATS

- 1 INFRASTRUCTURE (INCL. DRAINAGE, ROADS, & TRAFFIC)
- 2 SMALLER RESIDENTIAL LOT SIZES/ HIGHER DENSITY
- 3 OVER-DEVELOPING/ OVER-POPULATING

Community Forums

Two Community Forums were held, including one in-Person Community Forum and one digital Community Forum which took place on www.PlanMCTX.com. Several stations in both Community Forums summarized information about the project to orient attendees as they walked in and online attendees when they visited the digital Community Forum.

The in-person Community Forum was held on May 15, 2021, at McLendon-Chisholm City Hall from 10:00 am to 2:00 pm, come-and-go. Fifty-four people signed in for the in-person event, but more people may have attended and did not sign in. Some stations asked participants to collaborate and identify priorities, place a dot on a map



for location-based feedback, and/or write a comment response or start a discussion. Other stations were informative on several themes that emerged from the 2021 Community Survey including (but not limited to):

- Lot Size and Density:
 - This station focused on the relationship between lot size and open space by presenting two development patterns that offer the same number of lots in each subdivision but utilize minimum lot size or maximum density.
 - There was a strong positive association with low density development.
 - Concerns with the maximum density approach related to potential development in the future happening in reserved green space, and discussion with facilitators outlined options to mitigate this concern, such as zoning and deed restrictions.
 - Strong positive association with the green spaces and tree preservation opportunities with the maximum density approach.
- Parks and Recreation:
 - The in-person Community Forum attendees voted 31 to 11 in favor of a need for city parks, greenspaces, and gathering spaces. If parks were to be developed, people prefer to include walking trails, bike paths, connectivity of neighborhoods, water features, and children's equipment. Of the responses gathered, some comments were:
 - A desire for smart fiscal spending
 - Require commercial development to incorporate green spaces
 - Wait to develop City parks until the tax revenue is generated to maintain them
 - Town square park development is desirable
 - Utilizing parks in the surrounding areas is sufficient
 - Utilizing private residences for open space is preferred
 - The comments above are a sampling and do not represent consensus or frequency of comments.
- Mobility Priorities:
 - The Mobility Jars of the Future activity was designed to gather the community's priorities for mobility, connectivity, and transportation.
 - Participants discussed the traffic on State Highway 205 and its impact on their commute to work and regular trips to amenities and destinations within the area. Generally, people were interested in expansion of the road network so long as it limited congestion and was safe for passengers.
 - The top three priorities identified from this activity include (1st) Commuter Delay and (tied for 2nd) Health & Safety and Recreation



- Public Safety and Emergency Services:
 - Participants were presented with three potential options for addressing public safety service in the future, and feedback reflected support for the City entering into a paid contract for Police services with the County or similar arrangement, but some wrote in comments about smart City spending and expressed wanting a gradual transition to the City creating a Department of Public Safety and cross-training employees to serve Police, Fire, and EMS purposes, so that the City can create a Public Safety department without a perceived sudden increase on taxpayers.
- Popular Destinations:
 - Most respondents indicated that they choose to shop and eat out in Rockwall and Heath. Sit down and family style restaurants, as well as grocery stores and home improvement stores were popular. Some other destinations near McLendon-Chisholm were the Chisholm Country Store and Café, and Italian Village.
 - Attendees for the in-person Community Forum came from various parts of the city and ETJ and represented most developed areas and indicated they work in Dallas, Plano, DFW, Las Colinas, Rockwall, and Rowlett. The second most popular working location was from home.

The digital Community Forum was held on May 17-23, 2021, on www.PlanMCTX.com. The Forum was set up to complement, not duplicate, the in-person Forum. The Forum was interactive and engaging and addressed the most prominent challenges and popular topics that emerged from the 2021 Community Survey and first Comprehensive Advisory Committee meeting including (but not limited to):

- Downtown Development:
 - Respondents primarily supported a Downtown, and feedback generally noted a Downtown designed for McLendon-Chisholm should:
 - Locate along SH 205 and FM 550
 - Tie in the rural nature and environment
 - Include small and unique shops and uses
 - Feedback noted creating a special destination for the community that is successful without having to attract large crowds, including:
 - Small shops and businesses
 - Gathering spaces and trails
 - Local events and traditions
- Housing:
 - The Minimum Lot Size and Maximum Density board from the in-Person Community Forum was provided with a housing survey in the digital Community Forum. Each question included a comment box for each respondent to describe why they chose their specific answer.
 - Many respondents liked the rural feel of larger lots and natural, preserved open land. Many respondents expressed a strong desire to preserve a country feel and sought to reduce traffic, maintain high property values, and keep crime low. Most respondents preferred to see no increase in housing density, while some were open to the idea if administered properly.



- Location-Based Feedback:
 - The Collaboration Map in the digital Community Forum included the opportunity to add specific comments on geographic locations within McLendon-Chisholm. This map provided a space for participants to comment on something they like, something they think needs improvement, a comment or idea, and/or an area specific comment. Below are some topics within each category from the Collaboration Map that were discussed by participants:
 - Something I like:
 - Low density residential
 - Sustainable agricultural businesses including plant nursery and tree farm
 - Privately owned open/green space
 - Comment or Idea:
 - Grocery store
 - Small, local shops
 - Low density residential
 - Needs Improvement:
 - Residential developers leaving roads in poor condition
 - Public road maintenance
 - Private road maintenance assistance
 - Area Specific Comment:
 - FM 550 at SH 205 – dining, coffee shop, retail, outdoor farmers market
 - Better signage for businesses along SH 205
 - Ensure new developments are low density



Vision Framework

The Vision Framework, or Vision Statement, for a comprehensive plan is a key result from the planning process. In McLendon-Chisholm, the following factors informed the Vision Framework:



The Vision Framework contains three components, or “spheres,” shown on the following page: what McLendon-Chisholm is deeply passionate about, what it can be the best at, and what fuels the City’s economic engine. Decisions and priorities for McLendon-Chisholm should be evaluated utilizing the Vision Framework. Where developments, actions, expenditures, and priorities are at the intersection of the spheres, the most effectiveness results.



Comprehensive Plan Vision Framework



Provided below are short explanatory statements for each of the Vision Framework elements, which generally represent the desired development, services, and priorities. The statements are meant to provide elaboration but not entirely describe all facets of each item. The Vision Framework should grow and evolve with McLendon-Chisholm, and conversations should continue about its contents to further refine the vision together over the coming years.

Deeply Passionate About

Rural Heritage, Green Spaces & Natural Areas

Green spaces and natural areas are critical to our rural and country atmosphere that we treasure. We will preserve our agricultural land, green spaces, and natural areas to stay true to our rural heritage and the original reason that McLendon-Chisholm decided to incorporate.



Neighborhood Kindness

We care about being hospitable. We feel that being kind and helpful, to keep the small-town feel we have, is essential. Policies and development should foster high quality and family-oriented neighborhoods.

Maintaining Country Feel

McLendon-Chisholm is full of wide-open areas, and we aim to support developments that promote the character of the existing community. The design of our community should showcase country living and our rural atmosphere and have limited commercial development.

Low Density Residential Development

Ensuring that new residential development or redevelopment is at least one-acre lot sizes (exclusive of floodplain or rights-of-way) or a maximum of one dwelling unit per acre (depending on which Future Land Use Designation) is very important to us. We do not want McLendon-Chisholm to be overcrowded.

Being Great Fiscal Stewards

The City will spend money wisely on services necessary to continue the McLendon-Chisholm way of life. Limited government spending on essential expenditures, in addition to strategic economic development efforts to sustain revenues, is key to our success.

Community Safety & Security

We are passionate about the safety and security in McLendon-Chisholm. We support providing a safe environment for all that live, work, or visit here.

The Best At

Planned & Controlled Development

Development will be consistent with the community's existing character, look, and feel or otherwise positively contribute to the McLendon-Chisholm brand. Agriculture, farmland, and green spaces will be preserved, and we will apply our vision to potential developments within and outside the city limits to ensure we are always pushing for the best quality we can get.

Peaceful & Quiet Retreat from Urban Life

We will continue to be an oasis from the more urban environments. Our way of life places high value on space, nature, and serenity.

Dark Sky Community Designated

Our rural and country feel will be best protected by ensuring that we become designated as a Dark Sky Community. The IDA's Five Principles for Community Outdoor Lighting will be required and applied. *(further described below)*

Scenic City Certified

We strive to become certified as a Scenic City through earning points for standards relating to landscaping, tree planting, and sign regulation. This differentiator will promote the beauty of our community and will contribute to maintaining the city's rural heritage and charm. *(further described below)*

Grassroots Community Events

As a community of limited spending, our residents, organizations, and businesses take pride in hosting events for the community through independent efforts, in partnership with the City through advertisement on City mediums as applicable. Our events positively contribute to our quality of life and community bonds.



Transparency & Community Engagement

We value sharing our story within the community and beyond, as well as providing meaningful collaboration and feedback opportunities. We provide timely, accurate, and relevant information proactively for the community to keep informed on City matters.

Fuels Economic Engine

Conservative Spending

The City will continue to be conservative in spending of taxpayer funds. Priorities consistent with our Vision will be assessed on an annual and longer-term outlook to ensure fiscal vitality.

Brand & Identity

McLendon-Chisholm will emphasize the City brand by creating gateway features and branding elements that highlight our rural Texas traditions. The City's brand showcases who we are, our identity, through development, improvements, design, and communications.

Country Living Activity Centers

Small pockets of peaceful, quiet, and charming activity will provide opportunities for commercial or gathering spaces. Country Living Activity Centers can take the form of a small park, a plaza, an open pavilion, or a small group of shops or businesses (among other options).

Commercial Opportunities along SH 205 and FM 550

SH 205 and FM 550 will be the main locations for commercial uses, although mixed uses are encouraged as described further in the plan throughout other areas. Commercial development should be modest, quaint, and small.

Diversified Tax Base

We diversify our tax base by encouraging small, locally-owned businesses and other desirable uses to locate in McLendon-Chisholm to complement our predominantly residential uses. Diversifying the tax base can reduce burden on residential taxpayers and contribute to a great quality of life for residents and visitors alike.

Data-driven Decision-making

We will utilize data, including community feedback and collaboration, as policies and issues are developed and addressed. We recognize that injecting data and tangible feedback into our conversations will better inform our decisions for maximum efficiency and greatest resident satisfaction.

As part of the Vision Framework, "Dark Sky Community Designated" and "Scenic City Certified" are two application processes and associated standards that the City can pursue to achieve some of its objectives relating to agricultural heritage, safety, and rural/country feel. Provided below are summaries of each:

Dark Sky Community Designated

The International Dark-Sky Association (IDA) is an organization aimed to reduce light pollution in city night skies. Their International Dark Sky Places designation is a program that encourages communities, parks, and protected areas around the globe to protect and preserve dark sites through responsible lighting policies and public education. An IDA International Dark Sky Community is a town, city, municipality, or other legally organized community that has shown



exceptional dedication to the preservation of the night sky through the implementation and enforcement of a quality outdoor lighting ordinance, dark sky education and citizen support of dark skies. Dark Sky Communities excel in their efforts to promote responsible lighting and dark sky stewardship and set good examples for surrounding communities.

The IDA has five principles for community outdoor lighting to reduce light pollution:

1. Install lighting only when and where it is needed.
2. Shield your lights so they shine down on the ground, which reduces harmful glare and decreases skyglow.
3. Light should be no brighter than necessary.
4. Use controls such as timers, dimmers, and motion sensors on outdoor lights.
5. Use warm color lights where possible. Limit the use of harmful blue wavelength lighting.

Source: [International Dark-Sky Association](#)

Scenic City Certified

The mission of the Scenic City Certification Program is to support and recognize Texas municipalities that implement high-quality scenic standards for public roadways and spaces. The Scenic City Certification Program provides a proven, highly regarded tool to Texas cities for assessment, evaluation, and recognition of infrastructure standards. The benefits of becoming Scenic City Certified include obtaining expert third-party evaluation of existing standards, forming a basis for continual review and analysis of development plans, creating a platform to educate citizens on the impact of local regulations, and supporting economic development efforts. Any Texas city can apply to become Scenic City certified through a review of municipal infrastructure ordinances as they relate to public roadways and public space. Official certification can be earned by cities through assessments relating to the three major categories in the Program:

- Landscaping,
- Tree planting, and
- Sign regulation.

Source: [Scenic City Certification Webpage](#)



Chapter 2: Fiscal & Economic Vitality

Feedback Summary

Fiscal and economic vitality are important to the community. Strategically placed commercial development is desired along SH 205 and FM 550, most community members prefer mostly large lot residential development throughout the city to remain fairly rural and to preserve the existing open space. Conservative spending and prudent use of taxpayer dollars was a frequent theme that came up throughout the planning process. Key tenets of economic and fiscal vitality (i.e. "fiscal rules of thumb") were discussed in the planning process, such as housing diversity, growth in the core (instead of the fringes), diversification of the tax base, and mixed-use development, but there is significant resistance by many within the community to fully implement these concepts for fear of losing or adversely affecting McLendon-Chisholm's green spaces and rural feel.

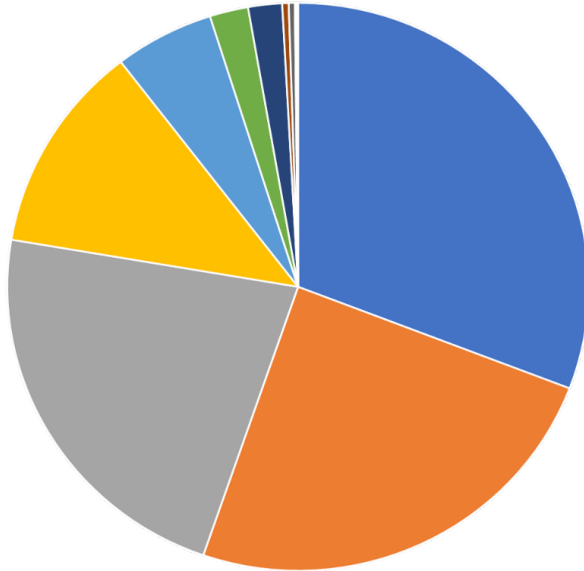
Existing Conditions

Below is a list of observations made from the existing conditions of McLendon-Chisholm's economic and fiscal conditions:

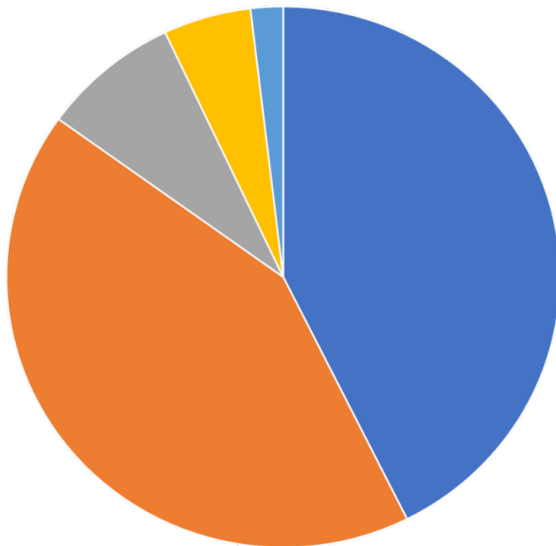
- The tax base is heavily reliant on a homogenous, single-family residential housing type.
- Economic development expenditures are limited due to the property tax refund program with sales tax revenue.
- Sales tax revenue is constrained due to limited commercial zoning and development.
- The growth rate is uncontrolled due to limited authority of cities in Texas to influence development partially or completely in the ETJ.
- Existing zoning does not permit or encourage market adaptation to community vision for diversification of tax base.
- Approximately 80 percent of City expenditures are dedicated to operation of limited essential services for the city, with 20 percent dedicated to capital expenses, debt services, and occupancy expenditures.
- The largest revenue the City has is from property taxes and building permit income, followed by sales tax revenue. The top three categories make up approximately 85 percent of the City's total revenue budget. Sales tax comprises approximately 16 percent of the City's revenue, but 25 percent of sales tax revenue is dedicated for property tax relief.
- The City does not have centralized sewer and it does not own/operate its own water supply and service. Purchasing the Certificate of Convenience and Necessity (CCN) and providing the associated infrastructure assets to own the water supply and service would cost significantly and would necessitate capital construction and growth in City Staff numbers to manage the various components of the system, billing, construction, and maintenance. Similar constraints are present relating to providing centralized sewer in terms of cost, construction, growth in City Staff numbers, etc. The City is exploring logistics, costs, and operational considerations to mitigating current water and sewer challenges, including purchasing the associated CCN's, which may be necessitated to serve existing and future residents and businesses.

McLendon-Chisholm FY 2021-2022 Approved Budget Summary

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McLendon-Chisholm Fiscal Year 2022 Revenue			
Pie Chart Color	Revenue Item	Dollar Amount	Percentage
Blue	Ad Valorem Tax	\$ 1,113,267.00	30.8%
Orange	Sewer Utility Revenue	\$ 883,569.00	24.5%
Gray	Building Permit Income	\$ 808,000.00	22.4%
Yellow	Sales Tax Revenue	\$ 430,000.00	11.9%
Light Blue	Franchise Income	\$ 200,000.00	5.5%
Green	County Contract	\$ 77,500.00	2.1%
Dark Blue	Development Income	\$ 68,000.00	1.9%
Brown	Septic Fees	\$ 13,000.00	0.4%
Dark Gray	Interest Income	\$ 12,161.00	0.3%
(N/A)	Hotel Occupancy Tax	\$ 3,400.00	0.1%
(N/A)	Credit Card Fee Revenue	\$ 1,750.00	0.0%
(N/A)	Food Enforcement	\$ 1,200.00	0.0%
Total:		\$ 3,611,847.00	100%



McLendon-Chisholm Fiscal Year 2022 Expenditures			
Pie Chart Color	Revenue Item	Dollar Amount	Percentage
Blue	Operating Expenditures	\$1,243,549.00	42.6%
Orange	General & Administrative Expenditures	\$1,234,448.00	42.3%
Gray	Capital Expenditures	\$235,000.00	8.1%
Yellow	Debt Service	\$149,463.00	5.1%
Light Blue	Occupancy Expenditures	\$55,300.00	1.9%
Total:		\$2,917,760	100%



Analysis

Although several of the “fiscal rules of thumb” are not consistent with some community feedback, there were some areas of consensus when it comes to fiscal matters. It will be important for McLendon-Chisholm to implement other areas of this Plan, such as rezoning consistent with the updated Future Land Use Plan, for maximum fiscal benefit. In terms of water and sewer service, adequate water service for fire flows can be potentially affected if water supply for residents and the city overall are not addressed. Insurance rates for residents and growth control can be positively impacted by securing water service and infrastructure at a minimum.

Vision

McLendon-Chisholm promotes a civic lifestyle that encourages community activities and interactions, connecting residents through digital, cultural, and social interactions. To achieve this, community differentiators have been identified to carry this vision. The vision for Fiscal and Economic Vitality incorporates the City’s community differentiators identified in the Vision Framework, including:

- Planned and Controlled Development: Growth will be strategically placed along key corridors to preserve existing open space and agricultural land uses that exist throughout the city;
- Peaceful and quiet retreat from urban life – maintaining a rural lifestyle by developing in a low density and low intensity;
- Grassroots community events; and
- Governmental transparency and community engagement.

McLendon-Chisholm will implement fiscal vitality best practices, such as allowing mixed-use zoning to benefit from higher revenues per acre. Mixed land uses, either in one building or on one property, encourage walkable development, reduce automobile dependency, and reduce traffic congestion. The City will be able to gather higher sale tax revenues from local businesses and boutiques that are supported by the people who live nearby.

McLendon-Chisholm will focus commercial growth in the core of the city along key corridors. SH 205 will be widened in the future, and once that project is complete, the City can capitalize on regional traffic by lining the street’s frontage with modest businesses that provide a quaint and country feel. Focusing commercial growth and activity nodes on the City’s main corridors (SH 205 and FM 550) will diversify the tax base and bring additional sales tax revenues to the City to reduce burdens on residential taxpayers and provide stability during times of economic instability.



Actions

- Planned and Controlled Development
 - Develop a set of standards that are typical for developments proposed partially or completely within the ETJ, including parkland dedication and development requirements, internet fiber, walkability and connectivity, water supply/service, sewer treatment/service, and illustration of compliance with the Vision Framework.
 - Create a Heritage Park using the City land around City Hall for a communal gathering space.
 - With each year's annual budget process, include an evaluation of the desired set of City services and improvements for the next five years as part of a long-range budget outlook. The five-year evaluation should include a Capital Improvements Program (CIP) for any large/expensive City construction or equipment. Assistance from a consulting planner and engineer may be required for associated technical components and cost estimates.
 - Create an economic development policy and strategies to bring in at least 10 new businesses consistent with the Vision Framework by 2031 ("**10 in 10**").
 - Establish a set of tools, in consultation with the City Attorney, that the City can utilize in negotiations with developments partially or completely within the ETJ.
- Peaceful and Quiet Retreat from Urban Life
 - Develop a City slogan compatible with "quiet rural living" in McLendon-Chisholm (or something similar to reflect the essence of McLendon-Chisholm) for use in City-wide brand and identity efforts.
 - Revise the zoning and subdivision ordinances to promote the sustained preservation of peaceful quality of life and rural elements, such as:
 - Ecological diversity through green infrastructure and restoration of environmentally sensitive areas regulations;
 - Tree preservation and native plant list for residents to use and developers to follow;
 - Dark sky lighting standards consistent with pursuing the associated Dark Sky Community Designation;
 - Flexibility in administrative approval for emerging low-intensity agricultural industry uses, such as limited scale aquaponics, clean/light industrial, and agricultural research uses; and
 - Regulations consistent with pursuing Scenic City Certification.
 - Apply for Dark Sky Community Designation upon completion of associated ordinance updates.
 - Apply for Scenic City Certification upon completion of associated ordinance updates.
- Grassroots Community Events
 - Establish a Community Events Committee to lead planning and implementation efforts for four community-led events per year.
 - Re-establish at least one signature community event celebrating the city's rural heritage or relating to an agritourism experience (ex. pumpkin patch or Christmas on the Farm, etc.).



- Transparency and Community Engagement
 - Formalize a tradition to hold two Town Hall meetings per year to discuss community happenings and answer questions, to include streaming online.
 - Upgrade the audio/visual equipment and associated software in City Hall to improve sound and video quality for streaming public meetings live and on-demand online.
 - Create a list of homeowner's association and neighborhood group leaders to be registered with the City and contacted directly, concurrent with public notice, when significant public hearing items are on the agenda for any board or commission.
 - Establish an online suggestion form on the City website and respond to and discuss comments regularly with City Leadership as applicable.



Chapter 3: Land Use & Design

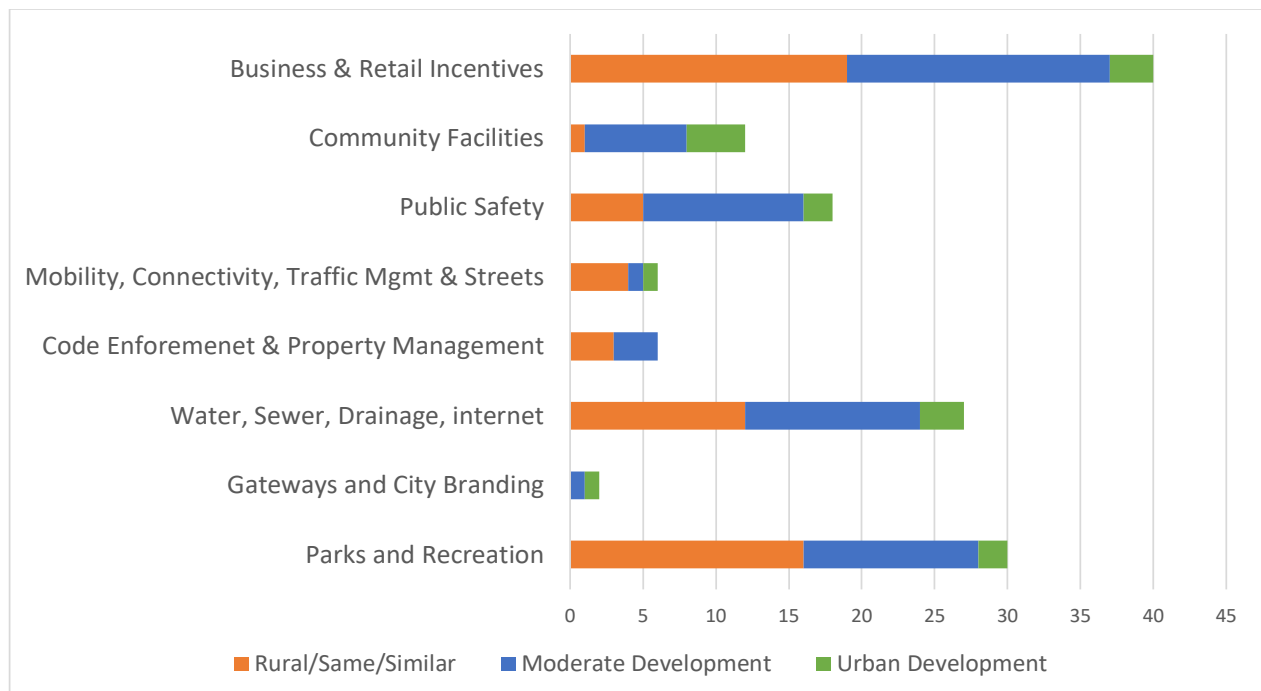
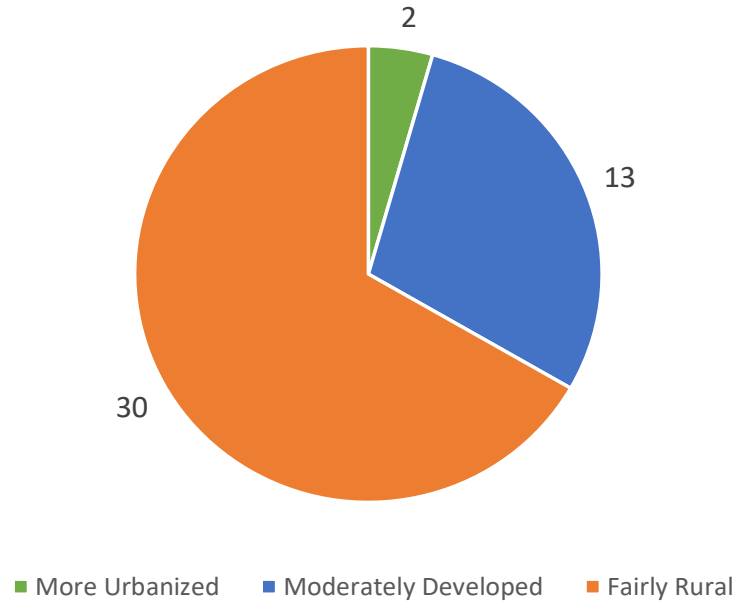
Feedback Summary

As McLendon-Chisholm continues to grow, it's important to plan for what level of development the community wants and what associated priorities are desired to fund with limited resources. The "McLendon-Chisholm has Choices" activity held at the in-person Community Forum was an interactive station that asked participants to choose their preferred level of urbanization for McLendon-Chisholm and that provided a corresponding number of coins for illustrative spending. This station helped to represent the varying level of City tax dollars that can be generated based on level of development and choices of services and amenities the City can fund based on each to help connect expectations with development choices. Participants were asked to choose "Fairly Rural (two coins in a coin pack)," "Moderately Developed (four coins in a coin pack)," or "More Urbanized (eight coins in a coin pack)" for levels of development intensity and each had a description.

The top priority identified for funding, once the levels of development were selected by the participants, was "Business & Retail Incentives," and second was "Parks & Recreation." The spending priorities do not entirely coincide with most urgent priorities for essential services, such as infrastructure maintenance, utilities, and public safety, and the community's continued restriction of expenditures. Continued expectations management is essential moving forward regarding development patterns, revenues, and expenditures, but there also seems to be a disconnect between the top "vote-getters" and most community members who were most vocal in the planning process. Results of this activity are shown on the following page. The first pie chart shows the level of urbanization coin packs that were chosen, and the second graph shows the results of how participants distributed their funds.



McLendon-Chisholm has Choices Engagement Results





Another feedback opportunity in the digital Community Forum asked residents' opinions on a future Downtown for McLendon-Chisholm. Respondents primarily supported a Downtown, and feedback generally noted a Downtown designed for McLendon-Chisholm should be located along SH 205 and/or FM 550, tie in the rural nature and environment, and include small and unique shops and uses. Another question asked what types of land uses would be desirable for a future Downtown if it were in a location that is appropriate, and it is designed well. Feedback noted creating a special destination for the community that is successful without having to attract large crowds, including small shops and businesses, gathering spaces and trails, and local events and traditions.

Most residents of McLendon-Chisholm would like to see the City stay a low-density, residential community. There is significant passion surrounding the preservation of green and open spaces to maintain a *Peaceful and Quiet Retreat from Urban Life*. The top opportunity in the Community Survey was diversifying the land use to add more commercial and retail opportunities with integrated and open gathering spaces for residents. Overall community feedback seeks to keep McLendon-Chisholm a rural community with low-density residential developments and plenty of open space that concentrates commercial growth on mixed-use land uses along key corridors, including SH 205 and FM 550.

Existing Conditions

The City has rolling topography with large open expanses of pastureland and a number of drainage areas (floodplains and creeks). There are large areas of agricultural uses, including farming and ranching, and also large undeveloped areas. Retail and other commercial uses are mainly located along SH 205, but there are not very many of them. The development pattern is predominantly agricultural, undeveloped, and large lot residential.

2021 Rockwall and Kaufman County Appraisal Districts data was used to display state code land uses for the parcels within the city limits on the map on the next page. Below is a table summarizing the existing land use percentages for each land use code:

2021 Existing Land Use Mix		
Land Use	Parcel Count	Square Miles
Single Family Residential	1293	2.40
Commercial	15	0.08
Agriculture/Farm	302	9.17
Vacant Lots	143	0.43
Vacant Commercial Lots	9	0.03
Not Categorized	44	0.30
Total	1806	12.41



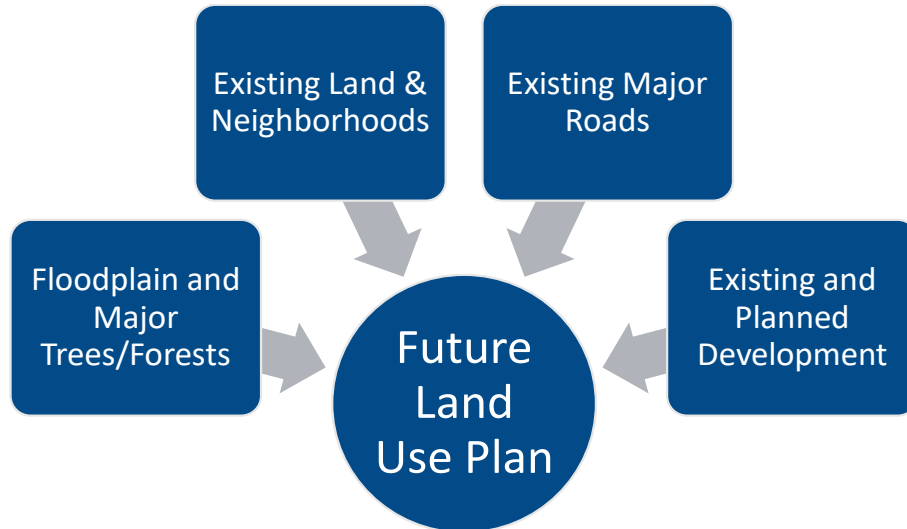
Analysis

Existing floodplain and heavily wooded forest areas will remain undeveloped in the Future Land Use Plan (FLUP). Residents of McLendon-Chisholm are deeply passionate about green spaces and natural areas, as noted in the Vision Framework. In the FLUP, these areas will be designated and protected to remain natural areas vital for the ecosystem of the City. Rockwall and Kaufman Counties require a lot size of at least one acre for on-site sewage/septic permits, down from one-and-a-half acres minimum in years past. Designating existing residential neighborhoods as Existing Neighborhoods on the Future Land Use Plan (FLUP) will help protect existing residents and homeowners from redevelopment inconsistent with their neighborhood in the future. Clear direction from the public feedback reflects focusing future growth along key corridors in McLendon-Chisholm. SH 205 and FM 550 are the major thoroughfares in the city, so commercial and mixed-use developments should be concentrated along these roads where appropriate. Future development plans, approved or not approved at the time of this Comprehensive Plan, have been considered for the FLUP. A vision for the future has already been established in some of these areas, and these plans will be conceptually incorporated into the overall vision of the City where they are consistent with community feedback.

The prevalent housing type is detached single family dwellings located mostly on larger lots, farms, and ranches. Over the course of the Comprehensive Plan Update, the Planning and Zoning Commission, the City Council, and the Comprehensive Plan Advisory Committee (CPAC) considered different housing types. As a result of these discussions, the CPAC agreed that McLendon-Chisholm will maintain a maximum residential density of one dwelling unit per acre, exclusive of floodplains and rights-of-way, in most areas while encouraging development of multiple-acre lots to maintain the city's open spaces and rural appeal. Other areas have minimum lot size or lower maximum density. These standards will help to preserve floodplains, green spaces, and large lot, rural, country estates within undeveloped areas of the city, which distinguish McLendon-Chisholm as a place of unique attributes, vistas, and high quality of life. Within some Future Land Use Designations, there is a minimum lot size of one acre, and maximum density is not utilized, which was done to blend differing community feedback, while also applying best practices for green space preservation.



Vision



McLendon-Chisholm's Future Land Use Plan incorporates feedback heard through the public engagement process and is applied through multiple principles including, but not limited to:

- Moving toward a design-based Future Land Use Plan through:
 - Having a focus on height, intensity, and function first instead of rigid use parameters only;
 - Allowing for a strategic, branded, and low-intensity mixture of uses in undeveloped areas to allow the market to innovate and to diversify the tax base, realizing there are many ways to get a rural/country feel with future development;
 - Focusing on protecting existing neighborhoods; and
 - Developing compatibly with surrounding development and in a manner responsive to market needs while putting current residents first.
- Protecting green spaces and natural systems by:
 - Preserving floodplains; and
 - Providing green space buffers and beautiful screening and landscaping with new development;
- Blending mobility and future land use together to create high quality design and reduce commuter delay so that McLendon-Chisholm can:
 - Understand the function of regional corridors; and
 - Capitalize on key intersections and encourage nodes of potential activity.

An issue consistently mentioned by residents is the preservation of the rural nature of McLendon-Chisholm. Residents hold the desire to ensure that as future development decisions are made such that new development and change will be compatible with the qualities of the community today. Through the maintenance of predominantly rural residential development and limiting commercial development to the primary corridors through the city, McLendon Chisholm intends to balance its rural nature with competitive market pressure for new development.

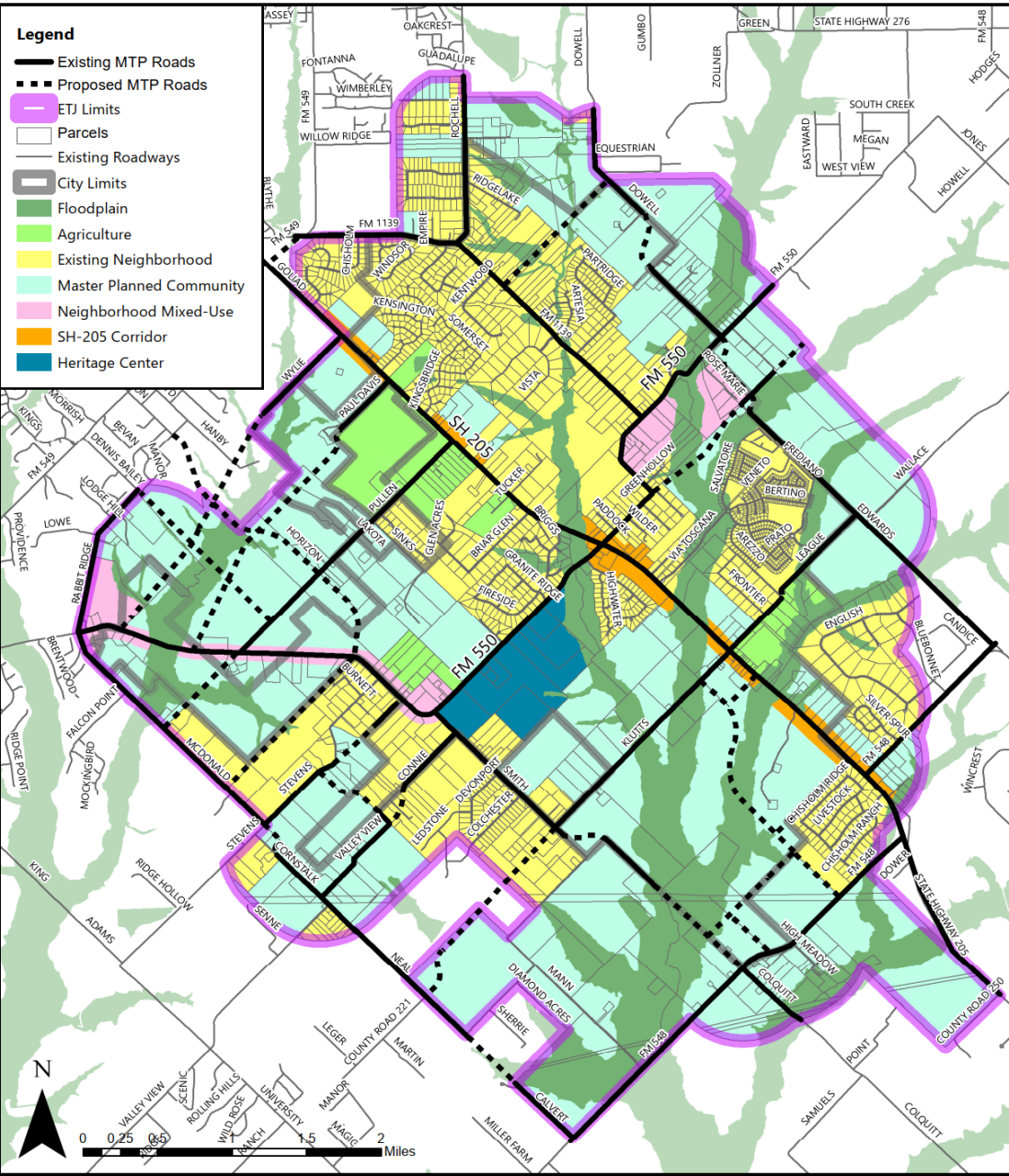


The McLendon-Chisholm Future Land Use Plan (FLUP) is pictured on the next page. A description of each Future Land Use Designation is provided after the FLUP and should be utilized when considering development proposals and updating zoning districts with more detailed standards. Following the Future Land Use Designations, policies are provided for overall evaluation of development proposals and other land use and design improvements.



Future Land Use Plan

Source: Kimley-Horn, 2021





McLendon-Chisholm is a predominantly residential community where individuals and families come together to prosper and to enjoy a slower, more rural, and traditional Texas lifestyle. The residents prefer the look and feel of a community that embraces open spaces, with large country estates with varied size, type, views, and orientation of homes. Non-residential, including commercial, should be distinctively rural Texas architecture, pedestrian-oriented, and have trails that connect to adjacent properties and neighborhoods. Low intensity building heights with mass and scale respectful to existing surrounding development and properties. The Future Land Use Plan incorporates six types of development: Agriculture, Existing Neighborhoods, Heritage Center, SH 205 Corridor, Neighborhood Mixed-Use and Master Planned Community.

Important note regarding residential densities and lot sizes:

The Future Land Use Designations have a variety of residential intensity standards that are different from each other intentionally. There are four main categories:

- (1) Minimum lot size of one acre, exclusive of floodplains and rights-of-way (Master Planned Community),

Intended to be the majority of new development in McLendon-Chisholm in predominantly residential areas.

- (2) Maximum density of one dwelling unit per acre, exclusive of floodplains and rights-of-way (SH 205 Corridor, Neighborhood Mixed-Use, and Heritage Center),

Designed for areas of low intensity commercial or mixed-use development to provide very limited residential uses in a commercial-type context.

- (3) Maximum density of one dwelling unit per five acres, exclusive of floodplains and rights-of-way (Agriculture), and

Intended to allow for innovative and traditional revenue streams on a farm but not intended to be a housing development or neighborhood.

- (4) Consistent lot size and development pattern within an existing neighborhood (Existing Neighborhood) with overall development not to exceed a maximum density of one dwelling unit per acre, exclusive of floodplains and rights-of-way, except in the case of replacement of a home for a different home or reconstruction on a previously existing homesite in a development with higher existing density.

New homes or lots must be generally consistent in lot size, height, and setbacks to maintain the neighborhood's character.



McLendon-Chisholm is known for its large lot developments, and the community is united in maintaining this image. The City encourages future and existing residential developments designed to preserve open spaces while reinforcing the feeling of a rural community. The residents require residential development that essentially equates to a maximum of one dwelling unit per acre of developable land. As defined in the six Future Land Use Designations, developable land area excludes land that is in the regulatory floodplain and land within rights-of-way.

Agriculture

This Future Land Use Designation is predominantly farm land or agriculture-related uses that preserve McLendon-Chisholm's rural/country feel and heritage.

Anticipated Land Uses:

- Detached single family residential dwellings associated with the farm or use and meant for operation owner-type occupants only;
- Parks, trails, crops, livestock areas, open/green space, and/or ponds or creeks;
- Accessory commercial uses associated with farming, agriculture, or agritourism, such as farm-to-table restaurants, farm-related event space or shops, produce stands, horse riding, or bed-and-breakfasts; and/or
- Agriculture and farm-related uses, including raising cattle, horses, sheep, donkeys, chickens, goats, etc., along with the shelters or barns to house them, as well as crop fields and the necessary barns for storing agriculture-related equipment and supplies.

Desired Development Characteristics:

- Maximum density of one dwelling unit per five acres for residential uses, exclusive of floodplain and rights-of-way.
- Future construction or activity should be rural in nature and related directly to the farm or agriculture primary use.
- Barns and other accessory structures are expected and should be compatible and high-quality architecture designed to contribute to the McLendon-Chisholm brand.
- Texas native landscaping, rural appeal, and green spaces with trees and attractive amenities.
- One story typical, maximum two stories.

Existing Neighborhoods

This Future Land Use Designation is predominantly comprised of low-density, single family, detached, residential dwellings in established residential neighborhoods, serviced by one or more shared roads for each neighborhood.

Anticipated Land Uses:

- Detached single family residential dwellings;
- Parks, trails, open/green space, and shared ponds or creeks; and/or



- Neighborhood-oriented, low-intensity commercial in specific instances when compatible with adjacent residential uses.

Desired Development Characteristics:

- Reflects residential density and lot size for existing land use within each neighborhood with overall development not to exceed a maximum density of one dwelling unit per acre, exclusive of floodplains and rights-of-way, except in the case of replacement of a home for a different home or reconstruction on a previously existing homesite in a development with higher existing density. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable. Future construction or activity should be consistent with what is existing in the neighborhood as it relates to lot size, height, setbacks, and character.
- Accessory structures are anticipated but should respect the existing look and feel of the neighborhood and be in the rear of existing structures if installed.
- New low intensity home occupation uses, in residential structures, may be acceptable if allowed in the governing zoning district, when compatible with adjacent residential uses in noise, activity, smell, and traffic and when not associated with storage of business-related vehicles or outside storage of business-related items.
- Where Existing Neighborhoods are located near future commercial or mixed-use areas, sensitive transitions between the uses should be provided to preserve and protect the character of the Existing Neighborhood, but sidewalk and trail connections should be constructed where possible/relevant to contribute to walkability and bikeability.
- Texas native landscaping, rural appeal, and green spaces with trees and attractive amenities.
- Maximum two stories for non-residential uses, regardless of existing structures or uses.

Heritage Center

This Future Land Use Designation is located on land with the new City Hall and Fire Station, in addition to private and School District-owned land and is intended to be a node of development that showcases the City's *Rural Heritage, Green Spaces, and Natural Areas* in a *Country Living Activity Center*.

Anticipated Land Uses:

- Institutional uses associated with the City, County, and/or School District;
- Mixed-use development (combinations of residential, office, restaurant/retail, entertainment, and arts/culture) with a rural/country feel;
- Uses relating to McLendon-Chisholm's heritage and/or history or arts and culture; and/or
- Parks, trails, open/green space, and ponds or creeks.

Desired Development Characteristics:

- Maximum density of one dwelling unit per acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.



- Conservation development that groups buildings/structures and provides beautiful green/natural areas which showcase McLendon-Chisholm's *Country Feel*.
- Development that *Diversifies the Tax Base* and provides areas for people to enjoy *Grassroots Community Events* or entertainment.
- Extensive, shaded, lighted, and landscaped trail system to connect the Country Living Activity Center.
- One story typical with two stories maximum.

SH 205 Corridor

This Future Land Use Designation is the heart of McLendon-Chisholm's commercial development opportunities, intended to preserve the rural/country feel, provide residents with local retail, employment, recreation, and entertainment, and capture valuable sales tax dollars along the regional corridor of State Highway 205, which connects Highway 30, Highway 80, future Rockwall County Outer Loop, and other corridors through McLendon-Chisholm.

Anticipated Land Uses:

- Mixed-use development (combinations of residential, office, restaurant/retail, entertainment, and arts/culture) with a rural/country feel;
- Sales tax-generating uses (ex. restaurant, retail, etc.);
- Boutique tourism/destination uses (ex. bed and breakfasts, travel-related, farm experiences, etc.);
- Entertainment uses that provide fun and relaxing experiences; and/or
- Parks, trails, open/green space, and ponds or creeks.

Desired Development Characteristics:

- Maximum density of one dwelling unit per acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
- One story typical with two stories maximum.
- Large building footprint buildings should be prohibited to protect the quaint and rural feel of the city.
- Main Street-type development that provides pleasant walkability with a *Brand & Identity* consistent with McLendon-Chisholm.
- Peaceful and quiet design that *portrays a retreat from urban life* through various elements, such as water features, calm colors, sophisticated architecture, and luxurious "off spots" for informal sitting and/or dining.
- Development that *Diversifies the Tax Base* and provides areas for people to enjoy *Grassroots Community Events* or entertainment.
- Extensive, shaded, lighted, and landscaped trail system to connect destinations and neighborhoods.
- Design should portray a country feel design and, when appropriate, transitions are made to surrounding properties.
- Residential protections that create a buffer between incompatible uses and any associated nuisances through the utilization of walls, landscaping, setbacks, etc.



- Existing residential structures can remain indefinitely as long as they are not vacated for longer than six months or building code-type issues necessitate demolition or like action. Existing residential properties can rebuild their homes and other continuation of their residential use when present with associated communication to the City.

Neighborhood Mixed-Use

This Future Land Use Designation is intended to serve McLendon-Chisholm residents with low-intensity, neighborhood-oriented mixed uses.

Plan Highlight:

- The SH 205 Corridor and Neighborhood Mixed-Use future land use designations are similar in that they are intended to be commercial in nature, but a major difference is that Neighborhood Mixed-Use is lower intensity and is intended to be mainly resident-serving, whereas the SH 205 Corridor can have more entertainment-focused development and is intended to capture regional sales tax dollars, in addition to serving residents. The design and branding of the two designations can also differ as SH 205 can have gateway monumentation, more commercial activity in evening hours, and be more destination-focused.

Anticipated Land Uses:

- Mixed-use development (combinations of residential, office, restaurant/retail, entertainment, and arts/culture) with a rural/country feel;
- Sales tax-generating uses that serve McLendon-Chisholm residents (ex. restaurant, retail, etc.);
- Low intensity commercial development consistent with the current neighborhood character; and/or
- Parks, trails, open/green space, and ponds or creeks.

Desired Development Characteristics:

- Maximum density of one dwelling unit per acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
- Uses should be low intensity and neighborhood-scale.
- Main Street-type development that provides pleasant walkability with a *Brand & Identity* consistent with McLendon-Chisholm. Peaceful and quiet design that portrays a retreat from urban life through various elements, such as water features, calm colors, sophisticated architecture, and luxurious "off spots" for informal sitting and/or dining.
- Compatible development that *Diversifies the Tax Base* and provides areas for people to enjoy *Grassroots Community Events* or entertainment where the noise or activity can be appropriately distanced and/or mitigated from residential uses.
- Extensive, shaded, lighted, and landscaped trail system to connect destinations and neighborhoods.
- One story typical with two stories maximum. Design should portray a country feel design and, when appropriate, transitions are made to surrounding properties.



Master Planned Community

This Future Land Use Designation is for areas anticipated to develop as planned developments or master planned communities of varying sizes, types, and uses.

Anticipated Land Uses:

- Conservation development with primarily single family residential uses with one or more neighborhood centers for gathering space, parks, and/or low-intensity commercial uses;
- Some limited areas of mixed-use development (combinations of residential, office, restaurant/retail, entertainment, and/or arts/culture) with a rural/country feel; and/or
- Farming or agrihood-type uses.

Desired Development Characteristics:

- Minimum lot size of one acre for residential uses, exclusive of floodplains and rights-of-way. Drainage areas and waterways should be within HOA-maintained common areas and not included on individual lots where applicable.
- Minimum 150-foot lot width for residential uses;
- Preserved open space integrated into the neighborhood, including use of floodplains and existing greenbelts to create attractive common areas that showcase a rural feel;
- Where commercial uses are included, at least 90 percent of gross land area per development should be residential and/or green space/floodplain/park;
- Peaceful and quiet design that portrays a retreat from urban life through various elements, such as water features, calm colors, sophisticated architecture, and luxurious "off spots" for informal sitting and dining;
- Development that *Diversifies the Tax Base* and provides areas for people to enjoy *Grassroots Community Events* or entertainment where the noise or activity can be appropriately distanced from residential uses;
- Shaded, lighted, and landscaped trail system to connect destinations and neighborhoods.
- One story typical with two stories maximum.

IMPORTANT NOTE: Many of the areas on the Future Land Use Plan that are designated Master Planned Community are partially or completely in the ETJ. See discussion regarding these ETJ properties on pages 11-12.

Floodplain

The Floodplain Future Land Use Designation protects green areas and environmentally sensitive areas near creeks, lakes, ponds, and waterways designated as Federal Emergency Management Agency ("FEMA") Floodplain.

Anticipated Land Uses:

- Undeveloped or restored land for open/green space;
- Passive recreational uses;
- Agriculture;
- Parks, trails, open/green space, and ponds or creeks; and/or



- Multi-functional drainage features that provide green infrastructure, stormwater management/filtration, creature habitat, and/or recreation purposes.

Desired Development Characteristics:

- No new vertical structures permitted without an associated building permit in compliance with floodplain standards. New construction in the floodplain is strongly discouraged unless structure is open-air without impervious surface on the foundation. Passive park and recreation amenities are acceptable.
- Peaceful and quiet design that portrays a retreat from urban life through various elements, such as water features, country feel, enjoyable recreation, and luxurious "off spots" for informal sitting and/or nature experiences.
- Land Use and Design Actions:
 - Rezone areas of the city with standards to be developed and detailed to be consistent with the Future Land Use Plan and Vision Framework.
 - Approach property owners within the ETJ to request them to annex or to sign non-annexation agreements to protect additional areas from higher density development.
 - *Cross reference:* Establish a set of tools, in consultation with the City Attorney, that the City can utilize in negotiations with developments partially or completely within the ETJ.

Overall Land Use and Design Policies

Provided below are standards to be utilized in the review of development proposals and improvements within the city, in addition to those provided within each Future Land Use Designation above and other components of the Plan contained herein. The City, the community, and developers should consider the entire Comprehensive Plan as a vision and utilize the policies below to further guide decisions for McLendon-Chisholm's future:

- A. Proposed developments should generally conform to the Comprehensive Plan.
- B. Lots larger than one acre are highly encouraged with new development.
- C. Positively contribute to the City's character and vision through design and land use.
- D. Incorporate existing natural systems, such as mature trees and green infrastructure, into design elements. Ensure new development preserves and enhances all floodplain, creeks, and high-quality tree stands/wooded areas.
- E. Provide elements and design that can positively contribute to the rural and country feel.
- F. Provide multimodal connections, such as trails and sidewalks throughout the development and to any adjacent properties. Ensure new development provides a continuous pedestrian and biking system, extensive landscaping consistent with native Texas foliage, and access between properties.
- G. Promote tree preservation and landscaping to positively contribute to McLendon-Chisholm's green spaces.
- H. Provide high quality and unique development, including amenities, that promotes the uniqueness of the City.



- I. Encourage low intensity retail, restaurant, entertainment, and office uses along SH 205 and FM 550, in addition to modest and quaint pockets in master planned communities, as outlined in each associated Future Land Use Designation or the particular property or properties.
- J. Ensure new development is compatible with existing and adjacent land uses in terms of height, noise, traffic, and screening.
- K. Preserve agricultural or heritage-related resources whenever and wherever possible. Partner with developers and property owners to encourage highlighting these resources for the community. Create and maintain a vibrant community that retains and improves property values, enhances the quality of life for the citizens, and retains the rural visual feel.
- L. Providing and maintaining green zones and buffers to protect established residential areas.

When a request for development is inconsistent with the Future Land Use Plan (FLUP), a request to the City must first be made to amend the FLUP with an associated public hearing at the Planning and Zoning Commission with a recommendation to approve or deny and then an associated public hearing by the City Council to approve or deny the request. The amendment must wait for the annual Comprehensive Plan review described below, to be incorporated in an associated community forum for public review. Then, if the FLUP is amended, the application may be submitted for development consideration.

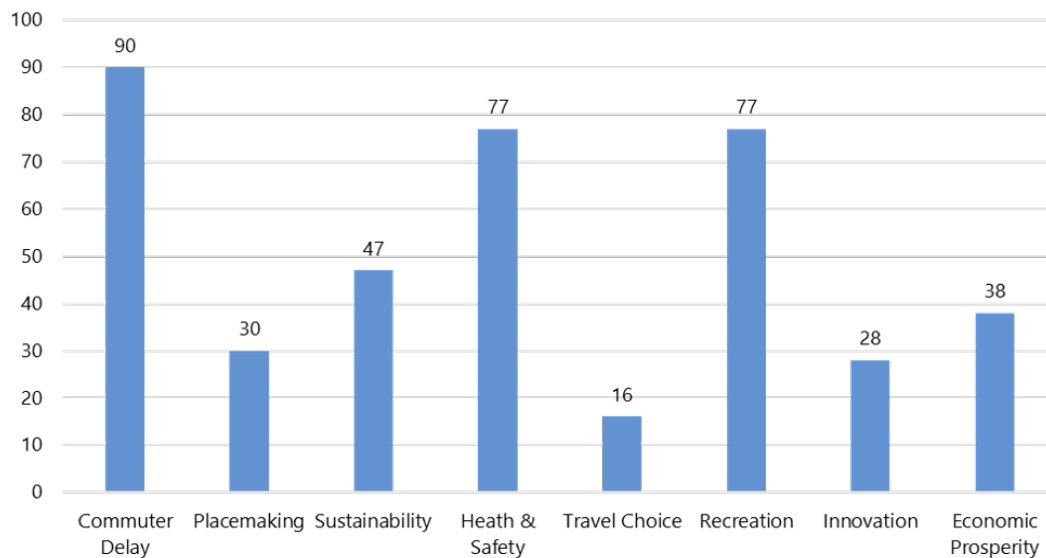
Further, if a request to change zoning is inconsistent with the Comprehensive Plan, the applicant should request a Comprehensive Plan amendment. If the Comprehensive Plan is amended by the City Council, then the applicant should request a change in zoning that is consistent with the amended Comprehensive Plan. Future updates to the Comprehensive Plan will ensure the City's vision remains focused on the will of the residents and those updates should include feedback from the community, City staff, members of City commissions and committees, and governmental associations, including County working groups and other entities. The Comprehensive Plan will be reviewed annually, but not later than August of each calendar year, by the Planning and Zoning Commission, and the findings will be forwarded to City Council for recommendations of changes. Should any changes be proposed by a property owner, developer, or the City, a community forum or town hall meeting will be held to discuss the changes and understand any community feedback.



Chapter 4: Mobility & Connectivity

Feedback Summary

Reduction of commuter delay is the top mobility priority for many residents in McLendon-Chisholm. The Community Survey identified infrastructure (including drainage, roads, and traffic) as the number one weakness and threat in the community, with comments throughout the planning process regarding congestion and safety issues on State Highway 205 during daily trips to essential services and work. The same concerns about the mobility network were communicated by Survey respondents as an opportunity for improvement with many requesting that the local road network be built out to handle any future traffic that might be generated with a growing population. When asked to prioritize City spending on mobility topics at the in-person Community Forum, attendees selected addressing Commuter Delay, Health & Safety, and Recreation for the top three options with all option results illustrated below:





Existing Conditions

McLendon-Chisholm is comprised of a mix of roads operated and maintained by Texas Department of Transportation (TxDOT), the City of McLendon-Chisholm and private neighborhood streets that are the responsibility of various homeowners associations (HOA's). Many of the local city and HOA roads will need to be repaired or need maintenance work within the next five years. Throughout the planning process, maintenance concerns for City and private streets were brought up multiple times, and it is clear that there is no dependable upkeep of private streets in many, if not most, of the subdivisions with this responsibility.

There are some areas where increased development may have adverse impacts on the capacity of the existing transportation system, for instance FM 1139 tends to be at or over capacity at certain times of the day but has minimal traffic at other times of the day. State Highway 205 is the high-volume corridor between Terrell and Forney and Heath and Rockwall and is in serious need of increased capacity.

Rockwall County Outer Loop is a seven-mile segment of the regional Outer Loop project being completed by North Texas counties. It will be a six-lane, divided, controlled-access highway with continuous frontage roads, and allowance for additional lanes in the future from FM 1138 in Collin County to SH 276. The project alignment generally runs north-south, just outside the eastern side of McLendon-Chisholm's ETJ. FM 550 is anticipated to be the main east-west connection between McLendon-Chisholm and future Rockwall County Outer Loop to the east.

SH 205 is a highway that connects IH 30 to the north and US 80 to the south through McLendon-Chisholm. It is currently constructed as a two-lane rural section roadway with no median or shoulder. The thoroughfare is approaching 60 percent completion on design by the Texas Department of Transportation (TxDOT) as of 2021, with plans for an urban curbed designed six-lane highway with a median through McLendon-Chisholm. TxDOT has plans to widen SH 205 from US 80 in Terrell to the junction of SH 205 at John King Boulevard (South Goliad Streets), which will pass through the cities of Rockwall, McLendon-Chisholm and Terrell. It is possible that TxDOT will stripe the facility as a four-lane highway with wide shoulders and then restripe it as a six-lane facility when demand requires it, but it is unclear from conversations with TxDOT when the demand would reach that point and if it already has. The project also includes rebuilding and replacing all existing traffic lights. A new traffic light is being discussed for the entrance of Sonoma Verde (SH 205 at Via Toscana Lane), and there will be 10-foot wide sidepaths on both sides of the roadway.

TxDOT's SH 205 expansion project presents a significant opportunity for the City of McLendon-Chisholm if immediate action is taken to influence the design of the ultimate roadway. All TxDOT improvement projects must dedicate one percent of the total project budget to aesthetic improvements as requested by cities within the project boundary. The City should continue to coordinate with TxDOT in order to come to an agreement about potentially constructing aesthetic improvements, specifically at the intersection of SH 205 and FM 550, within the median, and along the sidepaths. Constructing a unique and pedestrian-oriented crosswalk at the intersection of SH 205 and FM 550 would further attract unique development and could serve as a branding opportunity for McLendon-Chisholm. Funding has not yet been allocated to construct the project, but construction is expected to begin by 2025 or possibly earlier if funding is obtained.



Vision

The Thoroughfare Plan is a blueprint that establishes a set of terminology, standards, and general principles that guide decision-making for roadway planning, funding, construction/reconstruction, operation, and maintenance of the roadway system in the City and Extra-territorial Jurisdiction ("ETJ"). As a long-range planning tool, it is intended to identify the envisioned major roadways for the next 20 years and establish a desirable thoroughfare system for undeveloped areas and redevelopment areas, based on anticipated development patterns and existing needs, with the goals of health, safety, and reduction of commuter delay.

Over the long term, the Master Thoroughfare Plan (MTP) minimizes the cost of building roads and their impact on adjacent properties since they are thoughtfully designed and planned instead of reactionary as development comes in. Land use decisions and the transportation system are directly linked to one another. Failure to consider the current and future transportation requirements as the city develops would be a critical mistake, from which the City might never be able to fix. Administratively, the MTP serves a number of functions and purposes as described below.

Functions:

- Identifies general alignment of thoroughfares. Alignments are subject to change when the roadway goes under design.
- Specifies right-of-way requirements and protects right-of-way through the zoning, platting, and building permit processes.
- Identifies the relative importance of thoroughfares and their role in providing mobility.
- Establishes a philosophy for the development of the thoroughfare system on a citywide basis and for particular areas with special concerns.

Purposes:

- To facilitate communication between City Staff, elected and appointed officials, land developers, property owners, the community, and others who may have an interest in the City's transportation system.
- To facilitate effective design, operation, and maintenance of the primary road system which includes the entire roadway system in the City, including local streets.
- To assist community members and stakeholders in making decisions about the location of their homes or businesses and the future uses of property.
- To incrementally remove sharp turns in existing roadways where possible.
- To add connections around natural features, existing homes, and along parcel/tract lines where possible to reduce commuter delay.
- To upgrade roads where right-of-way and/or pavement exists and function necessitates improvements.
- To provide more walking and biking opportunities through infrastructure improvements.
- To partner with surrounding communities, Rockwall County, Kaufman County, and the North Central Texas Council of Governments to develop and implement transportation systems that positively affect the City of McLendon-Chisholm and others.
- To provide transportation solutions that contribute to the overall health, safety, and welfare of people who live, visit, or travel to/through McLendon-Chisholm.



Functional Classifications

Functional Classifications are groupings of roadway types according to the character of service they are intended to provide. Since most travel involves movement through a network of roads, it is necessary to determine how travel can be channeled within the network in a logical and efficient manner. Functional classification identifies the role that any particular road will play in serving the flow of trips through a street network.

There are three distinct elements of every trip on the street network: main movement, distribution/collection, and access. These elements translate directly into the Functional Classifications used in this Plan and are summarized as follows:

1. Arterial streets provide the links between areas of the city. They typically define neighborhoods and serve the main function of movement from one part of the city to another.
2. Collector streets provide the links between the local streets and arterials. They serve the function of collecting or distributing traffic between the arterials and local streets.
3. Local streets are usually contained within a neighborhood and provide access to adjacent property which is the origin or destination of every trip. The local streets serve the function of internal circulation for all types of development.

Related to the idea of functional classification is the dual role that the roadway plays in providing access to property and travel mobility. The primary function of local streets is to provide access to adjacent property, while arterial streets emphasize a high level of mobility for through traffic movement. Regulation of access is necessary on arterials to enhance their primary function of mobility. Collector streets provide a balance between access to adjacent properties and traffic mobility.

The arterial street system is divided into two sub-classifications, "principal" arterials and "minor" arterials. Arterials represent those thoroughfares that are used by the traveling public to travel between neighborhoods and communities within the City. Ideally, arterial thoroughfares define neighborhood boundaries and do not cross into neighborhoods. The spacing of arterials is closely related to the location, function, and connections they are intended to serve.

Principal Arterials

Principal arterial streets are the backbone of the City's street system, in this case FM 550 and FM 548. Although SH 205 is functioning as the city's most major Principal Arterial currently, it is slated to become a highway within the plan horizon and is therefore designated as such on the Master Thoroughfare Plan (MTP). They serve the major centers of "to and through" and traffic coming to and from adjacent cities via McLendon-Chisholm residents, visitors, or commuters who may not even stop in McLendon-Chisholm. Principal Arterials accommodate the longest trips and carry a high proportion of total area travel on a small percentage of total system mileage.

The network formed by Principal Arterials is fully interconnected and provides links to the freeway system (existing and future) and to areas outside the city. Geometric design and traffic control measures are used to



enhance the movement of through traffic on these roadways, while access to abutting property may be restricted, or managed, to protect the traffic carrying capacity of the roadway. Access to abutting land is subordinate to the provision of travel service for major traffic movements. Access should be controlled and driveways should be minimized along these arterials to reduce commuter delay and provide trip efficiency.

Minor Arterials

Minor arterial streets interconnect with and augment the Principal Arterial network. If Principal Arterials are the backbone of the system, Minor Arterials are the limbs. They serve traffic within smaller geographic areas of influence, accommodate trip lengths of moderate length, and offer greater opportunities for emphasis on land access more than the Principal Arterials. These roadways carry significant through traffic volumes and are needed to provide route and spacing continuity for the arterial system. Minor Arterials are the most significant opportunities to reduce commuter delay, per the community's stated priorities, within the system, outside the expansion and improvement of SH 205 by TxDOT.

Major Collectors

Major Collectors provide both land access service and traffic circulation around and between residential neighborhoods and commercial areas and can also provide main "to and through" in large developments or subdivisions. They differ from the Arterial system in that Collectors distribute trips from the arterials to the local street system and vice versa. Conversely, Collectors also take traffic from local streets in neighborhoods and channel it into the Arterial system. Collectors should accommodate short trip lengths, and do not typically extend across Arterial thoroughfares, except in certain circumstances, or carry a high percentage of through trips. These roadways can serve as a "relief valve" when the Arterial system is congested.

Local Streets

While local streets are not a part of the MTP, they do provide the single most important part of the transportation system: they provide access to and from neighborhoods and other developments to connect with the Collector and Arterial system. Local streets within the city can be developed with curb and gutter or with shoulders and/or bar ditches depending upon the character of the development.

The MTP includes six specific Functional Classifications:

Functional Classifications	Right-of-Way Requirement
Highway, 6-Lane Divided Thoroughfare	150' to 200'
Principal Arterial, 4-Lane Divided Thoroughfare	100' to 150'
Minor Arterial, 4-Lane Divided Thoroughfare	100' to 120'
Minor Arterial, 4-Lane Undivided Thoroughfare	100' to 120'
Major Collector, 2-Lane Undivided Thoroughfare	60' to 80'



The Master Thoroughfare Plan provided on the next page shows solid and dashed lines. Solid lines indicate either an ultimate condition of the roadway (ex. a Minor Arterial is constructed as a Minor Arterial with appropriate design) or an interim condition of the roadway but existing pavement (ex. an unstriped and narrow asphalt road but not constructed in its ultimate design or capacity). Dashed lines indicate proposed roads where no pavement exists.



Actions and Policies

- General Policies for the Master Thoroughfare Plan
 - Whenever a property is being platted or a request is made for a change in zoning, rights-of-way should be requested and required by associated regulations for those roadways shown on the Master Thoroughfare Plan.
 - Master Thoroughfare Plan roadways shall be periodically evaluated for traffic congestion and capacity improvements.
 - Requests for commercial platting should always include fire lanes and mutual access easements to reduce the number of driveways connected to roadways identified on the Master Thoroughfare Plan.
- SH 205-Related
 - Represent to the Rockwall County Road Consortium McLendon-Chisholm design considerations for ensuring State Highway 205 expansion supports the City's vision, goals, and objectives.
 - Coordinate, schedule, and hold a Town Hall Meeting to discuss specific State Highway 205 design features under consideration with the schematic design process.
 - With the assistance of a consultant, prepare a list of design and technical modification requests for TxDOT's expansion of State Highway 205 to reflect the look, feel, and brand consistent with the community's Vision of McLendon-Chisholm.
- Reduce Commuter Delay
 - Revise the Subdivision Ordinance to reduce maximum block length from 1,600 feet to 1,000 feet to promote additional connections and more walkability.
 - Review previously prepared cross sections for relevance and technical applicability in an associated Subdivision Ordinance update. Until that is completed, the cross sections in the 2016 Comprehensive Plan apply.
 - Revise the Subdivision Ordinance to require associated cross section design for the Functional Classifications included in the Master Thoroughfare Plan. (Cross sections will not be included in the Comprehensive Plan moving forward.)
 - With the assistance of a planning and engineering consultant, create a five-year Capital Improvements Plan (CIP) and prioritization matrix that includes any infrastructure, facilities, and large equipment.
 - Establish a Roadway Maintenance Strategy with funding allocated for the entire lifespan of anticipated construction, maintenance, expansion, and replacement of all new City roads as they are constructed, and update the project list every five years, to coincide with the update of the future CIP, to account for inflation, labor, or supply chain cost increases.
 - Prepare a Roadway Impact Fee Study to adopt an associated Roadway Impact Fee.
 - Create a Roadway Ownership and Maintenance layer in GIS to assist with contact information and the Road Planning and Maintenance Working Group and City Capital Improvements Planning.



- Health and Safety
 - Coordinate with developers, homeowner associations, and neighborhood associations to eliminate any overgrown landscaping or neighborhood treatment elements from the sight triangle along all major roadways.
 - Revise the Subdivision Ordinance to require a licensed structural and geotechnical engineer review and seal/approve all proposed bridges and culverts for adherence to the most recent Manual for Assessing Safety Hardware (MASH) Standards prior to and after construction.
 - Create a citywide policy to actively reduce the number of 90 degree turns or sharp bends on existing roads that are classified as minor arterials or higher. The policy should also prohibit the construction of sharp turns on new MTP streets.
 - Create a volunteer "Road Planning and Maintenance Working Group" as part of the Roadway Maintenance Strategy to collaborate and assist individual HOA's with guidance for road design and maintenance standards to promote safe community standards across the city.
- Recreation
 - Revise the Zoning Ordinance and Subdivision Ordinance to require sidewalks on both sides of the street with new development and redevelopment, and a minimum 10-foot wide sidepath with adequate shading and tree foliage on the sides of any system roadway on the Master Thoroughfare Plan.
- Branding
 - Design locations and features to brand the two City gateways on State Highway 205 at its north and south ends, in conjunction with applicable Manual for Assessing Safety Hardware (MASH) Standards.
 - Construct two City gateways on State Highway 205 at the city's north and south limits.

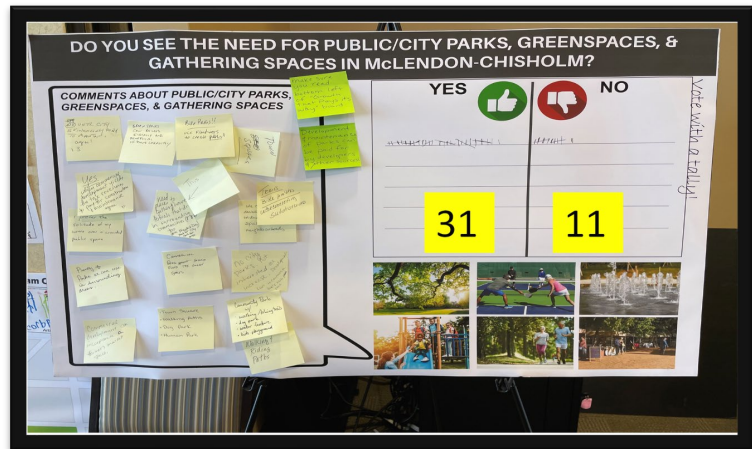


Chapter 5: Public Utilities & Services

Feedback Summary

The planning process brought forward themes of fiscal conservatism and limited government, but there were also themes throughout the planning process via multiple feedback methods noting the need for the City to own and maintain its own sanitary sewer and water. Internet speeds and water pressure were noted in the Community Forum as being less than preferred as well. Levels of satisfaction with infrastructure in McLendon-Chisholm are generally low across all categories including Parks and Recreation, Street Maintenance, Traffic, Drainage and Flooding, and Trails.

While nearly 74 percent of people at the Community Forum saw a need for “public City parks, greenspaces, and gathering spaces,” not all members of the community view it as essential City spending and prefer to put the financial burden on developers to create public gathering spaces for all to enjoy in the future or mention that the large lots of residents should provide ample opportunity for residents to provide their own amenities on their property.



Existing Conditions

Utilities

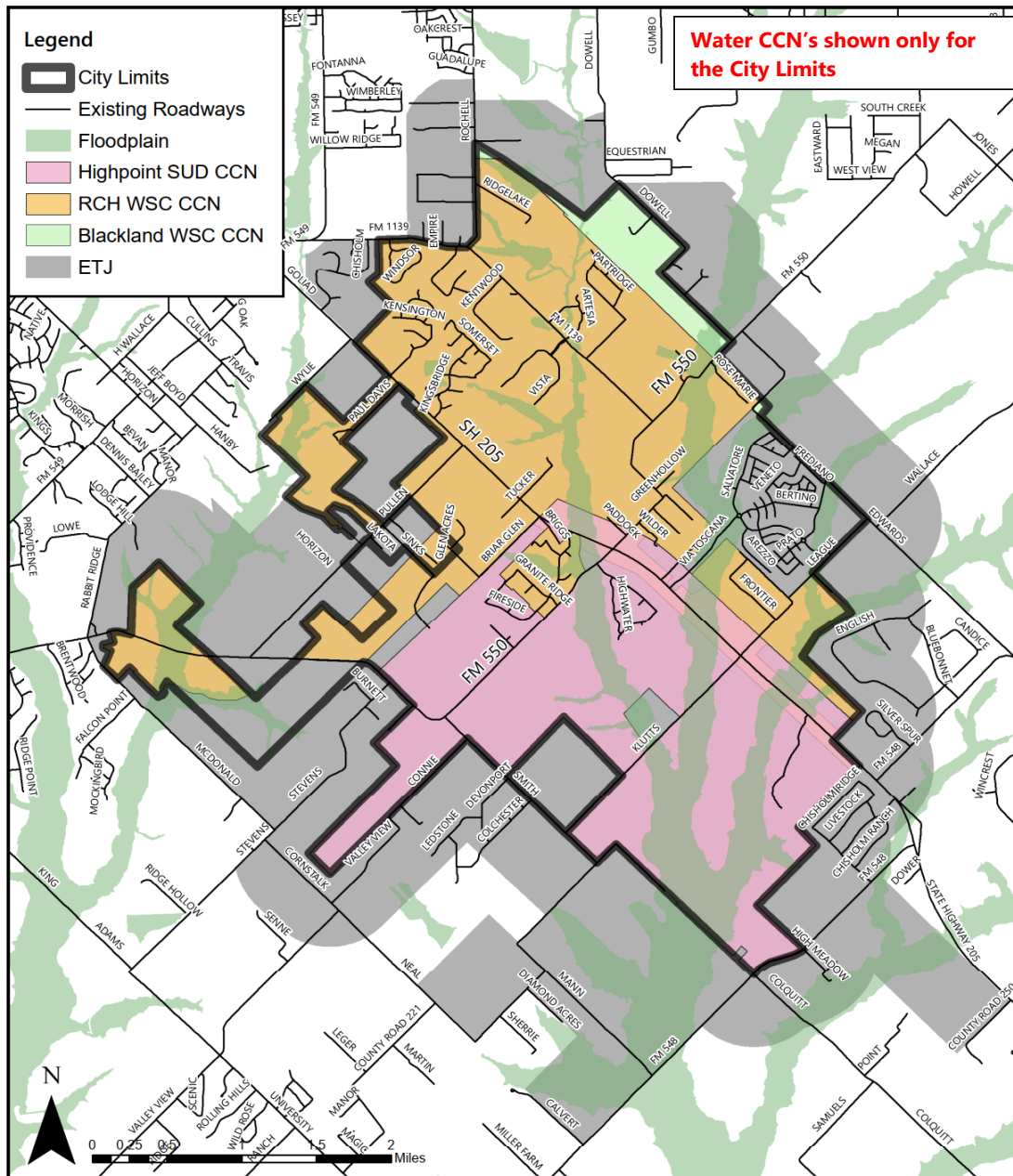
Water

Existing infrastructure information available for water is limited in McLendon-Chisholm. Water services are not owned or maintained by the City, and service is provided to residents through RCH Water Supply Company, High Point Special Utility District (SUD), or Blackland Water Supply Company, depending on where the property is, and which Certificate of Convenience and Necessity (CCN) applies (see map of CCN's on the following page). Where water supply services are not available, the alternative is to source well water, which is not practical for large water users long term. Water demand is generally high during the summer months due to irrigation of open space and manicured lawns for large lot development in McLendon-Chisholm.



Water Certificates of Convenience and Necessity

Source: Public Utility Commission of Texas, 2021





Sanitary Sewer

Sanitary sewer service is available and installed in the Sonoma Verde subdivision through negotiated capacity on the Buffalo Creek Interceptor Line and there is a sewer line in the retail area, but the rest of the city is served by on-site septic systems—there are no Certificates of Convenience and Necessity (CCN) for wastewater within the McLendon-Chisholm ultimate municipal boundary (i.e. within the limits of the ETJ). On-site septic permits through the County require a minimum of one acre of land.

Storm Sewer

Stormwater infrastructure is designed to move stormwater runoff (i.e. rain water) away from residential and paved areas to detention or retention ponds, lakes, creeks, or rivers. Stormwater infrastructure can include curbs, gutters, drains, pipes, or collection systems. Data for existing infrastructure in McLendon-Chisholm is limited, but there is no documented stormwater infrastructure outside of visible bar ditches in the city.

Internet

Internet is considered a key part of infrastructure, especially in the adapting virtual environment. Residents and stakeholders noted throughout the planning process the need to improve broadband and internet services and provider options in McLendon-Chisholm.

Services

Police

The City does not have a police department, and police services are currently provided at no direct charge to the City or the residents from the Rockwall County Sheriff's Department. Response times can be long and have been noted as a potential challenge to overcome in the future. There are also questions of long term viability of County police services without contract or payment and associated responsibilities of the County vs. the City. The City does not have routine police patrols or traffic control.

Fire & EMS

Fire and Emergency Medical Services (EMS) are provided to the City of McLendon-Chisholm residents and properties within the ETJ through partnership with the Rockwall County Sheriff's Department, Rockwall County Emergency Medical Services, and the McLendon-Chisholm Fire Rescue. The City Fire Department currently operates as a combination career/volunteer department. A Chief plus six firefighter positions are full-time. Full-time staff is supplemented with part-time and a couple of volunteer staff to meet required standards. Response times and service delivery can be impacted at times by staffing, equipment, facilities, road deterioration, connectivity within the city limits and fire district, and limited funding for serving the unincorporated areas of the fire district. The Fire Station upgrade and service improvement in progress in 2021 has been well received.



Parks & Recreation (including Library Services)

The City does not currently have a parks and recreation department to construct or maintain parks or establish recreational programming. McLendon-Chisholm also does not have a public library, but there is a Rockwall County Library. There are some trails and sidewalks throughout the community, but more trails are of interest, in addition to parks, recreation, and gathering spaces.

Code Enforcement

Code enforcement helps maintain aesthetics and maintenance of neighborhoods and properties, as well as contributes to safety and sanitation/cleanliness. The Homeowners Associations (HOA's) provide oversight in various areas of aesthetics and property maintenance, and the City also has a Code Enforcement Officer on Staff.

Analysis

The City does not have centralized sewer and it does not own/operate its own water supply and service. Purchasing the Certificate of Convenience and Necessity and providing the associated infrastructure assets to own the water supply and service would cost significant money and would necessitate capital construction and growth in City Staff numbers to manage the various components of the system, billing, construction, and maintenance. Similar constraints are present relating to providing centralized sewer in terms of cost, construction, growth in City Staff numbers, etc. Aside from the cost, it is becoming increasingly apparent that the City owning and maintaining its water could be on the horizon to maintain safe and adequate service to residents and businesses.

In terms of Police, Fire, and EMS, there is further study and evaluation required to determine existing levels of service, desired levels of service, County responsibilities, and options to implement what the community identifies as necessary for its safety and financial viability. Future actions can tackle a detailed analysis of what is currently being provided and the County's long-term statutory responsibility for law enforcement services (or potential lack thereof) will lay the foundation for the future actions. Next will come the identification of what the community feels is necessary from a services standpoint and associated funding, staffing, and/or contracting options are available to achieve that desired level of service, which will be a multi-faceted analysis to include the City's services currently being provided outside the city limits.

McLendon-Chisholm has rolling hillsides to large open expanses of farm and ranch land to residential subdivisions designed to provide the residents with recreational opportunities. Most developed recreational facilities in the City are privately owned and operated by property/homeowners associations or private property owners.

At least four major floodways cross the city essentially from the northeast draining to the southwest ultimately ending up in Lake Ray Hubbard. These floodways and floodplains make up about 2.78 square miles of the 12.41 square miles of the City or 22 percent of the land surface in the City. These floodways and floodplains provide an opportunity to incorporate these mostly undevelopable areas into an open space environment and/or



recreational assets that can positively contribute to quality of life and priorities within the Vision Framework. Floodplain areas should be preserved as open space and natural habitat moving forward but can continue to be held in private ownership.

City parks and recreation is considered desirable by many in McLendon-Chisholm, and several stakeholders, survey respondents, and Community Forum participants expressed a desire for community gathering spaces that cater to the friendly, hometown spirit present in McLendon-Chisholm. Parkland Dedication and Development Fees can offset costs and ensure growth pays for itself, and the associated study required can make McLendon-Chisholm eligible for Texas Parks and Wildlife Department (TPWD) Grant funding. Unless or until appropriate funding mechanisms for the continued construction, operation, and maintenance of parks and trails is allocated or secured, the City will continue to rely on property owners and developers to provide recreational opportunities for the community.

Vision

As of 2021, the City is exploring options and logistics to fully understand what taking and having control of water and sewer would mean (monetarily and operationally). If a city controls their own water and sewer systems, they are better able to control the placement and incentives of future development. They also will be able to charge fees and permitting rights for water, which would help build revenue for the city. Because the City does not control its water or sewer infrastructure or services, McLendon-Chisholm also cannot prohibit or influence the creation of new CCNs or special districts forming within the ETJ. Therefore, although McLendon-Chisholm has not completed analysis on what it would take to purchase water or sewer systems supply/control/maintenance, the implications to future development could be significant if the ownership/supply is adjusted.

An objective of the City has been to minimize the cost of government while ensuring that necessary and desired services are provided. In that vein, increasing public facilities necessarily become a financial liability that the City views with a very keen eye toward, not only the cost of acquisition and construction, but the cost of operations, maintenance, and replacement equipment. Although construction costs and maintenance are concerns of some community members as it relates to potential parks and trails, the community voiced strong support for parks and recreation. Exploring standard fees on new development, standard amenity requirements on new development, and public-private partnerships can help ensure that recreation, enjoyment of McLendon's natural areas, and a gathering place for community events can be possibilities.

McLendon-Chisholm consistently reinforces the maintenance of a high quality of life in the city. Further, the community places a high priority on the maintenance of property values and the desire to maintain a rural atmosphere that restricts urbanization. To that end, continued Code Enforcement and significant HOA accountability for maintenance and enforcement of community standards should be in place.

Actions

- With the assistance of a planning and engineering consultant, create a five-year Capital Improvements Plan (CIP) and prioritization matrix that includes any infrastructure, facilities, and large equipment.



- Water
 - Establish bi-annual standing meetings with Highpoint SUD, Blackland WSC, and RCH WSC (separate meetings), in addition to any other utility providers serving McLendon-Chisholm, to discuss anticipated construction, extensions, upgrades, maintenance issues, and economic development priorities.
 - With the assistance of legal counsel, determine the legal authority the City has to get location data for water lines and other water assets owned and maintained by the utility districts and service corporations within the City's limits and ETJ.
 - Research the American Rescue Plan Act and apply for funding for the City. Use funds and partner with Rockwall and Kaufman Counties for water, wastewater, and broadband improvements.
- Sanitary Sewer
 - Evaluate the authority the City has over the sanitary sewer collection and treatment within the city limits and within the ETJ with an attorney.
 - Map existing sanitary sewer lines in McLendon-Chisholm.
- Storm Sewer and Drainage
 - Establish an impervious surface ordinance amendment to reduce excessive stormwater runoff and system constraints.
 - Map existing stormwater infrastructure in McLendon-Chisholm.
- Internet
 - Evaluate options for Fiber to the Premises/Home (FTTP/FTTH) and Fiber to the Cabinet (FTTC), micro trenching, and pushable fiber and determine the best option for budgetary constraints.
 - Explore options for public-private partnerships with developers, corporations, and providers to expand broadband access across the city.
- Public Safety
 - Utilize the Rockwall County Emergency Services Corporation Board to discuss needed improvements for potential partnership and unified resources to support the City's growing public safety needs.
 - Evaluate County responsibilities for provision of public safety and associated options to provide adequate response times and patrols. Determine appropriate public safety option (ex. contract with the County, City personnel, etc.) accordingly.
 - Evaluate provision of Fire and EMS services outside of the City Limits to analyze financial and service viability. Determine appropriate Fire and EMS level of service, staffing, and funding options and implications accordingly.
 - Review Fire Safety ISO Ranking criteria and determine any improvements that can be made with available resources to improve the City's ISO Ranking. Repeat this action annually with the budget and future CIP process.
- Parks and Recreation



- Complete a Parks and Recreation Study to identify existing and desired future levels of service for parks and recreation consistent with Texas Parks and Wildlife Department (TPWD) standards for grant eligibility.
 - Adopt Parkland Dedication and Parkland Development Fees, in association with a future completed Parks and Recreation Study, through a prepared fee methodology and relevant Code of Ordinances updates.
 - Revise the Subdivision Ordinance to require developers to include dedication language in the associated plat for school sites that would require public access to open spaces and athletic fields within the city limits or ETJ.
 - Revise the Subdivision Ordinance to require developers of Master Planned Communities to provide recreational facilities that include parks, open space, and other amenities to serve the communities that they develop.
- HOA Maintenance and Accountability
 - Develop a list of roadways, drainage facilities, and other infrastructure in need of HOA maintenance and rehabilitation and send letters to the HOA and associated residents of the deficiencies and responsibilities of the HOA. Residents should lead this effort through the aforementioned volunteer Road Planning and Maintenance Working Group.



Chapter 6: Implementation & Monitoring

Key Partners

A Comprehensive Plan cannot be implemented without collaboration between key partners. While there are many different individuals, groups, and organizations that contribute to McLendon-Chisholm's success, the following provides a snapshot of those key partners who play vital roles in their area of influence. A list of key partners and collaboration efforts is provided below:

- Rockwall & Kaufman County: Rockwall and Kaufman Counties are key partnering agencies when it comes to the Comprehensive Plan's implementation, especially when planning areas in McLendon-Chisholm's extraterritorial jurisdiction (ETJ). The city also relies on police and emergency services from Rockwall County, so continued conversations are essential in the long-term success of planning for public safety and city services.
- TxDOT: As SH 205, McLendon-Chisholm's main corridor, is expanded in the upcoming years, continued partnership with TxDOT must occur to negotiate future roadway amenities, such as sidepaths, trails, and driveway connections. When developing along this corridor, coordination is required for continued access and safety.
- NCTCOG/TML: Communication with the North Central Texas Council of Governments (NCTCOG) and the Texas Municipal League (TML) will allow the community to understand the region's vision for growth so the City can accurately plan for and respond to it accordingly.
- Water Companies (High Point WSC, RCH WSC, and Blackland WSC): The water CCN holders should be acknowledged as key partners in the community due to their control of McLendon-Chisholm's water and wastewater infrastructure and the potential to transition that control in the future.
- McLendon-Chisholm Homeowner Associations (HOAs): Partnerships with McLendon-Chisholm HOAs should be established as neighborhoods continue to build out and provide further phases to the master planned areas. HOAs play a critical role in the provision of the aesthetic and functional maintenance of the community, enforcement, and the education of new residents.

Financing

As seen through the community feedback, many members of the community believe strongly in fiscal conservatism. Financing is crucial to the implementation of the Comprehensive Plan and could pose limitations and delays if not appropriately planned out. Funding can originate from partnerships with private companies and developers, as well as traditional sources such as sales tax and property tax. Below are some specific strategies the City can use to create funding for implementation of the Comprehensive Plan:

- Impact Fees: Impact fees can generate revenue from new development in the city. These fees can be used to fund capital costs, such as roadways or city facilities. This is a useful tool that can help offset or reduce the amount of financial impact to the city as it relates to infrastructure improvements.



- **Public Grants and Programs:** Grant funding can be a valuable asset to McLendon-Chisholm as it seeks to encourage development projects and continued growth. Several opportunities exist to obtain funding, such as the American Rescue Plan Act, that can assist the implementation of community-wide projects.
- **Capital Improvement Plan (CIP):** Many of the public realm initiatives will require capital financing through a bond program (for the purchase of parkland and commercial sites), certificates of obligation (for big spends), or other capital financing. McLendon-Chisholm should create a CIP to provide the opportunity to plan for future infrastructure and facility needs. The CIP should consider appropriate funding mechanisms that provide sustainable spending and are appropriately prioritized to meet the goals of the community. It is essential, from a growth management perspective, to ensure the repair, reconstruction, and expansion of infrastructure to that the community is continually positioned to meet its goals.

Action Prioritization

The Action Prioritization Matrix compiles all actions in the McLendon-Chisholm Comprehensive Plan for the City to use as a checklist over the coming years to monitor progress and implement the Vision. The specified years of priority for each timeframe are listed below, however actions can be completed sooner than the specified timeframes:

- **Short-Term:** represents an action that can be completed within 3 years
- **Mid-Term:** an action that is estimated to be completed over the next 4 to 6 years
- **Long-Term:** an action that is estimated to be completed between 7 to 19 years

Fiscal & Economic Vitality			
Category	Action	Timeframe	Conceptual Cost
Planned and Controlled Development	Develop a set of standards that are typical for developments proposed partially or completely within the ETJ, including parkland dedication and development requirements, internet fiber, walkability and connectivity, water supply/service, sewer treatment/service, and illustration of compliance with the Vision Framework.	Short-term	\$\$
	Create a Heritage Park using the City land around City Hall for a communal gathering space.	Long-term	\$\$\$/Private
	With each year's annual budget process, include an evaluation of the desired set of City services and improvements for the next five years as part of a long-range budget outlook. The five-year evaluation should include a Capital Improvements Program (CIP) for any large/expensive City construction or equipment. Assistance from a consulting planner and engineer may be required for associated technical components and cost estimates.	Short-term	\$\$



	Create an economic development policy and strategies to bring in at least 10 new businesses consistent with the Vision Framework by 2031 ("10 in 10").	Short-term	\$
	Establish a set of tools, in consultation with the City Attorney, that the City can utilize in negotiations with developments partially or completely within the ETJ.	Short-term	\$
Peaceful and Quiet Retreat from Urban Life	Develop a City slogan compatible with "quiet rural living" in McLendon-Chisholm (or something similar to reflect the essence of McLendon-Chisholm) for use in City-wide brand and identity efforts.	Short-term	\$
	Revise the zoning and subdivision ordinances to promote the sustained preservation of peaceful quality of life and rural elements, such as: ▪ Ecological diversity through green infrastructure and restoration of environmentally sensitive areas regulations; ▪ Tree preservation and native plant list for residents to use and developers to follow; ▪ Dark sky lighting standards consistent with pursuing the associated Dark Sky Community Designation; ▪ Flexibility in administrative approval for emerging low-intensity agricultural industry uses, such as limited scale aquaponics, clean/light industrial, and agricultural research uses; and ▪ Regulations consistent with pursuing Scenic City Certification.	Mid-term	\$\$
	Apply for Dark Sky Community Designation upon completion of associated ordinance updates.	Long-term	\$
	Apply for Scenic City Certification upon completion of associated ordinance updates.	Long-term	\$
Grassroots Community Events	Establish a Community Events Committee to lead planning and implementation efforts for four community-led events per year.	Mid-term	\$
	Re-establish at least one signature community event celebrating the city's rural heritage or relating to an agritourism experience (ex. pumpkin patch or Christmas on the Farm, etc.).	Mid-term	\$\$
Transparency and Community Engagement	Formalize a tradition to hold two Town Hall meetings per year to discuss community happenings and answer questions, to include streaming online.	Short-term	\$
	Upgrade the audio/visual equipment and associated software in City Hall to improve sound and video quality for streaming public meetings live and on-demand online.	Mid-term	\$\$



	Create a list of homeowner's association and neighborhood group leaders to be registered with the City and contacted directly, concurrent with public notice, when significant public hearing items are on the agenda for any board or commission.	Short-term	\$
	Establish an online suggestion form on the City website and respond to and discuss comments regularly with City Leadership.	Short-term	\$

Land Use & Design			
Category	Action	Timeframe	Conceptual Cost
Land Use & Design Actions	Rezone areas of the city with standards to be developed and detailed to be consistent with the Future Land Use Plan and Vision Framework.	Short-term	\$\$
	Approach property owners within the ETJ to request them to annex or to sign non-annexation agreements to protect additional areas from higher density development.	Mid-term	\$
	<i>Cross reference:</i> Establish a set of tools, in consultation with the City Attorney, that the City can utilize in negotiations with developments partially or completely within the ETJ.	Short-term	\$

Mobility & Connectivity			
Category	Action	Timeframe	Conceptual Cost
SH 205-Related	Represent to the Rockwall County Road Consortium McLendon-Chisholm design considerations for ensuring State Highway 205 expansion supports the City's vision, goals, and objectives.	Short-term	\$
	Coordinate, schedule, and hold a Town Hall Meeting to discuss specific State Highway 205 design features under consideration with the schematic design process.	Short-term	\$
	With the assistance of a consultant, prepare a list of design and technical modification requests for TxDOT's expansion of State Highway 205 to reflect the look, feel, and brand consistent with the community's Vision of McLendon-Chisholm.	Short-term	\$
Reduce Commuter Delay	Revise the Subdivision Ordinance to reduce maximum block length from 1,600 feet to 1,000 feet to promote additional connections and more walkability.	Mid-term	\$
	Review previously prepared cross sections for relevance and technical applicability in an associated Subdivision Ordinance	Short-term	\$



	update. Until that is completed, the cross sections in the 2016 Comprehensive Plan apply.		
	Revise the Subdivision Ordinance to require associated cross section design for the Functional Classifications included in the Master Thoroughfare Plan.	Mid-term	\$
	With the assistance of a planning and engineering consultant, create a five-year Capital Improvements Plan (CIP) and prioritization matrix that includes any infrastructure, facilities, and large equipment.	Short-term	\$\$
	Establish a Roadway Maintenance Strategy with funding allocated for the entire lifespan of anticipated construction, maintenance, expansion, and replacement of all new City roads as they are constructed, and update the project list every five years, to coincide with the update of the future CIP, to account for inflation, labor, or supply chain cost increases.	Mid-term	\$\$
	Prepare a Roadway Impact Fee Study to adopt an associated Roadway Impact Fee.	Short-term	\$\$
	Create a Roadway Ownership and Maintenance layer in GIS to assist with contact information and the Road Planning and Maintenance Working Group and City Capital Improvements Planning.	Short-term	\$
Health and Safety	Coordinate with developers, homeowner associations, and neighborhood associations to eliminate any overgrown landscaping or neighborhood treatment elements from the sight triangle along all major roadways.	Short-term	\$
	Revise the Subdivision Ordinance to require a licensed structural and geotechnical engineer review and seal/approve all proposed bridges and culverts for adherence to the most recent Manual for Assessing Safety Hardware (MASH) Standards prior to and after construction.	Short-term	\$
	Create a citywide policy to actively reduce the number of 90 degree turns or sharp bends on existing roads that are classified as minor arterials or higher. The policy should also prohibit the construction of sharp turns on new MTP streets.	Short-term	\$
	Create a volunteer "Road Planning and Maintenance Working Group" as part of the Roadway Maintenance Strategy to collaborate and assist individual HOA's with guidance for road design and maintenance standards to promote safe community standards across the city.	Mid-term	\$
Recreation	Revise the Zoning Ordinance and Subdivision Ordinance to require sidewalks on both sides of the street with new development and redevelopment, and a minimum 10-foot	Short-term	\$



	wide sidepath with adequate shading and tree foliage on the sides any system roadway on the Master Thoroughfare Plan.		
Branding	Design locations and features to brand the two City gateways on State Highway 205 at its north and south ends, in conjunction with applicable Manual for Assessing Safety Hardware (MASH) Standards.	Mid-term	\$\$
	Construct two City gateways on State Highway 205 at its north and south ends.	Long-term	\$\$\$

Public Utilities & Services			
Category	Action	Timeframe	Conceptual Cost
Water	Establish bi-annual standing meetings with Highpoint SUD, Blackland WSC, and RCH WSC (separate meetings), in addition to any other utility providers serving McLendon-Chisholm, to discuss anticipated construction, extensions, upgrades, maintenance issues, and economic development priorities.	Short-term	\$
	With the assistance of legal counsel, determine the legal authority the City has to get location data for water lines and other water assets owned and maintained by the utility districts and service corporations within the City's limits and ETJ.	Short-term	\$\$
	Research the American Rescue Plan Act and apply for funding for the City. Use funds and partner with Rockwall/Kaufman counties for water/wastewater/broadband improvements.	Short-term	\$
Sanitary Sewer	Evaluate the authority the City has over the sanitary sewer collection and treatment within the city limits and within the ETJ with an attorney.	Mid-term	\$\$
	Map existing sanitary sewer lines in McLendon-Chisholm.	Long-term	\$\$
Storm Sewer and Drainage	Establish an impervious surface ordinance amendment to reduce excessive stormwater runoff and system constraints.	Short-term	\$
	Map existing stormwater infrastructure in McLendon-Chisholm.	Long-term	\$\$
Internet	Evaluate options for Fiber to the Premises/Home (FTTP/FTTH) and Fiber to the Cabinet (FTTC), micro trenching, and pushable fiber and determine the best option for budgetary constraints.	Mid-term	\$



	Explore options for public-private partnerships with developers, corporations, and providers to expand broadband access across the city.	Mid-term	\$
Public Safety	Utilize the Rockwall County Emergency Services Corporation Board to discuss needed improvements for potential partnership and unified resources to support the City's growing public safety needs.	Short-term	\$
	Evaluate County responsibilities for provision of public safety and associated options to provide adequate response times and patrols. Determine appropriate public safety option (ex. contract with the County, City personnel, etc.) accordingly.	Short-term	\$
	Evaluate provision of Fire and EMS services outside of the City Limits to analyze financial and service viability. Determine appropriate Fire and EMS level of service, staffing, and funding options and implications accordingly.	Short-term	\$
	Review Fire Safety ISO Ranking criteria and determine any improvements that can be made with available resources to improve the City's ISO Ranking. Repeat this action annually with the budget and future CIP process.	Short-term	\$
Parks and Recreation	Complete a Parks and Recreation Study to identify existing and desired future levels of service for parks and recreation consistent with Texas Parks and Wildlife Department (TPWD) standards for grant eligibility.	Short-term	\$\$
	Adopt Parkland Dedication and Parkland Development Fees, in association with a future completed Parks and Recreation Study, through a prepared fee methodology and relevant Code of Ordinances updates.	Short-term	\$
	Revise the Subdivision Ordinance to require developers to include dedication language in the associated plat for school sites that would require public access to open spaces and athletic fields within the city limits or ETJ.	Short-term	\$
	Revise the Subdivision Ordinance to require developers of Master Planned Communities to provide recreational facilities that include parks, open space, and other amenities to serve the communities that they develop.	Short-term	\$
HOA Maintenance and Accountability	Develop a list of roadways, drainage facilities, and other infrastructure in need of HOA maintenance and rehabilitation and send letters to the HOA and associated residents of the deficiencies and responsibilities of the HOA. Residents should lead this effort through the aforementioned volunteer Road Planning and Maintenance Working Group.	Mid-term	\$





Usage, Updates, and Amendments

As McLendon-Chisholm continues to grow and attract new development, it is crucial to have the necessary tools to manage development in a way that is aligned with the Vision Framework, Strategies, and Actions of the Comprehensive Plan. Providing regular updates will allow the City to remain resilient and relevant as actions are completed as it grows. It is recommended that updates to the Plan be considered every three years, while the City is experiencing growth, so that the Plan can continue to influence and inform key decisions as they are made. Additionally, to ensure the Plan remains relevant with growth and development trends, the Planning and Zoning Commission and City Council will conduct an annual review process of the Comprehensive Plan's content (see Future Land Use section for more details).

The McLendon-Chisholm Comprehensive Plan was created through a carefully crafted, multi-faceted engagement sequence and collaborations that involved key individuals, stakeholders, community members, and leaders at every level. As updates to the Plan are made, continued community engagement is essential to further that progress to ensure the community's vision for the city is in alignment with the Comprehensive Plan. In addition, as the Plan is implemented, it will be essential to ensure strong leadership at all levels to help realize and sustain the Comprehensive Plan. Ensuring that updates to the Plan capture feedback from multiple sources, are grounded in community input, and are administered through strong leadership will ensure the city's vision remains in focus and is ultimately implemented.



Appendix



A. ESRI Tapestry Segments in McLendon-Chisholm







LifeMode Group: Family Landscapes

Soccer Moms

Households: 3,541,300

Average Household Size: 2.97

Median Age: 37.0

Median Household Income: \$90,500

WHO ARE WE?

Soccer Moms is an affluent, family-oriented market with a country flavor. Residents are partial to new housing away from the bustle of the city but close enough to commute to professional job centers. Life in this suburban wilderness offsets the hectic pace of two working parents with growing children. They favor time-saving devices, like banking online or housekeeping services, and family-oriented pursuits.

OUR NEIGHBORHOOD

- Soccer Moms residents prefer the suburban periphery of metropolitan areas.
- Predominantly single family, homes are in newer neighborhoods, 34% built in the 1990s (Index 236), 31% built since 2000.
- Owner-occupied homes have high rate of mortgages at 68% (Index 164), and low rate vacancy at 4%.
- Median home value is \$257,400.
- Most households are married couples with children; average household size is 2.97.
- Most households have 2 or 3 vehicles; long travel time to work including a disproportionate number commuting from a different county (Index 132).

SOCIOECONOMIC TRAITS

- Education: 40.5% college graduates; more than 72% with some college education.
- Low unemployment at 3.8%; high labor force participation rate at 71%; 2 out of 3 households include 2+ workers (Index 124).
- Connected, with a host of wireless devices from iPods to tablets—anything that enables convenience, like banking, paying bills, or even shopping online.
- Well insured and invested in a range of funds, from savings accounts or bonds to stocks.
- Carry a higher level of debt, including first (Index 149) and second mortgages (Index 154) and auto loans (Index 149).

Note: This index represents the ratio of the representative to the US rate multiplied by 100. Consumer performance are illustrated from data by CRMs.



LifeMode Group: Family Landscapes

4A Soccer Moms

TAPESTRY SEGMENTATION
esri.com/tapestry

MARKET PROFILE

(Consumer preferences are estimated from data by GfK MRI)

- Most households own at least 2 vehicles; the most popular types are minivans and SUVs.
- Family-oriented purchases and activities dominate, like 4+ televisions (Index 154), movie purchases or rentals, children's apparel and toys, and visits to theme parks or zoos.
- Outdoor activities and sports are characteristic of life in the suburban periphery. They attend sporting events, as well as participate in them like bicycling, jogging, golfing, and boating.
- Home maintenance services are frequently contracted, but these families also like their gardens and own the tools for minor upkeep, like lawn mowers, trimmers, and blowers.

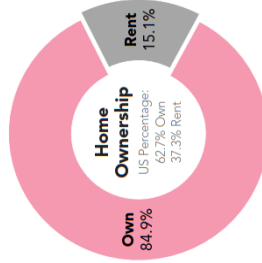
HOUSING

Median home value is displayed for markets that are primarily owner occupied; average rent is shown for renter-occupied markets. Tenure and home value are estimated by Esri. Housing type and average rent are from the Census Bureau's American Community Survey.



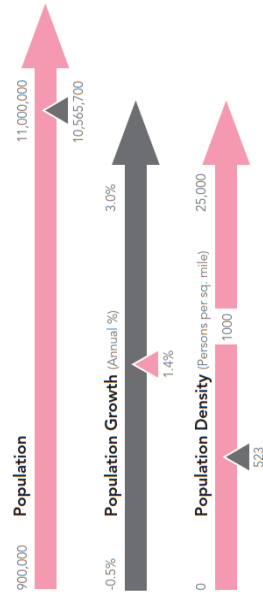
Typical Housing:
Single Family

Median Value:
\$257,400
US Median: \$207,300



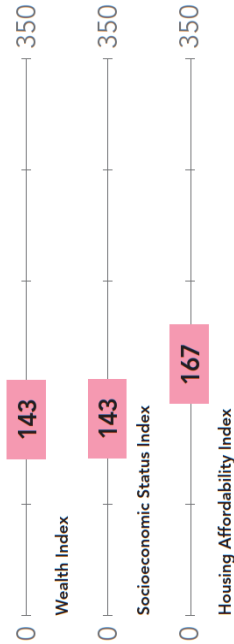
POPULATION CHARACTERISTICS

Total population, average annual population change since Census 2010, and average density (population per square mile) are displayed for the market relative to the size and change among all Tapestry markets. Data estimated by Esri.



ESRI INDEXES

Esri developed three indexes to display average household wealth, socioeconomic status, and housing affordability for the market relative to US standards.







LifeMode Group: Affluent Estates

Professional Pride

Households: 1,878,000

Average Household Size: 3.11

Median Age: 40.5

Median Household Income: \$127,000

WHO ARE WE?

Professional Pride consumers are well-educated career professionals that have prospered through the Great Recession. To maintain their upscale suburban lifestyles, these goal oriented couples work, often commuting far and working long hours. However, their schedules are fine-tuned to meet the needs of their school age children. They are financially savvy; they invest wisely and benefit from interest and dividend income. So far, these established families have accumulated an average of 1.5 million dollars in net worth, and their annual household income runs at more than twice the US level. They take pride in their newer homes and spend valuable time and energy upgrading. Their homes are furnished with the latest in home trends, including finished basements equipped with home gyms and in-home theaters.



OUR NEIGHBORHOOD

- Typically owner occupied (Index 173), single-family homes are in newer neighborhoods: 59% of units were built in the last 20 years.
- Neighborhoods are primarily located in the suburban periphery of large metropolitan areas.
- Most households own two or three vehicles; long commutes are the norm.
- Homes are valued at more than twice the US median home value, although three out of four homeowners have mortgages to pay off.
- Families are mostly married couples (almost 80% of households), and more than half of these families have kids. Their average household size, 3.11, reflects the presence of children.

SOCIOECONOMIC TRAITS

- Professional Pride consumers are highly qualified in the science, technology, law, or finance fields; they've worked hard to build their professional reputation or their start-up businesses.
- These consumers are willing to risk their accumulated wealth in the stock market.
- They have a preferred financial institution, regularly read financial news, and use the Internet for banking transactions.
- These residents are goal oriented and strive for lifelong earning and learning.
- Life here is well organized; routine is a key ingredient to daily life.

Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.



1B

LifeMode Group: Affluent Estates

Professional Pride

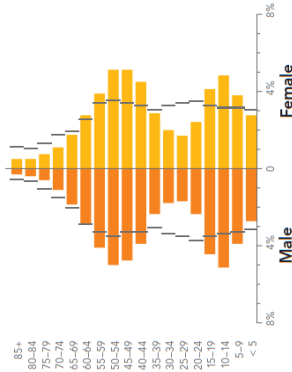
TAPESTRY
SEGMENTATION
esri.com/tapestry

AGE BY SEX

(Esri data)

Median Age: 40.5 US: 37.6

I indicates US

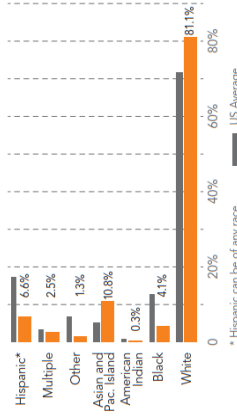


RACE AND ETHNICITY

(Esri data)

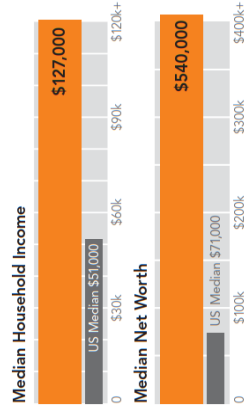
The Diversity Index summarizes racial and ethnic diversity. The index shows the likelihood that two persons, chosen at random from the same area, belong to different race or ethnic groups. The index ranges from 0 (no diversity) to 100 (complete diversity).

Diversity Index: 41.2 US: 62.1



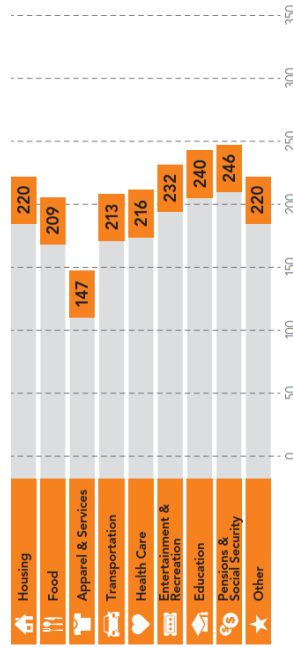
INCOME AND NET WORTH

Net worth measures total household assets (homes, vehicles, investments, etc.) less any debts, secured (e.g., mortgages) or unsecured (credit cards). Household income and net worth are estimated by Esri.



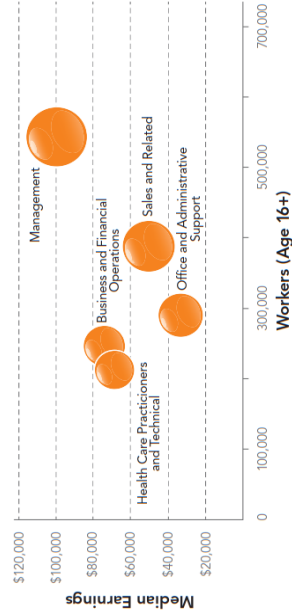
AVERAGE HOUSEHOLD BUDGET INDEX

The index compares the average amount spent in this market's household budgets for housing, food, apparel, etc., to the average amount spent by all US households. An index of 100 is average. An index of 120 shows that average spending by consumers in this market is 20 percent above the national average. Consumer expenditures are estimated by Esri.



OCCUPATION BY EARNINGS

The five occupations with the highest number of workers in the market are displayed by median earnings. Data from the Census Bureau's American Community Survey.



E 78

1B LifeMode Group: Affluent Estates Professional Pride

TAPESTRY SEGMENTATION esri.com/tapestry

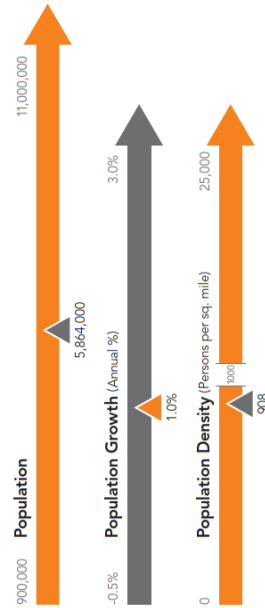
MARKET PROFILE

(Consumer preferences are estimated from data by C/I/K MRI)

- These frequent travelers take several domestic trips a year, preferring to book their plane tickets, accommodations, and rental cars via the Internet.
- Residents take pride in their picture-perfect homes, which they continually upgrade. They shop at Home Depot and Bed Bath & Beyond to tackle the smaller home improvement and remodeling tasks but contract out the larger projects.
- To keep up with their busy households, they hire housekeepers or professional cleaners.
- Residents are prepared for the ups and downs in life; they maintain life insurance, homeowners and auto insurance; as well as medical, vision, dental, and prescription insurance through work. They are actively investing for the future; they hold 401(k) and IRA retirement plans, plus securities.
- Consumers spend on credit but have the disposable income to avoid a balance on their credit cards. They spend heavily on Internet shopping; Amazon.com is a favorite website.
- Consumers find time in their busy schedules for themselves. They work out in their home gyms, owning at least a treadmill, an elliptical, or weightlifting equipment. They also visit the salon and spa regularly.
- All family members are avid readers; they read on their smartphones, tablets, and e-readers but also read hard copies of epicurean, home service, and sports magazines.
- Residents, both young and old, are tech savvy; they not only own the latest and greatest in tablets, smartphones, and laptops but actually use the features each has to offer.

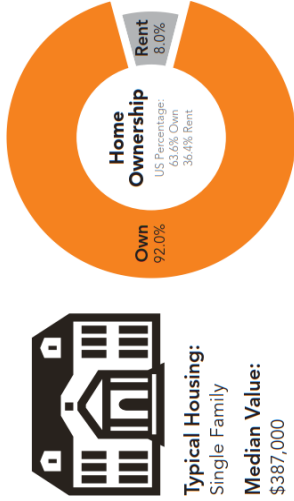
POPULATION CHARACTERISTICS

Total population, average annual population change since Census 2010, and average density (population per square mile) are displayed for the market relative to the size and change among all Tapestry markets. Data estimated by Esri.



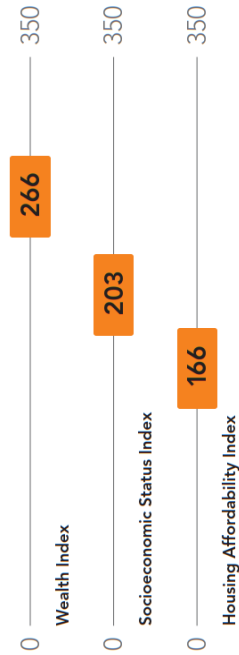
HOUSING

Median home value is displayed for markets that are primarily owner occupied; average rent is shown for renter-occupied markets. Tenure and home value are estimated by Esri. Housing type and average rent are from the Census Bureau's American Community Survey.



ESRI INDEXES

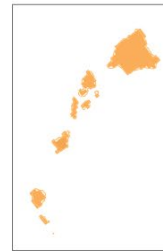
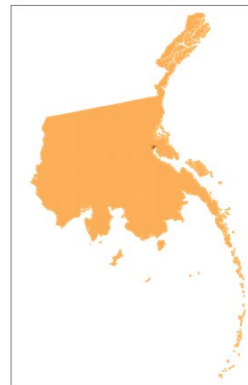
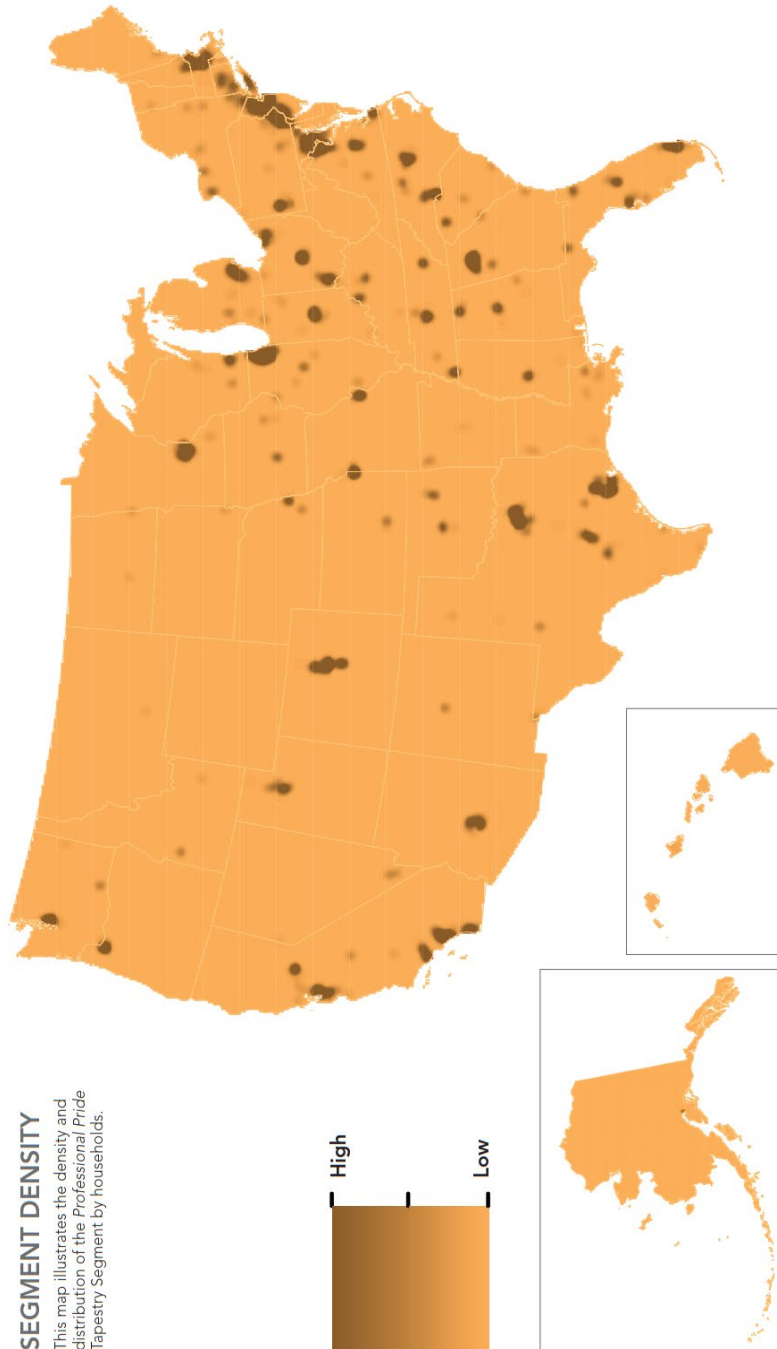
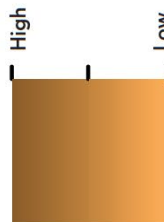
Esri developed three indexes to display average household wealth, socioeconomic status, and housing affordability for the market relative to US standards.



LifeMode Group: Affluent Estates
1B Professional Pride

TAPESTRY SEGMENTATION
esri.com/tapestry

SEGMENT DENSITY
 This map illustrates the density and distribution of the Professional Pride Tapestry Segment by households.



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For more information
 1-800-447-9778
info@esri.com
esri
esri.com



'AGE 80





Green Acres



LifeMode Group: Cozy Country Living
Green Acres

6A

Households: 3,923,400

Average Household Size: 2.70

Median Age: 43.9

Median Household Income: \$76,800

WHO ARE WE?

The Green Acres lifestyle features country living and self-reliance. They are avid do-it-yourselfers, maintaining and remodeling their homes, with all the necessary power tools to accomplish the jobs. Gardening, especially growing vegetables, is also a priority, again with the right tools, tillers, tractors, and riding mowers. Outdoor living also features a variety of sports: hunting and fishing, motorcycling, hiking and camping, and even golf. Self-described conservatives, residents of Green Acres remain pessimistic about the near future yet are heavily invested in it.

OUR NEIGHBORHOOD

- Rural enclaves in metropolitan areas, primarily (not exclusively) older homes with acreage; new housing growth in the past 15 years.
- Single-family, owner-occupied housing, with a median value of \$235,500.
- An older market, primarily married couples, most with no children.

SOCIOECONOMIC TRAITS

- Education: More than 60% are college educated.
- Unemployment is low at 3.8% (Index 70); labor force participation rate is high at 66.8% (Index 107).
- Income is derived not only from wages and salaries but also from self-employment (more than 13% of households), investments (27% of households), and increasingly, from retirement.
- They are cautious consumers with a focus on quality and durability.
- Comfortable with technology, more as a tool than a trend: banking or paying bills online is convenient; but the Internet is not viewed as entertainment.
- Economic outlook is professed as pessimistic, but consumers are comfortable with debt, primarily as home and auto loans, and investments.

Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by ORC MRI.

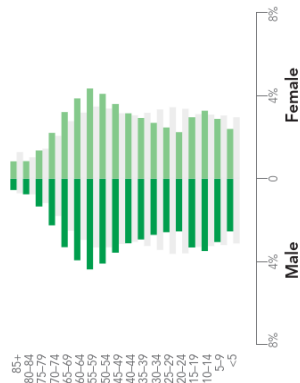


AGE BY SEX

(Est. data)

Median Age: 43.9 US: 38.2

■ Indicates US

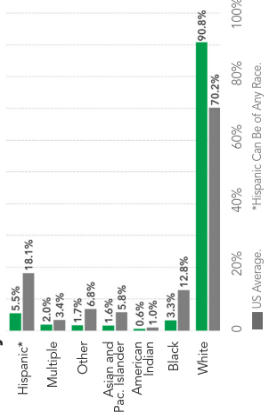


RACE AND ETHNICITY

(Est. data)

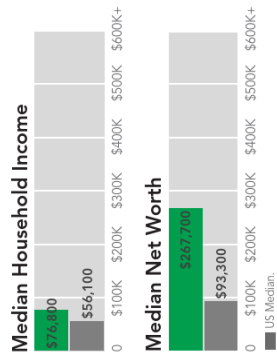
The Diversity Index summarizes racial and ethnic diversity. The index shows the likelihood that two persons, chosen at random from the same area, belong to different race or ethnic groups. The index ranges from 0 (no diversity) to 100 (complete diversity).

Diversity Index: 26.0 US: 64.0



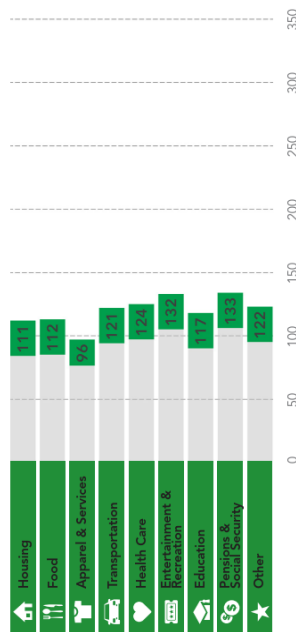
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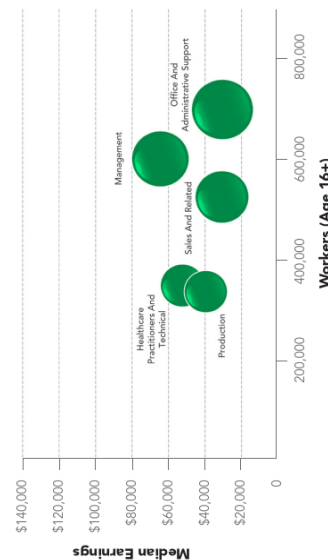
AVERAGE HOUSEHOLD BUDGET INDEX

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OCCUPATION BY EARNINGS

The five occupations with the highest number of workers in the market are displayed by median earnings. Data from the Census Bureau's American Community Survey.





LifeMode Group: Cozy Country Living
Green Acres



MARKET PROFILE

(Consumer preferences are estimated from data by GfK MRI)

- Purchasing choices reflect Green Acres' residents country life, including a variety of vehicles from trucks and SUVs to ATVs and motorcycles, preferably late model.
- Homeowners favor DIY home improvement projects and gardening.
- Media of choice are provided by satellite service, radio, and television, also with an emphasis on country and home and garden.
- Green Acres residents pursue physical fitness vigorously, from working out on home exercise equipment to playing a variety of sports.
- Residents are active in their communities and a variety of social organizations, from charitable to veterans' clubs.

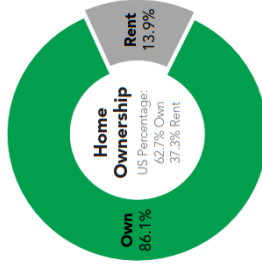
HOUSING

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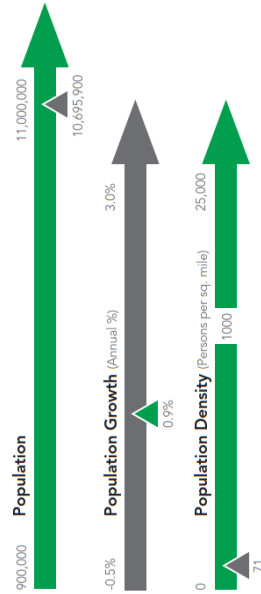
Typical Housing:
Single Family

Median Value:
\$235,500
US Median: \$207,300



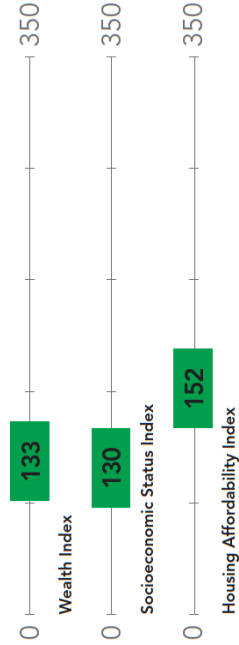
POPULATION CHARACTERISTICS

Total population, average annual population change since Census 2010, and average density (population per square mile) are displayed for the market relative to the size and change among all Tapestry markets. Data estimated by Esri.



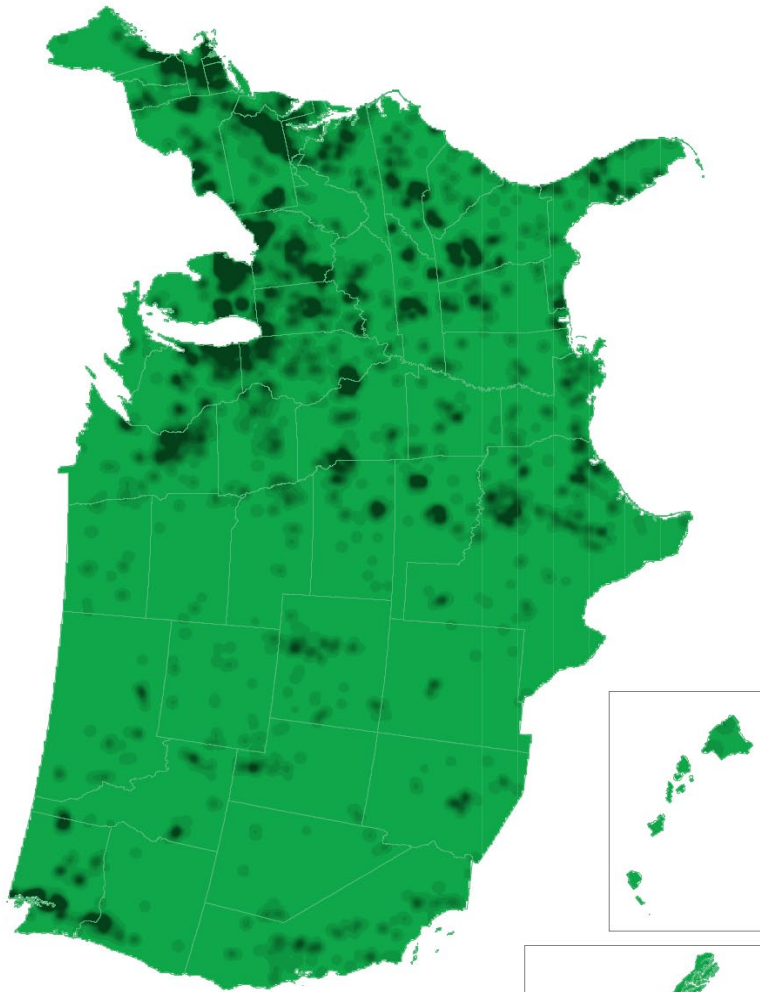
ESRI INDEXES

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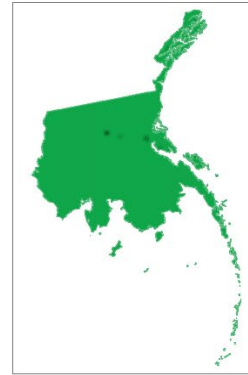
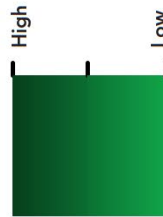


LifeMode Group: Cozy Country Living
6A Green Acres

TAPESTRY SEGMENTATION
 esri.com/tapestry



SEGMENT DENSITY
 This map illustrates the density and distribution of the Green Acres Tapestry Segment by households.



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GE 86



**City of McLendon-Chisholm
Board & Commission Application**

Personal Information

Name: RICH DEAN
Street Address: 708 KENSINGTON DRIVE, Rockwall, Texas 75032
Mailing Address (if different): _____ Home Phone: 512-419-8381
Work Phone: _____ Other: _____ Email Address: RICHDEAN16@GMAIL.COM
Best method to contact you: EMAIL
Length of Residence in the City? 5 YEARS In ETJ? _____

Occupational Information

Occupation/Business: SALESMAN ROBOTICS INDUSTRY

Qualifications

Are you a Registered Voter? YES What Precinct? 3D
Special knowledge or experience applicable to City Board or Commission function: SOME DEVELOPMENT EXPERIENCE IN REAL ESTATE PARTNERSHIP, HOA ARCHITECTURE COMM
Please list any other community activities you are involved in: (civic/hobbies) RUNNING SWIMMING BIKING GRANDKIDS - NOT IN TUTT GROUP
Have you previously or do you currently serve on any City boards? ___ Yes X No If so, list boards and dates: _____
Have you attended any Board or Council meetings? YES BOTH CITY COUNCIL AND P&Z

Thank you for your interest in serving the City of McLendon-Chisholm. Please indicate below on which you would prefer to serve, Board / Commission. Please note that in addition to the regular scheduled board meetings, members may be required to attend training, work sessions, and joint meetings.

____ Board of Adjustments

X Planning and Zoning Commission

If selected as a board/commission member, I understand that information on this application is subject to the Texas Public Information Act and may be disclosed to anyone requesting this information. I understand that the act does allow a board/commission member of a governmental body to choose whether to allow public access to the information in the custody of the City that relates to the home address, home phone number, social security number, or that reveals whether the board/commission member has family members. If selected as a board/commission member of the City of McLendon-Chisholm, I choose to: (X) allow () not allow public access to my home address, home phone number, social security number, or whether I have family members.

Rich Dean
Signed

3/27/2024
Date:



**City of McLendon-Chisholm
Board & Commission Application**

Personal Information

Names: Serry M. Packer
Street Address: 2311 DOWELL RD., McLendon-Chisholm, TX 75032
Mailing Address (if different): _____ Home Phone: 214-384-2164
Work Phone: SAME Other: _____ Email Address: JPacker@PackerBrick.com
Best method to contact you: Phone
Length of Residence in the City? Since 1980 In ETJ? yes

Occupational Information

Occupation/Business: CPA / Brick sales to homebuilder
Developed Quail Creek

Qualifications

Are you a Registered Voter? yes What Precinct? 3

Special knowledge or experience applicable to City Board or Commission function: See above

Please list any other community activities you are involved in: (civic/hobbies) _____

Have you previously or do you currently serve on any City boards? Yes No If so, list boards and dates: PAZ 15 yrs - GOT FIRED BY MOSES

Have you attended any Board or Council meetings? oh yes

Thank you for your interest in serving the City of McLendon-Chisholm. Please indicate below on which you would prefer to serve, Board / Commission. Please note that in addition to the regular scheduled board meetings, members may be required to attend training, work sessions, and joint meetings.

☐ Board of Adjustment

☒ Planning and Zoning Commission

If selected as a board/commission member, I understand that information on this application is subject to the Texas Public Information Act and may be disclosed to anyone requesting this information. I understand that the act does allow a board/commission member of a governmental body to choose whether to allow public access to the information in the custody of the City that relates to the home address, home phone number, social security number, or that reveals whether the board/commission member has family members. If selected as a board/commission member of the City of McLendon-Chisholm, I choose to: ☒ allow ☐ not allow public access to my home address, home phone number, social security number, or whether I have family members.

Signed _____

Date: 04/04/24

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING RESOLUTION NO. _____, APPROVING THE TERMS AND CONDITIONS IN GENERAL OF A WATER SYSTEM ASSET TRANSFER AGREEMENT FROM RCH WATER SUPPLY CORPORATION AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE TERMS BENEFICIAL TO THE CITY FOR SAID AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT, BY DELETING THE EXISTING SECTION 4 AND REPLACING IT WITH A NEW SECTION 4; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, McLendon-Chisholm desires the right to provide water service to the city limits and extraterritorial jurisdiction of McLendon-Chisholm; and

WHEREAS, McLendon-Chisholm passed Resolution No. _____, declaring until McLendon-Chisholm is ready, willing and able to design and construct facilities to extend and connect McLendon-Chisholm's water system to RCH's water system, McLendon-Chisholm will need to transport treated water from the North Texas Municipal Water District; and

WHEREAS, the Resolution No. _____ declared the City Council for the City of McLendon-Chisholm believes this asset transfer agreement is in the best interests of the citizens of the City and the extraterritorial jurisdiction of the City who are customers of RCH and approved the Agreement and authorized the Mayor to execute said Agreement; and

WHEREAS, for clarity and the purpose of good and orderly government which benefit the citizens of McLendon-Chisholm the Council believes it to be good and proper to amend Section 4 of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1. The Recitals to this Resolution are incorporated herein by reference as if fully recited.

SECTION 2. Resolution No. _____, Section 4, is hereby repealed in its entirety and replaced with a new Section 4 which shall read as follows: "...

SECTION 4. Any and all applications, notices, agreements, purchases, contracts, transfers, acquisitions, and any and all other matters and actions related to water within the McLendon Chisholm municipal boundaries pursuant to Tex. Water Code § 13 shall receive continued review, oversight, and final approval by the City Council of McLendon-Chisholm. The City Council may authorize the City Administrator, under the direction,

oversight, continued review, and final approval of the City Council, to negotiate, take necessary clerical actions, and execute matters related to water and water corporations and operators for the benefit of the City of McLendon Chisholm.

...”

SECTION 3. This resolution shall become effective immediately from and after its passage, and it is accordingly so resolved.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, on the ____ day of ____ 2024.

ATTEST:

APPROVED:

Keith Short, Mayor

RESOLUTION NO. 2023-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, APPROVING THE TERMS AND CONDITIONS IN GENERAL OF A WATER SYSTEM ASSET TRANSFER AGREEMENT FROM RCH WATER SUPPLY CORPORATION AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE TERMS BENEFICIAL TO THE CITY FOR SAID AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, RCH Water Supply Corporation (“RCH”) is a retail public utility and currently provides water service under Certificate of Convenience and Necessity No. 10087 (“CCN No. 10087”) to certain areas within Rockwall County, Texas, including McLendon-Chisholm; and

WHEREAS, RCH’s customers are located in the city limits and extraterritorial jurisdiction of the City of McLendon-Chisholm, Texas (“McLendon-Chisholm”); and

WHEREAS, RCH obtains treated water from Rockwall pursuant to a Wholesale Water Contract, (the original contract, as amended, being hereinafter collectively referred to as the “Wholesale Contract”); and

WHEREAS, RCH no longer has any administrative employee, officer or agent to carry out its day-to-day operations and business affairs, including, but not limited to: repair and maintenance of its system, water meter reading, or water billing, and this has negatively impacted its ability to provide water service to the area and customers currently served by RCH; and

WHEREAS, McLendon-Chisholm desires the right to provide water service to the city limits and extraterritorial jurisdiction of McLendon-Chisholm (“Transfer Area”, which boundaries are attached as Exhibit “A”, and incorporated herein for all purposes); and

WHEREAS, until McLendon-Chisholm is ready, willing and able to design and construct facilities to extend and connect McLendon-Chisholm’s water system to RCH’s water system, McLendon-Chisholm will need to transport treated water from the North Texas Municipal Water District; and

WHEREAS, before the transfer of the RCH water system to McLendon-Chisholm may occur, the board members of RCH must vote to approve the transfer asset agreement and the Public Utility Commission of Texas (“PUC”) must approve the transfer of the system and customers to McLendon-Chisholm; and

WHEREAS, McLendon-Chisholm and RCH desire to define the expectations and responsibilities of both McLendon-Chisholm and RCH related to: (i) the acquisition by McLendon-Chisholm of the RCH water system and customers; and (ii) the division of the RCH water system; and

WHEREAS, the City Council for the City of McLendon-Chisholm believes this asset transfer agreement ("Agreement", attached hereto as Exhibit "B", and incorporated herein for all purposes by reference) is in the best interests of the citizens of the City and the extraterritorial jurisdiction of the City who are customers of RCH and approves the Agreement and authorizes the Mayor to execute said Agreement; and

WHEREAS, upon full review and consideration of the Agreement and all matters attendant and related thereto, the City Council finds that the acquisition by McLendon-Chisholm of the RCH water system and customers and the Agreement will accomplish a public purpose and is in the best interest of McLendon-Chisholm and its citizens; and

WHEREAS, RCH, in accordance with this Agreement desires to convey Assets, as hereafter defined, to McLendon-Chisholm, and McLendon-Chisholm desires to acquire the Assets and assume the Liabilities (as hereafter defined in the Agreement) of RCH; and

WHEREAS, McLendon-Chisholm is capable of providing continuous and adequate service to consumers under applicable codes and regulations without unreasonable or unduly burdensome financial impact on McLendon-Chisholm or McLendon-Chisholm's current and future customers; and

WHEREAS, RCH and McLendon-Chisholm acknowledge that, upon the Closing (herein defined), the customers of RCH will become the customers of McLendon-Chisholm; and

WHEREAS, RCH and McLendon-Chisholm acknowledge their intention to fully comply with the provisions of Chapter 13 of the Texas Water Code, as applicable, and the corresponding Texas Public Utility Commission ("PUC") regulations concerning the subject matter of this Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1. The City Council approves in general and adopts the attached Exhibit "B", and further authorizes the Mayor to execute same and City Administrator to continue to negotiate terms of the attached Agreement for the betterment of the City and its citizens.

SECTION 2. The Recitals to this Resolution are incorporated herein by reference as if fully recited.

SECTION 3. This resolution shall become effective immediately from and after its passage, and it is accordingly so resolved.

SECTION 4. The City Council hereby approves the acquisition by McLendon-Chisholm of the RCH water system and customers, and authorizes the City Administrator to: (i) execute and file with the PUC a Sale, Transfer or Merger Application relating to the acquisition and transfer of the RCH water system and customers to McLendon-Chisholm; and (ii) take all other actions and execute all other documents necessary or requested to complete the acquisition and transfer of the RCH water system and customers to McLendon-Chisholm including, but not limited to, an Interim Management Agreement and Water System Asset Transfer Agreement with RCH and any other petition which may be filed as authorized by Chapter 13 of the Texas Water Code.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, on the 24th day of May 2023.

ATTEST:



Rochelle Green, City Secretary

APPROVED:



Keith Short, Mayor



EXHIBIT "B"

WATER SYSTEM ASSET TRANSFER AGREEMENT

THIS WATER SYSTEM ASSET TRANSFER AGREEMENT ("Agreement") is made and entered into by and between **RCH WATER SUPPLY CORPORATION**, a Texas non-profit water supply corporation ("RCH"), and **THE CITY OF MCLENDON-CHISHOLM**, a home rule municipality in the State of Texas ("McLendon-Chisholm").

RECITALS:

A. RCH is a retail public utility and currently provides water service under Certificate of Convenience and Necessity No. 10087 ("CCN No. 10087") to certain areas within Rockwall County, Texas, including McLendon-Chisholm;

B. RCH was incorporated in 1961 for the purposes of providing a reliable and safe source of drinking water to the rural community in Rockwall County;

C. Originally funded by loans from the Farmers Home Administration, RCH developed a water supply system that currently serves ___ customers, and operates and maintains that system as required by the Texas Commission on Environmental Quality ("TCEQ") and the Public Utility Commission of Texas ("PUC), fulfilling RCH's original purpose;

D. Rockwall County is currently experiencing substantial growth and development, including in McLendon-Chisholm and RCH's water service area, and this growth and development requires urban-type services, including water and wastewater services;

E. RCH and McLendon-Chisholm agree that having a single water and wastewater provider is in the best interest of the growing community, and that cities, like McLendon-Chisholm, are in a better position to meet the water and wastewater needs of the community;

F. On _____, RCH held an election of its members in accordance with the requirements of Texas Business Organizations Code Chapter 22 and Texas Water Code Chapter 67, and the members, by majority vote, approved the transfer of RCH's Assets to McLendon-Chisholm and the dissolution of RCH;

G. RCH, in accordance with this Agreement desires to convey Assets, as hereafter defined, to McLendon-Chisholm, and McLendon-Chisholm desires to acquire the Assets and assume the Liabilities (as hereafter defined) of RCH;

H. McLendon-Chisholm is capable of providing continuous and adequate service to consumers under applicable codes and regulations without unreasonable or unduly burdensome financial impact on McLendon-Chisholm or McLendon-Chisholm's current and future customers;

I. RCH and McLendon-Chisholm acknowledge that, upon the Closing (herein defined), the customers of RCH will become the customers of McLendon-Chisholm; and

J. RCH and McLendon-Chisholm acknowledge their intention to fully comply with the provisions of Chapter 13 of the Texas Water Code, as applicable, and the corresponding Texas Public Utility Commission ("PUC") regulations concerning the subject matter of this Agreement.

AGREEMENT:

NOW, THEREFORE, the foregoing recitals are incorporated herein and constitute material terms of this Agreement, and for good and valuable consideration and the mutual promises and covenants herein expressed, the receipt and sufficiency of which is hereby acknowledged, RCH and McLendon-Chisholm contract, covenant and agree as follows:

I **Assets to be Conveyed**

RCH, in accordance with this Agreement, shall convey and McLendon-Chisholm shall acquire the following assets, hereafter collectively referred to as the "Assets":

1.1 **Utility System.** The retail public utility and water system (the "Utility System") designated by the Texas Commission on Environmental Quality ("TCEQ") as Public Water System I.D. No. 1990012 and the certificated service area defined by CCN No. 10087.

1.2 **Land.** All right, title and interest to the real property listed in Exhibit "A" attached hereto, including RCH's interest in any and all security agreements or deeds of trust and leases, hereafter collectively referred to as the "Land".

1.3 **Improvements.** All right, title and interest of RCH in and to the improvements affixed to and located on the Land which are owned by RCH, including, without limitation, (i) any buildings and other improvements, located on the Land, water wells, storage tanks, pressure tanks, pumps and controls connected to the storage tanks, and service lines and pipes located on the Land, and (ii) all those items specifically listed on Exhibit "B" attached hereto and made a part hereof (collectively, the "Improvements").

1.4 **Property Rights.** All right, title and interest of RCH in and to any land lying in the bed or right of way of any alley, street, road or access way, opened or proposed, in front of, at a side of or adjoining the Land to the centerline thereof ("Adjacent Property Rights").

1.5 **Easements and Appurtenances.** All rights, privileges, and easements, including public utility and pipeline easements, which are owned by or benefit RCH, whether obtained by formal grant, dedication or prescription, and any interest and rights of RCH in other easements, rights-of-way or appurtenances arising or used in connection with the Utility System, whether appurtenant to the Land or in gross, including but not limited to, RCH's rights and/or access easements used to access the water lines and meters on land owned by customers

of RCH, and any other such access rights and sanitary control easements in favor of RCH (the “Appurtenances”).

1.6 **Groundwater.** All right, title and interest of RCH in and to all of the underground water, percolating water, artesian water, and any other water from any and all reservoirs, formations, depths, and horizons beneath the surface of the earth, excluding underflow or flow in a defined subterranean channel (collectively, the “Groundwater”), now or in the future located in, on, or under the Land, together with all associated rights related to the Groundwater, including, without limitation, the right to capture, explore for, drill for, develop, withdraw, produce, transport, and/or otherwise beneficially use such Groundwater, and the right to use the surface of the Land for the exercise of such rights, including the right to ingress and egress, and all permits, licenses, or other governmental authorizations relating to any of the foregoing, including rights under any permit issued by any applicable groundwater conservation district, together with any leases, reservations, or other legal entitlements of RCH that allow the holder to produce Groundwater in Rockwall County for the purpose of supplying a public water system.

1.7 **Tangible Personal Property.** All of RCH’s right, title, and interest in and to items of furniture, fixtures, equipment, machinery, supplies, and other items of tangible personal property owned or leased, used or held for use by RCH and affixed, attached to, placed, or located on the Land or used by RCH in connection with the ownership, operation, and/or maintenance of the Utility System, including, without limitation, all facilities, water lines, distribution lines, tanks, pumps, pipes, fittings, treatment equipment, meters, ground and elevated storage, water in all facilities and in storage, tools, vehicles, trailers, fuel tanks, fences, fill dirt and clay, copies of records (which shall include, without limitation, bills, employment and customer files, operational records, and insurance records), permits, materials and supplies, and inventories (which shall include, without limitation, those items identified on Exhibit “C” attached hereto and made a part hereof) (collectively, the “Tangible Personal Property”).

1.8 **Intangibles.** With the exception of the Intangibles to be excluded that are listed on Exhibit “C”, and to the extent assignable, all of RCH’s rights, title, and interest in and to (i) all plans, drawings, specifications, surveys, engineering reports, and other materials related to the Land and/or the Utility System, which are conveyed without representation or warranty as to the information or conclusions set out therein; (ii) warranties and guaranties related to the Improvements and the Tangible Personal Property; (iii) licenses, permits, franchises, approvals, and any other development rights and benefits relating to the Land, including, without limitation, all correspondence, permits, CCN, and reports to or from the PUC related to the Utility System; and (iv) all software and intellectual property rights, as well as rights under any insurance policies, including, without limitation, automobile, property, or liability insurance, and all of RCH’s rights and interest under any claims, causes of action, and judgments (collectively, the “Intangibles”) which shall include, without limitation, those Intangibles also listed on Exhibit “C”.

1.9 **Deposits and Monies.** All of RCH’s right, title and interest on the Closing Date in monies and customer security deposits, if any, with accrued statutory interest, excluding the Membership Fee (herein so called) listed on Schedule “1” attached hereto, held by RCH or in

RCH accounts held at a bank or other financial institution (collectively, the “Deposits”). RCH shall be responsible for returning the Membership Fees to the appropriate members and McLendon-Chisholm shall have no responsibility or liability with regard to the Membership Fees. This provision, as it relates to the Membership Fees, shall survive Closing, as that term is hereafter defined.

1.10 **Contractual Rights.** All rights, obligations, and interests in RCH’s contractual rights and liens, to the extent those rights and obligations are assigned to McLendon-Chisholm as provided by this Section 1.10.

1.10.1 RCH represents that Exhibit “D” contains a complete list of RCH’s contracts relating to the ownership, operation, maintenance, repair and billing related to the Utility System, provided this Section 1.10 does not include contracts with customers for retail water service. RCH further represents that Exhibit “D” is true and correct list of all written contracts that may be described by this Section 1.10.

1.10.2. RCH and McLendon-Chisholm shall cooperate during the Review Period to determine which contracts, if any, listed in Exhibit “D” will be assigned to McLendon-Chisholm. To the extent any contracts listed in Exhibit “D” that are related to the Utility System and are terminable at will, or otherwise terminable without causing a breach by RCH, RCH shall, at McLendon-Chisholm’s request, terminate any or all of such contracts simultaneously with the Closing. McLendon-Chisholm may, but is not obligated to, accept the assignment or partial assignment of any contracts listed in Exhibit “D” that are related to the Utility System not otherwise terminated (collectively, “Transferred Contracts”).

II.

Consideration

2.1. As consideration for the acquisition of the Assets, McLendon-Chisholm will assume all of RCH’s liabilities and pay all debts of RCH (collectively, the “Liabilities”), perform all obligations of RCH, and will provide water service for the service area of RCH (collectively, the “Consideration”). The Liabilities are listed in Exhibit “E” of this Agreement. RCH hereby acknowledges and agrees the sufficiency of the Consideration and that the payment and assumption of Liabilities and assumption of service obligations for RCH’s customers is a fair and equitable benefit received. This Section II shall survive Closing, as that term is hereafter defined.

III.

Representations, Warranties, and Covenants

RCH and McLendon-Chisholm represent and warrant to the following, which representations and warranties shall be true and accurate as of the Effective Date (as hereafter defined):

3.1 **RCH’s Representations and Warranties.** For purposes of inducing McLendon-Chisholm to enter into this Agreement and to accept conveyance of the Assets, and subject to all

other terms and conditions of this Agreement, RCH represents and warrants to McLendon-Chisholm the following, which representations and warranties shall be true and accurate as of the Effective Date through the Closing:

3.1.1 Except for the Transferred Contracts, RCH has not entered into any contract, license, or lease relating to the use or possession of the Utility System including the Assets, which will be binding on McLendon-Chisholm;

3.1.2 RCH has received no written notice of any pending or threatened litigation, condemnation or similar proceeding against RCH, or of any charge or special assessment affecting any of the Assets or any part thereof. RCH shall promptly advise McLendon-Chisholm of any litigation, condemnation or assessments affecting the Assets which is instituted or threatened after the Effective Date;

3.1.3 RCH has received no written notice from any insurance company which has issued a policy with respect to any portion of Land or any of the Assets, or from any Board of Fire Underwriters (or other body exercising similar functions) claiming any defects or deficiencies or requesting the performance of any repairs, replacements, alterations, or other work which have not been complied with. RCH shall promptly advise McLendon-Chisholm of any such notice received by RCH after the Effective Date;

3.1.4 RCH has received no written notices of any civil or criminal suits, or other judicial proceedings or judgments affecting the Assets and no civil or criminal suits, or other judicial proceedings or judgments affecting the Assets are pending. RCH has received no written notice of violations, or other administrative proceedings or judgments relating to the violation of any laws, ordinances, regulations, codes, orders or other requirements affecting the Assets, including but not limited to written notices from the TCEQ, the United States Environmental Protection Agency, or the PUC, for which the violations or other administrative proceedings remain unresolved. RCH shall promptly advise McLendon-Chisholm of any such notice, suits or other proceedings or judgments; or of any written notice from TCEQ, PUC, or any other third party that any violation, action, or proceeding is pending or threatened that questions the validity or enforceability of this Agreement or any action taken or to be taken pursuant hereto which come to RCH's knowledge after the Effective Date;

3.1.5 Except for any portions of the Utility System located in a public right-of-way and otherwise provided by this Section 3.1.5, RCH is the owner of, lessee, or licensee of all easements, rights-of-way, or appurtenances listed in Exhibit A of this Agreement;

3.1.6 RCH has all requisite power, authority, authorization and consents necessary to make, execute, deliver and perform this Agreement and all instruments and agreements contemplated hereby and obtain any and all required approvals to perform its obligations hereunder and to consummate the transactions contemplated hereby;

3.1.7 The execution, transaction, delivery and performance of this Agreement by RCH and the consummation by RCH of the transaction contemplated hereby has been duly authorized and approved by the governing board of directors of RCH and no other action on the

part of RCH is necessary to authorize the execution, delivery and performance of this Agreement by RCH or the consummation of this transaction contemplated hereby;

3.1.8 This Agreement has been duly executed and delivered by RCH and is a valid and binding obligation of RCH subject to applicable law;

3.1.9 The persons signing this Agreement on behalf of RCH are authorized to do so;

3.1.10 RCH has not knowingly stored, disposed of, or permitted the release or threatened release of any hazardous substances or hazardous wastes on, from, or under the Land in violation of law (for purposes of this Agreement, the terms "disposal," "release," "threatened release," "hazardous substances," and "hazardous wastes" shall have the definitions assigned thereto by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601, et seq., as amended);

3.1.11 RCH has received no notice of a condition existing with respect to the Assets that violates any restrictive covenant, or any city, county, state or federal regulation, ordinance or statute, including the violation of any zoning ordinance or use restriction;

3.1.12 RCH is not aware of any underground storage tanks located on the Land or of any underground storage tanks previously located on the Land and subsequently removed and filled;

3.1.13 RCH has not conveyed to any person or entity other than McLendon-Chisholm any rights in, or any rights to acquire any interest in any of the Assets;

3.1.14 RCH is not aware of any previous use of the Land as a dump site or landfill;

3.1.15 There are no leases relating to the Land and there are no contracts relating to the Assets, including but not limited to, service, maintenance, supply and/or employment contracts, other than the Transferred Contracts and those contracts that will be canceled on or before Closing, and all sums due pursuant to any such contracts will be paid by RCH on or before Closing;

3.1.16 RCH shall convey to McLendon-Chisholm at Closing the Assets subject to the terms of this Agreement;

3.1.17 RCH has not defaulted under any promissory note, deed of trust, loan or other type of indebtedness or under any contract or committed any act that with the passage of time or giving of notice would result in a default under any indebtedness or contract;

3.1.18 RCH represents that there are no liens on the Assets or revenues of the Utility System; and

3.1.19 As of the date of Closing, Utility System is fully operational, is in full compliance with all regulatory requirements, and that it has provided McLendon-Chisholm with copies of all documentation related to the history of regulatory compliance of the Utility System.

By executing and delivering the documents listed in this Agreement, RCH shall be deemed to have made all of the foregoing representations and warranties as of the Closing Date. Should any of the foregoing representations and warranties be found to be incorrect on or prior to Closing, RCH shall notify McLendon-Chisholm and use all reasonable efforts to cure same by Closing; provided, however, in no event shall RCH be required to incur any costs or expenses in connection with its cure of same. If RCH is unable to cure same by Closing, at McLendon-Chisholm's option, Closing shall be postponed until five (5) business days following McLendon-Chisholm's receipt of proof satisfactory to McLendon-Chisholm that such matters have been cured. Provided, however, if RCH is unable despite reasonable efforts to cure same within ten (10) business days after the originally scheduled Closing Date, McLendon-Chisholm shall have the right to either waive same and proceed to Closing, or terminate this Agreement upon written notice to RCH.

3.2 **RCH's Covenants.** RCH covenants and agrees with McLendon-Chisholm that from and after the Effective Date through the Closing Date:

3.2.1 Upon obtaining knowledge of the institution of any proceedings for the condemnation of the Land or Assets or any associated easements, or any portion thereof, or any other proceedings arising out of injury or damage to the Land or Assets, or both, or any portion thereof, RCH will notify McLendon-Chisholm of the pendency of such proceedings as soon as reasonably possible thereafter;

3.2.2 Upon obtaining knowledge of the institution of any litigation, arbitration or administrative hearing concerning or affecting the Assets, RCH will notify McLendon-Chisholm of the pendency of such proceedings as soon as reasonably possible thereafter;

3.2.3 RCH will not encumber the Assets or allow any encumbrance upon title to the Assets that will not be released at or prior to Closing;

3.2.4 RCH will maintain the Assets, including the Land, the Improvements and Tangible Personal Property, in its current conditions reasonable wear, tear and casualty loss or condemnation loss excepted;

3.2.5 RCH will continue to operate its Utility System business, generally, in the manner it has operated its Utility System business in the past;

3.2.6 RCH will obtain all necessary approvals for the authority, authorization and consents necessary to make, execute, deliver and perform this Agreement and all instruments and agreements contemplated hereby;

3.2.7 RCH will not enter into any contracts with respect to the Assets or the Utility System which will obligate McLendon-Chisholm after Closing;

3.2.8 RCH will not intentionally take or omit to take any action that would have the effect of violating any of the representations, warranties, covenants and agreements of RCH contained in this Agreement;

3.2.9 RCH will maintain all casualty and liability as well as fire and extended property insurance policies currently covering the Assets or any part thereof in full force and effect;

3.2.10 Effective as of the Closing Date, RCH will terminate all leases and contracts, except the Transferred Contracts, relating to the Assets unless RCH and McLendon-Chisholm otherwise mutually agree in writing prior to the Closing Date that certain of such leases or contracts, if any, will not be so terminated; and

3.2.11 If any liens are placed on the Assets or revenues, RCH shall work to remove any liens on the Assets or revenues. To the extent RCH is not able to remove liens, McLendon-Chisholm, at its sole election, may (1) waive this requirement and proceed to Closing, or (2) terminate this Agreement.

3.3 McLendon-Chisholm's Representations and Warranties. McLendon-Chisholm represents and warrants to RCH the following, which representations and warranties shall be true and accurate as of the Effective Date:

3.3.1 McLendon-Chisholm is a municipal corporation;

3.3.2 McLendon-Chisholm has full power and authority to make, execute, deliver and perform this Agreement, to perform its obligations hereunder and to consummate the transactions contemplated hereby;

3.3.3 The execution, delivery and performance of this Agreement by McLendon-Chisholm and the consummation by it of the transaction contemplated hereby, has been duly authorized and approved by all required action of McLendon-Chisholm and no other action on the part of McLendon-Chisholm is necessary to authorize the execution, delivery and performance of this Agreement by McLendon-Chisholm and the consummation of the transaction contemplated hereby;

3.3.4 To McLendon-Chisholm's knowledge, neither the execution, delivery or performance of this Agreement by McLendon-Chisholm, nor compliance with the terms and provisions hereof, will result in any breach of the terms, conditions or provisions of, or conflict with or constitute a default under the terms of any note, agreement or other instrument by which McLendon-Chisholm is bound;

3.3.5 To McLendon-Chisholm's knowledge, McLendon-Chisholm has received no written notice that any action or proceeding is pending or threatened that questions the validity of this Agreement or any action taken or to be taken pursuant hereto; and

3.3.6 This Agreement has been duly executed and delivered by McLendon-Chisholm and is a valid and binding obligation of McLendon-Chisholm subject to applicable law.

3.4. The representations, warranties, and covenants in Section 3.1 shall survive Closing for a period of two (2) years from the date of Closing.

IV.

Review Period and Right to Inspect

4.1 **McLendon-Chisholm's Right to Inspect.** Within fourteen (14) days after the Effective Date, RCH shall make available for reasonable inspection and copying by McLendon-Chisholm, at RCH's office during regular business hours, the following, to the extent in RCH's control or possession and to the extent not already delivered to McLendon-Chisholm:

4.1.1 All environmental reports, structural reports, engineering reports, soils tests results, evaluations, maps, traffic studies, flood control plans, drainage plans, and any and all other reports, studies or the like relating to the Assets;

4.1.2 All notices from any governmental agencies affecting the Utility System or the Land;

4.1.3 All current licenses, permits and other governmental licenses or approvals relating to the Utility System;

4.1.4 All surveys, title records, title documents (including any title insurance policies), debt instruments, liens, insurance policies, contracts, easement documents, and deeds;

4.1.5 Any engineering reports and plans and specifications relating to the Assets; provided, however, all such reports are delivered without representation or warranty as to the content;

4.1.6 True copies of any leases and contracts relating to the Assets, including but not limited to the contracts listed in Exhibit "D", and copies, if any, of any documents or records related to any beneficial interests, including but not limited to, security agreements, deeds of trusts, promissory notes or leases held by RCH;

4.1.7 A list of all customers of RCH, the current accounts receivable for such customers, and the amount of each customer's deposit, if any, with accrued statutory interest, together with copies of statements for all deposit accounts held by RCH;

4.1.8 Copies of all insurance policies and financial instruments related to the Utility System, Assets, or RCH; and

4.1.9 Copies of all warranties and guaranties related to the Assets.

4.2 **Review Period.** At any time from and after the Effective Date, McLendon-Chisholm its agents, employees, consultants, or invitees shall have the right, at its sole cost, to order title work to obtain title policies insuring the title to the Land, to order surveys or inspections,

and enter upon the Land during normal business hours and upon reasonable advance notice to RCH to inspect the Land or to conduct feasibility studies regarding the Assets, and shall have the further right to access those portions of the Utility System located on property other than the Land, if any, (but only to the extent authorized by that landowner) to conduct feasibility studies. McLendon-Chisholm, its agents, employees, consultants and invitees shall have such right of entry only during normal business hours and upon reasonable advance notice to RCH for purposes of conducting all such studies, inspections, tests and examinations deemed necessary by McLendon-Chisholm. All said studies, tests, inspections and examinations (collectively, the "Reports") shall be at McLendon-Chisholm's expense. McLendon-Chisholm shall provide RCH a copy of the Reports but failure to provide such copies to RCH shall not be considered a default under this Agreement. As used herein, the "Review Period" shall mean the period commencing on the Effective Date and ending on the date McLendon-Chisholm files the Application, as that term is defined in Section 7.1, with the PUC. During the Review Period, and subject to approval of both parties, RCH or McLendon-Chisholm may substitute any of the exhibits listed in this Agreement.

4.3 McLendon-Chisholm's Right to Review Books. During the Review Period, RCH shall make available for reasonable inspection and copying by McLendon-Chisholm and McLendon-Chisholm's accountants and other representatives, at RCH's office during regular business hours, the books and records of RCH with respect to the operation of the Assets. All such copying costs shall be borne by McLendon-Chisholm.

4.4 McLendon-Chisholm's Title Commitment and Review. McLendon-Chisholm, within its sole discretion and at McLendon-Chisholm's sole expense, may procure within sixty (60) days after the Effective Date, a commitment for title insurance on any of the Assets that McLendon-Chisholm desires. RCH shall not be required to provide an owner's policy for title insurance for any portions of the Assets, but RCH shall otherwise cooperate with McLendon-Chisholm in the review by McLendon-Chisholm of any title commitment applied for, or obtained by, McLendon-Chisholm. McLendon-Chisholm will have twenty (20) days after the receipt of the title commitment with respect to any particular portion of the Assets to review such title commitment and to deliver to RCH written notice by hand delivery or overnight delivery, receipt requested, of any objections to the matters set forth in such title commitment. Any items to which McLendon-Chisholm does not object with during this 20-day period will be deemed to be "Permitted Exceptions." As to items in the title commitment to which McLendon-Chisholm timely makes objections to in writing to RCH, RCH shall have a period of ten (10) days during which it may, but shall have no obligation to cooperate with McLendon-Chisholm to attempt to effectuate the cure of such objections such that RCH's covenants or representations in this Agreement are not false or misleading. At the end of the twenty (20) day period (if no objections are made by McLendon-Chisholm), or the ten (10) day period (if objections are made by McLendon-Chisholm), McLendon-Chisholm shall have the right, as its sole and exclusive remedies, to either terminate this Agreement, or waive such title objections and proceed to Closing.

4.5 Termination by McLendon-Chisholm. Except as otherwise provided in this Agreement, McLendon-Chisholm shall have the right to terminate this Agreement for any reason prior to date of a Determination Notice (herein defined) by providing written notice to RCH, and all rights and obligations hereunder shall terminate, except those expressly providing otherwise.

V.
Remedies

5.1 RCH's Remedies. In the event McLendon-Chisholm (i) fails or refuses to consummate the acquisition of the Assets pursuant to this Agreement at the Closing, (ii) fails to perform any of McLendon-Chisholm's other obligations hereunder either prior to or at the Closing for any reason other than the breach of any of RCH's representations, warranties or covenants, or other failure by RCH to perform its obligations hereunder, or (iii) otherwise breaches this Agreement, RCH shall be entitled as its sole and exclusive remedy to: (a) terminate this Agreement by giving McLendon-Chisholm timely written notice of such election prior to Closing or (b) waive the default and close the transfer of the Assets pursuant to the terms hereof.

5.2 McLendon-Chisholm's Remedies. In the event RCH (i) fails or refuses to consummate the conveyance of the Assets pursuant to this Agreement at Closing, (ii) fails to perform any of RCH's other obligations hereunder either prior to or at the Closing for any reason other than the breach of any of McLendon-Chisholm's representations, warranties or covenants or McLendon-Chisholm's failure to perform its obligations hereunder, or (iii) otherwise breaches the Agreement, McLendon-Chisholm shall be entitled as its sole remedy to either: (a) terminate this Agreement by giving RCH timely written notice of such election prior to Closing or (b) waive the default and close the transfer of the Assets pursuant to the terms hereof.

VI.
Closing

6.1 Closing Date. The Closing (herein so called) shall be held at a location that may be mutually agreed upon by RCH and McLendon-Chisholm on the date ("Closing Date") which shall be no later than sixty (60) days following receipt of a Determination Notice (hereafter defined). RCH and McLendon-Chisholm acknowledge that the Closing cannot occur before 120 days from the date the application is declared administratively complete by the PUC pursuant to Texas Water Code § 13.301, unless approved by the PUC to close earlier.

6.2 Closing Matters.

6.2.1 At Closing, RCH shall:

- (a) Deliver all keys to the Assets to McLendon-Chisholm;
- (b) Deliver control of the Assets to McLendon-Chisholm;
- (c) Deliver control of the equipment or other Tangible Personal Property, if any, listed as part of the Tangible and Intangible Personal Property on Exhibit "C" to McLendon-Chisholm;
- (d) Deliver an updated list of all customers of RCH, the service address for each customer, a final meter reading for, or a meter reading associated with the last bill sent by RCH to, each customer, the accounts receivable for such customers, and the amount of each

customer's deposit, with accrued statutory interest, certified by RCH to be true and correct as of the day immediately preceding Closing;

(e) Deliver to McLendon-Chisholm evidence of payment of all bills by RCH;

(f) Grant to McLendon-Chisholm the authority to provide the necessary consents of RCH to PUC with respect to the proposed maps, certificates, and the recommendation for approval and issuance or decertification of the CCN, and authorize the PUC to effectuate the transfer of the Utility System upon receipt of McLendon-Chisholm's signed consent form without the further involvement of RCH, including without limitation executing all necessary consent documents on behalf of RCH; and

(g) Deliver consents to assignment and assignment of any Transferred Contract listed in Exhibit "D" to which McLendon-Chisholm has agreed to accept assignment.

6.2.2 At Closing, RCH shall execute, deliver, and acknowledge the following documents:

(a) A copy of an Affidavit of Closing, in substantially the form attached hereto as Exhibit "F", and any and all documents which McLendon-Chisholm may reasonably request after the Closing to evidence the consent and agreement of RCH for decertification of its service area and certification of the service area to McLendon-Chisholm. The agreement set forth in the preceding sentence shall survive the Closing. RCH shall file the Affidavit of Closing with the PUC in accordance with Section 7.1 of this Agreement;

(b) A Contract Closing Certification, in substantially the form attached hereto as Exhibit "G", which shall include the certification of records and the certification of correspondence, as well as the Engineering Certificate, attached hereto as Exhibit "F-1".

(c) A Special Warranty Deed and Assignment of Easements, conveying the Land, Appurtenances, easements, Adjacent Property Rights, and any Improvements, in substantially the form attached hereto as Exhibit "H"; and

(d) A Bill of Sale and Assignment of Easements, conveying Tangible Personal Property, Intangibles, Deposits, and Contractual Rights, in substantially the form attached hereto as Exhibit "I".

6.2.3 At Closing, McLendon-Chisholm shall:

(a) Deliver reasonable evidence of McLendon-Chisholm's capacity and authority for the Closing of this transaction;

(b) Provide written acknowledgement and acceptance, without conditions, of RCH's assignment of the Transferred Contracts; and

- (c) Execute any and all documents reasonably necessary.

6.2.4 At Closing, RCH shall:

(a) Pay all special taxes or assessments, if any, assessed prior to the Closing Date;

(b) Transfer all revenues for water utility services and Deposits to McLendon-Chisholm; and

(c) Provide all copies of the last billing statement paid for each utility meter, copies of tax assessments (if any), and statements of any other recurring expenses of RCH.

6.3 Winding Up and Termination of RCH. RCH shall comply with all applicable winding-up procedures as provided for by the Corporate Documents and the Texas Business Organizations Code (“Code”), including but not limited to Section 11.051 of the Code. McLendon-Chisholm shall assist RCH with the termination of RCH as an entity, including the preparation and filing of the Certificate of Termination and any other documents necessary to transfer the Assets and dissolve RCH as an entity and to pay reasonable and necessary professional fees and costs incurred therewith. RCH acknowledges that, in accordance with Section 11.356 of the Code, after the Certificate of Termination is filed, RCH will continue to exist for settling affairs of RCH not completed before Closing and that, in accordance with Section 11.357, the persons currently governing RCH will continue to have powers necessary to complete any winding up of RCH not finalized at Closing. RCH and McLendon-Chisholm covenant and agree to work with each other with regard to all matters related to the winding up of RCH. RCH hereby appoints the President of RCH, or his designee, as a representative of RCH, who can be contacted at the address and telephone number set forth in Section 8.4 below to be the contact person for all matters arising after Closing. RCH agrees to start the process to windup RCH within thirty (30) days after the Closing and to file the Certificate of Termination and any other documents necessary to transfer the Assets and dissolve RCH as an entity within six (6) months after the Closing. This deadline may be extended upon written consent by McLendon-Chisholm, which shall not be unreasonably withheld. Notwithstanding any provision in this Agreement or any closing document to the contrary, these provisions of this Section 6.3 shall survive Closing.

VII.
Conditions Precedent

7.1 PUC Determination.

7.1.1 Notwithstanding anything in this Agreement to the contrary, the obligations of RCH and McLendon-Chisholm to consummate the transaction contemplated by this Agreement shall be subject to and specifically conditioned upon receipt of the written determination (“Determination Notice”) by the PUC that authorizes the transaction contemplated herein to close in accordance with this Agreement. RCH and McLendon-Chisholm each acknowledge that this purchase and sale transaction must comply with the requirements of Texas Water Code § 13.301

and, therefore, cannot be completed prior to the Determination Notice. McLendon-Chisholm agrees, at McLendon-Chisholm's expense, to file with the PUC an Application for Sale, Transfer or Merger of a Retail Public Utility ("Application") as soon as reasonably possible after the Effective Date of this Agreement, and RCH and McLendon-Chisholm agree to cooperate in connection with completing the Application and further agree to support the PUC approval of the Application. The Parties hereby acknowledge that McLendon-Chisholm will not file the Application with the PUC unless and until McLendon-Chisholm ____ [secured NTMWD's approval of an assignment of water supply contract] _____. In this regard, RCH acknowledges that after receipt of the Determination Notice and within 30 days after the Closing Date, McLendon-Chisholm must file with PUC documents evidencing that the purchase and sale transaction contemplated by this Agreement is final and that support the disposition of customer security deposits, if any. Following receipt by PUC of these documents evidencing completion of the transaction contemplated by this Agreement and disposition of customer security deposits, PUC will prepare a proposed map, certificate, and recommendation for both RCH and McLendon-Chisholm to review and consent to before submitting the map, certificate, and recommendation to the PUC for approval and issuance of the CCN. The consent must be received by PUC in order for the PUC to approve the CCN transfer. If the Parties have not received the Determination Notice within eighteen (18) months of the Effective Date, if the Application is contested, or if the PUC denies the Application and such decision is final and non-appealable, either RCH or McLendon-Chisholm may at any time terminate this Agreement upon ten (10) days' written notice of the other party and neither party shall thereafter have any further rights, liabilities, or obligations hereunder. If PUC requires a hearing and neither RCH nor McLendon-Chisholm terminate this Agreement, this condition precedent provided for herein shall not be satisfied until after PUC enters final, appealable order(s) necessary for the transaction contemplated herein.

VIII.

Miscellaneous

8.1 Entire Agreement. The Agreement together with the Contract Closing Certification constitute the entire agreement of the parties hereto as to the subject matter hereof and shall supersede any and all prior agreements and understandings of the parties hereto, whether oral or written. If there is any conflict between this Agreement and the Contract Closing Certification, this Agreement shall control. This Agreement can be amended or modified only by written agreement executed by RCH and McLendon-Chisholm.

8.2 Binding. This Agreement, and the terms, covenants, and conditions herein contained, shall inure to the benefit of and be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto. Neither RCH nor McLendon-Chisholm may assign its respective rights under this Agreement without the other party's prior written consent.

8.3 Effective Date. The term "Effective Date" as used in this Agreement shall be the date on which this Agreement is executed by the last to sign of RCH and McLendon-Chisholm.

8.4 Notice. Any notice required or permitted hereunder shall be in writing and shall be deemed to be delivered on the date received if delivered by hand to the address shown below for RCH or McLendon-Chisholm, as appropriate, or such notice shall, if deposited in the mail, be

deemed to be delivered, whether actually received or not, on the third business day after having been deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, addressed to RCH or McLendon-Chisholm, as appropriate, at the address shown below. The addresses for RCH and McLendon-Chisholm for all purposes under this Agreement shall be the following:

If to RCH:

RCH Water Supply Corporation
Attn: President

Mail Delivery

Hand Delivery

Phone:
FAX:

With simultaneous copy to:

If to McLendon-Chisholm:

City of McLendon-Chisholm, Texas
Attn: City Administrator

Phone:

And

City of McLendon-Chisholm, Texas
Attn: City Attorney
Phone:

With a simultaneous copy to: Bickerstaff Heath Delgado Acosta LLP

Attn: Emily W. Rogers
3711 S. MoPac Expressway
Building One, Suite 300
Austin, TX 78746
Phone: 512-472-8021
FAX: 512-320-5638

The parties hereto shall have the right from time to time to change their respective addresses, and each shall have the right to specify as its address any other address within the United States of America by at least five (5) days' written notice to the other party.

8.5 Time. Time is of the essence in all things pertaining to the performance of this Agreement.

8.6 Applicable Law; Venue. This Agreement shall be construed and enforced in accordance with the laws of the State of Texas. Any action in law or equity brought to enforce or interpret any provision of this Agreement shall be brought in a court of competent jurisdiction with venue in Rockwall County, Texas.

8.7 Counterparts, Faxes and PDFs. This Agreement may be executed in one or more counterparts, each of which shall for all purposes be deemed to be an original and all of which shall constitute the same instrument. In making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart. A telecopied facsimile or portable document format copy of an executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms hereof. However, each party agrees to promptly deliver to the other party an original, duly executed counterpart of this Agreement.

8.8 Section Headings. The section headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several sections hereof.

8.9 Business Days. In the event that any date or any period provided for in this Agreement shall end on a Saturday, Sunday or legal holiday, the applicable period shall be extended to the first business day following such Saturday, Sunday or legal holiday. As used herein, the term "legal holiday" means any state or federal holiday for which financial institutions or post offices are generally closed in the State of Texas.

8.10 Severability. If any provision of this Agreement shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions, or in all jurisdictions because it conflicts with any provisions of any Constitution, statute, administrative rule, regulation or finding, rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question invalid, inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions of this Agreement invalid, inoperative or unenforceable to any extent whatever.

8.11 Exhibits. All references to exhibits contained herein are references to exhibits attached hereto, all of which are made a part hereof. It is expressly understood that if any exhibit attached hereto which is to be executed and delivered at Closing contains blanks, the same shall be completed correctly and in accordance with the terms and provisions contained herein and as contemplated hereby prior to or at the time of execution and delivery thereof.

8.12 Negotiation by Counsel. The Parties acknowledge that each Party and its counsel have reviewed and revised this Agreement, and agree that the normal rule of construction, to the effect that any ambiguities are to be resolved against the drafting party, shall not be employed in the interpretation of this Agreement or any amendments or exhibits hereto.

8.13 Modification; Assignment; and Benefit. This Agreement shall be subject to change or modification at any time, but only with the mutual, written consent of all of the Parties hereto. This Agreement shall not be assignable by either party hereto without the prior written consent of the other party hereto, such consent to not be unreasonably withheld, conditioned or delayed. This Agreement shall be for the sole and exclusive benefit of the Parties and third-party beneficiaries, if any, are hereby expressly disclaimed.

8.14 No Waiver. No waiver or waivers of any breach or default (or any breaches or defaults) by either party hereto of any term, covenant, condition, or liability hereunder, or of performance by the other party of any duty or obligation hereunder, shall be deemed or construed to be a waiver of subsequent breaches or defaults of any kind.

8.15 Further Assurances. Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this Agreement and all transactions contemplated by this Agreement, including but not limited to, acquiring easements or rights-of-way necessary to operate the Utility System, and to complete the contemplated transaction.

8.16 Legal Construction. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

IN WITNESS WHEREOF, this Agreement has been duly executed in multiple counterparts (each of which is to be deemed original for all purposes) by the parties hereto on the date appearing opposite each party's signature.

[Signatures on next pages]

RCH WATER SUPPLY CORPORATION

Date: _____, 2023

By: _____
_____, President

STATE OF TEXAS §
 §
COUNTY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day personally appeared _____, President of RCH Water Supply Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the RCH WATER SUPPLY CORPORATION, and that he executed the same as the President of the RCH WATER SUPPLY CORPORATION for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2023.

Notary Public
The State of Texas

CITY OF MCLENDON-CHISHOLM, TEXAS

Date: _____, 2023

By: _____
Keith Short, Mayor

APPROVED AS TO FORM:

Michael Halla, City Attorney
City of McLendon-Chisholm. Texas

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Keith Short, City Manager of the City of McLendon-Chisholm, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the CITY OF MCLENDON-CHISHOLM, and that he executed the same as the act of the CITY OF MCLENDON-CHISHOLM for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2023.

Notary Public
The State of Texas