



AGENDA
City Council Meeting
Tuesday, April 22, 2025
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032 6:30 PM

Page

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS
3. AGENDA APPROVAL
4. RULES OF DECORUM
5. CITIZEN COMMENTS
6. PROCLAMATION
Presentation of a Proclamation for the National Child Abuse Prevention Month
7. CONSENT AGENDA

- 7.1. Consider approval of Minutes from April 8, 2025 City Council Meeting
[Minutes for April 8, 2025 City Council Meeting \(1\)](#)

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8. PUBLIC HEARING
 - 8.1. Creation of the Sonoma Verde East Public Improvement District in accordance with Chapter 372 of the Texas Local Government code to accept public comments and discuss the petition filed by the Tate Brothers Limited Partnership.
 - 8.2. Creation of the Sonoma Verde North Public Improvement District in accordance with Chapter 372 of the Texas Local Government code to accept public comments and discuss the petition filed by the Roberts Daughters Trust Agreement.
 - 8.3. Conduct a public hearing to receive comments on the proposed McLendon-Chisholm Trail Ordinance (aka "Trail Ordinance") that establishes a public trail system that will enhance community recreational opportunities, improve community connectivity, promote physical health, and foster community engagement. (Paul Day)
 - 8.4. Conduct a public hearing to receive comments on the proposed Outdoor Lighting Ordinance (aka "Dark Sky Ordinance"), and ordinance that preserves our city's heritage of a clear, dark night sky, protects

properties from light trespass, and contributes to more active living spaces. (Paul Day)

9. ITEMS FOR DISCUSSION

- 9.1. Discussion and consider approval of a resolution to create the Sonoma Verde East Public Improvement District in accordance with Chapter 372 of the Texas Local Government code requested by Tate Brothers Limited Partnership. 13 - 20
[Staff Report SV East PID](#)
[Sonoma Verde East - Tate Tract - Resolution Creating PID\(1039811.2\)](#)
- 9.2. Discuss and consider approval of a resolution to create the Sonoma Verde North Public Improvement District in accordance with Chapter 372 of the Texas Local Government code requested under the Roberts Daughters Trust Agreement. 21 - 29
[Staff Report SV North PID](#)
[Sonoma Verde North - Sloan Tract - Resolution Creating PID\(1039816.3\)](#)
- 9.3. Discuss and Consider approval of the McLendon-Chisholm Trail Ordinance (aka "Trail Ordinance"), an ordinance that establishes a public trail system that will enhance community recreational opportunities, improve community connectivity, promote physical health, and foster community engagement. (Paul Day) 30 - 33
[Trails Ordinance](#)
- 9.4. Discuss and and consider approval of the Outdoor Lighting Ordinance (aka "Dark Sky Ordinance"), and ordinance that preserves our city's heritage of a clear, dark night sky, protects properties from light trespass, and contributes to more active living spaces. (Paul Day) 34 - 38
[Dark Sky Ordinance \(Final Form\)](#)
- 9.5. Discussion/Action regarding the Heritage Center and Campus, the feasibility study presentation, and the vision for the proposed project. (Paul Day)
- 9.6. Discussion/updates/action regarding the Rockwall County Outer Loop project, gathering a sense of the city's position regarding the project, and discuss the ramifications of recent actions by the Commissioner's Court. (Paul Day)
- 9.7. Discuss and consider approval to modify the travel policy to 1) impose a maximum daily allowance for lodging at the General Services Administration (GSA) guideline rate, 2) to reduce the annual reimbursement cap per person from \$3500 to \$2000, 3) to place restrictions on reimbursement used for lobbying, using public funds and 4) to restrict lodging reimbursements to locations located more than 50 miles away from McLendon-Chisholm City Hall. (Paul Day) 39 - 42

[Amended Travel Policy \(2025\) \(1\)](#)

- 9.8. Discuss and consider approval of Censure for Mayor Bryan McNeal (Mayor Pro Tem Dan Tucker)
- 9.9. Discuss any and all past and current actions pertaining to Mayor Bryan McNeal (Mayor Pro Tem Dan Tucker)
- 9.10. Presentation to outgoing council members: Paul Day, Floyd McLendon, and Dan Tucker (City Administrator)

10. 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 §551.071(2) - 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.

11. ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

12. 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.

13. 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 18, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



MINUTES
City Council Meeting
Tuesday, April 8, 2025
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032 6:30 PM

In Attendance: Mayor, Bryan McNeal
Mayor Pro Tem, Dan Tucker
Council Member, Paul Day
Council Member, Jerry Brewer
Council Member, Floyd McLendon
Council Member, Michael Easter

Staff: City Attorney, Michael Halla
City Administrator, Bev Stibbens
Administrative Assistant, Crystal Eastham
City Planner, Mike Coker
Fire Chief, Jim Simmons
City secretary, Angela Jennings

Sheriffs Deputy, Steven Saric

1. CALL TO ORDER

Mayor calls the meeting to order at 6:30 PM

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

Mr. Halla leads us in the prayer and Mayor leads the council in both us and Texas pledge

3. RULES OF DECORUM

Mayor Reminds council and audience of rules of decorum

4. AGENDA APPROVAL

Motion to approve the agenda as written.

Made by: Mayor Pro Tem Tucker

Seconded by: Council member Paul Day

Motion passes: Unanimously

5. CITIZEN COMMENTS

Citizens Letter asked to be included in the minutes.

John Warham, 1515 Rippaso Way, McLendon-Chisholm TX 75032

Addressing Agenda Item 8.2. This sounds like a good thing but has Legal and Financial Ramifications. Mr. Warham had the following questions for the council: What is the demand for this? How many residents requested this? Is this just something that Council Member Day came up with on his own? Where did this come from? Mr. Warham further had concerns about the process and citizen participation, stating that the proposed ordinance refers to the commission. Who are the members of the commission? How many members are there? Since this will affect every citizen, was there an opportunity for citizens to review and provide input? Concerning possible Financial and Legal Impacts. Has a financial impact study been conducted? Every resident is out of compliance, so what is the cost to replace all noncompliant lights? Who's doing the enforcement? Is it a city employee working after hours or are citizens expected to turn in neighbors? He further states that Light Trespass is an alarming term and sounds like a criminal offense, like a felony. Lastly Mr. Warham cited security concerns since many residents use lights for security. He asked Council Member Day if he has looked into any studies on the effects of crime rate if the city starts darkening everything. Does crime rate go up? What body presented the safety studies and where is a copy of what was presented? Texas local Government Code 51.001 was cited as a reasoning however that doesn't apply to outdoor lighting and is a stretch to say it is. The Texas Dark Skies is publicly available and other than a few changes, the ordinance presented is the same, so how did this take a year to work on? Mr. Warham stated this lacked due diligence, rigor and consideration of the huge impact to citizens. This is intrusive and should be pulled down.

Jennifer Heldreth, 601 Briar Glen, Rockwall, Texas 75032

Mrs. Heldreth addresses the council stating they have a right to their feelings and believe whatever they want, however they have a job representing the will of the people. This means separating selfish ambition, personal agendas, frustrations and feelings, knowing that they represent 5,000 other people. You can feel your feelings, live your truth but you cannot negatively hurt others. The council has added cost to taxes and the water bill. A lot of feelings have been brought to City Hall and the residents have stated "that's enough and move on". The council's voice and feelings

cannot be bigger than the citizens they represent. It was further stated that the Dark Sky agenda item 8.2 should not be prioritized over trashed roads. The citizens do not want Government to have more control and authority.

Chris George for Jennifer Hoffman, 3085 Ridge Creek Dr. Rockwall, TX 75032

Read letter from previous council woman Jennifer Hoffman regarding Executive Session dates 8/8/23 and 11/23. See letter in full below.

April 8, 2025

Mayor, City Council Members, and City Staff,

I want to address one of the accusations made by Mr. Tucker against Mayor McNeal. As a former council member, I was present at both meetings in question—August 8, 2023, and November 2023. However, Mr. Tucker, I'd like to point out that you were not in attendance at the August 8th meeting.

That meeting became infamous due to the "letter" read by then-Councilmember McNeal, where he expressed concerns about the water situation, the former MPT's involvement, and the secrecy surrounding it. I was shocked—not because of what he said, but because I had been asking the same questions and receiving the same evasive responses. At that moment, my support for the former MPT was gone. Bryan McNeal was simply demanding the transparency and answers that I—and many others—had been seeking. While I didn't agree with his delivery, and I told him so directly, he wasn't wrong.

What happened later in that meeting was unacceptable. When the MPT adjourned us into executive session (as the former mayor was late to the meeting), she instructed all city staff to remain outside and proceeded to launch a tirade of obscenities and threats at CM McNeal. She stood, leaned across the table, and screamed in his face. Witnesses reported hearing her from the council chambers and even on the livestream. Throughout it all, CM McNeal remained composed—he did not retaliate, did not curse back, and did not escalate the situation. The only person who acted unprofessionally that night was the former MPT. And yet, where was her resolution of censure? A proposal to remove her from her MPT position failed, despite her blatant misconduct. Once again, Mr. Tucker, you were not present for this meeting and the former mayor arrived late and missed the executive session entirely.

It was after this meeting that I fully withdrew my support for the former MPT and her water agenda. I could no longer stand behind it. I removed myself from her politically as well as socially. A move that unfortunately cost me three dear friends.

The second executive session in question—November 2023—was equally chaotic. The former mayor was confronted about lying regarding an agreement with the RCH Board President. All council members and the former mayor were present. When confronted with a recording of the conversation, he deflected blame rather than taking responsibility. At one point, CM McNeal

called him a coward—because that’s exactly what he was. He had made commitments he knew the former MPT did not support and then refused to own up to his words.

The former mayor’s response? He moved toward CM McNeal and called him a ‘f---ing p---y’—multiple times. His aggression that night was obvious, but again, Bryan McNeal never reciprocated. In fact, at one point, he simply got up and left. Yet, where was the resolution to censure the former mayor for his disgraceful behavior? No one seemed concerned when he stood before the citizens and blatantly lied.

Following this meeting, I was harassed and received threats at my home, ultimately leading to my resignation—a decision I deeply regret. During this difficult time, the only council member who reached out to check on me and offer support was Bryan McNeal.

Mayor McNeal has shown more restraint, professionalism, and transparency than many others in leadership. You may not like his approach, his honesty, or his directness—I have personally disagreed with him before—but at least you always know where he stands. That is more than I can say for you, Mr. Tucker, or you, Mr. McLendon. Mr. Tucker, you’ve repeatedly voiced support for issues only to later vote against them or abstain. Mr. McLendon, your absences, lack of agenda contributions, and minimal participation speak for themselves.

What you four council members fail to understand is that the people who elected Bryan McNeal do not regret their vote. He is doing exactly what we elected him to do. Had you not fought against him at every turn, imagine how much could have been accomplished for the good of this city. Instead, you have chosen secrecy, withheld critical information from both the public and your fellow council members, and wasted taxpayer money on an agenda that residents have repeatedly rejected.

Let me remind you—80.4% of voters rejected secrecy and backroom deals. What made you think we wanted you to continue the same failed path? Your legacy now mirrors that of your predecessors—failed leadership. And rest assured, should any of your names appear on a future ballot, we will rally behind your opposition, and we will make our reasons clear.

To Mayor McNeal—thank you. You have the support of the majority, and we are proud to call you, our mayor and even more so, I’m proud to call you my friend.

Jennifer Hoffman, Former City Council Member
1623 Salvatore Lane
McLendon-Chisholm

Dennis London, 216 Harvest Ridge Dr., McLendon-Chisholm, TX 75032

Addresses Agenda Item 8.3. Setting the budget now for the incoming council is wrong. The current council was able to set theirs, so the new council should have that same right. The legislature is trying to take away the city’s power and what they can

and cannot do. He urges the council not to put a cap on expenditures because all city council members will need to go to the representatives. We need to make sure that we are not handcuffing or shackling incoming council members on an capabilities of representing the citizens.

Sherry London, 216 Harvest Ridge Dr., McLendon-Chisholm, TX 75032

Regarding agenda item 8.2. The Dark Sky Ordinance is dead in the water. Cities around McLendon-Chisholm are not going dark so we still won't have dark skies. Citizen questions, what is the cost to the residents? There needs to be a Cost Benefit Analysis and there has been no opportunity for citizen input. It is recommended that this needs workshops and public meetings. It is further concerning that "Violation" is not defined. Where are the scientific studies since they have not been on any agendas? The scope of the ETJ doesn't seem legal, nor enforceable. This new ordinance would also dictate holiday lights. Furthermore, many use lights to see in the dark; how will this affect things like backing up in a dark driveway? Recommends that this be tabled and have public hearings.

Tom Ritz, 1305 Somerset, McLendon-Chisholm, TX 75032

Citizen believes that this is all wasting citizens' time. He finds item 8.2 ridiculous, 8.3 hamstringing council from doing what they need to do and 8.4 wrong. Citizen calls out Council Member Day for his actions and demands he drop all these things before advising him to resign.

Bud Hoy, 931 Kentwood McLendon-Chisholm, TX 75032

Regarding item 7.2. Mr. Hoy is concerned about the replat of a lot due to a soil conservation lake. He is concerned that if this is zoned for single family, that when building starts his house will be flooded. Council advised that Mr. Hoy speak when they address agenda item 7.2.

Gina Manis, 107 Chaney Place, McLendon-Chisholm, Tx 75032

Citizen thanked council members. Expressed that when candidates were up for mayoral election, she saw true character and integrity. Council Member McNeal's genuine heart to help and listen to people couldn't be ignored. He was the same guy on and off duty. He truly cared and continues to care. She has not regretted voting for him. It was further asked if the council members are perfect all the time. She stated that personal agendas and feelings be set aside and the council reconsider. The citizens support the mayor and if the council serves the people, then they need to move forward and abstain from any action.

Citizen Comments closed @ 6:58

6. CONSENT AGENDA

- 6.1. 6.1 Consider approving minutes for the City Council Meeting March 25, 2025 (City Administrator)
- 6.2. Consider approval of the Preliminary Plat that provide for the creation of 2 single-family lots on 5 acres of land each, located generally at 1691 E FM 550. (City Administrator)
- 6.3. Consider approval of the final plat that provides for the development of 42 single-family lots each with a minimum lot size of one half of an acre per lot on 34.68 acres of land (PID # 11447) located generally between FM 550 and Smith Road, directly behind McLendon-Chisholm city hall.
Legacy Trails, Phase 2 (City Administrator)
- 6.4. Consider approval of a final plat that provides for the development of 59 single-family lots each with a minimum lot size of one half of an acre per lot on 45.98 acres of land (PID #11447) located generally between FM 550 and Smith Road, directly behind McLendon-Chisholm city hall." Legacy Trails, Phase 3 (City Administrator)

Motion to Approve the consent agenda

Made by: Mayor Pro Tem Dan Tucker

Seconded by: Council member Jerry Brewer

Motion passes: Unanimously

7. PUBLIC HEARINGS

- 7.1. Conduct a public hearing and consider an ordinance regarding an application requesting a zoning change from SF2.5 and GB to solely GB located at Lot 1, Block A of Herron Addition, Acres 2.4465, known as 120 Herron Cir Rockwall, Texas 75032. This property is generally located along SH205 next to Rosini's Vineyards. Rockwall CAD Property ID number is 17109. (City Administrator)
- Public Hearing opened at 7PM , No comments, Public Hearing closes at 7PM

Motion to approve the ordinance

Made by Council Member Paul Day

Seconded by Jerry Brewer

Motion passes: Unanimously

- 7.2. Conduct a public hearing and consider an ordinance regarding a replat for a portion of Lot 1 of Kentwood Addition, McLendon-Chisholm, Texas to create a new Lot 1B. This property is generally located along FM 1139, East of Kentwood Circle. Rockwall CAD Property ID number is 100287. (City Administrator)

Public Hearing opened at 7:02

2 people spoke
Bud Hoyer spoke against
Patrick Short spoke in favor

Public Hearing closed at 7:07 PM

Motion to approve the replat
Made by Council Member Paul Day
Seconded by Michael Easter
Motion passed Unanimously

8. ITEMS FOR DISCUSSION

- 8.1. Presentation of Draft Heritage Center and Campus Feasibility Study
(City Administrator)

Mayor introduces Mr. Charles Burditt who gives a presentation on the designs of the Heritage Center. After the presentation, the council asks several questions and give comments on the presentation. The council are all given books with the information From the presentation so that they may go through and write down questions, ideas and thoughts over the next few weeks. The presenters remind the council that it is still a work in progress and this is just a step to the final goal.

- 8.2. Discuss, consider and approve the Outdoor Lighting Ordinance (aka "Dark Sky Ordinance"), an ordinance that preserves our city's heritage of a clear, dark night sky, protects properties from light trespass, and contributes to more attractive outdoor living spaces. (Council Member Paul Day)

On the advise of the attorney, this item was removed in order to call a Public Hearing For comments at the next city council meeting.

- 8.3. Discuss and consider approval to amending current Travel Policy by instituting a \$3500 cap on all expenses on a yearly basis for elected City officials. (Council Member Dan Tucker)

Motion is made to amend the Travel Policy
Made by Council Member Tucker
Seconded by Council Member Easter

Mayor Pro Tem Tucker explains why he has brought the policy to the council and feels it is reasonable to set a cap.

City Administrator ask for clarification on the amount, is it per person?

There were several comments from the council including a recap of some of the Mayors expenses.by Council Member McLendon, who states that this is the purpose of the proposed policy. Mr. Day ask questions about the GSA limitations and asked about a radius for hotel reimbursement. City Administrator lets the council know that she will check those limitations.

Motion was restated to include\$3500 per person....

Made by: Mayor Pro Tem Dan Tucker

Seconded by: Paul Day

Motion passes: 4-1 (Naves – Council Member Jerry Brewer)

- 8.4 Discuss and consider approval of a Resolution creating a Policy for Censure for elected Officials. (Council Member Day Tucker)

The author of this agenda item was Mayor Pro Tem Dan Tucker. Council Member Day was not connected to this agenda item.

Motion to approve a Resolution creating a policy for Censure

Made by: Mayor Pro Tem Tucker

Seconded by: Paul Day

Mayor adjourns into Executive Session at 8:23

Adjourn back into Regular Session at 8:35 PM

Mr. Tucker removes Item 8.4 until next City Council Meeting.

9. 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 §551.071(2) - 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.

10. ACTION RESULTING FROM EXECUTIVE SESSION

11. 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.

Bev Stibbens, City Administrator reminds council and the public that the Eggstravaganza will be Saturday April 12, 2025.

Jerry Brewer announces the Town Hall for Home Rule Charter on April 9, 2025 at 6:30. and the next one will be April 17 2025

Mayor Pro Tem Tucker announce Precinct 3 Town Hall on April 19, 2025 on the outer loop.

12. ADJOURN

Mayor adjourn the meeting at 8:37 PM



City of McLendon-Chisholm
Staff Report

Date: April 22, 2025

Agenda Item: PID Creation for Sonoma Verde East

Financial Impact:

Staff Concerns: Resolution for PID creation for the Sonoma Verde East project. Staff recommendation for approval

Presenter: Bev Stibbens, City Administrator

CITY OF MCLENDON-CHISHOLM, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS AUTHORIZING AND CREATING THE SONOMA VERDE EAST PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of McLendon-Chisholm, Texas (the “**City**”), is authorized under Chapter 372 of the Texas Local Government Code (the “**Act**”), to create a public improvement district within the corporate limits and the extraterritorial jurisdiction of the City; and

WHEREAS, on March 7, 2025, Tate Brothers Limited Partnership (the “**Petitioner**”) submitted and filed with the City Secretary of the City a petition (the “**Petition**”) requesting the establishment of a public improvement district for property within the extraterritorial jurisdiction of the City; and

WHEREAS, the Petition requested the creation of the Sonoma Verde East Public Improvement District (the “**District**”), which District is located within the extraterritorial jurisdiction of the City and more particularly described by metes and bounds in Exhibit A and depicted in Exhibit B (the “**Property**”) each attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council of the City (the “**City Council**”) has investigated and determined that the facts contained in the Petition are true and correct; and

WHEREAS, after publishing notice in the *Rockwall Herald Banner*, a newspaper of general circulation in the City and in the part of the City's extraterritorial jurisdiction in which the District is to be located or in which the improvements are to be undertaken, and mailing notice of the hearing, all as required by and in conformity with the Act, the City Council, opened a public hearing on the advisability of the improvements on April 22, 2025, and after all interested parties were given the opportunity to speak, the City Council closed the public hearing.

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

Section 1. The findings set forth in the recitals of this Resolution are found to be true and correct.

Section 2. The Petition submitted to the City by the Petitioner was filed with the City Secretary and complies with Section 372.005 of the Act.

Section 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), and 372.009(b), the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on April 22, 2025, hereby finds and declares:

- (a) **Advisability of the Proposed Improvements.** It is advisable to create the District to provide the Authorized Improvements (as described below). The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.
- (b) **General Nature of the Authorized Improvements.** The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property, which public improvements may include, but not be limited to: (1) design, construction and other allowed costs related to street and roadway improvements, including related earthwork, sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, and rights-of-way; (2) design, construction and other allowed costs related to storm drainage improvements; (3) design, construction, acquisition and other allowed costs related to water (if the City is the retail water provider for the public improvements), wastewater and drainage (including detention) improvements and facilities; (4) design, construction and other allowed costs related to erection of fountains, distinctive lighting and signs, and acquisition and installation of pieces of art; (5) design, construction and other allowed costs related to parks, open space, and recreational improvements, including trails, landscaping, and irrigation related thereto; (6) design, construction and other allowed costs related to off-street parking facilities,

including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage and rights-of-way; (7) rights-of-way acquisition costs; (8) design, construction and other allowed costs related to projects similar to those listed in subsections (1) – (7) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (9) payment of expenses incurred in the establishment, administration and operation of the District; and (10) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the “Authorized Improvements”). These Authorized Improvements promote the interests of the City and confer a special benefit upon the Property.

(c) Estimated Costs of the Authorized Improvements and Apportionment of Costs.

The estimated total costs to design, acquire, construct, and improve the Authorized Improvements, including payment of expenses to finance such public improvement projects such as eligible legal and financial fees and expenses incurred in the establishment, administration and operation of the District, is \$40,000,000.00 which costs shall be paid by assessments levied on the Property within the District. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the Property. The developer of the Property (the “*Developer*”) may also pay certain costs of the Authorized Improvements from other funds available to the Developer.

(d) Boundaries of the District. The District is proposed to include approximately 148.9 acres of land generally located adjacent to and southwest of Edwards Road, adjacent to and southeast of League Road, and northeast of the intersection of League Road and Hwy 205 and as more particularly described in the metes and bounds in Exhibit A and depicted in Exhibit B, each attached hereto.

(e) Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. Each assessment may be paid in full or in part at any time (including accrued and unpaid interest), and certain assessments may be paid in annual

installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness for those Authorized Improvements (including interest).

(f) **Management of the District.** The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

(g) **Advisory Board.** The District shall be managed without the creation of an advisory body.

Section 4. The Sonoma Verde East Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the nature and the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment, and the apportionment of costs as described herein; and the conclusion that the District is needed to fund such Authorized Improvements.

Section 5. The City Council hereby authorizes and directs the City Secretary, on or before April 29, 2025, in accordance with the Act, to file a copy of this Resolution authorizing the District with the county clerk of each county in which all or part of the public improvement district is located.

Section 6. Effective upon date of the passage of this Resolution, the District shall be established.

Section 7. This Resolution is effectively immediately from and after the date of its passage in accordance with law.

[Execution page follows]

EXHIBIT A
Metes and Bounds Description of the Property

LEGAL DESCRIPTION
(Approximately 148.9 acres)

BEING a tract of land situated in the King Latham Survey, Abstract No. 133, Rockwall County, Texas and being all of a called 148.869 acre tract of land described in deed to Tate Brothers Limited Partnership as recorded in Volume 6316, Page 42, Official Public Records of Rockwall County, Texas, and being more particularly describes as follows:

BEGINNING at a 1/2-inch iron rod found in Edwards Road (a variable width right-of-way) and the southwest line of the called 641.6711 acre tract of land described in deed to DMDS Land Company, LLC as recorded in Document No. 20200000030685, said Official Public Records, for the north corner of said 148.869 acre tract;

THENCE South 45°52'28" East, along said Edwards Road, with the northeast line of said 148.869 acre tract and the southwest line of said 641.6711 acre tract, a distance of 2698.28 feet to a mag-nail set at the east corner of said 148.869 acre tract and the north corner of Bluebonnet Ridge Addition as recorded in Book B Volume 150, Map Records of Rockwall County, Texas;

THENCE southwesterly with the southeast line of said 148.869 acre tract and the northwest line of said Bluebonnet Ridge Addition, the following courses:

South 43°05'57" West, a distance of 187.96 feet to a 1/2-inch iron rod found;

South 12°14'58" West, a distance of 90.22 feet to a 1/2-inch iron rod found;

South 58°05'36" West, a distance of 306.10 feet to a 1/2-inch iron rod found;

North 39°23'51" West, a distance of 123.24 feet to a 1/2-inch iron rod found;

South 59°18'03" West, a distance of 2303.18 feet to a point at the south corner of said 148.870 acre tract the east corner of the called 33.131 acre tract of land described in deed to Adcox as recorded in Instrument No. 20160000022774, said Official Public Records, same being the east corner of the called 22.149 acre tract of land described in deed to Adcox as recorded in Instrument No. 202440000017264, said Official Public Records (formally apart of said 33.131 acre tract), from which a 1/2- iron rod found for the southern most south corner of said 22.149 acres bears South 59°18'03"West, 1271.96 feet, and a 1/2-iron rod found bears North 42°33'58" West, 23.92 feet;

THENCE North 45°41'24" West, with the southwest line of said 148.869 acre tract and the northeast line of both said 22.149 acre tract and 33.131 acre tract, passing at 1048.42 feet a 1/2-inch iron rod found capped, stamped (Bison Creek) for the north corner of said 22.149 acre tract, continuing on said course for a **TOTAL** distance of 1950.44 feet to a mag-nail set in League Road (a variable width right-of-way) at the west corner of said 148.869 acre tract and the north corner of said 33.131 acre tract;

THENCE North 44°08'01" East, along League Road, with the Northwest line of said 148.869 acre tract, a distance of 2764.28 feet to the **POINT OF BEGINNING** containing 6,484,769 square feet or 148.870 acres of land.

Page 1 of 1

EXHIBIT B
Depiction of the Property

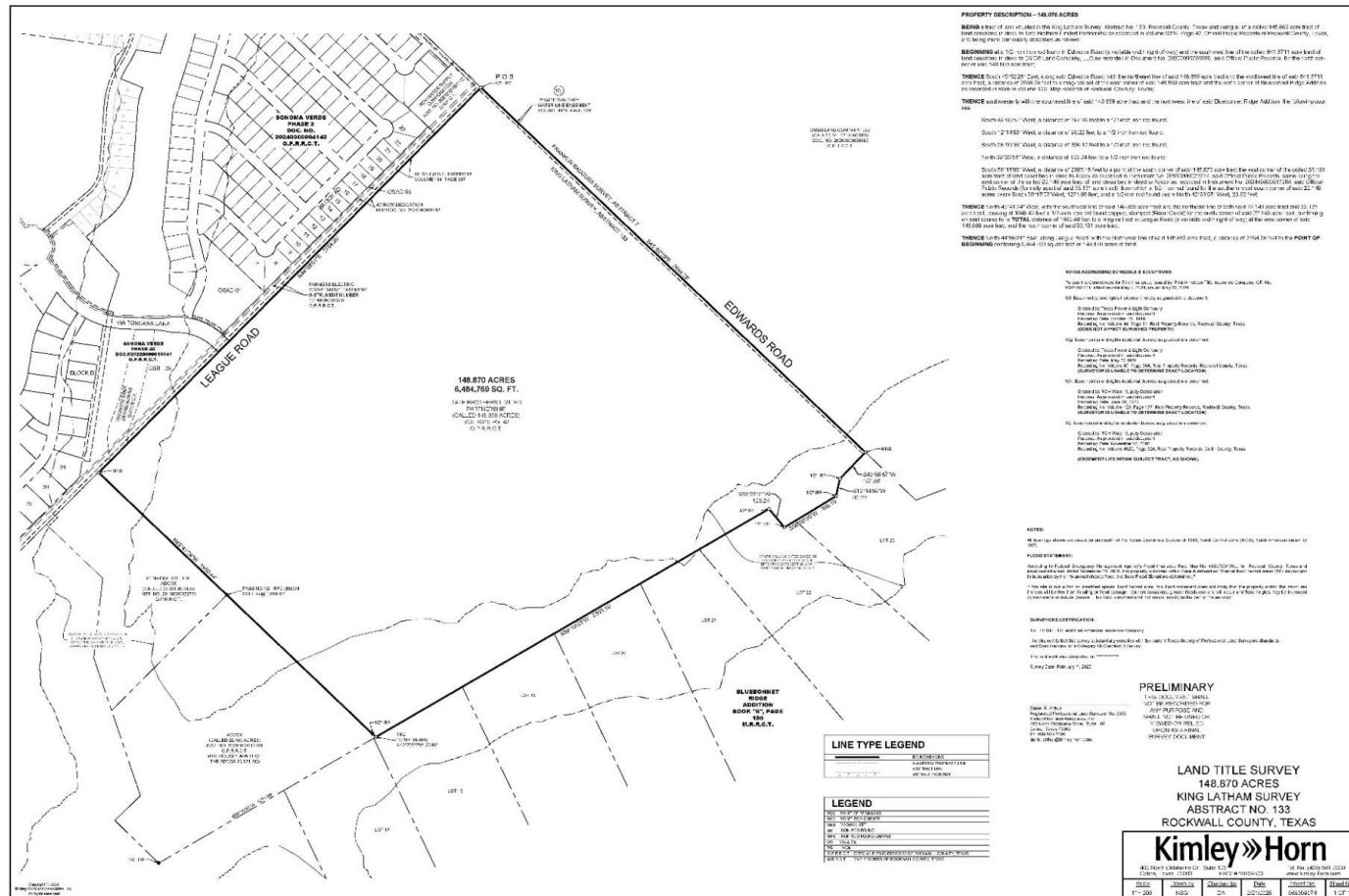


EXHIBIT B TO RESOLUTION CREATING SONOMA VERDE EAST PID
Page 7

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City of McLendon-Chisholm
Staff Report

Date: April 22, 2025

Agenda Item: PID Creation for Sonoma Verde North

Financial Impact:

Staff Concerns: Resolution for PID creation for the Sonoma Verde North project. Staff recommendation for approval

Presenter: Bev Stibbens, City Administrator

CITY OF MCLENDON-CHISHOLM, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS AUTHORIZING AND CREATING THE SONOMA VERDE NORTH PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of McLendon-Chisholm, Texas (the “**City**”), is authorized under Chapter 372 of the Texas Local Government Code (the “**Act**”), to create a public improvement district within the corporate limits and the extraterritorial jurisdiction of the City; and

WHEREAS, on March 7, 2025, Katherine E. Roberts, Trustee of the 2006 Katherine E. Roberts Trust; Mary R. Baldwin, Trustee of the 2006 Mary R. Baldwin Trust; Frost Bank, Trustee of the 2006 Rebecca A. Roberts Trust; and Emily R. Collins, Trustee of the 2006 Emily R. Collins Trust, each under the 2006 Roberts Daughters Trust Agreement dated September 1, 2006 (collectively, the “**Petitioners**”) submitted and filed with the City Secretary of the City a petition (the “**Petition**”) requesting the establishment of a public improvement district for property within the extraterritorial jurisdiction of the City; and

WHEREAS, the Petition requested the creation of the Sonoma Verde North Public Improvement District (the “**District**”), which District is located within the extraterritorial jurisdiction of the City and more particularly described by metes and bounds in Exhibit A and depicted in Exhibit B (the “**Property**”) each attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council of the City (the “**City Council**”) has investigated and determined that the facts contained in the Petition are true and correct; and

WHEREAS, after publishing notice in the *Rockwall Herald Banner*, a newspaper of general circulation in the City and in the part of the City's extraterritorial jurisdiction in which the District is to be located or in which the improvements are to be undertaken, and mailing notice of the hearing, all as required by and in conformity with the Act, the City Council, opened a public

hearing on the advisability of the improvements on April 22, 2025, and after all interested parties were given the opportunity to speak, the City Council closed the public hearing.

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

Section 1. The findings set forth in the recitals of this Resolution are found to be true and correct.

Section 2. The Petition submitted to the City by the Petitioners was filed with the City Secretary and complies with Section 372.005 of the Act.

Section 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), and 372.009(b), the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on April 22, 2025, hereby finds and declares:

- (a) **Advisability of the Proposed Improvements.** It is advisable to create the District to provide the Authorized Improvements (as described below). The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.
- (b) **General Nature of the Authorized Improvements.** The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property, which public improvements may include, but not be limited to: (1) design, construction and other allowed costs related to street and roadway improvements, including related earthwork, sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, and rights-of-way; (2) design, construction and other allowed costs related to storm drainage improvements; (3) design, construction, acquisition and other allowed costs related to water (if the City is the retail water provider for the public improvements), wastewater and drainage (including detention) improvements and facilities; (4) design, construction and other allowed costs related to erection of fountains, distinctive lighting and signs, and acquisition and installation of pieces of art; (5) design, construction and other allowed costs related to parks, open space, and

recreational improvements, including trails, landscaping, and irrigation related thereto; (6) design, construction and other allowed costs related to off-street parking facilities, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage and rights-of-way; (7) rights-of-way acquisition costs; (8) design, construction and other allowed costs related to projects similar to those listed in subsections (1) – (7) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (9) payment of expenses incurred in the establishment, administration and operation of the District; and (10) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the “Authorized Improvements”). These Authorized Improvements promote the interests of the City and confer a special benefit upon the Property.

(c) Estimated Costs of the Authorized Improvements and Apportionment of Costs.

The estimated total costs to design, acquire, construct, and improve the Authorized Improvements, including payment of expenses to finance such public improvement projects such as eligible legal and financial fees and expenses incurred in the establishment, administration and operation of the District, is \$60,000,000.00 which costs shall be paid by assessments levied on the Property within the District. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the Property. The developer of the Property (the “*Developer*”) may also pay certain costs of the Authorized Improvements from other funds available to the Developer.

(d) Boundaries of the District. The District is proposed to include approximately 314.7 acres of land generally located northwest of the intersection of Edwards Road and League Road, southeast of the intersection of Edwards Road and FM 550, and northeast of Via Toscana Ln and Hwy 205 and as more particularly described in the metes and bounds in Exhibit A and depicted in Exhibit B, each attached hereto.

(e) Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on

property similarly benefited. Each assessment may be paid in full or in part at any time (including accrued and unpaid interest), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness for those Authorized Improvements (including interest).

(f) **Management of the District.** The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

(g) **Advisory Board.** The District shall be managed without the creation of an advisory body.

Section 4. The Sonoma Verde North Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the nature and the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment, and the apportionment of costs as described herein; and the conclusion that the District is needed to fund such Authorized Improvements.

Section 5. The City Council hereby authorizes and directs the City Secretary, on or before April 29, 2025, in accordance with the Act, to file a copy of this Resolution authorizing the District with the county clerk of each county in which all or part of the public improvement district is located.

Section 6. Effective upon date of the passage of this Resolution, the District shall be established.

Section 7. This Resolution is effectively immediately from and after the date of its passage in accordance with law.

[Execution page follows]

EXHIBIT A
Metes and Bounds Description of the Property

LEGAL DESCRIPTION
(Approximately 314.7 acres)

BEING a tract of land situated in the Franklin Bauguss Survey, Abstract No. 7, Rockwall County, Texas and being all of a called 316.9-acre tract of land described in deed to Sue H. Sloan, Trustee as recorded in Volume 7054, Page 155, Official Public Records of Rockwall County, Texas and being further described as follows:

BEGINNING at a 1/2" iron rod found in the southeast line of a called 26.01 acre tract of land described in deed to B&F and Son 3 LP, as recorded in Volume 1451, Page 100, Official Public Records of Rockwall County, Texas, at the east corner of a 1225.7210-acre tract of land described in deed to DMDS Land Company, LLC as recorded in Document Number 20200000003529, Official Public Records of Rockwall County, Texas, same being the north corner of said called 316.9-acre tract;

THENCE South 46°01'04" East, with the common line of said 316.9-acre tract and said 1225.7210 acre tract, a distance of 4,129.87 feet to a point for corner at the easterly corner of said 316.9-acre tract and at the northernmost corner of a called 641.6711-acre tract of land described in deed to DMDS Land Company, LLC as recorded in Document Number 20200000030685, Official Public Records of Rockwall County, Texas;

THENCE with the common line of said 316.9-acre tract and said 641.6711-acre tract, the following courses and distances:

South 72°33'32" West, a distance of 991.29 feet to a 5/8" iron rod found for corner;

South 56°10'31" West, a distance of 469.91 feet to a 5/8" iron rod with plastic cap stamped "PELETON" found for corner;

South 69°41'38" West, a distance of 959.85 feet to a 5/8" iron rod with plastic cap stamped "PELETON" found for corner;

South 69°45'40" West, a distance of 686.39 feet to a cross tie fence post for corner;

North 58°21'47" West, a distance of 282.59 feet to a 5/8" iron rod with plastic cap stamped "PELETON" found for corner;

South 48°02'26" West, a distance of 401.54 feet to a 1/2" iron rod found for corner;

South 47°44'21" West, a distance of 385.24 feet to a 3/8" iron rod found for corner;

South 31°45'56" West, a distance of 664.19 feet to a point for corner in Edwards Road (a variable width right-of-way) at the southernmost corner of said 316.9-acre tract and at the westernmost corner of said 641.6711-acre tract;

THENCE North 45°44'37" West, with the southwest line of said 316.9-acre tract and along Edwards Road, a distance of 2,700.80 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner in the southeast line of a called 333.01-acre tract of land described in the deed to Maria A. Pratt, recorded in Volume 1201, Page 125, Official Public Records of Rockwall County, Texas, at the westernmost corner of said 316.9-acre tract and at the northernmost corner of a called 249.214-acre tract of land described in the deed to Land Solutions SV, LLC, recorded in Document No. 20180000014913, Official Public Records of Rockwall County, Texas;

Page 1 of 2

THENCE North 44°36'47" East, with the north line of said 316.9-acre tract, and along said Edwards Road, and with the southeast line of a called 12.39-acre tract of land described in the deed to Steven and Megin Danna, Peter Danna and Kenneth Pearce, recorded in Volume 3282, Page 270, Official Public Records of Rockwall County, Texas, the southeast line of a called 40.00-acre tract of land described in the deed to Denise Wang, recorded in Volume 2219, Page 16, Official Public Records of Rockwall County, Texas, the southeast line of a called 5.00-acre tract of land described in the deed to Samuel G. Hafertepe and Lisa A. Hafertepe, recorded in Document No. 20170000020082, Official Public Records of Rockwall County, Texas, and the southeast line of a called 10.00-acre tract of land described in the deed to Laura Lynn Bjeles, recorded in Document No. 20220000009449, Official Public Records of Rockwall County, Texas, a distance of 2,337.90 feet to a 1/2" iron rod found for corner at the easternmost corner of said 10.00 acre tract and at the southernmost corner of a called 40.00-acre tract of land described in the deed to Atasin Avowal, LLC, recorded in Volume 7106, Page 260, Official Public Records of Rockwall County, Texas;

THENCE North 44°38'47" East, with the northwest line of said 316.9-acre tract and the southeast line of said 40.00-acre tract, and the southeast line of a called 10-acre tract of land described in the deed to Corey Smith and Wife, Destiny Smith, recorded in Document No. 20230000016924, Official Public Records of Rockwall County, Texas, the southeast line of a called 10-acre tract of land described in the deed to Victoria Purcell, recorded in Volume 5997, Page 176, Official Public Records of Rockwall County, Texas, the southeast line of a called 20.00-acre tract of land described in the deed to S. Mark Olmstead and wife Alyce A. Olmstead, recorded in Volume 1451, Page 100, Official Public Records of Rockwall County, Texas, and the southeast line of said 26.01-acre tract, a distance of 1,956.70 feet to the **POINT OF BEGINNING** and containing 13,709,489 square feet or 314.727 acres of land.

EXHIBIT B Depiction of the Property

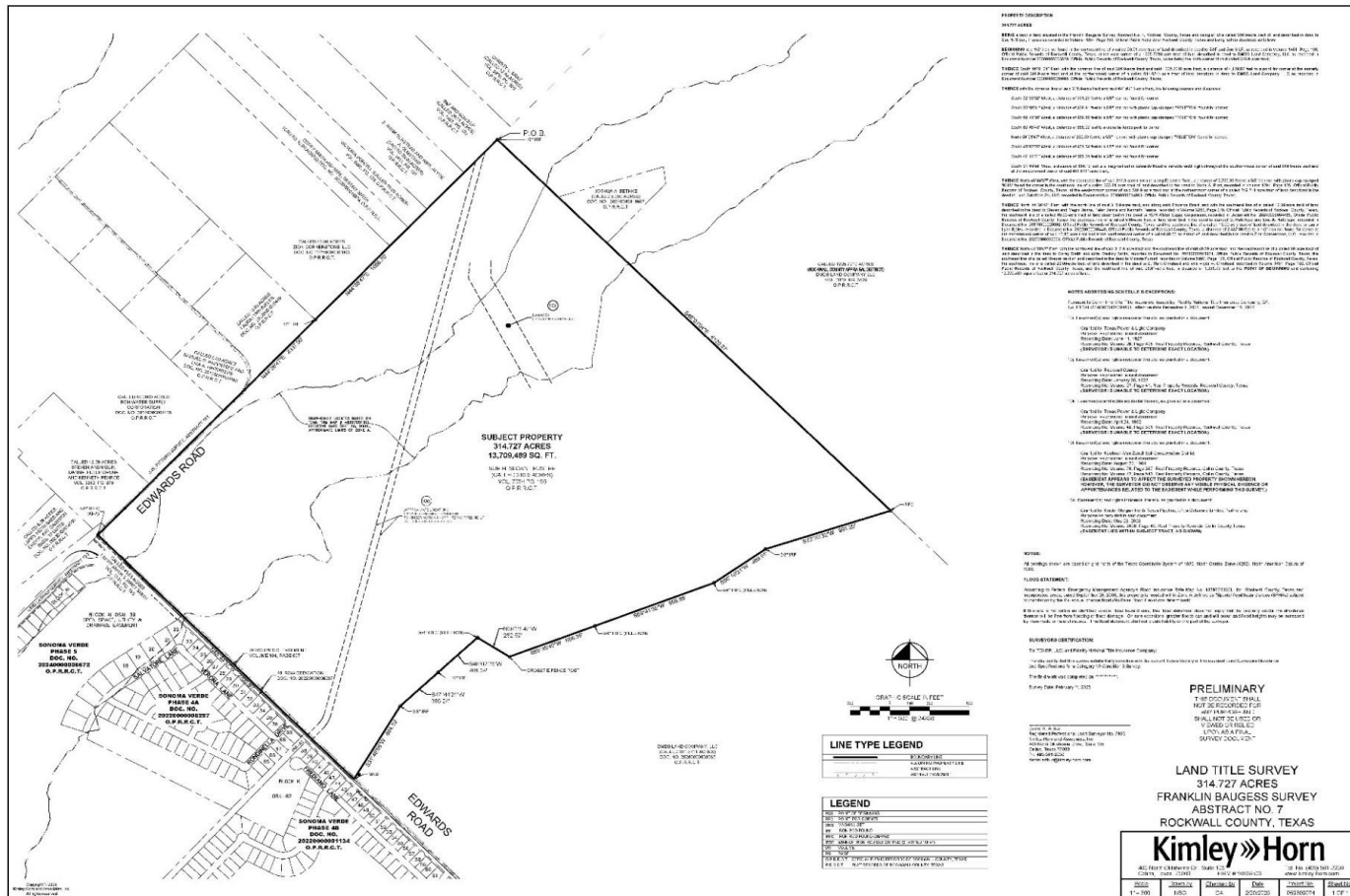


EXHIBIT B TO RESOLUTION CREATING SONOMA VERDE NORTH PID
Page 8

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CITY OF MCLENDON-CHISHOLM, TEXAS ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, ESTABLISHING AND REGULATING A PUBLIC TRAIL SYSTEM; PROVIDING FOR DESIGNATION, USE, MAINTENANCE, AND ENFORCEMENT; REQUIRING A TRAIL PLAN WITHIN 180 DAYS; CITING APPLICABLE STATE AND FEDERAL STATUTES; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING SEVERABILITY AND CONFLICT CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of McLendon-Chisholm, Texas, is a Type A general-law municipality organized under Chapter 6, Texas Local Government Code, with authority to adopt ordinances promoting the public health, safety, morals, and general welfare pursuant to Section 51.012, Texas Local Government Code; and

WHEREAS, the City's comprehensive plan, as adopted, desires the creation of a trail ordinance to guide the development of a public trail system, supporting community recreation and connectivity; and

WHEREAS, the establishment of a public trail system will enhance recreational opportunities, promote physical health, and foster community engagement, consistent with the City's powers under Section 52.001, Texas Local Government Code, to enact ordinances not inconsistent with state or federal law; and

WHEREAS, the City seeks to regulate trail use to ensure safety, accessibility, and enjoyment for all residents while respecting constitutional protections, including the right to free speech under the First Amendment to the United States Constitution and Article I, Section 8 of the Texas Constitution; and

WHEREAS, the City is authorized under Section 54.001, Texas Local Government Code, to enforce ordinances through fines and other remedies, and

WHEREAS, the City Council finds that adopting this ordinance, including a requirement to develop a trail plan within 180 days, is in the best interest of the community, fulfills objectives outlined in the comprehensive plan, and complies with applicable state and federal laws;

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

SECTION 1. ESTABLISHMENT AND CODIFICATION. This ordinance shall be codified as Article 3.09, "Public Trail System," in the City of McLendon-Chisholm Code of Ordinances, as follows:

CHAPTER 3. Article 3.09: PUBLIC TRAIL SYSTEM

Section 3.09.01. Purpose and Scope

- (a) This chapter establishes a public trail system within the City of McLendon-Chisholm to promote recreation, health, and community welfare, in accordance with the City's comprehensive plan.
- (b) This chapter applies to all public trails designated by the City, including those on municipal property or easements granted for trail purposes, within the City's corporate limits and extraterritorial jurisdiction.

Section 3.09.02. Definitions

For the purposes of this chapter:

- (a) *Public Trail* means a pathway, walkway, or bikeway designated by the City for public recreational use, including pedestrian, bicycle, or equestrian trails.
- (b) *Motorized Vehicle* means any vehicle propelled by a motor, including motorcycles, scooters, and all-terrain vehicles, but excluding mobility devices for persons with disabilities as defined under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.).
- (c) *Expressive Activity* means conduct protected by the First Amendment to the United States Constitution or Article I, Section 8 of the Texas Constitution, including speech, assembly, or distribution of literature.
- (d) *Trail Plan* means a comprehensive plan adopted by the City Council identifying proposed trail locations, types, funding sources, and implementation timelines.

Section 3.09.03. Trail Plan Requirement

- (a) Within 180 days of the effective date of this ordinance, the City shall develop and adopt a Trail Plan, pursuant to Section 51.012, Texas Local Government Code, to guide the establishment and expansion of a public trail system in alignment with the City's comprehensive plan.
- (b) The Trail Plan shall include, at a minimum:
 - (1) Proposed trail locations and connectivity within the City and its extraterritorial jurisdiction.
 - (2) Permitted uses (e.g., pedestrian, bicycle, equestrian).
 - (3) Estimated costs and potential funding sources, including grants or partnerships.
 - (4) A timeline for implementation and public engagement process.
- (c) The Trail Plan shall be presented to the City Council for approval following a public hearing, with notice provided per Section 52.011, Texas Local Government Code.

Section 3.09.04. Designation and Maintenance

- (a) The City Council may designate public trails by resolution, consistent with the Trail Plan, specifying their location, purpose, and permitted uses, pursuant to Section 51.012, Texas Local Government Code.
- (b) The City shall maintain trails in safe and accessible condition,
- (c) Trails may be established on municipal property or through easements, subject to applicable, State or federal law and City ordinances, Texas Local Government Code, governing public improvements.

Section 3.09.05. Permitted Uses and Restrictions

- (a) Public trails are open for pedestrians, bicycle, and, where designated, equestrian use during posted hours, typically dawn to dusk, unless otherwise specified by the City.

- (b) The following activities are prohibited on public trails, except as permitted by law:
 - (1) Use of motorized vehicles, except for authorized maintenance or emergency vehicles, pursuant to Section 601.001, Texas Transportation Code.
 - (2) Dumping, littering, or vandalism, (3) Consumption of alcoholic beverages, except during permitted events, per Section 109.35, Texas Alcoholic Beverage Code.
 - (4) Unauthorized fires or camping, per Section 352.001, Texas Local Government Code.
- (c) Expressive activities, including leafleting, picketing, or assemblies, are permitted on trails, provided they do not obstruct access, endanger safety, or damage property, consistent with State or federal law, and any City ordinance
- (d) Pets must be leashed and under control, with owners responsible for waste cleanup, per Section 822.042, Texas Health and Safety Code.

Section 3.09.06. Signage and Accessibility

- (a) The City shall post signs indicating trail rules, hours, and permitted uses, as required by Section 54.005, Texas Local Government Code.
- (b) Trails shall comply with accessibility standards under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and Section 469.001, Texas Government Code.

Section 3.09.07. Enforcement and Penalties

- (a) Violations of this chapter constitute a Class C misdemeanor, punishable by a fine not to exceed \$500, as authorized by Section 54.001, Texas Local Government Code.
- (b) The City may seek injunctive relief
- (c) Enforcement shall be conducted by the City's designated code enforcement officers.

SECTION 2. SEVERABILITY. If any provision of this ordinance is found invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect, pursuant to Section 311.032, Texas Government Code.

SECTION 3. CONFLICTS WITH STATE OR FEDERAL LAW. This ordinance shall not be construed to permit acts prohibited by state or federal law, including but not limited to the First Amendment to the United States Constitution, Article I, Section 8 of the Texas Constitution, or statutes cited herein, per Section 1.002, Texas Local Government Code.

SECTION 4. PUBLIC HEARING AND NOTICE

A public hearing on this ordinance was held on April 22nd, 2025, with notice provided in accordance with Section 52.011, Texas Local Government Code, and open meetings requirements under Chapter 551, Texas Government Code.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon its passage and publication as required by Section 52.011 and Section 52.013, Texas Local Government Code.

SECTION 6. RECORDATION

The City Secretary is directed to maintain a copy of this ordinance in the City's official records, available at City Hall, 1371 W. FM 550, McLendon-Chisholm, Texas 75032, and online at www.mclendon-chisholm.com.

PASSED AND APPROVED by the City Council of the City of McLendon-Chisholm, Texas, on this [insert day] day of [insert month], 2025.

APPROVED:

_____ [Mayor's Name], Mayor

ATTEST:

_____ [City Secretary's Name], City Secretary

APPROVED AS TO FORM:

_____ [City Attorney's Name], City Attorney

CITY OF MCLENDON-CHISHOLM, TEXAS ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, ESTABLISHING A DARK SKY ORDINANCE TO REGULATE OUTDOOR LIGHTING; PROMOTING PUBLIC HEALTH, SAFETY, AND WELFARE BY REDUCING LIGHT POLLUTION; IMPLEMENTING THE CITY'S COMPREHENSIVE PLAN; SUPPORTING PURSUIT OF AN INTERNATIONAL DARK SKY COMMUNITY DESIGNATION; PROVIDING LIGHTING STANDARDS, PASSIVE ENFORCEMENT, AND PENALTIES; GRANDFATHERING EXISTING LIGHTING FOR FIVE YEARS; CITING APPLICABLE STATE AND FEDERAL STATUTES; PROVIDING SEVERABILITY AND CONFLICT CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of McLendon-Chisholm, Texas, is a Type A general-law municipality organized under Chapter 6, Texas Local Government Code, with authority to adopt ordinances promoting the public health, safety, morals, and general welfare pursuant to Section 51.012, Texas Local Government Code; and

WHEREAS, the City Council recognizes that excessive or misdirected outdoor lighting contributes to light pollution, which obscures the night sky, disrupts ecosystems, affects human health, and increases energy waste, contrary to public welfare; and

WHEREAS, the City's comprehensive plan, as adopted, desires the establishment of a Dark Sky ordinance to preserve the rural character, protect natural resources, and enhance the quality of life through responsible outdoor lighting practices; and

WHEREAS, the City intends to pursue designation as an International Dark Sky Community through Dark Sky International by adopting lighting standards that reduce glare, light trespass, and skyglow, consistent with the Texas Model Outdoor Lighting Ordinance and Senate Bill 1090 (2021), which authorizes municipalities seeking such designation to regulate outdoor lighting; and

WHEREAS, the City seeks to regulate outdoor lighting in a manner that is not more restrictive than necessary to achieve Dark Sky Community certification, ensuring compliance with the First Amendment to the United States Constitution and Article I, Section 8 of the Texas Constitution by maintaining content-neutral regulations; and

WHEREAS, the City is authorized under Section 54.001, Texas Local Government Code, to enforce ordinances through fines and other remedies and

WHEREAS, the City Council finds that adopting this dark sky ordinance, with passive enforcement and a five-year grandfathering period for existing lighting, implements the comprehensive plan, supports community goals, and complies with applicable state and federal laws;

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

SECTION 1. ESTABLISHMENT AND CODIFICATION

This ordinance shall be codified as Article 8.09, "Dark Sky Lighting," in the City of McLendon-Chisholm Code of Ordinances, as follows:

CHAPTER 8., Article 9 : DARK SKY LIGHTING

Section 8.09.01. Purpose and Scope

- (a) The purpose of this chapter is to regulate outdoor lighting within the City of McLendon-Chisholm to minimize light pollution, protect the night sky, promote public health and safety, conserve energy, and implement the City's comprehensive plan by supporting pursuit of an International Dark Sky Community designation from Dark Sky International.
- (b) This chapter applies to all new and replacement outdoor lighting installed after the effective date of this ordinance on public and private property within the City's corporate limits, except as exempted or grandfathered herein.
- (c) This chapter shall not apply to the City's extraterritorial jurisdiction, pursuant to Senate Bill 1090 (2021), codified in Section 229.002, Texas Local Government Code.

Section 8.09.02. Definitions

For the purposes of this chapter:

- (a) *Fully Shielded Fixture* means an outdoor lighting fixture with a solid barrier (shield) that directs all light downward, with no light emitted above the horizontal plane of the fixture.
- (b) *Glare* means light entering the eye directly from a light source that causes visual discomfort or reduced visibility.
- (c) *Kelvin (K)* means the unit of color temperature used to describe the warmth or coolness of a light source, with lower values indicating warmer (yellow/orange) light and higher values indicating cooler (blue/white) light.
- (d) *Light Pollution* means artificial light that causes skyglow, glare, or light trespass, obscuring the night sky or interfering with human or environmental health.
- (e) *Light Trespass* means light that falls beyond the intended area, illuminating adjacent properties or areas not requiring illumination.
- (f) *Lumen* means the unit of luminous flux, measuring the total amount of visible light emitted by a source.
- (g) *Skyglow* means the brightening of the night sky caused by artificial light scattered in the atmosphere.

Section 8.09.03. General Lighting Standards

- (a) All new and replacement outdoor lighting installed after the effective date of this ordinance shall:
 - (1) Be fully shielded to direct light downward and prevent light emission above the horizontal plane, consistent with Dark Sky International's Five Principles of Responsible Outdoor Lighting.
 - (2) Have a color temperature not exceeding 3000 Kelvin to minimize blue light emissions, which contribute to skyglow and health impacts.
 - (3) Be installed to minimize glare and light trespass onto adjacent properties or public rights-of-way.

- (4) Not exceed the minimum illumination necessary for safety, security, or utility, as recommended by the Illuminating Engineering Society standards.
- (b) Outdoor lighting shall be turned off or dimmed when not needed, using timers, motion sensors, or manual controls, except for safety or security lighting required by law.
- (c) These standards shall apply to all lighting, including but not limited to streetlights, parking lot lights, landscape lighting, and signage, unless exempted or grandfathered under Section XX.04.

Section 8.09.04. Exemptions and Grandfathering

- (a) Exemptions: The following are exempt from this chapter, provided they do not contribute to light pollution beyond what is necessary:
 - (1) Lighting required by federal or state law, including FAA aviation lighting or TxDOT highway lighting, per Section 425.002, Texas Health and Safety Code.
 - (2) Temporary lighting for construction or emergencies, not exceeding 30 days, with approval from the City Secretary.
 - (3) Holiday lighting displayed between November 15 and January 15, it is turned off between midnight and 6:00 a.m.
 - (4) Low-voltage (12V or less) landscape lighting under 100 lumens per fixture, if directed downward.
- (b) Grandfathering: All outdoor lighting lawfully installed and operational prior to the effective date of this ordinance is grandfathered and exempt from compliance with this chapter for a period of five years from the effective date. After five years, or upon replacement of any grandfathered fixture, whichever occurs first, such lighting shall conform to the standards of this chapter, unless the City Council grants an exemption for undue hardship.

Section 8.09.05. Lighting Plan Requirement

- (a) For new developments or major renovations requiring a building permit after the effective date of this ordinance, applicants shall submit a lighting plan to the City Secretary, demonstrating compliance with this chapter.
- (b) The lighting plan shall include:
 - (1) Locations and types of all proposed outdoor lighting fixtures.
 - (2) Manufacturer specifications showing lumens, shielding, and color temperature.
 - (3) Photometric data or diagrams indicating light distribution and intensity.
- (c) The City Secretary or designee shall review the lighting plan within 30 days and approve it if compliant with this chapter.

Section 8.09.06. Public Education and Dark Sky Plan

- (a) Within 180 days of the effective date of this ordinance, the City shall develop a Dark Sky Plan to guide pursuit of International Dark Sky Community designation, including:
 - (1) An inventory of existing public lighting and a retrofit schedule for City-owned fixtures.
 - (2) Community education programs on responsible lighting practices.
 - (3) A timeline for submitting a Dark Sky Community application to Dark Sky International.
- (b) The Dark Sky Plan shall be presented to the City Council for approval following a public hearing, with notice provided per Section 52.011, Texas Local Government Code.

Section 8.09.07. Passive Enforcement

- (a) Enforcement of this chapter shall be passive and complaint-based, initiated only upon receipt

of a written complaint submitted to the City Secretary by a resident or property owner within the City's corporate limits.

(b) Upon receiving a complaint, the City shall:

(1) Notify the property owner or responsible party of the alleged violation in writing, including educational materials on compliant lighting practices.

(2) Provide a reasonable period, not less than 30 days, for the owner to voluntarily correct the violation.

(c) If the violation persists after the correction period, the City may issue a citation for a Class C misdemeanor, punishable by a fine not to exceed \$500 per violation, as authorized by Section 54.001, Texas Local Government Code.

(d) The City may seek injunctive relief, including removal of noncompliant lighting,.

(e) Enforcement shall be conducted by the City's designated code enforcement officers.

(f) Each day a violation continues after the correction period constitutes a separate offense, but fines shall not be imposed without prior educational outreach.

SECTION 2. SEVERABILITY

If any provision of this ordinance is found invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect, pursuant to Section 311.032, Texas Government Code.

SECTION 3. CONFLICTS WITH STATE OR FEDERAL LAW

This ordinance shall not be construed to permit acts prohibited by state or federal law, including but not limited to the First Amendment to the United States Constitution, Article I, Section 8 of the Texas Constitution, or statutes cited herein, per Section 1.002, Texas Local Government Code.

SECTION 4. PUBLIC HEARING AND NOTICE

A public hearing on this ordinance was held on April 22nd, 2025, with notice provided in accordance with Section 52.011, Texas Local Government Code, and open meetings requirements under Chapter 551, Texas Government Code.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon its passage and publication as required by Section 52.011 and Section 52.013, Texas Local Government Code.

SECTION 6. RECORDATION

The City Secretary is directed to maintain a copy of this ordinance in the City's official records, available at City Hall, 1371 W. FM 550, McLendon-Chisholm, Texas 75032, and online at www.mclendon-chisholm.com.

PASSED AND APPROVED by the City Council of the City of McLendon-Chisholm, Texas, on this [insert day] day of [insert month], 2025.

[Mayor's Name], Mayor

ATTEST:

[City Secretary's Name], City Secretary

APPROVED AS TO FORM:

[City Attorney's Name], City Attorney

Travel Policy

Applicability of Travel Policy (Proposed changes in red)

It is the policy of the City of McLendon-Chisholm to reimburse the Mayor and Council, employees and other persons who are authorized to represent the City at various conferences, meetings, conventions, seminars, and functions. The city recognizes that the public interest requires employees to travel at times to conduct City business. The city also recognizes that the public interest is served by the advancement of training and professional development of employees. It is the policy of the City to arrange travel on City business utilizing the most economical means available.

This policy is applicable to all City employees and elected officials and applies to all travel on City business outside the City limits and to all travel reimbursements, subject to budget limitations and authenticated expenses. The purpose of this policy is to establish general guidelines and provide uniformity in handling expenditure requests, and to establish proper accounting for allowable expenses.

Responsibility:

- Department Head – responsible for communicating and administering the provisions of this policy to employees and approving all travel requests within his/her department. Also, should strive to be proactive in planning for the department's travel needs in the annual budgeting process. It is the responsibility of the Department Head to ensure all travel expenses are accounted for within 30 calendar days from the date of return and the Travel Expense Report forwarded to the Finance Department.
- Employee – responsible for all pertinent information on the Travel Expense Report, indicating purpose of travel, location, type of transportation, departure date, return date, estimated expenditure and funds advanced.
- Finance Department – responsible for distributing travel funds in compliance with established policies and guidelines. The Finance Department should take into consideration the departmental travel budget and calculate the amount spent to date and forward the Travel Expense Report to the City Manager for approval.

Travel Authorization

The department head may authorize travel leave and expenses for City business outside the city. The City Manager's Department shall take care of all Mayor/City Council travel. Any employee traveling on official City business shall communicate with their supervisor as to where they can be reached while out of the City. All travel requests must be submitted on forms provided for that purpose.

Allowable Expenses

- **Registration** – The City will reimburse actual expenses incurred in registering for a conference, seminar, or meeting. A receipt must be furnished for reimbursement purposes. The city encourages advance payment of fees to take advantage of any discounts available. However, any recreation expenses included in the registration (i.e., golf, tennis, runs, etc.) will not be reimbursed unless it's included as part of the itinerary.
- **Transportation** – The department head/supervisor will be expected to select the mode of transportation that is most economical to the city considering cost and time consumed. Normally, when travel is required for City business a city vehicle or personal car may be used when such travel distances are within a three hundred (300) mile radius. For travel beyond a three hundred (300) mile radius of the City, air transportation may be approved if authorized in the budget. All approved transportation expenses will be reimbursed as follows:
 - When employees use their personal vehicles, all travel mileage will be paid at the most recent IRS rate per mile (which can be found at www.irs.gov) plus parking fees.
 - When City vehicles are used, all expenses incidental to the use of such vehicle (parking, gasoline, oil, repairs, etc.) shall be reimbursed. Receipts will be required.
 - When air travel is permitted, employees will book their flight as far in advance as possible. Air travel reimbursement shall be limited to "coach" fares. Additionally, if the employee requires parking at the airport for twenty-four (24) hours or less, the employee will be reimbursed at the short-term parking rates. Requiring parking for twenty-five (25) hours or more, the reimbursement shall be at the long-term parking rate. Receipts will be required for reimbursement. A picture of the receipt is acceptable.
 - Reimbursement will be made for the use of rental cars, Uber/taxi or bus fares, etc. provided such expenses are necessary and reasonable. Approval to rent a car should be obtained prior to the trip whenever possible. Employees are expected to obtain the lowest possible rates for the cars. The City's current insurance provider covers insurance for rental vehicles as long as the employee is on city business. Therefore, it is not necessary for the employee to purchase additional liability/collision insurance for the contracted rental car.
 - Alternate routes, which are desirable because of personal affairs of the traveler, can be used, but only on the traveler's time and with the traveler bearing the additional cost of the alternate route. Mileage and expenses incurred on alternate routes must be shown on the expense account that is turned in for reimbursement or for advance in funds request.

- **Meals** – Employees may use their City Purchasing cards or take the per diem rate. If issued the per diem rate no receipts are required to be submitted. A maximum daily allowance for meals will be provided based on the General Services Administration (GSA, which can be found at www.gsa.gov) guidelines for the location of travel. When an employee claims the allowance, any meals provided by the conference will be deducted at the maximum allowable rate. Total allowance of reimbursement for travel includes a maximum of twenty percent (20%) for gratuity. Expenses for alcoholic beverages are not reimbursable. Receipts will be required for each meal and the travel expense report should include the date, location, and amount for each meal.
- **Lodging** – Employees are expected to make lodging reservations well in advance whenever possible, and to take other actions to ensure lodging is secured at a moderate rate. Reimbursement of lodging shall be limited to single rates unless two or more employees occupy a single room, or otherwise approved by the City Manager. It shall be the policy of the City to reimburse for only lodging that is economical and practical with a maximum daily allowance based on General Services Administration (GSA, which can be found at www.gsa.gov) guidelines and for business conducted further than 50 miles from McLendon-Chisholm City Hall. Exceptions to this may be granted when the best value hotel rooms are unavailable or where conferences are held in or nearby the hotel. Receipts for lodging must be provided to obtain reimbursement.
- Reimbursement will not be made for alcoholic beverages, entertainment expenses, or other sundry items not relevant to the public purpose of the travel, except when necessary to entertain dignitaries, state, federal or business representatives.
- **Entertainment** – The City realizes that from time to time, it is necessary to entertain dignitaries and state, federal, and business representatives whenever it may be deemed in the best interest of the city. Such expenses may be reimbursed at the discretion of the City Manager. Receipts will be required before reimbursement can be made. Whenever practical, prior authorization should be obtained from the City Manager.
- **Dependent Expenses** – There is no objection to a spouse/family member accompanying an employee on an out-of-town business trip; however, the city will not be financially responsible for the spouse/family member of the employee. Any additional expenses incurred such as travel, lodging, meals, or any other miscellaneous expenses will be the sole responsibility of the employee. The city will not reimburse the additional expenses.
- **Reimbursement Caps** - Reimbursement for all expenses approved by the City under this policy shall not exceed ~~\$3500~~ \$2000 during the course of any one budgetary calendar.
- **Taxpayer Funded-Lobbying** - The City shall not reimburse any expenses incurred for lobbying activities or for travel in which lobbying occurs.

13-1.3 Travel Expense Report Procedure

The employee will fill out all the pertinent expenditure information as part of the standard purchasing card reconciliation.