



AGENDA
City Council
Wednesday, May 12, 2021
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. RULES OF DECORUM
4. CONSENT AGENDA
Items under the Consent Agenda are considered non-controversial or routine and will be adopted by one motion without separate discussion of items. Any item may be removed from the Consent Agenda and considered individually by request from any Council Member making such request prior to a motion and vote on the Consent Agenda.
 - 4.1. Action Regarding the Minutes of April 28, 2021 City Council Meeting 3 - 21
[04.28.21 City Council Minutes](#)
 - 4.2. Accept resignation of Daniel Tucker from the Planning & Zoning Commission 22
[Letter of Resignation](#)
 - 4.3. Resolution denying Oncor proposed rate increase 23 - 24
[Resolution Denying Oncor Rate Increase](#)
5. ITEMS FOR CONSIDERATION
 - 5.1. Discussion and action regarding a Resolution canvassing the returns of the General Election held on May 1, 2021 for the purpose of electing three Council Members (Places 1, 3, and 5) to serve two year terms. 25 - 36
[Summary Results Report](#)
[Certification of Results](#)
[Resolution Canvassing Votes](#)
 - 5.2. Receive comments from outgoing Council Member William Dahl.
 - 5.3. Swear in newly elected Council Members for Places 1,3, and 5.
 - 5.4. Council will review applicants for the Council Member Place 2 vacancy and provide each applicant an opportunity to introduce themselves and answer questions from Council.

- 5.5. Recess into Executive Session (closed meeting) in accordance with Texas Government Code Section 551.074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, resignation, duties, discipline or dismissal of a public officer or employee: Appointment to fill the vacancy for Council Member Place 2.
- 5.6. Reconvene Regular City Council Meeting and consider any action on matters discussed in Executive Session.
- 5.7. Discussion and action regarding appointing a citizen to fill the vacancy of Council Member Place 2.
- 5.8. Swear in newly appointed Council Member to fill the vacancy for Place 2.
- 5.9. Presentation by Abra Nusser representing Kimley-Horn regarding city survey results. Council discussion may follow the presentation.
6. UPDATES, DISCUSSION AND DIRECTION TO STAFF
7. 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.

8. ADJOURN

FOOTER

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, Rochelle Green, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted on or before 5:00 p.m., May 7, 2021, on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**CITY COUNCIL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
April 28, 2021**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Wednesday, April 28, 2021, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Lorna Kipphut	Mayor Pro Tem
	Trudy Woessner	Council Member
	William Dahl	Council Member
ABSENT:	Brian Davis	Council Member
Staff Present:	Lisa Palomba	City Administrator
	Jim Simmons	Fire Chief
	Shelly Green	City Secretary
	Michael Halla	City Attorney
	Mike Coker	City Planner

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:30 p.m.

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

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

3. PRESENTATION AND AWARDS

3.1. McLendon-Chisholm Firefighter Jake Ahrens

Chief Simmons introduced firefighter Jake Ahrens with a brief background of his accomplishments in the McClendon-Chisholm Fire Department.

Mark Kipphut explained that the Terry Fisher Post presents certificates of accommodation every year to one member of every first responder organization within Rockwall County. Normally they present these at one of our meetings. But because Jake was on duty, we came here and it's a pleasure and as a proud resident of McLendon-Chisholm, this is a great honor to present to you Captain Jake Ahrens, McLendon-Chisholm public safety officer. His accommodation is awarded for outstanding public service befitting our community, state, and nation. One of the key pillars of the American Legion is national security. That includes not only support for our armed forces but also for our first

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responders. It's easy to understand why Jake would be the guy honored this year because of all the work he does and what he does to make both service in his community but also to make our community proud. He's one of the key drivers behind the food drives started and he has done five of those.

Mr. Kipphut also read a certificate from Senator Bob Hall and the Senator also asked him to present Jake with one of his pins.

4. RULES OF DECORUM

Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

5. CITIZEN COMMENTS

Adrienne Balkum, 1518 Firenza Ct. Expressed appreciation to Firefighter Ahrens for helping her when she had an incident at home. Also praised him for his diligence toward his job. Also thanked everyone who signed the petition regarding the rights of children in the school district. She also remarked that Kimley Horn should have more in person meetings for community outreach.

Citizen comments closed at 6:41 p.m.

6. CONSENT AGENDA

- 6.1. Action Regarding the Minutes of April 14, 2021 City Council Meeting
- 6.2. Budget Report March 2021
- 6.3. McLendon-Chisholm Fire Rescue Report March 2021
- 6.4. Building Official Report March 2021
- 6.5. Animal Control Report March 2021
- 6.6. CWD Report March 2021
- 6.7. Sheriff's Report March 2021
- 6.8. Code Compliance Report March 2021

MOTION: APPROVE THE COSENT AGENDA AS PRESENTED.

MADE BY: Council Member Dahl
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous

7. ITEMS FOR DISCUSSION

- 7.1. Jack Pullen will present an RCH Water Supply update to include infrastructure status, future planning and development and spring/summer preparations.

Mr. Pullen presented activities going on with RCH Water Supply and their plans for the future.

Steve Hatfield delivered a report regarding the new website. The address is rchwater.myruralwater.com and it is up and running. He also explained that each water customer will get a letter regarding the requirements for backflow prevention.

- 7.2. Project Manager Sean Spyres will provide an update regarding status of the Fire Station construction project.

Project Manager Spyres gave an update on the progress of the new Fire Station pointing out that the slab has been poured. He also pointed out they are still on budget.

- 7.3. Discussion and action regarding a request by Chad Prince for a Final Plat of Chad Prince Addition to include one residential lot on 2.5 acres located in both Rockwall and Kaufman Counties and in McLendon-Chisholm Extraterritorial Jurisdiction

City Planner presented his staff report:

APPLICANT: Chad Lee Prince
LOCATION: 780 Cornstalk Road [Generally on the west side of the intersection of Connie Lane and Cornstalk Road.]

REQUEST:

The applicant is requesting approval of a final plat on 2.5 acres of land to create one single lot.

PROPERTY OWNER: Chad Lee Prince
780 Cornstalk Road
Rockwall, Texas 75032

REPRESENTATIVE: Chad Lee Prince

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm recommend approval of the application

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for the final plat of Lot 1, Block A of the Chad Prince Addition located in the ETJ of McLendon-Chisholm, Texas and further located in both Rockwall and Kaufman Counties.

BACKGROUND INFORMATION:

The subject property is a 2.5-acre tract of land located generally at the west side of the intersection of Connie Lane and Cornstalk Road. The applicant is dedicating sufficient right of way with this plat to provide one-half of the required right of way of 70 feet for the future expansion of Cornstalk Road.

Section 10.02.005(b) Final plat of the City of McLendon-Chisholm Subdivision Regulations provide for:

- “(5) The owner/subdivider may, at his option, elect to combine his preliminary plan and final plat of a subdivision whenever the tract of land:
 - A. Is to be resubdivided without a change of street locations or is so situated that the pattern of streets in said tract is predetermined by streets of immediately adjacent adjoining recorded subdivisions.
 - B. The proposed development will be of the same use and of comparable density as adjacent existing or contemplated development; and
 - C. Is a minimum of two and one-half acres in total area.”

In this case the property owner requested the consolidation of the preliminary and final plats into one plat.

Thoroughfares/streets:

Cornstalk Road is designated as a two-lane undivided collector by McLendon-Chisholm's Thoroughfare Plan, requiring 70 feet of right of way.

MOTION: APPROVE A REQUEST BY CHAD PRINCE FOR A FINAL PLAT OF CHAD PRINCE ADDITION TO INCLUDE ONE RESIDENTIAL LOT ON 2.5 ACRES LOCATED IN BOTH ROCKWALL AND KAUFMAN COUNTIES AND IN MCLENDON-CHISHOLM EXTRATERRITORIAL JURISDICTION (ETJ).

MADE BY: Council Member Dahl
SECONDED BY: Council Member Kipphut
APPROVAL: Unanimous

- 7.4. Discussion and action regarding an application by Stephen Davis representing Land Solutions SV, LLC for Preliminary Plat approval of Sonoma Verde Phase 3, consisting of 57.4187 acres of land to include 169 residential lots and four open space lots generally located southeast of Hwy 205 and League Rd.

City Planner Mike Coker presented his staff report:

APPLICANT: Stephen Davis

LOCATION: Southwest corner of League Road and Edwards Road in Sonoma Verde Subdivision.

REQUEST:

The applicant is requesting approval of a preliminary plat on 57.4187 acres of land to create 169 single family lots and four open space lots [HOA lots].

PROPERTY OWNERS: Land Solutions SV, LLC
15441 Knoll Trail, Suite 150
Dallas, Texas 75248

REPRESENTATIVE: Stephen Davis

STAFF RECOMMENDATION: City Staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm recommend approval of the application for the preliminary plat of Phase 3 of Sonoma Verde to the City Council subject to conditions contained in this report. The application is consistent with the requirements of the zoning ordinance for Sonoma Verde, the developer's agreement and the Conceptual Plan.

Conditions:

- That no building permit for any lot located in the 100 year flood plain be issued nor any certificate of occupancy be issued for any such lot unless and until that property has been removed from the flood plain in accordance with a letter of map revision [LOMR] approved by the FEDERAL EMERGENCY MANAGEMENT AGENCY [FEMA],
- That no certificate of occupancy or final inspection be approved for any house in the approved final plat for Phase 2 until potable water service and sanitary sewer service has been provided.
- Compliance with all engineering requirements and comments by the City Engineer. [The City Engineer's Conditions are attached at the end of this report].

BACKGROUND INFORMATION:

The subject property is a 57.4187 Acre tract of land located generally at southwest corner of League Road and Edwards Road, McLendon-Chisholm, Texas.

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The subject property is a portion of a larger planned development district located north of League Road, west of Edwards Road, east of SH 205, and south of FM 550.

The development of the subject property is regulated by the City of McLendon-Chisholm subdivision regulations; the Development agreement dated June 11, 2007, and development agreement amendments one and two [amendment two having been approved by the City Council September 25, 2012], and Ordinance #2007-20, the planned development district zoning regulations for Sonoma Verde, and a revised concept development plan dated April 2015.

The preliminary plat application for Phase 3 is consistent with the amended development plan, the zoning regulations for the Planned Development District and the applicable subdivision regulations.

The preliminary plat application for Phase 3 is consistent with the amended development plan, the zoning regulations for the Planned Development District and the applicable subdivision regulations.

Thoroughfares/streets:

This phase of Sonoma Verde is adjacent to two roadways: Edwards Road and League Road. The McLendon-Chisholm Thoroughfare Plan indicates that both Edwards and League are Minor 4-Lane Undivided Thoroughfares. A four-lane undivided minor thoroughfare requires 100 to 120 feet of right of way [see graphic below]. However, the Developer Agreement for this property defines the required right of way for a 4-lane undivided collector to be 80 feet. The applicant should provide a dedication of right of way along both Edwards and League to provide one-half of the specified right of way width from the assumed centerline of both streets.

City Engineer's Conditions:

1. Designate a 40 ft Right of Way dedication along Edwards Rd.
2. Delineate the location of the existing edges of Edwards Rd in order to best determine the approximate location of the roadway's centerline in relation to the Sonoma Verde boundary line.
3. The 40 ft Right of Way dedication along Edwards needs to extend to the T intersection of Edwards Rd and League Rd.
4. Designate a 40 ft Right of way dedication along League Rd.
5. The 40 ft right of way dedication along League Road needs to extend to the T intersection of League Rd and Edwards Rd.
6. The future reserve space for the RCH elevated storage should also be platted as part of the Phase 3 plan with a Lot and block designation.

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7. The open space shown to be reserved for stormwater detention and flood plain, also noted as OSAC-48, needs to be platted with a Lot and Block designation and called out, in addition to the existing drainage easement and flood plain designations, as Common Area to be maintained by the Sonoma Verde HOA.
8. The open space shown to be OSAC-1 needs to be platted also with a Lot and Block designation. Is this tract to be used as common area open space? If so, provide notation showing this lot as Common Area also to be maintained by the Sonoma Verde HOA.
9. The existing road conditions of Edwards Rd are very poor. This phase will impact and further deteriorate the driving conditions of Edwards. It is recommended steps should be taken now to improve Edwards with possible participation from the Developer.

MOTION: APPROVE THE REQUEST BY STEPHEN DAVIS REPRESENTING LAND SOLUTIONS SV, LLC FOR FINAL PLAT APPROVAL FOR SONOMA VERDE PHASE 3, CONSISTING OF 57.4187 ACRES OF LAND TO INCLUDE 169 RESIDENTIAL LOTS AND FOUR OPEN SPACE LOTS GENERALLY LOCATED SOUTHEAST OF HWY 205 AND LEAGUE RD. INCLUDING CONDITIONS AS ESTABLISHED IN THE ENGINEER'S REPORT.

MADE BY: Council Member Dahl
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous

- 7.5. Discussion and action regarding a request by Stephen Davis representing Land Solutions SV, LLC for Final Plat approval for Sonoma Verde Phase 4C, 29.703 acres consisting of 43 residential lots and two open space lots generally located southeast of Hwy 205 and League Rd.

City Planner Coker presented his staff report:

APPLICANT: Stephen Davis

LOCATION: Southeast corner of the intersection of Sonoma Verde Subdivision

REQUEST:

The applicant is requesting approval of a final plat on 29.703 acres of land to create 43 single family lots and two open space lots [HOA lots]

PROPERTY OWNERS: Land Solutions SV, LLC
15441 Knoll Trail, Suite 150
Dallas, Texas 75248

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REPRESENTATIVE: Stephen Davis

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval

STAFF RECOMMENDATION: City Staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm recommend approval of the application for the final plat of Phase 4C of Sonoma Verde to the City Council subject to conditions contained in this report. The application is consistent with the requirements of the zoning ordinance for Sonoma Verde, the developer's agreement, the approved preliminary plat and the Conceptual Plan.

Conditions:

- That no building permit for any lot located in the 100 year flood plain be issued nor any certificate of occupancy be issued for any such lot unless and until that property has been removed from the flood plain in accordance with a letter of map revision [LOMR] approved by the FEDERAL EMERGENCY MANAGEMENT AGENCY [FEMA].
- That no certificate of occupancy or final inspection be approved for any house in the approved final plat for Phase 2 until potable water service and sanitary sewer service has been approved.
- Compliance with all engineering requirements and comments by the City Engineer. [The City Engineer's Conditions are attached at the end of this report.]
- Open space lots should have lot and block designation and should be shown as HOA lots.

BACKGROUND INFORMATION:

The subject property is a 29.703 Acre tract of land located at southeast corner of the Sonoma Verde Subdivision and immediately south of and adjacent to Via Toscana Lane, McLendon-Chisholm, Texas.

The subject property is a portion of a larger planned development district located north of League Road, west of Edwards Road, east of SH 205, and south of FM 550.

The development of the subject property is regulated by the City of McLendon-Chisholm subdivision regulations; the Development agreement dated June 11, 2007, and development agreement amendments one and two [amendment two having been approved by the City Council September 25, 2012]; and Ordinance #2007-20, the planned development district zoning regulations for Sonoma Verde, and a revised concept development plan dated April 2015.

The final plat application for Phase 4C is generally consistent with the amended development plan, the zoning regulations for the Planned Development District, the approved preliminary plat and the applicable subdivision regulations.

Thoroughfares/streets:

This phase is served by local residential streets as shown on the final plat.

City Engineer's Conditions:

1. Include in the legend if not defined elsewhere MFFE = Minimum Finish Floor Elevation.
2. Referencing the grading sheets, the MFFE elevations shown on the Final Plat are lower than the minimum Finished Pad elevations shown on the grading sheets.
3. Provide the street names Arezzo Lane and Ripasso Way at the appropriate location on the Final Plat.
4. Prior to filing the Final Plat (post construction), the updated flood zone A, which is currently under FEMA review, should be noted on the Final Plat with the new approved FEMA effective flood date with the corresponding approximate limits.
5. The City should consider revising the 30 feet of designated Ingress, Egress, Drainage, and Utility Easement along the frontage road of Frontier to dedicated right of way. This will be consistent with the right of way dedication of the frontage along League and Edwards.

MOTION: APPROVE THE REQUEST BY STEPHEN DAVIS REPRESENTING LAND SOLUTIONS SV, LLC FOR FINAL PLAT APPROVAL FOR SONOMA VERDE PHASE 4C, 29.703 ACRES CONSISTING OF 43 RESIDENTIAL LOTS AND TWO OPEN SPACE LOTS GENERALLY LOCATED SOUTHEAST OF HWY 205 AND LEAGUE RD. INCLUDING CONDITIONS AS ESTABLISHED IN THE ENGINEER'S REPORT.

MADE BY: Commissioner Dahl
SECONDED BY: Commissioner Kipphut
APPROVAL: Unanimous

- 7.6. Discussion and action regarding an application by Stephen Davis Representing Land Solutions SV, LLC for Preliminary Plat approval of Sonoma Verde Phase 5, consisting of 61.389 acres to include 79 residential lots and two open space lots.

City Planner Coker presented his staff report:

APPLICANT: Stephen Davis
LOCATION: Northwest corner of Sonoma Verde subdivision and adjacent to Edwards Road

REQUEST:

The applicant is requesting approval of a preliminary plat on 61.389 acres of land to create 79 single family lots and two open space lots [HOA lots].

PROPERTY OWNERS: Land Solutions SV, LLC
15441 Knoll Trail, Suite 150
Dallas, Texas 75248

REPRESENTATIVE: Stephen Davis

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm recommend approval of the application for the preliminary plat of Phase 5 of Sonoma Verde to the City Council subject to conditions contained in this report. The application is consistent with the requirements of the zoning ordinance for Sonoma Verde, the developer's agreement and the Conceptual Plan.

Conditions:

- That no building permit for any lot located in the 100 year flood plain be issued nor any certificate of occupancy be issued for any such lot unless and until that property has been removed from the flood plain in accordance with a letter of map revision [LOMR] approved by the FEDERAL EMERGENCY MANAGEMENT AGENCY [FEMA].
- That no certificate of occupancy or final inspection be approved for any house in the approved final plat for Phase 5 until potable water service and sanitary sewer service has been provided.
- Compliance with all engineering requirements and comments by the City Engineer. [The City Engineer's Conditions are attached at the end of this report].

BACKGROUND INFORMATION:

The subject property is a 61.389 Acre tract of land located generally at northwest corner of Sonoma Verde Subdivision, partially adjacent to Edwards Road, in McLendon-Chisholm, Texas.

The subject property is a portion of a larger planned development district located north of League Road, west of Edwards Road, east of SH 205, and south of FM 550.

The development of the subject property is regulated by the City of McLendon-Chisholm subdivision regulations; the Development agreement dated June 11, 2007, and development agreement amendments one and two [amendment two having been approved by the City Council September 25, 2012]; and Ordinance #2007-20, the planned development district zoning regulations for Sonoma Verde, and a revised concept development plan dated April 2015.

The preliminary plat application for Phase 5 is consistent with the amended development plan, the zoning regulations for the Planned Development District and the applicable subdivision regulations.

Thoroughfares/streets:

This phase of Sonoma Verde is adjacent to Edwards Road. The McLendon-Chisholm Thoroughfare Plan indicates that Edwards Road is a Minor 4-Lane Undivided Thoroughfare. A four-lane undivided minor thoroughfare requires 100 to 200 feet of right of way. However, the Developer Agreement for this property defines the required right of way for a 4-lane undivided collector to be 80 feet. The applicant should provide a dedication of right of way along Edwards to provide one-half of the specified right of way width from the assumed centerline of Edwards Road.

City Engineer's Conditions:

1. Designate a 40 ft Right of Way dedication along Edwards Rd.
2. Delineate the location of the existing edges of Edwards Rd in order to best determine the approximate location of the roadway's centerline in relation to the Sonoma Verde boundary line.
3. The applicant indicates under current conditions that Lots 2, 3, 4, 5, 6, 7, 38, 40, 41, & 42 encroach into the existing flood plain. However, as part of the flood study and LOMR report prepared by Cardinal Strategies, the current flood plain delineation will be adjusted following the FEMA process of review and approval, removing completely those affected lots from the flood plain. Both current and future flood delineations are provided on the preliminary plat.
4. The open space shown to be reserved for stormwater detention and flood plain, also needed as OSAI-39, needs to be platted with a Lot and Block designation and called out, in addition to the existing drainage easement and flood plain designations, as Common Area to be maintained by the Sonoma Verde HOA.
5. The open space shown to be OSAJ-1 needs to be platted also with a Lot and Block designation. Is this tract to be used as common area open space? If so, provide notation showing this lot as Common Area also be maintained by the Sonoma Verde HOA.
6. The existing road conditions of Edwards Rd are very poor. This phase will impact and further deteriorate the driving conditions of Edwards. It is recommended steps should be taken now to improve Edwards with possible participation from the Developer.

MOTION: APPROVE THE REQUEST BY STEPHEN DAVIS REPRESENTING LAND SOLUTIONS SV, LLC FOR PRELIMINARY PLAT APPROVAL OF SONOMA VERDE PHASE 5, CONSISTING OF 61.389 ACRES TO INCLUDE 79 RESIDENTIAL LOTS AND FOUR OPEN SPACE LOTS INCLUDING CONDITIONS AS ESTABLISHED IN THE ENGINEER'S REPORT.

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MADE BY: Council Member Dahl
SECONDED BY: Councilmember Woessner
APPROVAL: Unanimous

7.7. Discussion and action regarding a request for a Final Plat approval for McLendon-Chisholm Municipal Addition consisting of 15.008 acres to include 4 City owned lots.

City Planner Coker presented his staff report:

APPLICANT: City of McLendon-Chisholm

LOCATION: 1371 West FM 550, McLendon-Chisholm, Texas

REQUEST:

The applicant is requesting approval of a final plat for four non-residential lots on 15.008 acres of land located at 1371 West FM 550.

PROPERTY OWNERS: City of McLendon-Chisholm
1371 West FM 550
McLendon-Chisholm, Texas

REPRESENTATIVE: Lisa Palomba, City Administrator

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm recommend approval of the application for the final plat of Lots 1 through 4, Block A of the McLendon-Chisholm Municipal Addition located at 1371 West FM 550.

Condition: Change the proposed street name on "Street A" to a more representative street name.

Condition: Dedicate sufficient right of way to establish 50 feet of right of way to the centerline of FM 550 from the subject property.

Condition: Compliance with any requirements from the City Engineer.

BACKGROUND INFORMATION:

The subject property is a 15.008-acre tract of land located at 1371 West FM 550 and is the home of the current McLendon-Chisholm City Hall and Public Safety Building [currently under construction].

Section 10.02.005, subject (b) Final plat, (5) requires that a final plat be considered after approval of a preliminary plat by the City Council. The preliminary plat for the subject property was approved and a subsequent final plat was approved by the City Council but never filed with the County Clerk of Rockwall County. The current final plat is a revision to the previously approved final plat with additional detail regarding easements, fire lanes and expanded detention facilities.

- (5) The owner/subdivider may, at his option, elect to combine his preliminary plan and final plat of a subdivision whenever the tract of land:
 - A. Is to be resubdivided without a change of street locations, or is so situated that the pattern of streets in said tract is predetermined by streets of immediately adjacent adjoining recorded subdivisions;
 - B. The proposed development will be of the same use and of comparable density as adjacent existing or contemplated development; and
 - C. Is a minimum of two and one-half acres in total area?

The City has elected to combine the preliminary and final plats into one final plat.

Thoroughfares/streets:

FM 550 is shown to be a minor 4-lane Divided Thoroughfare by the McLendon-Chisholm Thoroughfare Plan.

The approved cross-section for this thoroughfare is 100 to 120 feet of right of way.

MOTION: APPROVE THE REQUEST FOR A FINAL PLAT APPROVAL FOR MCLENDON-CHISHOLM MUNICIPAL ADDITION CONSISTING OF 15.008 ACRES TO INCLUDE 4 CITY OWNED LOTS.

MADE BY: Council Member Dahl
SECONDED BY: Council Member Kipphut
APPROVED: Unanimous

- 7.8. Discussion and action regarding appointing an additional member or members to the Comprehensive Plan Advisory Committee (CPAC).

City Administrator Palomba turned this over to Mark Kipphut, Chairman of CPAC and let him explain the request and the reasons why.

Mark Kipphut first expressed his appreciation for being appointed as Chairman of the committee. He further expressed that it is a great honor to lead the CPAC and he thanked the Council for the trust and confidence they installed in him.

Mr. Kipphut explained that one of the members is unable to serve due to family commitments. She has withdrawn her name from the Committee. The Council had appointed 13, the question before Council is adding another individual to the Committee. He stated the Committee is firmly in agreement that that's a good approach and, as Chairman, I would ask that you would authorize the addition to the Committee. He requested they just let him handle the identification of the individual unless you have a specific request.

MOTION: AUTHORIZE THE APPOINTMENT OF AN ADDITIONAL MEMBER TO THE CPAC COMMITTEE WITH CHAIRMAN KIPPHUT IDENTIFYING THE PERSON TO BE SELECTED FROM THE EXISTING APPLICANTS.

MADE BY: Council Member Dahl

SECONDED BY: Council Member Kipphut

APPROVAL: Approved by a vote of 2-1 (Council Member Woessner voting NAY)

- 7.9. Discussion and action to consider Amendment #2021-01 to the Agreement between the City of McLendon-Chisholm and Kimley Horn, Inc. dated March 12, 2021 for additional services related to the Comprehensive Plan Update in an amount not to exceed \$6,950.

City Administrator Palomba reminded the Council that the original contract was for \$65,000.00. After several discussions with Kimley Horn after meeting with the Council and P&Z and the first meeting with CPAC, it was determined that we might have overlooked a few things that could really benefit our City. One of those is a few additional stakeholder interviews. We're looking for probably three of those and the other is a focus group to look at the 205 corridor and how that affects our City. The last one would be for adding an additional community forum either digital or in person. She also asks our CPAC Chair Mark Kipphut to approach and give his recommendations from his last meeting.

Mr. Kipphut explained that the CPAC had its first meeting with Kimley Horn here on the 12th of April. Since that time the CPAC has been meeting weekly. The preference was to meet via zoom because those meetings are predominantly administrative and content in terms of updating ourselves on actions, things that will be moved out into the future. There are three items he will discuss and give the recommendation from CPAC.

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- 1) The community forum – there will be one live by original scope. Clearly, community engagement is the desire of the committee and he believes that's the desire of the City to have as many citizens engaged as possible in all phases of this. The initial community form is set for May 15 and we asked about adding an additional forum on a weeknight which would allow for additional citizens to come. By unanimous vote, the committee voted to go with the virtual forum because it's less costly.
- 2) The next is the additional stakeholder interviews. The original contract had seven with six of the seven completed now. As the committee has reviewed that list, there are some gaps that exist, one specifically being Rockwall ISD. The committee voted unanimously on this item.
- 3) The third is on State Hwy 205. That is a key theme. Obviously, there's going to be many opportunities and many risks that go with the development of the multi-lane highway through the center of the City. Kimley Horn has suggested a small forum to bring together stakeholders.

MOTION: APPROVE AMENDMENT #2021-01 TO THE AGREEMENT BETWEEN THE CITY OF MCLENDON-CHISHOLM AND KIMLEY HORN, INC. DATED MAY 12, 2021 FOR ADDITIONAL SERVICES RELATED TO THE COMPREHENSIVE PLAN UPDATE IN AN AMOUNT NOT TO EXCEED \$6,950.

MADE BY: Council Member Dahl
SECONDED BY: Council Member Kipphut
APPROVAL: Unanimous

- 7.10. Discussion and action regarding consideration of a Resolution revising the City's Fund Balance Policy and allocation of funds to proposed and existing fund balance reserves.

City Administrator Palomba presented the staff report for this item:

BACKGROUND OF ISSUE:

The City adopted a Fund Balance Policy in 2019 which allocates funds for committed, restricted, assigned, and unassigned purposes. Fund balance reserves were allocated for the following:

- Restricted Fund Balance
 - (Fire Station Replacement)
- Assigned Fund Balance
 - Utility Fund
 - Sonoma Verde Roads

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- Capital Fleet Replacement
- Unassigned Fund Balance (residual net resources)

To remain in compliance with governmental accounting standards, staff is recommending changes to the Fund Balance Policy creating a Capital Projects Fund which will allow a mechanism to transfer funds to the current budget.

The City previously approved the sanitary sewer line project and recent change order. Since there was not an existing Capital Projects Fund, the FY 21 Budget was amended to show the General Fund absorbing those costs. This change will allow for the proposed budget amendment to show a transfer to the Utility Fund to offset the cost of the sewer project.

The original Fund Balance Policy included a Restricted Fund Balance specifically for fire station replacement. This was created prior to selecting the design/build team and prior to establishing a budget for the building. Now that construction is underway, most of the funds have been transferred to the current budget. Any remaining funds, once the project is complete, would remain in the Public Safety Capital Fund. The only funds currently restricted are funds collected for debt service payments.

RECOMMENDATION:

- 1) Amend the Fund Balance Policy by resolution to accomplish the following:
 - a) Add debt service principal and interest as a restricted fund and reclassify formerly restricted funds as assigned fund balance
 - b) Create a Capital Projects (non-specific) Fund

MOTION: Approve a Resolution revising the City's Fund Balance policy as presented.

MADE BY: Council Member Dahl
SECONDED BY: Council Member Kipphut
APPROVAL: Unanimous

7.11. Discussion and action regarding an Ordinance amending the current 2020-2021 Fiscal Year Budget.

City Administrator Palomba presented an ordinance to amend the current 2020-2021 fiscal year budget

MOTION: APPROVE AN ORDINANCE AMENDING THE CURRENT 2020-2021 FISCAL YEAR BUDGET; FINDING MUNICIPAL PURPOSES;

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**AUTHORIZING EXPENDITURES; PROVIDING FOR A SEVERABILITY
CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

MADE BY: Council Member Kipphut
SECONDED BY: Council Member Dahl
APPROVED: Unanimous

8. EXECUTIVE SESSION

- 8.1. Recess into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551:074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Administrator Employment Agreement
- 8.1. Recess into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551:074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Secretary Review

Council recessed into Executive Session at 7:52 p.m.

8.2. Reconvene Regular Meeting

Council reconvene the regular meeting at 8:10 p.m.

8.3. Executive Session Action

No Action

9. UPDATES, DISCUSSION AND DIRECTION TO STAFF

Mayor Short directed the staff to obtain information regarding Backflow Requirements.

10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Short reminded everyone that Memorial Day is coming up and we should be vigilant while children are out of school. He also announced that Council Member Davis wasn't at the meeting because he was on his honeymoon and the Mayor extended congratulations to him.

Council Member Woessner reported that the Clean Up the City event went well, and the results are visible. She suggested they set up another clean-up date in the Fall.

Council Member Kipphut announced the Memorial Day event will be on Memorial Day at 1:00 p.m. and will be held at City Hall.

11. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 8:14 p.m.

APPROVED:

Keith Short, Mayor

Rochelle Green, City Secretary

City Council
McLendon-Chisholm

3 May 2021

City Council

I will be resigning from my position on the current Planning and Zoning Committee effective this date, 3 May 2021. Thank you for allowing me to serve the citizens of McLendon-Chisholm these past two years.

Sincerely,

A handwritten signature in cursive script that reads "Daniel Tucker". The signature is written in dark ink and has a fluid, connected style.

Daniel Tucker

RESOLUTION NO. 2021-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO TEX. ADMIN. CODE 23.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of McLendon-Chisholm, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, on or about April 8, 2021, Oncor filed with the City an Application for Approval of a Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 51996, seeking to increase electric distribution rates by approximately \$97,826,277; and,

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and,

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

Section 1. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits are hereby found to be unreasonable and shall be denied by City.

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That a copy of this Resolution shall be sent to J. Michael Sherburne, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202.

Section 4. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that the public notice of time, place, and purpose of said meeting was given as required by law.

Resolution No. 2021-07
Approved: 05/12/2021

PASSED AND APPROVED THIS 12TH DAY OF MAY 2021.

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary

Summary Results Report
2021 Joint Election
May 1, 2021

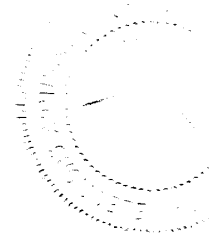
UNOFFICIAL RESULTS

ROCKWALL

STATISTICS

	TOTAL	Absentee	Early Voting	Election Day
Election Day Precincts Reporting	20 of 20	0	0	20
Precincts Complete	0 of 20	0	0	0
Precincts Partially Reported	20 of 20	0	0	20
Absentee/ Early Precincts Reporting	20 of 20	14	20	0
Registered Voters - Total	0			
Ballots Cast - Total	9,218	85	5,875	3,258
Ballots Cast - Blank	3	0	2	1
Voter Turnout - Total	0.00%			

[Handwritten signature]



Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

Council Member, Place 5 City of Fate

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Donovan Heinrich	288	0	193	95
Jim DeLand	657	5	374	278

PROPOSITION A City of Fate

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
FOR	656	2	419	235
AGAINST	401	3	225	173

PROPOSITION B City of Fate

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
FOR	817	5	511	301
AGAINST	223	0	122	101

Council Member, Place 1 City of Heath

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Frank New	1,715	30	1,120	565

Council Member, Place 2 City of Heath

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Paul Ruffo	1,708	27	1,111	570

Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

Council Member, Place 4 City of Heath

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Brent Weaver	1,700	27	1,106	567

Council Member, Place 6 City of Heath

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Rich Krause	1,287	28	821	438
Jeff Ivy	664	14	449	201

Council, Place 2 Unexp City of Royse City

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Russell Ratterree	457	3	321	133
Cortlin LaBlank	121	0	68	53

Council Place 1 City of McLendon-Chisholm

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Lorna Kipphut	364	2	218	144

Council Place 3 City of McLendon-Chisholm

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Paul Patrick Day	166	3	83	80
Trudy Woessner	248	0	160	88

Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

Council Place 5 City of McLendon-Chisholm

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Val Bodart	114	3	64	47
Dan Tucker	291	0	176	115

MAYOR City of Rockwall

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Kevin Fowler	3,478	21	2,301	1,156

COUNCIL PLACE-1 City of Rockwall

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Bennie Daniels	3,288	21	2,174	1,093

COUNCIL PLACE-3 City of Rockwall

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Priscylla Bento	590	9	424	157
Jerry Welch	567	4	375	188
Clarence L. Jorif	1,417	8	929	480
Dennis Lewis	950	1	635	314
Ron Smith	167	0	97	70

COUNCIL PLACE-5 City of Rockwall

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Dana K. Macalik	3,257	21	2,164	1,072

Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

COUNCIL PLACE 6 City of Rockwall

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Anna Campbell	3,163	18	2,091	1,054

City of Rowlett, Texas Proposition A

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	297	3	128	166
Against	258	4	128	126

City of Rowlett, Texas Proposition B

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	218	3	87	128
Against	341	4	173	164

City of Rowlett, Texas Proposition C

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	303	3	131	169
Against	249	4	124	121

PROPOSITION A City of Rowlett

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	108	2	49	57
Against	448	5	211	232

Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

PROPOSITION B City of Rowlett

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	216	4	90	122
Against	330	3	163	164

PROPOSITION C City of Rowlett

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	216	3	101	112
Against	312	4	144	164

PROPOSITION D City of Rowlett

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	380	4	183	193
Against	164	3	69	92

PROPOSITION E City of Rowlett

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	246	5	111	130
Against	283	2	133	148

PROPOSITION F City of Rowlett

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
For	180	5	89	86
Against	355	2	158	195

Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

PROPOSITION A Royse City ISD

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
FOR	973	2	674	297
AGAINST	320	6	160	154

PROPOSITION B Royse City ISD

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
FOR	876	1	619	256
AGAINST	417	7	215	195

Trustee, Place 1 Rockwall ISD

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Sherry Packer	4,429	50	2,887	1,492
Robert (Bobby) Gallana	3,129	15	1,955	1,159

Trustee, Place 2 Rockwall ISD

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Frank Conselman	3,426	33	2,327	1,066
Dalton Tasset	1,518	5	867	646
Amy Johannesen	2,736	30	1,728	978

Trustee, Place 3 Rockwall ISD

Vote For 1

	TOTAL	Absentee	Early Voting	Election Day
Linda Mitchell Duran	4,366	49	2,834	1,483
Jill Clewis	3,054	18	1,935	1,101

Summary Results Report
2021 Joint Election
May 1, 2021

UNOFFICIAL RESULTS

ROCKWALL

Board Members High Pont Water SUD

Vote For 2

	TOTAL	Absentee	Early Voting	Election Day
Schiffon Darrell Hobbs	10	0	10	0
David Hetherington	16	0	14	2
Gloria Stidham	13	0	11	2

Board of Directors Bear Creek SUD

Vote For 2

	TOTAL	Absentee	Early Voting	Election Day
Bryan Block	6	0	5	1
Colby McClendon	9	0	6	3
Leon Marshall	9	0	7	2



CHRISTOPHER J. LYNCH
ELECTIONS ADMINISTRATOR

STATE OF TEXAS

Rockwall County

COUNTY OF ROCKWALL

May 5, 2021

I, Christopher J. Lynch, the undersigned Elections Administrator of Rockwall County, do hereby certify that I have made the actual check and comparison of all the ballots tabulated as voted with Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore make the following finding from the May 1st 2021 Uniform Election that was held in the city of McLendon-Chisholm, Texas.

I, hereby certify the results to be full, true and correct tabulation, audit and count of the votes cast in the said election.

WITNESSED, by my hand on this 6th day of May 2021.

(1) Attachment

A handwritten signature in black ink, appearing to read "Chris Lynch", is written over a horizontal line.

Christopher J. Lynch

Elections Administrator

Rockwall County, Texas

RESOLUTION NO. 2021-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS CANVASSING THE ELECTION RETURNS AND DECLARING ELECTION RESULTS IN THE GENERAL ELECTION HELD IN THE CITY OF MCLENDON-CHISHOLM ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS FOR PLACES 1, 3, AND 5 FOR A TERM OF TWO YEARS EACH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 26, 2021 the City Council of the City of McLendon-Chisholm, Texas (the "City Council") ordered and called a General Election to be held on Saturday, May 1, 2021 for the purpose of electing three Council Members to the City Council for Places 1, 3, and 5, all for a term of two (2) years each; and

WHEREAS, public notice of such election was duly given, and such election was duly and properly held and administered in accordance with the laws of the State of Texas; and

WHEREAS, the City Council has met on this date to canvass the General Election returns, and the returns of the election were made to the City Council by the election officers in strict conformity with law, and the City Council has carefully and accurately examined and canvassed the returns and tabulated the results of the election; and

WHEREAS, it was found that the persons herein named received the following total number of votes for said term of office as Council Members on the City Council:

COUNCIL MEMBER PLACE 1

Lorna Kipphut	364 Votes
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COUNCIL MEMBER PLACE 3

Paul Patrick Day	166 Votes
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Trudy Woessner	248 Votes
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COUNCIL MEMBER PLACE 5

Val Bodart	114 Votes
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Daniel Tucker	291 Votes
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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

- SECTION 1:** That the recitals set forth in the WHEREAS clauses of this Resolution are true and correct, constitute findings and determinations by the City Council and are incorporated here.
- SECTION 2:** That Lorna Kipphut is hereby declared to be elected Council Member, Place 1.
- SECTION 3:** That Trudy Woessner is hereby declared to be elected Council Member, Place 3.
- SECTION 4:** That Daniel Tucker is hereby declared to be elected Council Member, Place 5.
- SECTION 5:** That a majority of the residents and qualified electors of the City of McLendon-Chisholm, Texas, voting in a General Election for the purpose of electing three Council Members to Places 1, 3, and 5, have cast the Election Day, Early Voter and Mail Voter votes reflected on the attached Election Returns Sheet and Certification of the Elections Administrator for Rockwall County, Texas.
- SECTION 6:** That it is hereby declared that the City of McLendon-Chisholm, Texas approves and accepts the results of the General Election for three Council Members for Places 1, 3, and 5, as set forth in the attached Election Returns Sheet and Certification of the Elections Administrator for Rockwall County, Texas, as determined by the majority vote of the qualified voters of the City of McLendon-Chisholm, Texas.
- SECTION 7:** That all ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this resolution shall be and remain controlling as to the matters resolved here.
- SECTION 8:** That if any part of parts of this Resolution are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this resolution is considered severable.
- SECTION 9:** It is hereby officially found and determined that the meeting at which this Resolution is 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, and the Texas Local Government Code.
- SECTION 10:** That the City Secretary shall record this Resolution in the City's official records.

Resolution No. 2021-06
Approved: 05/12/2021

SECTION 11: That this Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 12: That this Resolution will become effectively immediately upon its passage by the City Council of the City of McLendon-Chisholm, Texas.

DULY PASSED AND APPROVED THIS THE 12TH DAY OF MAY 2021.

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary