



**AGENDA
CITY COUNCIL
TUESDAY, MAY 24, 2022
1345 WEST FM 550 – FIRE STATION NO. 1 - 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. CITIZEN COMMENTS	
5. Swear in new Council Member for Place 2	
6. CONSENT AGENDA	
<i>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.</i>	
6.1. Action regarding the Minutes of May 10, 2022 05.10.22	6 - 13
6.2. A resolution denying the proposed change in rates of Oncor Electric Delivery Company LLC, finding and determining that the meeting at which this Resolution is passed is open to the public as required by law, and declaring an effective date of this Resolution. Resolution No. 2022-07	14
6.3. Budget Report - April 2022 Budget Report	15 - 30
6.4. McLendon-Chisholm Fire Rescue Report - April 2022 April 2022 Calls by District April 2022 Calls by Incident Type	31 - 33
6.5. Building Official Report - April 2022 April MC permit count report 2022 North East Texas Inspection Council report -April 2022	34 - 39

6.6.	Animal Control Report - April 2022 Animal Control April 2022	40
6.7.	CWD Report - April 2022 April Report	41 - 44
6.8.	Code Compliance Report - April 2022 Code Compliance	45
7.	PUBLIC HEARINGS	
7.1.	A public hearing to consider the application of Steven Smith requesting a change in zoning from "SF 2.5" Single Family 2.5 to "PD" Planned Development District for the development of a 10 single-family residential subdivision with minimum one and one-half acre lots on 27 acres of land currently zoned 2.5 which requires a minimum lot size of two and one-half acres of land. The property location is adjacent to the intersection FM 550 and FM 1139 on the southeast side of the intersection. The property is described as county parcel ID numbers 10783, 45857, and 10782. Zoning of the subject property will amend the Official Zoning Map of the City of McLendon-Chisholm.	
7.2.	A public hearing to consider the application of Bill Thomas requesting a change in zoning from Agriculture zoning district [requires two and one-half acres of land for each dwelling] to the SF 1.5 zoning district [requires one and one-half acres of land for each dwelling]. The property is all of Rockwall CAD Property ID # 10849 containing 24.61 acres of land located at the east end of Savannah Hill lane. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm.	
7.3.	A public hearing to consider the application of Peloton Land Solution requesting a change in zoning from General Business and SF 2.5 zoning districts to a Planned Development district for General Business uses, restaurants, and Food Trucks and Food Trailers. The property location is at the northeast corner of the intersection of SH 205 and FM 550. The property contains 8.36 acres of land including Rockwall CAD ID #108612, 11384, and 11442. Zoning of the subject property will amend the Official Zoning Map of the City of McLendon-Chisholm.	
7.4.	Conduct a public hearing to consider the adoption of an ordinance accepting and approving an amended and restated service and assessment plan and assessment roll for the Sonoma Public Improvement District, levying special assessments against certain property in the District and making certain findings and determinations relating to the district.	
8.	ITEMS FOR CONSIDERATION	
8.1.	Consider the adoption of an ordinance authorizing the issuance and sale of "City of McLendon-Chisholm, Texas, Special Assessment Revenue Bonds, Series 2022 (Sonoma Public Improvement District Improvement Area #4 Project)" and approving various documents related to such bonds.	46 - 53

[Ordinance 2022-02 Sonoma Public Improvement District Assessment Ordinance](#)

- 8.2. Consider and approve a Resolution of the City Council of the City of McLendon-Chisholm, Texas, approving and authorizing the Mayor to execute the Developer Funding Agreement Sonoma Public Improvement Agreement; and resolving other matters related thereto. 54 - 65

[Resolution 2022-08 Developer Funding Agreement Developer Funding Agreement](#)

- 8.3. Consider the adopting of an ordinance authorizing the issuance and sale of "City of McLendon-Chisholm, Texas, Special Assessment Revenue Bonds, Series 2022 (Sonoma Public Improvement District Improvement Area #4 Project)" and approving various document related to such bonds. 66 - 72

[Ordinance 2022-03 Authorizing Issuance of Bonds](#)

- 8.4. Consider the application of Steven Smith requesting a change in zoning from "SF 2.5" Single Family 2.5 to "PD" Planned Development District for the development of a 10 single-family residential subdivision with minimum one and one-half acre lots on 27 acres of land currently zoned 2.5 which requires a minimum lot size of two and one-half acres of land. The property location is adjacent to the intersection FM 550 and FM 1139 on the southeast side of the intersection. The property is described as county parcel ID numbers 10783, 45857, and 10782. Zoning of the subject property will amend the Official Zoning Map of the City of McLendon-Chisholm. 73 - 85

[Application](#)

[Staff Recommendation](#)

- 8.5. Consider the application of Bill Thomas requesting a change in zoning from Agriculture zoning district [requires two and one-half acres of land for each dwelling] to the SF 1.5 zoning district [requires one and one-half acres of land for each dwelling]. The property is all of Rockwall CAD Property ID # 10849 containing 24.61 acres of land located at the east end of Savannah Hill lane. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm. 86 - 94

[Zoning Application](#)

[Staff Recommendation](#)

- 8.6. Consider the application of Peloton Land Solution requesting a change in zoning from General Business and SF 2.5 zoning districts to a Planned Development district for General Business uses, restaurants, and Food Trucks and Food Trailers. The property location is at the northeast corner of the intersection of SH 205 and FM 550. The property contains 8.36 acres of land including Rockwall CAD ID #108612, 11384, and 11442. Zoning of the subject property will amend the Official Zoning Map of the City of McLendon-Chisholm. 95 - 113

[Application](#)

[Staff Recommendation](#)

- 8.7. Consider the application of Steven Smith for the approval of a preliminary plat for the development of 10 single-family residential lot subdivision with minimum one and one-half acre lots on approximately 27 acres of land. 114 - 118
[Application](#)
[Staff recommendation Watson preplat PZ 052322](#)
- 8.8. Discussion and action regarding a Resolution canvassing the returns of the Special Election on May 7, 2022 for the purpose of determining whether or not to reduce the tax adopted for the current year to the rollback tax rate in accordance with the Texas Tax Code Section 26.07. 119 - 120
[Resolution Canvassing Votes](#)
- 8.9. Rescind previous action regarding the filed Atmos rate increase request to allow the findings of the State Regulatory Authorities to be applicable to the City of McLendon-Chisholm. 121
[Staff Memorandum](#)
- 8.10. Discussion and action regarding selection of Mayor Pro Tem.
- 8.11. Consider the nomination and selection of a new representative to the Rockwall County Emergency Services Corporation.
- 8.12. Discussion and action regarding appointments to the Board of Adjustment. 122 - 123
[Staff Report](#)
[BOA Application](#)
9. EXECUTIVE SESSION
 - 9.1. Adjourn 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: New City Administrator
 - 9.2. Adjourn 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: Selection of Mayor Pro Tem; Appointment of members to Board of Adjustment; Nomination and selection of a new representative to the Rockwall County Emergency Services Corporation.
 - 9.3. Reconvene Regular Meeting
 - 9.4. Executive Session Action
10. UPDATES, DISCUSSION AND DIRECTION TO STAFF
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.

12. 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, Rochelle Green, 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., May 20, 2022 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
May 10, 2022**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, May 10, 2022, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Trudy Woessner	Council Member
	Daniel Tucker	Council Member
	Norman Willis	Council Member
	Dyon Purdy	Council Member (After Swearing In)

ABSENT:	Brian Davis	Council Member
	Lorna Kipphut	Mayor Pro-Tem

Staff Present:	Rick Crowley	Interim City Administrator
	Shelly Green	City Secretary
	Michael Halla	City Attorney

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:31 p.m.

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

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

3. RULES OF DECORUM

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

4. CITIZEN COMMENTS

None

5. APPROVAL OF MINUTES

5.1. Action regarding the Minutes of April 26, 2022, Regular City Council Meeting

MOTION: APPROVE THE MINUTES OF APRIL 26, 2022 AS PRESENTED.

MADE BY: Council Member Tucker
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous by Members Present

6. ITEMS FOR CONSIDERATION

6.1. Swear In the Mayor and New Council Member for Place 4

Judge Mark Russo conducted the swearing in process for Mayor Short and Council Member Purdy.

6.2. Discussion and action regarding a Resolution canvassing the returns of the Special Election on May 7, 2022, for the purpose of determining whether or not to reduce the tax adopted for the current year to the rollback tax rate in accordance with the Texas Tax Code Section 26.07.

This item was postponed due to the Certification not being available from the County Elections Office.

6.3. Consider approval of Council Policy No. 1 and Council Policy No. 2

Interim City Administrator presented a report on this item:

At the request of Council Member Tucker, the Council authorized us to work together to develop a policy outlining certain procedures for the acquisition of vehicles and major equipment. This afforded a good opportunity to develop the subject policy **and** to establish a more formal framework for developing and maintaining future Council policies dealing with other subjects that the Council may, from time to time, consider adopting. The two attached policies resulted from our work.

Policy No. 1 establishes the mechanism which, in essence, creates a “policy book” and describes how council policies would be developed, proposed for adoption, and maintained (if adopted). The policy also described subjects that are appropriate to address by written council policies. It also establishes a process by which the Council would annually review the policies contained in the “policy book” to keep it current. The City Attorney and Finance Director have reviewed this policy, and their recommendations have been incorporated in the policy draft.

Policy No. 2 addresses the issue of the funding alternative information that is to be made available to the Mayor and Council as consideration is given to approval of proposed acquisitions of vehicles and major equipment. The policy generally requires that the Council receive funding source recommendations from the City Administrator and the Finance Director at the time the Council considers authorizing the acquisitions. The proposed policy has been reviewed by the City Attorney and the Finance Director (consultant), and their input has been incorporated into the proposed policy as drafted.

MOTION: APPROVE MECHANISM FOR POLICIES OF THE MAYOR AND COUNCIL (CITY COUNCIL POLICY NO. 1) AND APPROVAL OF POLICY OF FUNDING ACQUISITIONS OF VEHICLES AND MAJOR EQUIPMENT (CITY COUNCIL POLICY NO. 2)

MADE BY: Council member Tucker
SECONDED BY: Council Member Woessner
APPROVAL: Unanimous by Members Present

- 6.4. Consider the adoption of a resolution accepting and approving an amended and restated preliminary service and assessment plan and preliminary assessment rolls for the Sonoma Public Improvement District, calling a public hearing on the levy of special assessments against property in the District and approving all other matters related there to.

**CITY OF MCLENDON-CHISHOLM, TEXAS
RESOLUTION NO. 2022-05**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, DETERMINING THE COSTS OF THE IMPROVEMENT AREA #4-A PROJECTS AND IMPROVEMENT AREA #4-B PROJECTS TO BE FINANCED BY THE SONOMA PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY 2022 AMENDED AND RESTATED SERVICE AND ASSESSMENT PLAN UPDATED FOR IMPROVEMENT AREA #4-A AND IMPROVEMENT AREA #4-B, INCLUDING PROPOSED ASSESSMENT ROLLS FOR SUCH IMPROVEMENT AREAS; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLLS WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; CALLING AND NOTICING A PUBLIC HEARING FOR MAY 24, 2022, TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN SUCH IMPROVEMENT AREAS; DIRECTING THE CITY SECRETARY TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; APPROVING A PRELIMINARY LIMITED OFFERING MEMORANDUM; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the “Act”), authorizes the governing body (the “Council”) of the City of McLendon-Chisholm, Texas (the “City”), to create a public improvement district within the City; and

WHEREAS, the Council has previously created the Sonoma Public Improvement District (the “District”); and

WHEREAS, the City authorized the creation of the District and the issuance of up to \$41,025,000.00 in bonds for the District to finance certain public improvements authorized by the Act for the benefit of property within the District (the “Authorized Improvements”); and

WHEREAS, the property within the District is being developed in phases, the fourth of which includes approximately 148.5102 acres and consists of two separate improvement areas, Improvement Area #4-A, which includes approximately 29.703 acres (“Improvement Area #4-A”), and Improvement Area #4-B, which includes approximately 118.8072 acres (“Improvement Area #4-B”); and

WHEREAS, the Council and the City staff have been presented a “Sonoma Public Improvement District Preliminary 2022 Amended and Restated Service and Assessment Plan”, which includes the proposed (i) Improvement Area #4-A assessment roll attached thereto (the “Proposed Improvement Area #4-A Assessment Roll”) and (ii) Improvement Area #4-B assessment roll attached thereto (the “Proposed Improvement Area #4-B Assessment Roll” and, together with the Proposed Improvement Area #4-A Assessment Roll, the “Proposed Assessment Rolls”), dated May 10, 2022 (the “Preliminary Amended and Restated SAP”), a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

WHEREAS, the Preliminary Amended and Restated SAP sets forth the estimated total costs of (i) Improvement Area #4-A’s portion of the Improvement Area #4 Improvements and Improvement Area #4-A’s portion of the Major Improvements (collectively, the “Improvement Area #4-A Projects”) and (ii) Improvement Area #4-B’s portion of the Improvement Area #4 Improvements and Improvement Area #4-B’s portion of the Major Improvements (collectively, the “Improvement Area #4-B Projects” and, together with the “Improvement Area #4-A Projects” “Improvement Area #4 Projects”) to be financed by the District for the current phase of development and the Proposed Assessment Rolls state the assessments proposed to be levied against each parcel of land in Improvement Area #4-A and Improvement Area #4-B, respectively, as determined by the method of assessment and apportionment chosen by the City; and

WHEREAS, the Act requires that the Proposed Assessment Rolls be filed with the City Secretary of the City (the “City Secretary”) and be subject to public inspection; and

WHEREAS, the Act requires (i) that a public hearing (the “Assessment Hearing”) be held to consider the proposed assessments and (ii) the Council to hear and pass on any objections to the proposed assessments at, or on the adjournment of, the Assessment Hearing; and

WHEREAS, the Act requires that notice of the Assessment Hearing be (i) mailed to property owners liable for the proposed assessments and (ii) published in a newspaper of general circulation in the City before the tenth (10th) day before the date of the Assessment Hearing; and

WHEREAS, the Council finds it to be in the public interest to (i) accept the Preliminary Amended and Restated SAP and the Proposed Assessment Rolls, (ii) establish a date and time for the Assessment Hearing and (iii) take such further action as required by the Act;

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

SECTION 1. The recitals set forth above in this Resolution are true and correct and are hereby adopted as findings of the Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. The Preliminary Amended and Restated SAP, including the Proposed Assessment Rolls, is hereby accepted.

SECTION 3. The Proposed Assessment Rolls shall be filed with the City Secretary and the same shall be available for public inspection.

SECTION 4. A public hearing (the Assessment Hearing as defined above) shall be conducted during the regular meeting of the Council to be held on May 24, 2022 at 6:30 p.m. at the location specified in **Exhibit B** hereto, during which the Council shall, among other actions, hear and pass on any objections to the proposed assessments. Upon the adjournment of the Assessment Hearing, the Council may consider an ordinance approving the levy of assessments on certain benefitted property within the District.

SECTION 5. The City Secretary is hereby authorized and directed to (i) publish notice of the Assessment Hearing, in substantially the form attached hereto as **Exhibit B** and incorporated herein for all purposes (the "Notice"), in a newspaper of general circulation in the City, as required by Section 372.016(b) of the Act, and (ii) mail the Notice to owners of property liable for the proposed assessments as set forth in the Proposed Assessment Rolls, as required by Section 372.016(c) of the Act.

SECTION 6. The form and content of the Preliminary Limited Offering Memorandum (the "PLOM") relating to the "City of McLendon-Chisholm, Texas, Special Assessment Revenue Bonds, Series 2022 (Sonoma Public Improvement District Improvement Area #4 Project)" (the "Bonds") are hereby approved and deemed final, except for the omission of such information which is dependent upon the final pricing of the Bonds for completion, all as permitted to be excluded by Section (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934, with such changes, addenda, supplements or amendments as may be approved by the City Administrator. The City hereby authorizes the PLOM to be used by FMSbonds, Inc. in connection with the marketing and sale of the Bonds.

SECTION 7. This Resolution shall become effective from and after its date of passage in accordance with law.

MOTION: APPROVE RESOLUTION 2022.05 ACCEPTING AND APPROVING AN AMENDED AND RESTATED PRELIMINARY SERVICE AND ASSESSMENT PLAN AND PRELIMINARY ASSESSMENT ROLLS FOR THE SONOMA PUBLIC IMPROVEMENT DISTRICT, CALLING A PUBLIC HEARING ON THE LEVY OF SPECIAL ASSESSMENTS AGAINST PROPERTY IN THE DISTRICT AND APPROVING ALL OTHER MATTERS RELATED THERETO.

MADE BY: Council Member Woessner

SECONDED BY: Council Member Tucker

APPROVAL: Unanimous by Members Present

6.5. Consider the nomination and selection of a new representative to the Rockwall County Emergency Services Corporation.

This item was postponed until the May 24, 2022 meeting.

6.6. Consideration and action regarding allowing and regulating food trucks.

Interim City Administrator Crowley presented a Preliminary Draft of an Ordinance that would allow and regulate the use of food trucks in the City. The draft contained numerous blanks pending several policy discussions with the Mayor and City Council to be addressed at the meeting. Mr. Crowley will review the draft and request input on various food truck matters as we continue the development of the program - if a continuation of the program is your directive.

After a lengthy discussion, it was the consensus of the Council to move forward with the development of the program.

6.7. Discuss and consider a Reimbursement Agreement by and between the City of McLendon-Chisholm and Land Solutions SV LLC for work to Edwards Road and League Road and authorization for the Mayor to execute said agreement.

Interim City Administrator Crowley presented a review of this agenda item:

The Council approved \$100,000 in the 2001-2022 Annual Operating Budget for the Edwards Road improvement (chip seal) project. Initially, there was discussion that the City would fund \$100,000 of the \$300,000 project cost, that the developer (of Sonoma Verde) would fund \$100,000 of the project cost, and that the County would fund \$100,00 of the project cost. The County is currently under construction with improvement to

Edwards Road from League Road south to FM 548, and, thus, will not be participating in the city/developer project to the north of League Road.

The developer, however, has agreed to fund \$200,000 of the project cost for improvements beginning on League Road at the end of the developer-installed concrete section of League Road to Edwards Road and continuing to the south (generally) on Edwards Road with the project terminating where County maintenance begins (just beyond the creek which constitutes the boundary of Sonoma Verde). County Road and Bridge Maintenance Coordinator Pat Nesmith has advised the County also plans to chip seal the continuing portion of Edwards Road (beginning at the termination point of the developer/city project) which goes generally south and intersects with FM 550.

The reimbursement agreement between the City and the developer (of Sonoma Verde) provides that the developer will contract for the improvements and manage the project described above and that, upon project completion, the city will reimburse the developer in the amount of not to exceed \$100,000. The developer has provided a copy of the construction contract for the project, so it is anticipated that the work on the road will begin in a timely manner upon approval of the reimbursement agreement its execution if the Council authorizes the Mayor to sign the contract under this agenda item.

MOTION: APPROVE A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF MCLENDON-CHISHOLM AND LAND SOLUTIONS SV LLC FOR WORK TO EDWARDS ROAD AND LEAGUE ROAD AND AUTHORIZATION FOR THE MAOR TO EXECUTE SAID AGREEMENT.

MADE BY: Council Member Woessner
SECONDED BY: Council Member Willis
APPROVAL: Unanimous by Members Present

7. EXECUTIVE SESSION

- 7.1. Adjourn into Executive Session (Closed Session) 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: Interim City Administrator and New City Administrator.

Mayor Short adjourned the meeting into Executive Session at 8:00 p.m.

7.3. Reconvene Regular Meeting

The meeting reconvened into regular session at 8:12 p.m.

7.4. Executive Session Action

MOTION: AUTHORIZE THE MAYOR TO RENEGOTIATE AN EXTENSION OF THE CONTRACT WITH OUR INTERIM CITY ADMINISTRATOR

MADE BY: Council Member Woessner

SECONDED BY: Council Member Tucker

APPROVAL: Unanimous by Members Present

8. UPDATES, DISCUSSION AND DIRECTION TO STAFF

Mayor Short reported there was a lot of chatter regarding trash pickup by CWD, especially in Sonoma Verde. They will either have CWD come in to visit with Rick and/or the Council regarding these complaints. There has to be something done about better performance.

Council Member Willis took an opportunity to express his feelings that it has been an honor to serve on the Council.

10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

None

11. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 8:19 p.m.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary

RESOLUTION NO. 2022-07

AN RESOLUTION DENYING THE PROPOSED CHANGE IN RATES OF ONCOR ELECTRIC DELIVERY COMPANY LLC, FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW, AND DECLARING AN EFFECTIVE DATE OF THIS RESOLUTION.

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

SECTION 1. That the proposed change in rates filed with the Governing Body of this municipality by Oncor Electric Delivery Company LLC on May 13, 2022, are hereby denied and disapproved, and Oncor Electric Delivery Company LLC shall continue to provide electric delivery service within this municipality in accordance with its rate schedules and service regulations in effect within this municipality on May 13, 2022.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and as required by law, and public notice of the time, place and purpose of said meeting was given as required.

SECTION 3. This Resolution shall be effective on the date of the passage and approval hereof.

PASSED AND APPROVED at a regular meeting of the City Council of the City of McLendon-Chisholm, Texas, on this the 24th day of May, 2022.

Keith Short, Mayor
City of McLendon-Chisholm

ATTEST:

Rochelle Green, City Secretary
STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF MCLENDON-CHISHOLM §

City of McLendon Chisholm
General Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	September 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Revenue								
302 · Franchise Income	\$ 1,101	\$ 165,297	83%	\$ 200,000	\$ 9,248	\$ 149,269	77%	\$ 195,000
303 · Development Income	21,614	52,244	77%	68,000	(425)	68,090	454%	15,000
304 · Building Permit Income	153,392	858,817	106%	808,000	14,059	560,258	80%	696,127
305 · Municipal Court Income	-	6,000	- %	-	1,000	2,706	541%	500
306 · Interest Income	1,135	2,684	34%	8,000	76	4,742	19%	25,000
307 · Sign Permit Income		-	- %	-		-	0%	-
308 · Septic Fees	800	8,275	64%	13,000	650	8,450	77%	11,000
309 · Food Enforcement	100	1,000	83%	1,200	50	900	75%	1,200
310 · Sales Tax Revenue	48,772	588,123	137%	430,000	301,434	272,811	80%	341,608
311 · PID Admin Expense Reimbursement		-	- %	-		-	- %	-
313 · Donations		120	- %	-	(170)	(250)	-50%	500
314 · Copies Public Inf. Income		-	- %	-	7	-	0%	100
315 · Miscellaneous Income		845	- %	-		118,979	101%	118,000
317 · Ad Valorem Tax	3,780	944,781	97%	976,883	923	608,319	110%	551,083
318 · Tax Certifications		-	- %	-		-	- %	-
321 · Credit Card Fee Revenue	121	842	48%	1,750	186	1,258	159%	790
325 · Hotel Occupancy Tax		-	- %	3,400		2,056	- %	-
Transfer from Fire Capital Fund		-	- %	-	384,836	10,355	3%	410,465
Transfer from Unassigned Surplus			- %	-			0%	50,835
Total Revenue	\$ 230,815	\$ 2,629,029	105%	\$ 2,510,233	\$ 711,874	\$ 1,807,943	75%	\$ 2,417,208
Expenditures								
Operating Expenditures								
401 · Municipal Court		\$ -	0%	\$ 1,000		\$ 230	- %	\$ 1,000
402 · Election Expense		-	0%	10,000		-	- %	25,000
404 · Election Delivery		-	- %	-		-	- %	-
410 · Building Inspections	9,350	157,900	94%	168,000	4,325	101,625	61%	167,264
411 · Environment Regulation Expense	900	5,820	- %	-	1,015	5,993	111%	5,375

City of McLendon Chisholm
General Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	September 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
41202 · CE Salary	4,320	20,556	38%	54,379	1,800	12,233		30,000
41203 · CE Fuel		-	- %	750		42		-
41204 · CE Vehicle Repairs & Maint	52	74	- %	525		1,938		-
41205 · CE Supplies & Other Expenses	250	2,773	- %	31,050	211	853		-
41301 · City Planner Salary & Benefits				80,912				
41302 · City Planner Supplies & Other Expenses				5,000				
414 · Animal Control	1,590	11,130	58%	19,080	1,590	11,130	- %	19,196
415 · Section 380 Grant Program	16,270	108,942	129%	84,700	125,593	16,966	- %	7,800
416 · Bad Debt		-	- %	-	1,382	-	- %	-
418 · Membership Fees	-	1,618	81%	2,000		2,004	100%	2,000
422 · Public Notice Expense	1,767	4,352	44%	9,800	391	6,702	57%	11,750
423 · Community Functions		1,506	50%	3,000		550	55%	1,000
426 · Appraisal District Collection		6,372	75%	8,535		4,838	65%	7,500
429 · Street Lights	234	1,642	48%	3,400	251	-	0%	2,900
Total 400 Operating Expenditures	\$ 34,733	\$ 322,685	67%	\$ 482,131	\$ 136,556	\$ 165,103	59%	\$ 280,785
Occupancy Expenditures								
502 · Electricity	\$ 329	\$ 2,568	86%	\$ 3,000	\$ 482	1,643	57%	\$ 2,900
506 · Water	292	2,058	59%	3,500	268	1,959	19%	10,239
510 · Propane Gas		-	- %	-		-	0%	870
512 · Trash Pick up		-	0%	-		-	- %	-
514 · Building Maint/Improvements	448	15,364	105%	14,600	573	8,853	74%	12,000
516 · Lawn Maintenance	685	5,245	350%	1,500	1,135	4,795	60%	8,000
518 · Janitorial		-	- %	-		-	- %	-
520 · Telephone & Internet	892	5,950	66%	9,000	748	5,236	63%	8,300
522 · Website Expense	120	6,360	53%	12,000		360	14%	2,500
522.1 · Website Design/Redesign		-	- %	-	2,000	3,000		10,000
522.2 · Audio/Video Chamber Updates		-	- %	-		21,240		42,280

City of McLendon Chisholm
General Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	September 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Total 500 Occupancy Expenditures	\$ 2,766	\$ 37,546	86%	\$ 43,600	\$ 5,205	\$ 47,086	48%	\$ 97,089
General & Administrative Expenditures								
603 · Citizen Recognition	-	\$ -	- %	-	-	\$ -	- %	\$ -
604 · Municipal Manuals, Books & Maps		-	0%	500		45	9%	500
606 · Employee Costs	30,989	169,897	72%	235,081	25,740	141,159	64%	222,187
618 · Liability Insurance		6,012	92%	6,500		5,563	96%	5,821
619 · Software Subscriptions	795	22,807	70%	32,600	752	21,465	58%	37,100
621 · IT Support	1,370	5,740	56%	10,200	900	5,675	81%	7,000
622 · Office Supplies - City Hall	874	3,431	57%	6,000	355	3,591	103%	3,500
623 · Office Equipment	151	1,595	74%	2,150	149	1,365	15%	8,900
624 · Office Equip Maintenance	-	2,608	62%	4,200		2,028	45%	4,500
625 · Printed Materials	212	1,687	84%	2,000		373	19%	2,000
626 · Postage-City Hall	95	649	39%	1,650	180	938	63%	1,500
628 · Bank Fees	199	1,904	112%	1,700	149	1,057	53%	2,000
630 · Legal & Professional								
63001-Accounting & Payroll services	5,000	35,000	58%	60,000	5,000	35,000	58%	60,000
63002 - Financial Audit		-	0%	17,000	12,500	-	0%	16,000
63003 - Legal	2,688	23,568	65%	36,000	3,098	17,643	44%	40,000
63005 - City Planner	3,000	39,150	- %	-	4,335	33,030	132%	25,000
63005.1 - Comprehensive Plan		1,229	- %	-	1,090	24,700	34%	71,950
63008 - Consultants	2,692	20,112	28%	71,000	309	10,542	41%	26,000
63009 - Engineering		-	0%	10,000	750	-	0%	25,000
632 · Emergency Management		-	- %	-		1,231	- %	-
645 · Transcription Services		-	- %	-		-	- %	-
646 · Mileage Expense		74	10%	750		-	0%	750
647 · Council Meetings & Development	115	2,098	262%	800	113	251	31%	800

City of McLendon Chisholm
General Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	September 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
648 · Training	989	1,195	17%	7,000	517	1,025	15%	7,000
649 · Expense Account - City Administrator		45	- %	-		-	- %	-
650 · Expense Account - Mayor		-	- %	-		-	- %	-
652 · Staff Appreciation		189	24%	800		-	0%	800
655 · Code of Ordinance		-	0%	3,500		-	0%	4,000
699 · Miscellaneous Expense		304	145%	210		209	- %	-
		-				-		
Total G & A Expenditures	\$ 49,167	\$ 339,293	67%	\$ 509,641	\$ 55,936	306,889	54%	\$ 572,308
700 · Capital Expenditures - Public Safety		\$ -	- %	\$ -	\$ 384,836	\$ 10,355	3%	\$ 410,465
700 · Capital Expenditures - Operating		3,036	2%	185,000		49,065	89%	55,000
Transfer to Public Safety Fund	82,505	542,981	69%	789,525	(361,820)	408,802	70%	581,318
Transfer to Capital Projects Fund		-	- %	-		110,072	26%	420,243
Total Capital Expenditures & Transfers	\$ 82,505	\$ 546,017	56%	\$ 974,525	\$ 23,016	\$ 578,294	39%	\$ 1,467,026
Total Expenditures	\$ 169,170	\$ 1,245,541	62%	\$ 2,009,897	\$ 220,714	\$ 1,097,371	45%	\$ 2,417,208
Surplus (Deficit)	\$ 61,645	\$ 1,383,487	277%	\$ 500,336	\$ 491,160	\$ 710,572		\$ -

City of McLendon Chisholm
Utility Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	Apr 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Revenue								
306 · Interest Income	\$ 230	\$ 519	66%	\$ 786	\$ 34	\$ 496	8%	\$ 6,000
Sewer Utility Revenue								
32200 · Sewer Usage Fees	40,727	\$ 290,838	55%	530,414	24,696	214,875	70%	306,625
32201 · Sewer Tap Fees	27,000	366,000	103%	355,500	24,000	231,000	71%	327,000
32204 · Sewer Deposit Refunds	-	(2,646)	113%	(2,345)	(121)	(1,563)	185%	(845)
Total Revenue	\$ 67,957	\$ 654,710	74%	\$ 884,355	\$ 48,609	\$ 444,808	70%	\$ 638,780
Expenditures								
Operation & Maintenance Expenditures								
Sewer Operation & Maintenance								
41304 · O&M Agreement	\$ 4,294	\$ 28,710	60%	\$ 47,750	\$ 3,788	\$ 25,980	56%	\$ 46,000
41305 · O&M Maintenance	1,253	22,043	48%	46,377	584	26,350	67%	39,500
41308 · Electricity	9	63	58%	108	9	63	0%	150
41310 · Sewer Treatment	35,000	234,696	73%	322,518	24,168	171,465	56%	304,000
41312 · Tap Fee Developer Rebate	16,200	219,600	103%	213,300	14,400	138,600	71%	196,200
Total Operations Expenditures	\$ 56,756	\$ 505,112	80%	\$ 630,053	\$ 42,948	\$ 362,458	62%	\$ 585,850
600 · General & Administrative Exp	\$ 1,274	\$ 9,192	60%	\$ 15,323	\$ 1,274	\$ 8,926	58%	\$ 15,293
Total Expenditures	\$ 58,030	\$ 514,304	80%	\$ 645,376	\$ 44,222	\$ 371,384	62%	\$ 601,143
Surplus (Deficit)	\$ 9,927	\$ 140,406	59%	\$ 238,979	\$ 4,387	\$ 73,424	195%	\$ 37,637

City of McLendon Chisholm
Interest Sinking Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	April 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Adopted Budget
Revenue								
Ad Valorem Tax								
317 · Ad Valorem Tax	\$ 490	117,934	108%	\$ 109,568	\$ 1,925	\$ 163,554	111%	\$ 147,552
306 · Interest Income	(136)	(1,111)	-33%	3,375	595	\$ 2,012	- %	6,900
Transfer from Excess Bond Proceeds		-	- %	-		\$ -	- %	-
Transfer From Interest & Sinking Surplus		-	- %	-		-	- %	-
Total Revenue and Transfers In	\$ 355	\$ 116,823	103%	\$ 112,943	\$ 2,520	\$ 165,567	107%	\$ 154,452
Expenditures								
628 · Bank Fees Expense	\$ 750	\$ 1,100	210%	\$ 525		\$ 350		\$ 5,850
660 · Bond Interest Expense	4,539	31,773	58%	54,463	4,693	\$ 32,851	58%	56,312
802 · Bond Cost Amortization		-	- %			\$ -	- %	-
803 · Bond Premium Amortization		-	- %		(757)	\$ (5,301)	- %	-
Transfer To Bond Principal		95,000	- %	95,000		\$ 90,000	100%	90,000
Transfer to Early Redemption Sinking Fund			- %	-			- %	-
Total Expenditures and Transfers Out	\$ 5,289	\$ 127,873	85%	\$ 149,988	\$ 3,936	\$ 117,900	77%	\$ 152,162
Surplus (Deficit)	\$ (4,934)	\$ (11,050)	30%	\$ (37,045)	\$ (1,416)	\$ 47,667	2082%	\$ 2,290

City of McLendon Chisholm
Public Safety Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	April 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Revenue								
Interest Income								
30600 · Alliance Interest Income	\$ 72	\$ 265	%		\$ 5	\$ 29	%	\$ -
313 · Donations	100	1,100	%			2,500	%	0
316 · County Contract		77,500	100%	77,500		0	0%	77,500
319 · Grants		0	%		11,168	79,104	67%	117,600
Transfer from General Fund	82,505	542,981	69%	790,311	74,698	407,313	70%	581,318
Total Revenue	\$ 82,677	\$ 621,846	72%	\$ 867,811	\$ 85,871	\$ 488,946	63%	\$ 776,418
Expenditures								
Public Safety								
43001 · Liability Insurance		\$ 10,134	114%	\$ 8,900	0	\$ 7,749	97%	\$ 7,962
43002 · Fuel	1,596	10,800	86%	12,600	1,293	7,310	73%	10,000
43003 · Maintenance & Repair - Vehicles	180	28,511	81%	35,000	16,128	31,863	91%	35,000
43004 · Maintenance & Repair - Station	506	6,018	40%	15,000	281	4,221	35%	12,000
43005 · Gear and Supplies	549	33,159	165%	20,100	549	11,697	51%	23,000
43006 · Compliance	103	5,214	87%	6,000	0	5,869	98%	6,000
43007 · Communications		0	0%	17,249	0	0	0%	17,249
43008 · Dispatch		10,000	100%	10,000	0	10,000	100%	10,000
43009 · Training	1,048	5,443	54%	10,000	368	1,115	11%	10,000
43010 · Software		19	17%	115	0	93	80%	115
43030 · EMS	1,428	4,883	90%	5,454	1,220	4,234	78%	5,454
Total Public Safety	\$ 5,409	\$114,182	81%	\$140,418	19,839	\$84,150	62%	\$136,780
Occupancy Expenditures								
502 · Electricity	\$ 694	\$ 5,208	65%	\$ 8,000	383	\$ 2,431	69%	\$ 3,500
506 · Water	160	2,286	191%	1,200	43	314	63%	500
516 · Lawn Maintenance			0%	0	0	60	0%	0
520 · Telephone & Internet	155	1,810	72%	2,500	206	1,391	56%	2,500
Total 500 · Occupancy Expenditures	\$ 1,009	\$ 9,304	80%	\$ 11,700	632	\$ 4,195	65%	\$ 6,500
General & Administrative Exp								
60601 · Staff Salaries	\$ 55,277	\$ 303,815	63%	\$ 484,797	52,449	\$ 291,439	62%	\$ 471,678

City of McLendon Chisholm
Public Safety Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue and Expenses				Prior Period Revenue and Expenses			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	April 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
60602 · Hourly PTO 0 - 36 months		1,233	%		0	2,522	0%	0
60604 · Holiday Pay	5,105	15,432	%		420	2,661	0%	0
60609 · Payroll Tax Expense	4,584	24,233	65%	37,087	839	2,885	8%	35,515
60612 · Retirement Plan Contributions	3,672	19,186	64%	29,945	3,965	22,120	100%	22,045
60613 · Health Insurance Expense	5,269	37,610	48%	77,729	2,877	10,471	14%	75,513
60614 · Dental Insurance Expense	411	2,877	%		4,478	33,158	0%	0
60615 · Vision Insurance	42	306	%		325	2,439	0%	0
60616 · Disability Insurance		2,198	69%	3,193	48	301	0%	0
60617 · OPEB Expense						0		
60618 · Salary PTO 37-84 months	698	2,444	%		0	1,320	0%	0
60621 · Unemployment Benefits		0	%			22	0%	0
61802 · Property Insurance		11,592	-	0		0		
61803 · Workmen's Comp Ins		22,680	76%	29,842	0	17,457	73%	23,835
619 · Software Subscriptions		2,358	103%	2,300	0	2,289	155%	1,476
60826 · Interest Expense		0	%			1,125	49%	2,276
652 · Staff Appreciation		285	36%	800		39	5%	800
699 · Miscellaneous Expenses	1,200	1,441	%			0	0%	0
Total 600 · General & Administrative Exp	\$ 76,259	\$ 447,691	67%	\$ 665,693	65,400	\$ 390,245	62%	\$ 633,138
700 · Capital Expenditures		50,670		50,000		10,355		
Total Expenditures	\$ 82,677	\$ 621,846		\$ 867,811	85,871	\$ 488,946		\$ 776,418
Surplus/(Deficit)	\$ -	\$ -		\$ -	\$ -	\$ -		\$ -

City of McLendon Chisholm
Capital Projects Fund Financial Summary
For the seven months ended April 30, 2022

	Current Period Revenue & Expenditures				Prior Period Revenue & Expenditures			
	April 2022 Actuals	Current YTD Actuals	% of Budget Current YTD	FY 2021-2022 Adopted Budget	April 2021 Actuals	Prior YTD Actuals	% of Budget Current YTD	FY 2020-2021 Amended Budget
Revenue								
315 · Miscellaneous Income						\$ -		
Transfer from General Fund		\$ -		\$ -		\$ -		\$ -
Total Revenue		-				\$ -		
						\$ -		
700 · Capital Expenditures - Public Safety		1,061,054	- %	\$ -	\$ 273,598	\$ 1,128,063	28%	\$ 4,054,935
700 · Capital Expenditures - Utility Fund		-	- %	-	101,667	\$ 110,072	26%	420,243
Total Expenditures	\$ -	\$ 1,061,054	- %	\$ -	\$ 375,265	\$ 1,238,135	28%	\$ 4,475,178
Surplus/(Deficit)	\$ -	\$ (1,061,054)	- %	\$ -	\$ (375,265)	\$ (1,238,135)	28%	\$ (4,475,178)

City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of April, 2022

	General Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
Revenue				
302 · Franchise Income				
30204-1 · DirecTV	504.71	0.00	0.00	0.00
30213-1 · Community Waste Disposal	596.25	0.00	0.00	0.00
Total 302 · Franchise Income	1,100.96	0.00	0.00	0.00
303 · Development Income				
30301 · BOA	1,000.00	0.00	0.00	0.00
30302 · Zoning Change	15,590.00	0.00	0.00	0.00
30304 · Plat Income	5,024.00	0.00	0.00	0.00
Total 303 · Development Income	21,614.00	0.00	0.00	0.00
304 · Building Permit Income				
30401 · Contractor Registration Fee Inc	300.00	0.00	0.00	0.00
30404 · Inspection Income	24,975.00	0.00	0.00	0.00
30405 · Building Permit & Plan Review	127,716.68	0.00	0.00	0.00
30408 · Swimming Pool Permits	400.00	0.00	0.00	0.00
Total 304 · Building Permit Income	153,391.68	0.00	0.00	0.00
306 · Interest Income				
30600 · Alliance Interest Income	276.64	0.00	71.97	81.01
30602 · Logic Interest Income	854.03	6.56	0.00	148.49
30603 · Tex Pool Interest Income	4.77	0.00	0.00	0.00
30607 · Wilmington Accrued Int Income	0.00	-142.46	0.00	0.00
Total 306 · Interest Income	1,135.44	-135.90	71.97	229.50
308 · Septic Fees				
30801 · OSSF Fee Income	800.00	0.00	0.00	0.00
Total 308 · Septic Fees	800.00	0.00	0.00	0.00
309 · Food Enforcement	100.00	0.00	0.00	0.00
310 · Sales Tax Revenue	48,772.31	0.00	0.00	0.00
313 · Donations	0.00	0.00	100.00	0.00
317 · Ad Valorem Tax				
31701 · Ad Valorem Tax - M&O	3,579.48	0.00	0.00	0.00
31702 · Ad Valorem Tax - City Hall	0.00	444.93	0.00	0.00
31703 · Ad Valorem Refunds - M&O	-198.24	0.00	0.00	0.00

City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of April, 2022

	General Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
31705 · Ad Valorem Tax - Prior Years	52.49	24.04	0.00	0.00
31706 · Ad Valorem Tax - Penalty	237.59	31.64	0.00	0.00
31708 · Ad Valorem Refunds - City Hall	0.00	-29.76	0.00	0.00
31709 · Ad Valorem Tax - Interest	98.80	19.62	0.00	0.00
31710 · Ad Valorem Tax - Misc Adj	0.00	0.00	0.00	0.00
37112 · Ad Valorem Business Property	9.99	0.00	0.00	0.00
Total 317 · Ad Valorem Tax	3,780.11	490.47	0.00	0.00
321 · Credit Card Fee Revenue	120.56	0.00	0.00	0.00
322 · Sewer Utility Revenue				
32200 · Sewer Usage Fees	0.00	0.00	0.00	40,727.42
32201 · Sewer Tap Fees	0.00	0.00	0.00	27,000.00
Total 322 · Sewer Utility Revenue	0.00	0.00	0.00	67,727.42
Total Income	230,815.06	354.57	171.97	67,956.92
Gross Profit	230,815.06	354.57	171.97	67,956.92
Expense				
400 · Operating Expenditures				
410 · Building Inspections				
41003 · Building Inspections	9,350.00	0.00	0.00	0.00
Total 410 · Building Inspections	9,350.00	0.00	0.00	0.00
411 · Environment Regulation Expense				
41101 · Septic Inspection Fee	900.00	0.00	0.00	0.00
Total 411 · Environment Regulation Expense	900.00	0.00	0.00	0.00
412 · Code Enforcement Administration				
41202 · CE Salary	4,320.00	0.00	0.00	0.00
41204 · CE Vehicle Repairs & Maint	52.19	0.00	0.00	0.00
41205 · CE Supplies & Other Expenses	250.10	0.00	0.00	0.00
Total 412 · Code Enforcement Administration	4,622.29	0.00	0.00	0.00
414 · Animal Control	1,590.42	0.00	0.00	0.00
415 · Chapter 380 Grant Program	16,270.00	0.00	0.00	0.00
422 · Public Notice Expense	1,767.00	0.00	0.00	0.00
429 · Street Lights	233.63	0.00	0.00	0.00
Total 400 · Operating Expenditures	34,733.34	0.00	0.00	0.00
413 · Sewer Operation & Maintenance				

City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of April, 2022

	General Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
41304 · O&M Agreement	0.00	0.00	0.00	4,293.75
41305 · Nonstandard O&M Expense	0.00	0.00	0.00	1,253.07
41308 · Electricity	0.00	0.00	0.00	9.11
41310 · Sewer Treatment	0.00	0.00	0.00	35,000.00
41312 · Tap Fee Developer Rebate	0.00	0.00	0.00	16,200.00
Total 413 · Sewer Operation & Maintenance	0.00	0.00	0.00	56,755.93
430 · Public Safety				
43002 · Fuel	0.00	0.00	1,596.15	0.00
43003 · Maintenance & Repair - Vehicles	0.00	0.00	180.10	0.00
43004 · Maintenance & Repair - Station	0.00	0.00	506.12	0.00
43005 · Gear and Supplies	0.00	0.00	548.87	0.00
43006 · Compliance	0.00	0.00	102.76	0.00
43009 · Training	0.00	0.00	1,047.64	0.00
43030 · EMS	0.00	0.00	1,427.82	0.00
Total 430 · Public Safety	0.00	0.00	5,409.46	0.00
500 · Occupancy Expenditures				
502 · Electricity	328.71	0.00	693.88	0.00
506 · Water	291.89	0.00	160.10	0.00
514 · Building Maint/Improvements	448.00	0.00	0.00	0.00
516 · Lawn Maintenance	684.94	0.00	0.00	0.00
520 · Telephone & Internet	892.04	0.00	154.95	0.00
522 · Website Expense	120.00	0.00	0.00	0.00
Total 500 · Occupancy Expenditures	2,765.58	0.00	1,008.93	0.00
600 · General & Administrative Exp				
606 · Employee Costs				
60601 · Staff Salaries	24,104.74	0.00	55,277.35	0.00
60604 · Holiday Pay	0.00	0.00	5,104.97	0.00
60609 · Payroll Tax Expense	2,173.75	0.00	4,584.46	0.00
60610 · Payroll Processing Fees	86.72	0.00	0.00	0.00
60612 · Retirement Plan Contributions	2,120.49	0.00	3,672.39	0.00
60613 · Health Insurance Expense	1,471.91	0.00	5,269.41	0.00
60614 · Dental Insurance Expense	117.42	0.00	410.97	0.00
60615 · Vision Insurance	13.68	0.00	42.08	0.00

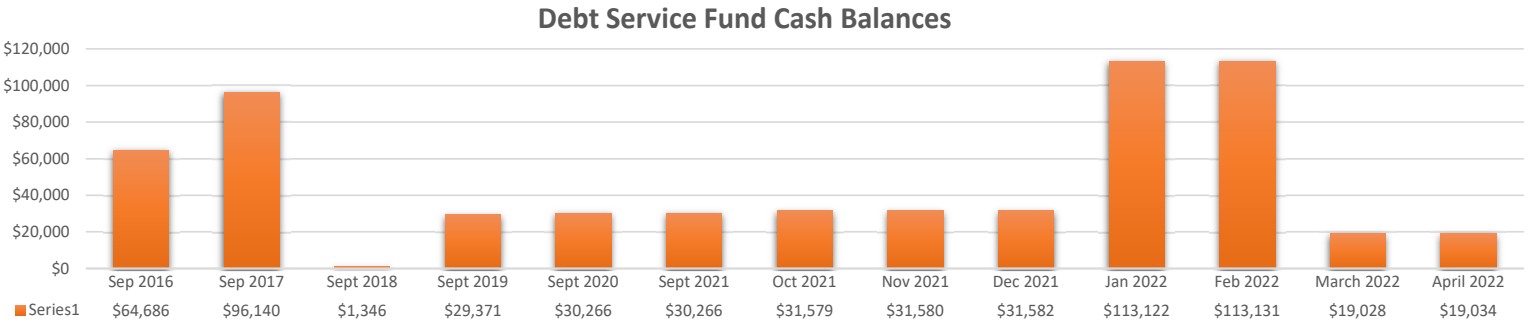
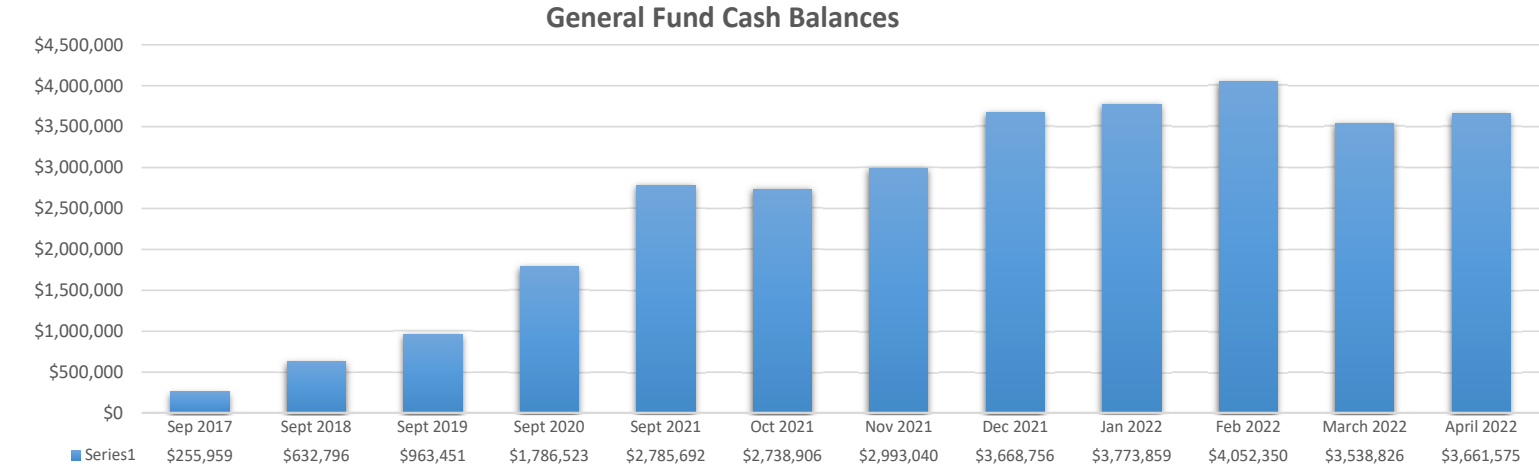
City of McLendon Chisholm
Detail Statement of Revenue & Expenditures by Fund
For the Month of April, 2022

	General Fund	Interest and Sinking Fund	Public Safety	Utilities Fund
60618 · Salary PTO 0 - 36 months				
60618.1 · Salary PTO 37 - 84 months	0.00	0.00	698.19	0.00
Total 60618 · Salary PTO 0 - 36 months	0.00	0.00	698.19	0.00
60619 · HRA Rembursements	899.82	0.00	0.00	0.00
Total 606 · Employee Costs	30,988.53	0.00	75,059.82	0.00
619 · Software Subscriptions	794.99	0.00	0.00	0.00
621 · IT Support	1,370.00	0.00	0.00	0.00
622 · Office Supplies - City Hall	873.56	0.00	0.00	0.00
623 · Office Equipment	151.26	0.00	0.00	0.00
625 · Printed Materials	212.00	0.00	0.00	0.00
626 · Postage-City Hall	95.37	0.00	0.00	0.00
628 · Bank Fees				
62801 · Service Charges	199.41	0.00	0.00	0.00
62803 · Willmington Trust Fees	0.00	750.00	0.00	0.00
Total 628 · Bank Fees	199.41	750.00	0.00	0.00
630 · Legal & Professional				
63001 · Accounting & Payroll Services	5,000.00	0.00	0.00	1,274.00
63003 · Legal	2,687.50	0.00	0.00	0.00
63005 · City Planner	3,000.00	0.00	0.00	0.00
63008 · Financial Consulting	2,691.88	0.00	0.00	0.00
Total 630 · Legal & Professional	13,379.38	0.00	0.00	1,274.00
647 · Council Meetings & Development	115.42	0.00	0.00	0.00
648 · Training	988.61	0.00	0.00	0.00
660 · Bond Interest Expense	0.00	4,539.00	0.00	0.00
699 · Miscellaneous Expenses	0.00	0.00	1,200.00	0.00
Total 600 · General & Administrative Exp	49,168.53	5,289.00	76,259.82	1,274.00
Total Expense	86,667.45	5,289.00	82,678.21	58,029.93
Net Ordinary Income	144,147.61	-4,934.43	-82,506.24	9,926.99
Net Surplus/(Deficit)	144,147.61	-4,934.43	-82,506.24	9,926.99

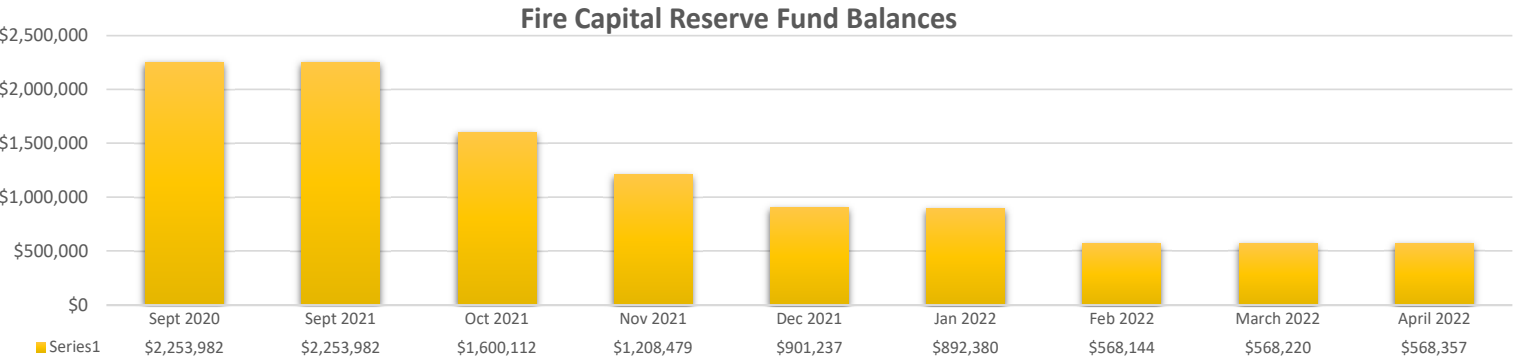
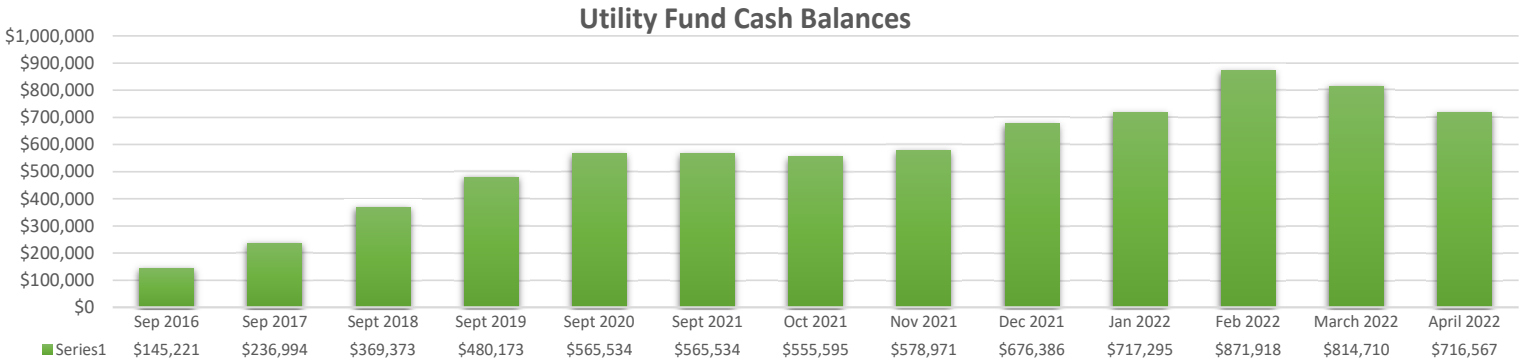
**City of McLendon Chisholm
Cash Account Balances**

Fund	Account	Sept 30,21	Oct 31,21	Nov 30,21	Dec 31,20	Jan 31,22	Feb 28,22	Mar 31,22	April 30,22
I&S	130 · 9003 Logic I&S Fund	30,266	31,579	31,580	31,582	113,122	113,131	19,028	19,034
I&S Total		30,266	31,579	31,580	31,582	113,122	113,131	19,028	19,034
General	100 · 3738 - Alliance Operating	1,645,699	1,215,351	1,469,436	2,145,057	1,250,023	1,528,306	1,348,251	1,470,246
General	103 · Texpool 300001	19,143	19,144	19,145	19,145	19,145	19,146	19,149	19,154
General	125 · Logic - 9001 General Fund Reserves	301,869	301,878	301,888	301,907	301,929	301,954	302,018	302,123
General	127 · 9004 Logic Operating	818,981	1,202,533	1,202,571	1,202,647	2,202,762	2,202,945	1,869,408	1,870,053
General Total		2,785,692	2,738,906	2,993,040	3,668,756	3,773,859	4,052,350	3,538,826	3,661,575
Utility	106 · 5071 - Alliance Utility Fund	135,102	125,151	148,513	245,901	286,778	441,365	384,066	285,775
Utility	126 · Logic - 9002 Utility Fund	430,432	430,445	430,458	430,485	430,517	430,553	430,644	430,793
Utility Total		565,534	555,595	578,971	676,386	717,295	871,918	814,710	716,567
Fire Capital Reserve	102 · 634 Alliance Construction	1,680,627	1,411,578	1,019,939	712,686	703,815	379,563	379,599	379,671
Fire Capital Reserve	128 · 9005 Logic Fire Dept Reserve	573,355	188,533	188,540	188,551	188,565	188,581	188,621	188,686
Reserves Total		2,253,982	1,600,112	1,208,479	901,237	892,380	568,144	568,220	568,357
ARPA Fund	131 · Logic - 9007 ARPA Fund							428,130	428,278
ARPA Fund Total		-	-	-	-	-	-	428,130	428,278
Total		5,635,474	4,926,192	4,812,070	5,277,961	5,496,656	5,605,543	5,368,914	5,393,811

City of McLendon Chisholm
Cash Balance Report
As of April 30, 2022



City of McLendon Chisholm
Cash Balance Report
As of April 30, 2022



Alarm Date between 2022-04-01 and 2022-04-30

Total Calls by District

District	2022-04-01	Total
City Limit District	25	25
County District	14	14
Out of County Aid	1	1
County Mutual Aid	1	1
Total	41	41

Incident Date between 2022-04-01 and 2022-04-30

Incident Date	Incident Number	NFIRS Number	Incident Type Code	Incident Type	District	Status
4/20/2022	2020-00206	0000201	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/1/2022	2022-00179	0000174	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/1/2022	2022-00180	0000175	322	Motor vehicle accident with injuries	City Limit District	1
4/2/2022	2022-00181	0000176	651	Smoke scare, odor of smoke	County District	1
4/2/2022	2022-00182	0000177	611	Dispatched & canceled en route	City Limit District	1
4/3/2022	2022-00183	0000179	321	EMS call, excluding vehicle accident with injury	County District	1
4/3/2022	2022-00184	0000178	142	Brush or brush-and-grass mixture fire	City Limit District	1
4/5/2022	2022-00185	0000180	814	Lightning strike (no fire)	County District	1
4/5/2022	2022-00186	0000181	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/5/2022	2022-00188	0000182	131	Passenger vehicle fire	County District	1
4/7/2022	2022-00189	0000184	100	Fire, other	City Limit District	1
4/8/2022	2022-00191	0000185	143	Grass fire	County District	1
4/8/2022	2022-00192	0000186	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/9/2022	2022-00193	0000187	412	Gas leak (natural gas or LPG)	County District	1
4/11/2022	2022-00194	0000188	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/13/2022	2022-00195	0000189	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/15/2022	2022-00196	0000191	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/15/2022	2022-00197	0000192	412	Gas leak (natural gas or LPG)	City Limit District	1
4/15/2022	2022-00198	0000193	412	Gas leak (natural gas or LPG)	City Limit District	1
4/16/2022	2022-00199	0000194	611	Dispatched & canceled en route	County District	1
4/18/2022	2022-00200	0000195	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/18/2022	2022-00201	0000197	324	Motor vehicle accident with no injuries.	City Limit District	1

4/18/2022	2022-00202	0000196	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/19/2022	2022-00203	0000198	611	Dispatched & canceled en route	Out of County Aid	1
4/20/2022	2022-00204	0000199	324	Motor vehicle accident with no injuries.	City Limit District	1
4/20/2022	2022-00205	0000200	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/20/2022	2022-00207	0000202	321	EMS call, excluding vehicle accident with injury	County District	1
4/21/2022	2022-00208	0000203	321	EMS call, excluding vehicle accident with injury	County District	1
4/21/2022	2022-00209	0000204	321	EMS call, excluding vehicle accident with injury	County Mutual Aid	1
4/22/2022	2022-00210	0000205	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/22/2022	2022-00211	0000206	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/22/2022	2022-00212	0000207	324	Motor vehicle accident with no injuries.	County District	1
4/25/2022	2022-00213	0000208	321	EMS call, excluding vehicle accident with injury	County District	1
4/26/2022	2022-00214	0000210	324	Motor vehicle accident with no injuries.	City Limit District	1
4/26/2022	2022-00215	0000211	324	Motor vehicle accident with no injuries.	City Limit District	1
4/26/2022	2022-00216	0000212	745	Alarm system activation, no fire - unintentional	City Limit District	1
4/27/2022	2022-00217	0000213	631	Authorized controlled burning	County District	1
4/27/2022	2022-00218	0000214	321	EMS call, excluding vehicle accident with injury	City Limit District	1
4/29/2022	2022-00219	0000215	320	Emergency medical service incident, other	City Limit District	1
4/29/2022	2022-00220	0000216	735	Alarm system sounded due to malfunction	County District	1
4/5/2022	220405-152844-MCCHTX	0000183	322	Motor vehicle accident with injuries	County District	1

April 2022 New SFR	Valuation	Square ft.	Fee	Builder
1864 moscatel	\$ 583,870.00	3436	\$ 875.00	highland
1831 moscatel	\$ 588,160.00	3402	\$ 875.00	highland
1827 moscatel	\$ 584,933.00	3450	\$ 875.00	highland
1860 moscatel	\$ 721,735.00	4513	\$ 1,025.00	highland
1733 san donato	\$ 638,410.00	4140	\$ 1,025.00	highland
1737 san donato	\$ 604,025.00	3440	\$ 875.00	highland
1819 moscatel	\$ 594,396.00	4522	\$ 1,025.00	highland
			\$ 6,575.00	

Accessory permits April 2022	Project	Valuation	Fee
263 Pheasant Hill	garage	\$ 50,000.00	\$225.00
647 hwy 205	cell tower	\$64,000.00	\$ 150.00
805 abington way	pool	\$42,000.00	\$375.00
49 fireside	pool	\$50,000.00	\$375.00
106 paddock	water heater	\$2,000.00	\$75.00
716 kensington	garage	\$24,000.00	\$225.00
804 abington way	garage	\$107,000.00	\$225.00
1512 barrolo	hvac	\$17,752.00	\$75.00
783 kensington dr	pergola	\$24,000.00	\$150.00
1652 salvatore	outdoor living	\$4,500.00	\$150.00
1135 hwy 205	electrical	\$5,000.00	\$75.00
1874 w fm 550	solar	\$48,185.00	\$75.00
1249 wales	gas test	\$800.00	\$75.00
1818 bellagio	pool	\$95,614.00	\$375.00
268 pheasant hill	power generator	\$7,551.00	\$150.00
			\$2,775.00

April 2022 Onsite inspections actual

1163 livorno	elect
1708 salvatore	frame mep
1007 hwy 205	plmbg rough
1854 verona	t-pole
1854 verona	plmbg rough
1826 navarre	plmbg rough
1811 navarre	plmbg rough
1823 moscatel	flatwork
1749 san donato	plmbg rough
1710 corvina	plmbg rough
1710 corvina	t-pole
1855 verona	t-pole
1907 rondinella	t-pole
1911 rondinella	t-pole
1510 salvatore	t-pole
1534 salvatore	t-pole
1215 artesia	foundation
1517 vista crt.	frame mep
1854 verona	t-pole
1854 verona	flatwork
1823 moscatel	flatwork
1007 hwy 205	plmbg rough
2017 corleone	solar
106 paddock	water heater
1999 frediano	frame mep
395 fm 550	frame mep
1819 navarre	plmbg rough
1510 salvatore	plmbg rough
1534 salvatore	plmbg rough
1843 moscatel	frame mep
1715 veneto	frame mep
811 fm 1139	generator
1855 verona	plmbg rough
1907 rondinella	plmbg rough
1607 amalfi ct	pool final
1847 navarre	plmbg rough
395 FM e 550	frame mep
1847 moscatel	plmbg rough
1843 moscatel	plmbg rough
1712 san donato	solar
1959 frediano	plmbg rough
1526 salvatore	plmbg rough
395 fm 550	frame mep
1911 rondinella	plmbg rough
1607 amalfi ct	pool final
1712 salvatore	frame mep

1526 salvatore	plmbg rough
805 abington way	pool electric
1831 navarre	frame mep
1855 VERONA	plmbg rough
1907 rondinella	plmbg rough
1911 rondinella	plmbg rough
1704 salvatore	frame mep
1802 moscatel	t-pole
1943 frediano	t-pole
1478 siena	pergola
1726 veneto	frame mep
1840 moscatel	frame mep
1819 moscatel	frame mep
1949 frediano	flatwork
1205 livorno	pool electric
1819 moscatel	plmbg rough
708 kensington	patio frame/electric
1906 galenda	gas meter
1706 corvina	frame mep
1718 veneto	frame mep
1855 navarre	plmbg rough
681 frontier	elect
1424 siena	solar
1105 fm 550	plmbg rough
647 hwy 205	elect
1249 wales	gas test
1601 barrolo	pool final
2037 corleone	flatwork
1652 salvatore	pool bond
1868 moscatel	frame mep
1726 veneto	frame mep
1819 moscatel	t-pole
1706 veneto	plmbg rough
1936 frediano	plmbg rough
1906 galenda	gas meter
1807 navarre	frame mep
1987 frediano	frame mep
1827 moscatel	t-pole
395 fm 550	stucco
1826 verona	plmbg rough
805 abington way	pool deck
10 greenhollow	solar
1712 salvatore	frame mep
1512 Barrolo	hvac
1826 verona	plmbg rough
1215 artesia	pool gazebo
1826 verona	plmbg rough

1815 navarre	plmbg rough
1843 navarre	plmbg rough
1851 navarre	plmbg rough
1874 fm 550	solar
1802 moscatel	t-pole
1943 frediano	t-pole
1902 sicilia	plmbg rough
1902 sicilia	t-pole
1815 navarre	plmbg rough
1843 navarre	plmbg rough
1851 navarre	plmbg rough
1150 livorno	pool belly steel
1802 moscatel	t-pole
1943 frediano	t-pole
1819 moscatel	flatwork
1915 rondinella	flatwork
522 highwater	pool deck
1911 sicilia	final co
1717 puglia	final co

North East Texas Inspections

638 Chisholm Ranch Dr. 75032, 972-998-3415

There were 7 new single family residential home permits issued in April, 2022. The attached addendum reflects the home address, valuation, square footage and name of the Builder.

There were 12 new accessory projects permitted including single trades, swimming pools, outdoor living, shop buildings and other accessory endeavors that are also attached.

Single Family Permits issued to date: 88

Thank you for choosing North East Texas Inspections for your Building Services provider.

April 2022

David Ellis
Building Official

Location	Notes	Code
Apr 29, 2022 10:22 AM 1371 w fm 550	Patrolled city focusing on stray animals. Spoke to Shelly	Animal Control
Apr 25, 2022 1:55 PM 1371 w fm 550	Patrolled city focusing on stray animals. Spoke with Judy.	Animal Control
Apr 25, 2022 1:53 PM 1506 Firenze ct	Responded to a complaint regarding the dogs at this address being destructive and a nuisance.	Animal Control
Apr 21, 2022 11:57 AM kinsbridge	report of barking dogs in the area. we ddi not find any nuisance barking happening while we were on scene.	Animal Control
Apr 21, 2022 11:54 AM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to shelly	Animal Control
Apr 13, 2022 10:07 AM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to judy	Animal Control
Apr 8, 2022 11:15 AM 1371 w fm 550	Patrolled city focusing on stray animals. Spoke to Shelly at city hall they had nothing for us.	Animal Control
Apr 1, 2022 10:28 AM 1371 w fm 550	Patrolled city focusing on stray animals. spoke to shelly	Animal Control



Community Waste Disposal Monthly Report to the City of McLendon-Chisholm

Jason Roemer *Vice President*





Municipal Recycling Program



Single Stream Recycling

Participation in the Residential Curbside Recycling Program continues to demonstrate that residents of the City of McLendon-Chisholm are dedicated to the preservation of the Texas environment for future generations.

The chart below details the statistics of the CWD Residential Curbside Recycling Program.

	Apr-2022	Mar-2022	Feb-2022	Jan-2022	Dec-2021	Nov-2021	Oct-2021	Sep-2021	Aug-2021	Jul-2021	Jun-2021	May-2021
Homes	1,223	1,223	1,223	1,223	1,223	1,223	1,186	1,186	1,186	1,192	1,192	1,196
Resi Rcy Tonnage	35.63	34.31	33.78	56.02	63.88	46.13	42.77	58.34	27.22	34.21	26.00	36.83
Pounds / Home / Month	58.27	56.11	55.24	91.61	104.46	75.44	72.12	98.38	45.90	57.40	43.62	61.59



Municipal Service Inquiries



Residential Solid Waste Services

The Solid Waste Industry has a standard service inquiry ratio of 1.0 inquiries per 1,000 service opportunities.

***** Service inquiries related to the three storm days in February, and potential subsequent collection days, were not recorded as grievances, as these were non-ordinary operating circumstances for CWD. *****

	Apr-2022	Mar-2022	Feb-2022	Jan-2022	Dec-2021	Nov-2021	Oct-2021	Sep-2021	Aug-2021	Jul-2021	Jun-2021	May-2021
Service Opportunities	10,591	10,591	10,591	10,591	10,591	10,591	10,270	10,270	10,270	10,322	10,322	10,357
Service Inquiries	2	21	1	12	3	5	15	7	6	10	8	8
Per 1,000 Service Opps	0.19	1.98	0.09	1.13	0.28	0.47	1.46	0.68	0.58	0.97	0.78	0.77



Customer Service Inquiries - Detail



Good Service is Good Business

CWD's Customer Service Community is available to provide solutions via phone or online. Our efficient team is here to support the City of McLendon-Chisholm and we continually strive for top-notch performance to ensure residents receive the most value out of their waste and recycling services.

City Account Grievances for the Period of 04/01/2022 - 04/30/2022

Date	Account	Address	Service Type	Service Code
04/21/2022	108255-1590	NATHANIEL PURSELL	RESI-BULK	RESI R/L BULK
				Total RESI-BULK: 1
04/29/2022	108255-1377	CODY & RACHEL SCHRAMM	RESI-RECYCLE	SERVICE RCYCART
				Total RESI-RECYCLE: 1
				Total Inquiries: 2

Mark Woodruff

Year: 2022

	APR												TOTAL
Builder Const-Time Violation	23												23
Total Violations	195												195
Total Inspections	195												195
Total Reinspections	207												207
Extensions Granted	1												1
Voluntary Compliance	194												194
Notification Letters (NOVs)	11												11
Door-tags (DTs)	184												184
Total Complaints	11												11
Valid Complaints	10	0	0	0	0	0	0	0	0	0	0	0	10
Invalid Complaints	1												1
City Abatements (CWOs)	0												0
Substandard Structures	0												0
Citations Issued	0												0
Municipal Court Cases	0												0
Transferred to Other Dept.	0												0

CITY OF MCLENDON-CHISHOLM, TEXAS

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS ACCEPTING AND APPROVING A SONOMA PUBLIC IMPROVEMENT DISTRICT 2022 AMENDED AND RESTATED SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLLS FOR THE SONOMA PUBLIC IMPROVEMENT DISTRICT; MAKING A FINDING OF SPECIAL BENEFIT TO CERTAIN PROPERTY IN THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST CERTAIN PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the “Act”), authorizes the City Council (the “Council”) of the City of McLendon-Chisholm, Texas (the “City”), to create a public improvement district within the City; and

WHEREAS, the Council has previously created the Sonoma Public Improvement District (the “District”); and

WHEREAS, on May 10, 2022, the Council adopted a resolution (i) determining the total costs of certain authorized public improvements to be undertaken in Improvement Area #4-A and Improvement Area #4-B of the District, (ii) approving a preliminary amended and restated service and assessment plan, including proposed Assessment Rolls (defined below), and (iii) directing the City Secretary to publish and mail notice of a public hearing (the “Assessment Hearing”) to consider an ordinance levying assessments (individually, the “Improvement Area #4-A Assessments” and the “Improvement Area #4-B Assessments”, and collectively, the “Assessments”) on certain benefited property within Improvement Area #4-A and Improvement Area #4-B (the “Improvement Area #4-A Assessed Property” and the “Improvement Area #4-B Assessed Property”, respectively, and collectively, the “Assessed Property”); and

WHEREAS, the City Secretary filed the proposed Assessment Rolls and made the same available for public inspection; and

WHEREAS, the City Secretary (i) published notice of the Assessment Hearing on May 13, 2022 in the *Rockwall Herald Banner* which is a newspaper of general circulation in the

City, pursuant to Section 372.016(b) of the Act, and (ii) mailed notice of the Assessment Hearing to the last known address of the owners of property liable for the Assessments, pursuant to Section 372.016(c) of the Act; and

WHEREAS, the Council convened the Assessment Hearing on May 24, 2022, at which all persons who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Assessment Rolls and the proposed Assessments, and to offer testimony pertinent to any issue presented on the amount of the Assessments, the allocation of the costs of the authorized public improvements to be undertaken for the benefit of certain property within Improvement Area #4-A and Improvement Area #4-B (the “Improvement Area #4-A Projects” and the “Improvement Area #4-B Projects”, respectively, and collectively, the “Improvement Area #4 Projects”), the purposes of the Assessments, the special benefits of the Improvement Area #4 Projects, and the penalties and interest on annual installments and on delinquent annual installments of the Assessments; and

WHEREAS, the Council finds and determines that (i) the Assessment Rolls and the Sonoma Public Improvement District 2022 Amended and Restated Service and Assessment Plan, dated May 24, 2022 (the “Service and Assessment Plan”), attached hereto as **Exhibit A** and incorporated as a part of this Ordinance for all purposes, should be approved and (ii) the Assessments should be levied as provided in this Ordinance and the Service and Assessment Plan, including the assessment rolls attached thereto as Exhibits I-1 and J-1 (collectively, the “Assessment Rolls”); and

WHEREAS, the Council further finds that there were no objections or evidence submitted to the City Secretary in opposition to the Service and Assessment Plan, the allocation of the costs of the Improvement Area #4 Projects as described in the Service and Assessment Plan, the Assessment Rolls or the levy of the Assessments; and

WHEREAS, the Council closed the Assessment Hearing and, after considering all written and documentary evidence presented at the Assessment Hearing, including all written comments and statements filed with the City, determined to proceed with the adoption of this Ordinance in conformity with the requirements of the Act; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. **Terms.** Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Service and Assessment Plan.

Section 2. **Findings.** The Council hereby finds, determines and ordains, as follows:

- (a) The recitals set forth in the WHEREAS clauses of this Ordinance are true

and correct and are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section and constitute findings of the Council acting in its discretionary, legislative capacity.

(b) All actions of the City in connection with the creation and establishment of the District and the approval of this Ordinance: (i) have been taken and performed in compliance with the Act and all other applicable laws, policies and procedures; (ii) have been taken and performed in a regular, proper and valid manner; and (iii) are approved and ratified.

(c) The apportionment of the costs of the Improvement Area #4 Projects (as reflected in the Service and Assessment Plan, and the Administrative Expenses pursuant to the Service and Assessment Plan) is fair and reasonable, reflects an accurate presentation of the special benefit each assessed Parcel will receive from the construction of the Improvement Area #4 Projects identified in the Service and Assessment Plan, and is hereby approved.

(d) The Service and Assessment Plan covers a period of at least five years and defines the annual indebtedness and projected costs for the Improvement Area #4 Projects.

(e) The Service and Assessment Plan apportions the costs of the (i) Improvement Area #4-A Projects to be assessed against certain property in Improvement Area #4-A and (ii) Improvement Area #4-B Projects to be assessed against certain property in Improvement Area #4-B, and such apportionment is made on the basis of special benefits accruing to such property because of the Improvement Area #4-A Projects and the Improvement Area #4-B Projects, respectively.

(f) All of the Improvement Area #4-A Assessed Property being assessed in the amounts shown on the Improvement Area #4-A Assessment Roll will be benefited by the Improvement Area #4-A Projects as described in the Service and Assessment Plan, and each assessed Parcel will receive special benefits equal to or greater than the total amount assessed for the Improvement Area #4-A Projects.

(g) All of the Improvement Area #4-B Assessed Property being assessed in the amounts shown on the Assessment Rolls will be benefited by the Improvement Area #4-B Projects as described in the Service and Assessment Plan, and each assessed Parcel will receive special benefits equal to or greater than the total amount assessed for the Improvement Area #4-B Projects.

(h) The method of apportionment of the costs of the Improvement Area #4 Projects and Administrative Expenses set forth in the Service and Assessment Plan results in imposing equal shares of the costs of the Improvement Area #4 Projects and

Administrative Expenses on property similarly benefited, and results in a reasonable classification and formula for the apportionment of the costs.

(i) The Service and Assessment Plan has been prepared on behalf of, presented to, and reviewed by the Council and shall be the service plan and assessment plan for the District for all purposes as described in Sections 372.013 and 372.014 of the Act.

(j) The Assessment Rolls should be approved as the assessment rolls for the Assessed Property.

(k) The provisions of the Service and Assessment Plan relating to due and delinquency dates for the Assessments, interest on the Annual Installments, interest and penalties on delinquent Assessments and delinquent Annual Installments, and procedures in connection with the imposition and collection of Assessments should be approved and will expedite collection of the Assessments in a timely manner in order to provide the services and improvements needed and required for the area within Improvement Area #4-A and Improvement Area #4-B.

Section 3. Service and Assessment Plan. The Service and Assessment Plan is hereby accepted and approved as the service plan and the assessment plan for the District. The Service and Assessment Plan shall be updated by the Council no less frequently than annually as required by the Act and more frequently as may be required by the Service and Assessment Plan or as deemed necessary or appropriate by the City.

Section 4. Assessment Rolls. The Assessments Roll are hereby accepted and approved pursuant to Section 372.016 of the Act as the assessment rolls for the Assessed Property for all purposes.

Section 5. Levy and Payment of Assessments for Costs of the Improvement Area #4 Projects.

(a) The Council hereby levies the Assessments on each Assessed Property, as shown and described in the Service and Assessment Plan and the Assessment Rolls, in the respective amounts shown in the Service and Assessment Plan, as special assessments as set forth in the Assessment Rolls.

(b) The levy of the Assessments shall be effective on the date of adoption of this Ordinance and shall be collected and enforced strictly in accordance with the terms of the Service and Assessment Plan and the Act.

(c) Each Assessment may be prepaid in whole or in part at any time without penalty or may be paid in annual installments pursuant to the terms of the Service and Assessment Plan.

(d) Each Assessment shall bear interest at the rate or rates specified in the Service and Assessment Plan.

(e) The Annual Installments shall be collected each year in the manner set forth in the Service and Assessment Plan.

(f) The Administrative Expenses for the Assessed Property shall be calculated pursuant to the terms of the Service and Assessment Plan.

Section 6. Method of Assessment. The method of apportioning the costs of the Improvement Area #4 Projects and Administrative Expenses is set forth in the Service and Assessment Plan.

Section 7. Penalties and Interest on Delinquent Assessments. Delinquent Assessments shall be subject to the penalties, interest, procedures and foreclosure sales set forth in the Service and Assessment Plan and as allowed by law.

Section 8. Prepayments of Assessments. As provided in the Service and Assessment Plan, the owner of any Assessed Property may prepay the Assessments levied by this Ordinance.

Section 9. Lien Priority. The Council and the owners of the Assessed Property intend for the obligations, covenants and burdens on the Assessed Property, including without limitation such landowners' obligations related to payment of the Assessments and Annual Installments, to constitute covenants that shall run with the land. The Assessments and the Annual Installments which are levied hereby shall be binding upon the owners of the Assessed Property, and their respective transferees, legal representatives, heirs, devisees, successors and assigns, regardless of whether such owners are named, in the same manner and for the same period as such parties would be personally liable for the payment of ad valorem taxes under applicable law. Assessments shall have lien priority as specified in the Service and Assessment Plan and the Act.

Section 10. Applicability of Tax Code. To the extent not inconsistent with this Ordinance, and not inconsistent with the Act or the other laws governing public improvement districts, the provisions of the Texas Tax Code, as amended, shall be applicable to the imposition and collection of Assessments by the City.

Section 11. Filing in Land Records. The City Secretary is directed to cause a copy of this Ordinance, including the Service and Assessment Plan, to be recorded in the real property records of Rockwall County, Texas, on or before May 31, 2022. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

Section 12. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for

any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity or any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 13. **Effective Date.**

This Ordinance shall take effect, and the levy of the Assessments and the provisions and terms of the Service and Assessment Plan, shall be and become effective upon the adoption hereof.

[Remainder of page left blank intentionally]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
MCLENDON-CHISHOLM, TEXAS, THIS THE 24th DAY OF MAY, 2022.

**CITY OF MCLENDON-CHISHOLM,
TEXAS**

Mayor

ATTEST:

City Secretary

(City Seal)

STATE OF TEXAS §
 §
COUNTY OF ROCKWALL §

This instrument was acknowledged before me on the 24th day of May, 2022 by Keith Short and Rochelle Green, the Mayor and City Secretary, respectively, of the City of McLendon-Chisholm, Texas on behalf of said City.

Notary Public, State of Texas

(Notary Seal)

S-1

Exhibit A

Service and Assessment Plan

Resolution 2022-08
Adopted 05.24.22

**CITY OF MCLENDON-CHISHOLM, TEXAS
RESOLUTION NO. 2022-08**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPER FUNDING AGREEMENT SONOMA PUBLIC IMPROVEMENT DISTRICT; AND RESOLVING OTHER MATTERS RELATED THERETO.

WHEREAS, on September 10, 2007, after due notice and a called public hearing, the City Council passed and approved Resolution No. 2007-21 authorizing the creation of the Sonoma Public Improvement District (the "PID") pursuant to the Chapter 372 of the Texas Local Government Code (as amended, the "PID Act"), covering approximately 547.89 contiguous acres within the City's corporate limits; and

WHEREAS, the City and the Developer have agreed on certain payments to be made by the Developer in connection with the issuance of special revenue bonds for "Improvement Area #4" (as defined in the Sonoma Public Improvement District – Sonoma Verde Project, City of McLendon-Chisholm, Service and Assessment Plan) and desire to enter into the Developer Funding Agreement to set forth the terms of such payments.

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

SECTION 1. THAT the findings and premises contained in the WHEREAS clauses above are hereby deemed to be true and correct and incorporated as a part of this Resolution for all purposes.

SECTION 2. THAT the Developer Funding Agreement attached hereto as **Exhibit A**, is approved and the Mayor is authorized to execute such Developer Funding Agreement on behalf of the City.

SECTION 3. THAT this Resolution shall become effective from and after its date of passage in accordance with law.

[Remainder of Page Intentionally Left Blank]

1509.010\106957.2

Resolution 2022-08
Adopted 05.24.22

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, THIS THE 24TH DAY OF MAY, 2022.

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary

APPROVED AS TO FORM:

Michael Halla, City Attorney

1509.010\106957.2

Exhibit A
Developer Funding Agreement
Sonoma Public Improvement District

1509.010\106957.2

**DEVELOPER FUNDING AGREEMENT
SONOMA PUBLIC IMPROVEMENT DISTRICT**

This Developer Funding Agreement – Sonoma Public Improvement District Improvement Area #4 (this "Agreement") is entered into by LAND SOLUTIONS SV LLC (the "Developer") and the CITY OF MCLENDON-CHISHOLM, TEXAS (the "City"), to be effective [May 24], 2022, (the "Effective Date"). The Developer and the City are individually referred to as a "Party" and collectively as the "Parties."

SECTION 1. RECITALS

- 1.1 WHEREAS, the Developer is a Delaware limited liability company;
- 1.2 WHEREAS, the City is a Texas general law municipality;
- 1.3 WHEREAS, on September 10, 2007, after due notice and a called public hearing, the City Council passed and approved Resolution No. 2007-21 authorizing the creation of the Sonoma Public Improvement District (the "PID") pursuant to the Chapter 372 of the Texas Local Government Code (as amended, the "PID Act"), covering approximately 547.89 contiguous acres within the City's corporate limits;
- 1.4 WHEREAS, prior to the creation of the PID, the City entered into a *Development Agreement* relating to the development of the property within the PID, effective as of June 11, 2007, executed and delivered by the City and Chisholm Properties, L.P. ("Chisholm"), which was: (1) amended by that certain *First Amendment to Development Agreement* dated effective January 28, 2008, entered into by and between Chisholm and the City; (2) assigned by Chisholm to MC 550 Land Holdings, L.P. ("MC 550 Holdings") pursuant to that certain *Assignment and Assumption of Development Agreement* dated effective September 17, 2008; (3) amended by that certain *Second Amendment to Development Agreement* dated effective September 25, 2012, entered into by and between MC 550 Holdings and the City; (4) partially assigned by MC 550 Holdings to MC 550 Investors, L.P. ("MC 550 Investors") pursuant to that certain *Partial Assignment and Assumption of Development Agreement* dated effective December 26, 2012; (e) amended by that certain *Third Amendment to Development Agreement* dated effective January 14, 2014, entered into by and among MC 550 Holdings, MC 550 Investors, and the City; (f) partially assigned by MC 550 Holdings to MC 550 Investors pursuant to that certain *Partial Assignment and Assumption of Development Agreement* dated effective June 15, 2015; and (g)

partially assigned by MC 550 Holdings to the Developer pursuant to that certain *Partial Assignment and Assumption of Development Agreement* effective as of August 17, 2018 (collectively, the "Development Agreement");

1.5 WHEREAS, the City and the Developer have also entered into that certain *PID Reimbursement Agreement – Sonoma Public Improvement District*, effective as of February 9, 2021 (the "PID Reimbursement Agreement") for the purpose of, among other things, providing for the payment of costs of public improvements (the "Authorized Improvements") that specially benefit the property within the PID;

1.6 WHEREAS, the City has approved a *Sonoma Public Improvement District – Sonoma Verde Project, City of McLendon-Chisholm, Service and Assessment Plan*, including assessment rolls attached thereto, for the PID (as the same has been amended and updated, the "Service and Assessment Plan") and levied special assessments ("Assessments") against specially benefitted property within the PID for the purposes of financing a portion of the costs of the Authorized Improvements as described in the Service and Assessment Plan and in accordance with the PID Act;

1.7 WHEREAS, the City has issued special revenue bonds ("PID Bonds") secured by Assessments levied against property within the PID as described in the Service and Assessment Plan and in accordance with the PID Act;

1.8 WHEREAS, the City and the Developer have agreed on certain payments to be made by the Developer in connection with the issuance of PID Bonds for "Improvement Area #4" (as defined in the Service and Assessment Plan) and desire to enter into this Agreement to set forth the terms of such payments;

1.9 WHEREAS, all documents referenced in this Agreement (e.g., the resolution creating the PID, the Development Agreement, the PID Reimbursement Agreement, and the Service and Assessment Plan), are incorporated as part of this Agreement for all purposes as if such resolutions, ordinances, and other documents were set forth in their entirety in or as exhibits to this Agreement;

1.10 WHEREAS, the City acknowledges that the Developer is in compliance with its duties and obligations under the Development Agreement and the PID Reimbursement Agreement;

1.11 WHEREAS, the foregoing RECITALS: (1) are part of this Agreement for all purposes; (2) are true and correct; and (3) each Party has relied upon such Recitals in entering into this Agreement.

NOW THEREFORE, for and in consideration of the mutual obligations of the Parties set forth in this Agreement, the Parties agree as follows:

SECTION 2. DEVELOPER PAYMENTS TO CITY

2.1 Municipal Services Fee. As required by and in satisfaction of Section 6.1 of the Development Agreement, the Developer shall pay or cause to be paid to the City the "Municipal Services Fee" in the amount of [TWO HUNDRED SIXTY-NINE THOUSAND AND 00/100 DOLLARS (\$269,000)] which amount is equal to two percent (2%) of the gross bond proceeds from the sale and issuance of the PID Bonds issued to finance Authorized Improvements for Improvement Area #4 of the PID (the "Improvement Area #4 Bonds"). Such payment shall be made upon written request by the City after the date that proceeds from the Improvement Area #4 Bonds have been paid to the Developer after City approval of the first Certification for Payment (as defined in the PID Reimbursement Agreement). As provided by Section 6.1 of the Development Agreement, the City may use the Municipal Services Fee for any legal purpose, including, but not limited to, the acquisition of certificates of convenience and necessity and the provision of police, fire, and emergency medical services.

2.2 Contribution to City for Maintenance and Repair of Authorized Improvements. Section 5.2 of the PID Reimbursement Agreement requires the Developer to make a payment (the "Authorized Improvement Maintenance and Repair Payment") to the City in the amount of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000) following the Developer's receipt of proceeds from the Improvement Area #4 Bonds after City approval of the first Certification for Payment (as defined in the PID Reimbursement Agreement). At the request of the City, the Developer prepaid \$26,312.38 of such amount in July 2021 to cover a change order request approved by the City and the City Engineer for road repairs within Phase 1 of the PID. The City and the Developer agree that the unpaid portion of the Authorized Improvement Maintenance and Repair Payment in the amount of SEVENTY-THREE THOUSAND SIX HUNDRED EIGHTY-SEVEN AND 62/100 DOLLARS (\$73,687.62) will be paid following the Developer's receipt of proceeds from the Improvement Area #4 Bonds after City approval of the

first Certification for Payment (as defined in the PID Reimbursement Agreement) in full satisfaction of Section 5.2 of the PID Reimbursement Agreement. As provided by Section 5.2 of the PID Reimbursement Agreement, the City may use the Authorized Improvement Maintenance and Repair Payment for the sole purpose of paying costs and expenses of major repairs and emergency maintenance of Authorized Improvements within the PID.

2.3 Developer Contribution to City. In addition to the Municipal Services Fee and the Authorized Improvement Maintenance and Repair Payment described in Section 2.1 and Section 2.2 above, the Developer and City agree that the Developer shall make an additional contribution (the "Developer Contribution") to the City in an amount of THREE HUNDRED THIRTY-ONE THOUSAND AND 00/100 DOLLARS (\$331,000) no later than December 16, 2022, if such date is after the Developer's receipt of proceeds from the Improvement Area #4 Bonds after City approval of the first Certification for Payment (as defined in the PID Reimbursement Agreement). The Developer and the City hereby agree that the City may use the Developer Contribution for any lawful purpose.

SECTION 3. ADDITIONAL PROVISIONS

3.1 Term. The term of this Agreement shall begin on the Effective Date and shall continue until the Developer has paid the Municipal Services Fee, Authorized Improvement Maintenance and Repair Payment and the Developer Contribution in accordance with Section 2 above

3.2 Representations and Warranties.

3.2.1 The Developer represents and warrants to the City that: (1) the Developer has the authority to enter into and perform its obligations under this Agreement; (2) the Developer has the financial resources, or the ability to collect sufficient financial resources, to meet its obligations under this Agreement; (3) the person executing this Agreement on behalf of the Developer has been duly authorized to do so; (4) this Agreement is binding upon the Developer in accordance with its terms; and (5) the execution of this Agreement and the performance by the Developer of its obligations under this Agreement do not constitute a breach or event of default by the Developer under any other agreement, instrument, or order to which the Developer is a party or by which the Developer is bound.

3.2.2 The City represents and warrants to the Developer that: (1) the City has the

authority to enter into and perform its obligations under this Agreement; (2) the person executing this Agreement on behalf of the City has been duly authorized to do so; (3) this Agreement is binding upon the City in accordance with its terms; and (4) the execution of this Agreement and the performance by the City of its obligations under this Agreement do not constitute a breach or event of default by the City under any other agreement, instrument, or order to which the City is a party or by which the City is bound.

3.3 Default/Remedies.

3.3.1 If either Party fails to perform an obligation imposed on such Party by this Agreement (a "Failure") and such Failure is not cured after Notice (defined below) and the expiration of the cure periods provided in this section, then such Failure shall constitute a "Default." If a Failure is monetary, the non-performing Party shall have ten (10) days within which to cure. If the Failure is non-monetary, the non-performing Party shall have thirty (30) days within which to cure.

3.3.2 If the Developer is in Default, the City shall have available all remedies at law or in equity; provided no default by the Developer shall entitle the City to terminate this Agreement or to withhold payments to the Developer in accordance with the PID Reimbursement Agreement, the Service and Assessment Plan, and the trust indenture related to the Improvement Area #4 Bonds.

3.3.3 If the City is in Default, the Developer shall have available all remedies at law or in equity; provided, however, no Default by the City shall entitle the Developer to terminate this Agreement unless the City fails to issue the Improvement Area #4 Bonds by **[June 30, 2022]** in which case the Developer, at its option, may terminate this Agreement. Upon termination of this Agreement all unpaid Developer payment obligations in this Agreement expire.

3.4 Remedies Outside the Agreement. Nothing in this Agreement constitutes a waiver by either Party of any remedy that Party may have outside this Agreement against any person or entity involved in the design, construction, or installation of the Authorized Improvements. With respect to the enforcement of this Agreement, the City shall not be deemed to waive any defenses or immunities, whether sovereign, governmental, legislative, qualified or otherwise, all such defenses and immunities being expressly retained. The obligations of the Developer hereunder shall be those of a party hereto and not as an owner of property in the PID. Nothing

herein shall be construed as affecting the City's or the Developer's rights or duties to perform their respective obligations under other agreements, use regulations, or subdivision requirements relating to development of property in the PID.

3.5 Estoppel Certificate. From time to time upon written request of the Developer, the City Administrator will execute a written estoppel certificate (1) identifying any obligations of the Developer under this Agreement that are in default or, with the giving of Notice (defined below) or passage of time, would be in default; or (2) stating, to the extent true, that to the best knowledge and belief of the City, the Developer is in compliance with its duties and obligations under this Agreement.

3.6 Notice. All notices required or contemplated by this Agreement (or otherwise given in connection with this Agreement) (a "Notice") must be in writing, shall be signed by or on behalf of the Party giving the Notice, and shall be effective as follows: (1) on or after the 10th business day after being deposited with the United States mail service, Certified Mail, Return Receipt Requested with a confirming copy sent by E-mail; (2) on the day delivered by a private delivery or private messenger service (such as FedEx or UPS) as evidenced by a receipt signed by any person at the delivery address (whether or not such person is the person to whom the Notice is addressed); or (3) otherwise on the day actually received by the person to whom the Notice is addressed, including, but not limited to, delivery in person and delivery by regular mail (with a confirming copy sent by E-mail). Notices given pursuant to this section shall be addressed as follows:

To the City:	Attn: City Administrator City of McLendon-Chisholm 1371 West FM 550 McLendon-Chisholm, Texas 75032 E-mail: lisa@mclendon-chisholm.com TEL: (972) 524-2077
With a copy to:	Attn Michael Halla, City of McLendon-Chisholm Attorney 12655 North Central Expressway, Ste. 1000 Dallas, Texas 75243 CITY TO CONFIRM E-mail: mhalla@hallalawfirm.com TEL: (469) 518-0872

And to: Attn: Chris Settle
McCall, Parkhurst, & Horton, LLP
City of McLendon-Chisholm Bond Counsel
717 North Harwood, Suite 900
Dallas, Texas 75201
E-mail: csettle@mphlegal.com
TEL: (214) 754-9237

To the Developer: Attn: Phillip Duncan
Land Solutions SV, LLC
15441 Knoll Trail, Suite 150
Dallas, Texas 75248
E-mail: pduncan@taylorduncan.com
TEL: (972) 325-1405

With a copy to: Attn: Misty Ventura
Shupe Ventura, PLLC
9406 Biscayne Blvd.
Dallas, Texas 75218
E-mail: misty.ventura@svlandlaw.com
TEL: (214) 328-1101

Any Party may change its address by delivering Notice of the change in accordance with this section.

3.7 Due Consideration. Each Party hereby finds, determines and stipulates that the benefits provided to it and the obligations hereunder are binding upon it and constitute due consideration for its execution of this Agreement.

3.8 Applicable Law; Venue. This Agreement is being executed and delivered and is intended to be performed in the State of Texas. Except to the extent that the laws of the United States may apply, the substantive laws of the State of Texas shall govern the interpretation and enforcement of this Agreement. In the event of a dispute involving this Agreement, venue shall lie in any court of competent jurisdiction in Rockwall County, Texas.

3.9 Successors and Assigns. Either Party shall have the right to assign its rights and/or obligations under this Agreement, or any interest herein, in the same manner as assignment is allowed under the Development Agreement.

3.10 Conflicts; Amendment. In the event of any conflict between this Agreement and any other instrument, document, or agreement by which either Party is bound: (1) first, the provisions and intent of the Development Agreement shall control, and (2) second, the provisions and intent of the Reimbursement Agreement shall control subject only to the terms of the Development Agreement. This Agreement may only be amended by written agreement of the Parties.

3.11 Severability. If any provision of this Agreement is held invalid by any court, such holding shall not affect the validity of the remaining provisions.

3.12 Non-Waiver. The failure by a Party to insist upon the strict performance of any provision of this Agreement by the other Party, or the failure by a Party to exercise its rights upon a Default by the other Party, shall not constitute a waiver of such Party's right to insist and demand strict compliance by such other Party with the provisions of this Agreement.

3.13 Third Party Beneficiaries. Nothing in this Agreement is intended to or shall be construed to confer upon any person or entity other than the City and the Developer (including its successors or assignees) any rights under or by reason of this Agreement. All provisions of this Agreement shall be for the sole and exclusive benefit of the City and the Developer (including its successors or assignees).

3.14 Counterparts. This Agreement may be executed in multiple counterparts, which, when taken together, shall be deemed one original.

[Remainder of page left blank intentionally. Signature pages follow.]

CITY OF MCLENDON-CHISHOLM

By: _____
Keith Short, Mayor

ATTEST:

By: _____
Rochelle Green, City Secretary

DEVELOPER:

LAND SOLUTIONS SV LLC,
A Delaware limited liability company

By: _____

Name: _____

Title: _____

*Ordinance No. 2022-03
Adopted 05.24.22*

**CITY OF MCLENDON-CHISHOLM, TEXAS
ORDINANCE NO. 2022-03**

ORDINANCE AUTHORIZING THE ISSUANCE OF THE “CITY OF MCLENDON-CHISHOLM, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2022 (SONOMA PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #4 PROJECT)”; **APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of McLendon-Chisholm, Texas (the “City”), pursuant to and in accordance with the terms, provisions and requirements of the Public Improvement District Assessment Act, Subchapter A of Chapter 372, Texas Local Government Code (the “PID Act”), has previously established the “Sonoma Public Improvement District” (the “District”); and

WHEREAS, the City Secretary (i) published notice of a public hearing (the “Assessment Hearing”) to consider an ordinance levying assessments (the “Assessments”) on certain benefitted property within the District in the *Rockwall Herald Banner*, a newspaper of general circulation in the City, pursuant to Section 372.016(b) of the PID Act, and (ii) mailed notice of the Assessment Hearing to the last known address of the owners of property liable for the Assessments, pursuant to Section 372.016(c) of the PID Act; and

WHEREAS, in the Assessment Ordinance, the Council approved and accepted the Sonoma Public Improvement District 2022 Amended and Restated Service and Assessment Plan (the “Service and Assessment Plan”) and levied (i) the Improvement Area #4-A Assessments against the Improvement Area #4-A Assessed Property and (ii) the Improvement Area #4-B Assessments against the Improvement Area #4-B Assessed Property; and

WHEREAS, the Council has found and determined that it is in the best interests of the City to issue its bonds to be designated “City of McLendon-Chisholm, Texas, Special Assessment Revenue Bonds, Series 2022 (Sonoma Public Improvement District Improvement Area #4 Project)” (the “Bonds”), such Bonds to be payable from and secured by the Trust Estate; and

WHEREAS, the City Council is authorized by the PID Act to issue revenue bonds payable from the Assessments for the purpose of (i) paying the Improvement Area #4-A Project Costs, (ii) paying the Improvement Area #4-B Project Costs, (iii) funding the initial deposit to the Administrative Fund for the payment of the initial Administrative Expenses, and (iv) paying Bond Issuance Costs; and

WHEREAS, the Council has found and determined to approve (i) the issuance of the Bonds for the purposes described herein, (ii) the form, terms and provisions of the Indenture (defined below) securing the Bonds authorized hereby, (iii) the form, terms and provisions of a Purchase Agreement (defined below) between the City and the Underwriter (defined below),

(iv) a Limited Offering Memorandum (defined below), and (v) a Continuing Disclosure Agreement (defined below); and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. Findings. The findings and determinations set forth in the preamble hereof are hereby incorporated by reference for all purposes as if set forth in full herein. Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Indenture.

Section 2. Approval of Issuance of Bonds and Indenture of Trust.

(a) The issuance of the Bonds in the principal amount of \$_____ for the purpose of (i) paying the Improvement Area #4-A Project Costs, (ii) paying the Improvement Area #4-B Project Costs, (iii) funding the initial deposit to the Administrative Fund for the payment of the initial Administrative Expenses, and (iv) paying Bond Issuance Costs, is hereby authorized and approved.

(b) The Bonds shall be issued and secured under that certain Indenture of Trust (the "Indenture"), dated as of June 1, 2022, between the City and Wilmington Trust, National Association, as trustee (the "Trustee"), with such changes as may be necessary or desirable to carry out the purposes and intent of this Ordinance and as approved by the Mayor or Mayor Pro Tem of the City, such approval to be evidenced by the execution and delivery of the Indenture, which Indenture is hereby approved in substantially final form attached hereto as **Exhibit A** and incorporated herein as a part hereof for all purposes. The Mayor and Mayor Pro Tem of the City, individually or jointly, are hereby authorized and directed to execute the Indenture and the City Secretary is hereby authorized and directed to attest such signature of the Mayor or Mayor Pro Tem.

(c) The Bonds shall (i) be dated, (ii) mature on the date or dates and in the principal amount or amounts, (iii) bear interest, (iv) be subject to redemption and (v) have such other terms and provisions as set forth in the Indenture. The Bonds shall be in substantially the form set forth in the Indenture, with such insertions, omissions and modifications as may be required to conform the form of Bond to the actual terms of the Bonds. The Bonds shall be payable from and secured by the Trust Estate and shall never be payable from ad valorem taxes or any other funds or revenues of the City.

Section 3. Sale of Bonds; Approval of Bond Purchase Agreement. The Bonds shall be sold to FMSbonds, Inc. (the "Underwriter") at the price and on the terms and provisions set forth in that certain Bond Purchase Agreement (the "Purchase Agreement"), dated the date hereof, between the City and the Underwriter, attached hereto as **Exhibit B** and incorporated herein as a part hereof for all purposes, which terms of sale are declared to be in the best interest of the City. The form, terms and provisions of the Purchase Agreement are hereby authorized and approved and the Mayor and Mayor Pro Tem of the City, individually or jointly, are hereby authorized and directed to execute and deliver the Purchase Agreement.

Section 4. Limited Offering Memorandum. The form and substance of the final Limited Offering Memorandum for the Bonds and any addenda, supplement or amendment thereto (the “Limited Offering Memorandum”) presented to and considered at the meeting at which this Ordinance is considered is hereby approved and adopted in all respects. The Limited Offering Memorandum, with such appropriate variations as shall be approved by the City Administrator, the Mayor or the Mayor Pro Tem of the City and the Underwriter, may be used by the Underwriter in the offering and sale of the Bonds. The City Secretary is hereby authorized and directed to include and maintain a copy of the Preliminary Limited Offering Memorandum (as defined in the Purchase Agreement) and the Limited Offering Memorandum and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting. The use and distribution of the Preliminary Limited Offering Memorandum in the offering of the Bonds is hereby ratified, approved and confirmed. By separate resolution, the City has previously deemed the Preliminary Limited Offering Memorandum final, within the meaning of Rule 15c2-12 issued by the United States Securities and Exchange Commission under the Securities Exchange Act of 1934 (the “Rule”), as of its date, except for the omission of information specified in Section (b)(1) of the Rule, as permitted by Section (b)(1) of the Rule. Notwithstanding the approval and delivery of such Preliminary Limited Offering Memorandum and Limited Offering Memorandum by the Council, the Council is not responsible for and proclaims no specific knowledge of the information contained in the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum pertaining to (i) the Improvement Area #4-A Projects, (ii) the Improvement Area #4-B Projects, (iii) the Development (as defined in the Limited Offering Memorandum), (iv) the Developer or its financial ability, or any other developers of the District, or (v) any builders or landowners.

Section 5. Continuing Disclosure Agreement. The Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) among the City, P3Works, LLC and HTS Continuing Disclosure Services, a division of Hilltop Securities Inc., is hereby authorized and approved in substantially final form attached hereto as **Exhibit C** and incorporated herein as a part hereof for all purposes, and the Mayor and Mayor Pro Tem of the City, individually or jointly, are hereby authorized and directed to execute and deliver such Continuing Disclosure Agreement with such changes as may be required to carry out the purposes and intent of this Ordinance and approved by the Mayor or Mayor Pro Tem, such approval to be evidenced by the execution thereof.

Section 6. Additional Actions. The Mayor, the Mayor Pro Tem, the City Administrator and the City Secretary (the “Authorized Officials”), individually or jointly, are hereby authorized and directed to take any and all actions on behalf of the City necessary or desirable to carry out the purposes and intent of this Ordinance and to issue the Bonds in accordance with the terms of this Ordinance. In addition, the Authorized Officials are each hereby authorized and directed to execute and deliver any and all certificates, agreements, notices, instruction letters, requisitions and other documents which may be necessary or advisable in connection with the sale, issuance and delivery of the Bonds and the carrying out of the purposes and intent of this Ordinance.

Section 8. Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 9. Effective Date. This Ordinance is passed on one reading as authorized by Texas Government Code, Section 1201.028, and shall be effective immediately upon its passage and adoption.

Ordinance No. 2022-03
Adopted 05.24.22

Exhibit A

INDENTURE OF TRUST

A-1

Ordinance No. 2022-03
Adopted 05.24.22

Exhibit B

BOND PURCHASE AGREEMENT

B-1

Ordinance No. 2022-03
Adopted 05.24.22

Exhibit C

CONTINUING DISCLOSURE AGREEMENT

C-1



City of McLendon-Chisholm
1371 West FM 550 - McLendon-Chisholm, Texas 75032
TEL: (972)524-2077 FAX: (972)524-9128

ZONING CHANGE APPLICATION

Date of Application: 4-8-22

Receipt # _____

Fee: \$600 per lot + \$10 per acre (acreage rounded to the next whole acre) + ALL consultant Costs. Consultant costs includes City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City.

Address and/or Location of Request:

1105 E FM 550 McLendon Chisholm. Land is on 550 acres from
FM 1139

Property Legal Description:

A0079 L Easternwood Tract 19, 19-1, 20. Acres 8.34-16.66-2.08

County Parcel ID: 10783, 45857, 10782

Existing Zoning: SF 2.5 Requested Zoning: PD-SF 1.5

Applicant's Name: Steven Smith

Phone No. 903-229-1025 Email: Steven@SmithConsultLLC.com

Status of Applicant: Owner ☐ or Authorized Agent ☒

Applicant's Address:

2307 Laci Lane Royse city TX

Owner's Address: 1401 Wells Cr. Rockwall, TX

I certify that I am the owner of the property described in this petition/application and Steven Smith is the authorized agent to file this application on my behalf.

Signature of Owner:

Brian Water Date 4-8-22

Signature of Applicant:

Steven Smith Date 4-8-22

Development Fees

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

ALL Consulting Costs - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 6270.00 to cover the cost of this application, and an initial deposit of \$ _____ for consulting fees has been paid to the City of McLendon-Chisholm on this 8th day of April, 2022.

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant (Owner/Authorized Agent):



City Secretary:



(Seal)

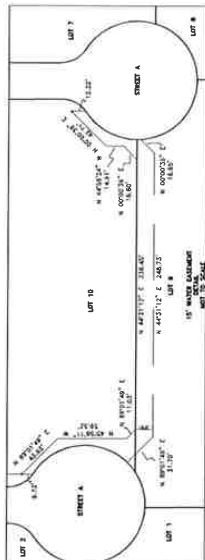


Page 2 of 2

02/25/2020 Zoning Change Application and Checklist



VICINITY MAP
NOT TO SCALE



LINE	BEARING	DISTANCE
L1	N 45°14'35" W	26.42'
L2	N 45°13'42" W	25.77'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD	BEARING	CHORD LENGTH
C1	37.55'	58.00'	37°05'42"	N 64°29'24" W	36.90'	
C2	16.83'	26.00'	37°05'47"	N 64°29'22" W	16.54'	
C3	26.06'	26.00'	57°25'15"	S 17°13'50" E	24.98'	
C4	267.59'	52.00'	294°50'31"	S 44°03'30" W	56.00'	
C5	26.06'	26.00'	57°25'27"	S 74°39'09" E	24.98'	
C6	41'11.0"	26.00'	90°33'35"	N 00°39'42" W	36.95'	
C7	27.29'	59.00'	61°34'28"	N 16°48'00" W	16.46'	
C8	21.12'	26.00'	57°33'22"	N 24°44'50" W	25.03'	
C9	26.06'	26.00'	57°33'22"	N 24°44'50" W	25.03'	
C10	26.06'	26.00'	57°25'17"	S 17°13'34" E	24.98'	
C11	267.59'	52.00'	294°50'33"	S 44°01'48" W	56.00'	
C12	26.06'	26.00'	57°25'16"	S 74°40'48" E	24.98'	
C13	26.00'	26.00'	57°17'19"	N 17°19'35" W	24.93'	
C14	189.34'	52.00'	208°37'31"	N 87°00'15" E	100.77'	
C15	17.29'	16.00'	61°55'39"	N 13°39'20" E	16.46'	
C16	40.59'	26.00'	89°25'25"	N 89°20'21" E	36.59'	
C17	16.83'	26.00'	37°05'47"	N 27°23'36" W	16.54'	
C18	37.55'	58.00'	37°05'54"	S 27°23'35" E	36.90'	

SHEET 1 OF 2

PRELIMINARY PLAT
WATSON ADDITION

1.181,361 SQ. FT. 10.805 ACRES
1.181,361 SQ. FT. 27.130 ACRES
LEONARD EASTWOOD SURVEY, ABSTRACT NO. 79
CITY OF MCLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS



PLANNING & SURVEYING
Main Office
1413 East I-30, Ste. 7
Rockwall, Texas 75087
P 214.949.9483
F 214.949.2216
www.cbgillic.com

OWNER: BRIAN CHRISTOPHER WATSON &
ELIZABETH BROOKE WATSON
ROCKWALL, TEXAS 75087
972-798-8886
BWATSON10@FANDU.COM

SCALE: 1"=200' / DATE: 10/07/21 / JOB NO. 2016093-2PLAT / DRAWN BY: CC

CASE NO.

LEGEND:

- 1/2 RF
- 1/2 RS
- 3/8 RF
- 3/8 RS
- 1/4 RF
- 1/4 RS
- EASTING
- VOL
- PAGE
- R.O.W.
- CAB.
- CABINET FEET
- DEED RECORDS, ROCKWALL COUNTY, TEXAS
- D.R.R.C.T.
- DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.L.R.C.T.
- OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.C.T.

GENERAL NOTES:

- 1) THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING MEASUREMENTS.
- 2) THE PURPOSE OF THIS SURVEY IS TO CREATE 10 LOTS OUT OF TRACT I AND TRACT II, RECORDED IN INSTRUMENT NO. 2020000024925, O.P.R.C.T. AND INST. NO. 2021000003208, O.P.R.C.T.
- 3) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 4) ACCORDING TO THE T.I.R.M. IN MAP NO. 483970101, THIS PROPERTY LIES WITHIN THE 100 YEAR FLOOD ZONE.
- 5) PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE NECESSARY REPAIR, AND RECONSTRUCTION OF DRAINAGE AND DETENTION SYSTEMS ON SITE.

Ordinance No. 2021 - _____

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING DISTRICT FROM SF2.5 SINGLE-FAMILY TO A PD PLANNED DEVELOPMENT ZONING DISTRICT PROVIDING FOR TEN (10) SINGLE-FAMILY LOTS ON A 27.12-ACRE TRACT OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF E. FM 550 AND FM 1139, MORE PARTICULARLY DESCRIBED HEREIN, IN THE CITY OF McLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS, PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of McLendon-Chisholm and the governing body of the City of McLendon-Chisholm, in compliance with state laws and with reference to amending the Comprehensive Zoning Ordinance and Zoning Map, have given the requisite notice by publication and otherwise, an after holding due hearing and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the City of McLendon-Chisholm is of the opinion that said Comprehensive Zoning Ordinance and Map should be amended as provided herein. Now therefore:

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of McLendon-Chisholm, Texas, heretofore duly passed by the governing body of the City of McLendon-Chisholm, as heretofore amended, be hereby amended by changing the Zoning District designation on the 27.12-acre tract of land more particularly described in Exhibit "A", attached hereto and incorporated herein, and herein referred to as the "Property" from SF2.5 Single-Family to a PD Planned Development District as described in Exhibit "B" Planned Development District Development Standards and amending the Official Zoning Map to reflect the approved change in zoning district.

SECTION 2. That all provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this ordinance as applicable to the Property are hereby repealed and all other provisions of the ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so

decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance or Map as a whole.

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

Passed and approved this _____ day of May 2022.

EXHIBIT A

(LEGAL DESCRIPTION)

Tract I:

BEING a tract of land situated in the Leonard Easterwood Survey, Abstract 79, Rockwall County Texas and being a part of that certain tract of land described as "Fourth Tract" in Deed from Jesse L. Briggs et al, to Ronald H. Linam, et al, dated October 19, 1962 and recorded in Volume 66 Page 439, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Southeast line of FM-550, said point bears South 45 degrees 30' East a distance of 1371.63 feet from the North corner of the above reference "Fourth Tract";

THENCE: South 45 degrees 06' East a distance of 1056.03 feet parallel with the Northeast line of said "Fourth Tract to a point for a corner;

THENCE: South 45 degrees 41' West a distance of 344.20 feet to a point for corner;

THENCE: North 45 degrees 06' West a distance of 1054.93 feet to a point for a corner on the Southeast line of said FM-550:

THENCE: North 45 Degrees 30' East a distance of 344.19 feet with said Southeast line to the point of beginning and containing 8.34 acres of land, more or less.

Tract II:

All that certain lot, tract or parcel of land, situated in Rockwall County, Texas and Being a tract of land out of the Leonard Easterwood Survey, Abstract 79, Rockwall County, Texas; a part of that certain tract of land described as "Fourth Tract" in deed from Jesse L. Briggs, et at to Ronald H. Linam, et al, dated October 19, 1962 and recorded at Volume 66, Page 439, of the Rockwall County Deed Records; and more particular described as follows:

BEGINNING at an iron stake on the Southeast right of way line of F.M. Road 550, from which the North corner of said referenced tract bears North 45 Degrees 30' East 685.09 feet;

THENCE with a line parallel to the Northeast line of said tract, South 45 Degrees 06' East 1058.23 feet to an iron stake in the Southeast line of said tract;

THENCE with the Southeast line of said tract, South 45 Degrees 41' West 686.56 feet to an iron stake;

THENCE with a line parallel to the Northeast line of said tract, North 45 Degrees 06' West 1056.03 feet to an iron stake on the Southeast right of way line of F.M. Road 550;

THENCE with said. right of way line, North 45 Degrees 30' East 686.54 feet to the place of beginning, containing 16.66 acres of land, more or less.

Tract III:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE LEONARD EASTERWOOD SURVEY ABSTRACT NO. 79, ROCKWALL COUNTY, TEXAS, AND BEING A PART OF THAT 8.34 ACRES TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED FROM HENRY SMITH AND DELLA SMITH TO CLEARHAVEN INVESTMENT CORPORATION, DATED FEBRUARY 15, 1994 AND BEING RECORDED IN VOLUME 882, PAGE 200 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A 1/2" IRON ROD FOUND FOR CORNER AT THE EAST MOST SOUTH CORNER OF SAID 8.34 ACRES TRACT, SAID POINT BEING AT THE EAST CORNER OF FREEMAN SUBDIVISION, AN ADDITION TO ROCKWALL COUNTY, TEXAS.

THENCE NORTH 43 DEG. 16 MIN. 00 SEC. WEST ALONG THE SOUTHWEST LINE OF SAID 8.34 ACRES TRACT, A DISTANCE OF 317.30 FEET TO A 1/2" IRON ROD FOUND FOR CORNER,

THENCE NORTH 44 DEG. 18 MIN. 55 SEC. EAST A DISTANCE OF 198.41 FEET TO A 1/2" IRON ROD SET FOR CORNER,

THENCE NORTH 46 DEG. 06 MIN. 00 SEC. WEST A DISTANCE OF 731.90 FEET TO A 1/2" IRON ROD SET FOR CORNER IN THE SOUTHEAST RIGHT-OF-WAY LINE OF FM HIGHWAY 530,

THENCE NORTH 45 DEG. 30 MIN 00 SEC. EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 FEET TO A 1/2" IRON ROD SET FOR CORNER AT THE NORTH CORNER OF SAID 8.34 ACRES TRACT,

THENCE SOUTH 46 DEG. 06 MIN. 00 SEC. EAST (CONTROLLING BEARING LINE) ALONG THE NORTHEAST LINE OF SAID TRACT A DISTANCE OF 1053.95 FEET TO A 1/2" IRON ROD SET FOR CORNER AT THE EAST CORNER OF SAME,

THENCE SOUTH 45 DEG. 41 MIN. 00 SEC. WEST, ALONG THE SOUTHEAST LINE OF SAID TRACT, A DISTANCE OF 231.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.08 ACRES OF LAND.

EXHIBIT B

WATSON WAY ESTATES

PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS

For Approximately 27.12-Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This Planned Development District provide for the development standards for a planned subdivision containing 10 single-family residential lots with a minimum lot size of 1.5-acres of land. This development is approximately 27.12 acres of land generally located southeast of the intersection of E. FM 550 and FM 1139.

2. Special Provisions

This Exhibit includes the PD Development Standards and the Concept Plan both of which are included and made a part of the ordinance adopting the Planned Development District.

- a. Minor amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:

- i. Does not increase density;
- ii. Does not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lot.

Requests to amend the PD or the Concept or Development Plans that fail to satisfy the standards of i. ii. Above shall be considered as a change in zoning and shall be required to satisfy the requirements of an original request for a change in zoning.

- b. Minor amendments amendment to the PDD including approved Concept or Development plans may be approved by the Mayor and the City Administrator. No action is required by the Planning and Zoning Commission or the City Council.
- c. Requests for minor amendments shall be made in writing and shall justify the reason or reasons for the requested amendment.

3. Development Plan

Prior to development of any portion of this planned development district, the City Council shall consider a development plan upon recommendation from the Planning and Zoning Commission. Any development plan shall conform to the Concept Plan that has been approved and made a part of this ordinance.

This development may be constructed in phases. However, if constructed in phases, each phase shall have a development plan reviewed and recommended by the Planning and Zoning Commission and reviewed and approved by the City Council prior to any construction in that phase.

4. Development Standards

Lot layout shall conform to the Concept Plan that has been adopted and is part of this ordinance.

- a. This is a single-family zoning district.
- b. Permitted uses. In this zoning district, no building or land shall be used, and no building shall be constructed, reconstructed, altered or enlarged, unless otherwise permitted in accordance with section 3-1. Use of land and buildings of the City of McLendon-Chisholm Zoning Ordinance as shown for the SF 1.5 Residential District.
- c. Area requirements. Minimum residential lot size 1-.5 acres.
- d. Setbacks.

Front yard	75 feet
Side yard	50 feet
Rear yard	20 feet

Front yard setbacks shall be consistent for the entire block face. Side yard setbacks shall be consistent for the entire block face.

- e. Lot width. Minimum lot width is 115 feet.

For lots fronting on a cul-de-sac or eyebrow, the minimum lot width shall be measured at the front setback line. Corner lots may have the 10-foot side yard adjacent to the side street.

- f. Lot depth. 200 feet.
- g. Minimum Dwelling size. 2,300 square feet.
- h. Lot coverage. 15 percent.
- i. Maximum Height. 45 feet.
- j. Off-street parking. Shall conform to section 6-7, Off-street parking and loading requirements of the McLendon-Chisholm Zoning Ordinance.
- k. Accessory structures. Shall conform to the requirements of section 6-3 of the McLendon-Chisholm Zoning Ordinance.



PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: May 19, 2022

APPLICANT: Steven Smith
Smith Custom Homes, LLC
2307 Laci Lane
Royce City, Texas

LOCATION: Adjacent to the intersection of FM 550 and FM 1139 on the southeast side of the intersection. Rockwall CAD ID#: 10783, 45857, 10782.

PLANNING AND ZONING COMMISSION HEARING DATE: May 23, 2022

REQUEST:

The applicant is requesting approval of a preliminary plat for the development of 10 single-family residential lot subdivision with minimum one and one-half acre lots on approximately 27 acres of land.

PROPERTY OWNERS: Brian and Elisabeth Watson
1401 Wells Cr.
Rockwall, Texas

REPRESENTATIVE: Steven Smith

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission recommend approval of the preliminary plat for a 10 single-family lot subdivision subject to the following conditions:

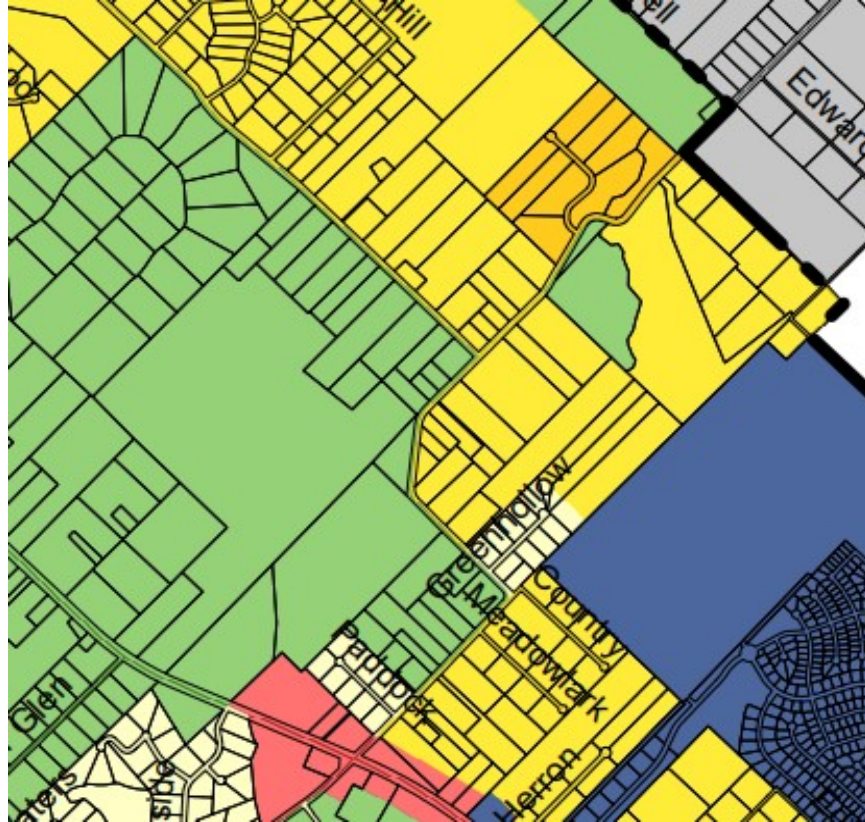
Conditions:

- Compliance with the preliminary plat.
- Application for final plat not be submitted until the City Engineer has approved the civil engineering plans and related requirements for the subdivision.

BACKGROUND INFORMATION:

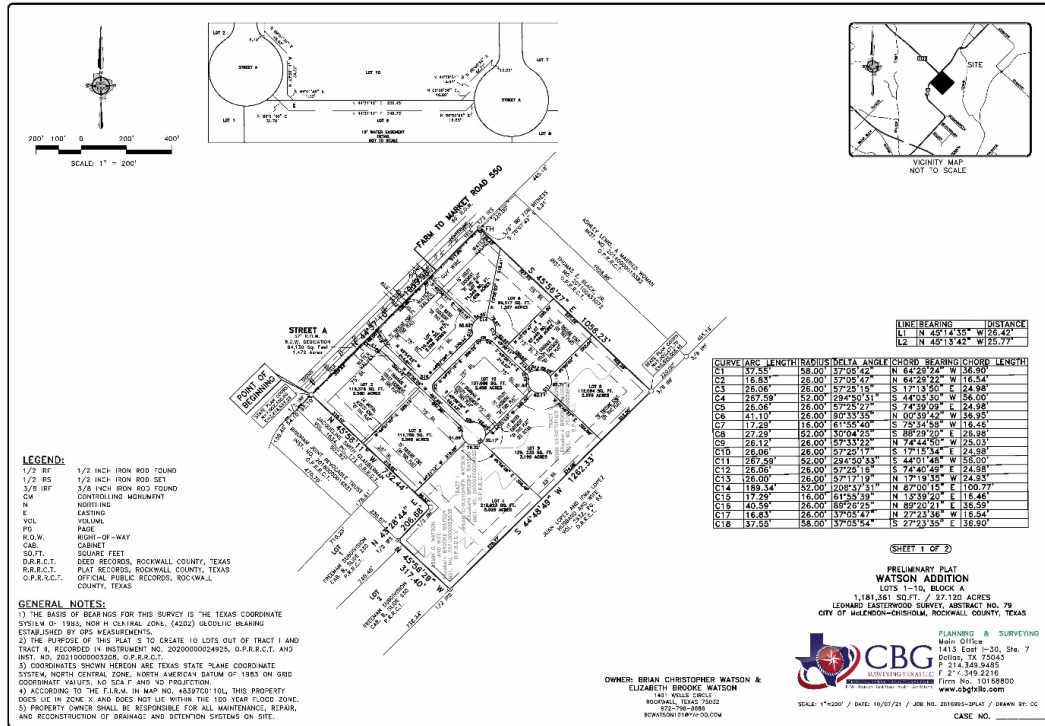
The subject property is a 27-acre tract of land located on the southeast side of the intersection of FM 550 and FM 1139. The applicant previously requested a variance to the required street frontage for several lots that failed to comply with the 300 linear street frontage requirement. The Board of Adjustment denied that request and the property owner decided to request a planned development district that provides street frontages as shown on the Concept Plan [preliminary plat]. All proposed lots are a minimum of one and one-half acres of land.

Zoning Map



This area intentionally left blank

Preliminary Plat



Thoroughfares/streets:

The subject properties front on FM 550 and are located directly across FM 550 from the southeast end of FM 1139. The Thoroughfare Plan calls for FM 550 to be an existing Major Collector to have a minimum 60-80 foot right of way width, the existing right of way width is 80 feet.



City of McLendon-Chisholm
1371 West FM 550 - McLendon-Chisholm, Texas 75032
TEL: (972)524-2077 FAX: (972)524-9128

ZONING CHANGE APPLICATION

Date of Application: 03/29/22

Receipt # _____

Fee: \$600 per lot + \$10 per acre (acreage rounded to the next whole acre) + ALL consultant Costs. Consultant costs includes City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City. $\$600 \times 14 \text{ lots} + \$10 \times 25 \text{ Ac.} = \8650.00

Address and/or Location of Request:

Southeast of Savannah Hill Lane, adjacent to the Heritage subdivision.

Property Legal Description:

William W. Ford Survey, A-80

County Parcel ID: 10849

Existing Zoning: AG

Requested Zoning: SF 1.5

Applicant's Name: Bill Thomas

Phone No. 972-941-8403

Email: bill@ecdip.com

Status of Applicant: Owner ☐ or Authorized Agent ☒

Applicant's Address:

201 Windco Cir, Suite 200, Wylie, Texas 75098

Owner's Address: 3228 Denali Drive, Irving, Texas 75063

I certify that I am the owner of the property described in this petition/application and Bill Thomas is the authorized agent to file this application on my behalf.

Signature of Owner:

Date 4/4/2022

Signature of Applicant:

Date 4.4.2022

Development Fees

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

ALL Consulting Costs - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 8656.00 to cover the cost of this application, and an initial deposit of \$ _____ for consulting fees has been paid to the City of McLendon-Chisholm on this _____ day of _____, 202_.

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant (Owner/Authorized Agent): *E. Thomas*

City Secretary: *Rochelle Green*

(Seal)



Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

PROPERTY DESCRIPTION

BEING a tract of land situated in the WILLIAM W. FORD SURVEY, ABSTRACT NO. 85, City of McClendon-Chisholm, Rockwall County, Texas and being all of the same tract of land as described in deed to Issac Levy and Sandy K. Levy, recorded in Volume 3439, Page 85, Deed Records, Rockwall County, Texas (D.R.R.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the most Easterly corner of Lot 11, South Ridge Addition, an addition to the City of McClendon-Chisholm, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Page 345, Plat Records, Rockwall County, Texas (P.R.R.C.T.), said iron rod also being situated in the Southwest line of Lot 31, Glen Hills Ranch;

THENCE South 45 deg 05 min 27 sec East, departing the Southeasterly line of said Lot 11, and along the Southwest line of said Glen Hills Ranch, a distance of 812.16 feet to a 1-inch iron pipe found for corner;

THENCE South 45 deg 38 min 37 sec East, continuing along the Southwest line of said Glen Hills Ranch, a distance of 804.72 feet to a 1/2-inch iron rod with red plastic stamped "W.A.I. 5714" set for corner, said iron rod being situated in the Northwest line of Lot 15, Chisholm Crossing Phase II, an addition to the City of McClendon-Chisholm, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Page 91, P.R.R.C.T.;

THENCE South 44 deg 40 min 30 sec West, along said Northwest line, a distance of 535.76 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being situated in the Northwest line of Lot 14 of said Chisholm Crossing Phase II;

THENCE South 42 deg 47 min 08 sec West, continuing along said Northwest line, a distance of 35.32 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 52 deg 21 min 10 sec West, continuing along the Northwest line of said Chisholm Crossing Phase II, a distance of 87.08 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the most easterly corner of a tract of land as described in deed to Oak National Development LLC, recorded in Volume 2021, Page 11007, D.R.R.C.T. and being situated in the Northwest line of a tract of land as described in deed to Landau Properties LP, recorded in Volume 2208, Page 319, D.R.R.C.T.;

THENCE North 45 deg 43 min 33 sec West, departing the Northwest line of said Landau Properties LP tract and along the Northeast line of said Oak National Development LLC tract, a distance of 1,613.76 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the most Southerly corner of Lot 12 of said South Ridge Addition;

THENCE North 45 deg 18 min 17 sec East, departing the Northeast line of said Oak National Development LLC tract and along the Southeast line of said South Ridge Addition, a distance of 667.54 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 24.617 acres or 1,069,868 square feet of land, more or less.



PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: May 17, 2022

APPLICANT: Bill Thomas
201 Windco Circle
Suite 200
Wylie, Texas 75098

LOCATION: At the southeast end of Savannah Hill Lane, Rockwall CAD PIN#10849; 24.56 acres of land.

Owner: Prairie Hills, LLC
3228 Denali Drive
Irving, Texas 75063

PLANNING AND ZONING COMMISSION HEARING DATE: May 23, 2022

REQUEST:

The applicant is requesting approval of a change in zoning district from Ag-Agricultural to SF 1.5-Single family. The Agricultural zoning district requires a minimum residential lot size of two and one-half acres of land, whereas the SF 1.5 zoning district requires a minimum residential lot size of one and one-half acres of land.

REPRESENTATIVE: Bill Thomas

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission recommend approval of a change in zoning district from Agriculture zoning district to an SF 1.5 Single-family zoning district. The request is consistent with direction from the Comprehensive Plan.

BACKGROUND INFORMATION:

The subject property is a 24.56-acre tract of land located on the southeast end of Savannah Hill Lane. Direct access to this property is from Savannah Hill Lane through a 60-foot access easement.

Savannah Hill Lane is the only existing vehicular access through the South Ridge Subdivision. South Ridge subdivision is in the extra territorial jurisdiction of the City of McLendon-Chisholm. The subject property [24.56 acres] is located within the city limits of McLendon-Chisholm, subsequently the requested zoning must comply with the Comprehensive Plan.

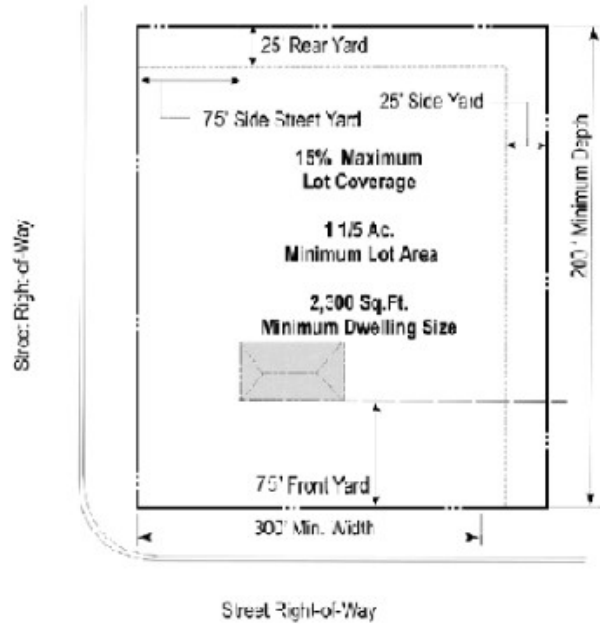
Zoning Map



The current zoning district designation for the subject property is Agricultural requiring a minimum residential lot size of two and one-half acres of land.

The developer has entered into an agreement with the developer of the Heritage subdivision to provide for a second emergency access to the subject as required by the Fire Code. That access will be shown on the preliminary plat when submitted.

SF 1/5 Zoning size graphic



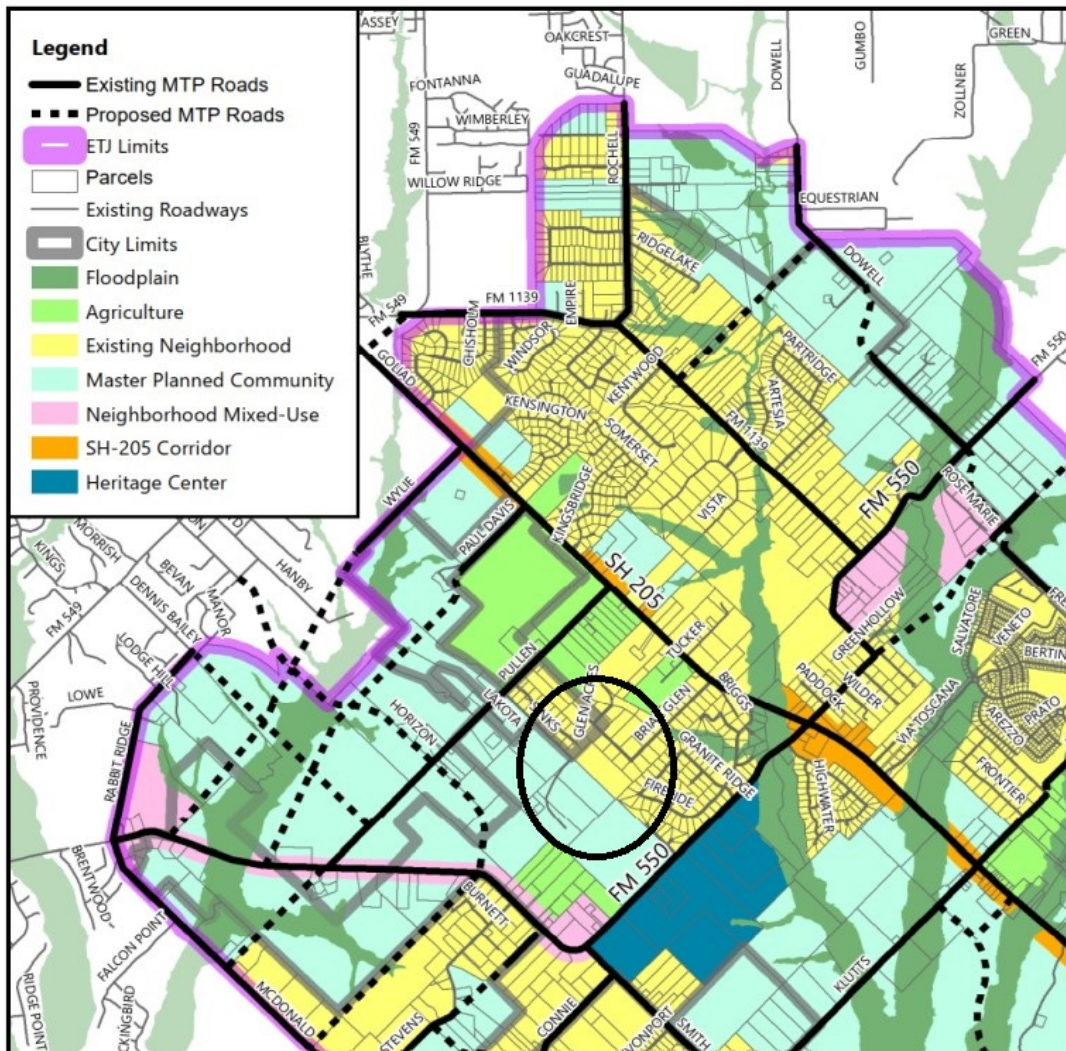
SF 1.5 Zoning District Requirements

SF1.5-Zoning District Area Requirements	
Minimum Lot Area	1 1/2 Acres
Minimum Lot Width	300 ft.
Minimum Lot Depth	200 ft.
Minimum Front Yard	100 ft.
Minimum Side Yard	25 ft. Interior 100 ft. Street
Minimum Rear Yard	20 ft.
Minimum Dwelling Size	2,300 sq. ft.
Maximum Lot Coverage	15 %
Maximum Building Height	45 ft.

[illegible]

Page 92 of 123

Comprehensive Plan/Future Land Use Map



The Future Land Use Map identifies the Future Land Use as Existing Neighborhood. Developed residential lots surrounding the subject property range from 1.5 acres to 3 acres of land. The Heritage subdivision immediately adjacent on the southwest side of the subject property has lot sizes ranging from one acre to one and one-half acre. The proposed residential density will be one and one-half acres of land [net] for each residential lot in the subdivision.

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

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

Rockwall CAD Aerial



Thoroughfares/streets:

Savannah Hill Lane is an existing local street within a 60 foot right of way dead ending at the southeast end of the South Ridge Subdivision in a cul-de-sac with a 60-foot-wide access and utility easement providing access to the subject property.



City of McLendon-Chisholm
1371 West FM 550 - McLendon-Chisholm, Texas 75032
TEL: (972)524-2077 FAX: (972)524-9128



ZONING CHANGE APPLICATION

Date of Application: 4-8-2022

Receipt # _____

Fee: \$600 per lot + \$10 per acre (acreage rounded to the next whole acre) + ALL consultant Costs. Consultant costs includes City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City.

Address and/or Location of Request:

Eastern corner of SH205 and FM550

Property Legal Description:

King Kathman L&L Survey, Abstract No. 133

County Parcel ID: #108612, #11384, #11442

Existing Zoning: General Business (GB) Requested Zoning: Planned Development -
SE-2.5 District General Business

Applicant's Name: McLendon Chisholm LLC c/o Clayton Multer
CMRPA Chisholm

Phone No. 864-907-0621 Email: clay.multer@cmknightsgroup.com

Status of Applicant: Owner ☒ or Authorized Agent _____

Applicant's Address:

1400 Preston Road, Suite 497 Plano, TX 75093

Owner's Address: 1400 Preston Road, Suite 497 Plano, TX 75093

I certify that I am the owner of the property described in this petition/application and David A. Kalhofer (Peterson Land) is the authorized agent to file this application on my behalf.

Signature of Owner:

Clayton J. Multer

Date 4/8/2022

Signature of Applicant:

David A. Kalhofer

Date 4-8-2022

Development Fees

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

ALL Consulting Costs - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 670.00 to cover the cost of this application, and an initial deposit of \$ 3,000.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 11th day of April, 2022

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant (Owner/Authorized Agent): _____

City Secretary: Rockelle Green

(Seal)



Page 2 of 2

02/25/2020 Zoning Change Application and Checklist

THE CROSSROADS at MCLENDON – CHISHOLM

Planned Development District

GENERAL DESCRIPTION

The proposed Planned Development District, to be known as **The Crossroads at McLendon-Chisholm**, is intended to accommodate retail, commercial, restaurant and residential uses to create a mixed-use development that service the surrounding area with convenience goods and services. It is also the intent to provide a quality development for the Highway 205 Corridor Overlay District that, in some way, may establish a benchmark for future development.

DEVELOPMENT STANDARDS

(1) **Permitted Uses:**

(a) The uses allowed or prohibited in this Planned Development District are as follows:

- i) Those uses allowed in the City of McLendon-Chisholm “GB” General Business District as provided in the City’s Zoning Ordinance.
- ii) Additional uses allowed (by right):

- Dwelling Single-Family Attached (permitted only as mixed use)
 - Food Trucks/ Food Trailers
 - Restaurant with/without alcohol sales
 - Restaurant, drive-in/drive thru
 - Restaurant, refreshment stand (temporary or seasonal)

iii) Prohibited uses: the following prohibited/modified uses:

- Amusement center, indoor (S)
 - Veterinarian office, large animal practice (S)
 - Auto repair garage
 - Auto sales, new and used
 - Auto service station
 - Farm machinery and implement sales and service
 - Motorcycle sales
 - Ambulance service
 - Auction house, indoor
 - Building material sales/lumber yard
 - Contractor, no outside storage permitted
 - Contractor, outside storage, permitted
 - Contractor storage or equipment yard
 - Cosmetic tattoo establishment

Extended-stay hotel/motel
Exterminating service
Factory outlet, retail or wholesale store
Hotel or motel
Kennel
Landscape Service
Laundry, self-service
Pawn shop
Mini-warehouse
Cargo container

- (2) **Parking Required.**
 - (a) Parking spaces shall conform to the size and shape requirements of the Zoning Ordinance.
 - (b) Required parking spaces may be shared between and by all uses on the Property, except for the reserved residential parking spaces and designated residential visitor parking.
 - (c) For all “GB” General Business District allowed zoning uses, parking shall be provided in accordance with the requirements of the City of McLendon-Chisholm Zoning Ordinance.
 - (d) In addition, covered outside seating in association with an allowed restaurant use does not require parking for the first 200 square feet of area; any additional covered seating must be parked per the requirements for a restaurant use; non-covered outside seating does not require parking.
- (3) **Density, area, yard, height and lot coverage requirements:** Per GB General Business District regulations, as amended.
- (4) **Screening:** Visual screening shall be provided between commercial buildings and parking areas when adjacent to residential uses. Visual screening shall be a minimum of six feet in height and may be living and irrigated hedge materials or constructed in accordance with Section 6-8 of the McLendon-Chisholm Zoning Ordinance. All dumpsters shall be screened from State Highway 205 and from adjacent residential property by solid screening that complies with the Section 6-8 of the McLendon-Chisholm Zoning Ordinance.
- (5) **Development plan and elevations:** A development plan that complies with Section 5.1D.2. must be submitted to and recommended by the Planning and Zoning Commission and approved by the City Council prior to the issuance of a building permit. Elevations

illustrating compliance with Section 4-13, as modified in this Ordinance, must also be submitted to and the issuance of a building permit. Development plans must show emergency apparatus/vehicle access drives and turnarounds that conform to the adopted Fire Code.

- (6) **Commercial Development Standards:** Any development on the Property must comply with Section 4-13 Commercial development standards of the Zoning ordinance with the follow exceptions:
 - E. Building form:** 1. The minimum area of a single floor shall be 2,500 sf. The maximum area allowed for a single floor shall be 12,000 sf. The maximum length for any building wall shall be 200 ft.
 - G. External façade materials:** Does not apply except as noted below:
Windows and glazing shall be a maximum of 30% of each building elevation.
 - K. Off-street parking and loading requirements:** 2. No more than three (3) rows of angled or parallel parking shall be allowed between the primary building and the street right-of-way.
- (7) **Signs:** Signage shall be in accordance with the City's ordinances and sign regulations.
- (8) **Landscaping:** Per GB General Business District requirements.
- (9) **Other Law:** The development, construction and use of the Property and all structures thereon shall comply with all applicable City, State, and Federal Regulations for inspections, permitting, licensing and building, construction and fire codes, except as modified by this ordinance.

EXHIBIT A
ZONING DESCRIPTION OF 8.364 ACRES

BEING that certain tract of land situated in the King Latham One League & Labor Survey, Abstract Number 133, Rockwall County, Texas, being all of that tract of land conveyed to Mary Allison Jamison and Robert M. Hatcher, Jr. by deed recorded in Document Number 20200000031951, Official Public Records of Rockwall County, Texas, and being a tract of land conveyed to a tract conveyed to CM Knight, LLC by deed recorded in Document No. 20210000008399, Official Property Records, Rockwall County, Texas; also being all of that tract of land conveyed to CMPM McLendon Chisholm, LLC., by deed recorded in Document No. 20210000027303, Official Public Records of Rockwall County, Texas;

BEGINNING at the south corner of said CM Knight tract in the northern right-of-way line of South State Highway 205;

THENCE with said northern right-of-way line the following bearings and distances:

North 52 degrees 43 minutes 21 seconds West, a distance of 52.70 feet;

North 55 degrees 18 minutes 21 seconds West, a distance of 239.90 feet;

North 58 degrees 03 minutes 21 seconds West, a distance of 289.50 feet;

North 60 degrees 43 minutes 21 seconds West, a distance of 283.50 feet;

North 63 degrees 48 minutes 21 seconds West, a distance of 379.84 feet to the westernmost southwest corner of said CM Knight tract;

THENCE North 07 degrees 56 minutes 43 seconds West, departing said northern right-of-way line, a distance of 34.99 feet to the Southeast right-of-way line of FM Road 550, same being a point in the northeast line of said CM Knight tract;

THENCE with said southeast right-of-way line the following bearings and distances:

North 44 degrees 22 minutes 34 seconds East, a distance of 266.54 feet, same being the northernmost northwest corner of said CM Knight tract, also being the southwest corner of said CMPM McLendon Chisholm, tract;

North 44 degrees 53 minutes 13 seconds East, a distance of 165.60 feet to an angle point in the northwestern line of said Chisholm tract;

THENCE South 46 degrees 05 minutes 28 seconds East, departing said southeast right-of-way line, a distance of 556.83;

THENCE North 44 degrees 03 minutes 59 seconds East, a distance of 166.60 feet;

THENCE South 46 degrees 00 minutes 20 seconds East, a distance of 355.76 feet;

THENCE South 43 degrees 57 minutes 35 seconds West, a distance of 333.04 feet;

THENCE South 46 degrees 59 minutes 05 seconds East, a distance of 318.30 feet to the POINT OF BEGINNING and containing an area of 364,340 square feet or 8.364 acres of land more or less.



PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: May 18, 2022

APPLICANT: CMPM McLendon-Chisholm, LLC
%Clayton Multer
1400 Preston Road
Suite 497
Plano, Texas 75093

LOCATION: The east corner of the intersection of SH 205 and FM 550 [RCAD 108612, 11384, 11442]
containing 8.364 acres of land.

PLANNING AND ZONING COMMISSION HEARING DATE: May 23, 2022

REQUEST:

The applicant is requesting approval of a planned development district for a mixed use development to include retail, commercial, restaurant and residential uses on property that is currently zoned a combination of GB-General Business and SF 2.5-a residential zoning district requiring a minimum residential lot size of 2.5 acres of land.

PROPERTY OWNERS: Clayton J. Multer
CMPM McLendon-Chisholm, LLC
7 Raven Court
Heath, Texas 75032

REPRESENTATIVE: David A. Kalhoefer
Peloton Land

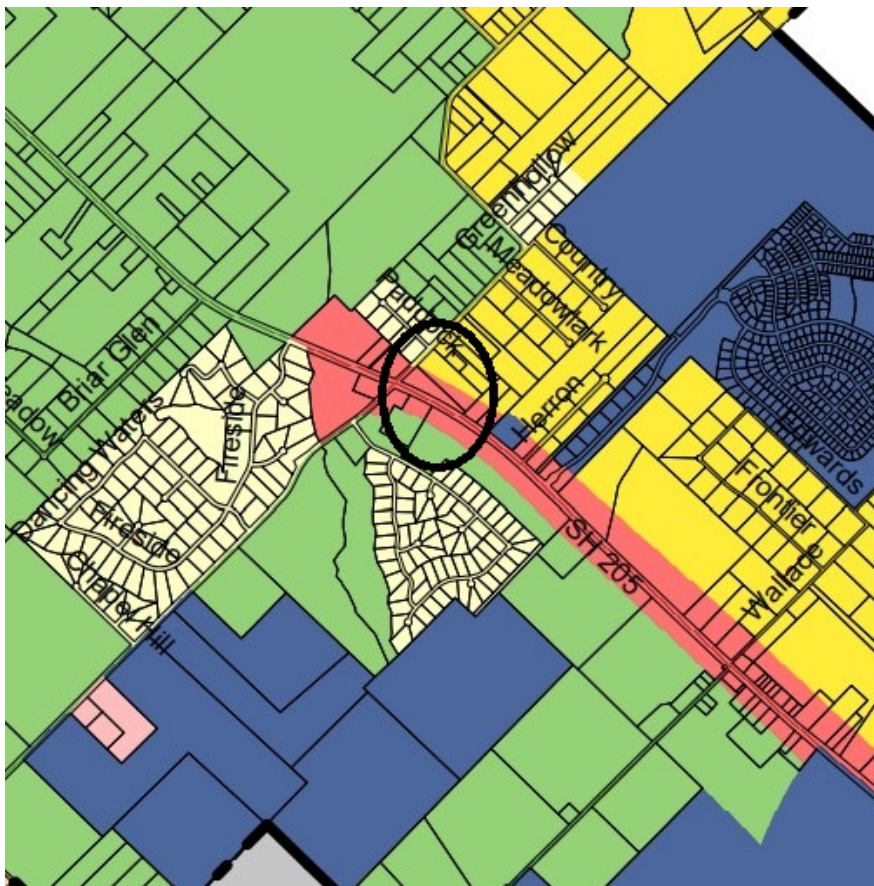
STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission recommend approval a change in zoning from a GB-General Business zoning district and SF 2.5-single family residential zoning district to a planned development district for a mixed-use development that includes retail, commercial, restaurant and residential land uses. This request generally conforms to the recommendations of the Future land Use Plan.

Conditions:

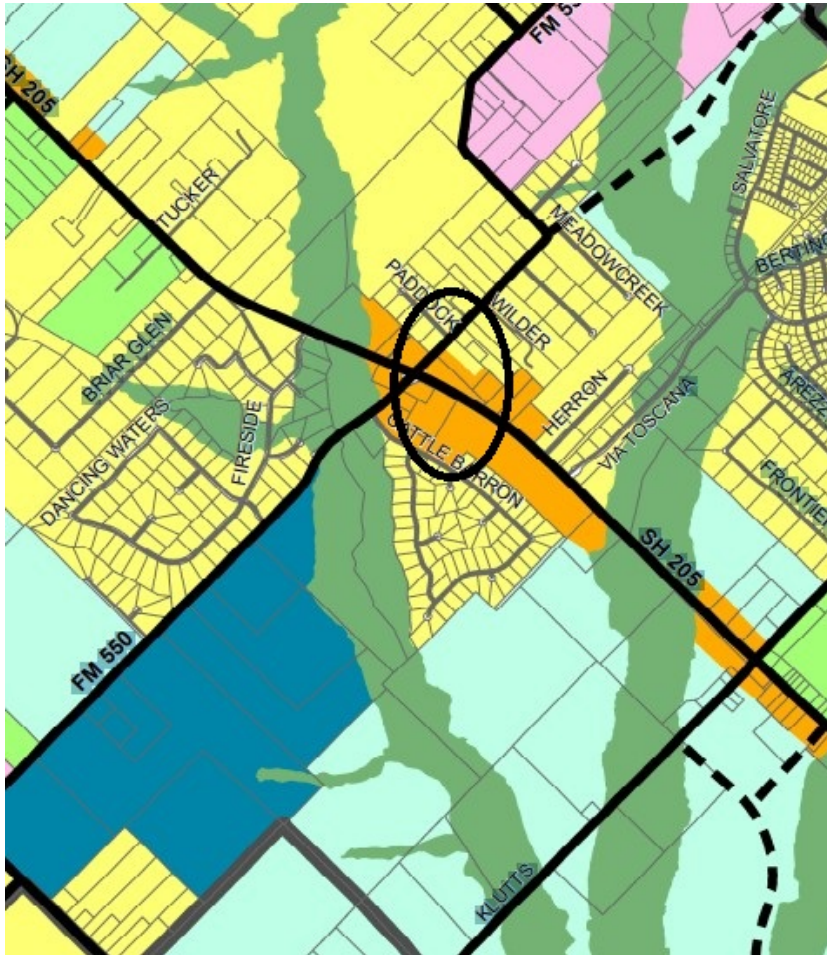
Compliance with the development standards contained described in the application.
Conformance with the conceptual plan for this planned development district.
Specific development standards to be provided for inclusion in the adopting ordinance for the planned development district for "Dwelling single family attached" and "Food Trucks/Food Trailers".

BACKGROUND INFORMATION:

The subject property is an 8.364 acre tract of land located on the east side of the intersection of FM 550 and SH 205. The legal description contains the 8.364 acres of land, but the Conceptual plan shows 10.27 acres of land. The difference between the Conceptual plan of 10.27 acres of land and the metes and bounds legal description for the zoning ordinance of 8.364 acre tract of land is the amount of land being dedicated to Texas Department of Transportation for right of way requirements for the improvement of FM 550 and SH 205.

Zoning Map

Comprehensive Plan/Future Land Use Map



The Future Land Use Map shows the future land uses to be “SH 205 Corridor” and a small area southeast of Paddock Lane to be “Existing Residential Neighborhood.” The portion of the Future Land Use Plan that is shown as “Existing Neighborhood” indicates that one of the “anticipated land uses is: “Neighborhood-oriented, low-intensity commercial in specific instances when compatible with adjacent residential uses.”

The proposed planned development district satisfies the standards established in the Comprehensive Plan.

Future Land Use Plan text

SH 205 Corridor

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

Anticipated Land Uses:

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

Desired Development Characteristics:

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



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

Existing Neighborhoods

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

Anticipated Land Uses:

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

APPROVED PLAN 9/29/21 || MCLENDON-CHISHOLM COMPREHENSIVE PLAN | PAGE 40



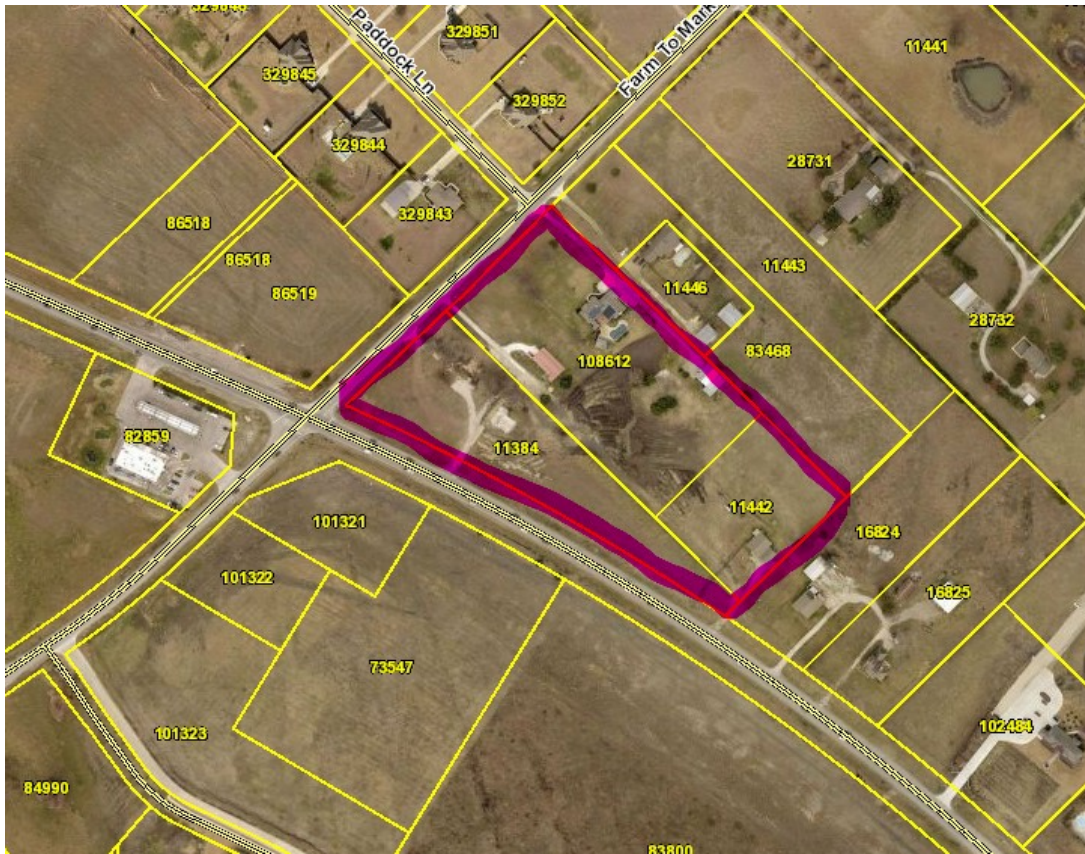
- Neighborhood-oriented, low-intensity commercial in specific instances when compatible with adjacent residential uses.

Desired Development Characteristics:

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

This area intentionally left blank

Rockwall CAD Aerial



Thoroughfares/streets:

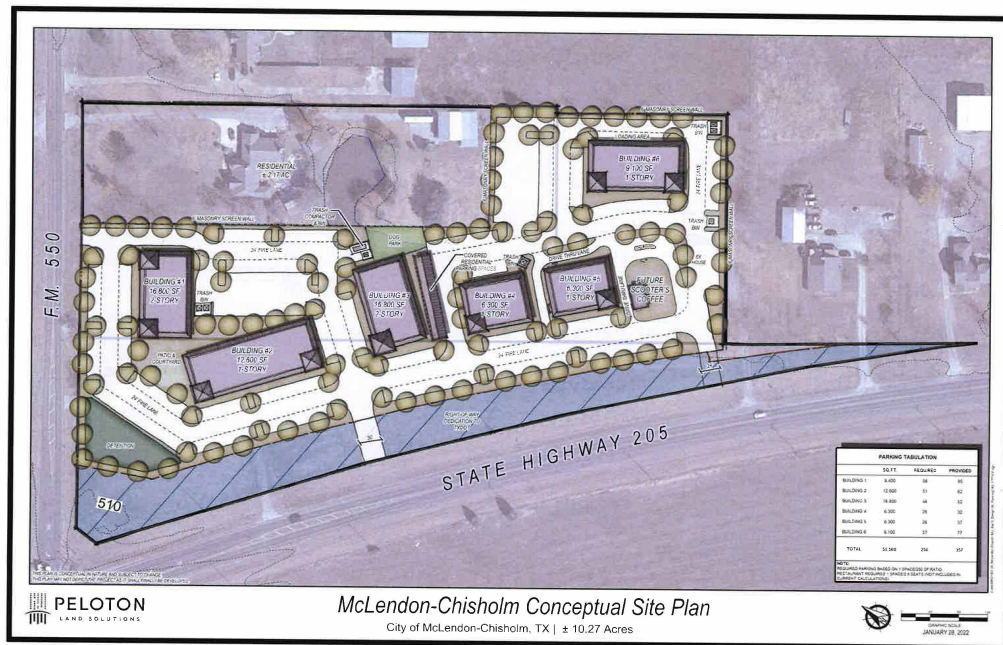
FM 550 is a proposed Principal Arterial [currently two lanes] ultimately being a four-lane divided thoroughfare requiring 100 to 150 feet of right of way.

SH 205 is an existing highway [currently two undivided lanes] currently under design by TXDOT with an ultimate design of six-lanes divided requiring 150 to 200 feet of right of way.

At the time of platting the future FM 550 or SH 205 right of way will be acquired.

This area intentionally left blank

Applicant's Conceptual Plan



This area intentionally Left Blank

Applicant's proposed development standards

THE CROSSROADS at MCLENDON – CHISHOLM

Planned Development District

GENERAL DESCRIPTION

The proposed Planned Development District, to be known as **The Crossroads at McLendon-Chisholm**, is intended to accommodate retail, commercial, restaurant and residential uses to create a mixed-use development that service the surrounding area with convenience goods and services. It is also the intent to provide a quality development for the Highway 205 Corridor Overlay District that, in some way, may establish a benchmark for future development.

DEVELOPMENT STANDARDS

(1) Permitted Uses:

(a) The uses allowed or prohibited in this Planned Development District are as follows:

- i) Those uses allowed in the City of McLendon-Chisholm "GB" General Business District as provided in the City's Zoning Ordinance.
- ii) Additional uses allowed (by right):

- Dwelling Single-Family Attached (permitted only as mixed use)
 - Food Trucks/ Food Trailers
 - Restaurant with/without alcohol sales
 - Restaurant, drive-in/drive thru
 - Restaurant, refreshment stand (temporary or seasonal)

- iii) Prohibited uses: the following prohibited/modified uses:

- Amusement center, indoor (S)
 - Veterinarian office, large animal practice (S)
 - Auto repair garage
 - Auto sales, new and used
 - Auto service station
 - Farm machinery and implement sales and service
 - Motorcycle sales
 - Ambulance service
 - Auction house, indoor
 - Building material sales/lumber yard
 - Contractor, no outside storage permitted
 - Contractor, outside storage, permitted
 - Contractor storage or equipment yard
 - Cosmetic tattoo establishment

illustrating compliance with Section 4-13, as modified in this Ordinance, must also be submitted to and the issuance of a building permit. Development plans must show emergency apparatus/vehicle access drives and turnarounds that conform to the adopted Fire Code.

- (6) **Commercial Development Standards:** Any development on the Property must comply with Section 4-13 Commercial development standards of the Zoning ordinance with the follow exceptions:

E. Building form: 1. The minimum area of a single floor shall be 2,500 sf. The maximum area allowed for a single floor shall be 12,000 sf. The maximum length for any building wall shall be 200 ft.

G. External façade materials: Does not apply except as noted below:

Windows and glazing shall be a maximum of 30% of each building elevation.

K. Off-street parking and loading requirements: 2. No more than three (3) rows of angled or parallel parking shall be allowed between the primary building and the street right-of-way.

- (7) **Signs:** Signage shall be in accordance with the City's ordinances and sign regulations.
- (8) **Landscaping:** Per GB General Business District requirements.
- (9) **Other Law:** The development, construction and use of the Property and all structures thereon shall comply with all applicable City, State, and Federal Regulations for inspections, permitting, licensing and building, construction and fire codes, except as modified by this ordinance.

Planned Development Districts: Article 5, Special Districts, McLendon-Chisholm Zoning Ordinance:

A. **General purpose and description.** The Planned Development District "PD" prefix is intended to provide for combining and mixing of uses allowed in various districts with appropriate regulations and to permit flexibility in the use and design of land and buildings in situations where modification of specific provisions of this ordinance is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the community. A PD District may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

B. **Permitted uses.** Any use specified in the ordinance granting a Planned Development District shall be permitted in that district. The size, location, appearance, and method of operation may be specified to the extent necessary to insure compliance with the purpose of this ordinance.

C. Development standards.

1. Development standards for each separate PD District shall be set forth in the ordinance granting the PD District and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the city council may deem appropriate.
2. The ordinance granting a PD District shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of variances in each district or districts and a general statement citing the reason for the PD request.
3. The Planned Development District shall conform to all other sections of the ordinance unless specifically exempted in the granting ordinance.

D. Conceptual and development plan. In establishing a Planned Development District, the city council shall approve and file as part of the amending ordinance appropriate plans and standard for each Planned Development District. During the review and public hearing process, the city council shall require a conceptual plan and a development plan (or detail site plan).

1. Conceptual plan. This plan shall be submitted by the applicant. The plan shall show the applicant's intent for the use of the land within the proposed Planned Development District in a graphic manner and shall be supported by written documentation of proposals and standards for development.
 - (a) A conceptual plan for residential land use shall show general use, thoroughfares, and preliminary lot arrangements. For residential development which does not propose platted lots, the conceptual plan shall set forth the size, type, and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and other pertinent development data.
 - (b) A conceptual plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. Data which may be submitted by the applicant, or required by the city council, may include but is not limited to the types of use(s), topography, and boundary of the PD area, physical features of the site, existing streets, alleys, and easements, location of future public facilities, building heights and locations, parking ratios, and other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final development plan.
 - (c) Changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, building height, or coverage of the site and which do not decrease the off-street parking ratio, reduce the yards provided at the boundary of the site, or alter the landscape plans as indicated on the approved conceptual plan may be authorized by the mayor or his/her designee. If an agreement cannot be reached regarding whether or not a detail site plan conforms to the original concept plan, the city council shall determine the conformity.

2. Development plan or detailed site plan. This plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the conceptual plan. The development plan may be submitted for the total area of the PD or for any section to the city council. A public hearing on approval of the development plan shall be required at the Council level, unless such a hearing is waived pursuant to [section 5-1](#) D., Conceptual and development plan, at the time of conceptual plan approval in the original amending ordinance. The development plan shall include:

(a) A site inventory analysis including a scale drawing, existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood prone areas.

(b) A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of two or not more than five feet at location of entry slope as determined by the city.

(c) A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision for off-street parking.

(d) A landscape plan showing screening walls, ornamental planting, wooded areas, and trees to be planted.

(e) An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two family may be required by the city council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the mayor or his/her designee.

3. Procedure for establishment. The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in [section 1-14](#), Amendments, changes, and administrative procedures. This procedure is expanded as follows for approval of conceptual and development plans.

(a) Separate public hearings shall be held by city council for the approval of the conceptual plan and the development plan or any section of the development plan, unless such requirements are waived by the city council. A single public hearing is adequate when:

(b) The applicant submits adequate data with the request for the Planned Development District to fulfill the requirements for both plans; or

- (c) Information on the concept plan is sufficient to determine the appropriate use of the land and the detail site plan will not deviate substantially from it; and
- (d) The requirement is waived at the time the amending ordinance is approved. If the requirement is waived, the conditions shall be specifically stated in the amending ordinance.
- (e) The ordinance establishing the Planned Development District shall not be approved until the conceptual plan is approved.
- (f) The development plan may be approved in sections. When the plan is approved in sections, the separate approvals by the city council for the initial and subsequent sections will be required.
- (g) Regardless of whether the public hearing is waived for the development plan, approval by the city council is still required.

E. Written report may be required. When a PD is being considered, a written report may be requested of the applicant discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic. Written comments from the applicable public school district and from private utilities may be submitted to the city council.

F. Planned developments to be recorded. All Planned Development Districts approved in accordance with the provisions of this ordinance in its original form, or by subsequent amendment thereto, shall be referenced on the zoning district map, and a list of such Planned Development Districts, together with the category of uses permitted therein, shall be maintained in an appendix of this ordinance.

This area intentionally left blank



CITY OF McLENDON-CHISHOLM
PLAT APPLICATION

Application Date: 11-10-21

Items Submitted. Check all that Apply:

- ☒ Preliminary Plat: \$175 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Final Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Replat/ Amended Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Digital Copy of Submitted Plat/Plan (required)
- ☐ Site Plan
- ☐ Concept Plan
- ☐ Planned Development
- ☐ Vacation of Plat

General Information:

Addition Name (if platted): Watson Addition Current Zoning: SF 2.5 District

No. of Acres: 27.11 No. of Lots: 9 Proposed Zoning: SF 2.5

General Location of Property: FM 550 + FM 1139

Proposed Use for Property: Single Family Residential

Applicant Name: Bryan Connally

Company: CBG Surveying Texas LLC

Address: 12025 Shiloh Rd #240 City, State, Zip: Dallas TX 75228

Phone(s): 214-349-9485 Email: bryanc@cbgtxllc.com

Owner Name: Brian & Elizabeth Watson

Address: 1401 Wells Circle City, State, Zip: Rockwall TX 75032

Legal Description of the Property: 27.11 acres in the Leonard Eastwood Survey, Abst 79

County Parcel ID: 10783, 10782, & 445857

Other Information: _____

Development Fees

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to consultant review of any application. Should the actual consultant cost exceed the estimate, the applicant will be invoiced for amounts owed. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

ALL Consulting Costs - Includes City Planning, City Engineer, City Attorney and any other outside consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA. Consultants invoice the City monthly after work is completed, so it is possible for plat applicants to receive notice of outstanding fees after a plat has been considered. The City will invoice for any remaining consulting charges. Building permits be not be issued with fees outstanding.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 1,845⁰⁰ to cover the cost of this application, and an initial deposit of \$ 3600.00 for consulting fees has been paid to the City of McLendon-Chisholm on this 15th day of November, 2021.

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of ^{OWNER} Applicant: Bria With
City Secretary: Rochele Green





PLANNING AND ZONING COMMISSION – CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: May 19, 2022

APPLICANT: Steven Smith
Smith Custom Homes, LLC
2307 Laci Lane
Royce City, Texas

LOCATION: Adjacent to the intersection of FM 550 and FM 1139 on the southeast side of the intersection. Rockwall CAD ID#: 10783, 45857, 10782.

PLANNING AND ZONING COMMISSION HEARING DATE: May 23, 2022

REQUEST:

The applicant is requesting approval of a preliminary plat for the development of 10 single-family residential lot subdivision with minimum one and one-half acre lots on approximately 27 acres of land.

PROPERTY OWNERS: Brian and Elisabeth Watson
1401 Wells Cr.
Rockwall, Texas

REPRESENTATIVE: Steven Smith

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission recommend approval of the preliminary plat for a 10 single-family lot subdivision subject to the following conditions:

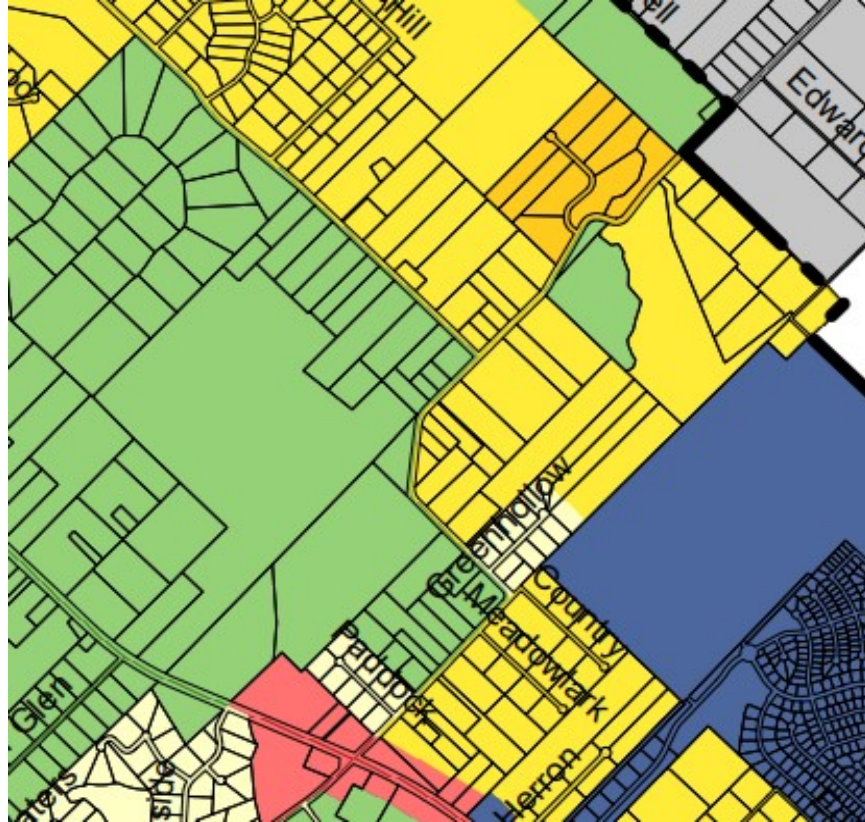
Conditions:

- Compliance with the preliminary plat.
- Application for final plat not be submitted until the City Engineer has approved the civil engineering plans and related requirements for the subdivision.

BACKGROUND INFORMATION:

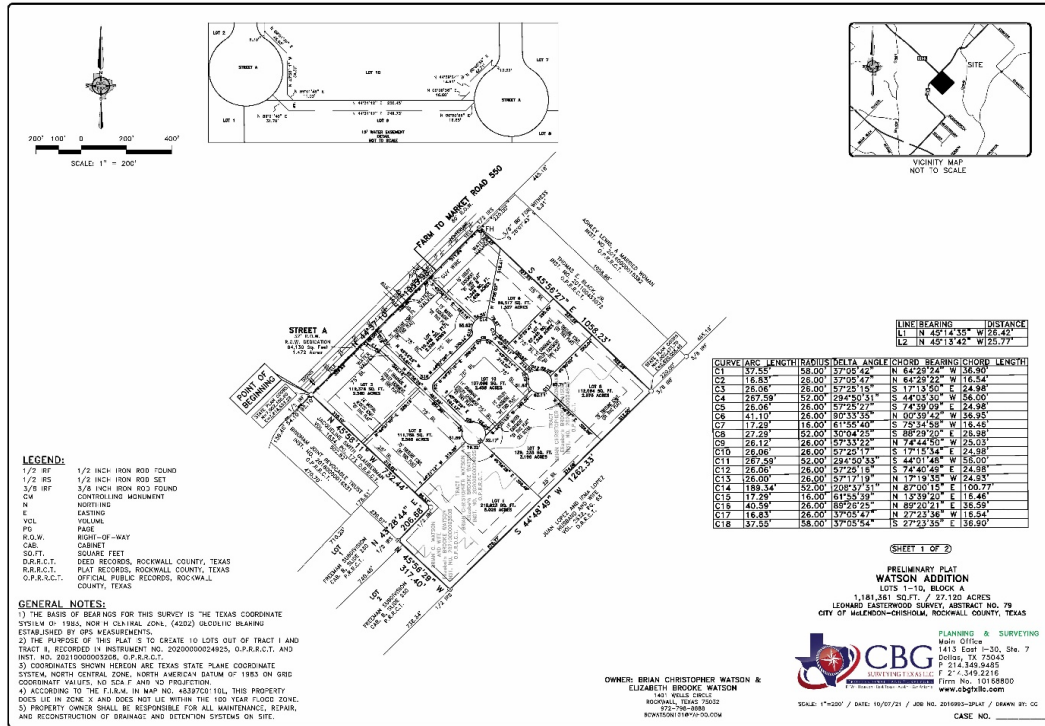
The subject property is a 27-acre tract of land located on the southeast side of the intersection of FM 550 and FM 1139. The applicant previously requested a variance to the required street frontage for several lots that failed to comply with the 300 linear street frontage requirement. The Board of Adjustment denied that request and the property owner decided to request a planned development district that provides street frontages as shown on the Concept Plan [preliminary plat]. All proposed lots are a minimum of one and one-half acres of land.

Zoning Map



This area intentionally left blank

Preliminary Plat



Thoroughfares/streets:

The subject properties front on FM 550 and are located directly across FM 550 from the southeast end of FM 1139. The Thoroughfare Plan calls for FM 550 to be an existing Major Collector to have a minimum 60-80 foot right of way width, the existing right of way width is 80 feet.

RESOLUTION NO. 2022-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS CANVASSING THE ELECTION RETURNS AND DECLARING ELECTION RESULTS IN THE SPECIAL ELECTION HELD IN THE CITY OF MCLENDON-CHISHOLM ON MAY 7, 2022 FOR THE PURPOSE OF DETERMINING WHETHER OR NOT TO REDUCE THE TAX ADOPTED FOR THE CURRENT YEAR TO THE ROLLBACK TAX RATE IN ACCORDANCE WITH THE TEXAS TAX CODE SECTION 26.07.

WHEREAS, on January 26, 2022, the City Council of the City of McLendon-Chisholm, Texas (the "City Council") ordered and called a Special Election to be held on Saturday, May 7, 2022, for the purpose of determining whether or not to reduce the tax adopted for the current year to the rollback rate in accordance with the Texas Tax Code Section 26.07; 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 Special 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 votes were received as follows:

FOR REDUCING THE TAX RATE: 332

AGAINST REDUCING THE TAX RATE: 30

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 herein.

SECTION 2: That the vote to determine whether or not to reduce the tax adopted for the current year to the rollback tax rate in accordance with the Texas Tax Code Section 26.07 passed.

SECTION 3: That a majority of the residents and qualified electors of the City of McLendon-Chisholm, Texas, voting in a Special Election for the purpose of determining whether or not to reduce the tax adopted for the current year to the rollback tax rate in accordance with the Texas Tax Code Section 26.07, have cast the Election Day, Early Voter and Mail Voter votes reflected on the attached Election Returns

Resolution No. 2022-06
Approved: 05/24/2022

Sheet and Certification of the Elections Administrator for Rockwall County, Texas.

- SECTION 4:** That it is hereby declared that the City of McLendon-Chisholm, Texas approves and accepts the results of the Special Election for the purpose of determining whether or not to reduce the tax adopted for the current year to the rollback tax rate in accordance with the Texas Tax Code Section 26.07, 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 5:** 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 6:** 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 7:** 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 8:** That the City Secretary shall record this Resolution in the City's official records.
- SECTION 9:** 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 10:** 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 24th DAY OF MAY 2022.

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary

MEMORANDUM

May 20, 2022

TO : Mayor and Council

FROM : Rick Crowley, Interim City Administrator

SUBJECT : Agenda Item: Rescind Previous Action Regarding the Filed Atmos Rate Increase Request to Allow the Findings of the State Regulatory Authorities to be Applicable to the City of McLendon-Chisholm

Several meetings ago, the Council took action to deny the rate increase filing that had been submitted to the State regulatory agency. This action was taken based on a recommendation from me that this was the appropriate action to be taken. Michael Halla joined me in that recommendation; however, both of us were assuming (and should not have) that the City was a member of a coalition of cities that actively deny such requests and, thus, pays the substantial costs associated with opposing proposed rate increases from the utility. If McLendon-Chisholm was a member of such a coalition, denial would have been the best action for the City to take. Since we are not a member of a coalition, the best course of action is to take NO ACTION which allows the City to avoid costs of opposition; however, taking no action also allows the City to take advantage of the negotiated rates agreed by the coalitions or the rates that are ultimately approved by the State – almost always less than the rate requested by the utility.

The best course of action at this point is for the Council rescind (by motion) its previous action regarding the proposed Atmos rate increase request. This action will allow the ultimate system-wide rate to take effect in McLendon-Chisholm as will be the case in coalition cities and will avoid local legal costs associated with opposition of the rate increase request.

I apologize for recommending the previous action; however, by taking **to rescind the previous action**, the City will then be in the position that is most advantageous. If you have any questions, please do not hesitate to contact me.



City of McLendon-Chisholm Staff Report

Date:

May 24, 2022

Agenda Item:

Nominate and consider appointments for alternate positions to the Board of Adjustment.

Background:

The Board of Adjustment may authorize variances and special exceptions from the zoning ordinance when variances are not contrary to public interest and, due to special conditions, a literal enforcement of an ordinance will result in an unnecessary hardship.

BOA Members are typically appointed in July with a two-year term expiring June 30. The committee consists of five members with up to four alternates.

At this time there is only one Alternate on the committee. Therefore, this has created some difficulty getting a quorum for meetings.

We have received one application for appointment to the committee and anticipate we may receive at least one more. Although appointments are typically made in July, we would like to request appointing at least one more alternate at this time.

Recommendation:

Staff recommends making appointments to the committee to fill alternate vacancies.

Shelly Green, City Secretary



City of McLendon-Chisholm
Board, Commission and/or Committee Application

Personal Information

Name: Lee C. Nichols
Street Address: 700 Frontier Trail, Rockwall, Texas 75032
Mailing Address (if different): P.O. Box 2336 75087 Home Phone: 469 613 6041
Work Phone: _____ Other: 469-613-6041 Email Address: lnichols75082@gmail.com
Best method to contact you: Phone or e-mail
Length of Residence in the City? 19 years In ETJ? _____

Occupational Information

Occupation/Business: Home Depot Sales Associate

Qualifications

Are you a Registered Voter? Yes What Precinct? 3D

Special knowledge or experience applicable to City Board, Commission or Committee function: past P&J Council

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

Have you previously or do you currently serve on any City boards? X Yes _____ No _____ If so, list boards and dates:
All past

Have you attended any Board or Council meetings? yes

Thank you for your interest in serving the City of McLendon-Chisholm. Please indicate below the Board, Commission, or Committee of interest. If interested in more than one, please rank order of preference. Please note that in addition to the regular scheduled board meetings, members may be required to attend training, work sessions, and joint meetings.

X Board of Adjustments _____ Planning and Zoning Commission _____ Committee
(Committee of interest)

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

Lee C. Nichols
Signed

5/19/22
Date: