



**AGENDA  
City Council  
October 14, 2025**

**1371 WEST FM 550 - McLendon-Chisholm, Texas 75032 6:30 PM**

**1. CALL TO ORDER**

**2. EXECUTIVE SESSION**

The City Council for the City of McLendon-Chisholm, Texas, reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, §551.072 - Real Property; §551.073 - Prospective Gifts; §551.074 - Personnel Matters; §551.076 - Security Devices; §551.086 - Utility Competitive Matters; and §551.087 - Economic Development Negotiation

**3. ADJOURN EXECUTIVE SESSION**

**4. RECONVENE PUBLIC MEETING**

**5. INVOCATION AND PLEDGE**

**6. RULES OF DECORUM**

**7. PROCLAMATIONS**

7.1. Appreciation Proclamation for Bradley Vallance  
Domestic Violence Awareness Month

**8. CITIZEN COMMENTS**

**9. CONSENT AGENDA**

9.1. Consider approval of Minutes from City Council Meeting Sept. 23, 2025

9.2. Consider approval of a Resolution adding Fabrice Kabona, City Manager and removing Jerry Brewer, Mayor Pro Tem as authorized signatories to the City's Financial Accounts.

**10. ITEMS FOR DISCUSSION**

10.1. Discuss and consider approval of a Resolution approving the Willow Creek Annexation, Development and Chapter 380 Agreement

10.2. Discuss and consider a Resolution, changing start times for city council

meetings from 6:30 PM to 5:30 PM to allow Executive Sessions to be held prior to public session.

- 10.3. Discuss and consider a Resolution supporting the environmental clearance of the Rockwall County portion of the regional outer loop from the Collin County line to the Kaufman County Line
- 10.4. Discuss and consider approving an Ordinance amending Chapter 13, "Utilities" of the Code of Ordinances by adding Article 13.05 "Lien against real property of utility customers for delinquent utility bills".
- 10.5. Discuss and consider a Resolution approving a letter of agreement between the City of McLendon-Chisholm and TDI GP, LLC, regarding the Sonoma Verde Sanitary Sewer.
- 10.6. Discuss and consider approval of an Ordinance amending Zoning Ordinance, Chapter 3, "Building Regulations", Article 3.05 "Signs" by Repealing and replacing Section 3.05.023, Subsection (2).

#### 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, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., Oct. 7, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



## **MINUTES**

### **City Council Meeting**

**Tuesday, September 23, 2025 @ 6:30 PM**

**1371 WEST FM 550 - McLendon-Chisholm, Texas 75032**

#### **1 CALL TO ORDER**

Mayor called the meeting to order at 6:30 PM

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

Mayor McNeal led the Invocation

Council Member Donald Goodwin led council in both US and Texas Pledges

#### **3 RULES OF DECORUM**

Tonights meeting is dedicated to John McDonald

#### **4 PROCLAMATION**

Proclamation of Appreciation for Bev Stibbens.

#### **5 CITIZEN COMMENTS**

There were no Citizen Comments

#### **6 CONSENT AGENDA**

Mayor ask for a motion to approve Consent Agenda unless anyone had any items to be removed.

Council Member Goodwin asks that 6.2 be removed from consent agenda.

Mayor ask for a motion to approve the remaining items on Consent Agenda.

Motion made by Council Member Dennis London

**Seconded by Mayor Pro Tem Jerry Brewer  
Motion Passed Unanimously**

- 6.1.** Consider approval of the updated sewer rates (City Manager)
- 6.2.** Discuss and consider approval of a final plat that provides for the development of 406 residential lots and 7 open space lots on 105.099 acres of land located generally at the intersection of FM 548 and Mann Road. The Rockwall CAD property identification number is 10985. (City Manager)
- 6.3.** Consider approval of the updated Agenda Prep Resolution. (City Manager)
- 6.4.** Consider approving the minutes from the Sept 9, 2025 City Council Meeting. (City Manager)
- 6.5.** Discuss and consider approval of a final plat of one lot necessary for development. The property consists of 23.10 acres across two tracts within the McLendon-Chisholm Single Family Residential (SF-2.5) zoning district. The property is located on the east side of FM 550, approximately 495 feet past FM 1139, and identified by Rockwall CAD property IDs 51610 and 11067. (City Manager)
- 6.6.** Monthly Reports

**7 EXECUTIVE SESSION**

The City Council for the City of McLendon-Chisholm, Texas, reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, §551.072 - Real Property; §551.073 - Prospective Gifts; §551.074 - Personnel Matters; §551.076 - Security Devices; §551.086 - Utility Competitive Matters; and §551.087 - Economic Development Negotiation

- 7.1.** Action as a Result of Executive Session

**8 ITEMS FOR DISCUSSION**

6.2 From the Consent Agenda is Discussed First.

**Discuss and consider approval of a final plat that provides for the development of 406 residential lots and 7 open space lots on 105.099 acres of land located generally at the intersection of FM 548 and Mann Road. The Rockwall CAD property identification number is 10985. (City Manager)**

**Motion to discuss and consider approval  
Made by Mayor Pro Tem Brewer  
Seconded by Council Member Goodwin**

**Mayor ask a question of Micheal Halla, City Attorney about plats in the ETJ. Council Member Goodwin wanted to know if this agreement effected the Fire District 22 at all.**

**Fire Chief, Eddie Stough explained that they have a separate agreement with Kaufman County**

Mayor calls for a vote

**Motion passes Unanimously.**

- 8.1.** Discuss and consider approval for the donation of a 1995 Pierce Fire Engine to the NorthTexas Fire Academy for training (City Manager)

Mayor ask for a motion.

**Motion to discuss and consider approval made by Council Member John Powers**

**Seconded by Council Member Rich Dean**

**Fabrice Kabona, City Manager gives the staff report on the item.**

**Mayor Pro Tem states that it is his understanding that the Truck has been there at North Texas Fire Academy for some time, City Manager verifies that the logo will be coming off of the vehicle and Bev Stibbens, (Interim City Manager) lets them know that the Title is being signed over to them as she speaks to give you the title this evening.**

**Motion passes unanimously.**

- 8.2.** Discuss and determine whether the proposed site plan conforms to the Crossroads Planned Development District. (City Manager)

**Mayor McNeal ask the Developer, Bryan Berry to come to the podium to speak to the council.**

**Mr. Berry begins by stating that he is a little frustrated with the process since his site plan is in compliance with the one that was previously submitted and approved by a previous council. He states that the current site plan was denied due to non-compliance. He then goes through the packet given to the council to show why he believes he IS in compliance. He answers questions from the Mayor and Council.**

**Mayor then adjourns the council into executive session at 7:08 PM**

**Mayor reconvenes the Council into the general session at 7:45**

**Mayor ask Mr. Halla, City Attorney, to explain the legal process has to be going forward on this project. He explains that although the council is excited about your project, we still have to go thru the correct process. He explains that at this point the developer has several options but voting or taking action tonight is not one of them.**

**Mr. Barry reiterates that he is here to find out if he is in conformance because he cannot move forward until the question of conformance is solved and he believes the planner and he will not be able to come to an agreement.**

**Mayor calls council into executive session to have some additional questions answered at 8:05PM Mayor reconvenes General Session at**

**8:22 PM.**

**Mayor turns the floor back over to Mr. Halla, and the Mayor lets Mr. Barry know that Mr. Halla and the City Manager will both reach out to you so that we can get this worked out. Meeting is set up at 3:30 PM here at City Hall.**

**There is no action taken**

- 8.3.** Discuss and consider a Resolution restricting the use of proceeds of bonds issued to finance public improvements in the Sonoma Public Improvement District (City Manager)

**Motion to consider a Resolution  
Made by Mayor Pro Tem Brewer  
Seconded by Council Member Goodwin**

**Bev Stibbens gives the staff report on this item.**

**Motion passes Unanimously.**

- 8.4.** Discuss and approve a bid for the remodel of the old fire station which will house the Public Works Department and the accounting clerk. (City Manager)

**Removed item and directed staff to do an RFP and bring it back to council.**

- 8.5.** Discuss and consider approving an ordinance amending the 2024-2025 Fiscal Year budget, finding municipal purposes; authorizing expenditures; providing for a severability clause and providing for an effective date. (Finance Director)

**Motion to approve  
Made by Council Member Goodwin  
Seconded by Mayor Pro Tem Brewer  
Motion Passes Unanimously**

- 8.6.** Discuss and consider approval of the appointment of 5 members to the Comprehensive Plan Advisory Committee. (City Manager)

**Motion to approve  
Made by Council Member Goodwin  
Seconded by Mayor Pro Tem Brewer  
Motion passes Unanimously**

- 8.7.** Discuss and Consider Rockwall County Appraisal District Board of Directors Nominee. (City Manager)

**Motion to approve**  
**Made by Council Member Goodwin**  
**Seconded by Mayor Pro Tem Brewer**  
**Motion passes Unanimously**

- 8.8. Discuss and consider directing staff to Advertise for Finance & Audit Committee members. (City Manager)

**Mayor instructs staff to advertise for the Finance and Audit Committee members.**

- 8.9. Discuss and consider approving the creation of an Economic Development committee. (City Manager)

**Staff is directed to create and advertise for volunteers for the Economic Development Committee.**

- 8.10. Discuss and consider action to approve the Requests for Qualification Notice and Packets to be sent to engineering firms specializing in road maintenance. (City Manager)

**Motion to approve**  
**Made by Council Member London**  
**Seconded by Council Member Powers**

Council Member Powers states what he is looking for by asking for the RFQ to be sent out to contractors.

**Motion passes unanimously**

- 8.11. Discuss and consider approval of a final plat of one lot necessary for development. The property is a 3.0-acre tract of land located on the north side of SH 205 between League Rd. and FM 548 within the City limits of McLendon-Chisholm. The tract is fully zoned in the Single-Family Residential SF 2.5 district.

**Motion to approve the final plat**  
**Made by Mayor Pro Tem Brewer**  
**Seconded by Council Member Rich Dean**

**Peyton Sherman, City Planner gives the staff report and recommends approval.**

**Motion passes Unanimously.**

## **9 COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**

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

**Mr. London says Thank you for letting him participate in the Charlie Kirk memorial operation. Thanks Bev for her guidance**

**Mr. Brewer, thanks Bev for all her work and for being a great Den Mother to the council! She has done a great job in the transition into a Home Rule City.**

**Mr Towry thanks Bev for all her help and says he could not have asked for someone better to be by their side.**

**Mr. Rich Dean - Said thank you to Bev and then to the Mayor for the Charlie Kirk Memorial.**

**Mr. Donald Goodwin Says Oct 1 Breakfast at Rosa's and Bev Stibbens for helping him to connect the dots sometimes.**

**Mr. Powers tells Bev she is truly a treasure to the City. He also told her that he was looking forward to seeing her on the other side giving her unfiltered opinion.**

**Mr. Halla, tells Bev what a great asset she is and has been to the city. Stating he sometimes he forgot that she was not always a city manager.**

**Mr. Fabrice Kabona, Thanks Bev for the wealth of knowledge she brings and is grateful that she has been there to answer questions when needed. He reminds the council of the joint training session. Also Saturday, Extreme Green Event 8-12**

**Angela Jennings, City Secretary Thanks Bev for all she has done, helped us through 2 transitions, so thank you from the staff. Fabrice, we are glad you are here.**

**Mayor McNeal Thanks Bev, for all the Hats she has worn and for the guidance she has given him through the last few months. Fabrice welcome, we are glad to have you here. Mayor ask that we all were red at the next meeting. We will also be cancelling the meeting on Nov 11.**

**Jeff White, Finance Director Extreme Green Event, adds that there is a list of items that will accept on the website.**

## **10 ADJOURN**

### **Mayor adjourns the meeting at 8:55 PM**

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

I, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., Sept 16, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.

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Mayor

**CITY OF MCLENDON-CHISHOLM  
RESOLUTION NO. 2025-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS,  
PROVIDING AUTHORIZED SIGNATORIES TO THE CITY'S FINANCIAL ACCOUNTS WITH ALLIANCE BANK,  
TEXPOOL, LOGIC, AND WILMINGTON TRUST; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS;**

**SECTION 1:** That the following elected or appointed City officials:

Bryan McNeal, Mayor

Fabrice Kabona, City Manager

Angela Jennings, City Secretary

Jeff White, Finance Director

are hereby authorized signatories for the City of McLendon-Chisholm accounts with  
Alliance Bank, Tex Pool, Logic and Wilmington Trust.

**SECTION 2:** That the City Secretary shall cause signature cards to be prepared and executed  
reflecting the intent of this Resolution.

**SECTION 3:** That this Resolution shall take effect immediately from and after its adoption,  
And it is so resolved.

**PASSED AND APPROVED** this 14<sup>th</sup> day of October, 2025.

**APPROVED:**

\_\_\_\_\_  
BRYAN MCNEAL, MAYOR

**ATTEST:**

\_\_\_\_\_  
ANGELA JENNINGS, CITY SECRETARY



## City of McLendon-Chisholm Staff Report

**Date:** October 14, 2025

**Agenda Item:** **Annexation, Development, and Chapter 380 Agreement (Willow Creek)**

**Background:** Discuss and consider a resolution approving an annexation, development, and chapter 380 agreement (Willow Creek) between the City of McLendon-Chisholm, Texas, and Raymond Guy, Sherry Zmolik Martin, and Willow Creek 360 LP.

The proposed Annexation, Development, and Chapter 380 Agreement (Willow Creek) outlines the terms for development of approximately 410 acres located along Klutts Road and FM 550. The agreement provides for the annexation of property currently within the City's extraterritorial jurisdiction and establishes clear standards for land use, infrastructure, and municipal service delivery.

Under the agreement, the developer will construct key public infrastructure improvements, including a lift station, force main, roadway resurfacing along Klutts Road, and dedication of approximately 49 acres of parkland with amenities. The agreement also provides for the creation of a Public Improvement District (PID) to finance eligible infrastructure costs and incorporates Chapter 380 economic development incentives, including a waiver of certain fees and a reduced roadway impact fee rate.

Approval of this agreement will ensure coordinated annexation, provide cost-effective infrastructure solutions, and support the City's long-term growth strategy by promoting high-quality residential development consistent with the Comprehensive Plan.

**Staff Recommendation:**

Staff recommend approval of this item, as presented.

**Presenter:** Fabrice Kabona, City Manager

RESOLUTION NO. 2025-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MCLENDON-CHISHOLM, TEXAS, CHANGING THE START TIME  
OF CITY COUNCIL MEETINGS FROM 6:30 TO 5:30; PROVIDING  
A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE.  
PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN  
EFFECTIVE DATE**

**WHEREAS**, on March 10, 2008, the McLendon-Chisholm City Council adopted Resolution No. 2024-13 establishing the dates and times for the City Council to meet regularly; and

**WHEREAS**, after discussion and deliberation, the Council has determined that it is in the best interests of the City of McLendon-Chisholm to change the start time of the meetings of its City Council from 6:30 PM to 5:30 PM; and

**WHEREAS**, in order to conduct the management and business affairs of the City of McLendon-Chisholm, it is in the best interests of the City to set a specific meeting date, time and location.

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

**SECTION 1.** Resolution No. 2024-13 is hereby amended only to the extent the start time of the City Council meetings shall be changed from 6:30 PM to start at 5:30 PM every second and fourth Tuesday of each month unless changed or canceled pursuant to law. Resolution No. 2008-02 is not amended or altered in any other way.

**SECTION 2.** That all resolutions of the City of McLendon-Chisholm, Texas in conflict with the provisions of this resolution be and the same are hereby repealed and all other resolutions of the City of McLendon-Chisholm, Texas not in conflict with the provisions of this resolution shall remain in full force and effect.

**SECTION 3.** If any section, article, paragraph, sentence, clause, phrase or word in this Resolution or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution, and the City Council hereby declares it would have passed such

remaining portions of this Resolution despite such invalidity, which remaining portions shall remain in full force and effect.

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

**SECTION 5.** That all recitals contained in this Resolution are fully incorporated herein as if fully written.

**PASSED AND APPROVED THIS 14<sup>TH</sup> DAY OF OCTOBER, 2025**

**APPROVED:**

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Bryan McNeal, Mayor

**ATTEST:**

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Angela Jennings, City Secretary



## City of McLendon-Chisholm Staff Report

**Date:** October 14, 2025

**Agenda Item:** Outer Loop Resolution

**Financial Impact:**

**Background:** Discuss and consider a resolution supporting the environmental clearance of the Rockwall County portion of the regional outer loop from the Collin County line to the Kaufman County line.

Rockwall County, in partnership with TxDOT, is conducting a feasibility study for a new 14.4-mile roadway extending from FM 2755 to SH 205 through Fate, Royse City, McLendon-Chisholm, and Rockwall. The proposed project includes four lanes of frontage roads, four general-purpose lanes, and two shared-use bicycle/pedestrian paths within a 500-foot right-of-way, with phased construction based on traffic volumes and funding availability. The project is intended to improve north-south connectivity, relieve traffic congestion, and support regional growth by linking to existing highways and the planned Outer Loop in Collin and Kaufman counties.

**Staff Recommendation:**

Staff recommend approval of this item, as presented.

**Presenter:** Fabrice Kabona, City Manager

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION SUPPORTING THE ENVIRONMENTAL CLEARANCE OF THE  
ROCKWALL COUNTY PORTION OF THE REGIONAL OUTER LOOP FROM THE  
COLLIN COUNTY LINE TO THE KAUFMAN COUNTY LINE**

**STATE OF TEXAS                   §**  
**COUNTY OF ROCKWALL       §**

**WHEREAS**, the Rockwall County portion of the Regional Outer Loop from the Collin County line to the Kaufman County line is a priority to the City of McLendon-Chisholm and to its residents to construct a Controlled Access facility with main lanes and frontage roads, significantly improving mobility for residents on all of the existing arterial facilities in Rockwall County; *and*

**WHEREAS**, the Regional Outer Loop will relieve congestion on local roadways caused by commuters not originating in Rockwall County; *and*

**WHEREAS**, the City of McLendon-Chisholm is situated in the South Central area of Rockwall County and is uniquely affected by the development and dramatically increasing traffic south of IH 30 along SH 205; *and*

**WHEREAS**, the North Texas region is anticipated to grow by approximately 5 million people by 2050, bringing our region from 7.5 million to 12.5 million; *and*

**WHEREAS**, the City of McLendon-Chisholm's population in 2020 was 3,562 and today the population is 7,200+ which represents over a 102% increase in 5 years; *and*

**WHEREAS**, the City of McLendon-Chisholm is currently growing at a rate of 20% annually; *and*

**WHEREAS**, the City of McLendon-Chisholm has long supported the partnerships that have been established between Rockwall County, its cities, TxDOT and the Regional Transportation Council; *and*

**WHEREAS**, that partnership has generated more than \$1 billion in transportation funding throughout Rockwall County; *and*

**WHEREAS**, that partnership is critical to maintain if Rockwall County is to continue delivering much needed roadways for the residents of Rockwall County such as projects like SH205, FM550, and FM549; *and*

**NOW, THEREFORE BE IT HEREBY RESOLVED THAT:** the City Council of McLendon-Chisholm fully supports Rockwall County's efforts to develop the Regional Outer Loop from the Collin County line to the Kaufman County line along the proposed purple route and appreciates Rockwall County's efforts to work with its regional partners to minimize the impacts to residents of the growth headed to our county.

The motion to approve this resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. The resolution was passed and approved by the following vote: \_\_\_\_\_ - \_\_\_\_\_.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
By: Honorable Bryan McNeal  
McLendon-Chisholm Mayor

ATTEST:

\_\_\_\_\_  
By: Angela Jennings  
McLendon-Chisholm Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 13, "UTILITIES", BY ADDING ARTICLE 13.05, "LIEN AGAINST REAL PROPERTY OF UTILITY CUSTOMERS FOR DELINQUENT UTILITY BILLS"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is in the best interests of good government and the orderly conducting of day-to-day operations of the City to provide for enforcement of delinquent utility bills; and

**WHEREAS**, to allow such delinquencies to go unabated would violate the Texas Constitution, Article 3, Section 52; and

**WHEREAS**, after discussion and deliberation, the Council has determined that it is in the best interests of the City of McLendon-Chisholm to amend said portion of the Code of Ordinances.

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

**SECTION 1.** Chapter 13, "Utilities", is amended by adding Article 13.05, "Lien Against Real Property of Utility Customers for Delinquent Utility Bills", and which shall read as follows:

“...

Chapter 13. Utilities

...

Article 13.05. Lien Against Real Property of Utility Customers for Delinquent Utility Bills

...

13.05.001. General regulations.

(a) Pursuant to section 552.0025 of the Texas Local Government Code, the city shall be entitled to perfect a lien on the real property of any real property owner that fails to pay for city-provided utility services, including, but not limited to, water, wastewater, solid waste and electricity.

(b) Said lien for delinquent utility bills shall not apply to any category of real property specifically exempted from such a lien pursuant to the provisions of section 552.0025 of the Texas Local Government Code, including:

- (1) Homestead property as protected by the Texas Constitution;
- (2) Property on which service was connected in a tenant's name after notice by the property owner to the municipality that the property is rental property; and
- (3) Property on which service was connected in a tenant's name prior to the effective date of the ordinance from which this section is derived.

(c) The city's lien for delinquent utility bills shall be perfected by filing in the real property records of the county a notice of lien containing the legal description of the property and the account number for the delinquent charges. Said lien shall be signed by the city manager or his or her designee and will be released when said lien is satisfied and paid in full. Interest shall accrue on the amount stated in the lien at the rate of ten (10) percent per annum, beginning on the date that the lien is perfected.

...”

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

**SECTION 3.** If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

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

**SECTION 5.** That all Recitals contained in this Ordinance are fully incorporated herein as if fully written.

**PASSED AND APPROVED** this 14<sup>th</sup> day of October 2025.

APPROVED:

By: \_\_\_\_\_  
Bryan McNeal, Mayor

ATTEST:

By: \_\_\_\_\_  
Angela Jennings, City Secretary



## City of McLendon-Chisholm Staff Report

**Date:** October 14, 2025

**Agenda Item:** Lien for Delinquent Utility Bills

**Background:** Discuss and consider approving an ordinance amending Chapter 13, "Utilities" of the Code of Ordinances by adding Article 13.05 "Lien against real property of utility customers for delinquent utility bills".

This item is regarding an ordinance amending Chapter 13 of the City's Code of Ordinances to establish Article 13.05, "Lien Against Real Property of Utility Customers for Delinquent Utility Bills." This action authorizes the City, pursuant to Section 552.0025 of the Texas Local Government Code, to file a lien against real property when utility bills remain unpaid. The intent is to strengthen the City's ability to recover delinquent charges for services such as water, wastewater, solid waste, and electricity.

The ordinance also clarifies exemptions as required by law, including homestead property and certain rental properties, and outlines the process for filing and releasing liens. Interest will accrue on unpaid balances at ten percent per annum once a lien is perfected. Adoption of this ordinance ensures compliance with state law, promotes fiscal responsibility, and protects the City's financial resources.

**Staff Recommendation:**

Staff recommend approval of this item, as presented.

**Presenter:** Fabrice Kabona, City Manager



## City of McLendon-Chisholm Staff Report

**Date:** October 14, 2025

**Agenda Item:** **Wastewater Plan Letter of Agreement**

**Background:** Discuss and consider a resolution approving a letter of agreement between the City of McLendon-Chisholm and TDI GP, LLC regarding the Sonoma Verde Sanitary Sewer.

The proposed Letter Agreement between TDI GP, LLC and the City of McLendon-Chisholm formalizes the arrangement for completion of an upsized sanitary sewer line along FM 550 to accommodate existing and future development in the Sonoma Verde area. The agreement provides for adequate wastewater capacity to serve the existing Sonoma Verde subdivision, as well as the proposed Sonoma Verde North and Sonoma Verde East developments. In consideration of TDI's completion of the upsized line, the City will allocate wastewater capacity as outlined in the agreement. Approval of this Letter Agreement will ensure sufficient infrastructure to support planned growth and development in this rapidly expanding area of the City.

**Staff Recommendation:**

Staff recommend approval of the Resolution and agreement, as presented.

**Presenter:** Fabrice Kabona, City Manager

EXHIBIT A

TDI GP, LLC  
15441 Knoll Trail Drive, Suite 150  
Dallas, TX 75248

City of McLendon-Chisholm  
Attention: Fabrice Kabona, City Manager  
1371 West FM 550  
McLendon-Chisholm, Texas 75032

Dear Mr. Kabona:

Re: Letter Agreement - Sonoma Verde Sanitary Sewer

This letter sets forth an agreement between TDI GP, LLC (“TDI”), and the City of McLendon-Chisholm (the “City”) concerning sanitary sewer serving, or to serve the Sonoma Verde subdivision (“Sonoma Verde”), the proposed Sonoma Verde North subdivision (“SV North”), and the proposed Sonoma Verde East subdivision (“SV East”).

The City has requested that TDI cause the completion of the upsizing of a sanitary sewer line located along the route generally following the existing force main along FM 550 to serve potential new developments in the City of McLendon-Chisholm (the “Upsized Sewer Line”). In consideration of TDI’s completion of the Upsized Sewer Line, the City confirms that TDI is entitled to (1) sufficient units of wastewater capacity to serve all of Sonoma Verde, SV North, and SV East, (2) 400 additional living unit equivalents, which MC 550 Land Holdings LP will have the right to assign before the additional 300 next addressed, and (3) an additional 300 living unit equivalents of excess wastewater capacity for the use of TDI and/or its assigns.

Except for the City and TDI and/or its assigns, no person or entity has any rights or benefits under this letter agreement, and no person or entity is a third-party beneficiary of this letter agreement.

The City represents and warrants that this letter agreement has been approved by resolution duly adopted by the City Council of the City in accordance with all applicable public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this letter agreement on behalf of the City has been duly authorized to do so. TDI represents and warrants that this letter agreement has been approved by the appropriate action TDI and that the individual executing this letter agreement on behalf of TDI has been duly authorized to do so. This letter agreement is binding upon each party and enforceable against each party in accordance with the terms and conditions hereof and performance under this letter agreement is authorized by Section 212.172 of the Texas Local Government Code.

*[Signature page follows.]*

Very truly yours,

**TDI GP, LLC,**  
a Texas limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**City of McLendon Chisholm**

Attest:

\_\_\_\_\_  
Bryan McNeal, Mayor

\_\_\_\_\_  
Angela Jennings, City Secretary

Approved as to form and legality:

\_\_\_\_\_  
Michael Halla, City Attorney

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MCLENDON-CHISHOLM, TEXAS, APPROVING A LETTER  
AGREEMENT BETWEEN THE CITY OF MCLENDON-CHISHOLM  
AND TDI GP, LLC, REGARDING THE SONOMA VERDE SANITARY  
SEWER; PROVIDING FOR THE REPEAL OF ALL OTHER  
RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING A  
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of McLendon-Chisholm (the “City”) and TDI GP, LLC (“TDI”) desire to establish the terms concerning sanitary sewer service for the existing Sonoma Verde subdivision and the proposed Sonoma Verde North and Sonoma Verde East developments; and

**WHEREAS**, the City has requested that TDI cause the completion of an upsized sanitary sewer line generally following the existing force main along FM 550 to support existing and future development within the City; and

**WHEREAS**, in consideration of TDI’s completion of the upsized sanitary sewer line, the City agrees that TDI shall be entitled to certain wastewater capacity allocations as outlined in the Letter Agreement; and

**WHEREAS**, the City Council finds that approval of the Letter Agreement is in the best interest of the City and will promote orderly development, enhance infrastructure capacity, and support the City’s long-term growth objectives.

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

**SECTION 1.** The City Council hereby approves the Letter Agreement between the City of McLendon-Chisholm and TDI GP, LLC regarding the Sonoma Verde sanitary sewer, attached hereto as *Exhibit A* and incorporated herein by reference.

**SECTION 2.** The Mayor is hereby authorized to execute the Letter Agreement on behalf of the City, and the City Secretary is authorized to attest to the Mayor’s signature.

**SECTION 3. REPEAL OF CONFLICTING RESOLUTIONS** This Resolution shall be cumulative of all provisions of Resolutions of the City except where the provisions of this Resolution are in direct conflict with the provisions of such Resolutions, in which event the conflicting provisions of such Resolutions are hereby repealed.

**SECTION 4. SEVERABILITY** It is hereby declared to be the intention of the City Council of the City of McLendon-Chisholm, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Resolution are severable, and if any phrase, clause, sentence,

paragraph, or section of this Resolution should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution, since the same would have been enacted by the City Council without incorporation in this Resolution of such unconstitutional phrases, clause, sentence, paragraph, or section.

**SECTION 4.** This Resolution shall be effective immediately upon its adoption.

**DULY PASSED** and approved by the City Council of the City of McLendon-Chisholm, Texas, on this the 14<sup>th</sup> day of October 2025.

**ATTEST:**

**THE CITY OF MCLENDON-CHISHOLM**

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Angela Jennings, City Secretary

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Brian McNeal, Mayor

**APPROVED AS TO FORM:**

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Michael Halla, City Attorney



## City of McLendon-Chisholm

### Staff Report

#### CITY COUNCIL- CITY OF McLENDON-CHISHOLM

**Date:** October 14, 2025

**Agenda Item:** Amendment to Chapter 3 “Building Regulations”, Article 3.05 “Signs”, Section 03.05.023 “Signs Permitted in Business Districts” of the Code of Ordinances within the city limits of McLendon-Chisholm.

**Background:** Discuss and consider an ordinance approving an amendment to the Code of Ordinances for Sign Regulations in the “GB” General Business Zoning District located within the city limits of McLendon-Chisholm in Chapter 3 “Building Regulations”, Article 3.05 “Signs”, Section 03.05.023 “Signs permitted in business districts” of the Code of Ordinances.

**Staff Recommendation:** Staff recommends approval as presented.

**Presenter:** Arik Towry, Councilmember

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS AMENDING THE ZONING ORDINANCE, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 3, “BUILDING REGULATIONS”, ARTICLE 3.05 “SIGNS”, BY REPEALING IN ITS ENTIRETY AND REPLACING SECTION 3.05.023, “SIGNS PERMITTED”, SUBSECTION (2), “SIGNS PERMITTED IN BUSINESS DISTRICTS”, WITH A NEW SUBSECTION (2), TO REGULATE MONUMENT SIGNS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has determined that for the protection of the health, safety and welfare of the community to have certain standards and materials required for commercial signs and monument signs erected in the City; and

**WHEREAS**, the City Council further desires to protect the City’s rural and visual character, promote traffic safety, support high-quality design, and ensure consistency in commercial signage.

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

**SECTION 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and are fully incorporated into this Ordinance by reference.

**SECTION 2.** Chapter 3, “Business Regulations”, Article 3.05, “Signs”, Section 3.05.023, “Signs permitted”, is hereby amended by repealing in its entirety subsection 3.05.023 (2), “Signs permitted in business districts” and replacing it with a new subsection 3.05.023 (2), “Signs permitted in business districts” and which subsection shall read as follows:

“ ...

Article 3.05. Business Regulations

...

3.05.023. Signs permitted.

...

(2). Signs permitted in business districts

### **Section 3.05.023(2)(a). Purpose and Intent**

The City of McLendon-Chisholm adopts this ordinance to preserve its rural and visual character, promote traffic safety, support high-quality design, and ensure consistency in commercial signage. This ordinance is applicable to the “GB” General-Business zoning districts within the city limits of McLendon-Chisholm.

### **Section 3.05.023(2)(b). Definitions for this subsection**

- (1). Monument Sign:** A freestanding, ground-mounted sign with a base structure constructed of masonry, stone, stucco, or similar durable material, fully concealing any supporting elements.
- (2). Commercial Sign:** Any sign intended to identify, advertise, or promote a business, service, or commercial enterprise.

### **Section 3.05.023(2)(c). Applicability**

This ordinance is applicable to all non-residential zoning districts within the city limits of McLendon-Chisholm. It shall supersede all prior conflicting sign regulations related to commercial freestanding signage.

### **Section 3.05.023(2)(d). Sign Standards**

#### **(1). Sign Type**

- (i) Monument signs are permitted in non-residential zoning districts.
- (ii) Sign types not specifically mentioned in this ordinance (building, temporary, political, etc.) shall defer to the city’s sign ordinance, as amended, provided that the regulations do not conflict with any provision contained in this ordinance.
- (iii) Sign types not specifically permitted may be requested through a Specific Use Permit (SUP).
- (iv) An SUP may also be requested for any regulation established in this ordinance.

#### **(2). Height & Area**

- (i) Maximum sign height: **6 feet** from finished grade.
- (ii) Maximum sign face area: **60 square feet** per side (single- or double-sided permitted).

#### **(3) Design & Materials**

- (i) Sign base must be as wide as or wider than the sign face.
- (ii) Must be constructed of high-quality, durable materials such as natural stone, masonry, stucco, or finished concrete.

- (iii) Sign must be architecturally compatible by material and color composition with the primary structure on the lot.
- (iv) Digital sign faces are prohibited.
- (v) Sign advertising must be legible and mounted onto the structure.
- (vi) Overall design of advertisements by color, font, size and other applicable elements must be reviewed and approved by city staff or his/her designee.

#### **(4) Setbacks**

- (i) Minimum **15 feet** from any property line or public right-of-way.
- (ii) Signs may not encroach into visibility triangles or drainage/utility easements.

#### **(5) Number of Signs**

- (i) One (1) monument sign is allowed per street frontage per commercial lot.

#### **(6) Illumination**

- (i) Lighting must be internal, back-lit, or down-lit and shielded to prevent glare.
- (ii) No flashing, blinking, or animated lighting effects are permitted.
- (iii) Electronic message centers (EMCs) are not permitted unless specifically authorized by a special use permit.

#### **(7) Landscaping**

- (i) A minimum **2-foot-wide landscaped area** must surround the base of the monument sign on all sides.
- (ii) Landscaping must include live vegetation and shall be always maintained in good condition.
- (iii) Automatic irrigation or water access must be provided to the landscape area.

### **Section 3.05.023(2)(e). Nonconforming Signs**

- (1) Any commercial sign that was legally installed before the effective date of this ordinance and does not conform to these regulations shall be deemed a legal nonconforming sign.
- (2) All signs lawfully exist on the date of adoption of this ordinance may remain in their current form; however, no such signs shall be altered or moved unless a permit is issued in accordance with this ordinance. Permits granted before the passage of this ordinance shall be renewed only if the applicant complies with all applicable provisions.

(3) Any legal nonconforming sign shall be considered in violation if any of the following occur:

- (i) The sign is substantially destroyed or dismantled for any purpose other than maintenance. A sign shall be deemed destroyed if the cost of repair exceeds 60 percent of the cost of erecting a new sign of the same type at the same location. Under this provision, the sign shall be removed, and a permit shall be required to install a new sign.
- (ii) The sign is abandoned or remains blank for more than 180 consecutive days.
- (iii) Upon replacement, relocation, or substantial alteration, all signs must be brought into full compliance with this ordinance.

### **Section 3.05.023(2)(f). Permitting & Enforcement**

(1). All monument signs require a permit issued by the City. Permit applications must include renderings, dimensions, materials, and site plans.

(2). Signs installed without a valid permit or in violation of this ordinance may be subject to removal, penalties, and/or fines as provided by the City.

...”

**SECTION 3.** That all ordinances of the City of McLendon-Chisholm, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of McLendon-Chisholm, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

**SECTION 6.** Any person firm, corporation or business entity violating this ordinance or the provisions of the Code of Ordinance of the City of McLendon-Chisholm, Texas as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of McLendon-Chisholm, Texas, shall be subject to a fine not to exceed the sum of \_\_\_\_\_ dollars (\$\_\_\_.00) for each offense, and each day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** That all Recitals contained in this Ordinance are fully incorporated herein as if fully written.

**PASSED AND APPROVED** this 14<sup>th</sup> day of October 2025.

APPROVED:

By: \_\_\_\_\_  
Bryan McNeal, Mayor

ATTEST:

By: \_\_\_\_\_  
Angela Jennings, City Secretary