

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 06, 2020 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding contract with Legacy Humane Society pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)

III. Adjourn Executive Session

IV. Reconvene Public Meeting (6:00 P.M.)

V. Invocation and Pledge of Allegiance - Mayor Pruitt

VI. Open Forum

Members of the public may attend in person to deliver public comments. Alternatively, public comments may be submitted via e-mail to PublicComments@rockwall.com. PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE SCHEDULED MEETING. In the body of the email, please include your name, address, agenda item (if applicable) or subject of discussion, and your comments. Please limit comment length to that which may be read aloud within three (3) minutes or less. Public Comment limitation is authorized by Governor Greg Abbott's TEMPORARY suspension of certain aspects of the Texas Open Meetings Act, which allows for a governing body to limit gathering members of the public and/or Board members in a physical setting that might constitute a public health risk.

VII. Take any Action as a Result of Executive Session

VIII. Consent Agenda

1. Consider approval of the minutes from the June 15, 2020 regular City Council meeting, and take any action necessary.
2. Consider approval of the minutes from the June 26, 2020 emergency City Council meeting, and take any action necessary.

3. **Z2020-016** - Consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary **(2nd Reading)**.
4. **Z2020-018** - Consider a request by Rex and Beverly Fithian for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 3.03-acre parcel of land identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and take any action necessary **(2nd Reading)**.
5. **Z2020-019** - Consider a request by J. W. Jones for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary **(2nd Reading)**.
6. **Z2020-020** - Consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit and Carport* on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action necessary **(2nd Reading)**.
7. **P2020-023** - Consider a request by Chris Fergusson, PE of Kimley-Horn & Associates on behalf of Dennis Bailey of Rockwall County for the approval of a *replat* for Lot 2, Block A, Rockwall Law Enforcement Center Addition being a 13.3597-acre parcel of land identified as Lot 1, Block A, Rockwall Law Enforcement Center Addition and Lot 1, Block 1, Cedar Grove Christian Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 810 & 950 T. L. Townsend Drive, and take any action necessary.
8. **P2020-024** - Consider a request by Bill Thomas of Engineering Concepts & Design, LP on behalf of Ridge Pointe Horizon, LP for the approval of a *replat* for Lots 7 & 8, Block A, Maverick Ranch Addition being a 2.113-acre parcel of land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 5701 – 5739 Horizon Road [FM-3097], and take any action necessary.
9. **P2020-025** - Consider a request by Zan Gates of Eric L. Davis Engineering on behalf of Jimmy McClintock of Washington Place on Highway 66 for the approval of a *replat* for Lots 4 & 5, Block A, Washington Place Addition being a 0.987-acre parcel of land identified as a portion of Block 14, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 409 W. Washington Street, and take any action necessary.
10. **P2020-026** - Consider a request by Craig Smiley of USA Professional Services Group, Inc. on behalf of Clay Shipman for the approval of a *replat* for Lot 24, Block A, La Jolla Pointe Addition, Phase 2 being a 1.280-acre parcel of land identified as Lot 21, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1020 La Jolla Pointe Drive, and take any action necessary.
11. Consider approval of a professional engineering services contract with Birkhoff, Hendricks, and Carter, L.L.P. to perform the utility relocation analysis for the construction of FM 552 in an amount not to exceed \$45,144.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
12. Consider approval of a professional engineering services contract with Stantec, Inc., to perform the utility relocation analysis and design for the construction of FM 549 in an amount not to exceed \$303,933.30, to be funded out of the Water and Sewer Fund, and take any action necessary.

IX. Appointment Items

1. Appointment with Christian Giador to hear presentation regarding 'Black Lives Matter (BLM) - Rockwall's Short-Term Call For Action.'

X. Action Items

1. **Z2020-022** - Discuss and consider a request by Brad Johnson for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Detached Garage* that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle Street, and take any action necessary **(2nd Reading)**.
2. **A2020-001** - Discuss and consider the expiration of an existing *212 Development Agreement* for a 2.77-acre tract of land that is contiguous with the City of Rockwall's city limits, situated within the City's Extraterritorial Jurisdiction (ETJ), addressed as 417 & 463 Green Circle and identified as Tract 8 of the R. Dickens Survey, Abstract No. 73, City of Rockwall, Rockwall County, Texas, and take any action necessary.
3. Discuss and consider Governor Abbott's recent Executive Order(s), and take any action necessary.
4. Discuss and consider status of upcoming public events, and take any action necessary.
5. Discuss and consider a resolution authorizing the Mayor to execute grant application for the Coronavirus Relief Fund, and take any action necessary.
6. Discuss and consider (re)appointments to the city's Architectural Review Board, Park Board, Art Review Commission, Historic Preservation Advisory Board, Animal Advisory Board and Airport Advisory Board, and take any action necessary.

XI. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.

1. Building Inspections Monthly Report - May 2020
2. Fire Department Monthly Report - May 2020
3. Police Department Monthly Report - May 2020
4. Recreation Monthly Report - May 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics
7. 2020 Census Update

XII. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding contract with Legacy Humane Society pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)

XIII. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XIV. Adjournment

Note: In accordance with Section 551.045, some members of the City Council may remotely attend this meeting by conference call or by video teleconferencing (ZOOM) as AUTHORIZED BY GOVERNOR GREG Abbott's TEMPORARY suspension of certain aspects of the Texas Open Meetings Act WHICH ALLOWS FOR the city council TO attend in person or by video conference SO AS TO AVOID GATHERING MEMBERS OF THE PUBLIC AND/OR council MEMBERS IN A PHYSICAL SETTING THAT MIGHT CONSTITUTE A PUBLIC HEALTH RISK.

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code ¶ 551.071 (Consultation with Attorney) ¶ 551.072 (Deliberations about Real Property) ¶ 551.074 (Personnel Matters) and ¶ 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of July, 2020 by 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 15, 2020 - 4:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session to discuss and consider 2020-2030 Park Master Plan, and take any action necessary.

Parks Director, Travis Sales, came forth and provided introductory comments pertaining to this agenda item. He shared that the last time the Master Plan was updated was the year 2010. It is now time to update the plan. He explained that the plan is used as a road map for future development of parks. It also helps the city because it is an eligibility requirement for Texas Parks & Wildlife related grant funding. He explained that MHS Planning & Design is a consulting firm that has been hired to assist with this major update to the plan.

The representative from MHS Planning, Hunter Rush, came forth and provided a presentation to the Council, in part, explaining what can be expected as the process of updating the plan ensues. Indication was given that the consultant would reach out to each, individual council member to solicit input on the plan.

Following the work session, Mayor Pruitt read the following discussion items into the record before recessing the public meeting to go into Executive Session at 4:30 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding assignment of Council subcommittees and board liaisons, pursuant to Section §551.074 (Personnel Matters)

6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:52 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members being present.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VII. SWEARING IN OF NEW COUNCILMEMBER, PLACE 6

County Court at Law Judge, Brian Williams, delivered the Oath of Office to newly appointed city council member, Anna Campbell.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

**Christian Giadolor
6 Winterhawk Drive
Rockwall, TX**

Mr. Giadolor came forth and generally spoke about the “Black Lives Matter movement” as it pertains to the Rockwall community. He urged the Mayor and/or Council to issue a public statement about the matter.

**Robin Gordon
2849 Lost Creek Court
Rockwall, TX 75032**

Ms. Gordon came forth and spoke about the topic of racism. She encouraged making the City of Rockwall “great” rather than just “good.” She also encouraged the Mayor to issue public statement(s) about the matter.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed Open Forum.

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

X. CONSENT AGENDA

1. Consider approval of the minutes from the June 1, 2020 regular City Council meeting, and take any action necessary.
2. **P2020-019** - Consider a request by Robert Gunby of Royse City Business Ventures for the approval of a Replat for Lot 9, Block C, Remington Park, Phase 2 Addition being a 3.04-acre tract of land identified as Lots 1 & 2, Block C, Remington Park, Phase 2 Addition, Rockwall County, Texas, situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3958 & 3966 Ruger Drive, and take any action necessary.
3. **P2020-020** - Consider a request by Clint Vincent of Bloomfield Homes, LP for the approval of a Final Plat for Phase 1 of the Terracina Estates Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochelle Road south of SH-276, and take any action necessary.
4. Consider a request for funding for the Downtown 'Daycation' event on July 3rd in the amount of \$25,000 to be taken from the Administration Department operating fund, and take any action necessary.
5. Consider approval of a professional engineering services contract with Huitt-Zollars, Inc., to perform the engineering design services for the North Lakeshore Bridge repair in an amount not to exceed \$42,500, to be funded out of the Engineering Budget, and take any action necessary.
6. Consider approval of construction contract with JEP Marine Construction, Inc., to perform the repair on the seawall located behind 3636 Lakeside Drive in an amount not to exceed \$39,890, to be funded out of the Engineering Budget, and take any action necessary.

Mayor Pruitt pulled item #5 for separate consideration.

Councilmember Hohenshelt moved to approve the Consent Agenda, less item #5 (#s 1, 2, 3, 4, and 6). Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pruitt expressed concern regarding utilizing the same, original engineer to repair a bridge that has essentially gone bad – a bridge that said engineer originally designed and had built. Ms. Williams, City Engineer, spoke to this decision, generally explaining the reasoning behind hiring the same engineer. Pruitt asked why the project wasn't put out for bid. City Attorney Frank Garza stated that a city has to select an Engineer based on qualifications and experience – such services cannot be 'bid,' and cost cannot be a determining factor in selection of an engineer.

Mayor Pruitt moved to reject the engineering proposal associated with Consent Agenda item #5. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENT ITEMS

1. Appointment with Planning & Zoning Commission Chairman to discuss and answer any questions regarding cases on the agenda.

Vice Chairman, Jerry Welch came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda. Council took no action following Mr. Welch's comments.

2. Appointment with Anthony DeMaggio to hear a proposal for fireworks shows on the Rockwall shoreline, requesting consideration of \$15,000 in funding, and take any action necessary.

Anthony DeMaggio
5813 Constellation Circle

Joe Lang
5703 Yacht Club Drive

These two gentlemen came forth and shared their desire to hold multiple (four (4)) fireworks shows in the coming weeks/months. One for June 20 for Dallas Race Week. One on July 3 in front of The Hilton at The Harbor. One possibly on a Thursday night following a “Concert by the Lake” event, and one possibly in September. Mr. DeMaggio clarified that they are requesting \$15,000 from the City to help pay for the fireworks. Mrs. Smith, Assistant City Manager, indicated that the city can spend this money either out of the Administration Department’s “Consulting” fund or from “General Fund Reserves.”

Mayor Pruitt moved to approve the \$15,000 in funding to do the fireworks shows. Councilmember Macalik seconded the motion, which passed unanimously (7 ayes to 0 nays).

XII. PUBLIC HEARING ITEMS

1. **Z2020-018** - Hold a public hearing to discuss and consider a request by Rex and Beverly Fithian for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 3.03-acre parcel of land identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. He explained that this property is directly adjacent to Phase 6 of The Shores subdivision. The applicant is proposing an estate style home on an estate type lot. The applicant would like to build a pool and cabana. Notices were sent out to property owners and residents within 500’ of the subject property. Three notices were received back in favor of the request. Also, adjacent homeowner’s associations were notified. The Planning & Zoning Commission has recommended approval of this request.

Rex Fathian
653 Mission Drive
Rockwall, TX

Mr. Fathian shared that he has lived in Rockwall for thirty-five years. This will hopefully be the last home he moves into. He will appreciate Council’s approval of this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the public hearing.

Councilmember Fowler moved to approve Z2020-018. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 3.03-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, HODGDON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2020-019** - Hold a public hearing to discuss and consider a request by J. W. Jones for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information concerning this agenda item. The applicant will be required to replat this property prior to receiving a building permit, should this request be approved this evening by Council. The existing mobile home would be removed, and an actual single-family house would be built in its place. Size, location and architecture should be considered by Council – it should either be the same or better than the existing, nearby homes. Miller explained that most of the homes are mobile homes on this particular street; however, there are several single-family homes as well. It was pointed out that the proposed home not having a garage is actually pretty typical in this general area. Notices were sent out to adjacent residents and property owners located within 500’ of the subject property. Two notices were received back in favor of the request. The homeowners associations were also notified of this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Johannesen moved to approve Z2020-019. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,

TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.33-ACRE PARCEL OF LAND, IDENTIFIED AS A PORTION OF LOT 1051 AND ALL OF LOT 1050, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

3. **Z2020-020** - Hold a public hearing to discuss and consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit and Carport* on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The property is located on the west side of Ridge Road, directly across from The Commons. The lot currently has a 3,200 square foot home that was built in 1975. The applicant wants to convert the detached garage into a full guest quarters and add a carport on the western side of the accessory building. The carport will tie into the roofline of the home. He went on to explain that notices were sent out to property owners and residents located within 500' of the property, and relevant homeowners' associations were also notified. Four notices were received back in favor of the applicant's request. The Planning & Zoning Commission has recommended approval of this item by a vote of 6 to 1.

Brian Bader
20603 C.R. 331
Quinlan, TX

Mr. Bader shared that he is a Building Inspector for the City of Mesquite. He has known the property owners for ten years. He explained that the homeowner would like to temporarily live in the proposed guest quarters while the main, large home is being renovated.

Mayor Pruitt opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Macalik moved to approve Z2020-020. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT AND CARPORT* THAT EXCEED THE MAXIMUM ALLOWABLE SIZE ON A 0.81-ACRE TRACT OF LAND IDENTIFIED AS TRACT 27 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

4. **Z2020-021** - Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a four (4) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [*FM-3097*], and take any action necessary (**1st Reading**).

Mr. Miller, Planning Director indicated that the applicant(s) would like to withdraw this request. Mayor Pruitt moved to allow the applicant to withdraw Z2020-021, as requested. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

5. **Z2020-022** - Hold a public hearing to discuss and consider a request by Brad Johnson for the approval of an ordinance for a Specific Use Permit (SUP) for *Detached Garage* that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle Street, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to adjacent property owners and residents within 500' of the property. Four notices and two emails were received back in favor of the request. The homeowners' associations were also notified. The Planning & Zoning Commission has recommended approval of this request (with Commissioners Womble and Logan dissenting).

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Daniels moved to approve Z2020-022 with the stipulation that the required 20' rear setback be met. Mayor Pruitt seconded the motion. Following additional discussion, Daniels amended his motion to stipulate that "all setbacks be met." Mayor Pruitt seconded the amended motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-XXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.666-ACRE PARCEL OF LAND IDENTIFIED AS BLOCK 38 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes to 1 nay (Hohenshelt).

XIII. ACTION ITEMS

- 1. Z2020-016** - Discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an ordinance for a Specific Use Permit (SUP) for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Indication was given that this item was recently brought before Council for consideration; however, Council tabled the item to allow the applicant time to show how the secondary structure could be 'tied into' the existing home and be architecturally integrated. The public hearing was closed at the last city council meeting.

**Chris Kehrer
410 Normandy Lane
Heath, TX**

Mr. Kehrer came forth and indicated that he does not do this type of construction/building for a living, and he was guided by a city staff member regarding what to do. He generally expressed that he did not intend to proceed without having received an approved building permit. He went on to show a digital/virtual 'fly over' video that showed updated plans associated with this project. He went on to explain how the structure can be tied into the existing home on the property. Mr. David Choate, the property owner, spoke briefly,

indicating that he has spent a lot of money to get where he is right now. He explained that if 25' is taken off of the canopy, it will mean that his vehicles will have to sit out in the Texas sun and hail storms, etc.; however, he is willing to do so if that is what it takes to get it approved and completed. He went on to share that all of his neighbors love the structure. He has not heard anyone say anything bad or complain about it.

General discussion ensued related to the structure, the canopy and Mr. Choate's inability to pull his trucks under the canopy if its depth is reduced.

Mayor Pruitt made a motion stating that the (updated) plans do show the accessory structure to be architecturally integrated. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Johannesen indicated that the structure is still oversized. He feels that if Council approves this issue, it may set a dangerous precedence, perhaps sending the message that it is okay to begin building a structure without obtaining the city's approval in advance.

Mayor Pro Tem Fowler respectfully disagreed with Johannesen, generally indicating that the Council has to evaluate these types of issues on a case-by-case basis.

Councilmember Hohenshelt expressed strong dissatisfaction with Mr. Kehrer having built this structure without first obtaining an approved building permit. He shared that Mr. Kehrer may not build structures for a living, but he is 'in construction' for a living, and he knew better than to do this. Hohenshelt is generally tired of people building things without a permit and then coming before the city council to try and seek approval after the fact.

Mayor Pruitt moved to approve the request with the understanding that updated plans will need to be provided to staff to show how the structure will be 'tied into' the existing structure, and those plans will be subject to staff's review and approval. Councilmember Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A CARPORT THAT EXCEEDS 500 SQUARE FEET IN AREA FOR A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B, ZION HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 844 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XIV. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).
5. Discussion regarding assignment of Council subcommittees and board liaisons, pursuant to Section §551.074 (Personnel Matters)
6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not convene in Executive Session following the close of the 6:00 p.m. public meeting agenda.

XVI. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:38 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6th DAY OF JULY, 2020.

JIM PRUITT, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY

ROCKWALL CITY COUNCIL EMERGENCY MEETING

Friday, June 26, 2020 - 9:00 AM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

Live and post-meeting video may be viewed here: <http://www.rockwall.com/meetings/video.asp>

I. CALL EMERGENCY MEETING TO ORDER

An urgent, public necessity exists for calling this emergency meeting, and immediate action is required of the governing body because of the COVID-19 pandemic (an imminent threat to public health and safety).

Mayor Pruitt called the meeting to order at 9:04 AM. Present in person were Mayor Jim Pruitt, Councilmember Anna Campbell, Dana Macalik and Trace Johannesen. Present remotely, via ZOOM teleconferencing, were Councilmember John Hohenshelt and City Attorney Frank Garza. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd.

Mayor Pruitt explained that this meeting is largely being held to talk about whether or not city sponsored public events will be held or cancelled (i.e. July 4th parade and fireworks show, July 3rd "Daycation" event, Concerts by the Lake, etc.). He also went on to explain the legal process associated with mandating that masks be worn, sharing that in the State of Texas, only the Governor, the County Judge or the Mayor can institute such a mandate and that such mandate would only apply to businesses, not individuals (businesses would be required to mandate that masks be worn by patrons while in their establishments). He clarified that no one can mandate that individuals wear masks. He went on to generally express that he personally, despite his unilateral authority as Mayor, will not be issuing any order that would mandate that masks be worn within businesses in the City of Rockwall. If other members of the Council would like to discuss the possibility of the city council, as a whole, passing an ordinance that would mandate that masks be worn in businesses within the city, then a council member will need to place that topic on an upcoming meeting agenda for discussion and consideration.

County Judge, David Sweet and County Emergency Management Coordinator, Barbara Neville then came forth and provided lengthy, detailed information concerning the numbers of COVID-19 cases within Rockwall County. They generally expressed a lot of frustration associated with not having received accurate, timely statistics regarding numbers of tests, positive cases, recoveries, etc.

II. OPEN FORUM

Members of the public may attend in person to deliver public comments. Alternatively, public comments may be submitted via e-mail to PublicComments@rockwall.com. PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE SCHEDULED MEETING. In the body of the email, please include your name, address, agenda item (if applicable) or subject of discussion, and your comments. Please limit comment length to that which may be read aloud within three (3) minutes or less. Public Comment limitation is authorized by Governor Greg Abbott's TEMPORARY suspension of certain aspects of the Texas Open Meetings Act, which allows for a governing body to limit gathering members of the public and/or Board members in a physical setting that might constitute a public health risk.

Mayor Pruitt read into the record portions of several emails that had been received concerning (in part or whole) upcoming public events. Some of the comments were generally in favor of allowing public events, such as the fireworks, to be held; whereas other comments were clearly opposed to said events being allowed to carry on.

Many e-mails were received for the “public comments” portion of this emergency meeting. All e-mails which were received by the 8:30 a.m. deadline on June 26, 2020 have been included as part of the record and are attached to these minutes as “Exhibit A.”

Pruitt generally indicated that the Council would like to hear from people present in the audience who would like to comment about upcoming public events and whether or not those should be allowed to continue, or if they should be cancelled. He explained that those wishing to speak on “masks vs. no masks” are asked to hold those comments and instead do so if / when that topic comes up on a future city council meeting agenda.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and shared comments regarding research he did via the World Health Organization (WHO) pertaining to wearing masks to protect from COVID-19. He shared sentiments that masks are an individual responsibility and that the WHO states that they are not very effective. He briefly commented on the July 4 parade, generally indicating that people should take personal precautions. Also, it is likely not a good idea to throw items out to the public during the parade (for example, flags).

Marie-Anne Schiffmann
2125 Hillcroft Drive
Rockwall, TX 75087

Mrs. Schiffmann came forth and expressed that she is miffed by the Council being so focused on 4th of July events, especially when those are things that a person can either chose to go to or not go to. She explained that she is an election worker and will be working the upcoming elections starting next Monday. She has concerns and generally expressed a desire that masks be required to be worn by election workers and those entering into the polling area. Mayor Pruitt clarified that the Governor only allows a local county judge or mayor to order that a *business* require patrons to dawn masks – neither he nor the county judge can require anyone outside of businesses to wear masks. Councilman Johannesen shared that Chris Lynch, the County Elections Administrator, just shared with him yesterday some protocols that he will have in place for protection during the election(s). Also, he generally expressed the belief that it is very unlikely that she or her election workers will contract the virus solely by people ‘coming and going’ because they will not be in a confined space for a prolonged period of time. Mrs. Schiffmann expressed a desire for the Council to speak to Chris Lynch (Elections Admin.) and encourage him to require that election workers wear masks. Pruitt and Johannesen generally explained that such a requirement would be up to Mr. Lynch, as he does not work for the City.

Rachel Witherspoon-Monk
4193 Lorion Drive
Rockwall, TX 75087

Mrs. Monk came forth and shared that she is a registered nurse and has been in the medical profession for about fifteen years. She does not want to see the July 4 fireworks and associated festivities be cancelled, as she does not want it to send a message of 'fear' by cancelling them. She believes that people should take personal responsibility and make their own, individual decisions regarding attending July 4th events (or not) and wearing of personal protective equipment (masks) or not. She personally does not believe that wearing masks provides protection.

Jay Lundy
909 Sunpoint Circle
Rockwall, TX 75087

Regarding the 7-11 store, Mr. Lundy shared that grass was recently installed. He has observed at the boat ramp – for example - that a lot of people do not adhere to “social distancing” during large, mass gatherings, and he has concerns about this. He believes it is prudent to limit these events or not allow these sorts of events to take place at all. He shared that this morning Gov. Greg Abbott issued an order allowing for events with over 100 people to take place with local approval only. He acknowledged that the City Council is in a difficult situation because, no matter what decisions are made by Council, those decisions will be considered 'wrong' by some people.

Linda Gonino
202 Dartbrook
Rockwall, TX 75087

Mrs. Gonino shared that she has lived in Rockwall for 43 years and have raised all of her children here. She had prepared a presentation about 'the dangers of wearing masks.' However, she will save this for a later date. She generally does not believe that 'outdoor events' pose a large health risk. She feels like the Council will make a really good decision, pointing out that she has been in the healthcare industry for the past twenty-five years.

Debbie Wengandt
1918 Random Oaks Drive
Rockwall, TX

Mrs. Wengandt expressed that she is a physician – a naturopathic doctor working here locally. She generally believes that this virus is not deadly, the mortality rate is very low, and it mostly impacts older people and/or people who already have compromised immune systems. She expressed the opinion that other, generally healthy people need to get out, catch the virus, and allow their immune systems to work as they should. General discussion ensued pertaining to mortality rates of COVID-19 vs. the regular, seasonal flu.

Janah Rodriquez
Director of in-patient and ICU services at Presbyterian Hospital, Rockwall
1229 Skylar Drive
Rockwall, TX

Kim Arrowood
Director of the Emergency Department at Rockwall Presbyterian Hospital

Ms. Rodriguez generally expressed that social distancing and proximity is key with this virus. She believes that putting people in large social gatherings and expecting them to social distance themselves is unrealistic. She expressed that they are seeing a 'surge,' an increase in numbers of COVID-19 positive patients in the local hospital, and this has been occurring over the last two weeks. They have no critical care beds, and their ER is overflowing with patients. She cautioned that if you come in with a heart attack, the hospital may not be able to transfer you because Dallas has no available beds either. She indicated that testing is not reliable, so if someone comes in presenting certain symptoms, they will be treated as though they do have COVID. She realizes that the reported number of cases is not accurate and that obtaining good data is difficult to do. She went on to say that she does not think that allowing the 4th of July events to be held is a good idea because people will not adhere to social distancing.

Ms. Arrowood echoed that their hospital has seen a large surge in patients exhibiting COVID symptoms, and – at times – they are running out of places to put patients. The hospital has had to go to a 'code yellow plan' to try and deal with the influx of patients. She acknowledged that not all the data is accurate; however, she and her comrades are seeing a surge in the number of COVID patients within Rockwall Presbyterian Hospital, and the concerns are real and are valid. She does believe that wearing masks will help reduce transmission of the virus from one person to another.

There being no one else expressing a desire to come forth and speak at this time, Mayor Pruitt closed the public comment portion of the meeting.

Councilmember Macalik shared that Tammy Sharp, President of the Downtown Rockwall Association just messaged, generally announcing that the July 3rd "Downtown Staycation" event has been cancelled and will be rescheduled to another time.

Councilmember Campbell asked the nurses who just spoke (Rodriquez and Arrowood) for clarification on the percentages associated with 'bed numbers' and COVID patients at Presbyterian Hospital Rockwall.

Cindy Paris
762 Black Oak Lane
Rockwall, TX

Mrs. Paris shared that Presbyterian Hospital in Rockwall has 80 beds, which means that they notice even the slightest change with things happening within the community, and it is very easy for their hospital to become overwhelmed. She indicated that this virus is being seen in their hospital. Yesterday, the bed capacity was at 100%, the hospital was totally full, and four people waited in the ER for a bed for quite a while. This virus is not solely related to old people. They see about 60-100 patients in their "ED" (emergency department) every day. She generally spoke about the ways in which her hospital has tried to accommodate the increase in capacity and achieve safe 'social distancing' while they are at the hospital. She cautioned that you have to be careful when looking at and evaluating the numbers and the data. Yesterday, about 60% of their patients were COVID-19 patients. Today there are about 30% of patients who are COVID-related patients. One COVID test they use has about a 15% false negative result rate. So sometimes, even if a test is negative, if a patient is exhibiting certain symptoms, they will get treated as a COVID patient. Over the last couple of weeks, they have changed the methodology for how patients are treated, and this seems to be helping patients who are exhibiting breathing difficulties. This new drug is resulting in less patients ending up on ventilators. The hospital itself has 8 ventilators. She stressed that this virus is not solely related to 'old people,' indicating that a patient was 'lost' in their ER yesterday, and it was mind blowing. She does not believe that stopping all surgeries at one time

is a viable answer. She believes that wearing a mask is 2020's version of 'covering your mouth when you sneeze.' It will not stop everything, but it will help stop some.

Tami Hawkins
104 Brentwood Drive

Mrs. Hawkins, local nurse, came forth and shared that the Dept. of State Health Services (DSHS) and CDC are looked to as the 'source of truth' over and above the World Health Organization. She cautioned that this virus is not just attacking old people. There are healthy, young people dying too. The impact is much higher than the 'numbers' shown, as some people who are dying in the local hospitals do not actually live in Rockwall County.

Eva Cannon
421 Bedford Falls
Rockwall, TX

Ms. Cannon came forth and shared that she is a local business owner and resident. Her dad is currently in ICU in Dallas, and he has COVID-19. She believes that the City of Rockwall holding its 4th of July event is a bad idea. Also, since a lot of the other cities have cancelled theirs, people will be coming into the city from other areas, and we will see an increase in the spread of the virus. Mrs. Cannon shared that the numbers are 'skewed,' and we don't have true, accurate numbers yet at this point.

III. ACTION DISCUSSION ITEMS

- 1.** Discuss and consider upcoming city-related public events and requirements associated with wearing personal protective equipment (PPE) in light of the COVID-19 pandemic, and take any action necessary.

Rick Crowley, City Manager, indicated that yesterday morning, Baylor-Scott-White Lakepointe yesterday had 115 in the hospital with 10% being COVID. The non-surge capacity is 148. 30% of their ventilators were in use (though he did not ask how many they actually have).

Regarding Concert by the Lake and the 4th of July event, Councilmember Macalik made a motion to cancel those events. Councilmember Johannesen seconded the motion. Macalik clarified that her motion is related to events where 100 or more people would be present. Councilmember Johannesen commented, generally stressing the belief that the virus does not spread in outdoor areas – rather, it spreads more so in confined, indoor spaces.

Councilmember Macalik pointed out that a lot of surrounding communities have cancelled their July 4th events, and she believes that a lot of people will flock to Rockwall to attend our event(s) if they are not cancelled. She personally believes that large gatherings do contribute to higher numbers of COVID cases. She has concerns about 'social distancing' being possible when 2,000 – 5,000 people come to events such as these (fireworks and Concerts by the Lake).

Mayor Pruitt clarified that Macalik's motion, if passed, would result in cancellation of the following events: the "Outdoor Day" today at The Harbor; Baseball Nation's tournaments at Tuttle Athletic Complex this weekend; Concert by the Lake on July 2; fireworks at The Harbor on July 3; the July 4 parade and the fireworks show at Harry Myers.

Mayor Pruitt generally expressed that he does not believe governments should be mandating people's behavior or shutting down public events – instead, everyone should take personal responsibility to take care of themselves and decide whether they should wear masks or shop at businesses that require them to be worn.

Councilmember Macalik's motion to cancel all of the events that were named off by Mayor Pruitt failed by a vote of 1 in favor (Macalik) and 4 against (Campbell, Hohenshelt (remotely), Pruitt and Johannesen) with two being absent (Fowler and Daniels).

IV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 10:51 a.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6th DAY OF JULY, 2020.

JIM PRUITT, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY

From: [REDACTED]
To: [PublicComments](#)
Subject: 06/26 Emergency Meeting
Date: Thursday, June 25, 2020 7:11:22 PM

I have a feeling that this meeting is being called to consider a mandatory wearing of masks for "public health" concerns. COVID19 being the reason obviously.

Put simply, I say you dont have a right to ask people to wear masks and I think it's all a lie anyway. 4 reasons. Lies from leadership, health risks, safety, and rights.

I have attached a video of Dr. Fauci, the one who is supposed to be a leader during this whole crisis for the entire country. In this clip from the show 60 Minutes, 03/08/2020 he outright says people do not need to be wearing a mask. He has backtracked on his position about the whole ordeal, going from disapproving of Trump closing off access to and from China, to saying Trump wasnt doing enough, to now saying we dont need to be wearing masks. Anything this man says is difficult to trust at this point. He was even the one who helped provide funding for the facility that appears to have been responsible for this whole problem.

The World Health Organization themselves gave the entire world false information about this situation and haven't been able to provide substantial evidence that masks help prevent the transfer of the virus. There are however, indications that wearing a mask increases the quantity of bacteria stuck around the mouth from being sucked in, and there are people getting sick from bacterial infections near the mouth.

On top of all this, it's a safety issue to small business owners who might have people with bad intentions walk in with a mask because its apparently mandated and therein lies an opportunity for these individual's to commit a robbery with their faces covered knowing they have a higher chance of getting away.

On top of all this, it's not the right of a government to decide what a human should or shouldn't be able to do to protect their body. You would be asking people who are not sick, to wear a mask and risk getting less oxygen efficiency and possible bacterial infection, to protect a portion of the population that was at risk of getting sick to begin with. Humans have been living and dying with many incurable diseases for thousands of years, and now suddenly one that a small percentage of the population might die from exists, and everything stopped, we almost ruined the national economy and it's all at the same time the Obama administration is being subpoenaed to testify on the illegal spying on Trump. Just very coincidental.

I just moved to Rockwall and avoided moving to Dallas to have a smaller city home and avoid the disasters of a large metropolitan city. I hope you dont make me regret that decision.

Thank you for taking the time to read this.

<https://youtu.be/FCBRQWmwK5Q>

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

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From: [REDACTED]
To: [PublicComments](#)
Subject: 6/26 Council Emergency Meeting
Date: Thursday, June 25, 2020 5:09:27 PM

Name - Darlene Singleton

Address - 930 Williams St, Rockwall, TX 75087

Subject of discussion - July 3 DAYCATION

Comments. In regards to the July 3 DAYCATION - Rockwall officials are requested to enforce the public and vendors and shop owners to wear personal protective equipment (PPE) in light of the COVID-19 pandemic or **cancel** the event due to the rise in positive cases. Have city staff implement disinfectant cleaning of public areas (seating spaces) throughout the day as well as enforce vendors wear PPE and disinfectant cleaning of their space/business. When originally presented it was noted the City staff stated no protocol would be in place and currently per the DRA information no protocol is planned - hopefully this meeting will change that decision.

Please be responsible!

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From: [REDACTED]
To: [REDACTED]
Subject: 6/26 meeting in regards to PPE
Date: Friday, June 26, 2020 7:45:17 AM

Leslie Cunningham
538 Garrett Road
Rockwall, TX 75087

Agenda item: mandatory masks

I am writing you this morning to voice my side of the mandatory masks. I am 36 year old born and raised Rockwall Texan. I am seeing so much division in my hometown. It is beyond out of hand.

I have done lots of research in regards to the masks. I have not worn a mask during this entire Covid craziness. I have a medical condition that prohibits me from wearing one. There are many people in Rockwall who physically CAN NOT wear a mask, like myself.

It's against HIPPA & ADA regulations to make someone wear a mask. Establishments can face excessive fines. It is also against OSHA regulations.

Health professionals have said if you DO NOT have the virus then you do not need to wear a mask. So why make this mandatory? It is absurd.

Please see attached picture from a friend.

Thank you for your time.

Leslie Cunningham

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After Care Instructions

INSTRUCTIONS

COVID-19 GENERAL (EDU)

1. There is a new kind of Coronavirus that causes a disease called COVID-19.
2. Coronavirus is a general category of viruses that cause respiratory illnesses. The common cold is also caused by several types of coronavirus. These kinds of coronavirus have been around for years and are not dangerous.
3. The new coronavirus causes a disease called COVID-19. It does not cause the common cold. The virus was first detected in Wuhan, China. It has spread from person-to-person around the world, including the United States.
4. People in danger of getting COVID-19 are:
 - Those in close contact with people who already have COVID-19.
 - Those who recently traveled to areas with high rates of infection.
5. The virus is spread through:
 - Tiny infected water droplets which are spread when someone sneezes or coughs.
 - Person-to-person close contact with someone who is infected. Close contact is being within 6 feet of the infected person.
 - Touching a surface or object with infected tiny droplets on it from another person.
6. People are most contagious (at highest risk of spreading the virus to others) when they have symptoms. Some people may also be contagious before they get symptoms.
7. Symptoms of COVID-19 may happen within 2-14 days following exposure and can be:
 - Fever (temperature higher than 100.4°F or 38°C).
 - Cough.
 - Shortness of breath.
8. COVID-19 is mostly a mild disease. However, anyone with a bad case of this virus may get pneumonia in both lungs. This can make breathing hard and may lead to hospitalization, need for intensive care or even death. In affected areas, people getting COVID-19 tend to be elderly. These people also have the highest chance of dying.
9. Testing for COVID-19 is done by swabbing the nose, throat and mouth. Your doctor or healthcare provider is following diagnostic guidelines from the CDC on who should and should not be tested.
10. There is no cure or vaccine for COVID-19 right now. The main treatment is supportive care. This means treating the symptoms including using acetaminophen (Tylenol®) for fever, along with rest and fluids. You may have been given an inhaler or steroids. Use these as directed.
11. Patients with COVID-19 may not need to be in the hospital. They may be sent home or to a health care facility for isolation (quarantine). The purpose of this is to keep them separated from other noninfected persons to avoid spread of the virus. State and local public health authorities will decide the place of isolation (quarantine).
12. To lower your chance of being infected with COVID-19, avoid exposure to those who are infected, you should:
 - Avoid close contact with those who are sick.
 - Wash your hands often. Wash for at least 20 seconds with soap.
 - Do not touch your face, especially your nose and mouth, before washing your hands.
 - Only use a facemask if you show symptoms from COVID-19. The CDC says people who aren't sick don't need to wear masks to protect themselves from COVID-19. You only need to wear a mask if you are coming into close contact with those who are infected.
13. Remember there are many other viruses causing similar respiratory symptoms to COVID-19 (fever, cough, shortness of breath) at this

PATIENT COPY

From: [REDACTED]
To: [Pruitt, Jim](#); [PublicComments](#)
Subject: Agenda item- masks
Date: Thursday, June 25, 2020 9:46:14 PM

I wanted to weigh in my thoughts on the mandate for masks.

First- I will tell you that I am a frontline worker as a nurse in an ICU.

While I understand this mask discussion is a very polarizing debate:

Those that are pro mask and those that are not.

I also understand that this has turned into a political agenda. People are not wanting to wear a mask and using it as an infringement upon their constitutional rights.

In regards to that I offer this view of the constitution:

The beginning states "We the people... of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

Just looking at the introduction the goal of the constitution mentions to promote the general welfare and secure the blessing of liberty to ourselves and our posterity.

Posterity is all future generations of people.

What about the 16 people that have died so far in rockwall county alone? What about their posterity and well being? Not to mention their loved ones well being as they bury their husband, mother, etc....

The other side of the discussion says well...its only 16 people out of all the citizens in Rockwall.

For me- if doing something so menial as wearing a mask saves our community from a 17th, then so be it.

Further down in the constitution we have the Bill of Rights.

The first one states:

Amendment 1 - Freedom of expression and religion) **13**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Freedom of expression states: religion, speech, press, and the right to assemble. It does not state that in the event of a pandemic, if public safety is of concern you have the right to put the wellbeing and

From: [REDACTED]
To: [PublicComments](#)
Subject: Agenda Item: Covid 19 - We should wear masks
Date: Friday, June 26, 2020 7:21:41 AM

Please read at the City Council meeting this morning:

Hope is not a strategy. We need fact and science based information to lead policy. Current recommendations from ALL of our medical experts at CDC, National Institute of Allergy and Infectious Diseases (with Dr Fauci) say that masks help slow the spread of Covid19. I can't understand how following medical advice has become a political statement.

Wearing a piece of material over your face is a very small effort that each of us can do. To all the "but freedom" folks, Freedom comes with RESPONSIBILITY. We wear seat belts, observe stop lights and stop signs, we don't allow smoking in public places - - all because they have been determined to be for the public good. Wearing masks is for the public good.

Make a sensible decision to require masks for Rockwall. Communicate the medical advice and help ensure that everyone sees the value of helping to stop the spread of this highly contagious disease.

Kirsten Jordan
2112 Kyle Circle
Rockwall, Tx 75032

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From: [REDACTED]
To: [PublicComments](#)
Subject: Arguments against Mandatory Wearing of Masks
Date: Friday, June 26, 2020 8:16:06 AM

WHEREAS,

1. The justification for mask wearing and other public health interventions depends upon the Infection Fatality Rate (IFR). The IFR for COVID-19 is between 0.07-0.2%, in line with seasonal flu (with an IFR of 0.1%). CDC estimated IFR for Covid-19 on May 24th to be below 0.3%.

Dr. Scott Atlas of Stanford University wrote, "The fatality rate if infected is likely 0.1 to 0.2%, a risk far lower than previous World Health Organization estimates that were 20 to 30 times higher and that motivated isolation policies.

This virus does not meet any established criteria for a pandemic. The Infection Fatality Rate is right in line with the seasonal influenza virus — and we do not require masking every winter for the flu.

2. The more testing we do, the lower the Infection Fatality Rate goes. This virus is petering out. Most people who do test positive have mild and transient symptoms — if any. The death rate from Covid-19 even in Texas ICU's among the most severely ill is down from 12% in May to 5.9% in June. This virus is on its way out.

3. It is not possible to stop transmission of a global virus. All our measures to slow it only succeed in postponing infection. I would much rather see our residents contract a virus in summer when immunity is much higher and the virus weakened by warm temperatures than in winter when health is more tenuous and threats to the immune system more numerous.

4. Mask wearing is predicated on the presumption that infected but asymptomatic individuals can spread SARS Co-V 2. This has now been shown NOT to be the case.

5. Covid-19, like all Corona viruses, is NOT spread by casual or airborne contact.

6. There is no evidence that masks work to stop the spread of the virus, and in the case of cloth face coverings, they could actually *increase* the spread due to concentration and contamination.

Hong Kong researchers evaluated data all the way back to 1946 and concluded: "We found no significant reduction in influenza transmission with the use of face masks."

Denis Rancourt, PhD, of the Ontario Civil Liberties Association wrote, "Masks and respirators do not work. There have been extensive randomized controlled trial studies, and meta-analysis reviews of RCT studies, which all show that masks and respirators do not work to prevent respiratory influenza-like illnesses, or respiratory illnesses believed to be transmitted by droplets and aerosol particles. It would be a

paradox if masks and respirators worked, given what we know about viral respiratory diseases: The main transmission path is long-residence-time aerosol particles (< 2.5 microns), which are too fine to be blocked, and the minimum-infective-dose is smaller than one aerosol particle. (Masks Don't Work: A review of science relevant to COVID-19 social policy Technical Report - April 2020 DOI: 10.13140/RG.2.2.14320.40967/1)

THEREFORE,

I am strongly opposed to any requirement that the citizens of Rockwall be required to wear a mask.

Dr. Jon Weygandt

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From: [REDACTED]
To: [PublicComments](#)
Subject: Attn: Mask Mandate
Date: Friday, June 26, 2020 7:42:28 AM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Sincerely,
Carissa Dierksen
Entrepreneur
Rockwall Resident

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From: [REDACTED]
To: [PublicComments](#)
Subject: City Council Emergency Meeting
Date: Thursday, June 25, 2020 5:19:38 PM

To the members of the Rockwall City Council,

The best time to act on Covid 19 is well past. The next best time to act is now. The council should immediately mandate wearing of masks in public and cancel any planned July 4th celebrations. The meteoric rise in cases over recent weeks since phase 3 of Governor Abbot's reopening plan requires immediate action. If the state is unwilling to act in the interest of it's citizens the onus falls to individual cities and counties. You will hear many arguments against the wearing of masks as restricting constitutional liberties. These are straw man arguments - masks are a minor inconvenience at worst and are not designed to protect the wearer but to protect those in proximity to the wearer. It is no man or woman's constitutional right to endanger the health of any other through either ignorance or negligence.

If these steps had been mandated early in the pandemic on a national or state wide level we would be on our way to recovery instead of languishing in our 4th month of continued spread. Entire countries such as New Zealand have eliminated the virus entirely by mandating such measures and by their citizens honoring their obligation to their community to keep each other safe.

This infection rate has at minimum quadrupled in our system since stay at home orders and social distancing restrictions were lifted. This is a clear and present danger to the people of Texas and of Rockwall and measures must be taken to protect the community. This should be a discussion based solely on readily available facts and information based in science, not on feelings, inconveniences or political affiliation. If we want to return to normal as quickly as possible these steps must be taken swiftly and decisively.


I implore the members of the Rockwall city council to heed the facts and advice of scientists and doctors and follow the example of cities, counties, states and entire countries who have reduced or eliminated the virus entirely and take the below measures to improve and ensure the safety of our community.

Mandate masks in all public places, enforceable by fines escalating for repeat offenders. It should not be up to the city's business to police their community. That burden falls on the city itself.

Thank you,
Heather Turner

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From: 
To: [PublicComments](#)
Subject: Comments for 6/26/20 Emergency Meeting
Date: Thursday, June 25, 2020 10:56:44 PM
Attachments: [image.png](#)

Patricia Ruiz
2908 Greenway Drive, Rockwall, TX 75087

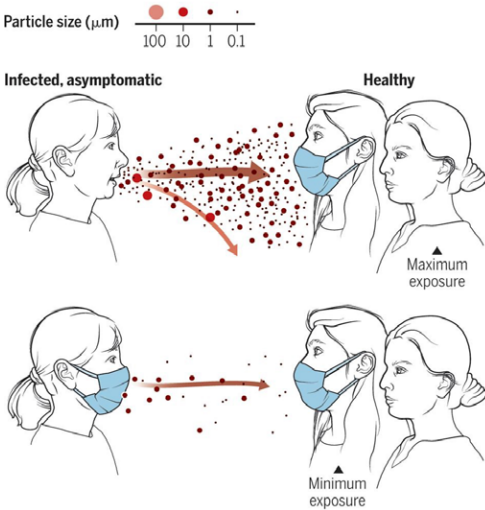
Comments for Open Forum in regard to PPE

Texas set another record for new COVID-19 cases today with 5,996. This is the third consecutive day that the record has been broken. We must take action to protect ourselves and our community. While there have been recommendations to wear masks, the general public has not seen that as necessary and masks are not being worn. We need to require masks in all public places similar to Dallas, Tarrant, Bexar, Travis, Hidalgo, Cameron, El Paso, and Harris counties.

At least 60% of Rockwall cases are community spread (<https://www.rockwallcountytexas.com/1023/COVID-19-Information>). It is irresponsible to let the public go out while possibly unknowingly infected without masks. Both my son and I are high risks and we have not left the house since the beginning of March. Since we are completely isolated we won't get sick but what happens when there are no hospital beds because they are filled with COVID patients and my son needs medical attention? Texas hospitals are filling up quickly (<https://www.cdc.gov/nhsn/covid19/report-patient-impact.html>) and we need to stop the curve now. We never experienced the "two week downtrend" that was supposed to be required before reopening (<https://www.nytimes.com/interactive/2020/us/texas-coronavirus-cases.html>). Since we are seeing so much community spread there is no reason not to follow CDC guidelines for such areas (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>)

Masks reduce airborne transmission

Infectious aerosol particles can be released during breathing and speaking by asymptomatic infected individuals. No masking maximizes exposure, whereas universal masking results in the least exposure.



GRAPHIC: V. ALTOUNIAN/SCIENCE

Rockwall also needs to enforce the mask mandates with fines at the bare minimum. I know the citizens of Rockwall have generally been very opposed to these rules so they will have to be enforced rather than "strongly suggested". I know that many have been quick to cite economic issues with the stay at home orders but where is the economy if we lose 5% of the population?

Wearing a mask is literally the bare minimum we can do as individuals for our community. I strongly urge you to mandate masks.

Thank you,
Patricia Ruiz

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From: [REDACTED]
To: [PublicComments](#)
Subject: Comments on mask Mandate
Date: Thursday, June 25, 2020 9:34:01 PM

To Whom It May Concern,

I am a physician living in Rockwall. My address is 6501 Warwick Dr. Rockwall, Tx 75087.

I cannot strongly urge you enough to mandate people to wear masks. Research has shown that masks are one of the best ways we, as citizens, can help slow the spread of SARS-CoV-2. Unfortunately, many in our community will not heed medical professionals' recommendations unless there is a mandate. The rapid increase in cases despite Governor Abbott urging people to stay home and wear masks when out is proof of that. We can expect exponential growth of people with COVID-19 if we continue as we are. Please help protect the citizens of Rockwall county.

Sincerely,

Jessica Morse, a concerned physician citizen

Sent from my iPhone

UT Southwestern

Medical Center

The future of medicine, today.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid 19 and Masks
Date: Thursday, June 25, 2020 10:27:59 PM

To whom it may concern,

I am commenting on the use of masks and on public events. I know they Governor has already put some restrictions on the amount of people who can attend public events. He has also strongly suggested we wear masks.

We already have the evidence in Rockwall of what happens when you open up and don't know apply those rules. It has been proven in many studies that if everyone wears a mask, the rate of transmission of coronavirus would go way down. As it is, Rockwall's numbers are climbing as are most Texas cities. This cannot continue. It needs to be somewhat controlled before we hit flu season in the fall.

I personally do not understand the problem with requiring masks in public. We require that people wear seat belts for their safety, and get ticketed if they don't. This is no different to me. I think many people would be more inclined to get back to shopping if they knew that people were wearing masks. I have friends in Rowlett who say they feel very safe now in their town, because almost everyone in the grocery stores, drugstores, etc, are wearing masks. Why should Rockwall be any different. We are not the chosen ones who will not be affected by this virus, as we have seen in the past few weeks.

If people don't want to wear masks because they aren't afraid of getting sick, then they should wear it for those who could get very ill, or even die from it. Have a heart people. Wear a mask and then go to all the events and stores you want to go to.

Sincerely, Patti Watson
2826 N Stodghill Rd
Rockwall, TX 75087

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid 19 emergency meeting
Date: Thursday, June 25, 2020 11:39:41 PM

Thank you for allowing us to give input into this important decision and for calling this emergency meeting.

I would like to express my support for requiring face masks while in public spaces to protect our neighbors from inadvertently transmitting Covid 19. I would encourage our city council to set aside politics (and other motivators) and follow the science to protect our community and our loved ones. Furthermore, I hope they will look ahead to August and require face masks and other precautions as we move toward returning our children to school. Thank you.

--

Carolyn Hickey, M.Ed.
2345 Desert Falls Ln, Rockwall, TX 75087

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid 19 open forum meeting
Date: Friday, June 26, 2020 8:12:36 AM

Mayor and Council Members,

My name is Harold Wortman. I live at 313 Russwood Street. Thank you for the opportunity to be heard. The most critical part of a community and role of leadership is to take care of each other and the citizens entrusted to your care. We have a shared responsibility to do this in a way we have never been challenged in our lifetimes. Never before has the very air we expel been dangerous to other community members. I understand how this has been politicized however I implore you to ignore that and focus on the science and public health impacts which are not political. These are seen by community members who cannot now get into hospitals and see their loved ones because they are full of COVID patients. They are seen by those who will have non COVID health emergencies and have difficulty getting a procedure, and finally these will continue to be seen by the increased sickness and deaths of our fellow community members. If we continue as we are without significant leadership in Rockwall then we will be directly responsible for what could have been avoided with common sense. All I am asking for is what Governor Abbott communicated to all citizens yesterday. Wear a mask when out in public and socially distance. What does this mean for Rockwall? It means we need leadership to formally support these initiatives. Cancel the ill advised fireworks and issue a simple requirement to wear a mask in businesses and when amongst groups. Wearing a mask is about protecting your community and those you care about. This is not a time to bow up and claim your right to infect others. This is not the time in the face of facts to say this is a conspiracy of some sort. This is not the time for silence from our leaders. Silence is complicity. We need honesty, transparency, and a willingness to protect the community you represent. I implore you to listen and more importantly act.

Thank you,

Harold Wortman
Rockwall Homeowner

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid 19
Date: Friday, June 26, 2020 8:12:01 AM

Hello Members of the Council and Judge Sweet,

My name is Sara Wortman and I live at 313 Russwood St. rockwall, 75087.

Rockwall is my home. I grew up here. I graduated from Rockwall HS. I've chosen to raise my four children here and my parents have chosen to live here. We all have chosen Rockwall and love Rockwall because of the community. Rockwall is a family. When someone is in need, Rockwall shows up. When the Z's catfish was hurting, Rockwall showed up. When Rockwall families are struggling to feed their kids, Rockwall shows up. Whenever someone is suffering or in need, Rockwell shows up. Right now our city and our community is suffering, our Rockwall family needs to do what they've done all my life, show up. The science and the numbers don't lie. This virus is ravaging North Texas and our entire great state. We need to show up. Rockwall needs to come together, show up, and be the caring family and community that my husband and I have chosen to raise our kids in and my parents have decided to grow old in.

Even though so many Rockwallians are showing up, many are not. Now is the time for you, our elected leaders, to show up. We need you like never before. We need you to bring our community together, by guiding us to the path of safety. By canceling the super spreader events that have been proven to spread the virus exponentially and mandate mask wearing in all businesses. Our local businesses need your Support and leader ship. In order for our community to show up for them we need your guidance. If we all show up, with your guidance and strong leadership, we will be able to enjoy our local restaurants, stores, gyms, salons, and all of our local businesses with safety, So much sooner. Parents will be able to safely and confidently drop their children at daycares, camps, extracurricular activities and school so much sooner. Families will know that their loved ones in nursing homes and cared nursing facilities are safe, so much sooner.

I have four small children at home, no one wants to be able to return to some semblance of normal more than me, but right now is the time for the Rockwall family, the Rockwall community, to show up. Please use your leadership to guide us and bring us together, to help our Rockwall community show up. Please cancel the super spreader events and mandate masks in all businesses, for the safety and well-being of my family and all of our Rockwall family.

thank you

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid Meeting Comments
Date: Friday, June 26, 2020 8:25:22 AM

Please read my following statement at the meeting this morning.

My name is Doctor Timothy Swofford. Many of you know me from growing up in this community, although I've been back for a decade practicing medicine in Royse City as a family medicine physician. This is what many call the front lines, so I feel my perspective is unique. I also am a father of 4, including an infant, and the son and grandson of family that would be considered high risk from covid-19. I could not attend in person today not out of fear, but out of family obligations.

First a single basic statistic to frame the discussion. 2 years ago flu season killed eleven thousand Texans. As of this morning, 4 months into this so called pandemic, covid-19 has killed 2300 Texans, approximately 1/5th of the death toll of flu from 2 years ago.

To the immediate concern of the supposed spike over the past 2-3 weeks, this is almost certainly from an increased rate of testing and not an actual change in the rate of covid-19. Many of these tests are from completely asymptomatic patients going in for procedures or people simply curious to get tested. I have these completely well curious patients call my office on a daily basis.

Since June 1st the number of newly realized cases in Texas has gone up nearly 10 times with this increased testing. That's one thousand percent and a scary statistic shouted daily by the media, yet the death rate has remained the exact same if not gone down. Let me repeat that. Over the past 3 weeks, the covid-19 death rate in Texas, despite having more realized cases, has been flat or gone down. Rockwall itself has even more reassuring statistics.

According to the famed physician Dr. Anthony Fauci, "We're not going to eliminate the virus. It is so transmissible it's going to be around for a while." I agree with this statement from Dr. Fauci. The goal of social distancing and face masks has never been to completely eradicate the virus, it has been to slow the spread until herd immunity is reached or a vaccine is created.

Realizing that there are many many more cases of covid-19 in the community than we thought there were a month ago and with that deaths not being any higher than before is the best possible scenario we could be in. I say a 3rd time, we are weeks into this supposed surge and the death rate HAS NOT CHANGED, and it may be in decline. I urge you not to be a victim of media fear mongering.

Lastly, aside from the very good medical data showing nothing else is needed in regards to a covid-19 response from anyone, I urge you to remember the limited government minded citizens that elected each and every one of you. Any decision to impose any public restrictions on any business or individual, businesses and individuals that are more than capable of deciding on their own what is in their best interest, will not be received well now or in future elections. Let the people decide for themselves.

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From: [REDACTED]
To: [PublicComments](#)
Subject: COVID-19 Meeting
Date: Thursday, June 25, 2020 10:32:27 PM

As you deliberate the matter of protecting Rockwall during this pandemic, please listen to the advice offered by medical officials. They KNOW what is best and offer their advice without hidden agenda.

There are those who believe government should not be involved in making mandates, but it is involved regardless of its position. Take no action, you are involved. The same applies if you take action.

Please, please err on the side of caution and follow medical advice.

Be safe, stay healthy
Bob Cotti

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid-19 Meeting
Date: Friday, June 26, 2020 8:27:31 AM

Tim Swofford
3314 Anna Cade Cir
Rockwall, TX 75087

Re: Covid-19 Response

Comments:

My name is Doctor Timothy Swofford. Many of you know me from growing up in this community, although I've been back for a decade practicing medicine in Royse City as a family medicine physician. This is what many call the front lines, so I feel my perspective is unique. I also am a father of 4, including an infant, and the son and grandson of family that would be considered high risk from covid-19. I could not attend in person today not out of fear, but out of family obligations.

First a single basic statistic to frame the discussion. 2 years ago flu season killed eleven thousand Texans. As of this morning, 4 months into this so called pandemic, covid-19 has killed 2300 Texans, approximately 1/5th of the death toll of flu from 2 years ago.

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According to the famed physician Dr. Anthony Fauci, "We're not going to eliminate the virus. It is so transmissible it's going to be around for a while." I agree with this statement from Dr. Fauci. The goal of social distancing and face masks has never been to completely eradicate the virus, it has been to slow the spread until herd immunity is reached or a vaccine is created.

Realizing that there are many many more cases of covid-19 in the community than we thought there were a month ago and with that deaths not being any higher than before is the best possible scenario we could be in. I say a 3rd time, we are weeks into this supposed surge and the death rate HAS NOT CHANGED, and it may be in decline. I urge you not to be a victim of media fear mongering.

Lastly, aside from the very good medical data showing nothing else is needed in regards to a covid-19 response from anyone, I urge you to remember the limited government minded citizens that elected each and every one of you. Any decision to impose any public restrictions on any business or

individual, businesses and individuals that are more than capable of deciding on their own what is in their best interest, will not be received well now or in future elections. Let the people decide for themselves.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid-19 Pandemic requires teamwork and leadership
Date: Friday, June 26, 2020 12:35:40 AM

My name is Leonard Walker, a retired Educator. My address has been 1340 Tanglevine, Rockwall, TX 75087 since October of 2006. I am 73 years old, my wife is 72. We both have compromised health issues. I wear a mask every time I go into a public place. I do this to protect you as it offers little or no protection to me. I have seen fewer and fewer masks in grocery stores, at the gas pumps, in hardware stores. Fewer and fewer people are willing to wear a mask to protect me.

I lost a dear friend today. He was a wonderful Christian man. He loved his politics and was very active in his party. A few weeks ago, he attended a meeting for a local candidate. I doubt my friend, or many of the other attendees, were wearing masks. He didn't take the virus very seriously. A few days after the meeting he started showing symptoms. 13 days ago he was tested and immediately admitted to Big Baylor in Dallas. This morning his medical team said it was time for a ventilator. He called his wife to tell her what was happening. 2 hours later, a nurse from the hospital called with the news no one wants to hear. His heart just wouldn't take the trauma.

Face the FACTS, According to Medical organizations, Masks slow infections. What is going to happen in our schools if they don't wear masks? According to current guidelines, if a child tests positive they are removed from the campus as quickly as possible. Then all their classmates, teachers and anyone else they have had any contact with should be sent home for a 14-day period of quarantine.

Rockwall is the smallest county in Texas. According to the Texas Department of State Health Services, we rank 40th by population and 54th by infections. 2.7 of every 1,000 people in our county has been infected by Covid-19. That ranks 95th, just above Mediocre. We will climb that ladder if we don't do something to slow/stop the spread.

Like the Mayor, I already have my mind made up. I don't plan on changing anything, no matter what is said today. I will wear my mask and try to do my part to stop spreading virus'.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Covid-19
Date: Thursday, June 25, 2020 10:41:11 PM

Thank you for calling an emergency meeting to address Covid-19.

I understand that the mayor stated previously that it is his desire to limit government oversight for citizens' in regard to Covid-19. Thereby allowing the citizens' to make their own decision for self and family.

Though I appreciate this opinion, I find it is difficult to make an informed decision for self/family when the daily information is not current and difficult to locate.

To this end I request that the city provide daily Covid-19 counts via display marquee outside of the City Center, website etc....

It appears that the city has conceded the task of reporting the number of cases to the County of Rockwall. Providing this daily information in easily viewed formats is a much needed public service.

Instead of using our tax dollars for celebrations that will create a hazardous scenario, in which the virus may spread easily from citizen to citizen, the city should consider hand sanitizing stations in strategic places through out the city and parks, along with providing face masks. After Covid-19 we can celebrate!

Thank you,
D. Hudson
Rockwall Homeowner for 32 years

|

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From: [REDACTED]
To: [PublicComments](#)
Subject: Do not mandate masks!
Date: Friday, June 26, 2020 7:54:32 AM

We have plenty of government overreach as it is. Mandates about personal protection equipment should not be one of them.

Our freedom of choice is one of the founding principals of this country, and that freedom includes decisions about how to best keep our family and ourselves safe. It isn't the governments job to do it.

We all know the risks, and we accept them daily. We don't need you to tell us about them. Again.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency City Council meeting regarding COVID
Date: Thursday, June 25, 2020 11:16:45 PM

My name is Cassi Marietti. I live at 5505 Vagas Dr., Rowlett 75088. If you care anything at all about the welfare of the citizens of this community, you will cancel the remaining concerts by the lake and all Fourth of July festivities and you will shut down the sprinkler park at Harry Myers Park. I have frequented all of these venues for many years. There is no way you can safely social distance at any of these. To go forward with any of these events would be completely irresponsible.

Texas is breaking records every day. Two days ago, we had over 5000 new cases in one day. We are number five in Coronavirus cases in the nation. Houston's ICU'S are full. Dallas is not far behind. Will Rockwall, Texas be on national news as the new COVID hotspot or will we be the suburb who listened to the recommendations of the CDC and flattened the curve? It's up to you.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting - Comments
Date: Friday, June 26, 2020 8:13:48 AM

Good Morning,

I am writing to state my stance relative to the emergency meeting that has been called this morning. In light of the current situation with Covid - 19, it is my belief that here in Rockwall, additional measures to protect our citizens should be adopted for a period of time up to or until the increase of Covid 19 is being managed and shows a consistent decline. My suggestion is that you consider the wearing of masks as PPE a requirement when in public places including grocery stores, gyms, general shopping. Place greater restrictions on dine in restaurants and push the trend towards take out and or delivery until we have Covid - 19 on the decline.

Thank you for your time.

Stephen Woeltge

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting - comments
Date: Friday, June 26, 2020 8:25:18 AM

Dear Rockwall City Council:

I am writing in advance of the emergency meeting being called this morning to evaluate the need for a mandate to wear PPE in the city of Rockwall in response to Covid-19. I would like to voice my strong opinion that no mandates of this nature be passed in the city of Rockwall. There is no need for the city government to require the wearing of masks in Rockwall. Here are some of my reasons:

- 1) Businesses should be able to regulate themselves and their customers without government intervention. People have a wealth of knowledge about risks involved and can responsibly choose which businesses to patronize based on their comfort level with precautions taken. The businesses are already directly answerable to their customers, who know and understand risks. Allow the educated population and businesses to make their own decisions based on what is in their best interests.
- 2) The CDC and WHO have been wildly inconsistent about whether masks work at all to reduce transmission, and if so what types of masks may or may not be helpful.
- 3) Masks increase breathing of CO2 and reduction of oxygen to the body, increasing potential of harm to some people.
- 4) Even as positive cases have increased in Texas and nationwide, death rates are decreasing. Currently, Rockwall city has only 264 confirmed cases, and has experienced only 1 death due to Covid-19. This is hardly a public health crisis warranting such extreme measures.
- 5) The virus is almost exclusively dangerous to people with significant underlying medical conditions, and especially elderly. If the county is to place restrictions, they should do so in direct correlation to protection of those vulnerable by focusing on nursing homes and medical facilities. But these entities are already acting responsibly and have self-imposed restrictions such that government imposition is not necessary.
- 6) Overreaction by government mandating restrictions increases likelihood of panic-driven mental health issues, depression, and suicide that comes from people self-isolating in fear and failing to get necessary assistance from professional, family and friends. This is most apparent with stay at home orders, but the mental effect extends to mask restrictions as well.

Please consider carefully these points, and refrain from mandating the wearing of masks or any PPE in Rockwall.

Thank you,
Celeste Skousen



Virus-free. www.avg.com

From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting
Date: Thursday, June 25, 2020 6:04:48 PM

My name is Andrea Davis and I live at 1617 Bob Dr., Royse City, TX
I am against the use of masks in Rockwall county, people should be free to choose if they want to wear the mask or not.
Please consider my opinion, please do not force people to wear a mask.
Thank you
Andrea Davis
209-610-4467

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting 6/26
Date: Thursday, June 25, 2020 8:17:18 PM

To Rockwall City Council,

My name is Kathryn Oehler and I live at 207 Tanya Dr. in Rockwall. I am a retired RN and I am writing to you today to urge you to follow Dallas County's lead and immediately mandate that masks be required in all businesses by employees and customers.

I wear a mask in every business I frequent. I do this as a kindness to others, to protect them from myself, in case I am unknowingly infected with Covid. However, with the exception of one business in Rockwall, ACE Hardware, businesses are not requiring masks of those who enter the building. I find that I am in the very small minority of those who are protecting those around them by wearing a mask.

After several weeks of being closed, businesses seemed to go to great lengths to assure their customers that they had their health and well-being in mind in order to bring people back through their doors. However, I have noticed that as the weeks have gone by, their concern for their employees and customers seems to have gone by the wayside. As a result, I am frequenting businesses less and less. That means that they are not getting my money. We seem to be in this place of pretending that this virus is no longer a threat. Our state is now living out the consequences of this mindset.

I understand that wearing a mask is uncomfortable, inconvenient, and annoying. I know this from experience as I had to wear one 8 hours a day when I was a practicing nurse. But, I urge you to please take the lead and go to the next level to protect the public and our health care workers, by mandating the use of masks in all businesses. Now is not the time to be thinking about our individual comfort, but protecting those around us. People will not do that unless our leadership mandates it.

Thank you,

Kathryn Oehler

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting 6/26/2020
Date: Thursday, June 25, 2020 10:08:09 PM

Members of the City Council,

My name is Lisa Laudermilk. I will not give you my physical address to be read aloud for all to hear; however, I am a resident of Rockwall. It is my understanding that you have called an emergency meeting to discuss requiring personal protective equipment. I would like to urge you not to take such an action or support this measure. For every person who wants to wear PPEs, there is one who cannot because their health or PTSD renders them unable to comfortably wear one. It is not a matter of selfishness, it is a legitimate inability to do so no matter how much they might try. To require masks would severely impede their ability to conduct their day to day business. I would also like to remind you that they have rights protected through ADA.


Thank you for your time.

Sincerely,

Lisa Laudermilk

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From: 
To: [PublicComments](#)
Subject: Emergency meeting 6-26
Date: Friday, June 26, 2020 7:47:03 AM

Required PPE

1610 Fairlakes Pointe Drive
Billy Thurlkill

I hope this meeting isn't about requiring face coverings in public. As a community we are social distancing, people aren't going out as often, positive cases are very low, and this virus has been present since December. Requiring face coverings in public seems more of a feel good, PR move rather than for safety concern. Businesses have enough to worry about, and do not need the additional burden to be the face covering police.

A lot of people are wearing face coverings, so it seems unneeded for a mandate for all.

Thank you

Billy
Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting about COVID-19
Date: Friday, June 26, 2020 1:52:12 AM

Hello,

As a citizen and business owner in Rockwall, I wish masks in public spaces were mandatory in order to slow/ stop the spread of this virus. All public gatherings should be cancelled until the numbers start decreasing. My fear is that businesses will have to shut down again if the numbers do not start trending downward.

My name is Ashley Griswold
783 Mountcastle Dr
Rockwall, Tx

Business: Checkmate Embroidery on Industrial Blvd

Sincerely,
Ashley Griswold

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting Agenda
Date: Thursday, June 25, 2020 10:07:17 PM

Masks should be required in all public places, stores, grocery stores, and all shopping areas. Everything from salons to schools. We need everyone to help protect each other from the continued spread of this virus. It may not be convenient but it is necessary. Rockwall should be leading the standard of health and safety but we are not. We are failing as a community in a time where we should be united and strong. I fully support making masks mandatory for the safety of all.

Thanks,
Christina Lee

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting Comments
Date: Friday, June 26, 2020 7:28:19 AM

Jenny Krueger
805 E Heath Street
Rockwall, TX 75087

Thank you for your service to our community and the work that you do to make Rockwall a great place to live, work, and play. I appreciate how challenging it must be to cut through the noise and make decisions concerning public health while taking economy, public safety, civil liberties, and other important issues into consideration. Thank you for taking on that challenge.

I respectfully request that you consider the following actions in reference to the upcoming community events:

1. Seeking the advise of experts and professionals as a part of the decision making process.
2. Exploring safer or more low risk alternatives and, if possible, providing the opportunity for community members to weigh in (perhaps a social media vote?)
3. Promoting and modeling safe practices in City messaging.
4. Helping to educate the public on the repercussions of not using safe practices.
5. Looking for common ground among the passionate people of this community, and finding ways to bring them together.
6. Extending the same grace, love, and empathy that you desire for yourself to others. What a great opportunity we have to exercise and model the golden rule! This is hard and messy. Let's lift each other up as much as possible.

Thank you for your consideration and for providing me an opportunity to have a voice as a concerned citizen.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting for masks for Rockwall county
Date: Thursday, June 25, 2020 9:25:34 PM

Hello,

I wish to express my opinion to NOT have mandatory face masks in Rockwall county.

This would be an overstep on the constitutional rights of the citizens of our county to require masks, especially considering the extremely low mortality rate for this virus.

Requiring masks to be worn by citizens is a violation of the personal freedom our country was founded on. Wearing a mask should be a personal choice. We are a country founded on limited government and personal freedom for all! Forcing people to adhere to a mask mandate is a violation of our personal liberty.

I ask the county judge & the commissioners court to uphold the constitution by NOT mandating masks for Rockwall county.

Thank you for your time and for considering my request.

Emilie Quisenberry
625 Nakoma Drive
Rockwall, TX 75087

Sent from my iPhone

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From: [REDACTED]
To: [Daniels, Bennie](#); [Hohenshelt, John](#); [Fowler, Kevin](#); [Johannesen, Trace](#); [Macalik, Dana](#); [Campbell, Anna](#); [PublicComments](#)
Subject: Emergency Meeting June 26, 2020 on COVID-19
Date: Thursday, June 25, 2020 11:42:51 PM

Merceda Winder
250 Dove Landing
Royse City, TX 75189

I am opposed to Rockwall having the Staycation on July 3rd and the 4th of July Parade on July 4th. I am campaigning for Rockwall County Commissioner Precinct 3, and I will not be in your parade as I do not want to expose the children who will be attending the parade to COVID-19, and I do not want exposure to COVID-19 myself.

The majority of people in Rockwall County do not wear masks. I am amazed at the number of people who believe that the virus must stop at Lake Ray Hubbard.

I noticed this evening when I came back from Plano, that Concerts by the Lake had boats parked next to each other and the people were freely and openly gathering together in large groups. Concerts by the Lake should also be canceled for this summer.

Texas numbers of COVID have never gone down. We are still in the first wave. If you believe that we are in the second wave, then I would suggest that you turn off Fox News and listen to true news reports.

With Rockwall's COVID numbers jumping to 45 yesterday, it is quite clear that social distancing and mask-wearing is not working in Rockwall.

I know that Mayor Pruitt does not believe in mask-wearing and doesn't want to enforce it in Rockwall. This is one reason that I no longer shop for my groceries and other necessities within this county. I go to Collin and Dallas counties where people care about their lives and other people's lives and they are wearing masks.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting June 26,2020
Date: Thursday, June 25, 2020 6:14:06 PM

Wearing of personal equipment (mask) should be required in public. Listen to and follow the advice of the medical experts.

Earl B. Johnson
612 Severige Ct.
Rockwall, TX 75032

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting over PPE
Date: Thursday, June 25, 2020 3:37:29 PM

Please do not make PPE in public a requirement! Businesses will not survive this mandate. I know many, many families that will just shop in other areas if this becomes a requirement. Let people decide for themselves what is enough protection for them. Do not push this! People with illnesses that are exacerbated by wearing a mask will suffer. There is evidence that wearing a mask does not slow the spread. Please do not cave to overreaching government. There will be lawsuits that come from this. Do not put Rockwall in the position to face lawsuits over this requirement. We do not have a lot of cases here!

Stop the madness and do not force this on people.

--

Tiffany Palacios

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting Re: Covid 19
Date: Thursday, June 25, 2020 4:57:18 PM

To the members of the Rockwall City Council,

The best time to act on Covid 19 is well past. The next best time go act is now. The council should immediately mandate wearing of masks in public and cancel any planned July 4th celebrations. The meteoric rise in cases over recent weeks since phase 3 of Governor Abbot's reopening plan requires immediate action. If the state is unwilling to act in the interest of it's citizens the onus falls to individual cities and counties. You will hear many arguments against the wearing of masks as restricting constitutional liberties. These are straw man arguments - masks are a minor inconvenience at worst and are not designed to protect the wearer but to protect those in proximity to the wearer. It is no man or woman's constitutional right to endanger the health of any other through either ignorance or negligence.

If these steps had been mandated early in the pandemic on a national or state wide level we would be on our way to recovery instead of languishing in our 4th month of continued spread. Entire countries such as New Zealand have eliminated the virus entirely by mandating such measures and by their citizens honoring their obligation to their community to keep each other safe.

This infection rate has at minimum quadrupled in our system since stay at home orders and social distancing restrictions were lifted. This is a clear and present danger to the people of Texas and of Rockwall and measures must be taken to protect the community. This should be a discussion based solely on readily available facts and information based in science, not on feelings, inconveniences or political affiliation. If we want to return to normal as quickly as possible these steps must be taken swiftly and decisively.

I implore the members of the Rockwall city council to heed the facts and advice of scientists and doctors and follow the example of cities, counties, states and entire countries who have reduced or eliminated the virus entirely and take the below measures to improve and ensure the safety of our community.

Mandate masks in all public places, enforceable by fines escalating for repeat offenders. It should not be up to the city's business to police their community. That burden falls on the city itself.

Thank you,

Andrew Turner

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting regarding mandatory masks
Date: Thursday, June 25, 2020 3:51:06 PM

Dear City Council,

There have been zero studies done to prove that masks prevent the spread of Covid. Zero. Only general consensus by medical professionals ie: best guess. There are countless studies done regarding the negative effects of wearing masks on a daily basis. Dallas county has had mandatory mask orders for weeks and are still seeing an increase in numbers. So I ask you, if masks are doing their job, wouldn't the rate of infection in Dallas county be going down?

Where there is risk there must be choice. Period.

Thank you,

Megan Conner

1442 Pilgrim

Mandatory mask order

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting
Date: Thursday, June 25, 2020 7:14:15 PM

MY name is Cody Davis and I am against the policy of forcing people to wear masks inside establishments in Rockwall County, we the people should have the freedom to choose to wear a mask or not.

MY address is 1617 Bob Dr. Royse City TX 75189

Thanks you

Cody Davis

214-364-6732

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting, Friday, June 26, 2020
Date: Thursday, June 25, 2020 7:05:16 PM

Upcoming city-related public events should be cancelled due to inadequate containment of COVID-19 pandemic.

Wearing masks should be mandated at the very least to enter a business or attend a gatherings along with social distancing and cleaning protocols.

Respectfully,
Clare Reynolds
319 Harbor Landing Drive
Rockwall, TX 75032

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency Meeting
Date: Friday, June 26, 2020 8:07:16 AM

Carrie Byrd
622 Arcadia Way, Rockwall, TX 75087

First let me say that I understand being in the vulnerable group. My daughter was in treatment for leukemia for 2 and a half years. During that time we isolated our family. There were many times that she had zero immune system. During those times we were told by all oncology staff that we should avoid indoor activities and wash our hands often and sanitize. During her treatment, we went to work, got groceries and lived as normally as we could. She was to wear a N95 mask when her immune system was low. N95 makes do not protect anyone but the person wearing that mask. People go many places when they know they are sick. Many go to work and to stores. During this time, when she had zero immune system we were never told to wear masks to protect her. If masks really protected the vulnerable from viruses, wouldn't every oncologist recommend families to wear them? People in treatment can die from any virus, not just one.

Second, mandatory masks puts an undue burden on businesses that were already forced to shut down. Who is going to enforce these mandates? Where are those taxpayer dollars going to come from?

Third, as a community we have a right to assemble. This is being violated with all of these shut downs and mandates in areas and during times when there is not an overwhelming number of critically ill patients. I know we are not supposed to compare this to the flu or anything else, but we have mass gatherings during flu seasons and even during measles outbreaks in many areas. Prior to vaccines, our rights as healthy people were not infringed upon. We quarantined the sick. If people don't want to go to an event or don't feel safe then they should stay home. Nobody ever worried about what other people did during any other time. Businesses have a right to run and provide a service if we are willing to pay for it. At what point does our right to the pursuit of happiness come into play?

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From: [REDACTED]
To: [PublicComments](#)
Subject: Emergency meeting
Date: Thursday, June 25, 2020 6:20:46 PM

My name is Robert Godfrey. I live at 648 Grisham Dr in Fate. I just want to express my opinion regarding the meeting in the morning. First I want to say I absolutely do not want to go back to "shelter in place". With that said, of course I think people should use common sense and stay home if sick and refrain from gathering in crowds that pack people in like sardines. However I feel that the Fourth of July festivities should go on. I also feel it should be left up to people if they want to wear a mask or not. If businesses feel the need to request the wearing of masks, then that should be left up to them. Still to put out a mandatory rule that all have to wear a mask is just another bit of liberty lost.

Thank you,
Robert Godfery

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From: [REDACTED]
To: [PublicComments](#)
Cc: [REDACTED]
Subject: Face Masks
Date: Thursday, June 25, 2020 7:16:12 PM

Good day.

I wish to express my desire to NOT have face masks be made mandatory in Rockwall County.

The numbers the county will be using are not tied to actual confirmed cases of Covid-19.

To count someone who was near a positive case or near someone - who was near someone is irrational.

I ask you to use rational thought in your decision.

Using the information and method now for determining positive cases is akin to someone accepting a diagnosis of a broken arm when they were near a kid who skinned their elbow.

Growing up in Texas, I've been in close proximity people who had a family member who had the flu, a cold, poison ivy, etc. yet never had others assume I had it too.

Until the last few months no one would have ever had such a train of thought.

If our county representatives make the decision to assign judgement on others that strips away their freedoms without facts I will be beyond shocked. I believe cooler heads will prevail. I pray they are in Rockwall.

The ramifications of A decision to require masks moving forward are not positive in a country founded on personal freedoms and limited government.

Thank you for your time.

Stephen Quisenberry
625 Nakoma Drive
Rockwall, Texas 75087

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Fwd: Thoughts On Mask Requirement
Date: Friday, June 26, 2020 7:33:06 AM

> Hi,

> I wanted to write to tell you I strongly support a mask mandate. Masks are shown to aid in the reduction of transmission of Covid19 by curtailing the projectile of droplets and the virus contained within. Even if people don't realize they're sick, consistent mask use has shown to drop the transmission rates. My mask protects you, your mask protects me. Masking for the next few months is a small sacrifice to ensure that people survive. It is the least we can do to love our neighbor.

>

> While I will acknowledge, I am not a current resident of Rockwall, I do worship in Rockwall, my husband works in Rockwall, and we spend the majority of our money in Rockwall. We also have plans of relocating to Rockwall in the future. If Rockwall does not do something to attempt to curtail the spread of this virus, we will not spend another dime in Rockwall County. Dallas County is right down the road.

>

> Regards,
> Lyndsey Griffin

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From: [REDACTED]
To: [PublicComments](#)
Subject: I appose mandatory masks !
Date: Friday, June 26, 2020 8:25:03 AM

I am completely against being mandated to wear masks on public. If anyone voluntarily wants to that is their choice but I don't agree with making it a mandate! I will not shop in Rockwall if masks are mandated.

Lorraine England

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: In Reference to Emergency Covid-19 meeting
Date: Thursday, June 25, 2020 6:27:44 PM

Dear City Council,

I am writing you to voice that I do NOT want masks to be required in Rockwall. Please allow those the freedom of choice and the opportunity to make an educated decision about their personal health for themselves. Making this mandatory, forces the hands of local business owners and alienates dedicated customers that stand behind their personal right of choice. Please do NOT require the wearing of masks or the cancelling of public events. We are single handedly destroying the community that we so proudly built.

A concerned citizen of Rowlett, Rockwall County
8702 Lakeside Drive, Rowlett TX 75088
Brooke Young

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From: [REDACTED]
To: [PublicComments](#)
Subject: Keep Rockwall open
Date: Thursday, June 25, 2020 5:50:56 PM

Please keep Rockwall open and do not listen to those who want to shut down out of fear. Those afraid can stay home. We need the economy open, we need our businesses to have a fighting chance. We need activities for our mental and physical health.

Thanks,
Stacey Harbin

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From: [REDACTED]
To: [PublicComments](#)
Date: Thursday, June 25, 2020 11:12:10 PM

Sent from my mobile.

Please send this email . They are voting on making everyone wear a mask at my place Hang Time.
To: publiccomments@rockwall.com <publiccomments@rockwall.com>
Subject: Masks

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

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From: [REDACTED]
To: [PublicComments](#)
Date: Thursday, June 25, 2020 11:42:21 PM

I am not in favor of any mask ordinances.

Thank you

Laura Taylor.

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Mask agenda
Date: Friday, June 26, 2020 8:02:49 AM

This email represents our opinion that mandatory mask wearing in the City of Rockwall is unsupported as is the science to its efficacy. Requiring public use is unfounded and degrades our community.

I ask you show courage and leadership in this matter, rather than following.

Respectfully,

Chris & Beth Cameron
2081 Whitney Bay Dr
Rockwall, TX 75087

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From: [REDACTED]
To: [PublicComments](#)
Subject: Mask mandate being discussed at emergency meeting
Date: Thursday, June 25, 2020 3:51:28 PM

I am pretty sad to see our county considering such an absurdity. You are hurting our people more for fining businesses who don't enforce a mask policy. I, for one, have a medical reason for not being able to wear a mask and REFUSE to be told I can't go in a grocery store unless I wear one. It puts my health at risk and my mental health will be even more unstable not being able to physically go anywhere to support our local businesses. Also take into account those who suffer from PTSD (being smothered during rape, for example) and cannot have anything over their face. We are telling them their reason isn't good enough and they are plain out of luck. Please do not enforce this! Get the word out on stronger recommendations but DO NOT mandate them

Sent from [Outlook](#)

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From: [REDACTED]
To: [PublicComments](#)
Subject: Mask Mandate Response to be shared at Emergency Council Meeting
Date: Thursday, June 25, 2020 5:54:25 PM

If you mandate masks you would be declaring that they will protect people from the transmission of disease hence the only way you could "mandate". You will be susceptible to law suits should anyone get sick from Covid, sickness due to mask contaminants, breathing & lung issues, discrimination when a person with disability refuses to wear one, etc. Also you would need to identify regulations for the mask type to be effective.

Here is some information cut & pasted from OSHA.gov you will need to consider...

1) For some workers, employers may determine that wearing cloth face coverings presents or exacerbates a hazard. For example, cloth face coverings could become contaminated with chemicals used in the work environment, causing workers to inhale the chemicals that collect on the face covering. Over the duration of a work shift, cloth face coverings might also become damp (from workers breathing) or collect infectious material from the work environment (e.g., droplets of other peoples' infectious respiratory secretions)

2) Employers should consider evaluating their accessible communication policies and procedures to factor in potentially providing masks with clear windows to facilitate interaction between employees and members of the public who need to lip-read to communicate.

3) Such information is not intended to suggest that surgical masks or cloth face coverings provide adequate protection against exposure to airborne contaminants for which respirators would ordinarily be needed.

4) Cloth masks:

- May be used by almost any worker, although those who have trouble breathing or are otherwise unable to put on or remove a mask without assistance should not wear one.
- Will not protect the wearer against airborne transmissible infectious agents due to loose fit and lack of seal or inadequate filtration.

Surgical masks:

- Will not protect the wearer against airborne transmissible infectious agents due to loose fit and lack of seal or inadequate filtration


I, personally, and many others like me will fight against the mask.

Thank you,
Linda Sherwood

Sent via the Samsung Galaxy Note8, an AT&T 5G Evolution capable smartphone

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From: 
To: [PublicComments](#)
Subject: Mask requirements
Date: Thursday, June 25, 2020 5:35:02 PM

Good Afternoon,

Please impose a mask requirement for inside businesses and in situations where it is otherwise impossible unable to social distance. This has been proven to help reduce COVID-19 transmission, and I don't want to see our county turn into a super-hotspot just because there are so many who are convinced that it is somehow a restriction of their freedoms. Also, please encourage the Governor to make this a statewide mandate. Thank you,

Irina Hardesty-White

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Mask Requitements
Date: Thursday, June 25, 2020 7:02:57 PM

I live in Rowlett, Rockwall County side. PLEASE make it mandatory that everyone wear masks. I have underlying health issues, so I am high risk, and cannot go anywhere unless people have masks on. Thank you.

Sharon Phillips

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Mask
Date: Thursday, June 25, 2020 6:03:09 PM

No mask please, We The People should have a choice.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Mask
Date: Thursday, June 25, 2020 9:32:19 PM

Tarrant and Dallas countries both are now requiring mask. If Rockwall doesn't follow, all the people who refuse to wear mask will endanger the citizens of our county. Each time a person doesn't wear a mask and causes one person to get sick is 100% Rockwall's elected officials fault for not taking actions. Sick people can't go spend or make money in the county. Not only are you risking lives but the county economic growth.

[Sent from Yahoo Mail on Android](#)

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks need to be mandatory
Date: Thursday, June 25, 2020 7:16:37 PM

As the owner of an event production company that relies on large gatherings of people in order to keep the lights on and pay our employees, it is not only in our best interests to make masks mandatory, but in that of everyone interested in keeping the economy open. If we don't make wearing masks mandatory, we will go right back to where we were three months ago and have to shut everything down again.

Today I took my family to Dallas County, just across the lake, to go grocery shopping today. I felt safe because everyone was wearing a mask.

Masks are not political and they're not an infringement on anyone's rights- they're just like returning your shopping cart when you're done using it. It's doing something small for the next person that doesn't cost you anything at all.

Kate Winsor

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Friday, June 26, 2020 12:49:00 AM

1020 Heather Ct.
Royse City, Tex 75189

I am opposed to mandatory wearing of masks. I feel this impinges upon my freedoms & constitutional rights as an American citizen. It should be up to each individual. I can't breath well while trying to wear one. I have done research, and I feel they offer no to little protection & pose a health risk. Lowers oxygen intake & more.

Sincerely,
Angela Sladovnik

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 11:34:41 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 8:50:45 PM

Please institute a mask requirement in our city. We have to do what is best to keep the economy going. If we don't do it now in another week it will be to late.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 8:25:25 PM

I would happily support the county's decision to mandate masks. Studies are very clear that this can slow the spread of COVID19. While the 4th of July celebration is a fun tradition for my family, I don't think it is a good idea this year. Two weeks after Memorial Day weekend there was a massive outbreak. I would predict that 2 weeks after 4th of July we would see similar results. I have a high risk child so I will not be attending the meeting, but I did want to show my support. I appreciate the difficult position you are in making this decision. I pray you will make the right decision for the health of the high risk people in our great city!

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 8:18:52 PM


I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

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From: 
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 7:54:47 PM

I urge you NOT to extend the business health policy and mask mandate to the portion of Rowlett in Rockwall County. If you do so you will once again be overstepping your boundaries, Rockwall County has and most likely will not impose a mask mandate and you should honor their wishes.

Also, despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cl4F3f-GVY0OpEtbIFCn2UrlKca0a7SiQvks

Let Rockwall County govern itself in this matter, and do not impose a mandatory mask use policy.

Thomas Blackmer
Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 7:27:16 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Deborah Blackmer

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 7:05:03 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtblFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Thursday, June 25, 2020 5:41:38 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Paul Willhite

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks.
Date: Thursday, June 25, 2020 10:23:47 PM

I can't believe I have to write this email. I can't believe this great country has sunk to such an embarrassin low, where science and education are rejected for tweets and fist pumps.

Every single health organization in the world is encouraging masks. It helps prevent the spread of a deadly virus. A deadly virus that has spiked again. Where do you think this ends? It just magically goes away?

At this rate, we'll be back in lockdown in a matter of weeks and far great economic harm will come. Or we can take steps like wearing a mask.

How can you refuse this undisputable truth to try and win some votes? You are trading your family's safety for votes. It's disgusting.

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From: [REDACTED]
To: [PublicComments](#)
Subject: Masks
Date: Friday, June 26, 2020 7:15:50 AM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Meeting June 26th- PPE
Date: Thursday, June 25, 2020 9:27:59 PM

Jeff Ashworth
1381 Scarboro Hills Ln
Rockwall, TX 75087

Please, for the safety of our community and country, pass an ordinance requiring masks in indoor businesses. It has been proven across the country and world that this is an effective measure to slow the spread of COVID 19. It is obvious by walking into any grocery store in Rockwall County that the majority of people will not make the decision to wear one unless it is required. Wearing a mask is a minor inconvenience that has major implications.

Thank you- Jeff Ashworth

Sent from my Verizon, Samsung Galaxy smartphone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Meeting on 6/26
Date: Thursday, June 25, 2020 11:49:33 PM

NO MASKS- they are dangerous, leave events alone!

[Sent from AT&T Yahoo Mail on Android](#)

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From: [REDACTED]
To: [PublicComments](#)
Subject: Meeting on 6/26
Date: Friday, June 26, 2020 8:20:51 AM

Danny Cunningham
538 Garrett Road
Rockwall, TX 75087

I have done lots of research in regards to the masks. I have not worn a mask during this entire Covid-19. It completely baffles me to see people wear a mask outside. Breath the fresh air. Also, there is no purpose to wear a mask into a restaurant and then be able to remove it to eat. Just think about that?! Touching your face so much with the removal of mask and then placing it back on, setting it on a possible dirty surface and inhaling the germs. My wife has a medical condition that prohibits her from wearing one. There are many people in Rockwall who physically CAN NOT wear a mask.

It's also against HIPPA & ADA regulations to make someone wear a mask. Establishments can face excessive fines. I would hate to see businesses suffer even more by losing clients or facing fines. It is also against OSHA regulations. It's not safe for short or long wear nor does it keep you safe. The box of masks even state they don't protect you from Covid. Why wear it?

Making mandatory mask use is irrational and won't help the situation on bit. Wash your hands and use sanitizer. Don't touch your face. Enjoy your life.

Danny Cunningham

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From: [REDACTED]
To: [PublicComments](#)
Subject: No masks in Rockwall follow true science not fake news.
Date: Thursday, June 25, 2020 10:46:10 PM

Cut the virtue signaling and blind following of leaders who are part of the agenda mandating medical crap to citizens. Plenty of research from Dr.s virologists, even falsey Fauci the WHO Marxists and others who have said they are not beneficial in preventing spread. They are actually detrimental in many ways or how they are being used not changed after each use and figited with touching everything . To many Karen's to many crowd followers with no backbone who want to "fit in" or not rock a fake boat. So keep your opinions to yourself unless you want me to dump a books worth of facts for everyone you heap out over there in the ivory tower hall I'm done with this junk science control shaming crap. Everyone is an expert in their own mind and a tough guy till they stand face to face behind a mask.

www.peoplesauto.net

Peoples Auto

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[Rockwall, Texas 75087](#)

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From: [REDACTED]
To: [PublicComments](#)
Subject: No Masks!
Date: Thursday, June 25, 2020 10:23:37 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21c14F3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Lucie

We CAN make a difference:-)

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From: [REDACTED]
To: [PublicComments](#)
Subject: No Masks!
Date: Thursday, June 25, 2020 10:22:50 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

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Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Michael

We CAN make a difference:-)

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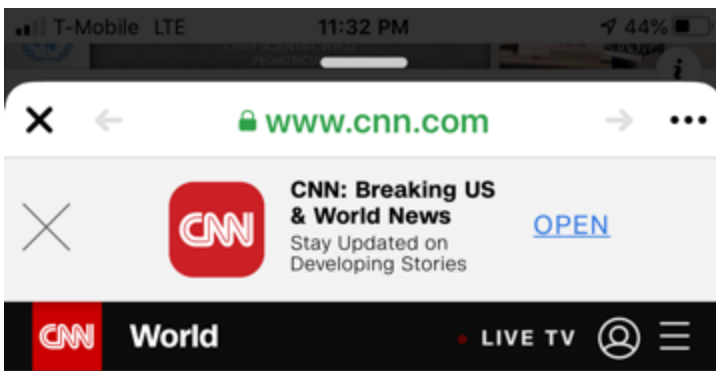
From: [REDACTED]
To: [PublicComments](#)
Subject: No Masks!
Date: Thursday, June 25, 2020 11:39:35 PM
Attachments: [image0.png](#)

Please read this article - the WHO says there is no benefit to wearing masks. In fact, it is harmful for a multitude of reasons.

No masks for Rockwall -
Thank you - Lori Ecker

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Related Article: Masks may actually increase your coronavirus risk if worn improperly, surgeon general warns

"There is no specific evidence to suggest that the wearing of masks by the mass population has any potential benefit. In fact, there's some evidence to suggest the opposite in the misuse of wearing a mask properly or fitting it properly," Dr. Mike Ryan, executive director of the WHO health emergencies program, [said at a media briefing](#) in Geneva, Switzerland, on Monday.

"There also is the issue that we have a massive global shortage," Ryan said about masks and other medical supplies. "Right now the people most at risk from this virus are frontline health workers who are exposed to the virus every second of every day. The thought of them not

Sent from my iPhone

From: [REDACTED]
To: [PublicComments](#)
Subject: No masks
Date: Friday, June 26, 2020 8:12:00 AM

I understand there is fear right now. However, to mandate wearing masks would not be beneficial for all. Having children wear them all day at school is to the detriment of their health... Not to mention the adults also breathing in their own carbon monoxide by having to wear them all day at work. It is very simple for those that choose to wear them, to simply wear them. For those of us that choose to look at our health in a broader view, we should not be forced to wear them. As released by many doctors that have actually treated patients, people are not going to walk through a store and catch the virus.

Please don't mandate masks.

Stephanie Adams

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From: [REDACTED]
To: [PublicComments](#)
Subject: Note regarding NO MASKS
Date: Friday, June 26, 2020 7:17:59 AM

To whom it may concern,

As a lifelong resident of Rockwall it is my hope that as the leaders of our community wrestle with the best course of action going forward concerning masks and public/group gatherings, that they are not influenced by the decision making of the large cities in Texas. It has been evident that the large city decisions ARE NOT made in the best interest of the citizens.

Rockwall has always been different and proud to stand for what is right. Mandatory masks is NOT in the best interest of our community. As far as community gatherings, this is a basis of our community and town traditions are essential to the cohesiveness of Rockwall. We each have the freedom to choose to wear a mask or not and attend a large community gathering or not. We are a land founded on freedoms, liberties, and democracy. Forcing a group to adhere to a rule that still isn't founded to truly help, lower the numbers, or decrease the effects of Covid would be wrong and cause major unrest and discord in our community. Encouraging the sick, elderly, or compromised to stay home seems like a much more rational choice not to mention easier to manage.

I pray that good sound judgment prevails and NO MANDATORY MASKS wearing is enforced in Rockwall, Texas.

Sincerely,
Rachel Hernandez

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From: [REDACTED]
To: [PublicComments](#)
Subject: Open Forum for June 26th City Council Meeting
Date: Friday, June 26, 2020 12:44:08 AM

Public Comments for Rockwall City Council Meeting on June 26th

Name and Address:

Letha Samuel
1845 Avonlea Dr.
Rockwall, TX. 75087

Agenda Item: PPE requirement for public events

Dear Mayor Pruitt and Council Members,

As we all know, the Covid pandemic has brought about a lot of changes in how we have lived over the past few months. I just want to thank you for how the city has managed this situation so far. Thank you for allowing businesses to reopen and for encouraging safe and healthy practices so our community stays well economically and medically.

Thank you for trusting the residents of this city to exercise common sense and personal responsibility during this season. I would ask that you continue to trust Rockwall residents to make their individual right decisions regarding the health of themselves and their loved ones.

As far as city-related public events are concerned, I suggest that PPE use continue to be encouraged but not mandated. And in public places, from parks to stores, PPE use should continue to be at the individual's discretion. The city can continue to ensure the public is aware of the Covid stats in the area, provide the recommendations by the governor and/or CDC, and allow residents to make the choice to attend an event or go out in public, with or without PPE.

From what I've seen so far, mandating PPE use does not provide any significant improvement in Covid-induced hospitalizations. On the other hand, requiring PPE use has shown more negative consequences from an individual and community standpoint. Mandating PPE use unfortunately leads to inappropriate PPE use. It leads to petty monitoring from the city. And it leads to unnecessary policing, finger pointing, and discrimination from other residents who would take on the role as "law enforcers" or "tattle tellers".

Finally, mandating use of PPE assumes that everyone will use PPE correctly and appropriately. I work in other cities, and during this season I have witnessed plenty of people wear PPE inappropriately. I've seen them reuse disposable masks and gloves so much that the PPE no longer had its original color. And because of PPE, I've seen people disregard more important safety practices like hand washing and social distancing.

I encourage the City Council and the Mayor to continue to share the facts: monitor the Covid stats and changes in the numbers in Rockwall county; identify which population/groups are more likely to be significantly affected; and continue to encourage safe and healthy practices.

And let each individual make the decision to use or not use PPE in public.

Thank you for your consideration. We love Rockwall!

Sincerely,

Letha Samuel

From: [REDACTED]
To: [PublicComments](#)
Subject: Opposition to Face Masks and Event-Cancelling (and here's why...)
Date: Friday, June 26, 2020 8:26:50 AM

To the Councilmen and Councilwomen of the City of Rockwall:

Thank you for this opportunity to voice my concern on mandatory face masks and the cancelling of events for the upcoming 4th of July season.

My name is Karen Logan, and my family and I just relocated to Fate, Texas, in December of 2019 after living in Wylie for almost 16 years. We love our new home and neighborhood and are enjoying getting to know our neighbors, too! We also love the fact that we are surrounded by thriving commerce in surrounding areas, such as Royse City and Rockwall, which we frequent regularly for dining, grocery shopping, and shopping in general.

Given the circumstances of the recent pandemic, I've been impressed with Rockwall County's unobtrusive, respectful stance of personal responsibility and the freedom to choose whether or not to wear a mask or attend public gatherings, etc. It is my belief that the County should maintain this posture moving forward, as well.

Here's why I feel this way:

1) Rockwall County has not experienced any new positive COVID-19 cases since June 19th, according to an article published in the Royse City Herald Banner just yesterday (Thursday, June 25, 2020; "No New Confirmed Cases in Rockwall County," authored by Brad Kellar). This reveals that social distancing is working and that mask-wearing is not a necessary mandate to keep the number of positive cases down.

2) Additionally, the percentage of those who have tested positive in recent weeks (264) only represents a fraction of Rockwall County's population of 96,877. The actual calculation shows 0.2725% having been sick with the virus with 195 recoveries already (roughly 74% recovery rate).

3) Many (including myself, my family, friends, and neighbors) believe that exercising personal responsibility and common sense in the way of proper hygiene and avoiding public spaces when sick or feeling sick are critical ways in which we will keep the positive cases down.

4) Too many opinions exist in the debate on the effectiveness of masks, and the decision to wear or not wear one should be left to the individual. Tensions are already elevated by other social issues right now; let's not aggravate people's emotional states by creating conflict within places of commerce whereby employees are given the false security of exercising authority

over shoppers where that authority doesn't truly exist on such a hotly-debated topic.

5) Finally, I think it is critical that we support each other during this time by shopping locally to stimulate our local economy and many will avoid this opportunity if they feel their rights to breathe freely without a mask are infringed upon. In the summer months when viruses are less prevalent than in the fall and winter, we should be free to build up our immune systems in as normal of an approach as possible.

Thank you for your time and consideration in this delicate matter. Please choose freedom, especially as we approach the celebration of our country's independence!!!

Sincerely,
Karen Logan
206 Micco Lane
Fate, Texas 75087
972-358-5615



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From: [REDACTED]
To: [PublicComments](#)
Subject: PLEASE MANDATE MASKS/PPE
Date: Friday, June 26, 2020 12:18:39 AM

My name is Austin Rylaarsdam
I live at 1035 Hampton Bay Dr, Rockwall, 75087

I am writing today to encourage you to vote FOR mandatory use of PPE/face masks in public settings as per the recommendations of nearly every governing body and medical organization/professional.

I am a freedom loving American, but there comes a time when all must sacrifice for the good of the community. This is one of those times. The rapid spread of this virus mandates that something be done immediately to curb the spread. Study after study, leaders on all sides, and the vast majority of medical professionals and organizations have proven the benefits, strongly encouraged, or nearly begged for people to wear masks to help prevent the spread of this highly contagious virus, yet so many are choosing not to. With the overall health and safety of the community now in jeopardy, we can no longer simply leave these things as suggestions or recommendations that we hope citizens will follow, because clearly that is not proving successful. Without immediate action we face either another severe shutdown by government mandate, or the virus itself will bring us to our knees. These words do not come from a spirit of fear, but instead from a spirit of pragmatism, love of neighbor, and care for our community. Please do your part as trusted leaders of this community to do the right thing for the good of all.

Thank you for your time and attention to this pressing matter.

--

Austin Rylaarsdam

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From: [REDACTED]
To: [PublicComments](#)
Subject: PPE will hurt businesses
Date: Thursday, June 25, 2020 3:39:26 PM

Many people will refuse to shop or eat if you require PPE's. Give businesses a fighting chance and do not make this mandatory! Our economy has suffered enough. Don't do this! Rockwall businesses need a break. Leave this up to them and do not interfere with businesses.

--

Tiffany Palacios

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From: [REDACTED]
To: [PublicComments](#)
Subject: PPE
Date: Friday, June 26, 2020 6:29:41 AM

Lydianne McDonald
1930 Club Lake Cir
Rockwall, TX 75087

As a mother in Rockwall who wants my kids to return to school and their activities in the safest environment possible, and who wants to ensure vulnerable teachers and parents can safely be involved in our children's education, I am for requiring PPE in public settings and businesses. With this action, we can try and bring the number of new cases of COVID-19 down now, so that come August/September, parents don't have to question the safety of students or teachers in a school setting.

Thank you

mobile message

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From: [REDACTED]
To: [PublicComments](#)
Subject: PPE
Date: Friday, June 26, 2020 7:36:12 AM

To the Rockwall City Council:

Yesterday I ate at restaurant in the City of Rockwall, and NONE of the staff was wearing masks. I asked and was told they have a “no mask” policy for employees. This is VERY disappointing. Please require food service workers to wear masks. They cannot socially distance from our food when they prepare it, or from us when they serve it.

Respectfully submitted,

Lorne Liechty,
502 Terry Lane
Heath, TX. 75032
Office: 214-860-6707
Mobile: 214-288-2854
email: [REDACTED]

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From: [REDACTED]
To: [PublicComments](#)
Subject: Ppe: I appose mandatory masks !
Date: Friday, June 26, 2020 8:26:47 AM

> I am completely against being mandated to wear masks on public. If anyone voluntarily wants to that is their choice but I don't agree with making it a mandate! I will not shop in Rockwall if masks are mandated.

>

>

> Lorraine England

> 1200 e FM 550


Rockwall 75032

>

> Sent from my iPhone

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From: 
To: [PublicComments](#)
Subject: Public Comment- Covid-19
Date: Friday, June 26, 2020 2:09:21 AM

Rockwall leaders,

Thank you for allowing public comments on this very serious issue concerning Covid-10 in Rockwall County.

I have lived in this area my entire life. Rockwall is a community that has always elected faithful leaders who put its citizens FIRST and petty politics last. I do pray that this continues.

I know that not everyone of you are going to agree on the seriousness of Covid-19 and not everyone is going to agree on the absolute necessity for businesses to require masks.

I didn't agree with all of this myself until a few weeks ago. Within the past 3 weeks, I had 3 friends fall seriously ill with Covid-19 and one died.

They all live within 20-30 minutes of Rockwall and all 3 did not wear masks. My sister who works at a police department is very ill and awaiting results.

Dr Fauci & Debra Birx are telling us to wear a mask, our Governor is HIGHLY recommending that we wear masks to prevent a potential stay at home order if this gets too out of hand. Not everyone is going to agree with a mask requirement but over 75% of Rockwall County citizens do support this.

You have everything to lose by not making this a requirement. Without a mask requirement, infections and hospitalizations **WILL** increase and voters are already upset at the thought that you might not require masks. **You would only be appeasing the few by not imposing a mask requirement.** I promise you-- if you were in a position where you had lost loved ones you too would feel very strongly that businesses should require masks. I never thought it would effect me or my family, but I was wrong.

Please do what is right, what is responsible and if you don't, I assure you those crazy Dallas people will be flooding into our community- mask-less and infecting our citizens.

As for the ill-informed citizens who believe masks do not offer protection, they are not doctors and do not have credibility when it comes to public health. Doctors from Parkland and UT Southwestern are begging the public to wear masks. Again... please do what is right. I pray for each of you and I pray for our wonderful community.

Sincerely,

Shawn Marie Long
3110 Bourbon Street Cir
Rockwall, TX 75032

From: [REDACTED]
To: [PublicComments](#)
Subject: Public Comment- Covid-19
Date: Friday, June 26, 2020 2:12:15 AM

Rockwall leaders,

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Sincerely,

Shawn Marie Long
3110 Bourbon Street Cir
Rockwall, TX 75032
972-837-5867

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From: [REDACTED]
To: [PublicComments](#)
Subject: Public Comment for COVID-19
Date: Thursday, June 25, 2020 8:52:19 PM

Adam Halkuff
1300 Stanford Drive
Rockwall, TX

COVID-19

I am writing to express my concern for the COVID-19 pandemic sweeping across Texas. I am requesting that the Rockwall County government take swift and immediate action to protect the citizens of our county. It's obvious that the state government proceeded with the opening of the state too soon and without following the guidelines laid out by the CDC. Due to Governor Abbotts rash decision, Texans are paying a heavy and fatal price. Rockwall should be on the right side of history and needs to take immediate actions. Please, at a minimum, mandate that masks are required to enter businesses and public settings. This is a recommendation from the CDC.

"...CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies) especially in areas of significant community-based transmission."

There is no valid reason not to follow the recommendations from our Federal Government. Wearing masks is not a political issue, it's not about taking away rights, it's not about how it makes us look. Wearing a mask is one of the best ways to stop community spread of a COVID-19. This is recommended by scientists and doctors, not politicians. Please take action of masks, it's not difficult and it saves lives.

Regards,

Adam
[REDACTED]

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From: [REDACTED]
To: [PublicComments](#)
Subject: Public comments for Friday June 26's emergency city council meeting
Date: Thursday, June 25, 2020 7:19:32 PM

On Agenda item III.1. on upcoming city-related public events and wearing of PPE

I would like to voice my support for mandating masks in all businesses in Rockwall for all customers, guests and workers. I think they also should be mandated in other public spaces where social distancing is difficult. Even the governor is now recommending that people wear masks and has left it open for local governments to make their own rules for mandating such restrictions.

I also support canceling certain non-essential public events, such as the Downtown Daycation on July 3 — this event isn't necessary, why is the city putting people's lives in danger? I also feel like the weekly farmer's market downtown doesn't have enough precautions to protect people ... booths are very close together and it's hard for people to stay 6 feet apart. Not to mention that many people don't agree with social distancing or wearing masks, so make it difficult for the rest of us to stay safe.

I understand everyone wants to get the economy back up and running, but we're seeing clear evidence that returning to life as normal is having a detrimental effect in our state and region. It's only a matter of time before cases mount up even more in Rockwall County, especially with our proximity to the major city of Dallas, where I'm sure many people in Rockwall work (including members of my own household).

Thank you for accepting my comments,

Virginia D. Haynes
447 Yvonne Dr.
Rockwall, TX 75032

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From: [REDACTED]
To: [PublicComments](#)
Subject: Public Comments for Rockwall City Council Emergency Meeting, 6/26/2020
Date: Friday, June 26, 2020 8:28:40 AM
Attachments: [image001.png](#)

Rockwall City Council and Mayor Pruitt,

I am writing to share my deep concerns regarding decisions affecting citizens of the City of Rockwall and Rockwall County. I work in a major hospital in Dallas County. I have watched our inpatient admissions and ICU admissions increase very rapidly over the past few weeks. Dallas County is experiencing unprecedented health concerns due to the lack of protective measures taken in public settings. Open bars and dine-in restaurants without physical distancing measures and the use of masks for workers and patrons are causing a large increase in cases. Large gatherings such as weddings or parties are also causing a steep increase.

I implore the City to do the right thing by looking at the science of this virus, consulting with infectious disease doctors and epidemiologists, taking the advice of our Governor by restricting gathering sizes, enforce the use of masks by employees and patrons in local businesses, and BE AN EXAMPLE of responsible measures to the citizens you represent.

Our county is completely surrounded by other counties with surging cases. It is only a matter of time before businesses in Rockwall are affected by lack of protective measures.

It is time to set aside political agendas and focus on the health and safety of everyone, before it is too late.

Joyce Ghormley, CCRC
Supervisor of Oncology Research



Charles A. Sammons Cancer Center
Clinical Oncology Research Coordination
3410 Worth Street, Suite 560
Dallas, Texas 75246
Phone: (214) 818-8961, Fax: (214) 820-3489

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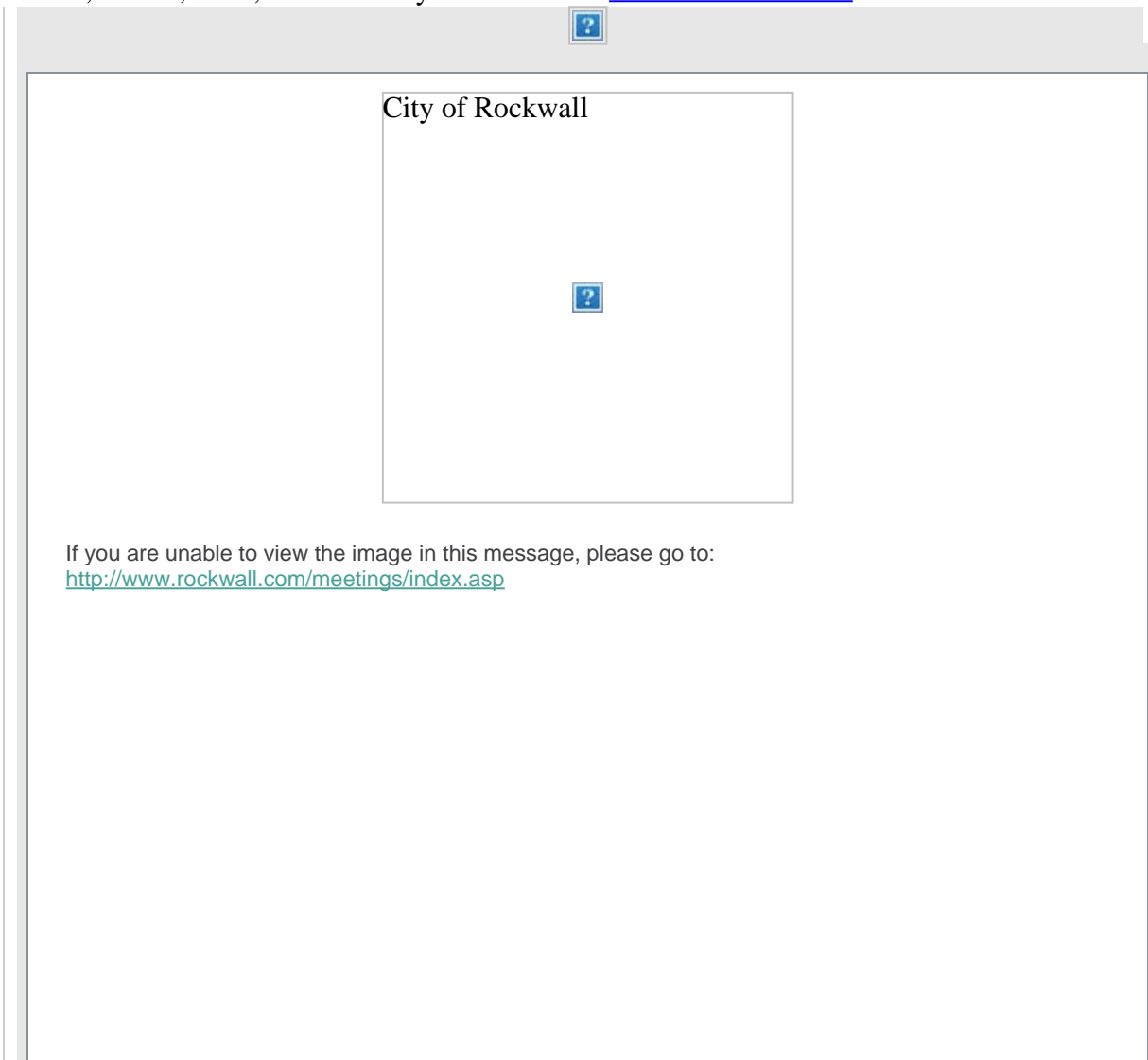
From: [REDACTED]
To: [PublicComments](#)
Subject: Re: Council - Emergency Meeting
Date: Thursday, June 25, 2020 4:44:22 PM

Please require all businesses to require staff and customers to wear face coverings when indoors or when 6' spacing is not possible outdoors. There is no reason for our city to not require this simple task for the protection of our citizens. I'm not saying people need to be fined or arrested, but they should be shamed if not even trying to do within thier physical ability. If there are physical barriers protected by ADA from wearing mask or children under the age of 6, this should be the only acceptable reason.

Thank you for taking this serious on the citizen's behalf!

Kevin and Stephanie Folsom
1115 Bayshore Dr
Rockwall, TX 75087
[REDACTED]

On Thu, Jun 25, 2020, 3:22 PM City of Rockwall <mail@rockwall.com> wrote:



From: [REDACTED]
To: [PublicComments](#)
Subject: Regarding covid, and ppe
Date: Thursday, June 25, 2020 10:15:34 PM

To whom it may concern:

I have looked at our local data for covid cases, and I don't see why we are talking about the need to enforce ppe. We live in TX because we love the freedoms we have here. Rockwall county has not seen a significant jump in cases. I think we can continue to keep a safe distance between one another without the need to cover our faces. There are many with breathing issues such as asthma that this will impact. Inhibiting anyone's ot levels especially in the Texas heat is dangerous. Thanks for reading my concerns.

Sincerely,
Jean.Yturaldi

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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From: [REDACTED]
To: [PublicComments](#)
Subject: Regarding Pandemic Covid 19
Date: Thursday, June 25, 2020 11:20:54 PM

Dear Mayor and City Council members,

I will not attend the meeting regarding the public health emergency as I do not feel completely safe with my underlying health issues being out and about in a group of people which I suspect will be made up of largely non mask wearing individuals.

As a nurse and nurse practitioner for 41 years, 20 of those years in the local community, it breaks my heart that our community is dividing itself over this issue of masking and social distancing for the greater good of everyone.

I could spend all night looking up medical evidence to support the case for mask wearing to help prevent particle spread, but that will not convince those who choose not to side with actual good science. I can speak personally to the fact that mask wearing does not endanger the well being of a healthy person in that over the course of my career there were definitely times when masking for 12 hours with minimal breaks was required of me. While those were uncomfortable days, they were not detrimental to my health. Similarly, I have had many clients who worked in "clean rooms" at local chip manufacturing companies who experienced no detrimental effects wearing masks for 12 hour shifts.

In healthcare, we are continually asked to balance the rights of the individual versus the health of the greater society. Individual freedoms are highly cherished in our great country and I understand that. It is a tension that affects our healthcare system overall, contributing to our ranking 38th out of 100 countries in healthcare outcomes.

(<https://worldpopulationreview.com/country-rankings/best-healthcare-in-the-world>)

While I understand that requiring people to wear masks when in stores, restaurants, churches, and close crowds may not be politically expedient for the mayor and council members, I do think that there is room for you all to strongly recommend that our fellow Rockwall residents follow CDC guidelines on masking and social distancing in public. Please encourage social distancing of at least 6 feet during the many fun social events that are currently going on around town. Please do not contribute to further stressing our local health care systems and endanger the lives of others by continuing to act as though there is no pandemic going on while our neighboring counties continue to have alarming increase in rates of cases and hospitalizations. This virus is no flu and it is no joke and can have long term disabling effects for many who survive it.

Thank you so much for your time,

Lesa Walker, MSN, FNP-C
307 Forest Trace, Rockwall, TX

I have included a few references for any who would care to read further.

<http://med.stanford.edu/news/all-news/2020/06/stanford-scientists-contribute-to-who-mask-guidelines.html>

[https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)31142-9/fulltext#%20](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)31142-9/fulltext#%20)

<https://pubs.acs.org/doi/10.1021/acsnano.0c03252>

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From: [REDACTED]
To: [PublicComments](#)
Subject: Requiring masks creates a false sense of security
Date: Thursday, June 25, 2020 8:36:20 PM
Attachments: [image0.png](#)

It's a fairly censored subject on social media, but there are several more doctors and nurses citing sources such as this article below that draw conclusions that masks are not effective at reducing spread and could in fact be dangerous. Dangerous because most people pull them down to talk (when most aerosols are produced), touch their face constantly, and don't wear them properly/ill fitting. Dangerous because oxygen levels under a mask is under osha working standards... it's a health risk 22% is normal put a mask on it goes to 17.5 or lower. That's the real health hazard.

“ Cloth masks are ineffective as source control and PPE, surgical masks have some role to play in preventing emissions from infected patients, and respirators are the best choice for protecting healthcare and other frontline workers, but not recommended for source control. These recommendations apply to pandemic and non-pandemic situations.”

<https://www.cidrap.umn.edu/news-perspective/2020/04/commentary-masks-all-covid-19-not-based-sound-data>

This is also from a certified OSHA expert friend of mine:

“So Masks? I am OSHA 10&30 certified. I know some of you are too. I don't really know WHY OSHA hasn't come forward and stopped the nonsense BUT I want to cover 3 things

- N95 masks and masks with exhale ports
- surgical masks
- filter or cloth masks

Okay, so upon further inspection, OSHA says some masks are okay and not okay in certain situations.

If you're working with fumes and aerosol chemicals and you give your employees the wrong masks and they get sick, you can be sued.

- N95 masks: are designed for CONTAMINATED environments. That means when you exhale through N95 the design is that you are exhaling into contamination. The exhale from N95 masks are vented to breath straight out without filtration. They don't filter the air on the way out. They don't need to.

Conclusion: if you're in Target and the guy with Covid has a N95 mask, his covid breath is unfiltered being exhaled into Target (because it was designed for already contaminated environments, it's not filtering your air on the way out).

- Surgical Mask: these masks were designed and approved for STERILE environments. The amount of particles and contaminants in the outside and indoor environments where people are CLOGGING these masks very, VERY quickly. The moisture from your breath combined with the clogged mask will render it “useless” IF you come in contact with Covid and your mask traps it, YOU become a walking virus dispenser. Everytime you put your mask on you are

breathing the germs from EVERYWHERE you went. They should be changed or thrown out every “20-30 minutes in a non sterile environment.”

- Cloth masks: I can't even believe I'm having to explain this, but here it goes. Today, three people pointed to their masks as they walked by me entering Lowe's. They said “ya gotta wear your mask BRO” I said very clearly “those masks don't work bro, in fact they MAKE you sicker” they “pshh'd” me. By now hopefully you all know CLOTH masks do not filter anything. You mean the American flag one my aunt made? Yes. The one with sunflowers that looks so cute? Yes. The bandanna, the cut up t-shirt, the scarf ALL of them offer NO FILTERING whatsoever. As you exhale, you are ridding your lungs of contaminants and carbon dioxide. Cloth masks trap this carbon dioxide the best. It actually risks your health, rather than protect it. The moisture caught in these masks can become mildew ridden over night. Dry coughing, enhanced allergies, sore throat are all symptoms of a micro-mold in your mask.

-Ultimate Answer:

- *N95 blows the virus into the air from a contaminated person.

- *The surgical mask is not designed for the outside world and will not filter the virus upon inhaling through it. It's filtration works on the exhale, (Like a vacuum bag, it only works one way) but likely stops after 20 minutes, rendering it useless outside of a STERILE ENVIRONMENT (correct Becky, they don't work in a bar, not even a little bit).

- *Cloth masks are WORSE than none. It's equivalent to using a chain link fence to stop mosquitos.

The masks don't work. They're being used to provide false comfort and push forward a specific agenda. For the love of God, research each mask's designed use and purpose, I bet you will find NONE are used in the way of “viral defense.”

- *Occupational Safety & Hazard Association sited.

The top American organization for safety.

They regulate and educate asbestos workers, surgical rooms, you name it.

I know, facts suck. They throw a wrench into the perfectly (seeming) packaged pill you are willingly swallowing. Facts make you have to form your OWN OPINION, instead of regurgitating someone else's, and I know how uncomfortable that makes a lot of you. If your mask gives you security, by all means wear it. “

Rockwall county hasn't seen a large spike since opening businesses. Businesses and people have been out/open in hordes for more than a month now and many not wearing masks. It is more important to encourage hand washing and staying at home unless “necessary” and to not leave you're home if you are experiencing symptoms.

In addition, many of the increases in cases are because they are making tests more accessible and available to anyone that wants one. A month ago you could not get one unless you had symptoms or exposure. More tests, more positives. Are there more deaths?? Only because of broadmore and I question their reporting methods. Dying with covid is not the same as dying because of covid.

Please do not require masks.



Madeleine Wyke Silva ► Open Texas Back Up ...

24 mins · 📺

This is why they're reporting a spike in cases here in Texas.

They changed the 'case definition' on what counts as a COVID-19 case and gets added to their stats and graphs.

A few weeks ago an incident that was counted as 1 case is now counted as 17 cases.

Check the video out - starting at 16:30 through 23 - it's all there explained to you.

It's manufactured and inflated.

These are the numbers they're using to justify mask mandate, stay at home orders, closing down businesses, and eventually mandatory vaccines.

I'm lost for words how people can keep arguing that there is a real danger to opening our economy and communities back up.

COLLINCOUNTYTX.NEW.SWAGIT.COM
May 18, 2020 Commissioners Court

👍👎🤔 7

1 Comment



Sent from my iPhone

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From: [REDACTED]
To: [PublicComments](#)
Subject: ROCKWALL CITY COUNCIL EMERGENCY MEETING Friday, June 26, 2020 - 9:00 AM
Date: Thursday, June 25, 2020 7:58:08 PM

To Mayor Jim Pruitt and Members of the Rockwall City Council

I am submitting my response to the Emergency City Council meeting regarding the rise in the cases of COVID-19 in Rockwall.

Based on the 45 reported new cases in one day in Rockwall, I would strongly recommend curtailing any activity that brings large numbers of people together.

The responsible action to take as the governing body and leadership of the City of Rockwall, would be to mandate the wearing of masks and to practice social distancing in public, and to discourage and even stop public gatherings.

Governor Abbott has stated that Texans should be wearing masks. You need to show leadership in our community, that you will do what ever it takes to keep the health and safety of our citizens in the forefront of your responsibilities. If local government won't take the necessary actions then you need to look to yourself and ask why.

Respectfully,
Susie Stansel
Rockwall County Democratic Party
Interim County Chair
1282 Salinas Dr., Rockwall 75087

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From: [REDACTED]
To: [PublicComments](#)
Subject: Rockwall City Council Emergency Meeting - Open Forum
Date: Friday, June 26, 2020 5:29:12 AM

Brittany Darcangelo
1395 Tanglevine
Rockwall, TX 75087

Agenda Item:Open Forum in Regards to Action Discussion Item #1

The City of Rockwall, including all residents and businesses would greatly benefit from the passing of a public face covering policy (masks), due to the rising number of COVID-19 cases within our city, county, state and nation. At least 19 states, as well as the District of Columbia have adopted similar policies in an effort to protect their residents. Even here, in the state of Texas, there are at least 11 counties, all having fewer cases than the City of Rockwall (131), and they too, have erred on the side of caution.

I am appealing to you today as a concerned citizen, mom, wife, mother, teacher and daughter. There is plenty we don't know about this virus. This is undoubtedly true. It's novel and science may say one thing today and another tomorrow. We've seen plenty of examples of things we once thought safe only to find years later, we were wrong. Smoking, sugar, Round Up weed killer, even baby powder to name a few. Absolutely nobody is going to get everything right about COVID-19. This will continue to be studied for many years to come. But the one thing we all know, is that people are dying, the economy is hurting and we all want this to be over.

As I stated in my opening, all residents would benefit by mandating or recommending a facial covering policy in public businesses. 1-The theory is that "I don't wear a mask to protect me, I wear it to protect you (in case I have the virus and don't know). I believe this is logical science based simply on the fact that for many years when you enter an urgent care, they ask you to put a mask on while you are waiting if you have a fever or cough. 2-TEA (Texas Education Agency) is sending PPE to all school districts within the state, including masks. If they believe masks are important enough to need to send them to every school district in the entire state, then aren't they probably important enough to ask your community to wear them? 3-Unless someone has an illness that truly makes it hard to breathe with a mask on, it really boils down to a temporary inconvenience that could potentially save a life. Grocery stores have required their employees to wear masks for several months, as well as many retail and food establishments. I haven't heard of any cases where someone has fallen ill or passed out from wearing a mask. So again, if it causes no harm to the person wearing it, but maybe saves a life, doesn't the benefit far outweigh the risk? 14% of Rockwall's population is 60 years old or older. This age group has been labeled as high risk from the very beginning. Currently Rockwall County (not city) has a recovery rate of 92.41%. If even 5% of that population contracted the virus and we

sustained the exact same recovery percentage, that would still equal 25 deaths.

Moving on to businesses and what they stand to gain with a mask policy in place. 1-The probability of less community transmission. 2-Fewer employees falling ill and calling out. 3-Less likelihood that they would have to take time to close business long enough for a thorough deep clean or the need to have all employees tested out of precaution. The businesses themselves, would probably also not like to have to weigh the pros and cons of “self identifying” a positive case as opposed to community gossip. The chance of any of these items reduces greatly by simply wearing a mask. 4-By having a uniformed policy across the city, consumers are far less likely to be confused as to what the policies are at Place A vs Place B. 5-Schools resuming in August will play a key part in business and economy. We all know that many families need their children to be in school or daycare in order for them to go back to work. I feel quite confident that if our state continues to increase 30,000 cases per week, we will not be heading back to actual classes. And while I don't believe the Governor would stop the entire state from going back to school, I could easily see a qualifier being put in place for which districts can go back and which can't. Our county has added an additional 48 cases this week. That's a 17% spike in less than 7 days. Maybe it's an anomaly or maybe that's what will trend for the next several weeks, but again, what do you stand to lose vs what do you stand to gain?

As you all can see, I am very analytical and statistically oriented. I believe in numbers, trends and data. The unfortunate trend is that our 131 cases will likely be over 300 by July 10th and that is a conservative estimate. I can't tell you exactly what will happen if a mask policy is approved. Scientists far more educated than me, seem to mostly agree that wearing a mask is a safe and effective way to reduce the spread of COVID-19. Governor Greg Abbott said the same thing when asked if he'd be issuing a mandate. He said that he has continuously stated the best practice for all Texans is to wear a mask and that he shouldn't have to make it a mandate for people to do what is best. I completely agree with him, that he shouldn't “have to”. You also shouldn't “have to” tell your child to tie their shoelace over and over again, but you do, because you don't want them to trip and hurt themselves. The people of the City of Rockwall are hurting themselves. They've been told by scientists, by the governor, by various people in the community and many continue to think they know best. I whole-heartedly believe that each one of you is on this council because you truly care about our community and want what's best for us all. So I am pleading with you to make the hard choice to mandate something that you all know will likely help, but even if it doesn't, what could it possibly hurt?

Thank you for your time and consideration!

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From: [REDACTED]
To: [PublicComments](#)
Subject: ROCKWALL CITY COUNCIL EMERGENCY MEETING
Date: Thursday, June 25, 2020 3:45:42 PM

Good Morning Rockwall City Council,

In regards to the COVID19 Emergency Meeting this morning, please stand your ground on allowing your citizens of Rockwall their freedoms! Do not cave to the pressure of mandating PPE. People who want to wear masks can do so freely. Please allow those of us who do not feel the need to wear PPE our freedoms too. Will we now be required to do all this with the flu as well? It is getting out of hand. The people concerned can protect themselves. Please don't infringe on my rights. Masks alone cause health issues. Children should not be required to wear them as they cause breathing problems and a drop in you oxygen levels. How can we mandate an item that can cause harm to your community? Please look at all aspects, not just what is being pressured due to media coverage.

Britney Murphy
816 Brookhaven DR.
Royse City TX, 75189
(Rockwall County)

*Thank You,
Britney Murphy*

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From: [REDACTED]
To: [PublicComments](#)
Subject: Rockwall Fourth of July Emergency Meeting
Date: Friday, June 26, 2020 12:13:10 AM

Mayor Jim Pruitt
Rockwall City Hall
385 South Goliad
Rockwall, Texas 75087

Dear Mayor Pruitt and Rockwall City Council,

My name is Laura Tate and I have lived in Rockwall for forty years. I am a fifth generation resident. My family including my husband and I have owned businesses in Rockwall and we have had the opportunity to watch the population of Rockwall continue to grow. I love Rockwall for many reasons; my husband and I are both RHS graduates, we firmly believe Jacket Fight Never Dies, the Square is a favorite local spot, running into a friend that you haven't seen in a while at the Farmer's Market, the generations and generations of residents that have mostly all crossed paths at some point, the growth of our schools and education services, the locally owned restaurants and shops, and the list continues.

I am not asking for a full cancellation of all events, but I am asking for a plan that includes CDC recommendations and minimizes the transmission of COVID-19.

When I decided to post on Facebook and tag several council members and the City, I had hoped to have a conversation with you directly and I did receive messages from a few of our local leaders so thank you for your time. So often people feel silenced and not heard and social media is a great way to communicate virtually with local leaders while also social distancing.

I am not attending the morning meeting for two reasons:

1. I had already scheduled to work a morning shift prior to this meeting's announcement and

2. I feel this meeting should have occurred virtually instead of in person. This could be another large protest if you will with local citizens grouping together in mass during a pandemic while also having a passionate discussion.

I have received several messages and calls regarding my post on social media, some blaming me for the scheduling of this meeting and others thanking me for speaking up and putting the health of our community first. I understand time, money, and planning all go into a celebrated town event and I am forever grateful for all the fun activities the City of Rockwall Parks and Recreation plan for our small but growing neighborhood. We have even hosted 4th of July parties at our home since we live near Harry Myers Park and I always look forward to this time of year.

What is important to me might not matter to others and that is ok. I can live with having a difference of opinion, but I do hope we share a common thread for loving our neighbors and wanting to see them walk out to pick up their mail each day. We are all neighbors in Rockwall. For the most part we all share public space, we all dine in our favorite restaurants and we all shop our favorite merchants. Any merchant that is not proactively putting their employees, their families, and their patrons health first is not a business I will visit now nor in the future. And I understand that is my own decision.

Thank you for your time and scheduling a valuable meeting.

Laura Tate

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From: [REDACTED]
To: [PublicComments](#)
Subject: Rockwall masks
Date: Thursday, June 25, 2020 5:59:59 PM

I urge you NOT to implement a business health policy and mask mandate in Rockwall.

Despite media claims to the contrary, there has been no definitive study that concluded that mask wearing is effective in slowing transmission of the COVID-19 virus. I will submit the following as an example of a study that showed there was no efficacy in mask use reducing influenza virus transmission, and the COVID-19 virus has very similar transmission characteristics as influenza.

https://wwwnc.cdc.gov/eid/article/26/5/19-0994_article?fbclid=IwAR2a7eDhHNFvnnLMabuhM21cI4F3f-GVY0OpEtbIFCn2UrIKca0a7SiQvks

Let Rockwall residents and businesses decide for themselves on mask wearing, and don't force businesses to enforce rules they're not in favor of.

Chrissie Provost | REALTOR®
Fathom Realty



<https://www.gnmdusa.com/leasetopurchase>
<https://christieprovost.fathomrealty.com>



Please excuse typos, sent from cell phone.

"Whosoever will be great among you, let him be your minister; and whosoever will be chief among you, let him be your servant". Matthew 20:26 - 27

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From: [REDACTED]
To: [PublicComments](#)
Subject: Special City Council Meeting Regarding Community Events
Date: Friday, June 26, 2020 7:13:16 AM

Mayor Pruitt and City Council Members,

Joanna Maestas
710 Village Green Dr,
Rockwall 75087

Re: Upcoming city-related events

I am writing to encourage the council to not cancel any community events, especially ones celebrating our freedoms as Americans. The Harbor and the lake provide more than enough space to safely continue the concerts as well! I cannot stress enough how proud so many residents and myself are that Rockwall has not violated our rights with imposing over-reaching mandates, please choose to keep Rockwall a great freedom loving place!

Sincerely,
The Maestas Family

[REDACTED]

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From: [REDACTED]
To: [PublicComments](#)
Subject: Upcoming City Council Meeting Resident Comments
Date: Thursday, June 25, 2020 5:47:57 PM

Dear City Council Members,

As a resident of Rockwall County, the current proposal of mandating masks greatly concerns me. I have multiple health issues which do not allow me to wear a mask. Being harassed by stores everytime I am trying to support a local business is very discouraging. It turns my money away from supporting local businesses, which I have always tried hard to support.

Also some important points:

- 1) Businesses should be able to regulate themselves and their customers without government intervention. People have a wealth of knowledge about risks involved and can responsibly choose which businesses to patronize based on their comfort level with precautions taken. The businesses are already directly answerable to their customers, who know and understand risks. Allow the educated population and businesses to make their own decisions based on what is in their best interests.
- 2) The CDC and WHO have been wildly inconsistent about whether masks work at all to reduce transmission, and if so what types of masks may or may not be helpful.
- 3) Masks increase breathing of CO2 and reduction of oxygen to the body, increasing potential of harm to some people.
- 4) Even as positive cases have increased in Texas and nationwide, death rates are decreasing.
- 5) The virus is almost exclusively dangerous to people with significant underlying medical conditions, and especially elderly. If the county is to place restrictions, they should do so in direct correlation to protection of those vulnerable by focusing on nursing homes and medical facilities. But these entities are already acting responsibly and have self-imposed restrictions such that government imposition is not necessary.

Thank you for allowing my voice as a member of this county to be heard.
Amber Smith

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From: [REDACTED]
To: [PublicComments](#)
Subject: Upcoming events and COVID-19
Date: Thursday, June 25, 2020 10:40:05 PM

To: Honorable Mayor and Council Members, City of Rockwall:
RE: Upcoming city related events and wearing personal protective equipment in light of the Covid-19 pandemic.
From: A. J. Soto, 306 Star St., Rockwall, Texas 75087

Thank you for the opportunity to provide feedback regarding the aforementioned topic in anticipation of the Friday, June 26 Emergency Meeting .

I, like many others in the community, have been trying my best to stay informed about the evolving Covid-19 situation in Rockwall. However, this has been difficult as of late because the latest Mayor's Message are over two months old on the rockwall.com website. In addition, the County of Rockwall website has not posted current information for the reason that the State of Texas has not provided them with updated data. Also, the last message on the rockwall.com website from the Rockwall County Health Authority is dated March 20, 2020, **over 3 months ago!** It would be extremely helpful if the city, in partnership with the county, make every effort to keep citizens informed about the latest Covid-19 news, such as open cases, deaths, hospital beds, and recoveries, etc., and make it readily accessible

However, based on the increase of cases in Texas as reported by major news and media outlets, and as a concerned citizen, I feel it would be appropriate to cancel many large upcoming public events in the city at this time. In particular, the Fourth of July Parade and fireworks display. These events have traditionally been attended by many persons, so in an abundance of caution, and to minimize the spread of the virus, these should not be held this year. In addition, it would be difficult to mandate that everyone wear a mask and maintain social distancing at large gatherings such as these. We all look forward to these events every year, but I feel the majority would prefer to do our part to reduce the spread of this pandemic. Other events, such as the Concerts by the Lake and Farmers Market, should also be reevaluated.

We all hope this crisis ends sooner, rather than later. But until then, we must work together to get to the other side.

Thank you for your consideration.

Respectfully,

A. J. Soto

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From: [REDACTED]
To: [PublicComments](#)
Cc: [Pruitt, Jim](#)
Subject: Upcoming meeting/mask mandate
Date: Friday, June 26, 2020 12:10:24 AM

Victoria Patterson
915 w Yellowjacket lane

I have lived in rockwall officially for almost 4 years. I grew up in the surrounding area virtually my whole life. I chose to move here when my son started kindergarten knowing he'd have the best possible education and environment. Something I wasn't privy to growing up. I chose, as a single mother, to work 60 hour weeks at 2 jobs just to pay the outrageous rent for basic apartments in rockwall to ensure he stayed in this district. I am beyond disappointed in rockwall as a community and government lately. So much that yes, I don't like it and therefore will be leaving.

First issue is the Rockwallian group on Facebook. It is completely full of hate and judgement. I encourage any person moving to rockwall to join the page and just observe... it shows you the true colors of this city. I am disgusted every single time I get on that page. No matter your religious or political beliefs there are despicable behaviors for both sides evident there. It is a mob mentality that is fueling a fire that cannot be tamed in this city.

To the true issue at hand in this moment...

COVID is real and it is getting bad. We can pretend it doesn't exist because we don't see it and want everything to go back to normal. But it is about to be a wake up call no one requested. The debate that mask mandates are unconstitutional and infringing on our rights is absurd. Our mayor has issued his opinion that he believes its on the residents and businesses to ensure safety and protections. NO. This is why you were elected. To lead us. To help us. This is your time to stand up and show your true colors and I'm disgusted.

People are not taking precautions. Businesses are not taking precautions. And not a single person is doing anything about that. Almost every single restaurant is not abiding a separation of tables or sanitation. Only one I've been to in the county is checking temperatures.

This is not fun or comfortable for a single person in this world right now, but it is necessary. These residents are going to continue calling those that wear a mask sheep. And I wonder if your opinions wouldn't be different if this election wasn't on the horizon?

This county needs its leaders to step up and make this serious. Instill in these people that this is a serious threat. You can hold community events with proper execution. I have seen pictures and today passed by music in the square with people stacked on top of one another. You are literally proposing breeding grounds for contamination and further the spread of this awful disease.

It's time for our leaders to act as such. People need to be told how to behave, especially during a pandemic. We want to believe the community will do "what is right", but the truth of the matter is that rockwall citizens are pretending this disease is a farce and they are continuing to go about their every day lives. I fear the repercussions on inaction on this community and our vulnerable ones.

Their pain, suffering and potential death is on your hands.

Victoria Patterson

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From: [REDACTED]
To: [PublicComments](#)
Subject: WEARING OF PPE
Date: Friday, June 26, 2020 12:50:06 AM

Kristen Watson
503 Birchwood circle Mesquite, TX, 75149
WEARING OF PPE DUE TO COVID-19

Good morning to whom it may concern,

I present my case to you opposing the wearing of masks/PPE which is being implemented worldwide on insufficient scientific evidence/support/misinformation.

The narrative is that “COVID-19 has created an immediate threat, poses a high risk of death to a large number of people, and creates a substantial risk of public exposure”
<https://dshs.texas.gov/news/updates.shtm>

First, it was originally modeled by Neil Ferguson & his team who ran one such model that stated more than 2 million people in the U.S. would die as a result of COVID-19. This model also predicted the United States could incur up to 1 million deaths even with “enhanced social distancing” guidelines, including “shielding the elderly.” Imperial’s modeling results influenced White House to impose a nationwide lockdown.

<https://www.heritage.org/public-health/commentary/failures-influential-covid-19-model-used-justify-lockdowns>

Modeling is an educated, estimated guess. Their model that prompted lockdowns & their assumption is flawed & incorrect as the death rate has been proven to be much lower than originally predicted & is steadily declining.

<https://www.breitbart.com/politics/2020/03/20/coronavirus-report-that-prompted-stronger-u-s-action-1m-deaths-even-with-extreme-prevention-steps/>

Second, This virus has a fatality rate of 0.26% (3 in 1,000) which was released in a Stanford study that mentioned “the chances of dying is the same as the chance of you dying over the next 12 months from normal causes,” & “Our observation suggests COVID-19 kills the weakest segments of the population,”

<https://news.berkeley.edu/2020/04/24/study-challenges-reports-of-low-fatality-rate-for-covid-19/>

Out of 116,000 deaths in the U.S, 40% were in nursing homes alone, proving it is not a threat to the majority of the population.

<https://www.google.com/amp/s/www.wsj.com/amp/articles/coronavirus-deaths-in-u-s-nursing-long-term-care-facilities-top-50-000-11592306919>

To put it into perspective, an observation shows statistically children have a greater chance of getting struck by lightning TWICE than dying of covid and yet all of this.

<https://www.google.com/amp/s/www.dailymail.co.uk/news/article-8404537/amp/School-children-15-higher-risk-struck-LIGHTNING-dying-coronavirus.html>

Lastly, it goes against our civil liberties/freedoms to enforce the wearing of masks over a virus that is 7 times less deadly than the flu or 2 times more deadly than the flu depending on risk factors: age, comorbidities, geographical location. The spikes in infection rate are simply due to more testing as it is more widely available. What's important & not being shown is the death rate & again, that is proving to be declining.

<https://public.tableau.com/profile/peter.james.walker#!/vizhome/COVID-19SeeYourState/YourStateKeys>

30-40 MILLION people test positive/are infected with the flu every year, do we wear masks during flu season? Then why do this over a virus Web MD stated has a 97-99% recovery/survival rate for the majority of the population? We can keep the most vulnerable safe while not being stripped of our freedom of choice.

<https://www.webmd.com/lung/covid-recovery-overview#:~:text=Experts%20don't%20have,%25%20and%2099.75%25.>

Enforcing the wearing of masks 4 months into a pandemic, when this virus has been clearly shown to, in fact, not be as deadly as originally predicted through facts and science, is simply unconstitutional at this point by not giving us a choice in the name of health. I strongly recommend voting NO to the mandate of masks & I ask you, after the true facts shown, does any of this make sense?

Thank you for your time.

Sincerely,

Kristen W.

--

Krissy

Krissy Watson | Concierge

HILTON DALLAS/ ROCKWALL LAKEFRONT

t: [+1 214-771-3700](tel:+12147713700) | f: [+1 214 771 3701](tel:+12147713701)

2055 Summer Lee Drive | Rockwall TX 75032 | USA

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From: [REDACTED]
To: [PublicComments](#)
Subject: Tubbs Median
Date: Thursday, June 25, 2020 3:47:31 PM

The problem on Tubbs in the median has not gotten better. It was good for a few weeks here and there, but people continue to dump all kinds of junk there! And they dump it right beside the signs that were put up that say No Dumping or Parking. In fact, one of those signs is already bent over where someone probably ran over it while dumping. Just yesterday there were piles of 2 leather brown couches in the median by the sign that says NO DUMPING and then go down a block further and you will see the other couch (sectional) same color dumped, a pile of tree limbs, mattresses, sheetrock, broken chairs, etc. This trash makes that entire street look like a dump site. I appreciate that the signs were put up, but something else needs to be done to stop the dumping and having our area looking like a mini dump site!! The Windmill Ridge area people all travel on Tubbs and it is terrible that we have to see that or even for anyone who doesn't live in our area. We want to live in a nice area too - as I'm sure you do - not in a place that clearly always looks like it's a dump or a bad side of town. It is a constant problem there and seems that the word is out that the median there is where they can dump for free. They dump in the median every day - every day!!!! Not just on bulk pick up days, it's every day that there are piles of junk through out that median. I'm sure you would not appreciate having this in your neighborhood or area, but it is in ours and in your city. This is how neighborhoods get a bad name and the more unsightly neighborhoods we have the more we'll get and then our city won't have the nice reputation that I feel it does. As I've mentioned in my previous emails, that median is maintained by the City and for the one or two days after the piles are picked up it looks very nice with the grass mowed. And I'm serious when I say the one or two days because that's all it takes (sometimes one day) before they fill up the median again with piles. I have sent several emails regarding this continued issue and I don't see it going away - even with the signs telling them not to dump. I have attached some pictures.

Thank you for your time,
Prissy Cross
116 Walnut Lane

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CITY OF ROCKWALL

ORDINANCE NO. 20-21

SPECIFIC USE PERMIT NO. S-223

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CARPORT* THAT EXCEEDS 500 SQUARE FEET IN AREA FOR A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B, ZION HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 844 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Kris Kehrer of Titan Contractors for the approval of a Specific Use Permit (SUP) to allow a *Carport* that exceeds 500 square feet in area on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and being more specifically depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *Carport* that exceeds 500 square feet in area, as stipulated by Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Section 07, *District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*], on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and as may be amended in the future --, with the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Carport* on the *Subject Property* and conformance to these conditions is required for continued use of the structure:

- 1) The *Carport* and addition shall generally conform to the site plan and building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- 2) The *Carport* shall not exceed 1,134 SF.
- 3) No additional accessory structures shall be permitted on the *Subject Property*.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] will require compliance to the following:

- 1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF JULY, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 15, 2020

2nd Reading: July 6, 2020

Exhibit 'A'
Zoning Exhibit

Address: 844 Zion Hill Circle

Legal Description: Lot 8, Block B, Zion Hill Addition

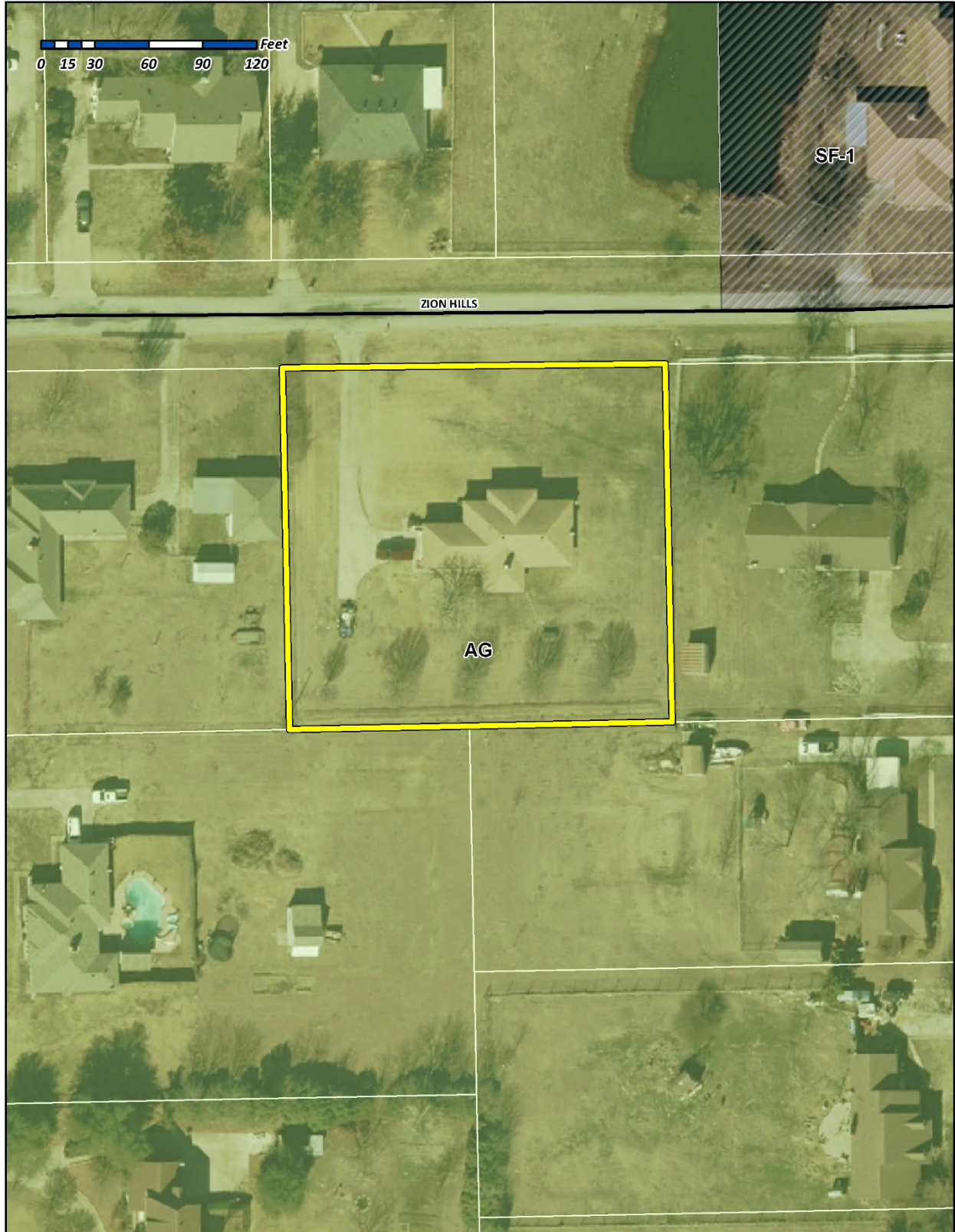


Exhibit 'C'

Building Elevations

CONFORMS TO CITY PLAN AND TO THE THE 2011 AMERICAN ARCHITECTS OF ARCHITECTS BOARD CONSTRUCTION

ORIGINAL NOTES:
 1. THIS SET OF DRAWINGS IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ATTENDING TO ALL CITY AND COUNTY REQUIREMENTS.
 3. ARCHITECT SHALL NOT BE LIABLE FOR ANY DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY TO ANYONE CAUSED BY THE CONTRACTOR'S NEGLIGENCE OR MISFEASANCE.
 4. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND ATTENDING TO ALL CITY AND COUNTY REQUIREMENTS AND TO OBTAIN ALL NECESSARY INSURANCE.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ATTENDING TO ALL CITY AND COUNTY REQUIREMENTS.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ATTENDING TO ALL CITY AND COUNTY REQUIREMENTS.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ATTENDING TO ALL CITY AND COUNTY REQUIREMENTS.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ATTENDING TO ALL CITY AND COUNTY REQUIREMENTS.

A6 <small>of 8</small>	CHOATE RESIDENCE 840 ZION HILLS CIR. PROPOSED ELEVATIONS	No. _____ Date _____ Revision _____ By _____	MERSHAWN ARCHITECTS <small>1120 E. WILSON ST. ROCKWALL, TEXAS 75087</small> MEDICAL COMMERCIAL CHURCHES INSTITUTIONAL RESTAURANTS PHONE: 480-741-7000
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CITY OF ROCKWALL

ORDINANCE NO. 20-22

SPECIFIC USE PERMIT NO. S-224

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 3.03-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, HODGDON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Rex and Beverly Fithian for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 3.03-acre parcel of land being described as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and being more specifically described and depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the Subject Property and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.02, *Single-Family Estate 1.5 (SFE-1.5) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance; and,
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a Building Permit, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF JULY, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: June 15, 2020

2nd Reading: July 6, 2020

Exhibit 'A'
Location Map

Address: 1055 Dalton Road

Legal Description: Lot 1, Block A, Hodgdon Addition

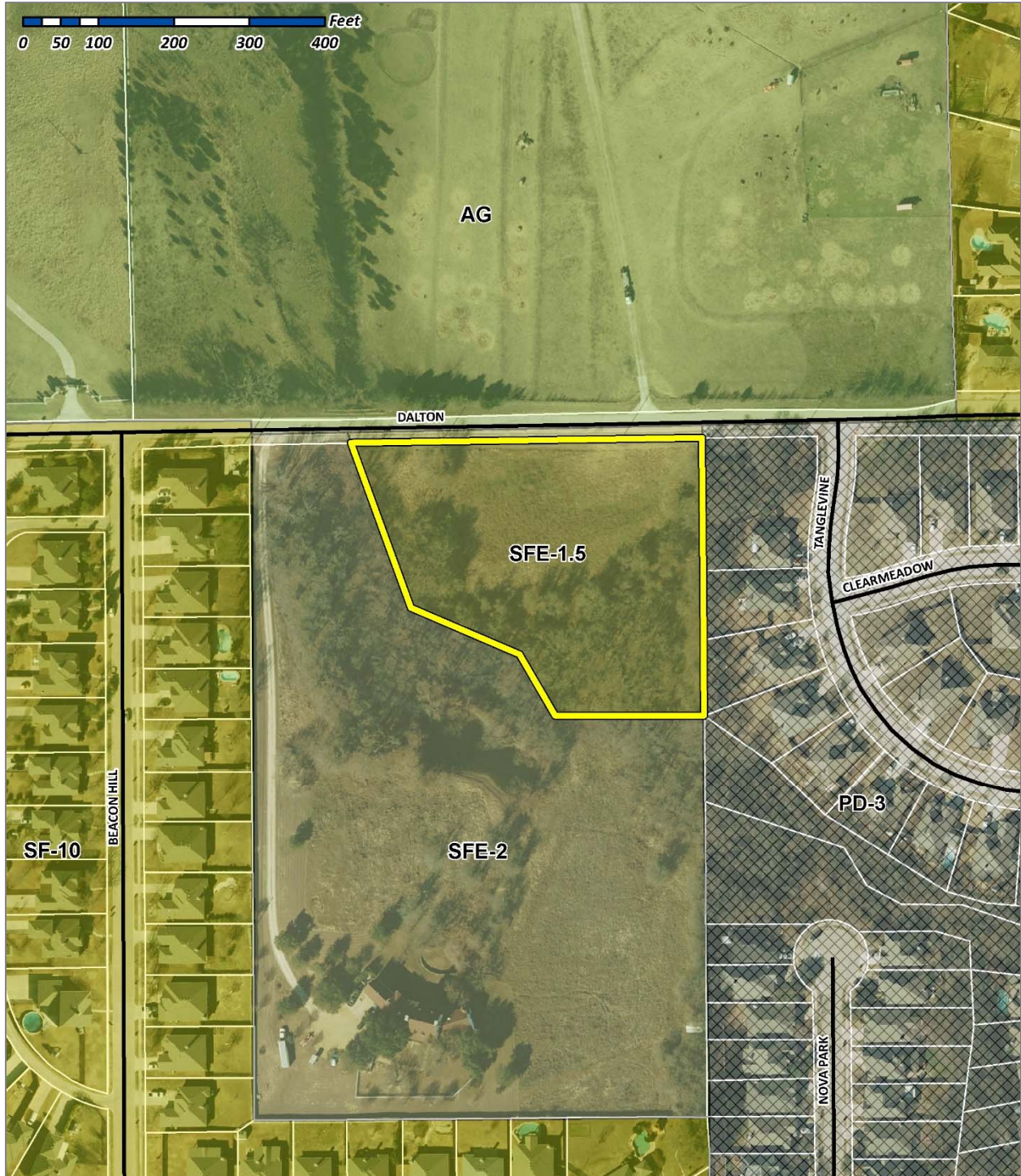


Exhibit 'B':
Residential Plot Plan

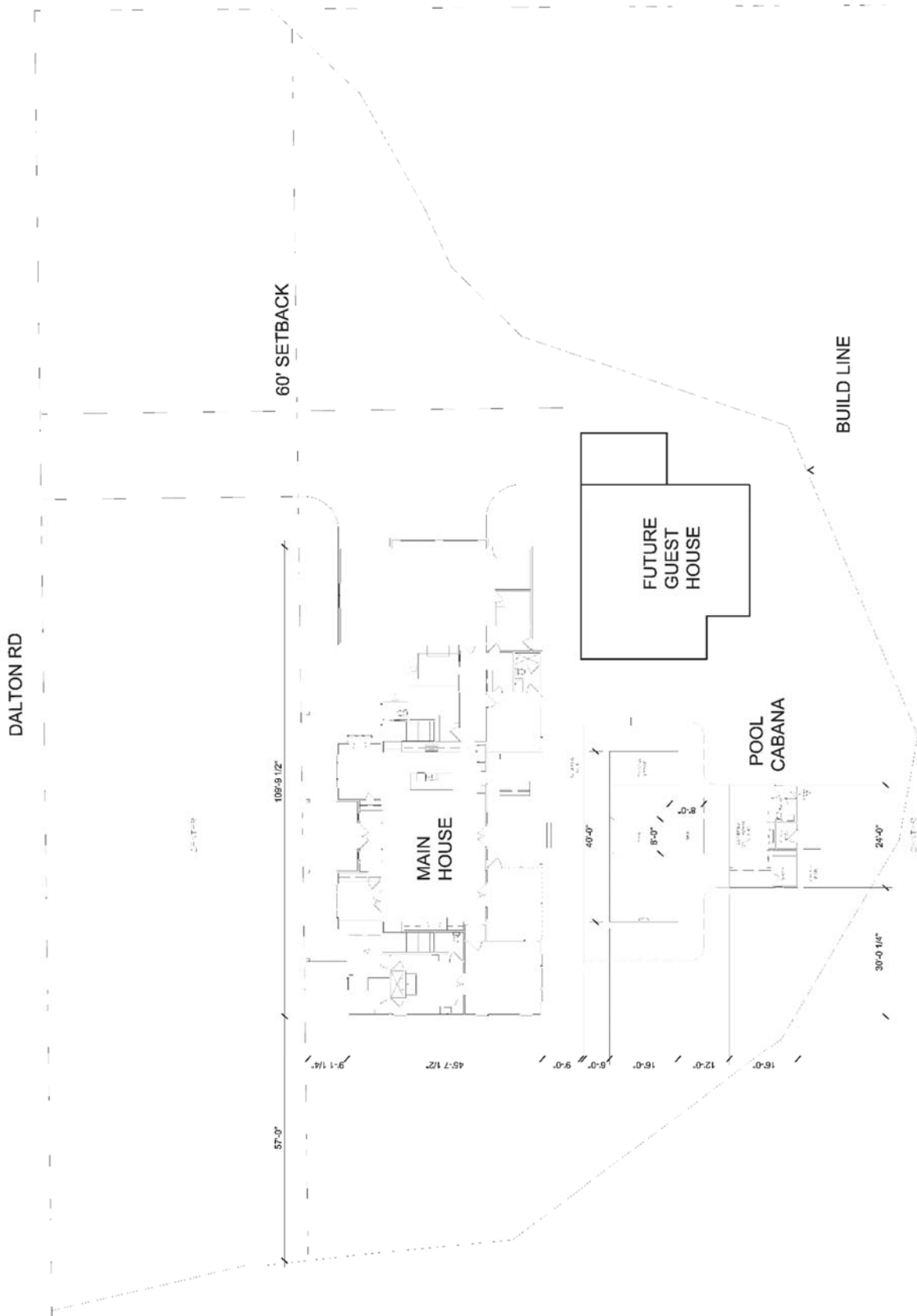


Exhibit 'C':
Building Elevations

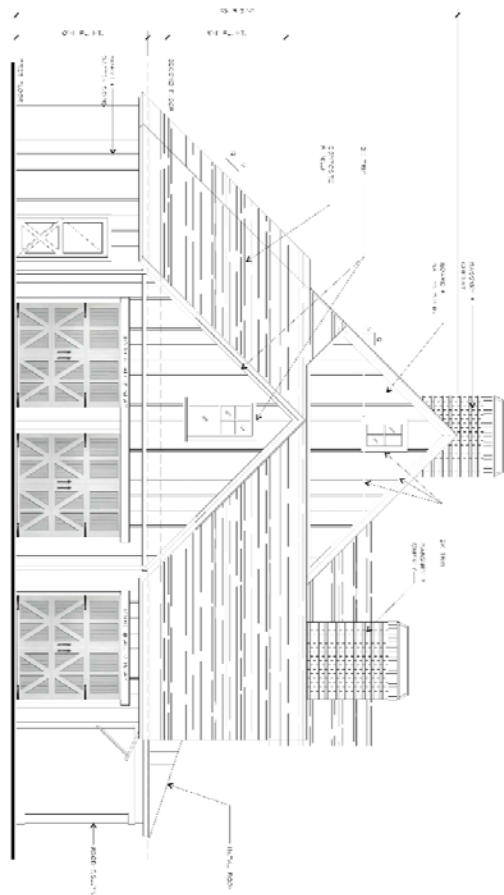
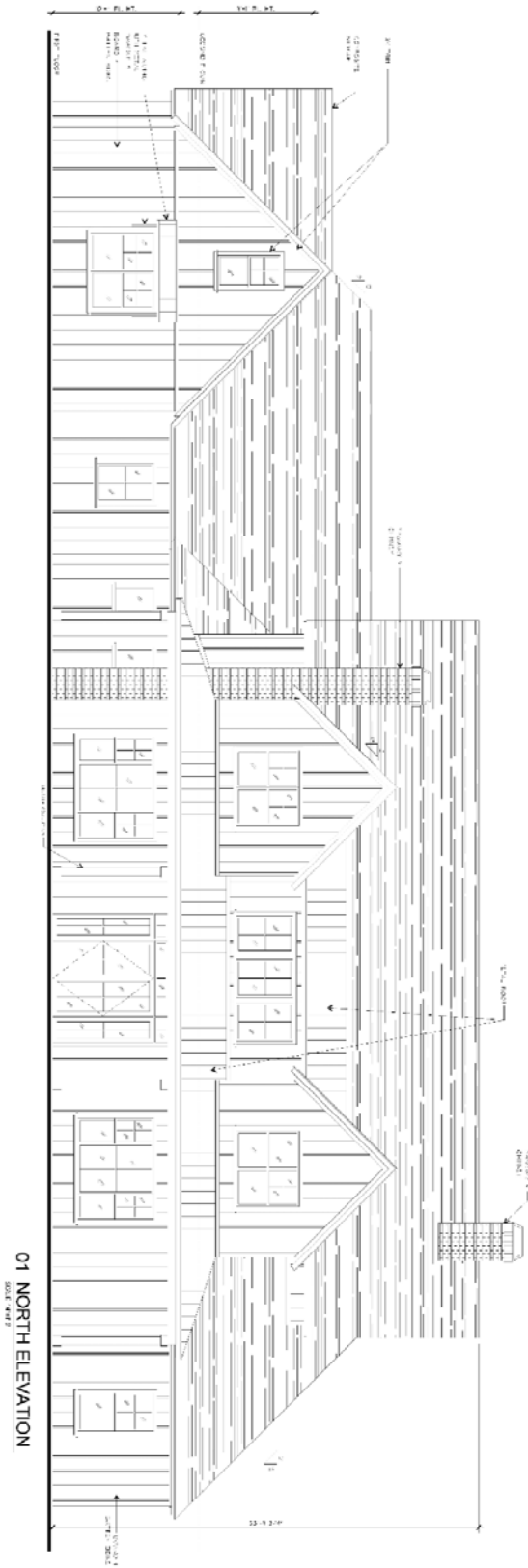
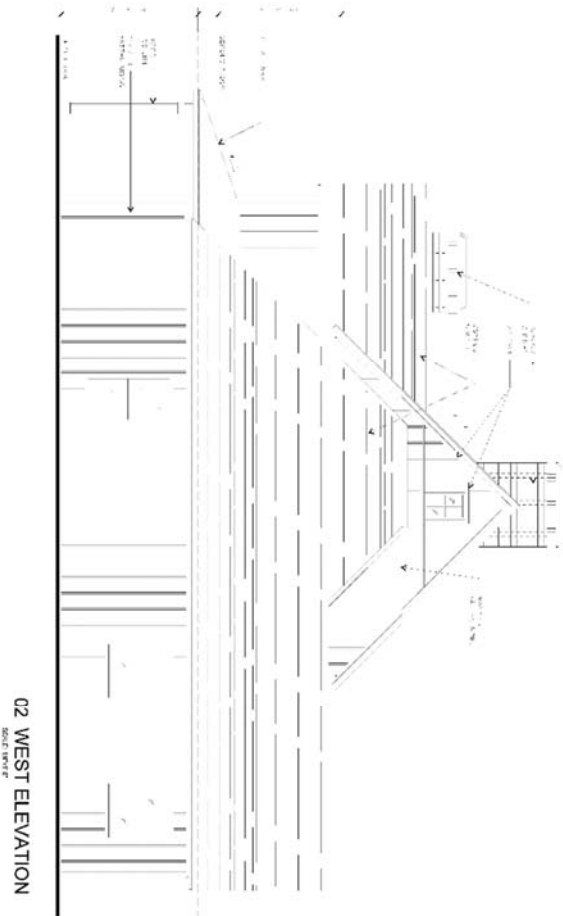
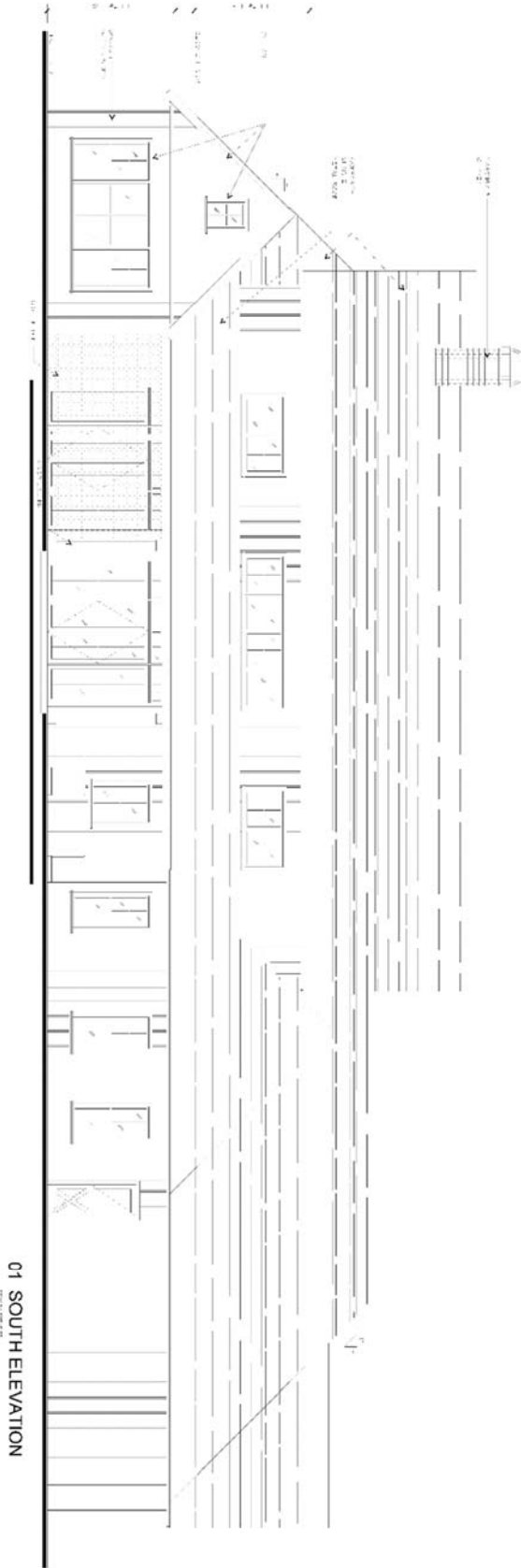


Exhibit 'C':
Building Elevations



CITY OF ROCKWALL

ORDINANCE NO. 20-23

SPECIFIC USE PERMIT NO. S-225

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [*ORDINANCE NO. 16-01*], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.33-ACRE PARCEL OF LAND, IDENTIFIED AS A PORTION OF LOT 1051 AND ALL OF LOT 1050, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from J. W. Jones for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.33-acre parcel of land being described as a portion of Lot 1051 and all of Lot 1050, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.02, *Single-Family*

Estate 1.5 (SFE-1.5) District, of Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] and to the requirements set forth in Planned Development District 75 (PD-75) [Ordinance No. 16-01] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance; and,
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a Building Permit, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF JULY, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 15, 2020

2nd Reading: July 6, 2020

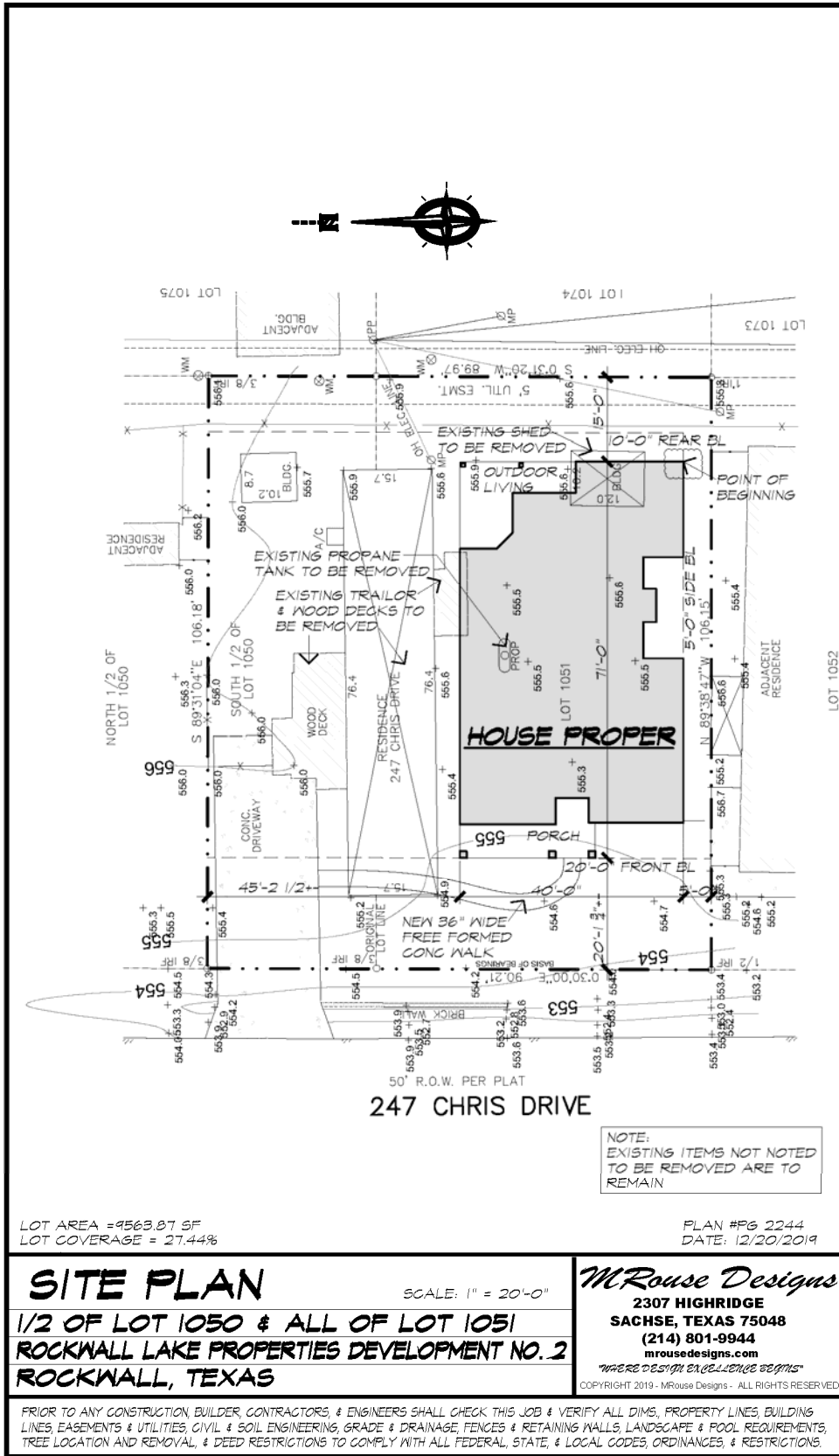
Exhibit 'A'
Location Map and Survey

Address: 247 Chris Drive

Legal Description: A Portion of Lot 1051 and all of Lot 1050, Rockwall Lake Estates #2



**Exhibit 'B':
Residential Plot Plan**



CITY OF ROCKWALL

ORDINANCE NO. 20-24

SPECIFIC USE PERMIT NO. S-226

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT AND CARPORT THAT EXCEED THE MAXIMUM ALLOWABLE SIZE ON A 0.81-ACRE TRACT OF LAND IDENTIFIED AS TRACT 27 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Brian Bader on behalf of Victoria Kaprantzas for the approval of a Specific Use Permit (SUP) to allow a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* that exceed the maximum allowable size on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* as stipulated by Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and to the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Guest Quarters/Secondary Living Unit/Accessory Dwelling* and *Carport* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall generally conform to the concept plan, conceptual building elevations, and conceptual floor plan depicted in *Exhibits 'B', 'C' & 'D'* of this ordinance.
- (2) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* shall not exceed a maximum size of 1,848 SF.
- (3) The *Carport* shall not exceed a maximum size of 588 SF.
- (4) The subject property shall not have more than the two (2) accessory structures (*i.e. [1] guest quarters/secondary living unit/accessory dwelling unit, and [2] carport*) without amending this Specific Use Permit (SUP).
- (5) The existing accessory building along the northern property shall be removed from the property prior to the issuance of a building permit for the *Guest Quarters/Secondary Living Unit/Accessory Dwelling* and *Carport*.
- (6) Prior to the acceptance of the *Carport* the existing driveway shall be extended to the accessory structure as depicted in *Exhibit 'B'* of this ordinance.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF JULY, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 15, 2020

2nd Reading: July 6, 2020

Exhibit 'A'
Location Map

Address: 1308 Ridge Road

Legal Description: Tract 27 of the D. Atkins Survey, Abstract No. 1

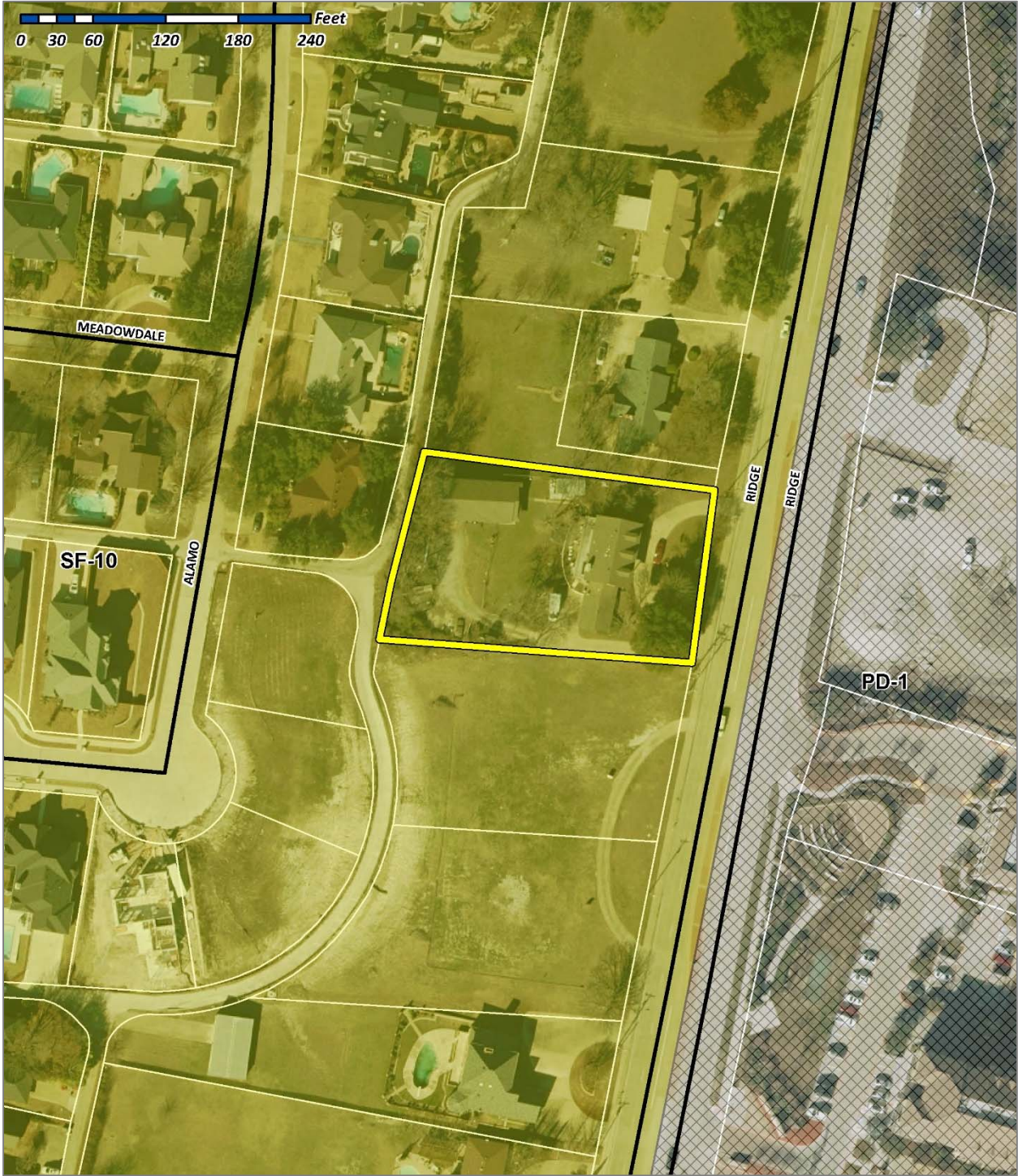


Exhibit 'C':
Conceptual Building Elevations



Exhibit 'D':
Conceptual Floor Plan





MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 6, 2020

SUBJECT: P2020-023; LOT 2, BLOCK A, ROCKWALL LAW ENFORCEMENT CENTER ADDITION

Attachments

Development Application

Location Map

Replat

Summary/Background Information

Discuss and consider a request by Chris Fergusson, PE of Kimley-Horn & Associates on behalf of Dennis Bailey of Rockwall County for the approval of a replat for Lot 2, Block A, Rockwall Law Enforcement Center Addition being a 13.3597-acre parcel of land identified as Lot 1, Block A, Rockwall Law Enforcement Center Addition and Lot 1, Block 1, Cedar Grove Christian Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 810 & 950 T. L. Townsend Drive, and take any action necessary.

Plat Information

- The applicant is requesting the approval of a replat of a 13.3597-acre tract of land (*i.e. Lot 1, Block A, Rockwall Law Enforcement Center Addition and Lot 1, Block 1, Cedar Grove Christian Church Addition*) for purpose of establishing one (1) lot (*i.e. Lot 2, Block A, Rockwall Law Enforcement Center Addition*) to allow for the expansion of the Rockwall County Jail. This plat will also establishes the necessary easements for redevelopment of the subject property, and dedicates a 12.5-foot strip of right-of-way along Townsend Drive.
- According to the Rockwall Central Appraisal District (RCAD) the Rockwall County Jail was originally constructed in 1988 and was expanded in 1996, 1999, and 2000. On November 1, 2019, staff administratively approved a site plan [*i.e. Case No. SP2019-042*] for the construction of a ~79,440 SF expansion to the existing correctional facility.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended

for conditional approval pending the completion of final technical modifications and submittal requirements.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

Conditions of Approval

If the City Council chooses to approve the replat for *Lot 2, Block A, Rockwall Law Enforcement Center Addition*, staff would propose the following conditions of approval:

1. All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
2. Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On June 30, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 7-0.

Action Needed

The City Council is asked to consider the proposed replat.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: *[Signature]*

CITY ENGINEER: *[Signature]*

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

Master Plat (\$100.00 + \$15.00 Acre)¹

Preliminary Plat (\$200.00 + \$15.00 Acre)¹

Final Plat (\$300.00 + \$20.00 Acre)¹

Replat (\$300.00 + \$20.00 Acre)¹ - *INTERLOCAL AGREEMENT*

Amending or Minor Plat (\$150.00)

Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

Site Plan (\$250.00 + \$20.00 Acre)¹

Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

Zoning Change (\$200.00 + \$15.00 Acre)¹

Specific Use Permit (\$200.00 + \$15.00 Acre)¹

PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

Tree Removal (\$75.00)

Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address: *950 TL TOWNSEND DRIVE*

Subdivision: *ROCKWALL CORRECTIONAL ADDITION* Lot: *1* Block: *A*

General Location: *SW CORNER OF TL TOWNSEND DR & UNION PACIFIC RAILROAD*

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning: *COMMERCIAL/LIGHT INDUSTRIAL* Current Use: *COUNTY JAIL*

Proposed Zoning: *SAME* Proposed Use: *COUNTY JAIL*

Acreage: *13.36 Ac* Lots [Current]: *Lot 1, block 1* Lots [Proposed]: *Lot 1 Block A*

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner: <i>ROCKWALL COUNTY</i>	<input type="checkbox"/> Applicant: <i>KIMLEY-HORN & ASSOC.</i>
Contact Person: <i>DENNIS BAILEY</i>	Contact Person: <i>CHRIS FERGUSON P.E.</i>
Address: <i>101 EAST RUSK, SUITE 202</i>	Address: <i>13455 NOEL ROAD TWO GALLERIA OFFICE TOWER, SUITE 700</i>
City, State & Zip: <i>ROCKWALL, TX 75087</i>	City, State & Zip: <i>DALLAS, TX 75240</i>
Phone: <i>972-204-6030</i>	Phone: <i>972-770-1338</i>
E-Mail: <i>dbailey@rockwallcountytx.com</i>	E-Mail: <i>chris.ferguson@kimley-horn.com</i>

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared *Dennis Bailey* [Owner] the undersigned, who stated the information on this application to be true and certified the following:

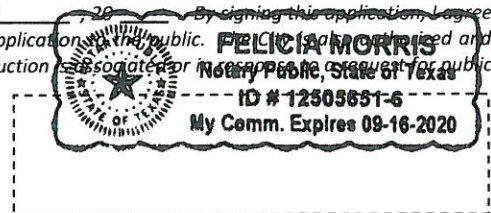
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the *19* day of *June*, 20*20*. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. *[Signature]* Notary Public, State of Texas

Given under my hand and seal of office on this the *19* day of *June*, 20*20*.

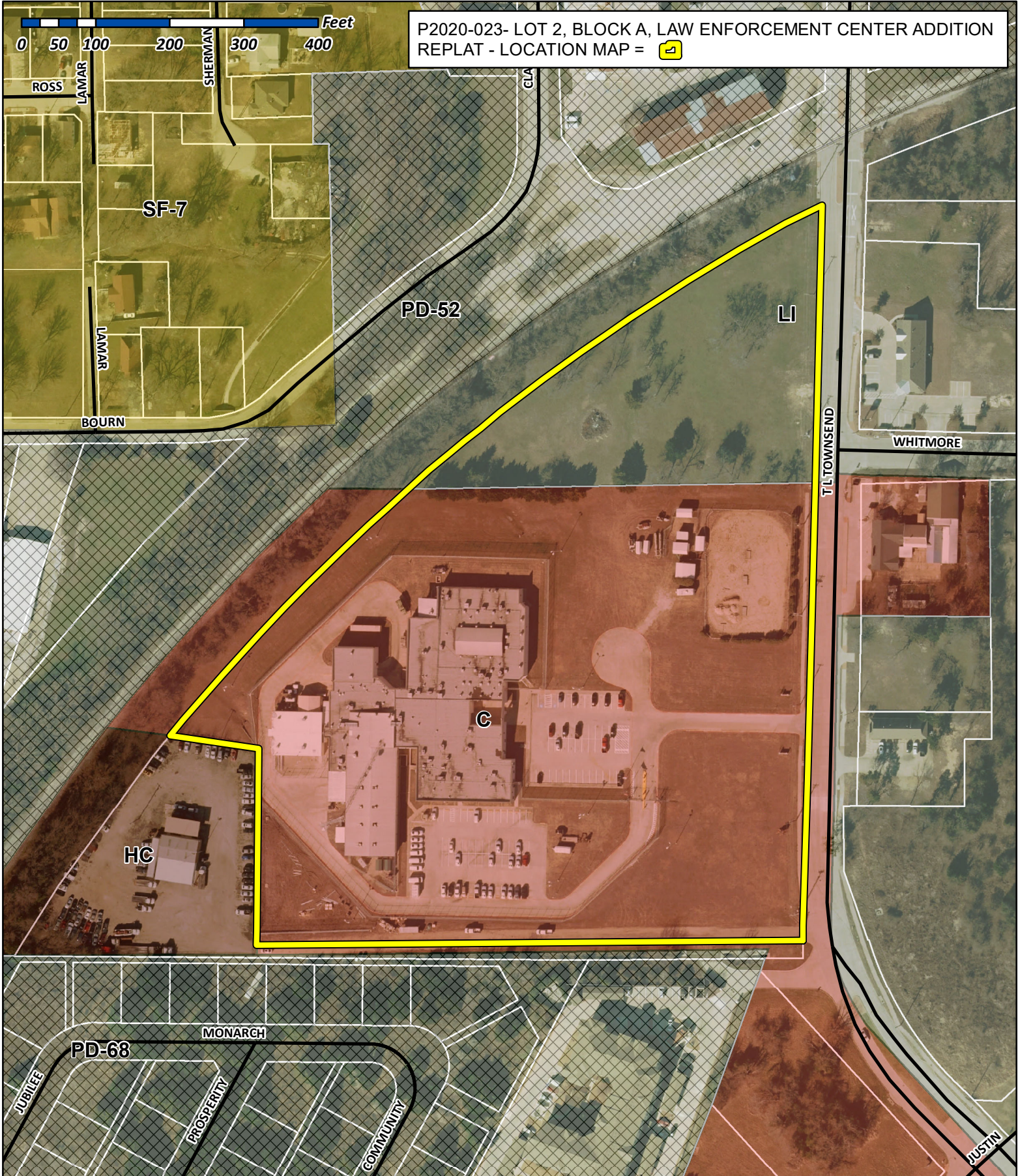
Owner's Signature

[Signature]

Notary Public in and for the State of Texas



My Commission Expires *9-16-2020*



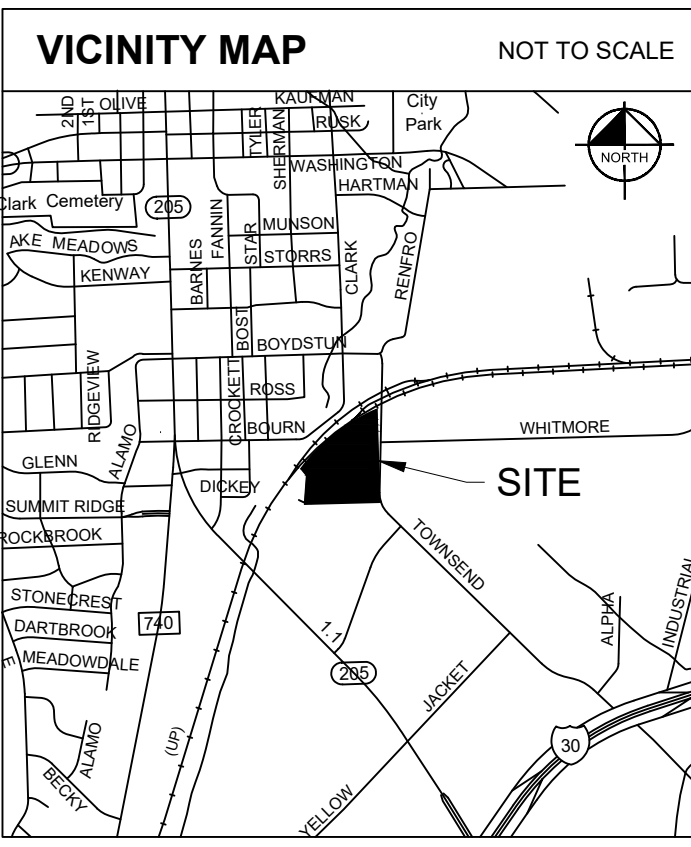
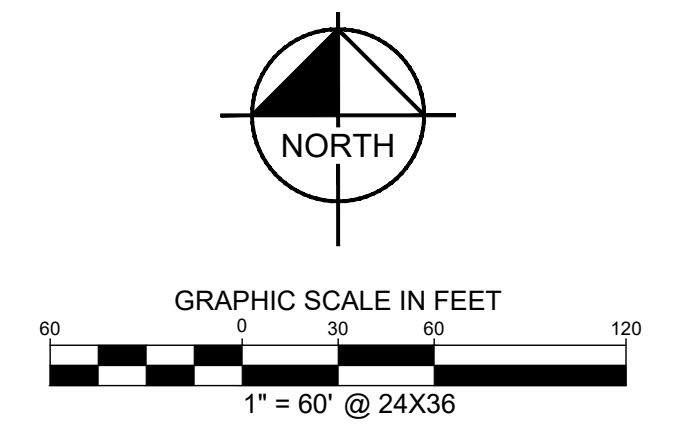
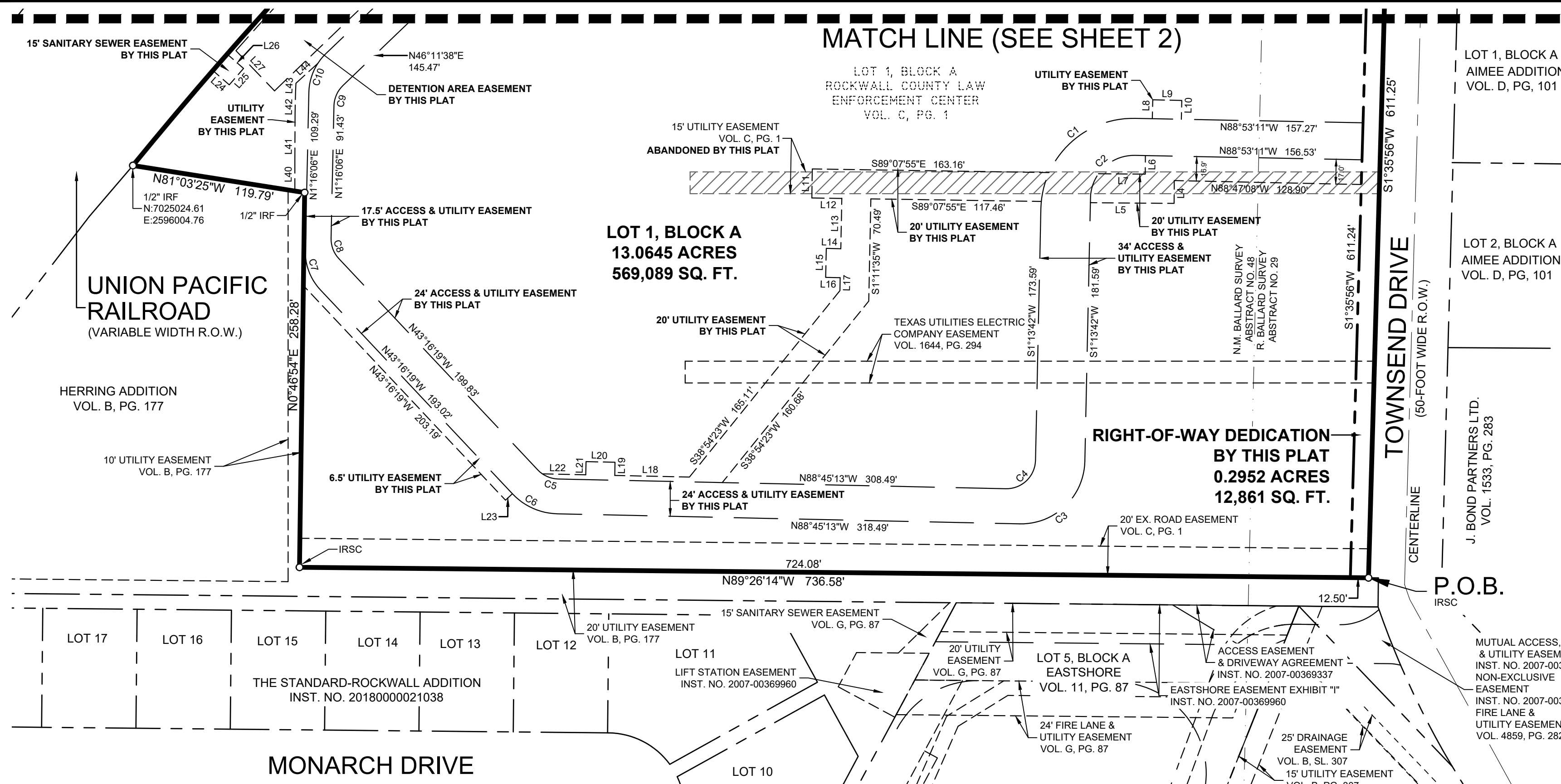
City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



MATCH LINE (SEE SHEET 2)



LEGEND:
 P.O.B. = POINT OF BEGINNING
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRF = IRON ROD FOUND
 IPF = IRON PIPE FOUND
 XS = "X" CUT IN CONCRETE SET
 XF = "X" CUT IN CONCRETE FOUND
 O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS

- NOTES:**
- It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
 - Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
 - The coordinates shown hereon are surface values of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
 - The distances shown hereon are surface values. The combined scale factor for this plat is 0.999855936.
 - Property owner shall be responsible for all liability maintenance, repairs, and reconstruction of drainage and detention easements on site.
 - All recording information are per the Plat Records of Rockwall County, Texas unless otherwise stated.

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	N88°24'04"W	11.32'	L24	S48°49'04"E	15.00'
L2	S01°35'56"W	20.00'	L25	N41°10'56"E	15.00'
L3	S88°24'04"E	11.32'	L26	N48°49'04"W	15.02'
L4	S00°20'59"W	15.73'	L27	S43°48'22"E	38.37'
L5	N89°31'37"W	57.71'	L28	N01°06'11"E	16.29'
L6	S00°20'59"W	12.79'	L29	S43°47'06"E	3.58'
L7	N89°31'37"W	32.26'	L30	S88°59'47"E	37.79'
L8	N01°16'41"E	12.99'	L31	N01°00'13"E	20.00'
L9	S88°43'19"E	20.00'	L32	N88°59'47"W	27.56'
L10	S01°16'41"W	12.99'	L33	N01°06'11"E	38.22'
L11	N00°53'49"E	20.00'	L34	N01°06'11"E	38.22'
L12	S89°07'55"E	20.68'	L35	N34°59'06"W	10.16'
L13	S01°11'35"W	34.77'	L36	N55°00'54"E	20.00'
L14	N88°48'25"W	10.00'	L37	S34°59'06"E	10.16'
L15	S01°11'35"W	20.00'	L38	N65°14'13"W	28.03'
L16	S88°48'25"E	10.00'	L39	S88°59'47"E	44.29'
L17	S01°11'35"W	8.89'	L40	N00°02'47"E	20.87'
L18	N88°45'13"W	51.47'	L41	N00°15'00"E	32.65'
L19	S01°14'47"W	9.10'	L42	N01°15'28"E	15.27'
L20	S88°45'13"E	20.00'	L43	N02°39'59"E	5.49'
L21	N01°14'47"E	9.10'	L44	N47°48'00"E	20.30'
L22	N88°45'13"W	29.88'			
L23	S46°43'41"W	6.50'			

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	89°53'07"	63.50'	99.62'	S46°10'16"W	89.71'
C2	89°53'07"	30.00'	47.06'	S46°10'16"W	42.38'
C3	90°01'05"	44.00'	69.13'	N46°14'15"E	62.24'
C4	90°01'05"	20.00'	31.42'	N46°14'15"E	28.29'
C5	45°28'54"	20.00'	15.88'	S66°00'46"E	15.46'
C6	45°28'54"	44.00'	34.93'	S66°00'46"E	34.02'
C7	44°32'25"	38.00'	29.54'	S21°00'06"E	28.80'
C8	44°32'25"	20.00'	15.55'	S21°00'06"E	15.16'
C9	44°21'07"	20.00'	15.48'	S24°01'04"W	15.10'
C10	44°55'31"	38.00'	29.80'	S23°43'52"W	29.04'
C11	132°50'53"	20.50'	47.53'	N65°19'15"W	37.58'
C12	45°06'43"	44.00'	34.64'	N23°39'33"E	33.76'
C13	45°06'43"	20.00'	15.75'	N23°39'33"E	15.34'
C14	49°43'42"	44.00'	38.19'	S25°58'02"W	37.00'
C15	49°43'42"	20.00'	17.36'	S25°58'02"W	16.82'
C16	4°11'01"	1000.00'	73.02'	S52°55'24"W	73.00'
C17	4°11'01"	1024.00'	74.77'	S52°55'24"W	74.75'
C18	36°08'05"	44.00'	27.75'	S73°04'57"W	27.29'
C19	36°08'05"	20.00'	12.61'	S73°04'57"W	12.41'
C20	21°48'41"	25.00'	9.52'	N80°14'39"E	9.46'
C21	17°17'03"	25.00'	7.54'	N80°12'29"W	7.51'
C22	49°17'16"	30.00'	25.81'	S66°21'35"W	25.02'
C23	49°17'16"	16.00'	13.76'	N66°21'35"E	13.34'
C24	143°58'32"	16.00'	40.21'	S17°00'31"E	30.43'

REPLAT
ROCKWALL CORRECTIONAL ADDITION
LOT 1, BLOCK A
13.3597 ACRES
 N.M. BALLARD SURVEY, ABSTRACT NO. 48
 R. BALLARD SURVEY, ABSTRACT NO. 29
 B.F. BOYDSTON SURVEY, ABSTRACT NO. 14
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
 CASE NO. 2020-_____

Kimley»Horn

13455 Noel Road, Two Galleria Office Tel. No. (972) 770-1300
 Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD/MTC	JAD	JUNE 2020	064510401	1 OF 3

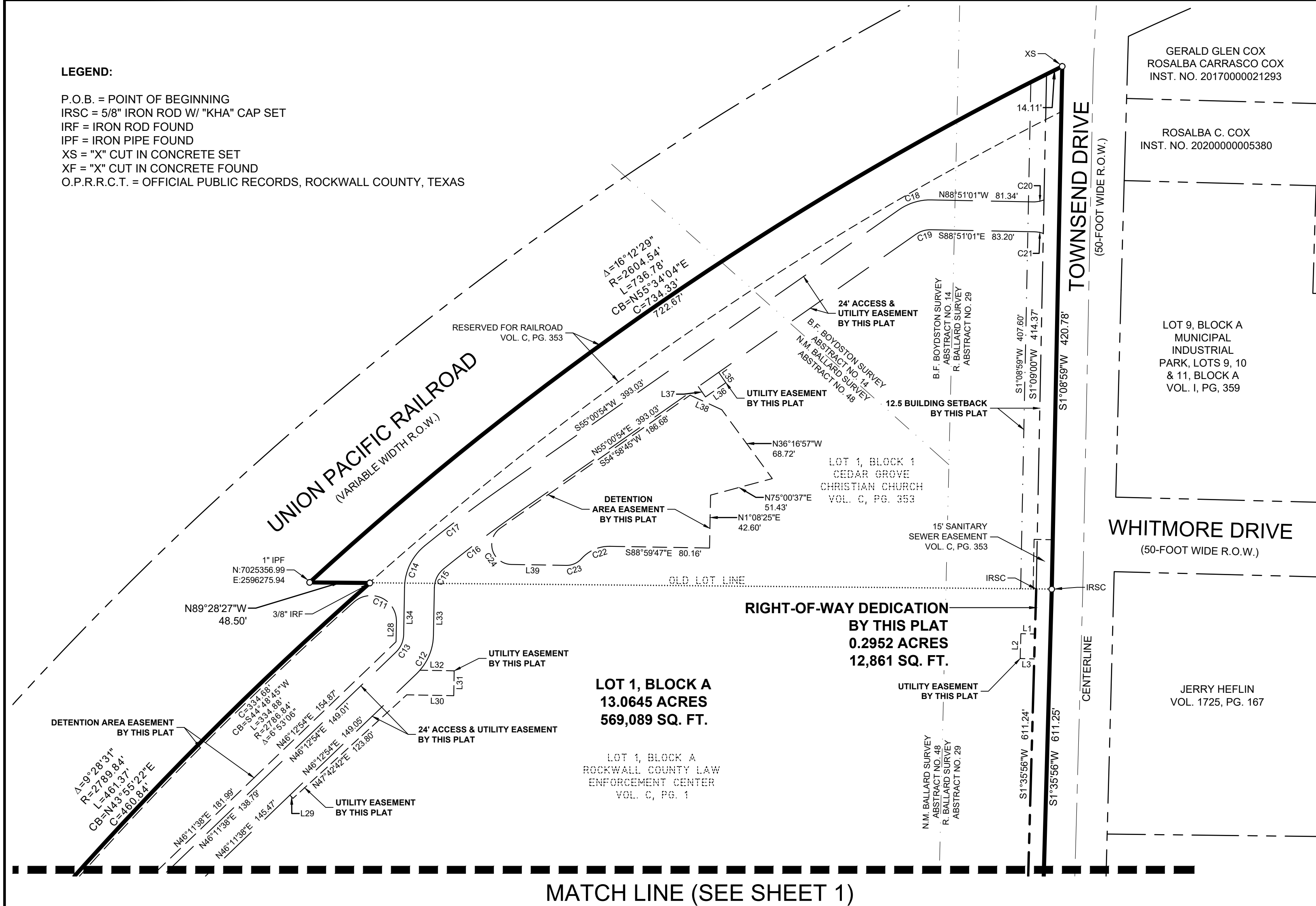
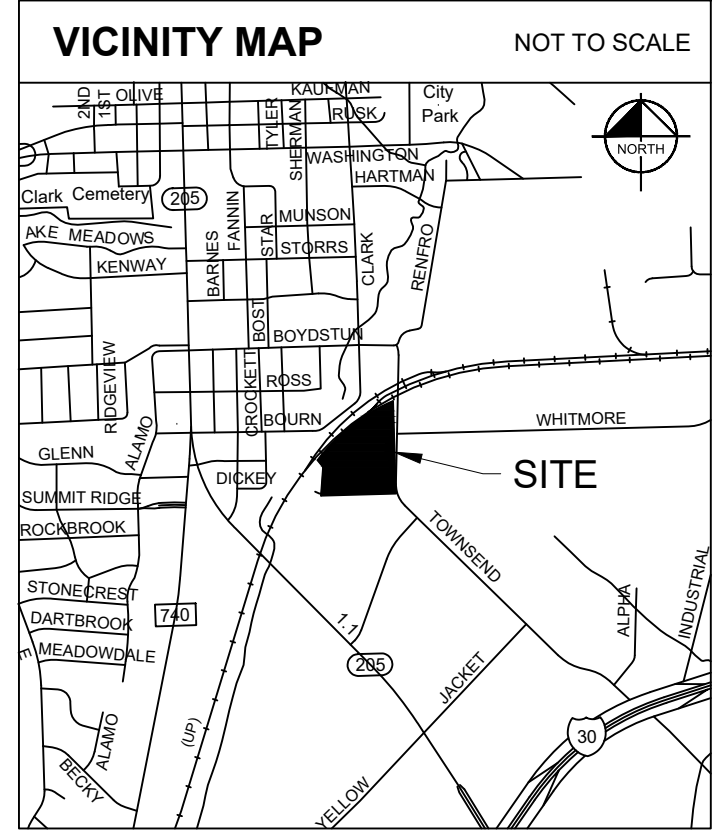
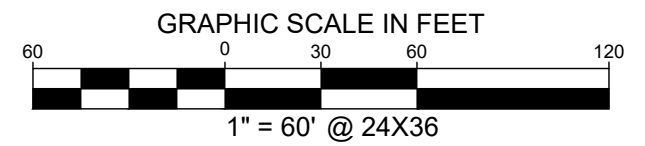
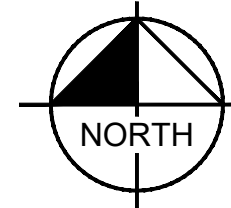
OWNER/APPLICANT:
 ROCKWALL COUNTY
 101 E RUSK, SUITE 202
 ROCKWALL, TEXAS 75087
 PHONE: 772-204-6000
 CONTACT: DENNIS BAILEY

ENGINEER:
 KIMLEY-HORN AND ASSOCIATES, INC.
 13455 NOEL ROAD, TWO GALLERIA
 OFFICE TOWER, SUITE 700
 DALLAS, TEXAS 75240
 PHONE: 972-770-1300
 CONTACT: CHRIS FERGUSSON, P.E.

6/19/2020 8:49 AM C:\P\PROJECTS\2020\2020-0645\0645_0401\ROCKWALL CORRECTIONAL IMPROVEMENT\DWG\0645_0401_ROCKWALL CORRECTIONAL_FP.DWG PLOTTED BY: CLIDE, MITCHELL

LEGEND:

P.O.B. = POINT OF BEGINNING
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRF = IRON ROD FOUND
 IPF = IRON PIPE FOUND
 XS = "X" CUT IN CONCRETE SET
 XF = "X" CUT IN CONCRETE FOUND
 O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS



NOTES:

1. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
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7. See sheet 1 for line and curve table.

REPLAT
ROCKWALL CORRECTIONAL ADDITION
LOT 1, BLOCK A
13.3597 ACRES
 N.M. BALLARD SURVEY, ABSTRACT NO. 48
 R. BALLARD SURVEY, ABSTRACT NO. 29
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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD/MTC	JAD	JUNE 2020	064510401	2 OF 3

OWNER/APPLICANT:
 ROCKWALL COUNTY
 101 E RUSK, SUITE 202
 ROCKWALL, TEXAS 75087
 PHONE: 772-204-6000
 CONTACT: DENNIS BAILEY

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 OFFICE TOWER, SUITE 700
 DALLAS, TEXAS 75240
 PHONE: 972-770-1300
 CONTACT: CHRIS FERGUSSON, P.E.

DWG NAME: \\DALFP01\DATA\PROJECT\DAL_SURVEY\064510401 ROCKWALL CORRECTIONAL IMPROVEMENT\DWG064510401 ROCKWALL CORRECTIONAL_ADDITION_PP.DWG PLOTTED BY: CUDE, MITCHELL 6/19/2020 8:57 AM LAST SAVED: 6/19/2020 8:49 AM

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

**STATE OF TEXAS
COUNTY OF ROCKWALL**

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the **Rockwall Correctional Addition** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the **Rockwall Correctional Addition** have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or
Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or
Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.
- Property owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements.

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself.

Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

By: ROCKWALL COUNTY

Dennis Bailey, County Commissioner

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Dennis Bailey, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2020.

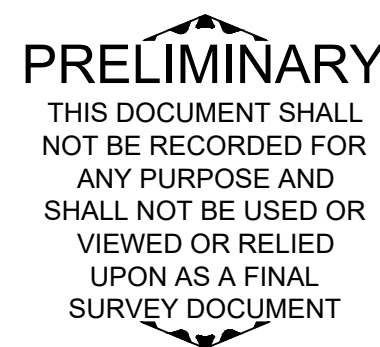
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying.

Dated this the _____ day of _____, 2020.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER
SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM



**STATE OF TEXAS
COUNTY OF ROCKWALL**

WHEREAS, ROCKWALL COUNTY, is the owner of a tract of land situated in the N.M. Ballard Survey, Abstract No. 48, the R. Ballard Survey, Abstract No. 29 and the B.F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas and being all of Lot 1, Block 1, Cedar Grove Christian Church, an addition to the City of Rockwall, Texas according to the plat thereof recorded in Volume C, Page 353, Plat Records of Rockwall County, Texas and being all of Lot 1, Block A, Rockwall County Law Enforcement Center, an addition to the City of Rockwall, Texas according to the plat thereof recorded in Volume C, Page 1, Plat Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod w/ "KHA" cap set in the west right-of-way line of Townsend Drive (a 50-foot wide right-of-way) at the southeast corner of said Lot 1, Block A and at the easternmost northeast corner of Herring Addition, an addition to the City of Rockwall, Texas according to the plat thereof recorded in Volume B, Page 177, Plat Records of Rockwall County, Texas;

THENCE departing said west right-of-way line and with the north line of said Herring Addition, North 89°26'14" West, a distance of 736.58 feet to a 5/8" iron rod w/ "KHA" cap set for corner at an interior corner of said Herring Addition;

THENCE with the east line of said Herring Addition, North 0°46'54" East, a distance of 258.28 feet to a 1/2" iron rod found at the northeast corner of said Herring Addition;

THENCE with the north line of said Herring Addition, North 81°03'25" West, a distance of 119.79 feet to a 1/2" iron rod found in the southeast right-of-way line of Union Pacific Railroad (a variable width right-of-way) and at the beginning of a non-tangent curve to the right having a central angle of 9°28'31", a radius of 2789.84 feet, a chord bearing and distance of North 43°55'22" East, 460.84 feet;

THENCE with said southeast right-of-way line, the following courses and distances:
In a northeasterly direction, with said curve to the right, an arc distance of 461.37 feet to a 3/8" iron rod found in the south line of said Lot 1, Block 1 and at the northwest corner of said Lot 1, Block A;
North 89°28'27" West, a distance of 48.50 feet to a 1" iron pipe found at the southwest corner of said Lot 1, Block 1 and at the beginning of a non-tangent curve to the right having a central angle of 16°12'29", a radius of 2604.54 feet, a chord bearing and distance of North 55°34'04" East, 734.33 feet;
In a northeasterly direction, with said curve to the right, an arc distance of 736.78 feet to a "X" cut in concrete set at the intersection of said southeast right-of-way line with said west right-of-way line of Townsend Drive;

THENCE with said west right-of-way line, the following courses and distances:
South 1°08'59" West, a distance of 420.78 feet to a 5/8" iron rod w/ "KHA" cap set for corner;
South 1°35'56" West, a distance of 611.25 feet to the **POINT OF BEGINNING** and containing 13.3597 acres or 581,950 square feet of land.

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of th City of Rockwall on the _____ day of _____, 2020.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2020.

Mayor, City of Rockwall

City Secretary

City Engineer

**REPLAT
ROCKWALL CORRECTIONAL ADDITION
LOT 1, BLOCK A
13.3597 ACRES
N.M. BALLARD SURVEY, ABSTRACT NO. 48
R. BALLARD SURVEY, ABSTRACT NO. 29
B.F. BOYDSTON SURVEY, ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. 2020-_____**

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD/MTC	JAD	JUNE 2020	064510401	3 OF 3

OWNER/APPLICANT:
ROCKWALL COUNTY
101 E RUSK, SUITE 202
ROCKWALL, TEXAS 75087
PHONE: 772-204-6000
CONTACT: DENNIS BAILEY

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1300
CONTACT: CHRIS FERGUSSON, P.E.

DWG NAME: \\D:\AL\FP01\DATA\PROJECT\DAL_SURVEY\064510401\ROCKWALL CORRECTIONAL IMPROVEMENT\DWG\064510401_ROCKWALL CORRECTIONAL_PP.DWG PLOTTED BY: CUDE, MITCHELL 6/19/2020 8:57 AM LAST SAVED: 6/19/2020 8:49 AM



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 6, 2020

SUBJECT: P2020-024; LOTS 7 & 8, BLOCK A, MAVERICK RANCH ADDITION

Attachments

Development Application

Location Map

Replat

Summary/Background Information

PLEASE SEE NEXT PAGE

Discuss and consider a request by Bill Thomas of Engineering Concepts & Design, LP on behalf of Ridge Pointe Horizon, LP for the approval of a replat for Lots 7 & 8, Block A, Maverick Ranch Addition being a 2.113-acre parcel of land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 5701 – 5739 Horizon Road [FM-3097], and take any action necessary.

Plat Information

- The applicant is requesting to replat a 2.113-acre parcel of land (*i.e. Lot 6, Block A, Maverick Ranch Addition*) for purpose of establishing two (2) lots (*i.e. Lots 7 & 8, Block A, Maverick Ranch Addition*) to establish a cross access easement and other easements necessary to develop the site with a strip retail building. The plat also includes ten (10) feet of right-of-way dedication along Horizon Road.
- On February 13, 2018, the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2018-003*] for the construction of a ~10,998 SF building on the subject property. In accordance with this site plan a variance to the ten (10) foot landscape buffer was approved by the City Council on April 16, 2018.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

Conditions of Approval

If the City Council chooses to approve the replat for *Lots 7 & 8, Block A, Maverick Ranch Addition*, staff would propose the following conditions of approval:

1. All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
2. Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On June 30, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 7-0.

Action Needed

The City Council is asked to consider the proposed replat.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: *[Signature]*

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request (Resolution No. 05-22) [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, only the "base fee" is required.

PROPERTY INFORMATION [PLEASE PRINT]

Address Horizon Road (FM 3097) and Ranch Trail

Subdivision Ranch Trail Retail Center, Maverick Ranch Addition

Lot

7 & 8

Block

A

General Location East side of Ranch Trail, North of Horizon

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Commercial (C) District

Current Use Retail Center

Proposed Zoning Commercial (C) District

Proposed Use N/A

Acreage

2.113

Lots [Current]

1

Lots [Proposed]

2

Required for Plats: By checking the box at the left you agree to waive the statutory time limit for plat approval in accordance with Section 112.009 of the Local Government Code.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner Ridge Pointe Horizon, LP (LOT 7)

Applicant Engineering Concepts & Design, LP

Contact Person

Contact Person Bill Thomas

Address 2255 Ridge Road, Suite 208

Address 201 Windco Circle

City, State & Zip

City, State & Zip Wylie, TX 75098

Phone 9729618532

Phone 9729418403

E-Mail

E-Mail bill@ecdip.com

NOTARY VERIFICATION [REQUIRED]

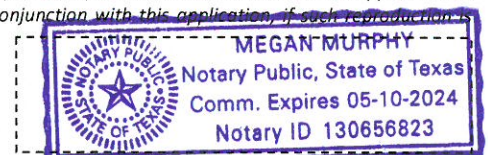
Before me, the undersigned authority, on this day personally appeared Kevin Lafere [Owner/Applicant Name] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 2nd day of JUNE, 2020. By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 2nd day of JUNE, 2020.

Owner's/Applicant's Signature *[Signature]*

Notary Public in and for the State of Texas *[Signature]*



My Commission Expires 5-10-2024



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request (Resolution No. 05-22) [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, only the "base fee" is required.

PROPERTY INFORMATION [PLEASE PRINT]

Address: Horizon Road (FM 3097) and Ranch Trail

Subdivision: Ranch Trail Retail Center, Maverick Ranch Addition Lot: 7 & 8 Block: A

General Location: East side of Ranch Trail, North of Horizon

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning: Commercial (C) District

Current Use: Vacant

Proposed Zoning: Commercial (C) District

Proposed Use: Retail Center

Acreage: 2.113 Lots [Current]: 1 Lots [Proposed]: 2

Required for Plats: By checking the box at the left you agree to waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner: Texas Ranch Trails, LLC (LOT 8)

Applicant: Engineering Concepts & Design, LP

Contact Person: _____

Contact Person: Bill Thomas

Address: 200 Louisiana Street

Address: 201 Windco Circle

City, State & Zip: Little Rock, AR 72201

City, State & Zip: Wylie, TX 750998

Phone: _____

Phone: 9729418403

E-Mail: _____

E-Mail: bill@ecdip.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Robert A. Powell [Owner/Applicant Name] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 02 day of June, 2020. By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

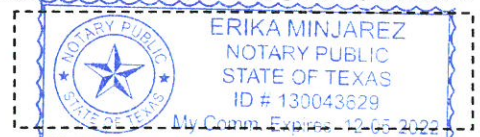
Given under my hand and seal of office on this the 02 day of June, 2020.

Owner's/Applicant's Signature

RT Powell


Notary Public in and for the State of Texas

ERIKA MINJAREZ



My Commission Expires

0 75 150 300 450 600 Feet

P2020-024- REPLAT FOR LOT 7 & 8, BLOCK A, MAVERICK RANCH
REPLAT - LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

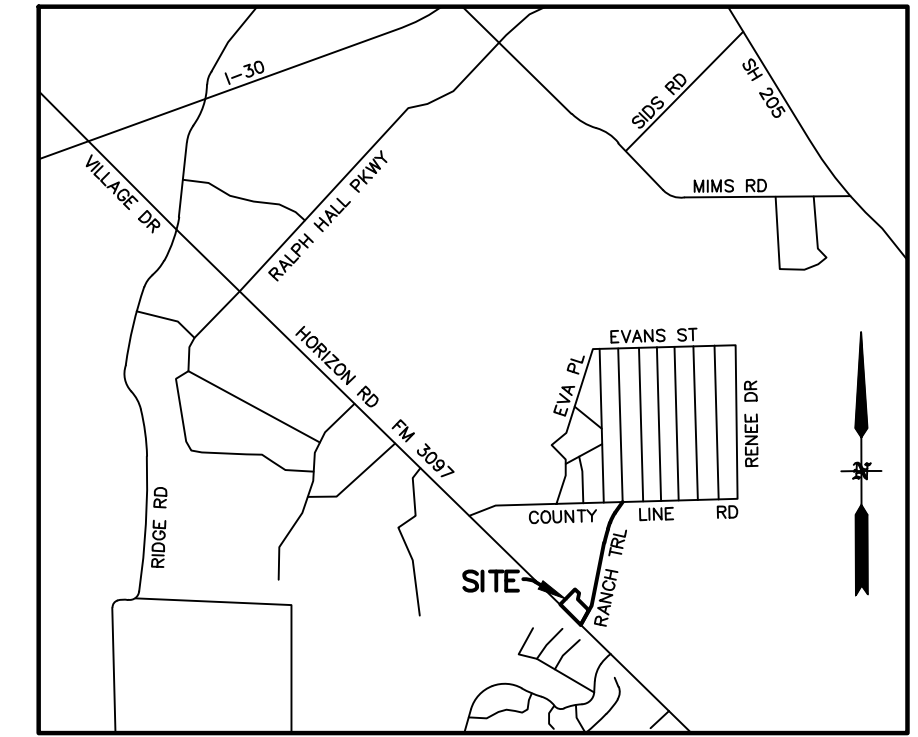


LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 45°46'23" E	80.00'
L2	S 10°18'02" W	84.59'
L3	S 44°51'27" W	20.12'
L4	S 45°08'33" E	20.00'
L5	S 89°51'27" W	20.36'
L6	N 44°52'38" W	15.19'
L7	S 9°05'26" E	19.62'
L8	N 45°00'38" E	15.00'
L9	N 44°51'27" E	24.57'
L10	N 45°08'33" W	13.19'
L11	N 21°29'03" E	16.24'
L12	N 7°10'38" E	13.19'
L13	N 11°49'14" W	14.95'
L14	N 30°57'12" W	8.86'
L15	N 45°08'33" W	15.14'
L16	N 44°51'27" E	5.22'
L17	S 45°31'02" E	33.37'
L18	S 0°00'18" E	31.14'
L19	S 22°36'43" W	31.31'
L20	S 41°10'13" W	39.91'
L21	S 27°26'10" W	18.54'
L22	S 34°58'34" W	26.77'
L23	S 24°19'34" W	9.66'
L24	N 45°13'21" E	63.37'
L25	S 45°08'33" E	20.00'
L26	S 0°08'33" E	27.23'

WILLIAM M. FORD SURVEY
A-80

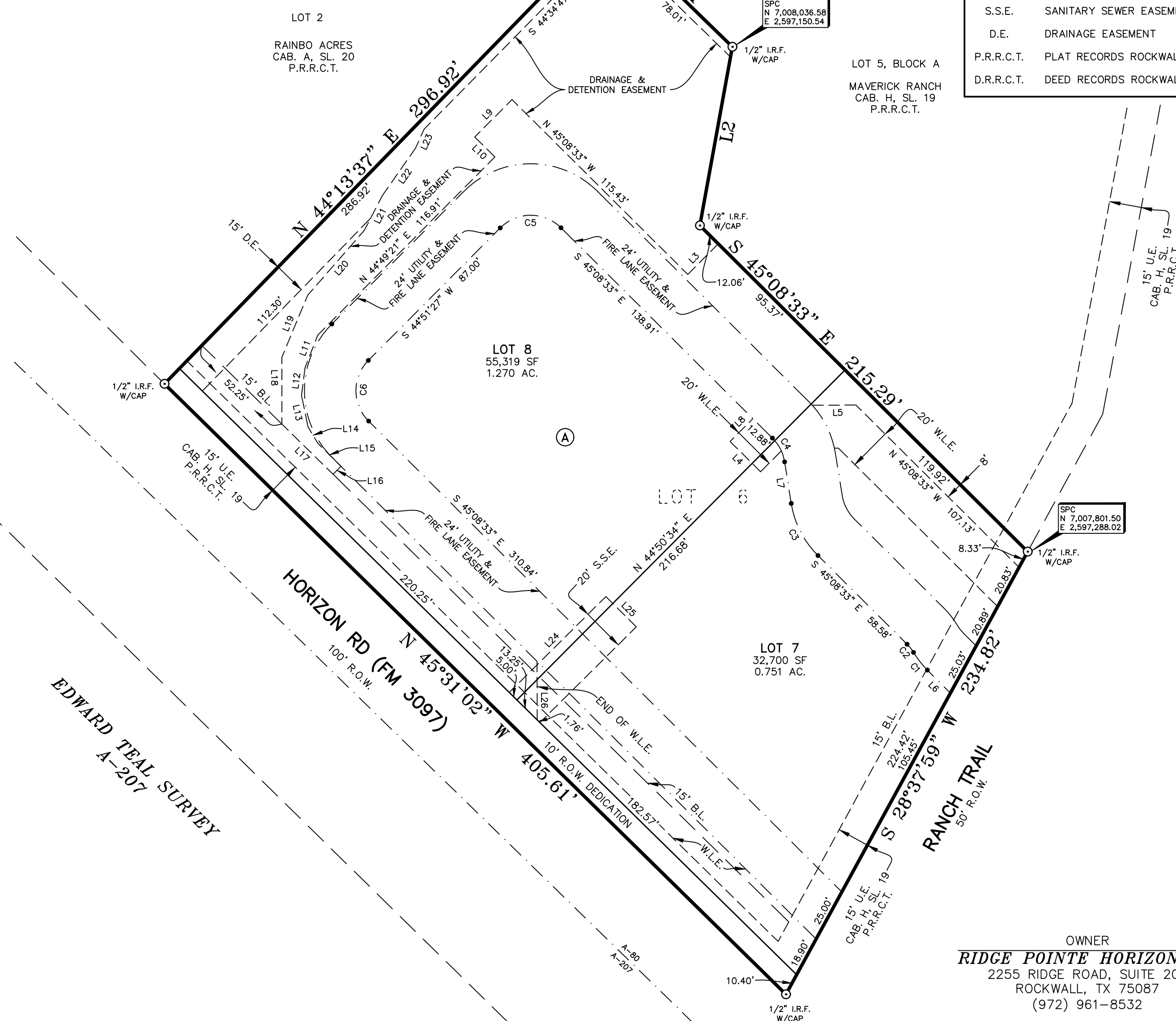
POINT OF BEGINNING

LEGEND	
1/2" I.R.S. W/CAP	1/2" IRON ROD SET WITH CAP STAMPED "GRIFFITH 4846"
I.R.F.	IRON ROD FOUND
B.L.	BUILDING SETBACK LINE
SPC	STATE PLANE COORDINATES
U.E.	UTILITY EASEMENT
W.L.E.	WATER LINE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.R.R.C.T.	PLAT RECORDS ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS ROCKWALL COUNTY, TEXAS



VICINITY MAP
N.T.S.

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	013°37'54"	44.00'	5.26'	10.47'	S 38°03'40" E	10.44'
C2	013°53'50"	20.00'	2.44'	4.85'	N 38°11'38" W	4.84'
C3	036°03'07"	44.00'	14.32'	27.69'	S 27°06'59" E	27.23'
C4	036°03'07"	20.00'	6.51'	12.58'	N 27°06'59" W	12.38'
C5	090°00'00"	20.00'	20.00'	31.42'	S 89°51'27" W	28.28'
C6	090°00'00"	20.00'	20.00'	31.42'	S 0°08'33" E	28.28'



NOTES:

- Bearings are based on Texas State Plane Coordinates: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet. (TX83-NCF)
- All monuments are 1/2" I.R.S. W/CAP unless otherwise noted.
- By graphical plotting, the parcel described hereon lies within a an area of minimal flood hazard (Zone X) as delineated on the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map, Panel Number 48397C0040L, dated September 26, 2008, as published by the Federal Emergency Management Agency. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by FEMA or some other source. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor.
- The purpose of this replat is to divide Lot 6 into Lots 7 and 8 and create easements required for development of Lot 8.

REPLAT
**MAVERICK RANCH
LOT 7 AND 8, BLOCK A**

BEING A REPLAT OF

LOT 6, BLOCK A
MAVERICK RANCH
CAB. H, SL. 19, P.R.R.C.T.

AND BEING

2.113 ACRES

SITUATED IN THE

WILLIAM M. FORD SURVEY, A-80
CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS

OWNER
RIDGE POINTE HORIZON, LP
2255 RIDGE ROAD, SUITE 208
ROCKWALL, TX 75087
(972) 961-8532

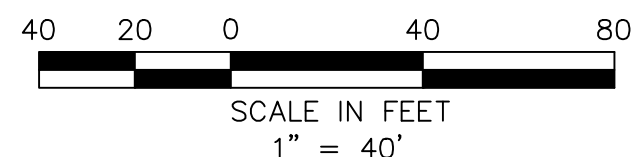
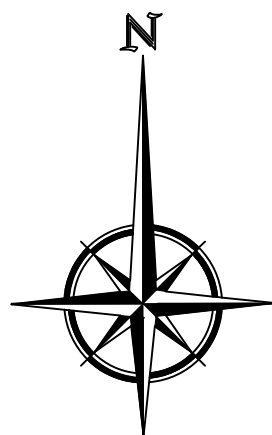
OWNER
TEXAS RANCH TRAILS, LLC
200 LOUISIANA STREET
LITTLE ROCK, AR 72201
(X) X

LAND SURVEYOR
GRIFFITH SURVEYING CO., LLC
605 AVENUE B, SUITE 115
LONGVIEW, TX 75604
(903) 295-1560
FAX (903) 295-1570
FIRM NO. 10083600 JOB NO. ____

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

DATE: MAY 11, 2020

SHEET 1 OF 2





MEMORANDUM

TO: Rick Crowley, City Manager
CC: Honorable Mayor and City Council
FROM: Ryan Miller, Director of Planning and Zoning
DATE: July 6, 2020
SUBJECT: P2020-025; LOTS 4 & 5, BLOCK A, WASHINGTON PLACE ADDITION

Attachments

Development Application

Location Map

Replat

Summary/Background Information

PLEASE SEE NEXT PAGE

Discuss and consider a request by Zan Gates of Eric L. Davis Engineering on behalf of Jimmy McClintock of Washington Place on Highway 66 for the approval of a replat for Lots 4 & 5, Block A, Washington Place Addition being a 0.987-acre parcel of land identified as a portion of Block 14, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 409 W. Washington Street, and take any action necessary.

Plat Information

- The applicant is requesting the approval of a replat for a 0.987-acre tract of land (*i.e. Block 14, Lowe & Allen Addition*) for purpose of establishing two (2) lots (*i.e. Lots 4 & 5, Block A, Washington Place Addition*) for the purpose of constructing an office building. As part of the plat, an eight (8) foot sidewalk easement will be dedicated and the construction of a cross access driveway connecting Lots 4 & 5.
- On January 14, 2020, the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2019-044*] for a ~16,502 SF office building. The approval included variances to the architectural requirements of the Downtown (DT) District.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

Conditions of Approval

If the City Council chooses to approve the replat for *Lots 4 & 5, Block A, Washington Place Addition*, staff would propose the following conditions of approval:

1. All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
2. Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On June 30, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 7-0.

Action Needed

The City Council is asked to consider the proposed replat.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: *[Signature]*

CITY ENGINEER: *[Signature]*

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
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Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 409 West Washington
 Subdivision Lowe & Allen Addition Lot _____ Block 14
 General Location Southeast Intersection of Washington St. & Third St.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Downtown District Current Use Vacant
 Proposed Zoning Downtown District Proposed Use Commercial
 Acreage 0.987 Lots [Current] 1 Lots [Proposed] 1

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Washington Place on Hwy. 66</u>	<input type="checkbox"/> Applicant	<u>Eric L. Davis Engineering</u>
Contact Person	<u>Jimmy McClintock</u>	Contact Person	<u>Zan Gates</u>
Address	<u>2850 Shoreline Trail</u>	Address	<u>P.O. Box 2637</u>
	<u>Suite 200</u>		
City, State & Zip	<u>Rockwall, Texas 75082</u>	City, State & Zip	<u>Forney, Texas 75126</u>
Phone	<u>469-974-8889</u>	Phone	<u>(472) 564-0592 ext. 132</u>
E-Mail	<u>imgc.rw@gmail.com</u>	E-Mail	<u>zgates@eldengineering.com</u>

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Jimmy McClintock [Owner] the undersigned, who stated the information on this application to be true and certified the following:

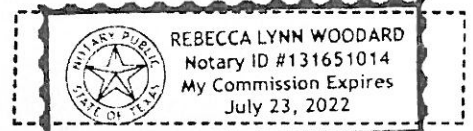
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 320.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 18 day of June, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 18 day of June, 2020.

Owner's Signature


Notary Public in and for the State of Texas

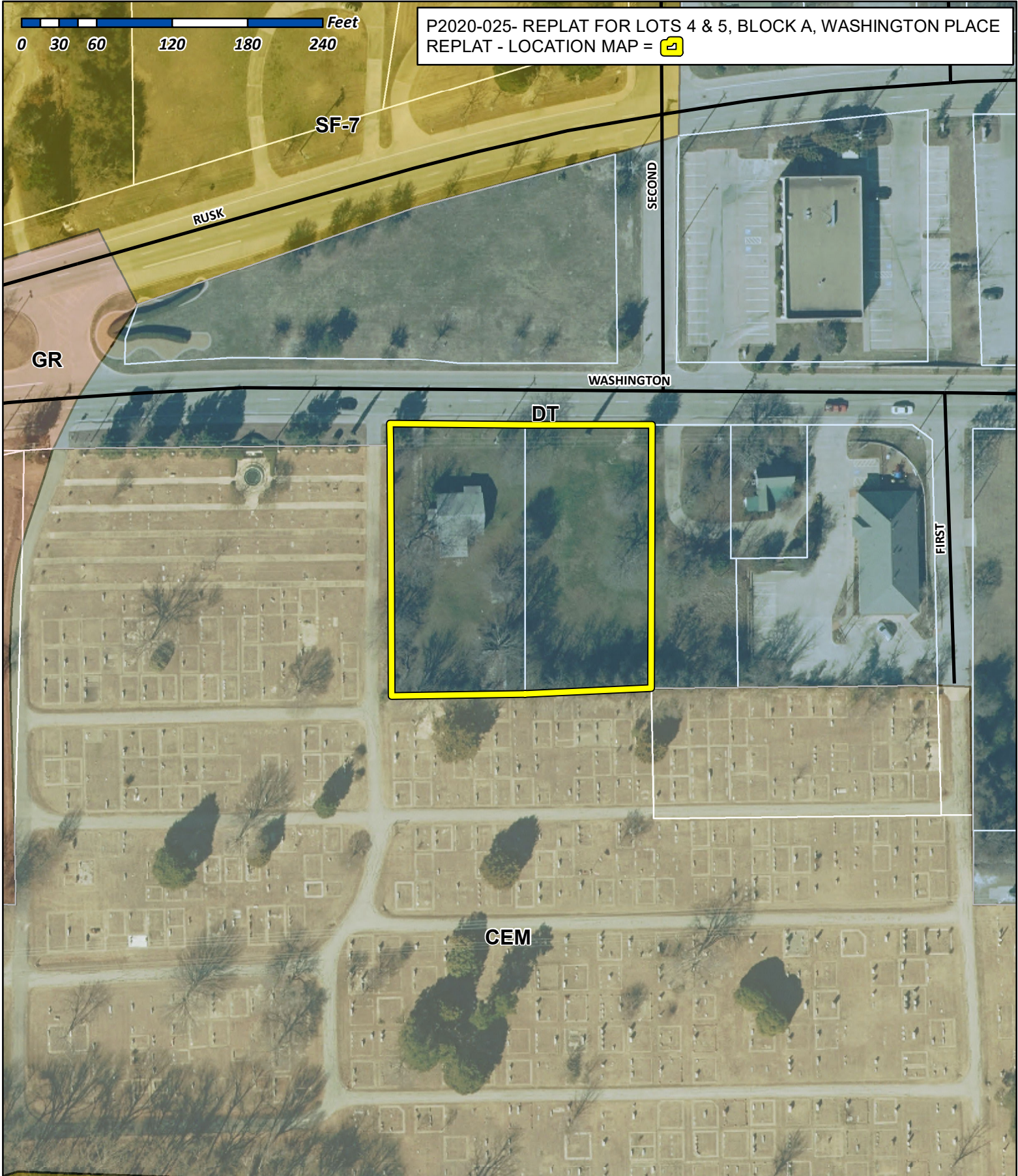
[Signature]



My Commission Expires 7-23-22

0 30 60 120 180 240 Feet

P2020-025- REPLAT FOR LOTS 4 & 5, BLOCK A, WASHINGTON PLACE
REPLAT - LOCATION MAP = 



City of Rockwall

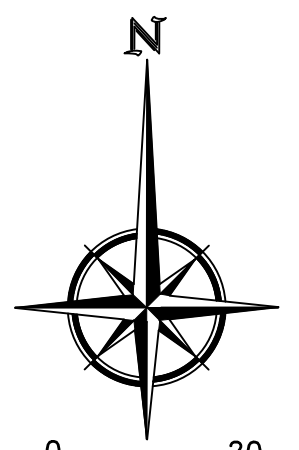
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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SITE BENCH MARK:
CUT "X" ON WALK
ELEV. = 534.39

WASHINGTON STREET
S.H. HWY. 66
(50' RIGHT-OF-WAY PER PLAT)



SCALE IN FEET
1" = 20'

CITY OF ROCKWALL BENCH MARKS USED:
R005-1 MONUMENT FOUND IN THE CENTERLINE OF SUMMIT RIDGE DR. ON THE WEST SIDE OF F.M. 740 ELEV. 578.63
R011 MONUMENT FOUND IN THE CENTERLINE MEDIAN OF NORTH LAKESHORE DRIVE BETWEEN AMESBURY AND STONEBROOK. ELEV. 518.83

QUITCLAIM DEED FROM THE CITY OF ROCKWALL TO LEE R. BOOTH INST. NO. 20060000363257 DRRCT

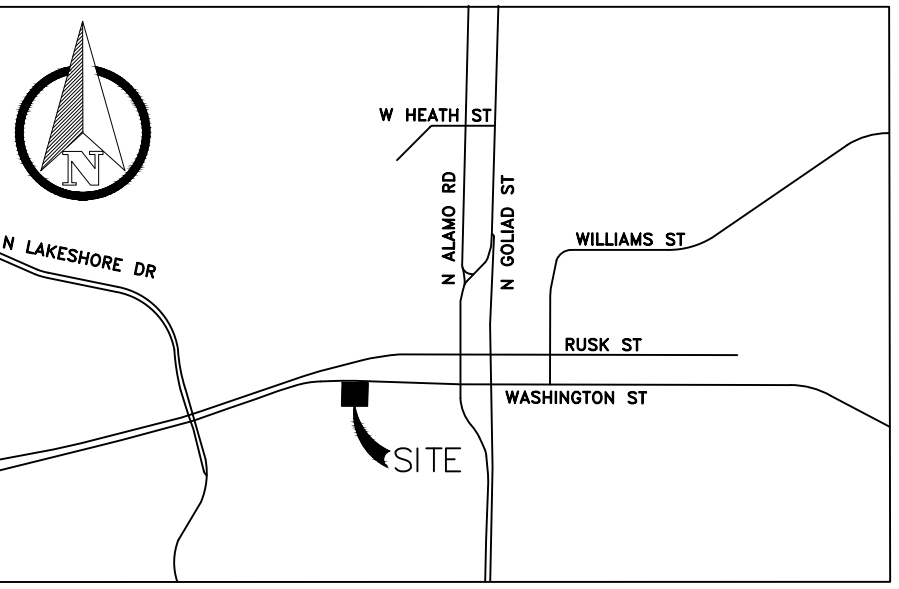
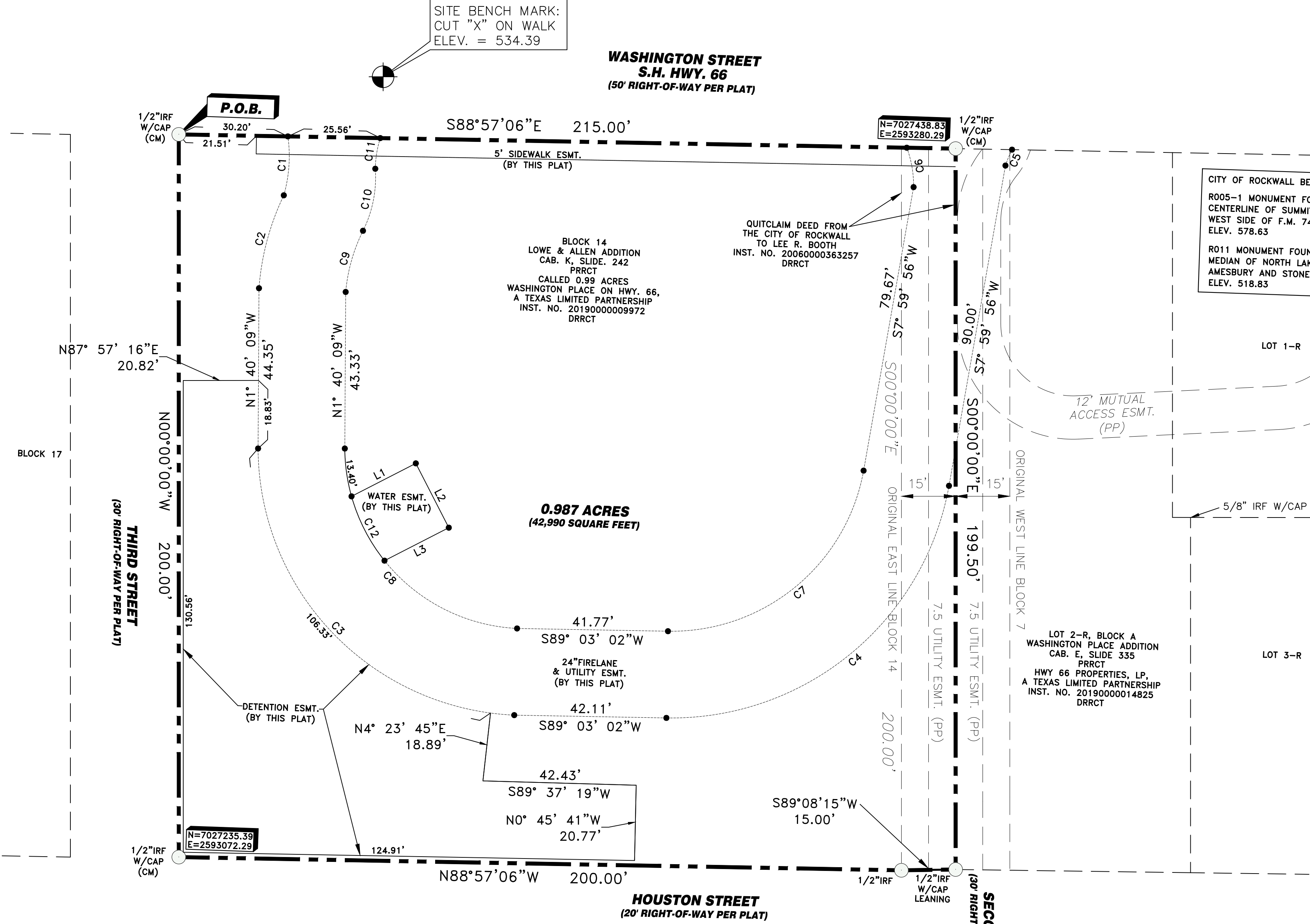
BLOCK 14
LOWE & ALLEN ADDITION
CAB. K, SLIDE. 242
PRRCT
CALLED 0.99 ACRES
WASHINGTON PLACE ON HWY. 66,
A TEXAS LIMITED PARTNERSHIP
INST. NO. 20190000009972
DRRCT

0.987 ACRES
(42,990 SQUARE FEET)

Parcel Line Table		
Line #	Length	Direction
L1	20.00	N60° 50' 53.68"E
L2	20.00	S29° 09' 06.32"E
L3	20.00	S60° 50' 53.68"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	16.46	39.63	23.79	N1° 59' 11"E	16.34
C2	26.77	71.40	21.49	N12° 57' 09"E	26.62
C3	112.93	74.15	87.26	N45° 50' 53"W	102.33
C4	110.12	78.00	80.90	S48° 36' 10"W	101.20
C5	4.77	30.32	9.01	S20° 25' 07"W	4.76
C6	11.12	30.16	21.13	S11° 45' 42"E	11.06
C7	76.21	54.00	80.86	S48° 37' 07"W	70.04
C8	76.00	50.15	86.82	N45° 44' 54"W	68.93
C9	17.70	47.40	21.39	N13° 47' 17"E	17.59
C10	17.71	33.08	30.68	N9° 12' 47"E	17.50
C11	8.62	30.00	16.47	N7° 13' 41"E	8.59
C12	20.13	50.15	23.00	N29° 09' 06"W	20.00

STANDARD NOTE
1. Selling off a portion of this addition by metes and bounds description, without a replat being approved by the City of Rockwall, is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.



VICINITY MAP
N.T.S.

- GENERAL NOTES
- Bearings are based on Deed recorded as Instrument No. 2019000000992 (DRRCT) as shown hereon.
 - Subject property is partially located within an area having a zone designation of "X" by the Secretary of Housing & Development on Flood Insurance Rate Map No. FEMA-MAP 48397C0040L, effective date of September 26, 2028, for Rockwall County, Texas.

LEGEND	
D.R.R.C.T.	DEED RECORDS OF ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS OF ROCKWALL COUNTY, TEXAS
POB	POINT OF BEGINNING
PKF	P.K.NAIL FOUND
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
PFC	POINT FOR CORNER
PP	PER PLAT

SURVEYOR/ENGINEER:
TOM FIDLER (SURVEYOR)
MITCH LENAMOND (ENGINEER)
ERIC L. DAVIS ENGINEERING, INC.
P.O. BOX 2637
FORNEY, TX 75126
(972) 564-0592

OWNER:
WASHINGTON PLACE ON HWY. 66
JIMMY MCCLINTOCK
2850 SHORELINE TRAIL, SUITE 200
ROCKWALL, TEXAS 75032
(469) 974-8889

DATE PREPARED: 05/18/2020

REPLAT
WASHINGTON PLACE
LOT 4-R, BLOCK A

A REPLAT OF BLOCK 14
LOWE & ALLEN ADDITION
1 LOT PROPOSED
0.987 ACRES
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

SITUATED IN THE
B.F. BOYDSTUN SURVEY,
ABSTRACT NO. 14
ROCKWALL COUNTY, TEXAS

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, WASHINGTON PLACE ON HWY. 66, A TEXAS LIMITED PARTNERSHIP are the owner's of a 0.987 acre tract of land out of the B.F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, and being all of a called 0.99 acre tract of land described in a Deed to Washington Place On Hwy. 66, A Texas Limited Partnership, recorded as Instrument No. 2019000009972 of the Deed Records of Rockwall County, Texas (DRRCT), all of Block 14 of the Lowe and Allen Addition, an Addition to the City of Rockwall, recorded in Cabinet K, Slide 242 of the Plat Records of Rockwall County, Texas (PRRCT), and part of a tract of land platted as Second Street and described in a Quit Claim Deed from the City of Rockwall to Lee R. Booth, recorded as Instrument No. 2006000363257 (DRRCT), and this tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with a yellow cap found for corner in the south right-of-way line of Washington Street (Highway 66 [a 50' right-of-way per said Lowe and Allen Addition]) and the east right-of-way line of Third Street (a 30' right-of-way per last mentioned Addition) at the northwest corner of said 0.99 acre tract;

THENCE South 88°57'06" East, along the south right-of-way line of said Washington Street common to the north line of said 0.99 acre tract, a distance of 215.00 feet, to a 1/2" iron rod with a yellow cap found for corner in the south right-of-way line of said Washington Street at the northeast corner of said 0.99 acre tract common to the northwest corner of Lot 2-R, Block A of Washington Place Addition, an Addition to the City of Rockwall, recorded in Cabinet E, Slide 335 (PRRCT);

THENCE South 00°00'00" East, along the east line of said 0.99 acre tract common to the west line of said Lot 2-R, a distance of 199.50 feet, to a 1/2" iron rod found with a yellow cap (leaning) at the southeast corner of said 0.99 acre tract common to the southwest corner of said Lot 2-R;

THENCE South 89°08'15" West, along a south line of said 0.99 acre tract, a distance of 15.00 feet, to a 1/2" iron rod found for corner in the north right-of-way line of Houston Street (a 20' right-of-way per said Lowe and Allen Addition) at an angle point of said 0.99 acre tract;

THENCE North 88°57'06" West, along the north right-of-way line of said Houston Street common to the south line of said 0.99 acre tract, a distance of 200.00 feet, to a 1/2" iron rod with a yellow cap found for corner at the intersection of the north right-of-way line of said Houston Street and the east right-of-way line of said Third Street at the southwest corner of said 0.99 acre tract;

THENCE North 00°00'00" West, along the east right-of-way line of said Third Street common to the west line of said 0.99 acre tract, a distance of 200.00 feet, to the POINT OF BEGINNING and containing 42,990 square feet, or 0.987 acres, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

WASHINGTON PLACE ON HWY. 66, A TEXAS LIMITED PARTNERSHIP, the undersigned owner of the land shown on this plat, and designated herein as WASHINGTON PLACE, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the WASHINGTON PLACE subdivision have been notified and signed this plat. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

7. Property owners are responsible for maintenance, repair and replacement of all retaining walls and drainage and detention systems in easements.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

FOR: WASHINGTON PLACE ON HWY. 66, A TEXAS LIMITED PARTNERSHIP
BY: JIMMY MCCLINTOCK, its general partner

BY: Jimmy McClintock

FOR: _____ (LIEN HOLDER)

BY: _____ NAME: _____
TITLE: _____

NOTARY CERTIFICATE

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Signature

Notary Stamp:

APPROVAL CERTIFICATE

Planning & Zoning Commission, Chairman _____ Date _____

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2018.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2018.

Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Tom Fidler, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 2020.

TOM FIDLER
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3940

NOTARY CERTIFICATE

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

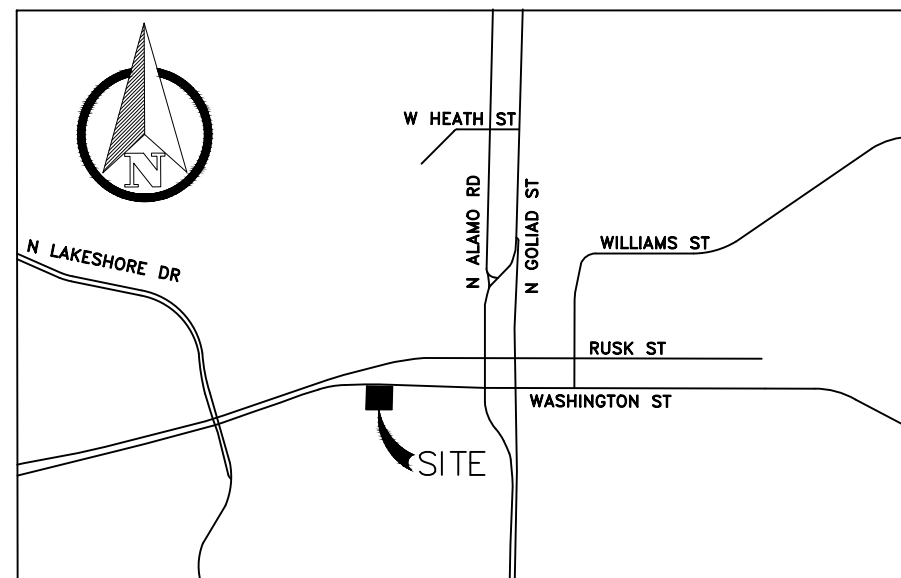
Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Signature

Notary Stamp:

STANDARD NOTE

1. Selling off a portion of this addition by metes and bounds description, without a replat being approved by the City of Rockwall, is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.



VICINITY MAP
N.T.S.

SURVEYOR/ENGINEER:
TOM FIDLER (SURVEYOR)
MITCH LENAMOND (ENGINEER)
ERIC L. DAVIS ENGINEERING, INC.
P.O. BOX 2637
FORNEY, TX 75126
(972) 564-0592

OWNER:
WASHINGTON PLACE ON HWY. 66
JIMMY MCCLINTOCK
2850 SHORELINE TRAIL, SUITE 200
ROCKWALL, TEXAS 75032
(469) 974-8889

DATE PREPARED: 05/18/2020

**REPLAT
WASHINGTON PLACE
LOT 4-R, BLOCK A**

**A REPLAT OF BLOCK 14
LOWE & ALLEN ADDITION
1 LOT PROPOSED
0.987 ACRES
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS**

SITUATED IN THE
**B.F. BOYDSTUN SURVEY,
ABSTRACT NO. 14
ROCKWALL COUNTY, TEXAS**



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 6, 2020

SUBJECT: P2020-026; LOT 24, BLOCK A, LA JOLLA POINTE ADDITION, PHASE 2

Attachments

Development Application

Location Map

Replat

Summary/Background Information

PLEASE SEE NEXT PAGE

Discuss and consider a request by Craig Smiley of USA Professional Services Group, Inc. on behalf of Clay Shipman for the approval of a replat for Lot 24, Block A, La Jolla Pointe Addition, Phase 2 being a 1.280-acre parcel of land identified as Lot 21, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1020 La Jolla Pointe Drive, and take any action necessary.

Plat Information

- The applicant is requesting the approval of a replat of a 1.280-acre parcel of land (*i.e. Lot 21, Block A, La Jolla Pointe Addition, Phase 2*) for the purpose establishing one (1) lot (*i.e. Lot 24, Block A, La Jolla Pointe Addition, Phase 2*) to allow for the construction of a three (3) story office building and a one (1) story garage. The primary purpose of this replat is to indicate the stormwater, access, and retaining wall easements that need to be abandoned and dedicate a new drainage and access easements.
- On July 17, 2018, the City Council approved a site plan [*i.e. Case No. SP2018-016*] for the subject property which indicated where the proposed three (3) story office building and one (1) story garage would be located. On December 3, 2018, the City Council approved a replat [*Case No. P2018-039*] for the subject property creating Lot 3, Block A, La Jolla Pointe Addition, Phase 2.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions, of the Municipal Code of Ordinances*.

Conditions of Approval

If the City Council chooses to approve the replat for *Lot 24, Block A, La Jolla Pointe Addition, Phase 2*, staff would propose the following conditions of approval:

1. All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
2. Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On June 30, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 7-0.

Action Needed

The City Council is asked to consider the proposed replat.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY
PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 1020 La Jolla Pointe Drive

Subdivision La Jolla Pointe Addition, Phase 2

Lot 21

Block A

General Location La Jolla Point Drive & Carmel Circle

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning C (Commercial)

Current Use N/A

Proposed Zoning C (Commercial)

Proposed Use Office Building

Acreage 1.28

Lots [Current] 1

Lots [Proposed] 1

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner Clay Shipman

Applicant USA Professional Services Group, Inc.

Contact Person

Contact Person Craig Smiley

Address 7700 Cody Lane #2708

Address 1525 Viceroy Drive

City, State & Zip Sachse, TX 75048

City, State & Zip Dallas, TX 75235

Phone 469-853-0400

Phone 214-634-3300

E-Mail clay@shipman-fire.com

E-Mail csmiley@usaengineers.com

NOTARY VERIFICATION [REQUIRED]

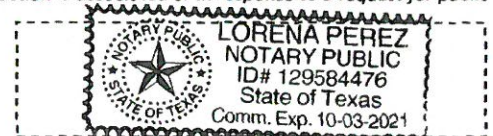
Before me, the undersigned authority, on this day personally appeared Clay Shipman [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 325.60, to cover the cost of this application, has been paid to the City of Rockwall on this the 9th day of June, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."


Given under my hand and seal of office on this the 9th day of June, 20 20

Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires

P2020-026- REPLAT FOR LOT 24, BLOCK A, LA JOLLA POINTE, PHASE 2
REPLAT - LOCATION MAP = 

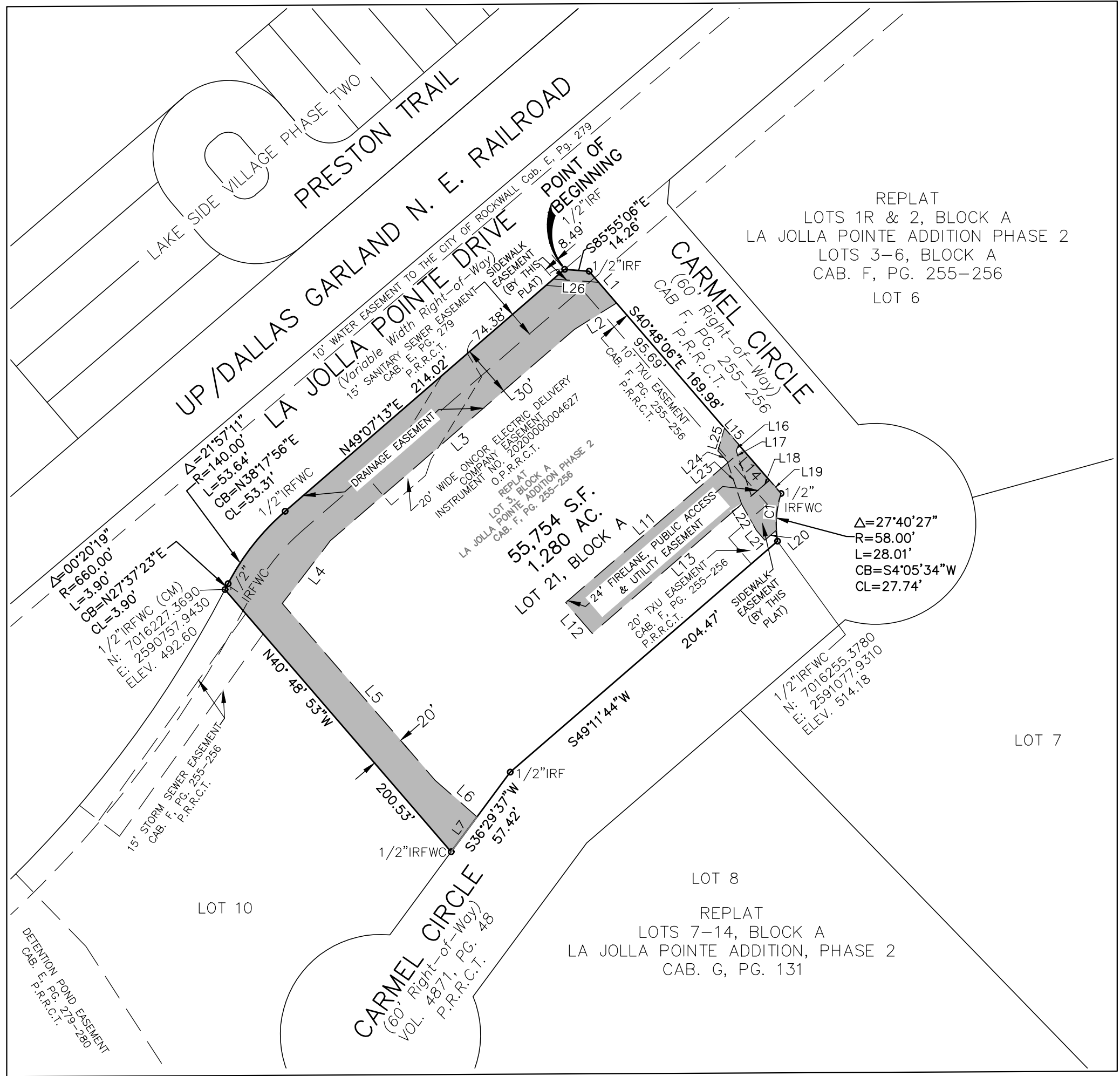
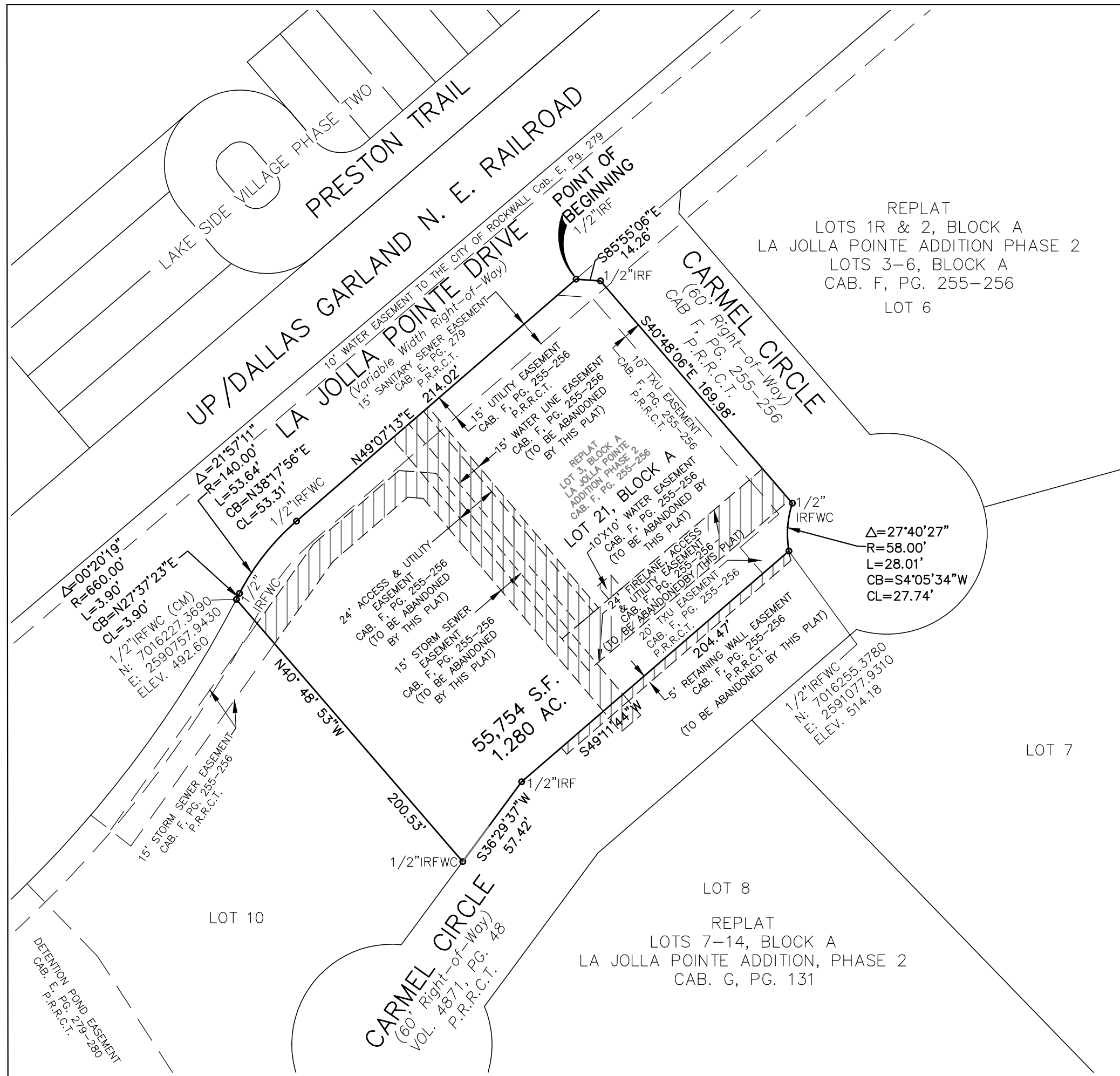


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

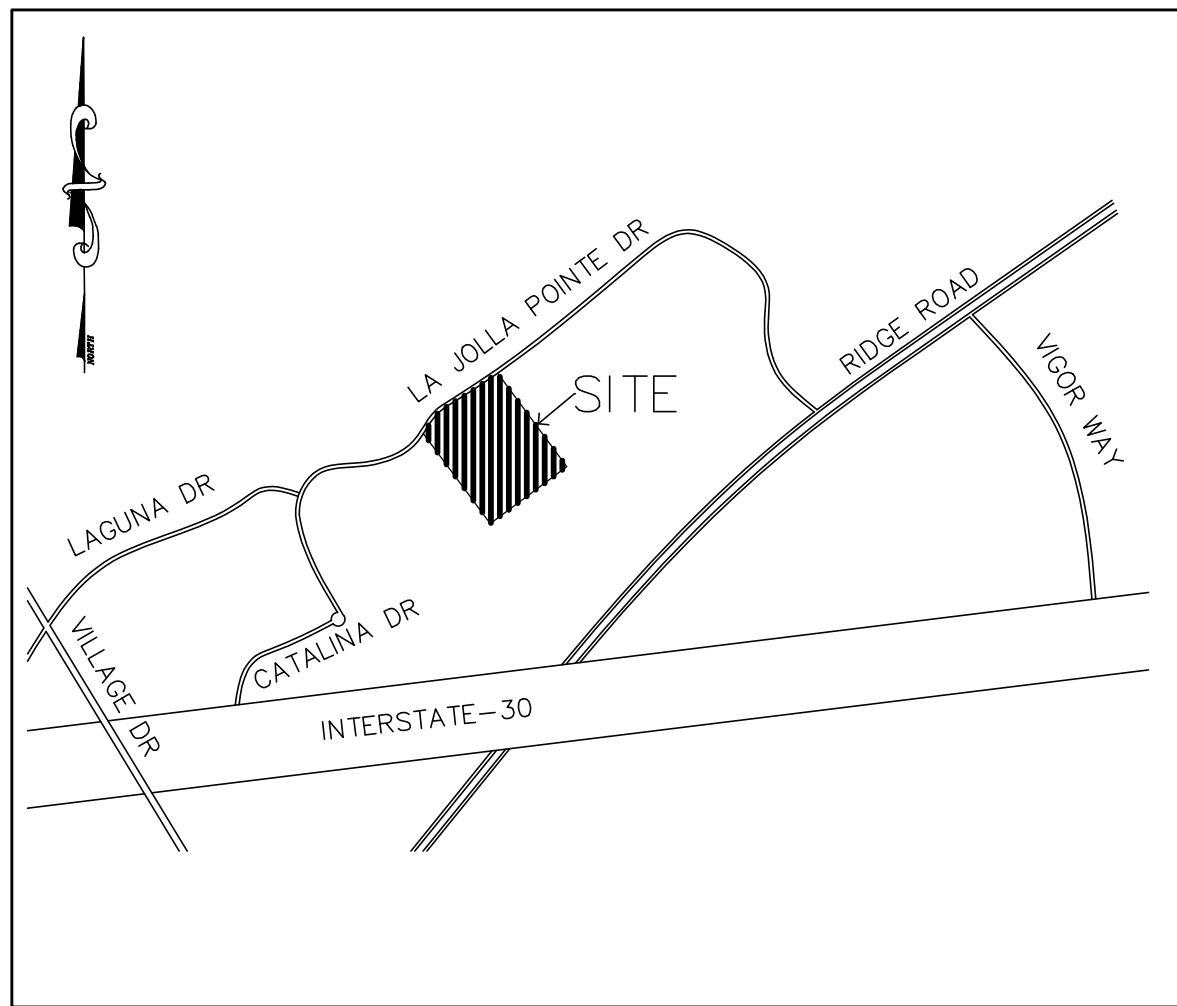
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



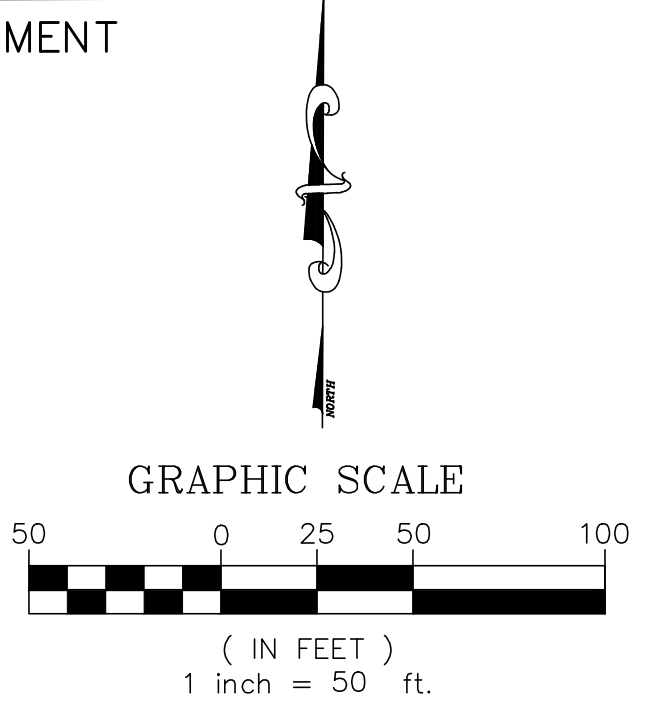


EASEMENT ABANDONMENT

EASEMENT DEDICATION



LOCATION MAP
NOT TO SCALE



LEGEND:

- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- IRF IRON ROD FOUND
- P.O.B. POINT OF BEGINNING
- ROW RIGHT-OF-WAY
- BL BUILDING LINE
- SQ FT SQUARE FEET
- IRFWC IRON ROD FOUND WITH CAP
- VOL. VOULME
- CAB. CABINET
- PG. PAGE

- EASEMENT TO BE ABANDONED
- EASEMENT TO BE DEDICATED

ENGINEERS/SURVEYORS:



USA PROFESSIONAL SERVICES GROUP, INC.
 CIVIL ENGINEERS—SURVEYORS—PLANNERS—LANDSCAPE ARCHITECTS
 TEXAS BOARD OF PROFESSIONAL ENGINEERS — REGISTERED FIRM NO. F-1845
 TEXAS BOARD OF LAND SURVEYORS — REGISTERED FIRM 101074-00
 1525 VICEROY DRIVE, DALLAS, TEXAS 75235
 OFFICE: (214) 634-3300 FAX: (214) 634-3338
 WWW.USAENGINEERS.COM
 USAI 2018006.00

DEVELOPER:
CLAY SHIPMAN FIRE PROTECTION, LLC
 7700 CODY LANE, SUITE 2705
 SACHSE, TEXAS 75048
 (469) 853-0400

LINE TABLE		
Line #	Direction	Length
L1	S40°48'06"E	24.31'
L2	S57°55'27"W	28.68'
L3	S49°07'13"W	187.06'
L4	S37°30'05"W	45.65'
L5	S40°48'53"E	135.29'
L6	S49°01'37"E	32.29'
L7	S36°29'37"W	25.23'
L11	N49°11'07"E	135.58'
L12	N40°48'53"W	23.50'
L13	S49°11'07"W	135.58'
L14	S40°48'06"E	23.50'
L15	S40°48'06"E	12.66'
L16	S22°55'47"W	3.76'
L17	S18°41'03"E	27.57'
L18	N49°11'07"E	13.75'
L19	S40°48'06"E	10.11'
L20	S49°11'44"W	8.71'
L21	N40°48'16"W	7.50'
L22	N29°10'53"W	17.37'
L23	N18°41'03"W	26.15'
L24	N41°28'17"W	8.10'
L25	N15°53'16"E	13.73'
L26	S85°55'06"E	26.24'

NOTES:

- Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholdings of utilities and building permits.
- Property owner is responsible for maintaining, repairing, and replacing all drainage systems on-site.

CURVE TABLE					
Curve #	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	21°24'02"	58.00'	21.66'	S07°13'46"W	21.54'

FINAL PLAT
 LOT 21, BLOCK A
 LA JOLLA POINTE ADDITION, PHASE 2
 BEING A REPLAT OF
 LOT 3, BLOCK A, LA JOLLA POINTE ADDITION, PHASE 2
 1 LOT — 1.280 ACRES
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS
 1020 LA JOLLA POINTE DRIVE
 JUNE 9, 2020

OWNER'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS, CLAY SHIPMAN is the owner of a 1.280 acre tract or parcel of land situated in the W. Blevins Survey, Abstract No. 9, City of Rockwall, Rockwall County, Texas and all of Lot 3, Block A of the Replat of Lots 1R & 2, Block A La Jolla Pointe Addition, Phase 2, Lots 3-6, Block A as recorded in Cabinet F, Pages 255-256, of the Plat Records, Rockwall County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for a corner clip at the intersection of the Southerly right-of-way line of La Jolla Pointe Drive (a variable width right-of-way) and Carmel Circle (a 60' right-of-way) as recorded in Cabinet F, Pages 255-256 of the Plat Records, Rockwall County, Texas;

THENCE South 85 degrees 55 minutes 06 seconds East, along said corner clip a distance of 14.26 feet to a 1/2 inch iron rod found in the Westerly right-of-way line of said Carmel Circle;

THENCE South 40 degrees 48 minutes 06 seconds East, along the Westerly right-of-way line of said Carmel Circle, a distance of 169.98 feet to a 1/2 inch iron rod with cap found for corner, said point being at the beginning of a non-tangent curve to the left whose chord bears South 04 degrees 05 minutes 34 seconds West a chord distance of 27.74 feet;

THENCE in a Southwesterly direction along said non-tangent curve to the left, having a central angle of 27 degrees 40 minutes 27 seconds, a radius of 58.00 feet, an arc length of 28.01 feet to a 1/2 inch iron rod with cap found for corner, said point being in the Northerly right-of-way line of Carmel Circle (a 60' right-of-way) as recorded in Volume 4871, Page 48 of the Plat Records, Rockwall County, Texas;

THENCE South 49 degrees 11 minutes 44 seconds West, along the Northerly right-of-way line of said Carmel Circle, a distance of 204.47 feet to a 1/2 inch iron rod found for corner;

THENCE South 36 degrees 29 minutes 37 seconds West, continuing along the Northerly right-of-way line of said Carmel Circle, a distance of 57.42 feet to a 1/2 inch iron rod with cap found for corner, said point being the Southwesterly corner of said Lot 3, Block A and the Southeasterly corner of Lot 10, Block A of the Replat of Lots 7-14, Block A LaJolla Pointe Addition, Phase 2 as recorded in Cabinet G, Page 131 of the Plat Records, Rockwall County, Texas;

THENCE North 40 degrees 48 minutes 53 seconds West, along the Easterly line of said Lot 10, Block A and the Westerly line of said Lot 3, Block A, a distance of 200.53 feet to a 1/2 inch iron rod with cap found for corner, said point being in the Southerly right-of-way line of said La Jolla Pointe Drive, said point also being at the beginning of a non-tangent curve to the left whose chord bears North 27 degrees 37 minutes 23 seconds East a chord distance of 3.90 feet;

THENCE in a Northeasterly direction along said non-tangent curve to the left having a central angle of 00 degrees 20 minutes 19 seconds, a radius of 660.00 feet, an arc length of 3.90 feet to a 1/2 inch iron rod with cap found for corner, said point being at the beginning of a reverse curve to the right whose chord bears North 38 degrees 17 minutes 56 seconds East a chord distance of 53.31 feet;

THENCE in a Northeasterly direction along said reverse curve to the right having a central angle of 21 degrees 57 minutes 11 seconds, a radius of 140.00 feet, an arc length of 53.64 feet to a 1/2 inch iron rod with cap found for corner;

THENCE North 49 degrees 07 minutes 13 seconds East, a distance of 214.02 feet to the POINT OF BEGINNING and containing 55,754 square feet or 1.280 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, the undersigned owner of the land shown on this plat, and designated herein as LOT 21, BLOCK A, LA JOLLA POINTE ADDITION, PHASE 2 the subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the Lot 21, Block A La Jolla Point Addition, Phase 2 subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of

ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

- 3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwal.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

CLAY SHIPMAN FIRE PROTECTION, LLC

By: _____
Owner Name
Title

Dated: _____

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority. On this day personal appeared _____, known to me to be the person whose name is subscribed to the forergoing instrument, and acknowledge to me that he executed the same for the purpose and consideration therein stated.

Give upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires On:

City Engineer Date

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the Ciyt of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall

City Secretary, City of Rockwall

City Engineer, City of Rockwall

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, William V. Perry, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision

William V. Perry DATE
Registered Professional Land Surveyor Registration No. 4699
USA Professional Services Group, Inc.



STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared William V. Perry, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires On:

FINAL PLAT
LOT 21, BLOCK A
LA JOLLA POINTE ADDITION, PHASE 2
BEING A REPLAT OF
LOT 3, BLOCK A, LA JOLLA POINTE ADDITION, PHASE 2
1 LOT - 1.280 ACRES
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
1020 LA JOLLA POINTE DRIVE

JUNE 9, 2020

ENGINEERS/SURVEYORS:



USA PROFESSIONAL SERVICES GROUP, INC.
CIVIL ENGINEERS-SURVEYORS-PLANNERS-LANDSCAPE ARCHITECTS
TEXAS BOARD OF PROFESSIONAL ENGINEERS - REGISTERED FIRM NO. F-1845
TEXAS BOARD OF LAND SURVEYORS - REGISTERED FIRM 101074-00
1525 VICEROY DRIVE, DALLAS, TEXAS 75235
OFFICE: (214) 634-3300 FAX: (214) 634-3338
WWW.USAENGINEERS.COM
USA! 2018006.00

DEVELOPER:
CLAY SHIPMAN FIRE PROTECTION, LLC
7700 CODY LANE, SUITE 2705
SACHSE, TEXAS 75048
(469) 853-0400



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Amy Williams, P.E., Director of Public Works/City Engineer

DATE: July 6, 2020

SUBJECT: FM 552 CONSTRUCTION UTILITY CONFLICT ANALYSIS

Attachments

Location Map
Contract

Summary/Background Information

The Texas Department of Transportation (TXDOT) is designing the expansion of FM 552 from SH 205 (N. Goliad St.) to SH 66. Before construction begins on FM 552, the City will need to relocate any existing City maintained water and wastewater lines that will be in conflict with the proposed construction. In order to determine which lines need to be relocated, a utility conflict analysis will need to be performed within the FM 552 corridor in the city limits of Rockwall.

Staff requests that the City Council consider approving the professional engineering services contract for Birkhoff, Hendricks, and Carter, L.L.P., to perform the utility conflict analysis in an amount not to exceed \$45,144.00, to be paid out of the Water and Sanitary Sewer Fund.

If you have any questions, please advise.

Action Needed

STATE OF TEXAS



COUNTY OF ROCKWALL



PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas (“CITY”), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., (“ENGINEER”), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the F.M. 552 Utility Relocations project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment “A” and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment “A”.

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Forty-Five Thousand One Hundred Forty-Four dollars and no/100’s (\$45,144.00) and billed in accordance with the payment schedule provided in Attachment “B”. Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment “C”. In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer’s obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY.

CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – \$100,000
Bodily Injury by Disease - \$500,000 (policy limits)
Bodily Injury by Disease - \$100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

\$2,000,000 General aggregate limit

\$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

\$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars (\$1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS (\$1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY

Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER

Derek B. Chaney, P.E., R.P.L.S.
Partner
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees


If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 27th day of June 2020

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
A Texas Limited Liability Partnership
TPBE Firm No. 526
TBPLS Firm No. 100318-00

By: 
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2020.

ATTEST:

City of Rockwall, Texas

Richard Crowley
City Manager

ATTACHMENT “A”

Scope of Services

F.M. 552 Utility Relocations S.H. 205 (Goliad Street) to F.M. 1141

Project Description:

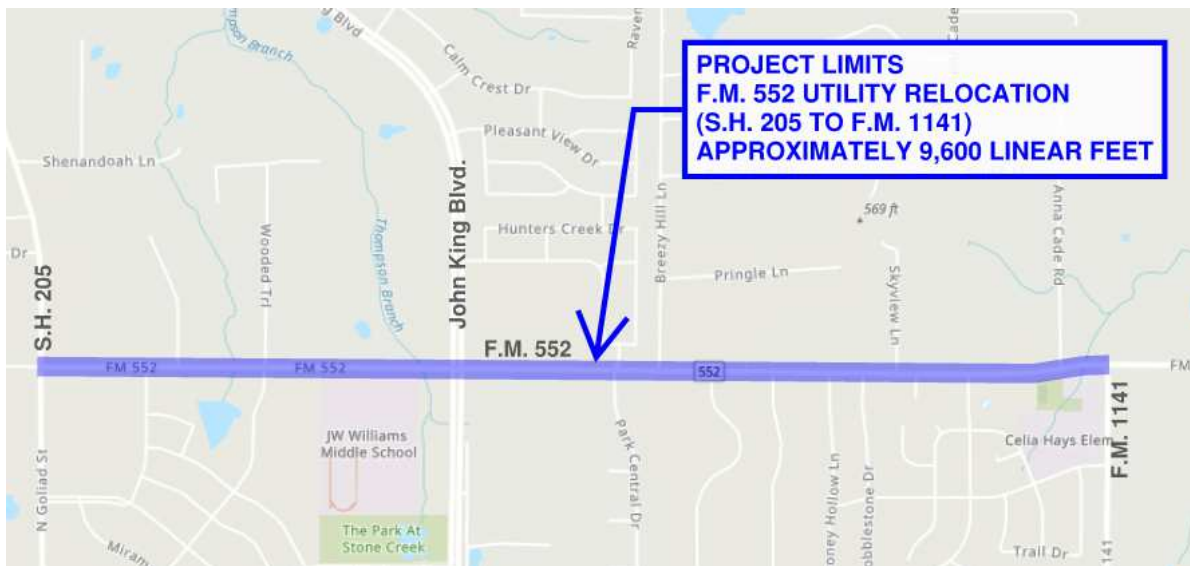
The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to conduct an engineering evaluation of utility conflicts (scoped herein), and design, bidding, and construction administration services (to be scoped later) in connection with the F.M. 552 Utility Relocations project.

Engineering Evaluation of Utility Conflicts:

Evaluate the potential and expected conflicts between the City’s existing water and sanitary sewer utilities along, within and crossing F.M. 552 in connection with the Paving and Drainage Improvements for F.M. 552 (from S.H. 205 (Goliad St.) to S.H. 66) proposed by the Texas Department of Transportation (TxDOT). The following documents have been prepared for TxDOT for the F.M. 552 Improvements and provided to us by the City.

- Design Schematic, by HNTB Corporation, dated July 27, 2018
- Plans of Existing Subsurface Utilities, by ARS Engineers, Inc, dated November 17, 2017
- Plans of Proposed Right of Way Project, by TxDOT, dated May 2019

Based on the information available at this time, the potentially affected corridor of the City’s existing utilities along F.M. 552 is from S.H. 205 to F.M. 1141. A location map identifying the project area is provided below.



PROJECT LOCATION MAP

This agreement includes the engineering design, bidding and construction administration phase services, but the scope for those services will be determined later, based on the necessary utility relocations identified through the engineering evaluation of utility conflicts, and after TxDOT submits 60% Complete Plans Adequate for Utility Relocations.

BASIC SERVICES

1. Engineering Evaluation of Utility Conflicts

1.1. Project Management

- 1.1.1. Conduct project kickoff meeting with Consultant's Project Manager and City Staff.
- 1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager and City Engineer on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a Project schedule update. PSU will be attached to the monthly invoice.
- 1.1.3. Prepare and submit project schedule to City staff.

1.2. Utility Conflict Evaluation

- 1.2.1. Review and Compare the TxDOT Schematic, most current Engineering Plans (per May, 2020 Rockwall County Consortium Report, 30% complete plans were submitted to TxDOT March 27, 2020), R.O.W. Plans, and Subsurface Utility Plans along F.M. 552, from S.H. 205 to F.M. 1141 to the known locations of the City's existing water and sanitary sewer utilities.
- 1.2.2. Consultant will coordinate with TxDOT and HNTB to obtain topographic survey, SUE data, R.O.W. maps, and most current engineering design plans (all in digital and CAD format).
- 1.2.3. Review construction record drawings, and other pertinent information related to proposed project provided by the City.
- 1.2.4. Review City master plans, design standards, specifications, and construction details that may impact the conceptual design. Review of documents will include, but not limited to, the following:
 - (a) City of Rockwall Wastewater Master Plan
 - (b) City of Rockwall Water Master Plan
 - (c) City of Rockwall Standards of Design and Construction
- 1.2.5. Develop roll-plot showing the existing Right-of-Way (ROW), proposed ROW, proposed TxDOT Improvements (based on TxDOT provided Electronic Plans), property lines, known easements, and known water and sanitary sewer utilities, in the vicinity of the affected utility corridor.
- 1.2.6. Review the most current update to the City of Rockwall Water and Wastewater System Master Plans and associated hydraulic models (maintained by the Consultant) to evaluate potential for combining existing parallel utilities, or oversizing of utilities to accommodate the buildout design requirements
- 1.2.7. Develop a proposed conceptual plan for relocation of the City's existing water and sanitary sewer utilities in accordance with the TxDOT Utility Accommodation Policy. Establish a conceptual alignment for proposed relocations using the City's ArcGIS database of utilities, available construction record drawings, and confirmation of information provided by TxDOT. If necessary, coordinate SUE/Potholing to be performed by the City.

- 1.2.8. Identify potential land rights needed based on conceptual plan for proposed utility relocations.
- 1.2.9. Formulate a preliminary opinion of probable project cost for the conceptual utility relocation plan, including the cost of this evaluation, land rights and the acquisition fees, legal fees, field surveying, geotechnical evaluation, subsurface utility exploration, construction inspection services, and professional engineering fees.
- 1.2.10. Develop a project schedule including design phase, land rights acquisition (by City), bidding phase and construction phase elements.
- 1.2.11. Prepare a letter report summarizing findings and recommendations developed during the evaluation and submit to the City for review.
- 1.2.12. Conduct a meeting with City Staff to review and present findings from the evaluation.
- 1.2.13. Address any comments from City's review of letter report and submit revised letter report to the City.
- 1.2.14. Assist the City with preparation of the TxDOT Utility Agreement, including the necessary forms and supporting exhibits.
- 1.2.15. If necessary, attend one meeting with the City and TxDOT.

FUTURE SCOPE OF SERVICES

The scope of services required for the proposed utility relocations (to be identified through the Engineering Evaluation of Utility Conflicts) will be determined following completion of this evaluation and after TxDOT submits 60% complete plans adequate for utility relocation. The expected categories of services have been listed below but are subject to change based on the findings from this evaluation. The scope of work, associated compensation, and project schedule will be established via amendment to this agreement.

Expected Future Basic Services

- **Preliminary Engineering**
- **Final Design Phase**
- **Bidding Phase**
- **Construction Administration Phase**

Expected Future Additional Services (If Required)

- **Field Surveys for Design and Property**
- **Easement Document Preparation**
- **Land Rights Acquisition Agent**
- **Geotechnical Evaluation**
- **Subsurface Utility Exploration (SUE)**

ATTACHMENT “B”

Payment Schedule

Compensation for Basic Services in Task 1 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	<u>Task</u>	<u>Fee Amount</u>
	<u>BASIC SERVICES</u>	
1.	Engineering Evaluation of Utility Conflicts	\$ 41,040.00
	Basic Services Subtotal:	\$ 41,040.00
	ENGINEERING SERVICES CONTINGENCY**(To be 10% of Services)	\$ 4,104.00
	<i>** (This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)</i>	
	Project Total*	\$ 45,144.00

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT “C”

Project Schedule

Notice to Proceed	To be Determined
Prepare and Review Roll-Plot with City	1-month after NTP
Draft Submittal of Conflict Evaluation Letter Report	3-months after NTP
City Review of Draft Letter Report	2-weeks after submittal
Submit Final Letter Report	2-weeks after comments received

Schedule for Engineering Design, Bidding, and Construction Administration phases to be established via amendment to this agreement following completion of the Engineering Evaluation of Utility Conflicts and after TxDOT submits 60% Complete Plans Adequate for Utility Relocations.

ATTACHMENT “D”

Sub-Consultants

No Sub-Consultants are anticipated for the work included in the scope of services for this project.



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Amy Williams, P.E., Director of Public Works/City Engineer

DATE: July 6, 2020

SUBJECT: FM 549 CONSTRUCTION UTILITY RELOCATION PROJECT

Attachments

Location Map
Contract

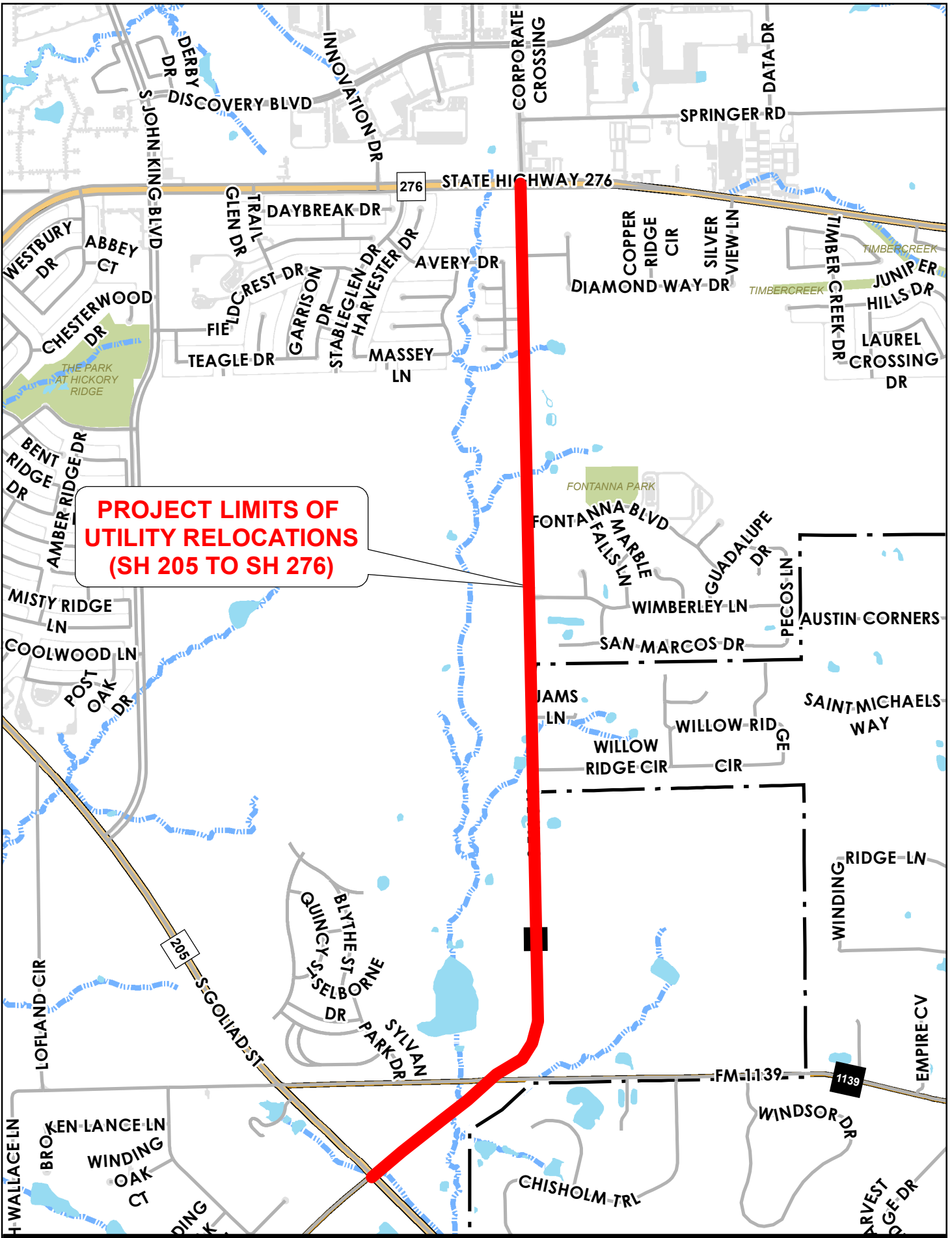
Summary/Background Information

The Texas Department of Transportation (TXDOT) is designing the expansion of FM 549 from SH 205 (S. Goliad St.) to SH 276. Before construction begins on FM 549, the City will need to relocate any existing City maintained water and wastewater lines that will be in conflict with the proposed construction. There is an existing 12-inch water line and an 8-inch sanitary sewer force main that are in the FM 549 corridor that will be in conflict at various locations along the roadway widening.

Staff requested a proposal from Stantec Consulting Services, Inc. to provide the engineering design, construction plans and specifications for this relocation project. The contract proposal to relocate of the 12-inch water line and an 8-inch sanitary sewer force main is \$303,933.30. Staff requests that the City Council consider approving the professional engineering services contract for Stantec Consulting Services, Inc., to perform the utility conflict analysis in an amount not to exceed \$303,933.30, to be paid out of the Water and Sanitary Sewer Fund.

If you have any questions, please advise.

Action Needed



**PROJECT LIMITS OF
UTILITY RELOCATIONS
(SH 205 TO SH 276)**



STATE OF TEXAS



COUNTY OF ROCKWALL



PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas (“CITY”), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Stantec Consulting Services, ("ENGINEER"), located at 12222 Merit Drive, Suite 400, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for FM 549 Utility Relocation Project (SH 205 to SH 276)

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment “A” and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment “A”.

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed three hundred three thousand nine hundred thirty-three dollars and 30/100 (\$303,933.30) and billed as a lump sum or hourly basis per rates provided in Attachment “B”. Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

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Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

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As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension

of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

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\$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

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D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

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7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE OR ARISING FROM THE PERFORMANCE OR NON-PERFORMANCE OF THE SERVICES UNDER ANY THEORY OF LAW, INCLUDING CLAIMS FOR NEGLIGENCE, NEGLIGENT MISREPRESENTATION, ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS (\$1,000,000). AS THE CITY'S SOLE AND EXCLUSIVE REMEDY UNDER THIS CONTRACT ANY CLAIM, DEMAND OR SUIT SHALL BE DIRECTED AND/OR ASSERTED ONLY AGAINST THE ENGINEER AND NOT AGAINST ANY OF THE ENGINEER'S EMPLOYEES, OFFICERS OR DIRECTORS. NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER

Alex Visotski, P.Eng.
12222 Merit Drive, Suite 400
Dallas, TX 75251

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

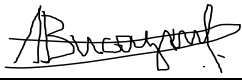
If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 1 day of July 2020.

Stantec Consulting Services Inc.

By: 
Name: Alex Visotski
Title: Associate, Senior Project Manager

EXECUTED in triplicate originals on this ____ day of _____ 2020.

ATTEST:

City of Rockwall, Texas

Richard Crowley
City Manager

ATTACHMENT “A”

Scope of Service

Attachment "A"
FM 549 Utility Relocation Project (SH 205 to SH 276)
For
City of Rockwall

Scope of Services

Project Understanding

The Texas Department of Transportation (TxDOT) wishes to reconstruct FM 549, an existing two lane bidirectional roadway, from SH 205 to SH 276, approximately 11,000 feet in length. The roadway lies within a suburban area of the City of Rockwall. Reconstruction will be four lane divided: two vehicle lanes (25' B-B) in each direction separated by median with concrete curb and gutter with 5 ft sidewalks on each side. These improvements will be provided via a separate TxDOT Contract.

The City of Rockwall (City) wishes to relocate existing sanitary sewer and water infrastructure that will be in conflict with the above referenced TxDOT project. Scope of work will include relocation of existing sanitary sewer and water infrastructure in-kind. Sanitary sewer, if needed, will be evaluated for capacity by the City. Water lines will be evaluated to be placed within everything installed in the right-of-way (ROW) line where possible.

Consultant will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall's advertising/bidding and construction phase services, including as-builts. The Consultant is defined as Stantec Consulting Services and the City as the City of Rockwall.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

- 1.1.1. Conduct Consultant internal project kickoff meeting with entire project team and City Engineer.
- 1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- 1.1.3. Develop design criteria and design decisions tables.
- 1.1.4. Prepare project correspondence and invoicing documents.
- 1.1.5. Prepare and submit project schedule to City staff and provide general project management activities.
- 1.1.6. Project Administration
 - Prepare project correspondence and invoicing documents

1.2. Project Stakeholder Coordination

- Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, streets & drainage department, and other governmental entity stakeholders.
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:
 - City of Rockwall Master Thoroughfare Plan
 - City of Rockwall Water/Wastewater Master Plan
 - City of Rockwall Standards of Design and Construction
- Develop complete and accurate base map showing all existing and proposed Right-of-Way (ROW), easements, and utilities.
- Engineer shall preform Conflict Analysis on existing 12-inch water line and 12-inch wastewater force main with TxDOT proposed improvements. This conflict analysis shall include coordination with TxDOT's Project Manager and Roadway Consultant Engineer to see what lines may be left in place and what items TxDOT can work around and what lines will be required to move.
- Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.
- Prepare 30% schematic plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.
- Meet with City staff and present concept plan and profile roll plots.
- Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

2. Construction Documents

2.1. Project Management

- Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding project status, coordination issues and go over City review comments of the plans.
- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to three (3) trips)

2.2. Construction Plans, Specifications and Estimates (30%, 90%, 100%)

2.2.1. Submittals

Consultant will be submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
 - Two (2) Full Size copies – 22”x34”
 - Two (2) Half Size copies – 11”x17”
 - One (1) PDF copy
 - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall’s Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City’s Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and which submittals they are required as applicable to the scope of work.

Plan Sheets	60%	90%	100%
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Existing Condition Plan (1”=20’ scale)	X	X	X
Horizontal/Vertical Control Sheet (1”=40’ scale)	X	X	X
Erosion Control Plan (1”=40’ scale)		X	X
Demolition/Removals Plan (1”=20’ scale)	X	X	X
Water Plan/Profile (1”=20’H, 1”=5’V scale)	X	X	X
Sanitary Sewer Plan/Profile (1”=20’H, 1”=5’V scale)	X	X	X
Construction Sequencing Phasing Narrative	X	X	X
Traffic Control Plan (for each phase & typ. sections) (1”=40’ scale)		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

2.2.2.1. Utilities

2.2.2.1.1. Public (Water, Wastewater, etc.)

- Establish the location of existing public utilities based upon information provided by the City, and TxDOT. No additional survey or SUE work will be included as a base service.

2.2.2.1.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review will be submitted at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- Consultant shall perform the coordination with the franchise utilities if any relocations are required.
- Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). Consultant will give background on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.2.1.3. Water

- Prepare all water plan and profiles.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.1.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.2. Structural

- Structural design and layout for other elements of the project not covered in the standard details (Junction boxes, stairs, etc.)

2.2.2.3. Traffic Control Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
 - Construction area for each phase of construction and closure of existing travel lanes (if needed).
 - Temporary signing and striping, barricades, and other channelization device
 - Narrative of the sequence of work.
 - Public utilities relocation phasing.
 - Pedestrian routing during construction.
- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contract documents, including the following:
 - City of Rockwall standard construction contract forms
 - Notice to bidders
 - Special instructions to bidders
 - Bid form (Bid-Tab) – Electronic for Bidding
 - Standard construction contract
 - Performance bond
 - Payment bond
 - Maintenance bond
 - Certificate of insurance
 - General conditions
 - Special conditions
 - Technical specifications
 - Permits (TXDOT, City of Dallas, etc.)

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (NTMWD, etc.)

2.3.1. NTMWD

- Consultant to coordinate with the NTMWD on items related to the project where any improvements cross any NTMWD line or facility. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

3. Bidding Phase Services

- 3.1. Furnishing the City a construction bid set one (1) 11"x17" hard copy and Bid Spec Book.
- 3.2. City will be responsible for advertisement of the project in the Local Paper
- 3.3. Consultant will make the plans and specifications which will be made available from the Bid document distribution site CivCast.
- 3.4. During this phase service to be provided are:
 - 3.4.1. Respond to contractor questions and provide design clarifications.
 - 3.4.2. Attendance at one pre-bid meeting.
 - 3.4.3. Production of all Addenda items and designs changes, submittal to City for review and correction before issuance.
 - 3.4.4. Attendance of Bid Opening
 - 3.4.5. Tabulating Bids and checking for errors.
 - 3.4.6. Checking references and other qualification information for the low bidder and writing a letter of recommendation concerning award of the contract.
 - 3.4.7. Returning Bid Bonds to all non-low bidders.

SPECIAL SERVICES

For the following scope items defined as special services the Consultant shall receive written approval from the City for each service separately before proceeding with this work. These services are to be used at the discretion of the City. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of these special services.

4. Data Collection & Property Research / Topographic and Design Survey

- 4.1. Data Collection and Property Research
 - 4.1.1. Gather existing plat information
 - 4.1.2. Collect property owner and record information
 - 4.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).
- 4.2. Topographic and Design Survey
 - 4.2.1. Consultant will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations. No surveying will be performed under this contract, and survey data will be provided by TxDOT for the FM 549 Roadway Improvements project and made available to the consultant for work. Proposed right-of-way (ROW) will be obtained from TxDOT.

5. Subsurface Utility Engineering (S.U.E.) Services

- 5.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, as required for the project. Such services will be provided at a time and material basis and separate proposal submitted for approval prior to commencing of the work.
 - S.U.E. Level 'B' Services will be provided by TxDOT for the FM 549 Roadway Improvements project and made available to the consultant for work. S.U.E. Level 'B' Services will be used to determine horizontal location of utilities as required for the project.
 - S.U.E. Level 'A' Services will be provided as required and billed as follows:
 - Up to five (5) test holes of 0-5 ft depth will be provided
 - Up to five (5) test holes of 5-10 ft depth will be provided
 - Up to five (5) test holes of 10-15 ft depth will be provided
 - Up to five (5) test holes of 15-20 ft depth will be provided
 - Up to five (5) test holes of greater than 20 ft depth
 - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.
- 5.2. The Consultant shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.
- 5.3. The City shall be responsible for the coordination of all ROW and easement acquisitions. Consultant will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed below in Section 6.

6. Right-of-Way / Easement Instruments of Conveyance

Consultant will provide ROW and Easement Instruments only if required for the project at the direction of the City.

- 6.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field
 - 6.1.1. Up to two (2) parcels
- 6.2. Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.)
 - 6.2.1. Up to two (2) parcels
- 6.3. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:
 - 6.3.1. Parcel number
 - 6.3.2. Area required
 - 6.3.3. Area remaining
 - 6.3.4. Legal description
 - 6.3.5. Current owner
 - 6.3.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
 - 6.3.7. All physical features
 - 6.3.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.
- 6.4. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference
- 6.5. Consultant will provide the information listed in Section 2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:
 - 6.5.1. Transmittal of survey and existing property information.

7. Geotechnical

- 7.1. Consultant will have the right to rely on geotechnical reports as provided through the TxDOT Contract.

8. Construction Phase Services

8.1. Construction Phase Services

- 8.1.1. Coordinate with City on needs during the construction phase. The services available are listed below, and may be provided upon the request of the City of Rockwall.
- 8.1.2. Consultant to provide five (5) full size set of construction plans and contract documents.
- 8.1.3. Consultant to provide survey control staking of baselines for construction of the project.
- 8.1.4. *Pre-Construction Meeting*, Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site. Consultant to provide five (5) full size set of construction plans, fifteen (15) half size set of construction plans, and seven (7) specifications books.

8.2. *Visits to Site and Observation of Construction*. If required by City, provide on-site construction observation services to clarify design concepts or assist with solutions needed to overcome obstacles in construction or to study and evaluate possible practical alternative solutions. Makes visits to the Site at intervals as directed by City in order to observe the progress of the Work. Such visits and observations by Consultant are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on Consultant's exercise of professional judgment. Based on information obtained during such visits and such observations, Consultant will determine if Contractor's work is generally proceeding in accordance with the Contract Documents, and Consultant shall keep City informed of the general progress of the Work and provide up to **4** construction site visits for observations of construction.

- 8.2.1. The purpose of Consultant's visit to the site will be to enable Consultant to better carry out the duties and responsibilities assigned in this Agreement to Consultant during the construction phase by City, and, in addition, by the exercise of Consultant efforts, to provide City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as in Consultant indicated in the Contract documents has been implemented and preserved by Contractor. Consultant shall not, during such visits or as a result of such observation of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Consultant have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Consultant neither guaranties the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

8.3. Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate to the orderly completion of contractor's work. Such clarifications and interpretations will be consistent with the intent of the Contract Documents. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City.

8.4. Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contract is required to Submit, but only for conformance with the information given in the Contract Document and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs and be limited to the review of **15** such submittals.

- 8.5. Substitutes and “or-equal”. Evaluate and determine the acceptability of substitute or “or-equal” materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities.
- 8.6. Limitation of Responsibilities. Consultant shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work, Consultant shall not have the authority or responsibility to stop the work of any Contractor.
- 8.7. *Final Construction Walk Through*. Consultant shall be present at the final construction walk through and develop a final “punch/checklist” for the contractor to use to achieve final project acceptance.

9. Record Drawings

Prepare project “Record Drawing” based on information provided by the Contractor, and/or City as to the actual field placement of the work including any changes or deletions. Consultant will provide the following deliverables:

- 9.1.1. Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in all of the following formats.
 - AutoCAD (.dwg) format
 - Adobe Portable Document (.pdf) 400 dpi (min) (24”x36”)
- 9.1.2. Electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .pdf or jpg format.
- 9.1.3. Electronic copy of project specifications in Microsoft Word (.doc) and PDF format.
- 9.1.4. Record drawings shall be sealed by the engineer of record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.
- 9.1.5. All field changes and revisions shall be shown and noted in the revision block.
- 9.1.6. Revisions shall be drawn using accepted drafting standards and shall be clear and legible.
- 9.1.7. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

10. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

- 10.1. Construction staking.

-End of Scope of Service-

ATTACHMENT “B”

Payment Schedule

Compensation for Basic Services in Tasks 1-3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1	Schematic Conceptual Design (30%)	\$ 44,365.26
2	Construction Documents	
2.1	60% Design	\$ 85,896.79
2.2	90% Design	\$ 42,948.40
2.3	100% Design	\$ 14,316.13
3	Bidding Phase Services	\$ 13,146.72
	Basic Services Subtotal:	\$ 200,673.30
Compensation for special services under Tasks 4-8 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	SPECIAL SERVICES	
4	Data Collection & Property Research / Topographic and Design Survey *	\$ 5,500.00
5	Subsurface Utility Engineering (S.U.E.) Services *	\$ 13,200.00
5.1	Quality Level ‘A’ S.U.E. Services (up to 25 potholes)	
6	Right-of-Way/Easement Instruments of Conveyance *	\$ 8,800.00
	(4, documents are assumed @ \$2,200/document)	
8	Construction Phase Services	\$ 41,567.50
9	Record Drawings	\$ 6,562.20
	Special Services Subtotal*	\$ 75,629.70
	<i>*(This service is a budgetary number with a not to exceed limit, scope of work to be approved for use if required for project).</i>	
	ENGINEERING SERVICES CONTINGENCY** (To be 10% of Services)	\$ 27,630.30
	<i>** (This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)</i>	
	Project Total*	\$ 303,933.30

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT “C”

Project Schedule*

Client:	City of Rockwall			
PM:	Alex Visotski			
PTL:	Bradley Deaton			
WBS Code	Task Code	Task Name	Start Date	End Date
1	100	Schematic Conceptual Design 30%	15-Jul-20 (Wed)	21-Aug-20 (Fri)
1.1		Project Management	15-Jul-20 (Wed)	21-Aug-20 (Fri)
.1.1		Kick off meeting	15-Jul-20 (Wed)	15-Jul-20 (Wed)
2	200	Construction Documents	24-Aug-20 (Mon)	08-Jan-21 (Fri)
2.1		Project Management	24-Aug-20 (Mon)	08-Jan-21 (Fri)
		~60%	24-Aug-20 (Mon)	16-Oct-20 (Fri)
		~90%	19-Oct-20 (Mon)	27-Nov-20 (Fri)
		~100%	30-Jan-21 (Sat)	08-Jan-21 (Fri)
3	300	Bidding Phase Service	11-Jan-21 (Mon)	12-Feb-21 (Fri)
4		SS-Construction Phase Services	15-Feb-21 (Mon)	31-Jul-21 (Sat)

*The revised project schedule that has been provided by the City of Rockwall is very aggressive. Stantec will use diligence to meet the schedule but cannot guarantee that the schedule can be met.

ATTACHMENT “D”

Sub-Consultants

1. Sub-Consultant:

Company Name: Spooner and Associates
Services of the Scope Being Provided: ROW/Easement Instruments/Construction Staking
Contact Person: Eric Spooner Title: President
Email: espooner@spoonersurveyors.com Phone: 817-312-4405

2. Sub-Consultant:

Company Name: The Rios Group
Services of the Scope Being Provided: Subsurface Utility Engineering (S.U.E.)
Contact Person: Perry Burnett Title: Area Manager – North Texas
Email: pburnett@rios-group.com Phone: 817-345-7500

Members of the City Council,

Thank you very much for providing the space for us to present our work and insights from our stakeholder engagement strategy. We are excited and honored and we hope that the dialogue ensures a productive and fruitful conversation.

BLM Rockwall Short-Term Call-For-Action

The focus of the conversation for Monday will be over our [Short-Term Call-For-Action](#). As a reminder, it has been placed below for context:

1. Rockwall has an ugly history with racial terrorism and violence against Black residents. In March of 1909, a young black man named Anderson Ellis was lynched in the city square. There can be no reconciliation and healing without remembering the past. If Rockwall's leadership truly believed that Black Lives Matter, then it would stop suppressing its history of White Supremacy and support commissioning a lynching memorial for our county.
2. The formation of a Diversity Advisory Council that reports directly to the RISD school board officials and regularly audits the district's academic, athletic, and fine arts programs to ensure that diversity is not only being represented, but celebrated.
3. A statement of solidarity for Black students at Rockwall ISD along with a similar communication for Black residents from the City of Rockwall and Commissioner's Court because silence is violence and ambiguity is complicity.

The focus of our conversation will mainly be on the lynching memorial marker and the statement of solidarity from the city council. We have attached links that explain what happened during the March 1909 racial incident, examples of statements of solidarity, and the equal justice initiative's community remembrance project.

Lynching of Anderson Ellis:

https://www.rockwallheraldbanner.com/opinion/our-legacy-of-shame/article_4e06cd74-d254-5227-b2e8-28308e0a786c.html

Statement of Solidarity:

<https://docs.google.com/presentation/d/1QeBEduCIEIzK8vQ2DHmj1wycVWVLT9ngvzUE-Zt9RUY/edit?usp=sharing>

EJI Community Remembrance Project:

<https://eji.org/projects/community-remembrance-project/>

Goal of the 7/6 Meeting

For BLM Rockwall, our goal for the meeting is have a conversation over the lynching memorial marker and statement of solidarity so that *within two weeks of the date, we can receive guidance of whether or not your body will be supporting our calls for a lynching memorial marker*. We hope that with all of the information we provide, the community mobilization we have put into place, along with a successfully executed stakeholder engagement strategy, this ask for support will be a pragmatic step we can take together to move towards racial reconciliation.

For information on the speakers, please refer to these two links below:

Christian Giadolor: <https://www.linkedin.com/in/cgiadolor/>

Rachel Giadolor: <https://www.linkedin.com/in/rachel-giadolor-9834b21a2/>

Thank you very much and we are looking forward to our dialogue,
BLM Rockwall



CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: June 15, 2020
SUBJECT: Z2020-022; *Specific Use Permit (SUP) for 803 Kernodle Street*

On March 16, 2020, the City Council voted to approve the proposed Specific Use Permit (SUP) for a *Detached Garage* with the stipulation that the *Detached Garage* adhere to all applicable setbacks. This motion passed by a vote of 6-1, with Council Member Hohenshelt dissenting. As the City Council may recall, the applicant originally requested that the accessory building encroach into the rear yard setback, which is 20-feet due to the rear property line fronting onto S. Fannin Street. This action would require the case to go before the Board of Adjustments (BOA) prior to permitting; however, the motion made by the City Council preempted the possibility of the applicant making this request. On July 2, 2020, the applicant contacted staff and indicated that he could not make the request work within the existing building setbacks for two (2) reasons: [1] if the building was moved up, it would be too close to the existing single-family home; and [2] the building would be situated in the drip line of an existing large tree. Staff instructed the applicant to prepare a letter requesting to address the City Council at the meeting on June 15, 2020. This email has been provided in the attached packet. Since this item was not unanimous it was already placed on the agenda as an action item, which would allow the City Council the ability to allow the applicant to speak. With this being said, this request is a discretionary decision for the City Council and does not obligate the City Council to allow the applicant to speak. Despite the City Council's action (*i.e. to amend the approval or approve as originally presented*) the case caption will remain the same and no additional readings of the ordinance will be required.

From: [Brad Johnson](#)
To: [Miller, Ryan](#)
Subject: 803 Kernodle
Date: Thursday, July 2, 2020 12:08:31 PM

To Mayor and City Counsel

Since I was before you last I have tried to move and re-lay-out the footprint for where to build my detached garage while meeting the 20 foot setback as stipulated. I even tried to shrink the size of the building, but I haven't been able to make it work and be aesthetically pleasing, which one of my primary concerns. In meeting the 20 foot setback it places the building very close to the house and since the property slopes towards the back it also places it at a higher elevation as well. There is also a tree between the proposed building and the house which I am really trying to protect. Moving the building forward places it into the tree's dripline. Also would create a large dead space between the rear of the building and the back fence. With the shadow of the building and the thick tree line behind the rear fence this area will not grow grass. I would really like to be able to move the building back to a 10 foot setback. This would place it in a location where I could save the tree and would also compliment the layout of the back yard much more. Since purchasing my house in February of 2019, my wife and I have made many improvements to the house and all of the yard. I believe the placement of this structure further towards the rear would be among the improvements we have made to positively impact our neighborhood. I have included a few pictures to try and help illustrate my point. Also included are a few pictures of the property as seen from Fannin St which is to the rear of me. As you will see, it is thickly wooded and closed off. I appreciate your consideration.

Brad Johnson

This email was scanned by Bitdefender

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803

TEXAS
LFM-5871



AMERICAN
ELECTRIC







CITY OF ROCKWALL

ORDINANCE NO. 20-25

SPECIFIC USE PERMIT NO. S-227

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.666-ACRE PARCEL OF LAND IDENTIFIED AS BLOCK 38 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Brad Johnson for the approval of a Specific Use Permit (SUP) to allow a *Detached Garage* that exceeds the maximum allowable size on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle Street, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *Detached Garage* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-20*] -- as heretofore amended and as may be amended in the future --, and to the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Detached Garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Detached Garage* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Detached Garage* shall not exceed a maximum size of 1,200 SF.
- (3) The *Detached Garage* shall not exceed a maximum of 15-feet in total height.
- (4) The subject property shall not have more than one (1) accessory building.
- (5) Prior to the acceptance of the structure from the City, the applicant will be required to extend the existing driveway to the structure and provide a gate in the fence allowing the structure to function as a *Detached Garage*.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF JULY, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: June 15, 2020

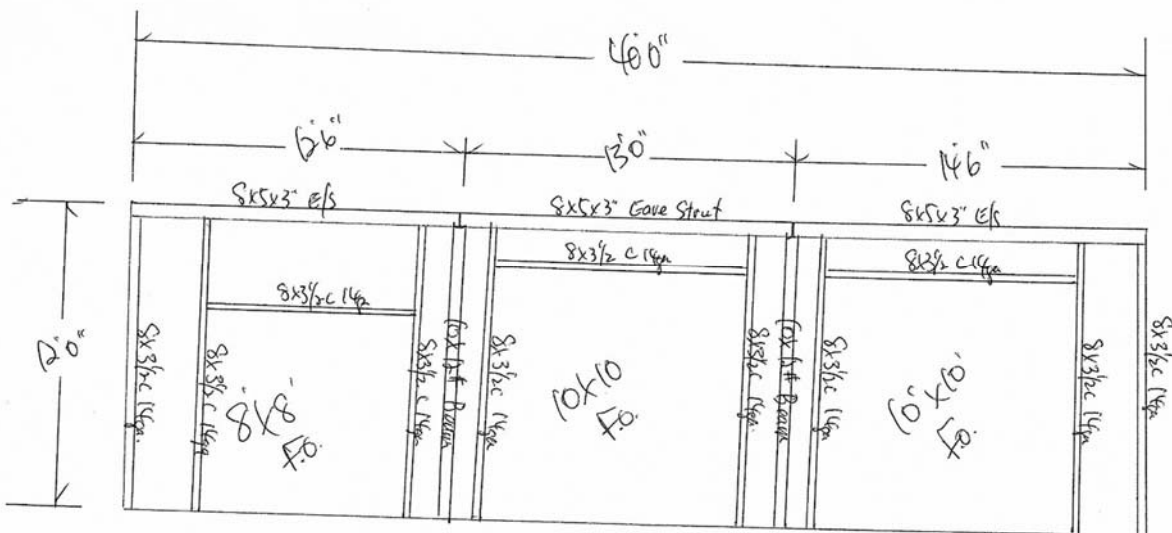
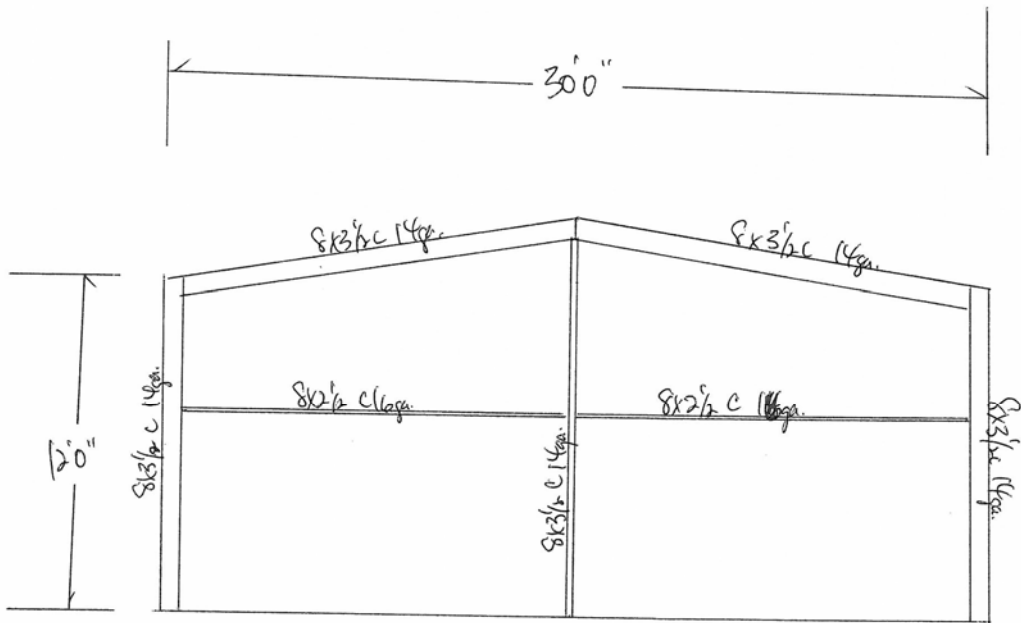
2nd Reading: July 6, 2020

Exhibit 'A'
Location Map

Address: 803 Kernodle Street
Legal Description: Block 38 of the B. F. Boydston Addition



Exhibit 'C':
Conceptual Building Elevations





MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 6, 2020

SUBJECT: A2020-001; EXPIRING 212 DEVELOPMENT AGREEMENT FOR TIMOTHY WHITE

Attachments

Location Map

Applicant's Letter

212 Development Agreement

Summary/Background Information

PLEASE SEE NEXT PAGE

On November 15, 2010, the City Council approved a 212 Development Agreement [Case No. A2010-003] for the 2.77-acre tract of land, which is addressed as 417 & 463 Green Circle. The *subject property* is described as Tract 8 of the R. Dickens Survey, Abstract No. 73 and is situated within the City's Extraterritorial Jurisdiction (ETJ). The initial term of the 212 Development Agreement was for a period of seven (7) years. On June 8, 2017, the property owner, Timothy E. White, requested a subsequent term of seven (7) years in accordance with the 212 Development Agreement; however, on June 19, 2017, the City Council approved a three (3) year extension of the agreement [Case No. A2017-003] to December 8, 2020. With this being said the *Texas Local Government Code* further allows the City Council to extend a 212 Development Agreement for successive time periods not to exceed a period of 15 years, with the total duration of the contract (*i.e. the initial time period plus each successive time period*) not to exceed 45 years.

The subsequent term of the 212 Development Agreement was for three (3) years, and is set to expire on December 8, 2020. In accordance with the agreement staff has notified the current property owner, Timothy E. White, of the pending expiration. In response to staff's notice, Mr. White has submitted a letter requesting the City Council extend the agreement for an additional subsequent term of seven (7) years. Staff has placed a copy of the 180-day expiration notice, extension request, and the 212 Development Agreement in the attached packet for the City Council's review. It should be noted that the City Council has the discretion to continue the 212 Development Agreement for a subsequent term or elect to annex the *subject property* at the termination of this agreement. Regardless of the City Council's choice, staff will be required to send a letter via certified mail notifying the affected *property owner* of the City Council's decision by September 9, 2020.

Action Needed

The City Council is being asked to provide direction with regard to this 212 Development Agreement. The City Council may choose to extend the agreement for a period up to 15-years or to direct staff to proceed with annexation proceedings.

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.



**Abstract No. 73, R. Dickens Survey,
Tract 8, Acres 2.77**



City of
Rockwall



0 100 200 300 400 Feet

1 inch = 292 feet
CITY OF ROCKWALL
GEOGRAPHIC INFORMATION SYSTEMS

**417 GREEN CIRCLE DRIVE
EXPIRING 212 AGREEMENT A2020-001
EXHIBIT A**

Timothy E. & Sue Ann White
9104 Private Road 2325
Terrell, Texas 75160
(972) 551-3619

June 10, 2020

Attention:
Ryan Miller, AICP
Director of Planning and Zoning
City of Rockwall
385 South Goliad
Rockwall, Texas 75087

RE: Extension of 212 Development Agreement for property that is generally contiguous with the city limits line and being described as follows:

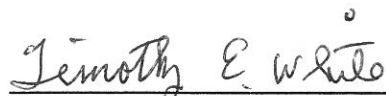
Tract 8 of the R. Dickens Survey, Abstract 73 (2.77 Acres)

City of Rockwall Planning Department:

We (Timothy E. and Sue Ann White) are requesting a seven-year extension to the existing 212 Development Agreement. We have owned the property for 50 years and want to keep the 212 Development Agreement in place.

Thank you so very much for working with us on the 212 Development Agreement. If you have any questions or need more information, please do not hesitate to contact us personally.

Sincerely,



Timothy E. White



Sue Ann White

Rockwall County
Shelli Miller
Rockwall County Clerk
Rockwall, Texas 75087 (972) 204-6300



70 2011 00445926

Instrument Number: 2011-00445926

Recorded On: February 10, 2011

As
Recordings

Parties: CITY OF ROCKWALL

To WHITE TIMOTHY E

Billable Pages: 10
Number of Pages: 10

Comment: AGREEMENT

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	48.00
Total Recording:	48.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

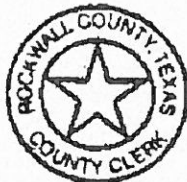
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2011-00445926
Receipt Number: 251072
Recorded Date/Time: February 10, 2011 08:32:33A
Book-Vol/Pg: BK-OR VL-6366 PG-94
User / Station: F H - Cashier Station 1

Record and Return To:

CITY OF ROCKWALL
385 S GOLIAD
ATTN KIM
Rockwall TX 75087



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Rockwall County, Texas

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color or race is invalid and unenforceable under Federal law.

Shelli Miller
Shelli Miller
Rockwall County Clerk

10
48

CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Tex. Local Gov't Code by and between the City of Rockwall, Texas (the "City") and TIMOTHY E WHITE, the property owners of the hereinafter described property (the "Property") in Rockwall County, Texas, sometimes individually or collectively referred to as "Party" or "Parties":

That property described in a deed to TIMOTHY E WHITE which is recorded at Vol. _____ Page _____ of the Deed Records of Rockwall County, Texas, and commonly known as **Tax Parcel No. 0073-0000-0008-00-0R**, which is attached hereto as Exhibit A, consisting of approximately **2.77** acres of land.

WHEREAS, Owners represent that the Property is within the City's existing extraterritorial jurisdiction, and to the extent that a portion of the Property lies outside the City's extraterritorial jurisdiction, Owners have voluntarily petitioned for inclusion of such land within the City's ETJ; and

WHEREAS, the City has initiated annexation proceedings for the Property in accordance with Tex. Loc. Gov't Code ch. 43; and

WHEREAS, Owners desire that the Property remain in the City's extraterritorial jurisdiction ("ETJ") for the term of this Agreement;

WHEREAS, Owners and the City acknowledge that this Agreement between them is binding upon the City and the Owners and their respective successors and assigns for the term of the Agreement;

WHEREAS, the Rockwall County Appraisal District records show that the Property currently is appraised for ad valorem tax purposes as land for agriculture use pursuant to Tex. Tax Code chapter 23.C; and

WHEREAS, OWNERS represent that it is their intention not to develop the Property during the term of this Agreement; and

WHEREAS, Tex. Loc. Gov't Code section 43.035 authorizes a property owner and a municipality to enter into an agreement pursuant to Tex. Loc. Gov't Code section 212.172 for purposes of retaining land in the municipality's ETJ in exchange for the property owner's covenant not to develop the property and to authorize the municipality to apply development regulations not inconsistent with agricultural use; and

WHEREAS, the Parties are desirous of entering into an agreement authorized under Tex. Loc. Gov't Code section 43.035; and

WHEREAS, this Agreement is to be recorded in the Real Property Records of Rockwall County;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

Section 1. Continuation of ETJ Status. The City guarantees the continuation of the extraterritorial status of the Property and agrees not to annex the Property for the term of this Agreement, as hereinafter defined, and any subsequent renewals as may be agreed upon by the Parties, subject, however, to the provisions of this Agreement.

Section 2. Development Plan. The Owners covenant and agree that use of the Property for the term of this Agreement and any extensions agreed to by the Parties shall be limited to farm-related and ranch-related uses and customary accessory uses, and single-family detached farm or ranch dwellings, provided that no single-family dwelling may be located or constructed on a lot smaller than five (5) acres, **and the continued use of a single existing structure as a fireworks sales business, at its current location, which shall be exempt from the City of Rockwall Code of Ordinances which specifically prohibits the sale of fireworks within five thousand (5,000) feet of the city limits boundary, provided that such business shall cease upon the termination of this Agreement with the inclusion of the property into the City of Rockwall.** The property owner may apply to the City for division of the land subject to this Agreement into parcels each of which is at least five (5) acres in size for the purposes set forth herein without being in violation of this Agreement. Such uses and activities constitute the development plan for the Property in satisfaction of Tex. Loc. Gov't Code section 212.172(b).

Section 3. Governing Regulations

(A) The following Rockwall regulations shall apply to any development of the Property, as may be amended from time to time, provided that the application of such regulations does not result in interference with the use of the land for agricultural purposes and does not prevent the continuation of a use established prior to the effective date of this Agreement and which remains lawful at the time the Agreement is executed:

- (1) The Rockwall Unified Development Code Ordinance, Ord. No. 04-38, as amended; for purposes of evaluating any proposed development of the Property under the Unified Development Code, the regulations of the lowest intensity single-family residential district shall be used.
- (2) The Subdivision Regulations, Chapter 24 of the Code of Ordinances and as amended, together with Standards of Design and Construction, City of Rockwall Texas, as supplemented by the North Central Texas Council of Governments Standard Specifications for Public Works Construction, North Central Texas, 3rd Ed. 1998 (NCTCOG Manual).
- (3) The Building Codes, Ord. No. 08-03, adopting:
 - a. International Building Code, 2006 Edition with regional amendments;

- b. International residential Code, 2006 Edition with regional amendments;
- c. The International Fire Code, 2006 Edition with regional amendments;
- d. International Plumbing Code, 2006 Edition with regional amendments;
- e. International Fuel Gas Code, 2006 Edition with regional amendments;
- f. Rockwall Code of Ordinances, Property Maintenance Code, with amendments;
- g. International Private Sewage Disposal Code, 2006 Edition with regional amendments;
- h. Uniform Swimming Pool Code, 2006 Edition with regional amendments; and
- i. International Energy Conservation Code, 2006 Edition with regional amendments.
- j. National Electric Code, 2005 Edition with regional amendments.
- k. Rockwall Code of Ordinances, Fences, with amendments;
- l. Rockwall Code of Ordinances, Dangerous Buildings, with amendments;
- m. Rockwall Code of Ordinances, Moving of Buildings, with amendments.

(4) The Sign Regulations, Section 1 (C); Section II, Section III (B) (2); (Ordinance 84-45).

(B) If, pursuant to this Agreement or following termination of the Agreement, portions of the Property are annexed to the City, the Parties further covenant and agree that the use and development of such land thereupon shall be subject to the regulations of the lowest intensity single-family residential district and the subdivision regulations then in effect. In the event any portion of the Property following annexation is rezoned consistent with the City's approved Comprehensive Plan, as may be amended from time to time, the use and development of such land shall be governed by the regulations of the zoning district to which the land is reclassified and the subdivision regulations in effect at the time of approval of such rezoning.

Section 4. Agreement Deemed Void in Part: Voluntary Annexation.

(A) If an Owner files any application for or otherwise commences development of any portion of the Property inconsistent with the development plan provided in Section 2, sections 1 and 3 of this Agreement shall become null and void, except as herein expressly provided for.

(B) Thereafter the City may initiate annexation of the Property pursuant to Tex. Loc. Gov't Code subchapter C-1, or other such other provisions governing voluntary annexation of land as may then exist. Owners expressly and irrevocably consent to annexation of the Property under such circumstances. The Owners further agree that such annexation by the City shall be deemed voluntary, and not subject to the requirements and procedures for an annexation plan, as required by Tex. Loc. Gov't Code section 43.052, or successor statute.

(C) Any development application that is submitted to the City for the Property during the term of this Agreement or during any extension, that is inconsistent with the development plan and governing regulations, shall be denied based upon such plan and governing regulations, which collectively shall constitute regulations in effect at the time such application is submitted. The Owners expressly waive any vested rights that might otherwise arise under Tex. Loc. Gov't Code section 43.002 or Chapter 245, or successor statute, from the submittal of such inconsistent development application. The Owners further agree that no use commenced or completed on the Property that is inconsistent with the development plan shall be considered established or in existence prior to the date that the City annexes the Property pursuant to this section.

(D) If the City's right to annex, as of the date of this Agreement, is in any way diminished by a subsequent act by the Legislature of the State of Texas during the one year period or any additional period, that this Agreement is in effect, then such act shall be considered as a voluntary petition to annex.

Section 5. Notice of Sale. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give 30 days written notice of this Agreement to the prospective purchaser or grantee. A copy of said notice shall be forwarded to the City at the following address:

City of Rockwall
City Hall
305 S. Goliad Street
Rockwall, Texas 75087
Attn: City Manager

Section 6. Recording. This Agreement is to run with the Property and be recorded in the real property records, Rockwall County, Texas.

Section 7. Severability. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect. It is the intent of the parties that, should it be determined that any portion of the Property was outside of the City's then existing ETJ at the time this Agreement took effect, the provisions of this Agreement shall apply to the remainder of the Property located within the City's extraterritorial jurisdiction.

Section 8. Remedies. This Agreement may be enforced by either Owners or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter. Entry into this Agreement by Owners waive no rights as to matters not addressed in this Agreement.

Section 9. Change in Law. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to Section 3.

Section 10. Venue. Venue for this Agreement shall be in Rockwall County, Texas.

Section 11. Execution in Multiple Copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

Section 12. Term and Extension. The initial term of this Agreement shall be for a period of seven (7) years from the Effective Date (the "Term"). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. Within 180 days prior to end of the Term of the Agreement, the City shall notify the Owners in writing that the Agreement is due to expire. If Owners desire to extend the operation of this Agreement beyond its Term, the Owners, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (an "Extension Request"). The City, at least 90 days prior to the end of the Term shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional seven (7) year term (referred to as a "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

Section 13. Termination. If the Owners do not provide an Extension Request pursuant to Section 12, or upon a written decision by the City not to extend the term of this Agreement for a Subsequent Term following the Term, then Owners shall be deemed to have filed a petition for voluntary annexation as of the end of the Term of this Agreement. If Owners submitted an Extension Request, then a notice pursuant to Section 13 by the City that it has decided not to extend the Term of this Agreement shall also include a notification whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. If Owners did not submit an Extension request then the City, at least 90 days prior to the end of the Initial Term, shall provide a written notification to Owners, by certified mail, whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. Any annexation proceedings pursuant to this section shall be commenced within 180 days after the end of the Term.

Section 14. Negotiations. Upon termination of this Agreement and the decision by the City to accept the petition for voluntary annexation by the Owners, as provided in

Section 12 or Section 13, then Owners and the City will enter into good faith negotiations regarding the service plan to be implemented, provided that, unless the parties agree otherwise, the service plan for such land shall conform to, and be implemented in accordance with the City's then existing adopted comprehensive and utility master plans. Upon annexation the zoning shall initially be for the lowest intensity residential district, until an appropriate change in zoning is made pursuant to Chapter 211, Tex. Local Govt. Code or successor statute. In connection with annexation pursuant to this section, the Owners hereby waive any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 Texas Local Government Code that would otherwise exist by virtue of any actions Owners may take between the termination of this Agreement and the completion of annexation proceedings by the City. Unless the City declines to annex the land on the petition of the property owners, the development plan and governing regulations shall apply to any proposed development application prior to completion of annexation proceedings and the adoption of permanent zoning regulations for the Property, and the development plan and governing regulations shall be kept in effect for such purposes.

Section 15. Survival of Covenants. The covenants in Sections 2, 4, 14, and 15 shall survive termination of this Agreement, together with any other provisions, as may be necessary for the implementation of those sections.

The Parties hereto have executed this agreement as of November 29, 2010.

Owners:

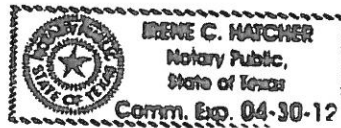
Timothy E. White

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the 29th day of November 2010.

Irene C. Hatcher
Notary Public, State of Texas



THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2010.

Notary Public, State of Texas

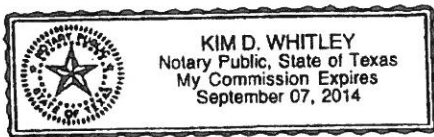
The City of Rockwall, Texas

By: [Signature]

THE STATE OF TEXAS }

COUNTY OF _____ }

This instrument was acknowledged before me on the 8th day of December 2010.



[Signature]

Exhibit "A" to Development Agreement

RCAD ACCT NO: 0073-0000-0008-00-0R

LEGAL DESCRIPTION: A0073 R DICKENS, TRACT 8, ACRES 2.77

OWNER: TIMOTHY E WHITE

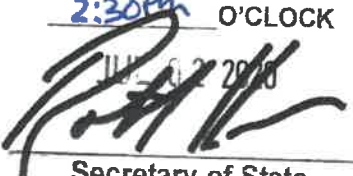
Inst # 00445926

Filed for Record in: Rockwall County
On: Feb 10, 2011 at 08:32A



GOVERNOR GREG ABBOTT

July 2, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:30 PM O'CLOCK
JUL 2 2020

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-29 relating to the use of face coverings during the
COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 2, 2020

EXECUTIVE ORDER GA 29

Relating to the use of face coverings during the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have renewed the disaster declaration for all Texas counties; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at using the least restrictive means available to protect the health and safety of Texans and ensure an effective response to this disaster; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texans safe is for all people to consistently follow good hygiene and social-distancing practices; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19, further measures are needed to achieve the least restrictive means for reducing the growing spread of COVID-19, and to avoid a need for more extreme measures; and

WHEREAS, I have joined the medical experts in consistently encouraging people to use face coverings, and health authorities have repeatedly emphasized that wearing face coverings is one of the most important and effective tools for reducing the spread of COVID-19; and

WHEREAS, given the current status of COVID-19 in Texas, requiring the use of face coverings is a targeted response that can combat the threat to public health using the least restrictive means, and if people follow this requirement, more extreme measures may be avoided; and

WHEREAS, wearing a face covering is important not only to protect oneself, but also to avoid unknowingly harming fellow Texans, especially given that many people who go into public may have COVID-19 without knowing it because they have no symptoms; and

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:30pm O'CLOCK

JUL 02 2020

WHEREAS, the “governor is responsible for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by fine;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective at 12:01 p.m. on July 3, 2020:

Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face-covering requirement does not apply to the following:

1. any person younger than 10 years of age;
2. any person with a medical condition or disability that prevents wearing a face covering;
3. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
4. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal-care service involving the face, but only to the extent necessary for the temporary removal;
7. any person while the person is in a swimming pool, lake, or similar body of water;
8. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;
9. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;
10. any person while the person is giving a speech for a broadcast or to an audience; or
11. any person in a county (a) that meets the requisite criteria promulgated by

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SECRETARY OF STATE
2:30pm O'CLOCK

JUL 02 2020

the Texas Division of Emergency Management (TDEM) regarding minimal cases of COVID-19, and (b) whose county judge has affirmatively opted-out of this face-covering requirement by filing with TDEM the required face-covering attestation form—provided, however, that wearing a face covering is highly recommended, and every county is strongly encouraged to follow these face-covering standards.

Not excepted from this face-covering requirement is any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household.

TDEM shall maintain on its website a list of counties that are not subject to this face-covering requirement pursuant to paragraph number 11. The list can be found at: www.tdem.texas.gov/ga29.

Following a verbal or written warning for a first-time violator of this face-covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

Local law enforcement and other local officials, as appropriate, can and should enforce this executive order, Executive Order GA-28, and other effective executive orders, as well as local restrictions that are consistent with this executive order and other effective executive orders. But no law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this executive order or for related non-violent, non-felony offenses that are predicated on a violation of this executive order; provided, however, that any official with authority to enforce this executive order may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.

This executive order hereby prohibits confinement in jail as a penalty for the violation of any face-covering order by any jurisdiction.

Executive Order GA-28 is hereby amended to delete from paragraph number 15 the phrase: “, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.”

The governor may by proclamation amend this executive order or add to the list of people to whom this face-covering requirement does not apply.

This executive order does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, GA-24, GA-25, GA-27, or GA-28 as amended. This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:30 PM O'CLOCK

JUL 02 2020



Given under my hand this the 2nd
day of July, 2020.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:30pm O'CLOCK

JUL 02 2020



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Rick Crowley, City Manager
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: July 6, 2020

SUBJECT: Park and Recreation Programming with Covid-19 Guidelines

Staff wants to get thoughts and direction on the reopening of facilities, programs, and amenities under the latest Open Texas Orders. These items include:

Baseball Nation Tournaments - Leon Tuttle Athletic Complex

Estimated attendance 1,000 per tournament

July 11th - 12th

July 18th - 19th

July 25th - 26th

Fall Baseball Registration is open

Estimated attendance 100 per day Monday through Sunday (practice day/nights)

Estimated attendances 500 per day Monday through Saturday (game day/nights)

Practices have begun - teams at Tuttle, Myers, Yellowjacket every day

September 2020 game start date with November 2020 completion date

Concerts By The Lake - The Harbor

Estimated attendance 2,000

July 9th

July 16th

July 23th

July 30th

Youth Summer Camp - Myers Park

Estimated attendance 40 to 50 per session

July 13th – July 17th

July 20th – July 24th



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council
FROM: Rick Crowley, City Manager
DATE: July 1, 2020
SUBJECT: CARES Federal Money

As we have indicated previously, it is unlikely that the City will be able to use a significant amount of the nearly \$2.5 million in Federal funds allocated to Rockwall due to the 75%/25% rules imposed by the City. That attached resolution, however, authorized the 20% of that total to be sent to the City of Rockwall.

It is my opinion that we should adopt this Resolution and get the funds here – this in the unlikely event that the State or Federal government adopts changes in the regulations for their use and to facilitate the relatively small amount that we may be able to use under the current regulations. It may also be possible for the City to cede funds to Rockwall County in the event that their funding from the same source does not cover their reimbursable expenses – more study required on this possibility.

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 20-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS APPROVING GRANT APPLICATION BY THE CITY OF ROCKWALL TO THE STATE OF TEXAS DIVISION OF EMERGENCY MANAGEMENT UNDER THE CORONAVIRUS RELIEF FUND; AUTHORIZING THE MAYOR TO EXECUTE THE GRANT APPLICATION; ACCEPTING GRANT FUNDS FROM THE CORONAVIRUS RELIEF FUND; EXPENDING TOWARDS COVID-19 RELATED EXPENSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall desires to apply for federal funds administered through the State of Texas in the Texas Division of Emergency Management, for the Coronavirus Relief Fund (CFR) for COVID-19 related expenses incurred by the City, between March 1, 2020 and December 30, 2020; and

WHEREAS, the City of Rockwall has expended funds in response to the COVID-19 pandemic in both hard and soft costs eligible under the CFR program; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the above findings are hereby found to be true and correct and are incorporated herein their entirety.

SECTION 2. That the Council authorizes the Mayor to request initial disbursement of 20% of the City's allotment under the CFR of \$485,331.

SECTION 3. The Council authorizes the Mayor to apply for reimbursing funds up to the City's remaining allotment for both hard and soft costs, to the State of Texas, of up \$1,941,324.

SECTION 4. The Mayor is hereby authorized to execute the grant contract.

SECTION 5. This Resolution shall take effect upon its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6th DAY OF July, 2020.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Kristy Cole, City Secretary/Assistant to the City Manager

DATE: July 6, 2020

SUBJECT: (RE)APPTS. TO NON-REGULATORY BOARDS & COMMISSIONS

Attachments

Summary/Background Information

PLEASE SEE NEXT PAGE

Councilmember Daniels has confirmed that all four of the following members would like to be reappointed to continue serving on the Architectural Review Board:

- Rick Johnson
- Bob Wacker
- Derek Deckard
- Lindsay Mitchell.

(Johannesen) The following are eligible for reappointment to the Park Board, and there is ONE vacant seat (Charles Johnson has served the max. number of years and is 'termed out'):

- Peggy Marhouff
- Kevin Johnson
- Brandon Morris

(Macalik) The following are eligible for reappointment to the Art Review Team (ART Commission):

- Betty Jean Hoaglund
- Doug Agee

(Campbell) The following are eligible for reappointment to the Historic Preservation Advisory Board, and there is ONE vacant seat (Dick Clark has served the max. no. of terms):

- Maurice Thompson
- Beverly Bowlin

(Fowler) The following are eligible for reappointment to the Animal (Shelter) Advisory Board:

- Steve Albers
- Gary Freedman

(Pruitt, Macalik, Fowler) The following are eligible for reappointment to the Airport Advisory Board, and there is ONE, vacant seat available for a one year term (to expire Aug. 2021):

- Brad Bassett
- Matt Murphey
- Dwight Royall

Action Needed



City of Rockwall
The New Horizon

Building Inspections Department Monthly Report

May 2020

Permits

Total Permits Issued: 283

Building Permits: 68

Contractor Permits: 215

Total Commercial Permit Values: \$ 2,685,500.00

Building Permits: \$2,660,000.00

Contractor Permits: \$25,500.00

Total Fees Collected: \$196,119.77

Building Permits: \$167,684.83

Contractor Permits: \$28,434.94

Board of Adjustment

Board of Adjustment Cases

1

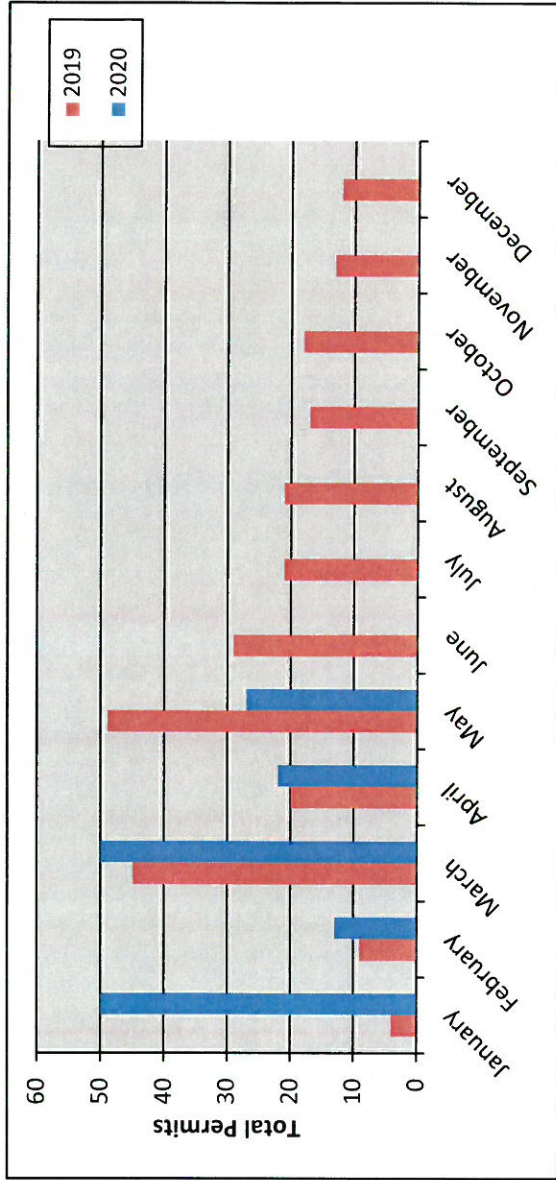
PERMITS ISSUED - Summary by Type and Subtype
For the Period 5/1/2020 thru 5/31/2020

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	2	\$0.00	\$100.00
30 DAY BANNER	2	\$0.00	\$100.00
CLEAN SHOW	1	\$0.00	\$75.00
CO	1	\$0.00	\$75.00
	5	\$0.00	\$378.00
BUSINESS	3	\$0.00	\$228.00
NEW CONSTRUCTION	2	\$0.00	\$150.00
COMM	14	\$2,685,000.00	\$24,083.99
CONST TRAILER	1	\$0.00	\$100.00
ELECTRICAL	2	\$2,000.00	\$124.50
IRRIGATION	3	\$11,000.00	\$8,662.99
PLUMBING	1	\$12,000.00	\$220.75
REMODEL	6	\$2,660,000.00	\$14,825.75
SWIM POOL	1	\$0.00	\$150.00
MISCELLANEOUS	4	\$0.00	\$0.00
ELECTRICAL	4	\$0.00	\$0.00
SIGNAGE	4	\$500.00	\$375.00
MONUMENT	1	\$0.00	\$75.00
WALL	3	\$500.00	\$300.00
SINGLE FAMILY	251	\$0.00	\$171,047.78
ACC BLDG	11	\$0.00	\$1,442.50
ADDITION	1	\$0.00	\$275.00
ALTERATION	1	\$0.00	\$132.20
CONCRETE	13	\$0.00	\$1,911.20
DECK	2	\$0.00	\$100.00
DEMO	1	\$0.00	\$50.00
ELECTRICAL	6	\$0.00	\$1,052.50
FENCE	40	\$0.00	\$2,075.00
IRRIGATION	23	\$0.00	\$1,725.00
MECHANICAL	34	\$0.00	\$4,200.00
MISCELLANEOUS	2	\$0.00	\$325.00
NEW	27	\$0.00	\$148,211.46
PATIO COVER	11	\$0.00	\$976.40
PERGOLA	4	\$0.00	\$300.00
PLUMBING	31	\$0.00	\$2,625.00
REMODEL	2	\$0.00	\$1,046.52
RETAINING WALL	1	\$0.00	\$50.00
ROOF	10	\$0.00	\$750.00
SEAWALL	1	\$0.00	\$50.00
SWIM POOL	24	\$0.00	\$3,450.00
WINDOWS	6	\$0.00	\$300.00
SPECIAL EVENT	2	\$0.00	\$60.00
	2	\$0.00	\$60.00
Totals:	283	\$2,685,500.00	\$196,119.77

New Residential Permits

Calendar Year

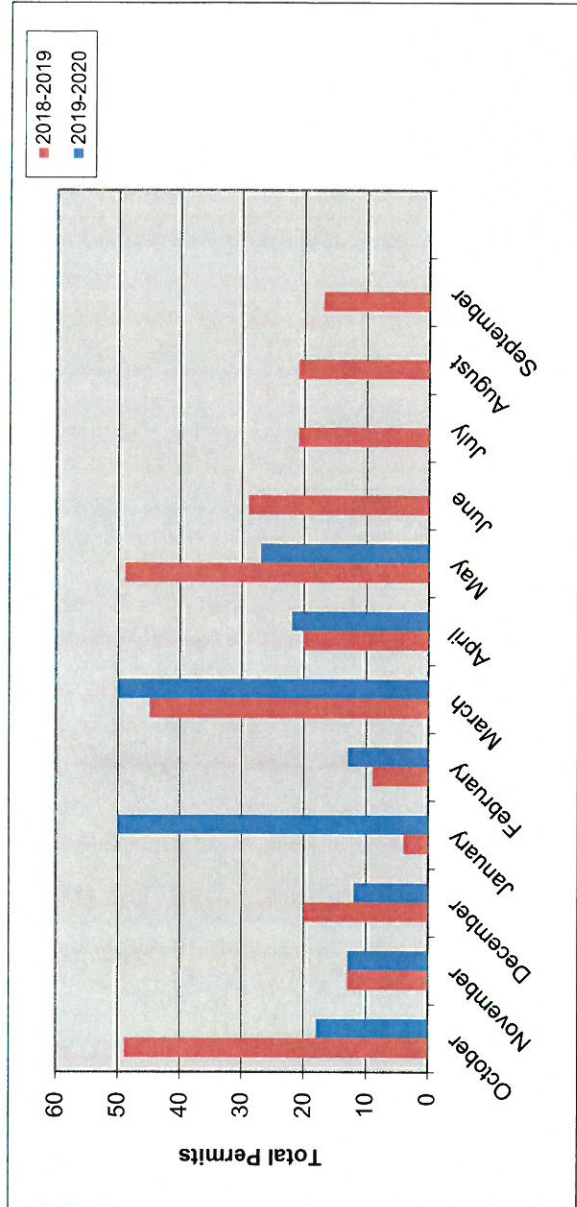
	Year	
	2019	2020
January	4	50
February	9	13
March	45	50
April	20	22
May	49	27
June	29	
July	21	
August	21	
September	17	
October	18	
November	13	
December	12	
Totals	258	162



New Residential Permits

Fiscal Year

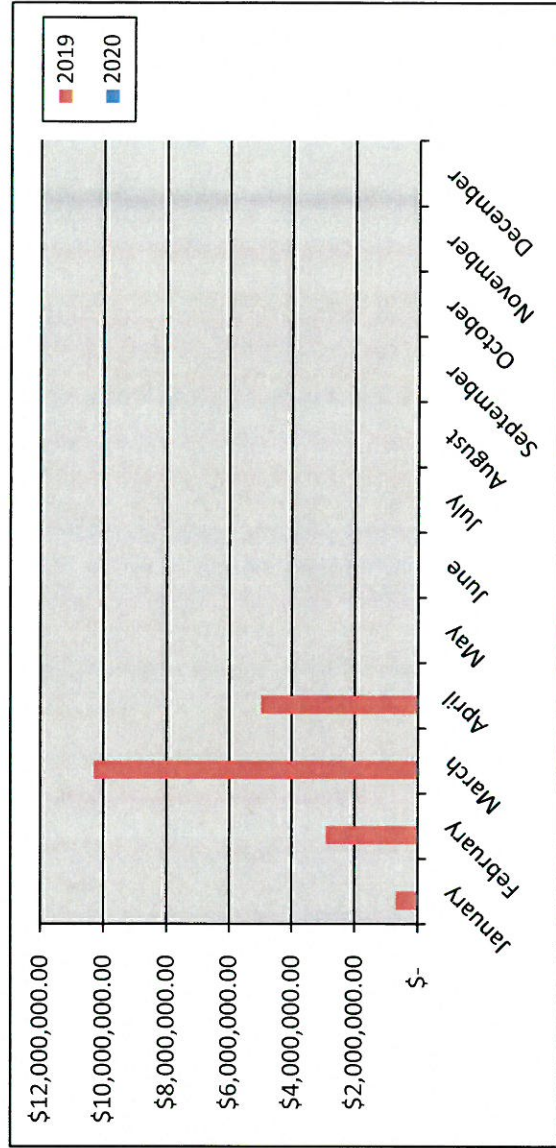
	Year	
	2018-2019	2019-2020
October	49	18
November	13	13
December	20	12
January	4	50
February	9	13
March	45	50
April	20	22
May	49	27
June	29	
July	21	
August	21	
September	17	
Totals	297	205



New Residential Value

Calendar Year

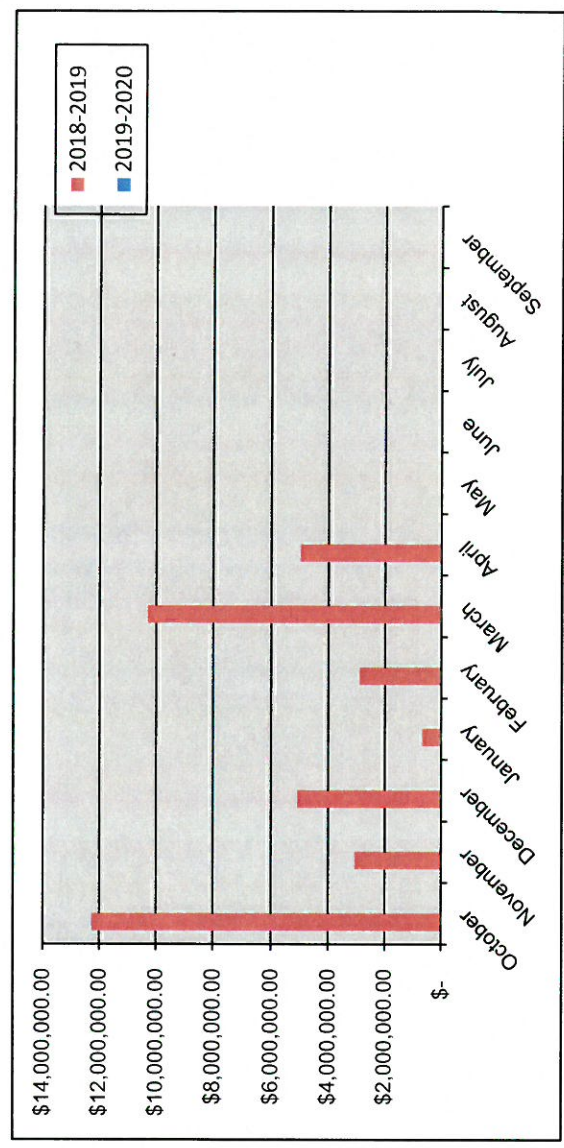
	Year	
	2019	2020
January	\$ 681,618.00	\$ -
February	\$ 2,897,344.85	\$ -
March	\$ 10,294,717.00	\$ -
April	\$ 4,977,668.00	\$ -
May	\$ -	\$ -
June	\$ -	\$ -
July	\$ -	\$ -
August	\$ -	\$ -
September	\$ -	\$ -
October	\$ -	\$ -
November	\$ -	\$ -
December	\$ -	\$ -
Totals	\$ 18,851,347.85	\$ -



New Residential Value

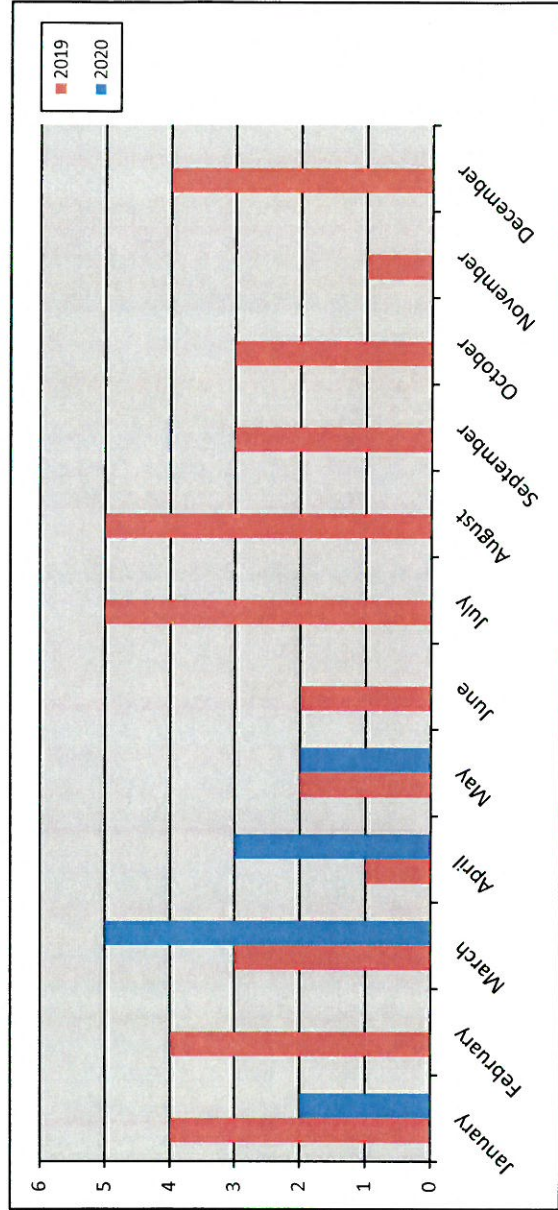
Fiscal Year

	Year	
	2018-2019	2019-2020
October	\$ 12,263,973.00	\$ -
November	\$ 3,064,499.00	\$ -
December	\$ 5,072,758.00	\$ -
January	\$ 681,618.00	\$ -
February	\$ 2,897,344.85	\$ -
March	\$ 10,294,717.00	\$ -
April	\$ 4,977,668.00	\$ -
May	\$ -	\$ -
June	\$ -	\$ -
July	\$ -	\$ -
August	\$ -	\$ -
September	\$ -	\$ -
Totals	\$39,252,577.85	\$ -



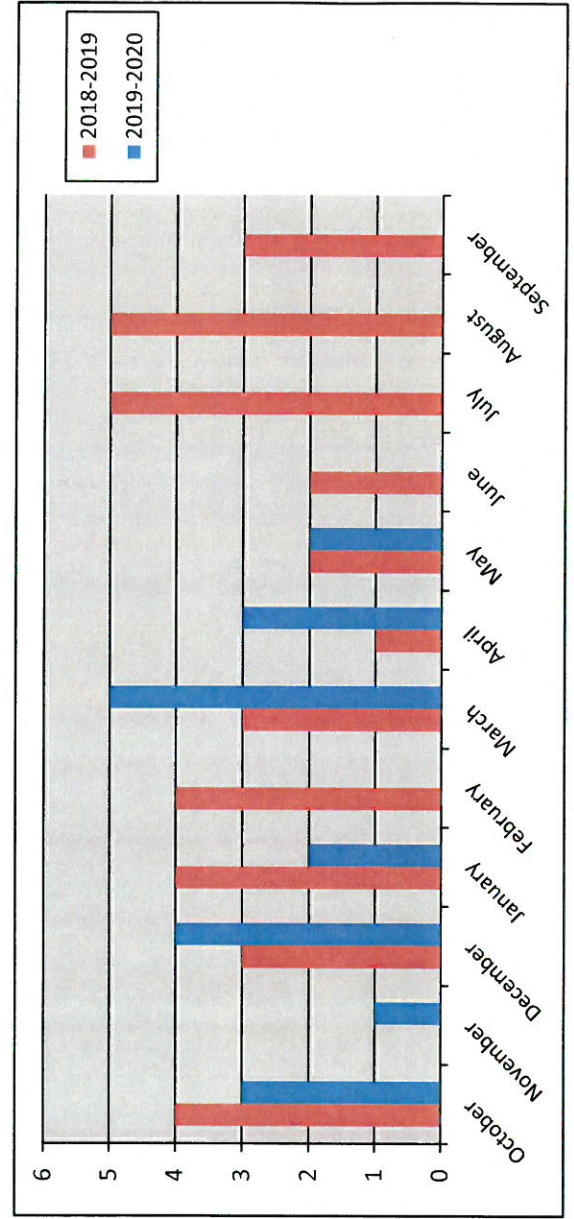
Residential Remodel Permits Calendar Year

	Year	
	2019	2020
January	4	2
February	4	0
March	3	5
April	1	3
May	2	2
June	2	
July	5	
August	5	
September	3	
October	3	
November	1	
December	4	
Totals	37	12



Residential Remodel Permits Fiscal Year

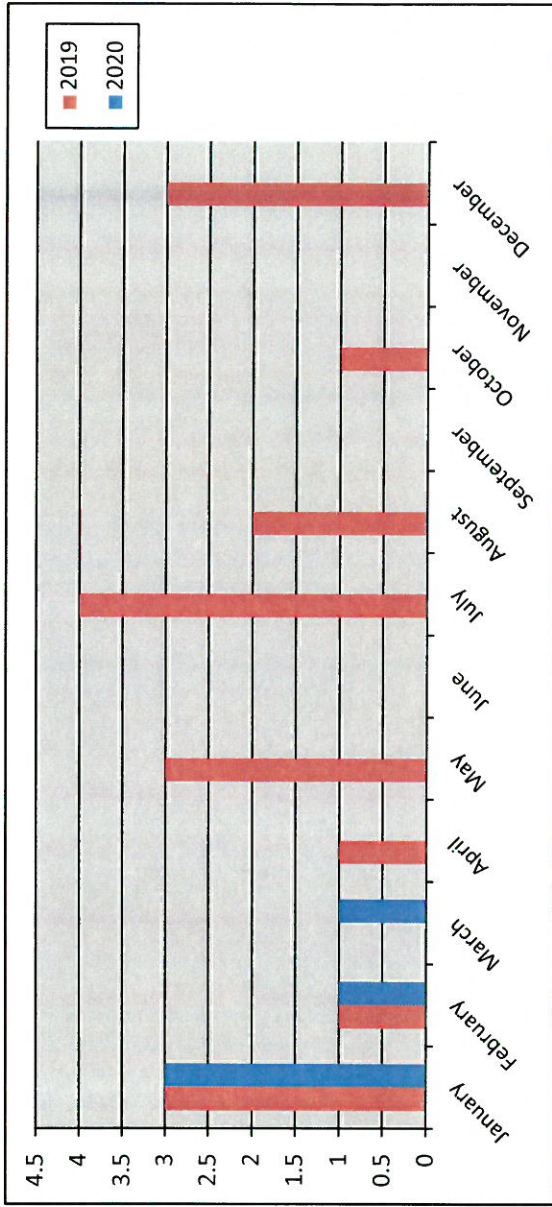
	Year	
	2018-2019	2019-2020
October	4	3
November	0	1
December	3	4
January	4	2
February	4	0
March	3	5
April	1	3
May	2	2
June	2	
July	5	
August	5	
September	3	
Totals	36	20



New Commercial Permits

Calendar Year

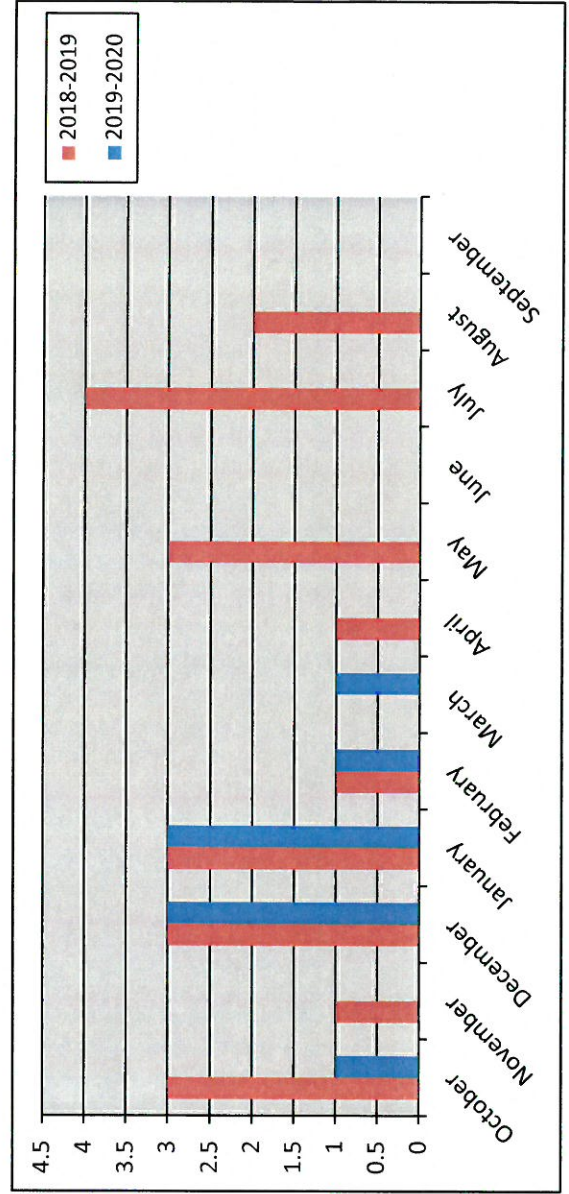
	Year	
	2019	2020
January	3	3
February	1	1
March	0	1
April	1	0
May	3	0
June	0	0
July	4	0
August	2	0
September	0	0
October	1	0
November	0	0
December	3	0
Totals	18	5



New Commercial Permits

Fiscal Year

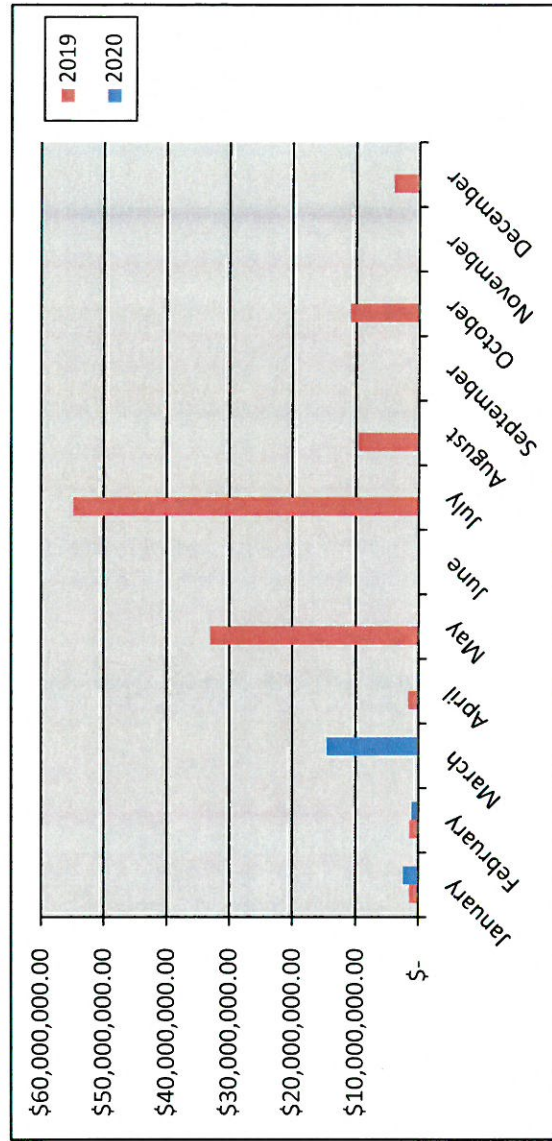
	Year	
	2018-2019	2019-2020
October	3	1
November	1	0
December	3	3
January	3	3
February	1	1
March	0	1
April	1	0
May	3	0
June	0	0
July	4	0
August	2	0
September	0	0
Totals	21	9



New Commercial Value

Calendar Year

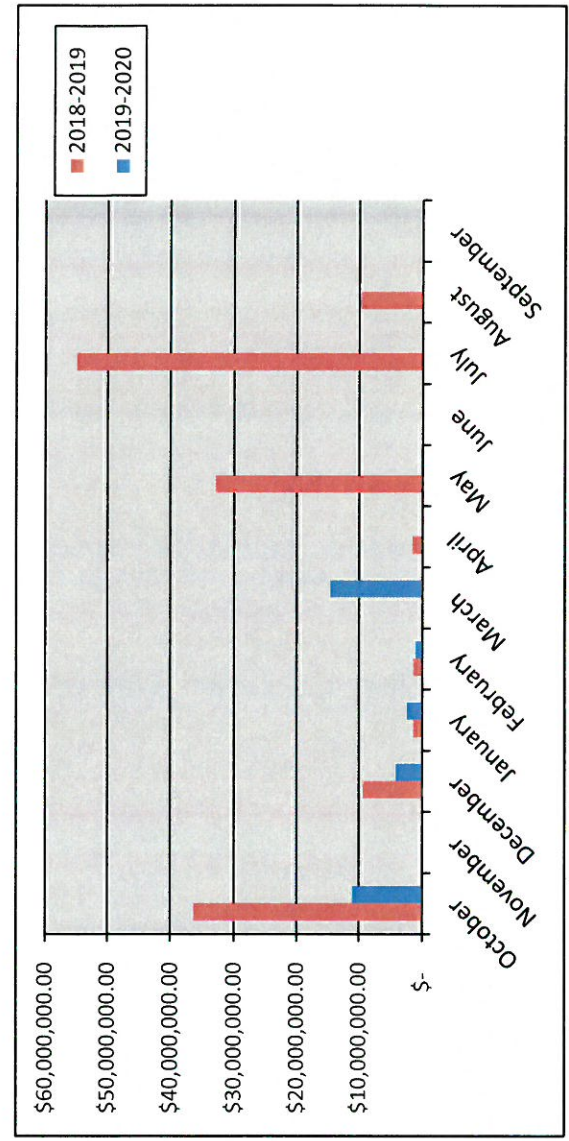
	Year	
	2019	2020
January	\$ 1,530,000.00	\$ 2,375,000.00
February	\$ 1,500,000.00	\$ 995,000.00
March	\$ -	\$ 14,500,000.00
April	\$ 1,700,000.00	\$ -
May	\$ 32,969,700.00	\$ -
June	\$ -	\$ -
July	\$ 54,900,000.00	\$ -
August	\$ 9,736,987.00	\$ -
September	\$ -	\$ -
October	\$ 11,000,000.00	\$ -
November	\$ -	\$ -
December	\$ 4,100,000.00	\$ -
Totals	\$ 117,436,687.00	\$ 17,870,000.00



New Commercial Value

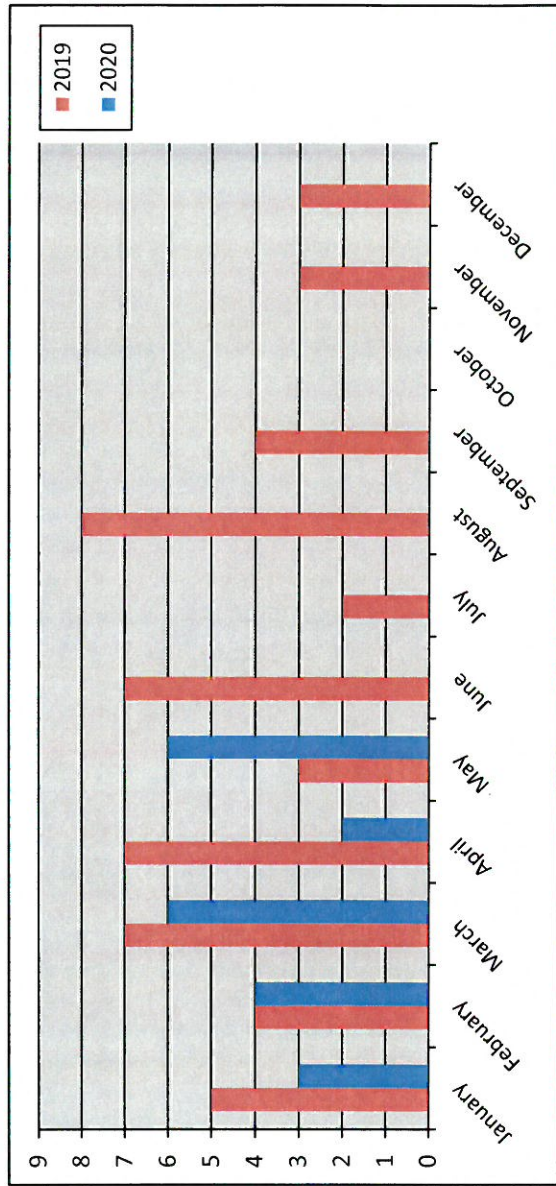
Fiscal Year

	Year	
	2018-2019	2019-2020
October	\$ 36,425,000.00	\$ 11,000,000.00
November	\$ 180,000.00	\$ -
December	\$ 9,427,800.00	\$ 4,100,000.00
January	\$ 1,530,000.00	\$ 2,375,000.00
February	\$ 1,500,000.00	\$ 995,000.00
March	\$ -	\$ 14,500,000.00
April	\$ 1,700,000.00	\$ -
May	\$ 32,969,700.00	\$ -
June	\$ -	\$ -
July	\$ 54,900,000.00	\$ -
August	\$ 9,736,987.00	\$ -
September	\$ -	\$ -
Totals	\$ 148,369,487.00	\$ 32,970,000.00



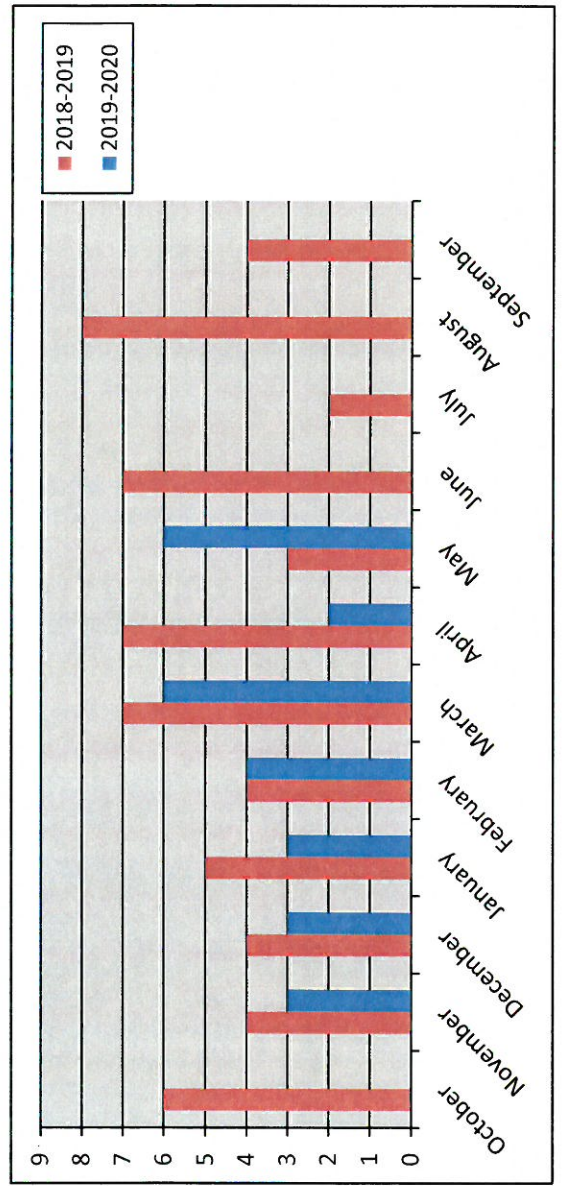
Commercial Remodel Permits Calendar Year

	Year	
	2019	2020
January	5	3
February	4	4
March	7	6
April	7	2
May	3	6
June	7	
July	2	
August	8	
September	4	
October	0	
November	3	
December	3	
Totals	53	21



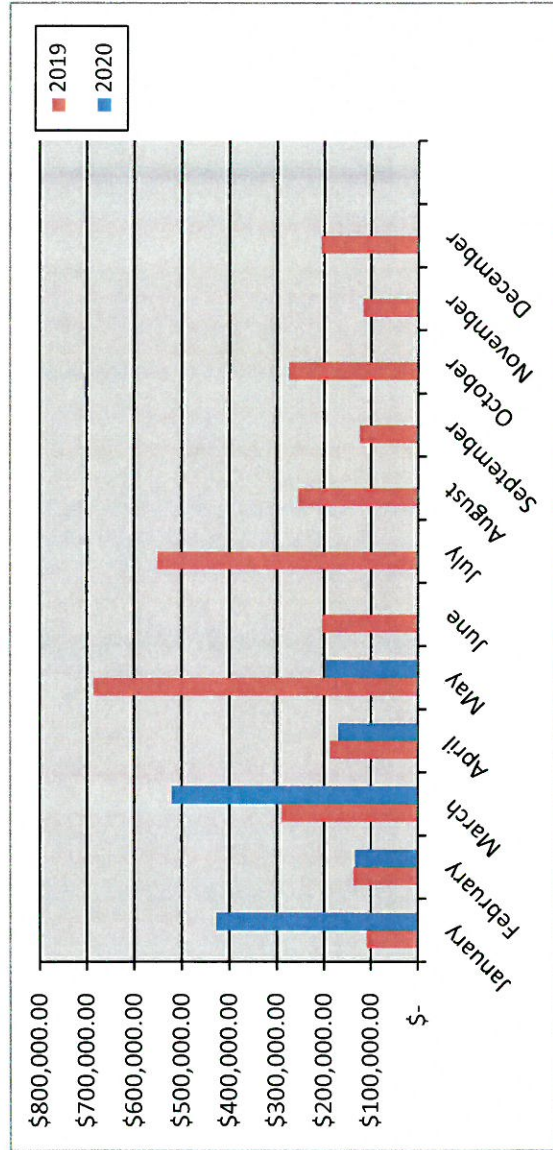
Commercial Remodel Permits Fiscal Year

	Year	
	2018-2019	2019-2020
October	6	0
November	4	3
December	4	3
January	5	3
February	4	4
March	7	6
April	7	2
May	3	6
June	7	
July	2	
August	8	
September	4	
Totals	61	27



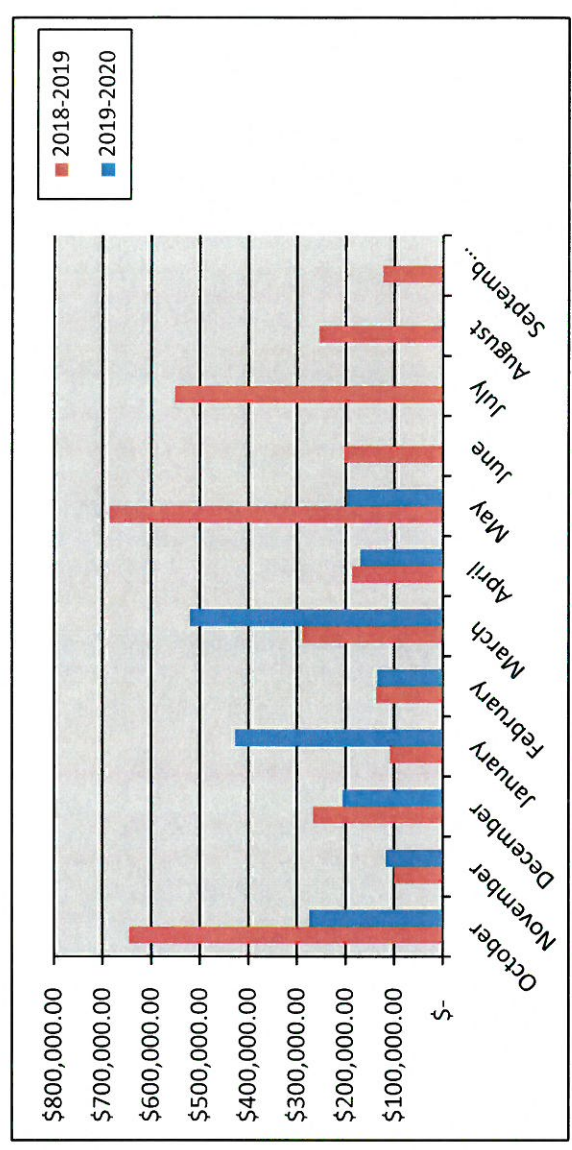
Total Fees Collected Calendar Year

	Year	
	2019	2020
January	\$ 108,325.23	\$ 427,697.11
February	\$ 137,260.79	\$ 134,061.03
March	\$ 288,576.03	\$ 521,238.63
April	\$ 186,555.47	\$ 169,632.18
May	\$ 685,938.85	\$ 196,119.77
June	\$ 203,335.14	
July	\$ 551,248.76	
August	\$ 254,601.49	
September	\$ 123,811.68	
October	\$ 274,121.49	
November	\$ 116,656.13	
December	\$ 205,859.61	
Totals	\$ 3,136,290.67	\$ 1,448,748.72



Total Fees Collected Fiscal Year

	Year	
	2018-2019	2019-2020
October	\$ 645,511.95	\$ 274,121.49
November	\$ 99,983.92	\$ 116,656.13
December	\$ 266,328.43	\$ 205,859.61
January	\$ 108,325.23	\$ 427,697.11
February	\$ 137,260.79	\$ 134,061.03
March	\$ 288,576.03	\$ 521,238.63
April	\$ 186,555.47	\$ 169,632.18
May	\$ 685,938.85	\$ 196,119.77
June	\$ 203,335.14	
July	\$ 551,248.76	
August	\$ 254,601.49	
September	\$ 123,811.68	
Totals	\$ 3,551,477.74	\$ 2,045,385.95



City of Rockwall
PERMITS ISSUED
For the Period 5/1/2020 thru 5/31/2020

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2020-0011	CO	1501 E I30	0.00	75.00	75.00
02/04/2020	NEW CONSTRUCTION	0099-0000-0005-00-0R			
05/08/2020	Active	Randall Noe Subaru			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Randall H. Noe	1501 E I-30, Rockwall, TX 75087	(214) 869-5862
BUS OWNER	Randall H. Noe	1501 E I-30, Rockwall, TX 75087	(214) 869-5862
BUSINESS	Randall Noe Subaru	1501 E I-30, Rockwall, TX 75087	(214) 869-2579
OWNER	Randall H. Noe	1501 E I-30, Rockwall, TX 75087	(214) 869-5862
PERMIT TECH 2	Zack Amick	The Charles Group, ,	

CO2020-0017	CO	2635 Observation Trail 110	0.00	76.50	76.50
02/21/2020	BUSINESS	4816-000D-0007-00-0R			
05/20/2020	Active	Interstate Classic Cars, LLC			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Jeff Fleming	2635 Obsrvation Trail, Rockwall,	(214) 553-1311
BUS OWNER	Jeff Fleming	2635 Obsrvation Trail, Rockwall,	(214) 553-1311
BUSINESS	Interstate Classic Cars, LLC	2635 Obsrvation Trail, S. 110, Rockwall,	
OWNER	Jeff Fleming	2635 Obsrvation Trail, Rockwall,	(214) 553-1311
PERMIT TECH	Chad Conyac	DB Constructors Inc, ,	
PROP OWNER	JR Fleming Investments LLC	2635 Obsrvation Trail, Rockwall,	(214) 553-1311

CO2020-0026	CO	621 White Hills Dr	0.00	76.50	76.50
03/09/2020	BUSINESS	4922-0000-0000-00-0R			
05/06/2020	Active	King's Crab Shack			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Phuc Nguyen	621 White Hills Dr, ROCKWALL, TX 75087	(206) 384-6979
BUSINESS	King's Crab Shack	621 White Hills Dr, ROCKWALL, TX 75087	(206) 384-6979
OWNER	Sayed Property Management	7008 Mills Branch Circle, Plano, TX 75024	(913) 219-5380

CO2020-0028	CO	6537 Horizon Rd Suite C	0.00	75.00	75.00
03/27/2020	BUSINESS	3039-0002-0008-00-0R			
05/26/2020	Active	Ohana DFW Larn 3, LLC dba Sylvan Learning of Rockwall-Heath			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Mark Dempsey	6537 Horizon Rd Suite C, Rockwall, TX 75032	(214) 215-3542
BUS OWNER	Mark Dempsey	6537 Horizon Rd Suite C, Rockwall, TX 75032	(214) 215-3542
BUSINESS	Ohana DFW Learn 3, LLC dt	6537 Horizon Rd Suite C, Rockwall, TX 75032	(972) 930-1230
OWNER	N&H Legacy Partners, LLC	PO Box 818, Terrell, TX 75160	(214) 869-5862

PERMITS ISSUED
For the Period 5/1/2020 thru 5/31/2020

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2020-0029	CO	2700 Observation Trail	0.00	75.00	75.00
04/13/2020	NEW CONSTRUCTION	4816-000E-0001-00-0R			
05/28/2020	Active	Lime Media			

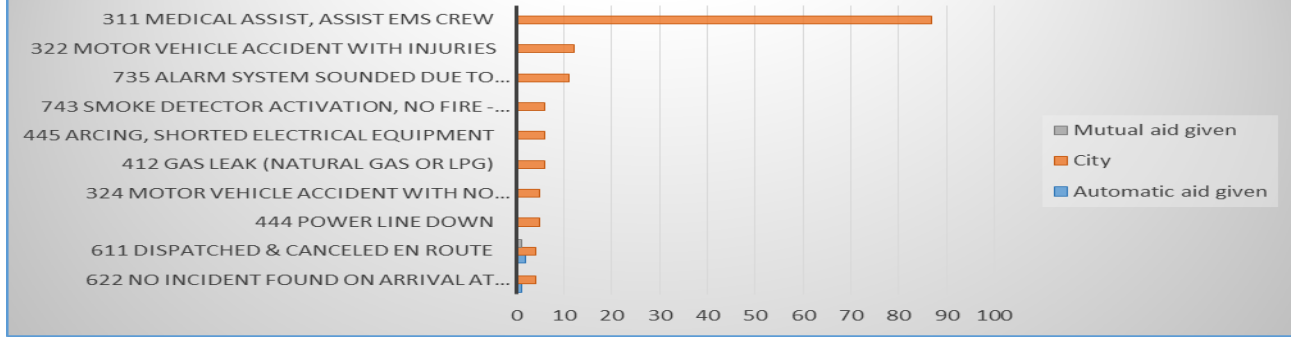
Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Heath Hill	2700 Observsation Trail, Rockwall, TX 75032	(469) 446-4160
BUSINESS	Lime Media Group Inc.	2700 Observsation Trail, Rockwall, TX 75032	(469) 446-4160
PERMIT TECH	Sam Sapienza	Z Constructors, ,	(214) 449-3212
PROP OWNER	JC4H Management	1917 Emerald Bay, ROCKWALL, TX 75087	

Total Valuation: 0.00
Total Fees: 378.00
Total Fees Paid: 378.00



May Monthly Report 2020

May 2020 Top Ten Calls

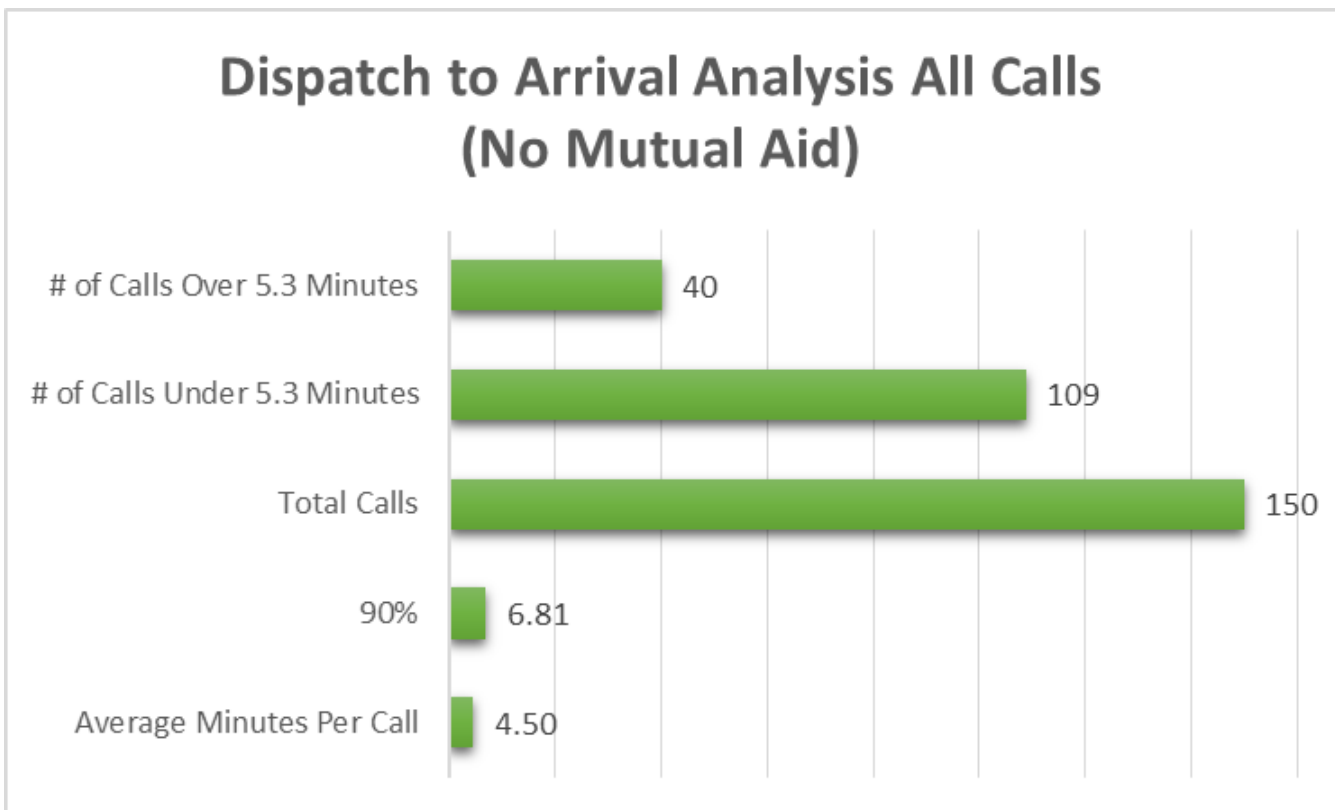


May 2020 - All Calls			
Situation Type	Automatic aid given	Mutual aid given	City
611 Dispatched & canceled en route	2	1	4
622 No incident found on arrival at dispatch address	1		4
600 Good intent call, other	1		
151 Outside rubbish, trash or waste fire	1	1	
360 Water & ice-related rescue, other	1		1
744 Detector activation, no fire - unintentional			1
143 Grass fire			1
511 Lock-out			1
160 Special outside fire, other			2
735 Alarm system sounded due to malfunction			11
162 Outside equipment fire			1
111 Building fire			4
251 Excessive heat, scorch burns with no ignition			1
550 Smoke Detector Battery Change/Install			1
311 Medical assist, assist EMS crew			87
118 Trash or rubbish fire, contained			1
322 Motor vehicle accident with injuries			12
740 Unintentional transmission of alarm, other			2
323 Motor vehicle/pedestrian accident (MV Ped)			1
812 Flood assessment			1
324 Motor vehicle accident with no injuries.			5
510 Person in distress, other			1
331 Lock-in (if lock out , use 511)			2
550 Public service assistance, other			1
131 Passenger vehicle fire (cars, pickups, SUV's)			1
551 Assist police or other governmental agency			3
631 Authorized controlled burning			2
150 OTHER Outside rubbish fire		1	
652 Steam, vapor, fog or dust thought to be smoke			1
700 False alarm or false call, other			2
651 Smoke scare, odor of smoke			1
365 Watercraft rescue			2
671 HazMat release investigation w/no HazMat			1
412 Gas leak (natural gas or LPG)			6
733 Smoke detector activation due to malfunction			3
424 Carbon monoxide incident			1
736 CO detector activation due to malfunction			3
444 Power line down			5
743 Smoke detector activation, no fire - unintentional			6
445 Arcing, shorted electrical equipment			6
745 Alarm system activation, no fire - unintentional			4
462 Aircraft standby			1
Unknown			4
481 Attempt to burn			1
500 Service Call, other			294
Totals	6	3	199

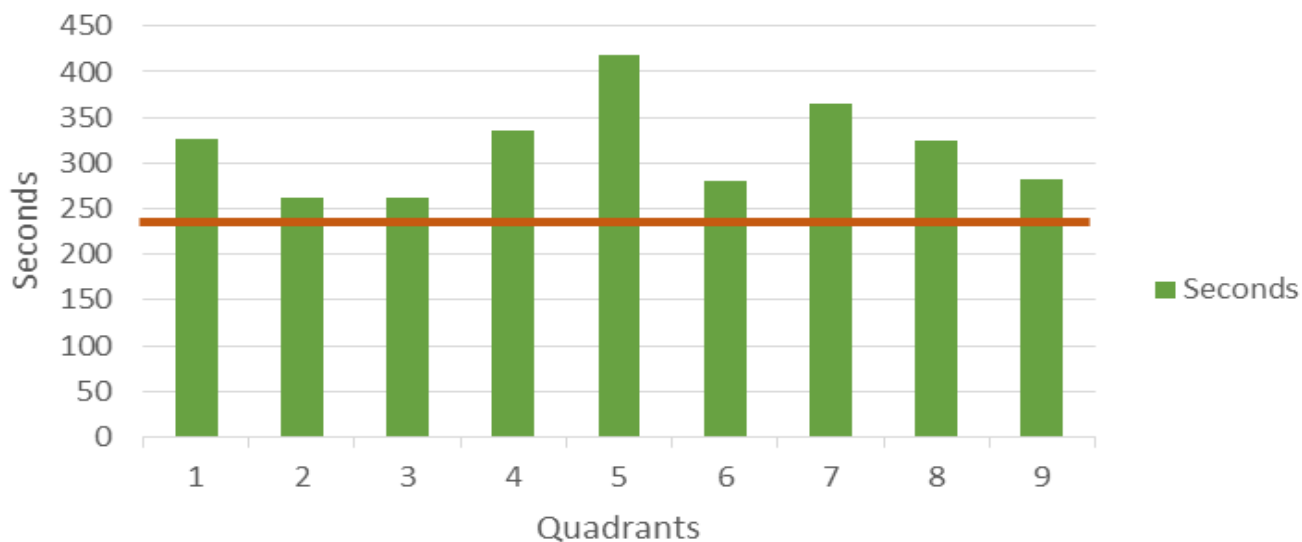
Dispatch to Arrival Analysis

May 2020

<u><i>Dispatch to Arrival Analysis-(No Mutual Aid)</i></u>				Total Calls
72.00%	On Scene in	5.3	minutes or less	109
82.00%	On Scene in	6.0	minutes or less	121
90.00%	On Scene in	7.0	minutes or less	133
96.67%	On Scene in	8.0	minutes or less	143
98.67%	On Scene in	9.0	minutes or less	146
100.00%	On Scene in	11.0	minutes or less	149
	Total Calls		150	



Travel Time May 2020 90% of the Time



Travel Time Analysis- <i>By District</i> ALL CALLS- (No Mutual Aid)				Total Number of	Average Travel	Percent of Runs
% in 4 min or less All Code 3 Calls-No Cancelled enroute calls				Calls	Time Minutes	per District
<u>100s</u>						
71%	On Scene in	4.0	minutes or less	52	3.35	34.67%
<u>200s</u>						
83%	On Scene in	4.0	minutes or less	42	1.36	28.00%
<u>300s</u>						
76%	On Scene in	4.0	minutes or less	21	2.86	14.00%
<u>400s</u>						
60%	On Scene in	4.0	minutes or less	15	3.15	10.00%
<u>500s</u>						
60%	On Scene in	4.0	minutes or less	6	3.82	4.00%
<u>600s</u>						
0%	On Scene in	4.0	minutes or less	2	4.58	1.33%
<u>700s</u>						
0%	On Scene in	4.0	minutes or less	5	90.89	3.33%
<u>800s</u>						
20%	On Scene in	4.0	minutes or less	6	4.73	4.00%
<u>900s</u>						
0%	On Scene in	4.0	minutes or less	1	4.72	0.67%
Total Calls				150		



Total Dollar Losses

May 2020



City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 06/02/2020 10:55
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$0.00	\$18,211.00	\$60,000.00	\$28,811.00	\$125,715.00
Total Content Loss:	\$0.00	\$24,750.00	\$5,000.00	\$46,250.00	\$45,000.00
Total Property Pre-Incident Value:	\$0.00	\$5,796,795.00	\$206,700.00	\$14,824,355.00	\$4,714,306.92
Total Contents Pre-Incident Value	\$0.00	\$75,000.00	\$124,020.00	\$1,087,500.00	\$527,916.35
Total Losses:	\$0.00	\$42,961.00	\$65,000.00	\$75,061.00	\$0.00
Total Value:	\$0.00	\$5,871,795.00	\$330,720.00	\$15,911,855.00	\$5,242,223.27



Fire Marshal Division

Monthly Report - May 2020

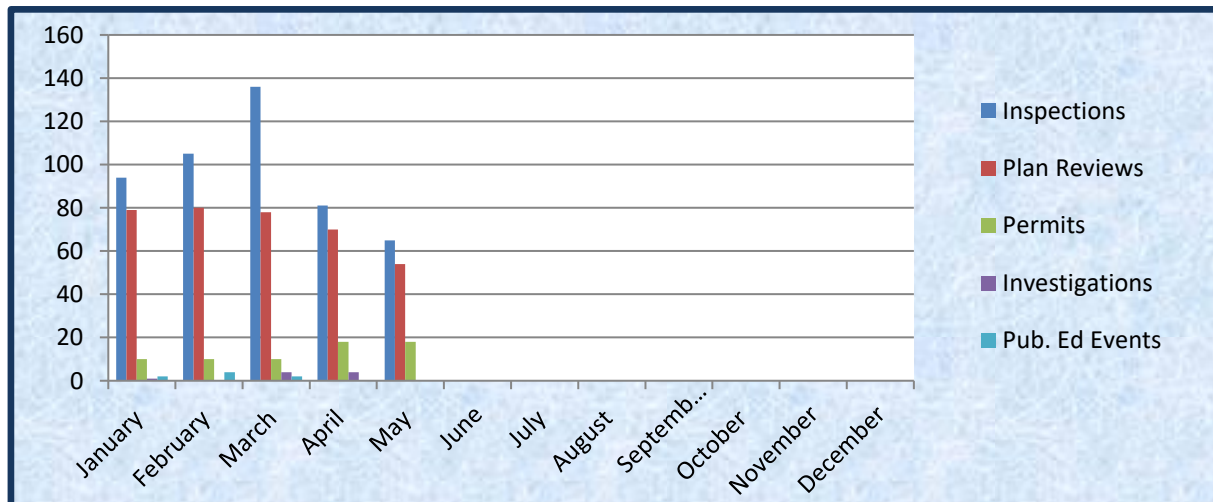
Inspection Status Report	
Total for the Month	65

Fire Investigation Status Report	
Active Investigations	0
Closed Investigations	0
Total for the Month	0

Plan Review Report	
CO	10
COMM	21
Capital Improvements	1
Engineering	7
Miscellaneous	2
Multi- Family	3
Plat	3
Single Family	1
Zoning	6
Total for the Month	54

Fire Permit Report	
Doors Access Control	1
Fire Alarm	5
Fire Sprinkler	2
Gates Access Control	1
High Rack Storage	1
Kitchen Suppression	1
Temp. Aboveground Tank	1
Underground Sprinkler	2
Total for the Month	14

Public Education Events	
Total for the Month	0



Rockwall Police Department

Monthly Activity Report

May-2020

ACTIVITY	CURRENT MONTH MAY	PREVIOUS MONTH APRIL	YTD 2020	YTD 2019	YTD % CHANGE
----------	----------------------	-------------------------	-------------	-------------	-----------------

PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	0	1	1	7	-85.71%
Robbery	1	1	7	4	75.00%
Aggravated Assault	1	3	9	9	0.00%
Burglary	3	4	28	22	27.27%
Larceny	48	40	244	245	-0.41%
Motor Vehicle Theft	3	3	29	18	61.11%
TOTAL PART I	56	52	318	305	4.26%
TOTAL PART II	138	78	592	726	-18.46%
TOTAL OFFENSES	194	130	910	1031	-11.74%

ADDITIONAL STATISTICS

FAMILY VIOLENCE	19	9	60	94	-36.17%
D.W.I.	16	6	67	94	-28.72%

ARRESTS

FELONY	19	21	133	174	-23.56%
MISDEMEANOR	61	19	232	330	-29.70%
WARRANT ARREST	6	6	52	54	-3.70%
JUVENILE	0	3	28	18	55.56%
TOTAL ARRESTS	86	49	445	576	-22.74%

DISPATCH

CALLS FOR SERVICE	1459	1015	6605	7361	-10.27%
-------------------	------	------	------	------	---------

ACCIDENTS

INJURY	2	3	24	61	-60.66%
NON-INJURY	38	35	235	322	-27.02%
FATALITY	1	0	1	0	100.00%
TOTAL	41	38	260	383	-32.11%

FALSE ALARMS

RESIDENT ALARMS	33	33	213	261	-18.39%
BUSINESS ALARMS	130	128	589	623	-5.46%
TOTAL FALSE ALARMS	163	161	802	884	-9.28%
Estimated Lost Hours	107.58	106.26	529.32	583.44	-9.28%
Estimated Cost	\$2,559.10	\$2,527.70	\$12,591.40	\$13,878.80	-9.28%

ROCKWALL NARCOTICS UNIT

Number of Cases	6
Arrests	6
Arrest Warrants	2
Search Warrants	
Seized	
Cocaine	4g
Ecstasy	8.3g
Heroin	31.9g
Hydrocodone	25 pills
Lysergic Acid	5 units
Marijuana	1oz

MAY 2020 MONTHLY REPORT



**ROCKWALL PARKS
& RECREATION**

PARTICIPATION



REC EVENTS: POSTPONED DUE TO COVID-19



REC EVENTS: POSTPONED DUE TO COVID-19



REC EVENTS: POSTPONED DUE TO COVID-19

MONTHLY OVERVIEW

MAY '20

Part Time Labor Hours	0
Program Offerings	0
Program Participants	0
Resident Participants	0
Non-Resident Participants	0
Programs that Made	0
Cancelled Programs	0
% of Programs Cancelled	0%

FEE BASED RESIDENT VS NON-RESIDENT

0 programs



RENTALS



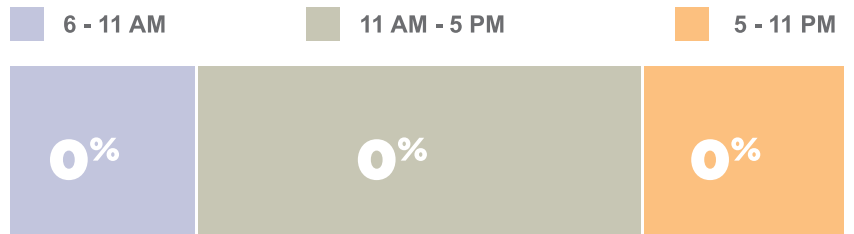
HMCC

MAY '20

<i>Time Blocks Rented</i>	0
<i>Monthly Revenue</i>	\$0

HMCC RENTAL ACTIVITY BY TIME BLOCK

0 Rentals



PAVILIONS

MAY '20

<i>Time Blocks Rented</i>	0
<i>Monthly Revenue</i>	\$0

PAVILION RENTAL ACTIVITY BY TIME BLOCK

0 Rentals



PARKS



FACILITY UPGRADE

Jewell Park Gate Installation



DEPARTMENT ACHIEVEMENT:

Tuttle Sports Complex Pioneer Field of Excellence Award Winner 2019



REPAIRS, RENOVATIONS AND UPGRADES:

Myers Turf Renovation and Pettinger Preserve Butterfly Garden



MARKETING

FACEBOOK PAGE LIKES



APR

GAIN OR LOSS
+104

MAY

+76

TOTAL LIKES THRU 5/31/2020



14,427

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

APR

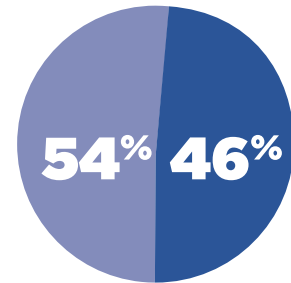
ACCOUNTS
9444

GAIN OR LOSS
+0

MAY

9444

+0



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

PLAYROCKWALL.COM

PAGEVIEWS

Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of April 2020.

36,750

SESSIONS

Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com

7,966

USERS

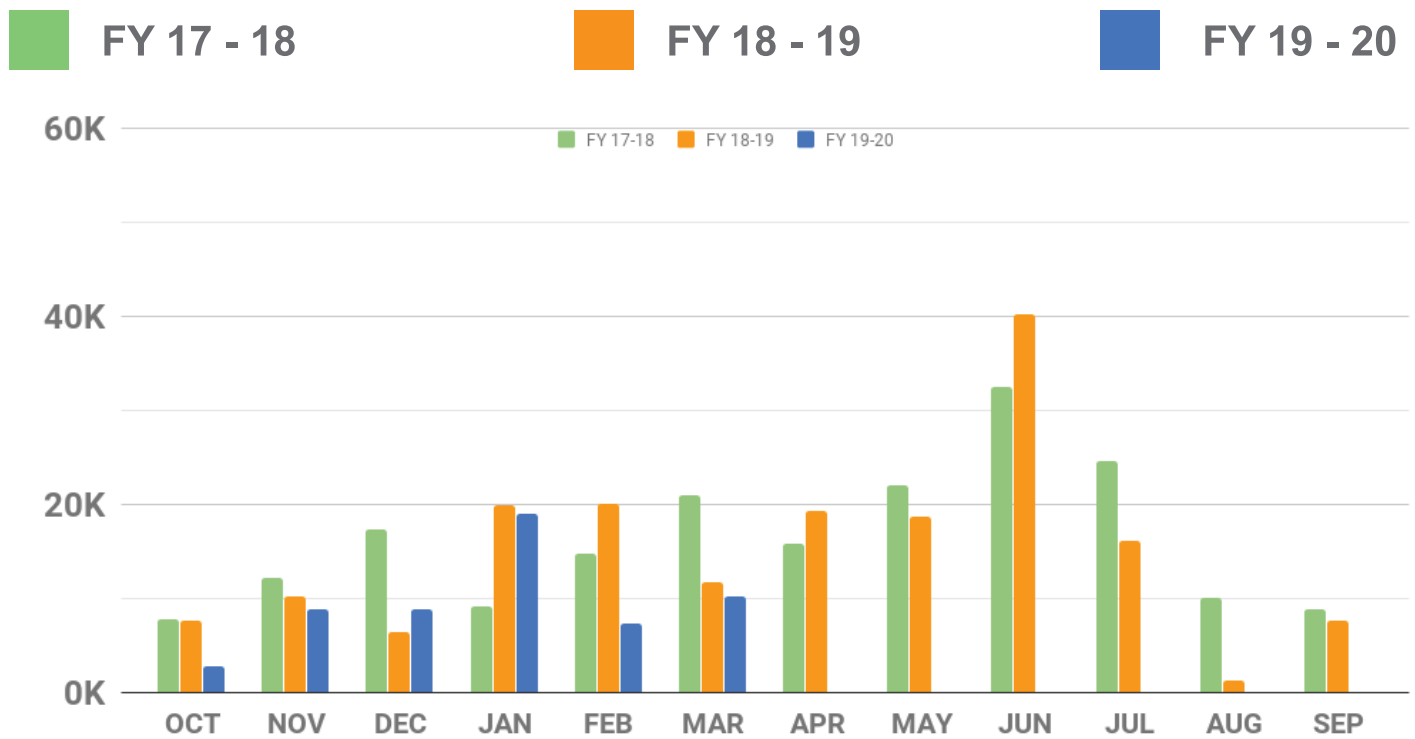
Visitors to playrockwall.com

6,187

REVENUE

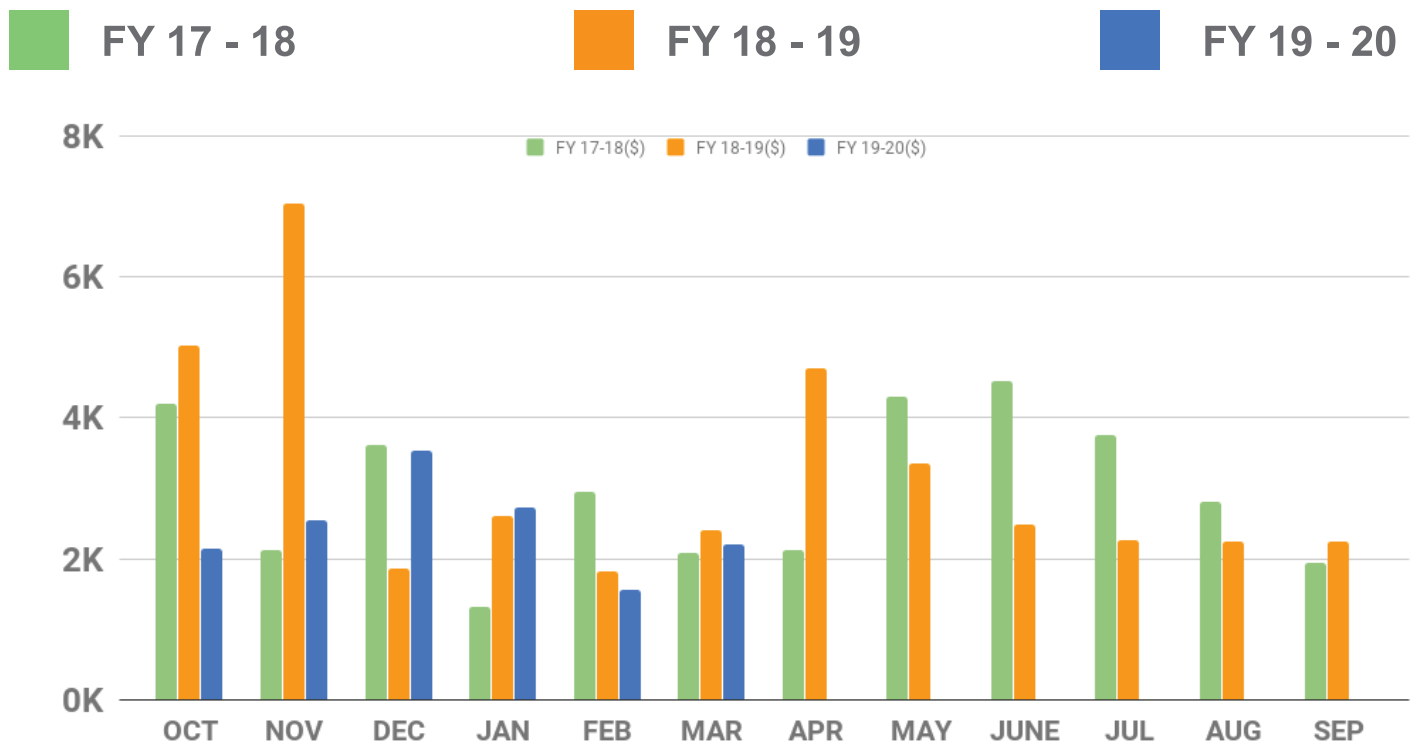
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



Sales Tax Collections - Rolling 27 Months

	General Fund	TIF
	Sales Tax	Sales Tax
Mar-18	1,039,380	17,922
Apr-18	1,146,873	20,655
May-18	1,697,970	23,752
Jun-18	1,308,372	19,941
Jul-18	1,463,243	28,867
Aug-18	1,679,728	27,594
Sep-18	1,174,074	23,370
Oct-18	1,301,342	15,641
Nov-18	1,349,253	16,403
Dec-18	1,423,386	15,708
Jan-19	1,457,584	39,247
Feb-19	2,080,043	22,109
Mar-19	1,459,018	21,606
Apr-19	1,293,524	20,077
May-19	1,679,076	24,582
Jun-19	1,420,483	31,523
Jul-19	1,467,376	28,951
Aug-19	1,810,970	29,022
Sep-19	1,478,622	31,577
Oct-19	1,565,868	24,818
Nov-19	1,730,541	21,787
Dec-19	1,547,746	23,781
Jan-20	1,365,040	26,330
Feb-20	2,273,520	27,472
Mar-20	1,458,193	19,955
Apr-20	1,292,639	15,829
May-20	1,605,986	17,538

Notes:

75% of total sales tax collected is deposited to the General Fund each month

Comptroller tracks sales tax generated in the TIF and reports it monthly to the City

75% of TIF sales tax (city share) is pledged to the TIF

Monthly Water Consumption - Rolling 27 Months

	<u>Total Gallons</u>	<u>Daily Average</u>	<u>Maximum Day</u>
Feb-18	157,094,108	5,610,504	6,416,212
Mar-18	203,851,397	6,575,852	7,638,961
Apr-18	218,104,951	7,270,166	9,480,558
May-18	317,417,845	10,239,290	12,779,480
Jun-18	422,841,722	14,094,730	18,886,210
Jul-18	512,582,590	16,534,920	20,871,860
Aug-18	474,885,847	15,318,900	19,781,800
Sep-18	304,052,374	10,135,080	19,307,450
Oct-18	240,262,264	7,750,396	10,191,580
Nov-18	194,498,356	6,483,279	7,438,044
Dec-18	186,450,313	6,014,526	7,818,894
Jan-19	222,027,420	7,162,175	13,160,330
Feb-19	166,796,311	5,957,011	7,181,853
Mar-19	216,172,991	6,973,323	8,899,546
Apr-19	230,304,224	7,676,809	9,546,692
May-19	246,447,588	7,949,923	10,806,480
Jun-19	273,477,588	9,115,919	12,818,660
Jul-19	479,403,830	15,464,640	19,686,560
Aug-19	557,577,730	17,986,380	20,877,020
Sep-19	480,076,300	16,002,544	19,898,562
Oct-19	377,192,895	12,167,513	17,708,812
Nov-19	237,328,307	7,910,944	9,218,867
Dec-19	229,083,044	7,389,776	8,396,266
Jan-20	215,978,847	6,967,060	8,691,306
Feb-20	196,611,134	6,779,695	7,579,604
Mar-20	197,281,791	6,363,929	8,569,168
Apr-20	226,508,245	7,550,275	10,263,848
May-20	317,650,425	10,246,788	13,193,218

Source: SCADA Monthly Reports generated at the Water Pump Stations