

AMENDED AGENDA

AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on ***Monday, February 7, 2022 at 7:00 p.m.***

Council Members: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***

5. ***Consent Agenda***

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of January 18, 2022
 - b. Minutes of the City Council briefing of January 18, 2022
 - c. Event application for Sweethearts and Orphans Car Show on March 5, 2022
 - d. Variance request by La Nortanita Grill, LLC for mixed beverage restaurant permit located at 1102 Ferris Avenue
 - e. Waxahachie Police Department Racial Profiling Report for 2021
 - f. Termination of Construction Manager at Risk contract with WRL for Fire Station 4
 - g. Consumer Price Index adjustment to the Garbage and Trash Collection effective April 1, 2022
6. ***Public Hearing*** on a request by Kenyatta Henderson, YaYa's Yuniversity, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)
 7. ***Consider*** proposed Ordinance approving ZDC-216-2021

8. **Consider** proposed Ordinance ordering an election to be held on May 7, 2022 for the purpose of electing At-Large Council Member Places 1, 2, & 3, and providing for a contract for election services with Ellis County Elections Administration
9. **Consider** Interlocal Agreement with the City of Ft. Worth for radio repairs & installations
10. **Consider** a Professional Services Agreement with Teague Nall and Perkins in the amount of \$94,565.00 for the design and engineering of a water main rehabilitation project on Bryson Street
11. **Consider** a Professional Services Agreement with Gresham Smith in the amount of \$165,210.00 for the design and engineering of various water and sewer line rehabilitations throughout the City of Waxahachie
12. **Discuss** recurring power outages
13. **Convene** into Executive Session for consultation with attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code
14. **Reconvene** and take any necessary action
15. Comments by Mayor, City Council, City Attorney and City Manager
16. Adjourn

The City Council reserves the right to go into Executive Session on any posted item. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

City Council
January 18, 2022

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, January 18, 2022 at 7:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Shon Brooks, Executive Director of Development Services
Gumaro Martinez, Executive Director of Parks & Leisure Services
Richard Abernethy, Director of Administrative Services
Robert Brown, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Doug Barnes called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Pastor Lonnie Newman, Joshua Chapel A.M.E. Church, gave the invocation. Council Member Travis Smith led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Paul Bailey, 544 Washington Avenue, Waxahachie, Texas, requested the Confederate statue be removed in front of the Ellis County Courthouse.

Kevin Ivey, 1980 E. Highland Road, Waxahachie, Texas, spoke in support of keeping the Confederate statue at the Ellis County Courthouse as a way to honor history and as a reminder not to repeat it.

Alan Fox, 327 University, Waxahachie, Texas, requested City Council declare MLK week in Waxahachie.

5. Consent Agenda

- a. Minutes of the City Council meeting of January 3, 2022
- b. Minutes of the City Council briefing of January 3, 2022
- c. Consider Engineering Professional Services Agreement for the Howard Road Water Treatment Plant High Service Pump Station Generator

Action:

Mayor Pro Tem Billie Wallace moved to approve items a. through c. on the Consent Agenda. Council Member Melissa Olson seconded, All Ayes.

6. Recognize Railyard Park as a 2021 Greater Dallas Planning Council Urban Design Honorable Mention Award

Mayor Barnes recognized Railyard Park as a 2021 Greater Dallas Planning Council Urban Design Honorable Mention Award recipient. Kelly Skistimas, Cultural Arts and Programming Manager, explained the architecture firm, Halff and Associates, submitted the project for consideration and was awarded in December 2021.

Jim Phillips, thanked former Mayor Kevin Strength and former WCDC President John Sanders for their work on the project. He stated he was proud of the partnership between TIRZ, WCDC, the City, and the community for their contributions to Railyard Park.

Ann Montgomery, explained the amphitheater was the class project for Leadership Waxahachie and thanked City Council for their support.

7. Present Proclamation proclaiming January 17-21, 2022 as Dr. Martin Luther King, Jr. Week

Mayor Barnes presented a proclamation proclaiming January 17-21, 2022 as Dr. Martin Luther King, Jr. Week to Jim Brunson, Jesus Christ of Latter-Day Saints, and Betty Square Coleman, Waxahachie branch of the NAACP. Mr. Brunson thanked City Council for the proclamation.

Ms. Coleman thanked City Council for the proclamation and encouraged unity, respect, and cooperation in the community.

8. Hear presentation on “Shop with a Cop”

Bishop Aaron Blake presented an update on “Shop with a Cop” and thanked Police Chief Wade Goolsby and the Waxahachie Police Department for their participation. Bishop Blake explained over 50 children were served this year and showed a video documenting the event. Chief Goolsby explained the police department has enjoyed participating for the past six years and looks forward to it each year.

Mayor Barnes thanked Bishop Blake and Chief Goolsby for the successful event.

9. Continue Public Hearing on a request by Carolyn J Haman for Voluntary Annexation on approximately 157.139 +/- acres located NW of 2374 W Highway 287 Bypass (Property ID 185971 and 185886) - Owner: CAROLYN J HAMAN (ANX-DNX-200-2021)

Mayor Barnes continued the Public Hearing.

(5a)

City Council
January 18, 2022
Page 3

Jennifer Pruitt, Planning Director, explained ANX-DNX-200-2021 is associated with ZDC-188-2021. The voluntary annexation request is for approximately 150.11 acres and the area is identified as low density residential and highway commercial.

Those who spoke in opposition:

Karen Rozier, 4250 Black Champ Road, Waxahachie, Texas
Sheila Hood, 3841 Black Champ Road, Waxahachie, Texas
Charles Stierhoff, 4230 Black Champ Road, Waxahachie, Texas
Linda Romanenko, 2951 Longbranch Road, Waxahachie, Texas

Those who spoke in favor:

Dakota Krueger, 1511 Shoreline Drive, Waxahachie, Texas

There being no others to speak for or against ANX-DNX-200-2021, Mayor Barnes closed the Public Hearing.

10. Consider proposed Ordinance approving ANX-DNX-200-2021

ORDINANCE NO. 3314

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF PROPERTY ID 185971, ABSTRACT 546 & 409 OF THE WM IRWIN AND D S GENTRY SURVEY, AND PROPERTY ID 185866, ABSTRACT 545 OF THE WM IRWIN SURVEY, APPROXIMATELY 150.11 ACRES, SITUATED EAST OF BLACK CHAMP ROAD AND NORTH OF U.S. HIGHWAY 287 BUSINESS, OF THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS.

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3314 contingent upon approval of ZDC-188-2021. Mayor Pro Tem Billie Wallace seconded, All Ayes.

11. Continue Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

Mayor Barnes continued the Public Hearing.

Ms. Pruitt presented the case noting the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Staff recommended approval per the following staff comment:

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

(5a)

Ms. Pruitt explained the applicant revised the concept plan based on the Commission's comments. She noted the development will offer five architectural styles: Contemporary, Modern Farm, Tudor, Mediterranean, and Craftsman, with the remaining 40% of the lots to be determined by the market. The applicant also revised the exterior finish materials, floor plan variation, and garage door orientations. She noted staff received one letter of support and four letters of opposition.

Todd Wintters, 201 Windco Circle, Wylie, Texas, explained architectural styles were updated with 12% allowed for each style. He noted the developer will fully fund and coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at the southern entrance to Montclair Heights. He noted water and sewer will also be extended to the site.

Ms. Pruitt asked the applicant to address Park Dedication fees in the Development Agreement. Council Member Olson asked if the open space parks will be maintained by the Homeowner's Association and Drew Sloan, confirmed and explained the applicant is willing to amend the Development Agreement regarding Park Dedication fees if requested by City Council.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, expressed concern with the negative impact of traffic in this area. He requested the City be proactive instead of reactive to the traffic concerns and encouraged coordinating with TxDOT.

Those who spoke in opposition:

Dakota Krueger, 1511 Shoreline Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-188-2021, Mayor Barnes closed the Public Hearing.

Council Member Travis Smith stated only 18% of the proposed lots are over the current minimum city requirements. He expressed his deep concern with traffic in the area and noted he does not support adding additional traffic to this area.

12. Consider proposed Ordinance approving ZDC-188-2021

ORDINANCE NO. 3315

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) AND GENERAL RETAIL (GR) TO PLANNED DEVELOPMENT-MIXED USE RESIDENTIAL (PD-MUR), LOCATED WEST OF 2374 W HIGHWAY 287 BYPASS, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 188.46 ACRES KNOWN AS A PORTION OF PROPERTY ID 185971, 185972, 185886, 185978, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Travis Smith moved to table ZDC-188-2021 to allow time to address traffic concerns.

The motion died due to lack of second.

Action:

Mayor Doug Barnes moved to approve Ordinance No. 3315.

The motion died due to lack of second.

James Gaertner, Director of Public Works and Engineering, explained traffic concerns have been identified and there is a plan for improvements in the area. He noted he is submitting a request to TxDOT for an additional traffic signal on the other side of the bridge on Highway 287 service road. He explained he will submit the Traffic Impact Analysis provided by the developer to aid in expediting his request.

Mayor Pro Tem Billie Wallace confirmed the City is requesting lights on both side of Highway 287 service and road and Mr. Gaertner agreed. Mayor Pro Tem Wallace inquired about the construction timeline and Mr. Terrence Jobe explained it will likely take about 6-9 months to finalize the engineering plans.

Action:

Council Member David Hill moved to approve Ordinance No. 3315. Mayor Doug Barnes seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.

The motion carried.

13. Consider Development Agreement for ZDC-188-2021

Action:

Council Member Melissa Olson moved to approve a Development Agreement for ZDC-188-2021 adding Park Land Dedication Fees to be paid by the developer. Mayor Pro Tem Billie Wallace seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Melissa Olson. Noes: Travis Smith.

The motion carried.

14. Continue Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)

Mayor Barnes continued the Public Hearing.

Ms. Pruitt presented the case noting the applicant is requesting to rezone the property from Future Development to Planned Development-General Retail to allow for a Planned Development consisting of retail (front of property) and townhomes (rear of property). Staff recommended approval per the following staff comments:

(5a)

1. A mutually agreed upon Development Agreement must be signed by staff and the applicant.
2. A detailed site plan for the development be reviewed by City Council as well.

Those who spoke in favor:

Kim Weins, 641 Highlander, Midlothian, Texas

There being no others to speak for or against ZDC-146-2021, Mayor Barnes closed the Public Hearing.

15. Consider proposed Ordinance approving ZDC-146-2021

ORDINANCE NO. 3316

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) WITH CONCEPT PLAN, LOCATED ALONG BROADHEAD ROAD, EAST OF ROBBIE E. HOWARD JUNIOR HIGH SCHOOL IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 4.649 ACRES KNOWN AS PROPERTY ID 178923, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3316 subject to staff comments. Mayor Pro Tem Billie Wallace seconded, All Ayes.

16. Consider Development Agreement for ZDC-146-2021

Action:

Council Member Melissa Olson moved to approve a Development Agreement for ZDC-146-2021. Mayor Pro Tem Billie Wallace seconded, All Ayes.

17. Consider Roadway and Water Line Oversized Participation Agreement with GRBK EDGEWOOD LLC related to the Dove Hollow Phase 1 Development

Action:

Mayor Pro Tem Billie Wallace moved to approve a Roadway and Water Line Oversized Participation Agreement with GRBK EDGEWOOD LLC related to the Dove Hollow Phase 1 Development in the amount of \$462,075.18. Council Member Melissa Olson seconded, All Ayes.

18. Convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code and to discuss personnel matters for Municipal Court Judge/Associate Judge as permitted under Section 551.074, Texas Government Code

(5a)

Mayor Barnes announced at 8:45 p.m. the City Council would convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code and to discuss personnel matters for Municipal Court Judge/Associate Judge as permitted under Section 551.074, Texas Government Code.

19. Reconvene and take any necessary action

The meeting reconvened at 9:50 p.m.

Action:

Council Member Melissa Olson moved to authorize the City Manager to complete negotiations and execute any related documents to finalize the acquisition of easements and rights of ways necessary for roadways and utilities to serve projects planned within the northwest quadrant of the City. Mayor Pro Tem Billie Wallace seconded, All Ayes.

20. Comments by Mayor, City Council, City Attorney and City Manager

City Secretary Amber Villarreal announced January 19, 2022 is the first day of filing for the May 7, 2022 General Election.

Mayor Pro Tem Billie Wallace thanked City Manager Michael Scott and City staff for their attentiveness and responsiveness including the weekends.

City Manager Michael Scott thanked the Utilities Department for their work on addressing Mayor Pro Tem Wallace's concern from a citizen.

Mayor Doug Barnes commended the 2021 Annual Fire Department Report.

21. Adjourn

There being no further business, the meeting adjourned at 9:53 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

City Council
January 18, 2022

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, January 18, 2022 at 6:30 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2
Billie Wallace, Mayor Pro Tem, Council Member Place 4
David Hill, Council Member Place 1
Melissa Olson, Council Member Place 3
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Planning Director
Gumaro Martinez, Executive Director Park & Leisure Services
Richard Abernethy, Director of Administrative Services
Robert Brown, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Doug Barnes called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

City Manager Michael Scott reviewed the following agenda items:

- Item 5c, engineering professional services agreement with Kimley Horn for the Howard Road Water Treatment Plant High Service Pump Station generator in the amount of \$55,000.
- Item 6, recognize Railyard Park as a 2021 Greater Dallas Planning Council Urban Design Honorable Mention Award recipient.
- Item 7, present Proclamation proclaiming January 17-21, 2022 as Dr. Martin Luther King, Jr. Week.
- Item 8, Bishop Aaron Blake and Chief Wade Goolsby will review the Shop with a Cop program.
- Item 17, Roadway and Water Line Oversized Participation Agreement with GRBK Edgewood LLC related to the Dove Hollow Phase 1 development.

Planning Director Jennifer Pruitt reviewed the following agenda items:

- ANX-DNX-200-2021, Ms. Pruitt indicated the annexation is associated with ZDC-188-2021.
- ZDC-188-2021, the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. The applicant revised and presented five architectural styles that were acceptable to the Planning and Zoning Commission as well as a mix of lot sizes.

(5b)

Council Member Melissa Olson asked if the development will have a Public Improvement District and Mr. Scott confirmed that is their plan.

Council Member Travis Smith expressed his deep concerns with traffic impact in the area. Director of Public Works and Engineering James Gaertner explained the developer will fund the installation of a traffic signal at the southern portion of the development.

It was the consensus of City Council to request an additional light on the other side of the bridge at the Highway 287 service road.

3. Adjourn

There being no further business, the meeting adjourned at 7:02 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5c)



Application for a Festival or Event Permit

Event Name and Description: Sweethearts & Orphans
Car show - see attached for additional
event details

Applicant Information

Name: Larry Kollie
Address: 1208 E Marvin Ave
City, State, Zip: Waxahachie, TX 75165 Phone: 972 903 9037
E-mail Address: AKLOL1915@GMAIL.COM

Organization Information

Organization Name: TEXAS REGION ANTIQUE AUTOMOBILE CLUB OF AMERICA
Address: 743 SCEPTRE CIR, GARLAND, TX 75043 (AACA)
Authorized Head of Organization: NICOLE GAMBELLOS
Phone: 713 402 8418 (C) E-mail Address: NMWAGGONER@GMAIL.COM

Event Chairperson/Contact

Name: LARRY KOLLIE
Address: 1208 E MARVIN AVE
City, State, Zip: WAXAHACHIE, TX 75165 Phone: 972 903 9037
E-mail Address: AKLOL1915@GMAIL.COM

Event Information

Event Location/Address: WAXAHACHIE COURTHOUSE SQUARE S&E SIDE STREETS
Purpose: DISPLAY ORPHAN CARS - 1900-1990
Event Start Date and Time: MARCH 5, 2022 8 AM - 3 PM

Received in
City Secretary's Office
1/25/2022 KW
City of Waxahachie, Texas

(50)

Event End Date and Time: MARCH 5, 2022 3 PM

Approximate Number of Persons Attending Event Per Day: 100

Site Preparation and Set-Up Date and Time: MARCH 5, 2022 8 AM

Clean-Up Completion Date and Time: MARCH 5, 2022 3:30 PM

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

STREET CLOSURES - FRANKLIN ST, SOUTH SIDE OF COURTHOUSE
" COLLEGE ST, FRANKLIN TO MAIN
MAY HAVE A COUPLE OF BOOTHS (LESS THAN 5)
REQUEST RESERVED PARKING ON STREET CLOSURES WITH

Will food and/or beverages be available and/or sold? YES/NO CITY BARRICADES

*Will alcohol be available and/or sold? YES/NO

If yes, will the event be in the Historic Overlay District? YES/NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? NO

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations.

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

Jarvone Kolbe
Signature of Applicant

1-23-22
Date

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(5c)
Sweethearts & Orphans XXII
March 5, 2022, in Waxahachie, TX

S&O IS BACK FOR IT'S 22nd SEASON IN 2022!!!

The Texas Region Antique Automobile Club of America (AACA) invites you to join us for Sweethearts & Orphans XXII. We are back again in historic Waxahachie, Texas!

Registration will open February 9, 2022, at sweethearts-orphans.com. The event is FREE, but everyone must register as space is limited! Do you have an Orphan? Read below to make sure.

To clarify, "orphan cars" are those wonderful, historic automobiles whose manufacturers have disappeared into the mists of time - great American independent marques like Hudson, Studebaker, Willys, Graham-Paige, Nash, Kaiser-Frazer, Packard, AMC and hundreds of others. There are also "corporate orphans" - historic marques from Chrysler, Ford, and GM - such as LaSalle, DeSoto, Edsel, and more. Recent orphans like Plymouth, Oldsmobile, Mercury, Pontiac and others are also welcome, but we ask participation of pre-1990 cars only, original or restored to stock or "stock appearance". **No customs or rods, please!** We love all cars, but S&O's focus is on automotive history, not automotive art!

As usual, S&O is open to ALL marques built prior to World War II. We believe all 1942 and earlier vehicles are of historical significance and want the public to see the cars that changed America and the world. The main reasons for S&O will never change: (1) to bring "orphan" and vintage car owners together to make and renew friendships; and (2) to take time during the Valentine Season to honor the wives, girlfriends, or significant others that put up with our old car obsession all year long. So, c'mon, join us... Those who have attended in the past will tell you that we have a great time together!

Sweethearts & Orphans will continue to be a non-judging meet. S&O meets aren't about competition. We just want people to admire and enjoy our unique and historic cars, establish friendships, and enjoy a day in a friendly, laidback setting. Good friends and great memories remain the real prizes of this meet. Join us for this event... From beginning to end, S&O is just fun, fun, fun!!!

The Saturday Car Show N' Shine will be held around the beautiful and historic Ellis County Courthouse in downtown Waxahachie. The show will start at 10:00 AM. Let us remind you that your car doesn't have to be a #1 show car... If it can make it to Waxahachie, we want to see it! We ask that you keep your car on-site until 3:00 PM. Downtown Waxahachie has lots of shops, boutiques, galleries, restaurants, and such for those who tire of tire-kicking (perish the thought!!!).

We will have parking helpers onsite around the square. Parking will be allocated on a "first come, first served" basis in designated parking slots around the square. In previous years, we've tried to order cars by year or marque, but most seem to prefer to stake out a spot with their friends or clubs. Most clubs are very effective at "self-organizing." For those who have attended in the past this year is car show only - no Friday tour, Saturday banquet or judging and awards.

For more information about S&O XXII, call Larry Kollie at (972) 903-9037 or email me at aklol1915@gmail.com.

(5c)

73	74	75	76	77	78	79	80	81	82	83	84	85
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ROGERS

4	59	60	61	62	63	64	65	66	67	68	69	70	71	72
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BARBICADE

3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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Courthouse Square

20 weeks of school

FRANKLIN

30	29	28	27	26	25	24	23	22	21	20	19	18	17	5
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1	31	32	33	34	35	36	37	38	39	40	41	42	43	44
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BARBICADE

COLLEGE

2	45	46	47	48	49	50	51	52	53	54	55	59	57	58
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8
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BARBICADE

75
TUTKIL



6-7

(50)

Sweethearts & Orphans XXII

The North Texas Antique Automobile Club of America (AACA) will conduct the 22nd annual Sweethearts & Orphans event in historic Waxahachie, Texas with a car show on Saturday March 5, 2022.

For those who are not familiar with this event, the "Sweethearts" part of our name refers to the fact that this meet is held to take time during the Valentine Season to honor the wives, girlfriends, or significant others that put up with our old car obsession all year long albeit a few weeks after February 14.

Regarding the car show the Orphans part refers to "orphan cars", those wonderful, historic automobiles whose manufacturers have disappeared into the mists of time - great American independent marques like Hudson, Studebaker, Willys, Graham-Paige, Nash, Kaiser-Frazer, Packard, AMC and hundreds of others. There are also "corporate orphans" - historic marques from Chrysler, Ford, and GM - such as LaSalle, DeSoto, Edsel, and more. More recent orphans like Plymouth, Oldsmobile, Mercury, Pontiac and others are welcome up to 1990 original or restored to "stock appearance". Weather permitting, we hope to have up to 100 cars and several hundred people or more visiting downtown.

The AACA is requesting road closures of College Street and Franklin Street on March 5, 2022, from 9:00 AM until 3:00 PM. We are requesting your support for this event before we seek support from City Council.

Thank you for your support of the AACA and another year of this unique event.

Name of your business Confidante Shappe

Your title Owner Date 1-20-22

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature [Handwritten Signature]

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(5c)

Sweethearts & Orphans XXII

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Thank you for your support of the AACA and another year of this unique event.

Name of your business YAYA FOOT SPA

Your title _____ Date 1-20-22

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature Yaya Foot SPA

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(5c)

Sweethearts & Orphans XXII

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Name of your business Soma Waxahachie

Your title Children's Ministry Director Date 1/20/22

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature Rebecca Hand

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(5c)

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Name of your business Elmwood Custom Homes

Your title C.O.O. Date 1/19/21

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature 

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

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Name of your business The Perfect Pair

Your title Store Manager Date 1/19/22

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature Sawyer

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(5c)

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Name of your business Webank Florist

Your title Employee Date 1/19/22

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Signature 

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

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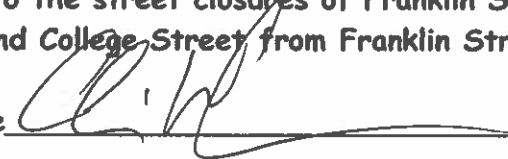
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Name of your business FARM LOUC

Your title OWNER Date 1/19/21

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature 

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(50)

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Name of your business Art on the Square

Your title president of ECAA Date 1/25/22

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature Dave McSpoolen (Cynthia Renee - manager)

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(5c)

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Name of your business The Mix

Your title Owner Date 1-25-22

I agree to the street closures of Franklin Street from Rogers Street to College Street and College Street from Franklin Street to Main Street on March 5, 2022.

Signature Michael Hampton

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

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Name of your business _____

Your title _____ Date _____

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Signature _____

Best Regards,
Larry Kollie, S&O 2022 Meet Director
972-903-9037 or AKLOL1915@GMAIL.COM

(5c)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Tuesday, January 25, 2022 2:27 PM
To: Villarreal, Amber
Subject: RE: Event Application-Sweethearts and Orphans car show

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Tuesday, January 25, 2022 2:21 PM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Abernethy, Richard <rabernethy@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application-Sweethearts and Orphans car show

[EXTERNAL SENDER] – This email may be from an untrusted source. Links and attachments within this email may be at greater risk of being malicious or threatening in nature. If this is an unexpected email, please contact the sender via phone to verify authenticity prior to opening or accessing contents.

Please review and send me your comments by Friday, January 28th if possible. Due to the event date, we will try to get the request on the February 7th City Council agenda if there is no opposition.

Thank you,

Amber Villarreal, TRMC, CMC
City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material.

Attention Public Officials: A "Reply to All" of this email message could lead to violations of the Texas Open Meetings Act. If replying, please reply only to the sender.

(5c)

Villarreal, Amber

From: Mosley, Laurie
Sent: Tuesday, January 25, 2022 2:50 PM
To: Villarreal, Amber
Subject: RE: Event Application-Sweethearts and Orphans car show

I see no problems as it relates to our department. It's always a great event that attracts visitors and overnight stays to our city.

Thanks,

Laurie Mosley, CTE
Director
Waxahachie Convention & Visitors Bureau
2000 Civic Center Lane
Waxahachie, TX 75165
Office: 469-309-4046

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Tuesday, January 25, 2022 2:21 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Abernethy, Richard <rabernethy@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
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(5c)

Bonner, Jami

From: Martinez, Gumaro
Sent: Wednesday, January 26, 2022 2:44 PM
To: Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Simpson, Anita; Mosley, Laurie
Cc: Scott, Michael; Lawrence, Albert; Brooks, Shon; Abernethy, Richard; Bonner, Jami; Crocker, Clarice
Subject: RE: Event Application-Sweethearts and Orphans car show

I don't have any issues with this event.

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 cell
gmartinez@waxahachie.com

From: Villarreal, Amber
Sent: Tuesday, January 25, 2022 2:21 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Abernethy, Richard <rabernethy@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
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(5d)



Request to the City Council

ALCOHOL DISTANCE APPEAL APPLICATION

Applicant's Name: (Print) Jesus E (Sign) [Signature]

Applicant's Mailing Address: 3711 FM 1446

Agent Name: _____ Agent Mailing Address: _____

Name of Business: LA Norteñita Grill LLC

Business Address: 1102 Ferris Ave City Waxahachie Zip 75165

Legal Description: _____ Block/Ab _____ Lot/Tr _____

Phone No.: 469-213-9742 Fax No. _____ Email jessierivera519@gmail.com

From: Required Setback 300 ft. To: Requested Setback 281.85 ft.

Location: 1102 Ferris Avenue

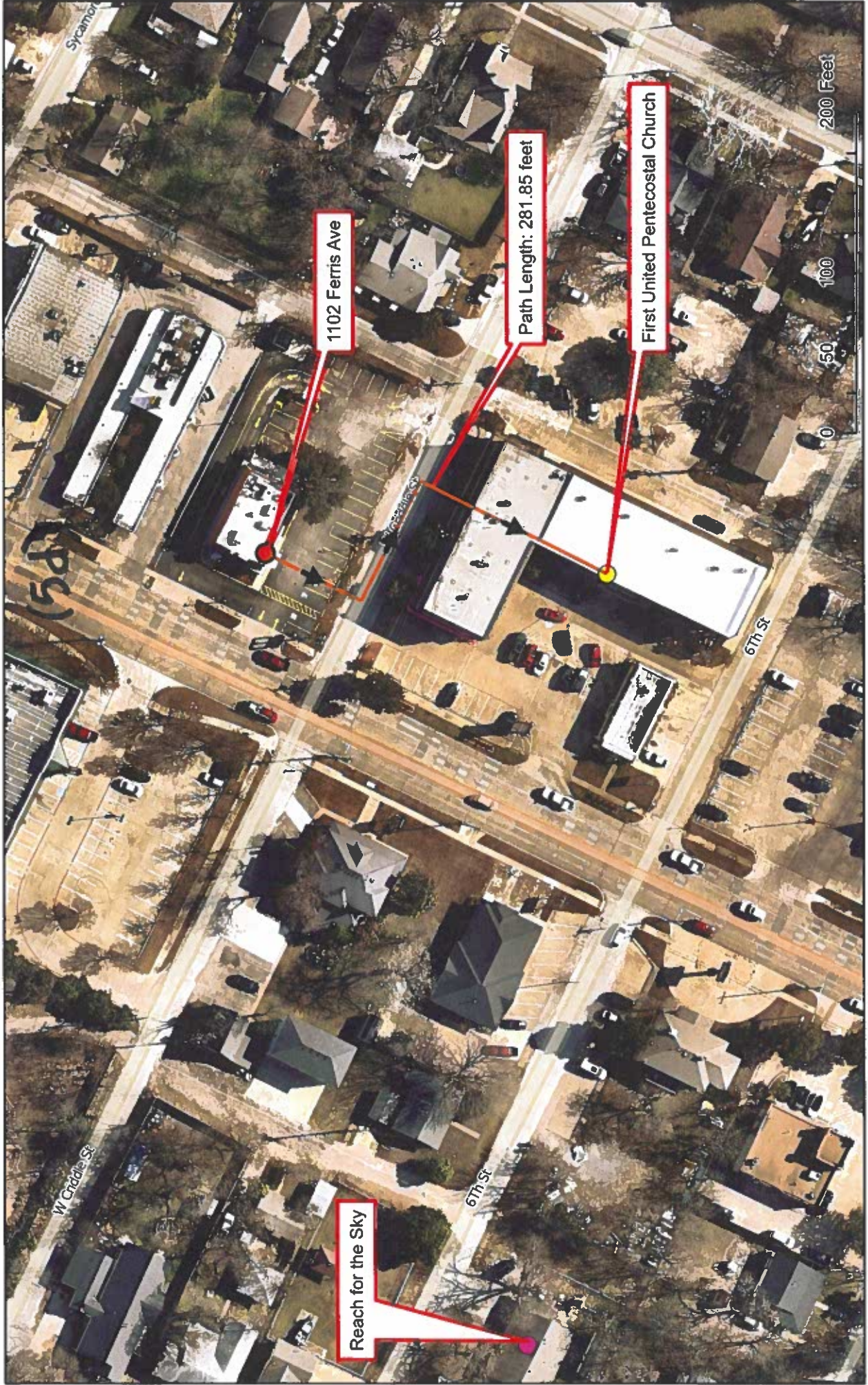
Reason(s) For Setback Appeal: Restaurant with mixed beverages.

Requirements for Alcohol Distance Appeal:

- TABC Alcohol Permit Application
- Letter or summary of hardship and/or reason for requesting a Distance Variance recommended.
- Processing time is approximately 2 weeks and the request will be heard at an appropriate City Council Meeting which is held on the first and third Monday of each month.

City of Waxahachie, City Hall, 401 S. Rogers Street, Waxahachie, TX, 75168

• City Secretary (469) 309-4006 • Fax (469) 309-4003



Reach for the Sky

1102 Ferris Ave

Path Length: 281.85 feet

First United Pentecostal Church

200 Feet

100

50

0



Waxahachie Alcohol Permit Verification Exhibit

Legend

- Child Care Centers
- Church Door
- Subject Property Door
- ↔ Path

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

(5e)

WAXAHACHIE POLICE DEPARTMENT



2021 CITIZEN CONTACT REPORT

January 12, 2022

(5e)

Executive Summary

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched.

The analysis of material and data from the Waxahachie Police Department revealed the following:

The analysis of statistical information from WPD reveals that there are not any indications of systemic racial profiling by the department.

The WPD is in full compliance with applicable Texas law concerning the prohibition of racial profiling.

(5e)

Introduction

This report details an analysis of the Waxahachie Police Department's statistical information on citizen contacts for the year 2021. According to the State of Texas, "race" means "of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent". For purposes of this report, these categories or definitions are used.

This report has been prepared to specifically comply with Article 2.132 (7) of the Texas Code of Criminal Procedure regarding the compilation and analysis of citizen contacts data. In 2017, the State changed the requirements of the racial profiling reports to include more information than was previously reported. In 2020, we were notified by the Texas Commission on Law Enforcement (TCOLE) that there were portions of the law that had been misinterpreted and would now require additional data. The full copies of the applicable laws and regulations pertaining to this report are contained in Appendix A.

This report is divided into four analytical sections: WPD's policy on racial profiling; WPD's training and education on racial profiling; WPD's complaint process and public education on racial profiling; and analysis of statistical data on citizen contacts.

For the purposes of this report and analysis, the following definition of racial profiling is used: Racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

The demographic information contained in this report was taken from the demographic profile from the 2020 census. Waxahachie demographic information was compared to Ellis County information for analytical and comparison purposes.

The greatest challenge in presenting meaningful numbers is using an appropriate comparison. Census data is the most readily available data that identifies the demographics of the city and county. However, the accuracy of census data is always questioned and even if accurate in the beginning, the data becomes aged and out of date as the decade progresses. Since the data is only collected every ten years, the data becomes less and less accurate with each passing year.

Even if the census data is fresh, there are still questions about the accuracy of the data. In some of the data, the numbers do not add up. The Census Bureau considers Hispanics to be a culture and not a race, so there are White Hispanics and Black Hispanics. This can cause some individuals to be counted twice, depending on how the individual completes the Census survey form. On the other hand, the State of Texas considers "Hispanic" to be a race. However, the State does not provide any census data based on their definitions of race.

Other challenges related to the statistical comparisons relate to the percentage of citations written to residents vs. non-residents vs. regional visitors, etc. We have

(5e)

several major thoroughfares through Waxahachie and many people who receive citations do not live in the city or the county.

The population and race statistics are shown below for both the city of Waxahachie and for Ellis County.

2020 Population – City of Waxahachie*

Total Population	41,140	
Caucasian (Not Hispanic)	24,848	60.4%
African (Black)	5,471	13.3%
Amer. Indian	205	0.5%
Asian	246	0.6%
Two or More Races	1398	3.4%
Hispanic	10,367**	25.2%**

*These numbers provided by the US Census Bureau

** Total sum of races exceeds actual total population

2020 Population – Ellis County*

Total Population	192,455	
Caucasian (Not Hispanic)	115,280	59.9%
African (Black)	23,479	12.2%
Amer. Indian	1,539	0.8%
Asian	1,539	0.8%
Hispanic	51,770	26.9%**

*These numbers provided by the US Census Bureau

** Total sum of races exceeds actual total population

The State of Texas has defined "Race or ethnicity" as the following categories: Alaska Native or American Indian; Asian or Pacific Islander; black; white; and Hispanic or Latino. Since the State is requiring the reporting, we are required to use their definition but for comparison purposes, we must use Census data and their definitions.

Another issue is the fact that the US Census considers "Hispanic" to be a culture and not a race, compared to the State of Texas who defines Hispanic as a race. In the census, there are White Hispanics and Black Hispanics and the result is an overlapping of counting. As seen in the numbers above, the total number of Races exceed the population due to this overlapping in counting.

PART I. WPD POLICY

Waxahachie Police Department Policy on Racial Profiling

A review of WPD policies reveal that the department has adopted policies to be in compliance with Article 2.132 of the Texas Code of Criminal Procedure. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in Departmental policies. The General Orders provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or social status. Appendix B lists the applicable statute and corresponding General Orders. Specifically, however, Policy 3.08 states in part:

II. POLICY:

- 4. POLICING IMPARTIALY** – Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.

- B. Race/ethnicity** will never be used as the sole basis for probable cause or reasonable suspicion. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s).

III. DEFINITIONS

- 4. BIAS BASED PROFILING** - Means a law enforcement-initiated action based on an individual's race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or other identifiable group, rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

- B. RACIAL PROFILING** means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

IV. PROCEDURES

A. PROHIBITED – The Waxahachie Police Department strictly prohibits police officers employed by this agency to engage in acts of racial profiling or bias based profiling as defined above.

B. PREVENTING PERCEPTIONS OF BIASED POLICING

1. In an effort to prevent inappropriate perceptions of biased law enforcement, each officer shall do the following when conducting pedestrian and vehicle stops:

- a. Be courteous and professional.
- b. Introduce yourself to the citizen (providing name and agency affiliation), and state the reason for the stop as soon as practical, unless providing this information will compromise officer or public safety.
- c. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the citizen understands the purpose of reasonable delays.
- d. Answer any questions the citizen may have, including explaining options for traffic citation disposal, if relevant.
- e. Provide your name and I.D. number when requested, in writing or on a business card.
- f. Apologize and/or explain if you determine that the reasonable suspicion was unfounded (i.e., after an investigatory stop).

C. COMPLIANCE

1. Each officer will receive training in racial profiling so that they are aware of the issues, the impact on policing and the negative impact on society.
2. Violations of this policy shall result in disciplinary action as set forth in the department's rules and regulations.

D. SUPERVISION & ACCOUNTABILITY Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it.

E. COMPLAINT & INVESTIGATION PROCESS

1. The department will receive and investigate Racial Profiling or Bias Based Profiling complaints in accordance with the State law requirements and applicable departmental procedures and rules concerning the receiving and investigation of citizen complaints.
2. The department shall accept complaints from any person who believes he or she has been stopped or searched based on bias profiling or racial, ethnic or national origin profiling. No person shall be discriminated against because he or she filed such a complaint.
3. Any employee who receives an allegation of racial profiling or bias profiling, including the officer who initiated the stop, shall record the person's name, address, and telephone number, and forward a complaint through the appropriate channel or direct the individual(s) to whom they may see. Any

employee contacted shall provide to that person a copy of a complaint form or the instructions of the department's process for filing a complaint. All employees will report any allegation of racial profiling to their superior as soon as possible.

4. Investigation of a complaint shall be conducted in a thorough and timely manner. Complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief of police and/or his designee. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in departmental policy shall be filed and approved by the Chief of Police.

5. If a bias or racial profiling complaint is sustained against any member of the department, it will result in the appropriate corrective and/or disciplinary action, up to and including employment termination.

6. If there is a departmental video or radio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and by written request of the accused employee, this department will provide a copy of the recording to that employee.

F. PUBLIC EDUCATION DENOUNCING RACIALLY BASED POLICING

1. This department will inform the public of its statement of policy denouncing racial profiling.

2. Inform the public concerning the complaint process.

3. Methods that may be utilized to inform the public are publications, news media, website, radio service, or civic presentations, and electronic media formats.

G. CITATION DATA COLLECTION & REPORTING

1. An officer is required to collect information relating to traffic stops in which a citation or warning is issued and to arrests made as a result of those stops.

On the citation officers must include:

- a. The violator's race or ethnicity;
- b. Whether a search was conducted or not;
- c. Was the search consensual; and
- d. Whether physical force was used that resulted in bodily injury;
- e. Whether race was known prior to stop.
- f. The location of the stop
- g. The reason for the stop

H. ANNUAL REPORTING

1. By March of each year, the Chief of Police shall submit a report to the City Council that includes the information gathered by the citations. The report will include information related to the data collected as defined above in H.1 "Citation Data Collection and Reporting".

I. USE OF VIDEO AND AUDIO EQUIPMENT

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1. Each motor vehicle regularly used by this department to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment; and
2. Each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio as appropriate is recorded.
3. This department shall retain the video recorded traffic and pedestrian stops for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that an officer has engaged in racial profiling with respect to a traffic or pedestrian stop, this department shall retain the video recording of the stop until final disposition of the complaint.
4. Supervisors will ensure officers of this department are recording their traffic and pedestrian stops. Recordings will be routinely reviewed by supervisors and logged on the Video Camera Review Log. A minimum of three videos every six months for each officer will be reviewed.

PART 2 – TRAINING

Waxahachie Police Department Training and Education on Citizen Contacts

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on citizen contacts for all Texas Peace officers. Documentation provided by WPD reveals that citizen contacts training and certification has occurred and has either been provided to all officers in the department or is being obtained for new officers. New officers are typically trained as they are hired.

Each year, the Waxahachie Police Department develops a 40-hour training curriculum for all officers, thus doubling the amount of training that is required by TCOLE. Last year's curriculum included Implicit Bias training and each new officer is now given that training.

PART 3 – COMPLAINT PROCESS

Waxahachie Police Department Complaint Process and Public Education on Citizen Contacts

Article 2.132 §2(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on citizen contacts and that the agency provide public education on the complaint process. The department has prepared a brochure on the citizen complaint process which includes a specific section on citizen contacts. The brochure is clearly written and provides detailed information on the process and whom to contact to file a complaint.

Waxahachie Police Department Video Review

In accordance with State mandates, the Waxahachie Police Department regularly reviews video footage captured by cameras installed in the patrol vehicles. The footage is chosen randomly and a log is maintained documenting the review. In addition to random viewing, the footage is reviewed when related to complaints or evidence. There were no violations of racial profiling prohibitions found during this process. The 2021 video review log is attached to this report.

PART 4 – DATA ANALYSIS

Waxahachie Police Department Statistical Data on Citizen Contacts

Article 2.132(b)6 requires that law enforcement agencies collect statistical information on traffic stops and detentions with specific information on the race of the person stopped. In addition, information concerning searches of persons and whether or not the search was based on consent or probable cause is also collected.

201.76 Analysis of Traffic Stops

Waxahachie Police Officers made a total of 18,801 stops that resulted in citations or arrests during 2021. Figure 1 depicts the percentages of people detained by race. As can be seen, the percentages of those stopped are closely reflected by the percentages of the Waxahachie population. For example, 25% of Waxahachie is Hispanic and 22% of the traffic stops were Hispanic drivers. In this case, the percentage of Hispanics stopped is slightly lower than the local population percentage. African/Americans make up 13% of Waxahachie and 23% of traffic stops were African/American drivers. Caucasians make up 76% of the population in Waxahachie and the percentage of traffic stops for Caucasians was 61%. It would be highly unlikely that the racial percentages of traffic stops matched the community racial makeup. However, in reviewing the statistics, there is no indication that racial profiling is occurring. The statistical differences may be due to any number of factors.

It should be noted that the race of drivers is determined by the officer’s perception. The law allows for the determination to be made by either perception or by asking. However, it is generally believed that asking for the person’s race would often result in an argument or confrontation due to the issue of race being brought up by the officer. In reality, if an officer was engaging in profiling it would be based on perception anyway, so using perception as a determination is appropriate.

Figure 1
Traffic stops resulting in Citations or Arrests

	Caucasian	Asian	Hispanic	African/ Black	Amer. Indian	Other/Unk.*
Total Contacted	10266	125	4023	4311	76	
Percentage	55%	1%	22%	23%	0%	

(5e)

Waxahachie Population	60.6%	0.6%	25.2%	13.3%	0.5%		3.4%**
Ellis Population	59.9%	0.8%	26.9%	12.2%	0.8%		1.9%**

** Persons reporting "Two or more Races or Some Other Race"

It should be noted that officers do not stop only city residents or County residents. They often stop individuals who live outside of the County. The major thoroughfares in Waxahachie bring county, regional, and out-of-state residents through the city. However, the use of city and county population data is most appropriate because these residents would have the highest likelihood of using Waxahachie roadways. Using the city and county population data, percentage of traffic stops by race appear both expected and understandable.

2021 Analysis of Searches

The State statute requires police departments to capture data related to searches. Unfortunately, the statute does not define "search". The term "search" can mean different things to different people and the term can mean one thing to law enforcement and another to citizens. The definitions listed below are the terms and definitions relative to law enforcement.

Frisk – a "frisk" is used when an officer has a reasonable suspicion that the individual may be armed or may have a weapon within reach in the vehicle. The frisk may involve the person or it may involve the vehicle. The officer can check for weapons in those areas of a vehicle that are within reach of the vehicle occupant. This is not considered a "search" by law enforcement but might be considered a search by the vehicle occupant.

Vehicle Search – a complete search of a vehicle based on probable cause or consent. If an officer has probable cause to be belief that there is contraband or evidence in a vehicle, the officer may search the vehicle. The vehicle occupant can also give consent for the officer to search the vehicle regardless whether probable cause exists.

Vehicle Inventory – a vehicle inventory is conducted after an individual is arrested to ensure the safekeeping of any valuables in the vehicle. The department is responsible for the vehicle and its contents after an individual is arrested out of that vehicle. The inventory is not considered a search by law enforcement but may be considered a search by the vehicle owner.

Search incident to arrest – This search refers to a search of an individual after they have been arrested. The Courts have recognized that it is necessary to search individuals after they are arrested to ensure the safety of the officers and the security of the jail facility.

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It should be noted that it is common to have multiple searches in a single event. The event could start with a vehicle search that results in an arrest. Then, the individual would be searched incident to the arrest and the vehicle would be inventoried prior to being towed. In this instance, there would be three identifiable searches conducted.

The table below reports the summaries for the total number of persons searched subsequent to being stopped by WPD for traffic offenses and either cited to court or searched prior to being arrested. Individuals are searched after being stopped for a variety of reasons. Officers may be concerned for their personal safety (the possibility of a weapon), they may have probable cause that a crime has been committed and the person stopped is concealing evidence of the crime, or they may only have a suspicion of a criminal offense and request consent from the person to search the person or vehicle.

Figure 2

The tables below show that 1,452 searches were conducted and there was contraband found in 473 of those searches.

Search Conducted?	
Yes	1452
No	17349
	18801

Reason for Search	
Consent	617
Plain View	31
Probable Cause	789
Inventory	3
Incident to arrest	12
	1452

Contraband	
Yes	473
No	979
	1452
Type of Contraband	
Alcohol	48
Currency	19

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Drugs	354
Other	30
Weapons	22
Stol. Property	0
	473

Recent legislation changes require that agencies submit specified data to the Texas Commission on Law Enforcement (TCOLE). The data submitted is as follows:

TCOLE Submitted Data

MOTOR VEHICLE RACIAL PROFILING INFORMATION

1. STOPS

1. *TOTAL STOPS: 18801

2. STREET ADDRESS OR APPROXIMATE LOCATION OF THE STOP - CCP 2.132(B)(6)(E), 2.133(B)(7)

1. *CITY STREET: 14302
2. *US HIGHWAY: 3615
3. *STATE HIGHWAY: 661
4. *COUNTY ROAD: 69
5. *PRIVATE PROPERTY OR OTHER: 154

3. WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP? - CCP 2.132(B)(6)(C)

1. *YES: 1097
2. *NO: 17704

4. RACE OR ETHNICITY - CCP 2.132(A)(3), 2.132(B)(6)(A), 2.133(B)(1)(B)

1. *ALASKA NATIVE/AMERICAN INDIAN: 76
2. *ASIAN/PACIFIC ISLANDER: 125
3. *BLACK: 4311

(5e)

- 4. *WHITE: 10266
- 5. *HISPANIC/LATINO: 4023

5. GENDER - CCP 2.133(B)(1)(A)

- 1. *FEMALE: 7343
 - 1. *ALASKA NATIVE/AMERICAN INDIAN: 19
 - 2. *ASIAN/PACIFIC ISLANDER: 46
 - 3. *BLACK: 1697
 - 4. *WHITE: 4271
 - 5. *HISPANIC/LATINO: 1310
- 2. *MALE: 11458
 - 1. *ALASKA NATIVE/AMERICAN INDIAN: 57
 - 2. *ASIAN/PACIFIC ISLANDER: 79
 - 3. *BLACK: 2614
 - 4. *WHITE: 5995
 - 5. *HISPANIC/LATINO: 2713

6. REASON FOR STOP? - CCP 2.132(B)(6)(F), 2.133(B)(2)

- 1. *VIOLATION OF LAW: 1270
 - 1. *ALASKA NATIVE/AMERICAN INDIAN: 0
 - 2. *ASIAN/PACIFIC ISLANDER: 4
 - 3. *BLACK: 298
 - 4. *WHITE: 664
 - 5. *HISPANIC/LATINO: 304
- 2. *PREEXISTING KNOWLEDGE: 557
 - 1. *ALASKA NATIVE/AMERICAN INDIAN: 5
 - 2. *ASIAN/PACIFIC ISLANDER: 3
 - 3. *BLACK: 166
 - 4. *WHITE: 290
 - 5. *HISPANIC/LATINO: 93
- 3. *MOVING TRAFFIC VIOLATION: 12082

(5e)

1. *ALASKA NATIVE/AMERICAN INDIAN:	56
2. *ASIAN/PACIFIC ISLANDER:	103
3. *BLACK:	2596
4. *WHITE:	6733
5. *HISPANIC/LATINO:	2594
4. *VEHICLE TRAFFIC VIOLATION:	4892
1. *ALASKA NATIVE/AMERICAN INDIAN:	15
2. *ASIAN/PACIFIC ISLANDER:	15
3. *BLACK:	1251
4. *WHITE:	2579
5. *HISPANIC/LATINO:	1032

7. WAS A SEARCH CONDUCTED? - CCP 2.132(B)(6)(B), 2.133(B)(3)

1. *YES:	1452
1. *ALASKA NATIVE/AMERICAN INDIAN:	2
2. *ASIAN/PACIFIC ISLANDER:	1
3. *BLACK:	436
4. *WHITE:	686
5. *HISPANIC/LATINO:	327
2. *NO:	17349
1. *ALASKA NATIVE/AMERICAN INDIAN:	74
2. *ASIAN/PACIFIC ISLANDER:	124
3. *BLACK:	3875
4. *WHITE:	9580
5. *HISPANIC/LATINO:	3696

8. REASON FOR SEARCH?

1. *CONSENT:	617	CCP 2.132(B)(6)(B), 2.133(B)(3)
1. *ALASKA NATIVE/AMERICAN INDIAN:	1	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	114	

(5e)

4. *WHITE:		356
5. *HISPANIC/LATINO:		146
2. *CONTRABAND:	31	CCP 2.133(B)(5)(A)
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		1
3. *BLACK:		6
4. *WHITE:		15
5. *HISPANIC/LATINO:		9
3. *PROBABLE CAUSE:	789	CCP 2.133(B)(5)(B)
1. *ALASKA NATIVE/AMERICAN INDIAN:		1
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		311
4. *WHITE:		307
5. *HISPANIC/LATINO:		170
4. *INVENTORY:	3	CCP 2.133(B)(5)(73)
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		0
4. *WHITE:		2
5. *HISPANIC/LATINO:		1
5. *INCIDENT TO ARREST:	12	CCP 2.133(B)(5)(C)
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		5
4. *WHITE:		6
5. *HISPANIC/LATINO:		1

9. WAS CONTRABAND DISCOVERED? - CCP 2.133(B)(4)

1. *YES:	473	
1. *ALASKA NATIVE/AMERICAN INDIAN:		1
1. FINDING RESULTED IN ARREST - YES:		1

(5e)

	2. FINDING RESULTED IN ARREST - NO:	0
2. *ASIAN/PACIFIC ISLANDER:	1	
1. FINDING RESULTED IN ARREST - YES:	1	
2. FINDING RESULTED IN ARREST - NO:	0	
3. *BLACK:	156	
1. FINDING RESULTED IN ARREST - YES:	156	
2. FINDING RESULTED IN ARREST - NO:	0	
4. *WHITE:	218	
1. FINDING RESULTED IN ARREST - YES:	218	
2. FINDING RESULTED IN ARREST - NO:	0	
5. *HISPANIC/LATINO:	97	
1. FINDING RESULTED IN ARREST - YES:	97	
2. FINDING RESULTED IN ARREST - NO:	0	
2. *NO:	979	
1. *ALASKA NATIVE/AMERICAN INDIAN:	1	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	280	
4. *WHITE:	468	
5. *HISPANIC/LATINO:	230	

10. DESCRIPTION OF CONTRABAND - CCP 2.133(B)(4)

1. *DRUGS:	354	
1. *ALASKA NATIVE/AMERICAN INDIAN:	1	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	124	
4. *WHITE:	158	
5. *HISPANIC/LATINO:	71	
2. *CURRENCY:	19	
1. *ALASKA NATIVE/AMERICAN INDIAN:	0	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	4	

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4. *WHITE:		13
5. *HISPANIC/LATINO:		2
3. *WEAPONS:	22	
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		9
4. *WHITE:		8
5. *HISPANIC/LATINO:		5
4. *ALCOHOL:	48	
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		11
4. *WHITE:		26
5. *HISPANIC/LATINO:		11
5. *STOLEN PROPERTY:	0	
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		0
4. *WHITE:		0
5. *HISPANIC/LATINO:		0
6. *OTHER:	30	
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		1
3. *BLACK:		8
4. *WHITE:		13
5. *HISPANIC/LATINO:		8

11. RESULT OF STOP

1. *VERBAL WARNING:	12106	CCP 2.133(B)(8)
1. *ALASKA NATIVE/AMERICAN INDIAN:		38
2. *ASIAN/PACIFIC ISLANDER:		81

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3.	*BLACK:	2874
4.	*WHITE:	6650
5.	*HISPANIC/LATINO:	2463
2.	*WRITTEN WARNING:	429
1.	*ALASKA NATIVE/AMERICAN INDIAN:	0
2.	*ASIAN/PACIFIC ISLANDER:	2
3.	*BLACK:	80
4.	*WHITE:	287
5.	*HISPANIC/LATINO:	60
3.	*CITATION:	5923 CCP 2.133(B)(8)
1.	*ALASKA NATIVE/AMERICAN INDIAN:	37
2.	*ASIAN/PACIFIC ISLANDER:	42
3.	*BLACK:	1253
4.	*WHITE:	3161
5.	*HISPANIC/LATINO:	1430
4.	*WRITTEN WARNING AND ARREST:	0
1.	*ALASKA NATIVE/AMERICAN INDIAN:	0
2.	*ASIAN/PACIFIC ISLANDER:	0
3.	*BLACK:	0
4.	*WHITE:	0
5.	*HISPANIC/LATINO:	0
5.	*CITATION AND ARREST:	37
1.	*ALASKA NATIVE/AMERICAN INDIAN:	0
2.	*ASIAN/PACIFIC ISLANDER:	0
3.	*BLACK:	8
4.	*WHITE:	20
5.	*HISPANIC/LATINO:	9
6.	*ARREST:	306 CCP 2.133(B)(6)
1.	*ALASKA NATIVE/AMERICAN INDIAN:	1
2.	*ASIAN/PACIFIC ISLANDER:	0
3.	*BLACK:	96
4.	*WHITE:	148

(5e)

5. *HISPANIC/LATINO:

61

12. ARREST BASED ON - CCP 2.133(B)(6)

1. *VIOLATION OF PENAL CODE:

214

1. *ALASKA NATIVE/AMERICAN INDIAN:

0

2. *ASIAN/PACIFIC ISLANDER:

0

3. *BLACK:

67

4. *WHITE:

113

5. *HISPANIC/LATINO:

34

2. *VIOLATION OF TRAFFIC LAW:

43

1. *ALASKA NATIVE/AMERICAN INDIAN:

0

2. *ASIAN/PACIFIC ISLANDER:

0

3. *BLACK:

12

4. *WHITE:

21

5. *HISPANIC/LATINO:

10

3. *VIOLATION OF CITY ORDINANCE:

0

1. *ALASKA NATIVE/AMERICAN INDIAN:

0

2. *ASIAN/PACIFIC ISLANDER:

0

3. *BLACK:

0

4. *WHITE:

0

5. *HISPANIC/LATINO:

0

4. *OUTSTANDING WARRANT:

86

1. *ALASKA NATIVE/AMERICAN INDIAN:

0

2. *ASIAN/PACIFIC ISLANDER:

0

3. *BLACK:

30

4. *WHITE:

37

5. *HISPANIC/LATINO:

19

13. WAS PHYSICAL FORCE RESULTING IN BODILY INJURY USED DURING STOP?

CCP 2.132(B)(6)(D), 2.133(B)(9)

(5e)

1. *YES:	0
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	0
4. *WHITE:	0
5. *HISPANIC/LATINO:	0
2. *NO:	18801
1. *ALASKA NATIVE/AMERICAN INDIAN:	76
2. *ASIAN/PACIFIC ISLANDER:	125
3. *BLACK:	4311
4. *WHITE:	10266
5. *HISPANIC/LATINO:	4023

14. NUMBER OF COMPLAINTS OF RACIAL PROFILING

1. *TOTAL:	0
1. *RESULTED IN DISCIPLINARY ACTION:	0
2. *DID NOT RESULT IN DISCIPLINARY ACTION:	0

Analysis of Citizen Contacts Compliance by Waxahachie Police Department

The foregoing analysis shows that WPD is fully in compliance with all relevant Texas law concerning citizen contacts. Data on traffic stops revealed that while the percentage of traffic stops of some races may not align with the census, there is no indication that any racial profiling is occurring. The comparison percentages change when compared to the City of Waxahachie vs. Ellis County but it demonstrates the difficulty in getting truly meaningful comparisons. Another point of consideration is the fact that some drivers that we stop for traffic violations do not live in Waxahachie or Ellis County, thus making meaningful comparisons more difficult. We have several highways that travel through Waxahachie. Inter-State Highway 35 and Highway 67 both funnel residents from the entire area through the city. It is reasonable to assume that these individuals commit their share of traffic violations.

Data Collection Issues

There are a variety of issues with any data collected on citizen contacts. First, although the law mandates collection, there are some variations in how the data is collected. Hence, there is wide variation in the reporting by law enforcement across the state. In

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our case, we use data from our Records Management System (RMS) since it has a module built into it to capture the required information for this report.

The determination of race is sometimes difficult and is left to the officer's opinion. Currently, race is not identified on a State of Texas driver's license. As previously discussed, asking a person for their race could create the perception of a bias. As a result, in compliance with the law, the officers of the Waxahachie Police Department determine race through their perception. Hence, each officer must code race as best they can based on physical appearance and surnames.

The issue related to searches is also problematic. As mentioned previously, in any event there can be multiple searches. While the legislation is obviously requesting the recording of a single search, the officers conduct a multitude of searches related to one incident. There can be a probable cause search, a search incident to the arrest, and then, a vehicle search. In the end, the officer has to record a search for the data collection. There are other times where an individual gives consent to a search but in reality, the officer has probable cause to conduct the search anyway.

Finally, the law provides no standards by which to compare the data collected. It only states that a report will be provided to the legislative body. If a comparison is to be made, any statistics gathered must be compared to a variety of other measures and must consider regional and city variations. For example, this report compared Waxahachie statistics with both the city and Ellis County in an attempt to show that although Waxahachie has certain percentages of various races, the same is not necessarily true for the county or the region. City population statistics do not consider the effect that a major arterial roadway connecting the region will have or the impact that the level of crime in a large retail area will have on decisions to detain or search. In short, a growing community with construction and traffic might very well have higher rates of detentions and searches of minorities than is reflected in their actual population. This does not mean that the agency is racially profiling.

Summary

Statistics alone will never reveal whether police officers engage in racial profiling or not. The police department makes every effort to ensure that each officer is trained and held to high standards of conduct. As can be seen by the video review log, supervisors review an extensive number of traffic contacts to view officer performance. In the end, a police department has to rely on the ethics of its officers and the values instilled within the organization. This department has made efforts in hiring to have a department that is as racially diverse as the community, but it is challenging. We have made strides in this area and will continue to improve the racial makeup of the department. We have hired more minorities than the current staffing reflects due to the fact that some have left the department since being hired. We continue in our efforts and in our last hiring process, we had a group of applicants to take the written test that was 42% minority or female.

We have increased the minority representation in the department but those individuals do not include individuals who may have spouses of a different race or those officers

that adopt children of a different race. We have enough diversity and a strong enough department culture that any officer observing any racial profiling would report it.

At some point in the past, the citizens of Waxahachie voted for the department to be governed by Civil Service rules and the hiring process for officers is very strictly defined by law. This inflexible process limits the ability for the department to hire minority and female officers but we have made significant efforts this past year to recruit and attract more minorities to apply with the Waxahachie Police Department. We have recruited at college campuses and we continue to attract a fairly diverse applicant pool. We will continue these recruiting efforts as we have openings.

City Demographics*

Total Population	29,621	
Caucasian	22,381	75.6%
African (Black)	3,819	12.9%
Amer. Indian	175	0.6%
Asian	155	0.5%
Two or More Races	678	2.3%
Hispanic	6,870	23.2%**

* Numbers provided by the US Census Bureau

** Total sum of races exceed actual total population

Police Department by Race (Sworn Officers Only)

Total Number of Officers	79	
Caucasian	65	82%*
African (Black)	6	8%
Amer. Indian	0	0%
Asian	2	3%
Hispanic	6	8%

* Percentages are rounded to nearest whole number

It should be noted that the racial composition of the department is based on the number of officers currently employed. The department is authorized to have 79 officers and we are currently at full strength. However, it should be noted that the actual numbers of officers by race will vary throughout the year due to employee turnover. We also have nine female officers at this time.

The Waxahachie Police Department is committed to providing police services in a fair and bias free manner. Waxahachie police officers are some of the finest officers in the region and are committed to avoiding any form of bias based policing. Our mission remains to provide the highest level of professional police and emergency services, and

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dedicating ourselves to protecting life and property, while maintaining the highest ethical standards.

The Waxahachie Police Department is also committed to providing promotional opportunities to officers of every race and gender. In our last promotions, we promoted a female, a Hispanic officer and a Black officer.

Officers are held accountable for their actions and supervisors are trained to critique the day-to-day performance of their officers. As a routine practice, supervisors review videos from the in-car videos related to traffic stops and other calls. Some of these reviews are generated by questions or issues related to the traffic stop and some of them are random. The video review log (Appendix B) is included in this report.

The Waxahachie Police Department is proud of its officers and we are committed to providing the highest level of service to all of the citizens and visitors to Waxahachie.

Appendix A

Racial Profiling Statutes and Laws

Art. 3.05. Racial Profiling

In this code, "**racial profiling**" means a law enforcement-initiated action based on an individual's **race**, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, § 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means the following categories:

- (A) Alaska native or American Indian;
- (B) Asian or Pacific Islander;
- (C) black;
- (D) white; and
- (E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

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(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section [1.07](#), Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section [1701.651](#), Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace

officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. [3051](#)), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.01, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article [2.132\(a\)](#).

(2) "Race or ethnicity" has the meaning assigned by Article [2.132\(a\)](#).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article [2.133](#). Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

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(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article [2.133](#) to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article [2.133\(b\)\(1\)](#).

(e) The Texas Commission on Law Enforcement, in accordance with Section [1701.162](#), Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.03, eff. September 1, 2017.

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Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article [2.132\(a\)](#).

(2) "Race or ethnicity" has the meaning assigned by Article [2.132\(a\)](#).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article [2.133](#). Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article [2.133](#) to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article [2.133\(b\)\(1\)](#).

(e) The Texas Commission on Law Enforcement, in accordance with Section [1701.162](#), Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

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(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.03, eff. September 1, 2017.

Art. 2.1385. CIVIL PENALTY.

- (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.
- (b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.
- (c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

§ 1701.253. School Curriculum

(a) The commission shall establish minimum curriculum requirements for preparatory and advanced courses and programs for schools subject to approval under Section 1701.251(c)(1).

(b) In establishing requirements under this section, the commission shall require courses and programs to provide training in:

(1) the investigation and documentation of cases that involve:

(A) child abuse or neglect;

(B) family violence; and

(C) sexual assault;

(2) issues concerning sex offender characteristics; and

(3) crime victims' rights under Chapter 56, Code of Criminal Procedure, and Chapter 57, Family Code, and the duty of law enforcement agencies to ensure that a victim is afforded those rights.

(c) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on civil rights, racial sensitivity, and cultural diversity for persons licensed under this chapter.

(d) Training in documentation of cases required by Subsection (b) shall include instruction in:

(1) making a written account of the extent of injuries sustained by the victim of an alleged offense;

(2) recording by photograph or videotape the area in which an alleged offense occurred and the victim's injuries; and

(3) recognizing and recording a victim's statement that may be admissible as evidence in a proceeding concerning the matter about which the statement was made.

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 657, § 4

(e) As part of the minimum curriculum requirements relating to the vehicle and traffic laws of this state, the commission shall require an education and training program on laws relating to the operation of motorcycles and to the wearing of protective headgear by motorcycle operators and passengers. In addition, the commission shall require education and training on motorcycle operator profiling awareness and sensitivity training.

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 897, § 1

(e) Training officers and recruits in investigation of cases required by Subsection (b)(1)(B) shall include instruction in preventing dual arrest whenever possible and conducting a thorough investigation to determine which person is the predominant aggressor when allegations of family violence from two or more opposing persons are received arising from the same incident.

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 929, § 5

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on asset forfeiture under Chapter 59, Code of Criminal Procedure, for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

(5e)

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 947, § 4

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 657, § 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 897, § 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 929, § 5, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, § 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1034, § 14, eff. Sept. 1, 2001.

§ 1701.402. Proficiency Certificates

(a) The commission shall issue certificates that recognize proficiency based on law enforcement training, education, and experience. For this purpose the commission shall use the employment records of the employing agency.

(b) As a requirement for a basic proficiency certificate, the commission shall require completion of local courses or programs of instruction on federal and state statutes that relate to employment issues affecting peace officers and county jailers, including:

- (1) civil service;
- (2) compensation, including overtime compensation, and vacation time;
- (3) personnel files and other employee records;
- (4) management-employee relations in law enforcement organizations;
- (5) work-related injuries;
- (6) complaints and investigations of employee misconduct; and
- (7) disciplinary actions and the appeal of disciplinary actions.

(c) An employing agency is responsible for providing the training required by this section.

Text of subsec. (d) as added by Acts 2001, 77th Leg., ch. 929, § 6

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(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on asset forfeiture established by the commission under Section 1701.253(e).

Text of subsec. (d) as added by Acts 2001, 77th Leg., ch. 947, § 5

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 929, § 6, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, § 5, eff. Sept. 1, 2001.

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APPENDIX B

Waxahachie Police Department				
2021 Video Camera Review Log				
1st QUARTER				
B Shift				
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
Partington, A	02.16.21	P210216-0429	02.20.21	Rt105
Partington, A	02.16.21	P210216-0428	04.27.21	AB127
Partington, A	02.10.21	E0050967	04.27.21	AB127
Gilbert, B				
Gilbert, B				
Gilbert, B				
Rollins, A				
Rollins, A				
Rollins, A				
Smith, E				
Smith, E				
Smith, E				
Stephens, B				
Stephens, B				
Stephens, B				
Ferguson, M	02.16.21	P210216-0429	02.20.21	RT105
Ferguson, M				
Ferguson, M				
Mason, T				
Mason, T				
Mason, T				
Moxley, J	02.16.21	P210216-0429	02.20.21	RT105
Moxley, J				
Moxley, J				
Gonzales, A	1/27/2021	E0055633	5/19/2021	DM130
Gonzales, A	2/26/2021	210226-07968	5/19/2021	DM130
Gonzales, A	3/5/2021	CFS	5/18/2021	DM130
Stracener, A	1/30/2021	E0064159	4/30/2021	AG176
Stracener, A	2/26/2021	P210226-0499	4/30/2021	AG176
Stracener, A	3/25/2021	P210325-0778	4/30/2021	AG176
Sibley, C	1/20/2021	E0055629	4/30/2021	AG176
Sibley, C	2/2/2021	P210201-0310	4/30/2021	AG176

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Sibley, C	3/15/2021	P210315-0656	4/30/2021	AG176
Sattler, A	2/22/2021	P210222-0466	2/22/2021	DM130
Sattler, A	3/20/2021	E0062108	4/30/2021	AG176
Sattler, A	2/22/2021	P210222-0466	4/30/2021	AG176
Butler, B	1/28/2021	P21028-0268	4/30/2021	AG176
Butler, B	2/22/2021	P210222-0477	5/1/2021	AG176
Butler, B	3/24/2021	E0063262	5/1/2021	AG176
Wilmot, R	02.16.21	P210216-0429	02.24.21	RT105
Wilmot, R	1/27/2021	E0051464	4/30/2021	AG176
Wilmot, R	2/19/2021	P210219-0445	4/30/2021	AG176
Brister, G	3/23/2021	210323-11716	4/30/2021	AG176
Brister, G	2/21/2021	P210221-0459	4/30/2021	AG176
Brister, G	1/8/2021	210108-01178	4/30/2021	AG176
Stevenson, C	1/24/2021	P210124-0228	1/24/2021	DM130
Stevenson, C	3/21/2021	E0064295	5/1/2021	AG176
Stevenson, C	1/31/2021	P210131-0299	5/1/2021	AG176
Farmer, C				
Farmer, C				
Farmer, C				
Borjas	02.02.21	P210202-0317	2.24.21	Rt105
Borjas	02.16.21	P210216-0429	02.24.21	RT105
Borjas				

Waxahachie Police Department

2021 Video Camera Review Log

2nd QUARTER				
B Shift				
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
Partington, A	04/22/2021	P210422-1127	06/27/2021	AB127
Partington, A	05/30/2021	N/A	06/27/2021	AB127
Partington, A	06/22/2021	P210622-1789	06/27/2021	AB127
Gilbert, B	04/12/2021	P210412-1010	04/16/2021	AB127
Gilbert, B	4/17/2021	E0064360	5/6/2021	AP184
Gilbert, B	4/17/2021	P210417-1066	5/6/2021	AP184
Stephens, B	04/09/2021	P210409-0950	04/10/2021	AB127
Stephens, B	4/5/2021	E0064308	5/6/2021	AP184
Stephens, B	05/29/2021	P210529-1553	06/21/2021	AB127
Rollins, A	02-16-2021	P210216-0428	02-25-2021	AB127

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Rollins, A	04/22/2021	P210422-1134	04/23/2021	AB127
Rollins, A	5/2/21	N/A	5/6/2021	AP184
Smith, E	04/12/2021	P210412-1010	04/16/2021	AB127
Smith, E	5/2/2021	N/A	5/6/21	AP184
Smith, E	5/1/2021	P210501-1237	5/6/2021	AP184
Mason, T	04/08/2021	P210408-0937	06/21/2021	AB127
Mason, T	05/15/2021	P210515-1395	06/21/2021	AB127
Mason, T	6/17/2021	N/A	6/21/2021	AP184
Moxley, J	6/18/2021	E0066532	6/21/2021	AP184
Moxley, J	6/14/2021	E0061134	6/21/2021	AP184
Moxley, J	6/7/2021	E0061126	6/21/2021	AP184
Gonzales, A	04/04/21	P210404-0870	5/19/21	DM130
Gonzales, A	06/03/21	P210603-1606	6/11/21	DM130
Gonzales, A	6/30/2021	E0054847	7/5/21	DM130
Stracener, A	04/27/2021	P210427-1191	05/01/2021	AG176
Stracener, A	5/25/21	E0064442	5/25/21	DM130
Stracener, A	06/26/2021	P210626-1822	06272021	AG176
Sibley, C	04/13/2021	E0054778	05/01/2021	AG176
Sibley, C	05/16/2021	P210516-1410	05/30/2021	AG176
Sibley, C	06/25/2021	P210625-1818	06/27/2021	AG176
Sattler, A	04/21/2021	P210421-1122	05/01/2021	AG176
Sattler, A	05/28/2021	P210528-1542	05/29/2021	DM130
Sattler, A	06/25/2021	P210625-1819	06/25/2021	AB127
Butler, B	04/30/2021	E0063365	05/01/2021	AG176
Butler, B	05/28/2021	P210528-1542	05/30/2021	AG176
Butler, B	06/25/2021	P210625-1811	06272021	AG176
Wilmot, R	04/22/2021	P210422-1128	05/01/2021	AG176
Wilmot, R	05/24/2021	P210524-1494	05/30/2021	AG176
Wilmot, R	6/3/21	P210603-1606	06/11-21	DM130
Brister, G	04/03/2021	210403-13251	05/01/2021	AG176
Brister, G	05/28/2021	P210528-1542	05/29/2021	DM130
Brister, G	06/07/2021	P210607-1646	06/16/2021	AG176
Stevenson, C	04/30/2021	E0063365	05/01/2021	AG176
Stevenson, C	05/02/2021	P210502-1248	05/03/2021	AB127
Stevenson, C	06/13/2021	P210613-1703	06/16/2021	AG176
Farmer, C	04/07/2021	P210407-0934	05/01/2021	AG176
Farmer, C	5/6/2021	P210506-1291	5/6/2021	AP184
Farmer, C	06/13/2021	P210613-1708	06/16/2021	AG176

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Waxahachie Police Department				
2021 Video Camera Review Log				
3rd QUARTER				
B Shift	B Shift			
Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
Partington, A	7/5/2021	P210705-1903	8/25/2021	AB127
Partington, A	7/29/2021	E0065100	8/25/2021	AB127
Partington, A	9/18/2021	E0054994	9/20/2021	AB127
Sattler, A	7/19/2021	E0060696	8/25/2021	AB127
Sattler, A	8/22/2021	P210822-2365	8/25/2021	AB127
Sattler, A	9/18/2021	E0060784	9/20/2021	Ab127
Rollins, A	N/A	N/A	N/A	N/A
Rollins, A	N/A	N/A	N/A	N/A
Rollins, A	N/A	N/A	N/A	N/A
Smith, E	8/8/2021	P210808-2234	8/11/2021	AP184
Smith, E	8/8/2021	None	8/11/2021	AP184
Smith, E	9/3/2021	E0067244	9/9/2021	AB127
Stephens, B	7/23/2021	E0067559	8/11/2021	AP184
Stephens, B	8/16/2021	P210816-2287	8/25/2021	AB127
Stephens, B	9/5/2021	P210905-2531	9/5/2021	AB127
Mason, T	8/7/2021	E0067604	8/11/2021	AP184
Mason, T	8/20/2021	15778	8/25/2021	AB127
Mason, T	9/17/2021	E0067277	9/20/2021	AB127
Moxley, J	8/8/2021	E0067151	8/11/2021	AP184
Moxley, J	7/14/2021	E0067538	8/25/2021	AB127
Moxley, J	9/5/2021	P210905-2531	9/5/2021	AB127
Gonzales, A	9/5/2021	CFS	9/6/2021	DM130
Gonzales, A	8/26/2021	E0054968	9/23/2021	DM130
Gonzales, A	9/14/2021	P210225-0497	9/23/2021	DM130
Stracener, A	9/19/2021	P210919-2658	9/22/2021	AG176
Stracener, A	9/19/2021	E0061800	9/22/2021	AG176
Stracener, A	8/25/2021	E0067205	9/22/2021	AG176
Martin,W	9/8/2021	P210908-2556	9/22/2021	DM130
Martin,W	9/8/2021	E0061359	9/22/2021	DM130
Martin,W	9/19/2021	CFS	9/22/2021	DM130
Gilbert, B	7/15/2021	P210716-2010	9/22/2021	DM130
Gilbert, B	8/22/2021	P210822-2369	9/22/2021	DM130

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Gilbert, B	9/8/2021	E0067251	9/22/2021	DM130
Butler, B	9/18/2021	P210918-2650	9/22/2021	AG176
Butler, B	8/30/2021	P210830-2462	9/22/2021	AG176
Butler, B	8/7/2021	E0061272	9/22/2021	AG176
Wilmot, R	7/30/2021	P210730-2138	9/23/2021	DM130
Wilmot, R	8/20/2021	P210820-2340	9/23/2021	DM130
Wilmot, R	9/14/2021	CFS	9/23/2021	DM130
Brister, G	8/16/2021	210816-35381	8/20/2021	SS120
Brister, G	9/19/2021	P210919-2666	9/22/2021	AG176
Brister, G	7/25/2021	CFS 210725-31931	9/22/2021	AG176
Stevenson, C	8/18/2021	210818-35612	8/20/2021	SS120
Stevenson, C	9/20/2021	E0067288	9/20/2021	AG176
Stevenson, C	9/3/2021	P210903-2514	9/22/2021	AG176
Farmer, C	7/23/2021	CFS	9/23/21	DM130
Farmer, C	8/26/21	E0054970	9/23/21	DM130
Farmer, C	9/22/21	P2109-2693	9/23/21	DM130

Waxahachie Police Department

2021 Video Camera Review Log

4th QUARTER					
B Shift					
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by	
Knight, D	11/9/2021	P211109-3249	12/29/2021	AB127	
Knight, D	12/2/2021	E0060919	12/29/2021	AB127	
Knight, D	12/25/2021	P211225-3718	12/29/2021	AB127	
Gilbert, B	10/22/2021	P211022-3040	12/13/2021	AB127	
Gilbert, B	11/10/2021	P211110-3254	12/13/2021	AB127	
Gilbert, B	12/11/2021		12/13/2021	AB127	
Stephens, B	10/20/2021	211020-46640	12/13/2021	AB127	
Stephens, B	11/12/2021	P211112-3283	11/14/2021	AB127	
Stephens, B	12/3/2021	P211203-3509	12/3/2021	AB127	
Smith, E	10/10/2017	P211017-2995	12/29/2029	AB127	
Smith, E	12/13/2021	P211213-3602	12/13/2021	AB127	
Smith, E	12/22/2021	P211222-3691	12/29/2021	AB127	
Mason, T	10/18/2021	P211018-2997	12/31/2021	AB127	
Mason, T	11/10/2021	211110-50069	11/14/2021	AB127	

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Mason, T	12/21/2021	P211221-3689	12/31/2021	AB127
Moxley, J	10/29/2021	P211029-3117	12/31/2021	AB127
Moxley, J	11/9/2021	211109-50021	11/14/2021	AB127
Moxley, J	12/21/2021	E0065214	12/31/2021	AB127
Pickens, D	11/9/2021	211109-49869	11/14/2021	AB127
Pickens, D	11/10/2021	211110-50071	11/14/2021	AB127
Pickens, D	11/9/2021	211109-50043	12/29/2021	AB127
Gonzales, A	11/18/2021	E0065902	11/22/2021	AP184
Gonzales, A	11/18/2021	E0065901	11/21/2021	AP184
Gonzales, A	12/16/2021	e0064954	12/20/2021	AP184
Stracener, A	11/26/2021	n/a	11/28/2021	AP184
Stracener, A	11/26/2021	e0070009	11/28/2021	AP184
Stracener, A	12/10/2021	E0070580	12/20/2021	AG176
Martin, W	11/27/2021	e0062378	11/28/2021	AP184
Martin, W	11/17/2021	e0065203	11/28/2021	AP184
Martin, W	12/12/2021	E0062383	12/20/2021	AG176
Sattler, A	11/23/2021	e0060892	11/28/2021	AP184
Sattler, A	11/18/2021	e0064887	11/28/2021	AP184
Sattler, A	12/7/2021	E0071004	12/20/2021	AG176
Butler, B	11/27/2021	e0068189	11/28/2021	AP184
Butler, B	11/12/2021	e0061934	11/28/2021	AP184
Butler, B	12/12/2021	E0061934	12/20/2021	AG176
Wilmot, R	11/22/2021	e0061971	11/28/2021	AP184
Wilmot, R	11/17/2021	e0064885	11/28/2021	AP184
Wilmot, R	12/15/2021	E0062387	12/20/2021	AG176
Brister, G	10/12/2021	211012-45141	11/28/2021	AP184
Brister, G	10/20/2021	211020-46463	11/28/2021	AP184
Brister, G	12/12/2021	E0070587	12/20/2021	AG176
Stevenson, C	11/27/2021	e0069061	11/28/2021	AP184
Stevenson, C	11/23/2021	e0069049	11/28/2021	AP184
Stevenson, C	12/16/2021	E0069118	12/20/2021	AG176
Farmer, C	12/23/2021	211223-57698	12/24/2021	AP184
Farmer, C	12/22/2021	n/a	12/24/2021	AP184
Farmer, C	12/2/2021	P211202-3508	12/24/2021	AP184

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Waxahachie Police Department				
2021 Video Camera Review Log				
1st QUARTER				
A Shift				
Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
Blain, N	1/16/2021	E0055618	1/26/2021	B. Gray
Blain, N	2/9/2021	E0055639	2/17/2021	B. Gray
Blain, N	3/17/2021	P210317-0680	3/27/2021	B. Gray
Martin, W	N/A	N/A	N/A	N/A
Martin, W	N/A	N/A	N/A	N/A
Martin, W	N/A	N/A	N/A	N/A
Patterson, K	1/16/2021	E0063668	1/26/2021	B. Gray
Patterson, K	2/12/2021	E0062092	2/17/2021	B. Gray
Patterson, K	3/12/2021	E0061067	3/13/2021	B. Gray
Skidmore, R	1/11/2021	E0063656	1/26/2021	B. Gray
Skidmore, R	2/12/2021	E0050969	2/27/2021	B. Gray
Skidmore, R	3/4/2021	E0054765	3/13/2021	B. Gray
McCorkle, M	1/17/2021	E0054697	1/26/2021	B. Gray
McCorkle, M	2/23/2021	E0063216	2/27/2021	B. Gray
McCorkle, M	3/8/2021	P210308-0588	3/27/2021	B. Gray
Fields, J	1/17/2021	E0050948	1/26/2021	B. Gray
Fields, J	2/4/2021	E0064182	2/17/2021	B. Gray
Fields, J	2/8/2021	210208-05621	3/23/2021	B. Gray
Garner, S	1/25/2021	E0061507	1/26/2021	B. Gray
Agreda, A	2/12/2021	E0062092	2/17/2021	B. Gray
Agreda, A	3/9/2021	210309-09668	3/9/2021	B. Gray
Wright, K	1/12/2021	P210112-0114	1/27/2021	D. Young
Wright, K	2/13/2021	P210212-0418	2/28/2021	D. Young
Wright, K	3/9/2021	P210309-0595	3/13/2021	D. Young
Snyder, D	1/16/2021	E0051444	1/26/2021	D. Young
Snyder, D	1/29/2021	P210129-0279	2/2/2021	DM130
Snyder, D	1/29/2021	P210129-0281	2/27/2021	D. Young
Brasher, A	1/12/2021	P210115-0141	1/20/2021	D. Young
Brasher, A	1/29/2021	P210129-0281	2/28/2021	D. Young
Brasher, A	3/13/2021	P210313-0632	3/13/2021	D. Young
Lytle, S	1/21/2021	P210221-0196	1/26/2021	D. Young
Lytle, S	2/8/2021	P2102080383	2/28/2021	D. Young
Lytle, S	3/3/2021	P210303-0546	3/5/2021	D. Young

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Hampton, W	1/25/2021	E0064056	1/27/2021	D. Young
Hampton, W	2/26/2021	E0063222	2/28/2021	D. Young
Hampton, W	3/3/2021	E0051495	3/5/2021	D. Young
Mikeska, A	1/21/2021	P210121-0195	1/27/2021	D. Young
Mikeska, A	2/18/2021	P210218-0435	2/28/2021	D. Young
Mikeska, A	3/13/2021	P210313-0632	3/13/2021	D. Young
Heiskell, D	1/17/2021	P210117-0150	1/20/2021	D. Young
Heiskell, D	2/27/2021	P210227-0506	2/27/2021	D. Young
Heiskell, D	2/26/2021	P210226-0503	3/5/2021	D. Young
Behringer, D	2/1/2021	P210129-0281	2/27/2021	B. Gray
Behringer, D	3/3/2021	P210303-0545	3/5/2021	D. Young
Behringer, D	3/9/2021	P210308-0589	3/27/2021	B. Gray

**Waxahachie Police Department
2021 Video Camera Review Log**

2nd QUARTER					
A Shift					
	Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
	Blain, N	4/15/2021	E0065527	4/20/2021	B. Gray
	Blain, N	5/14/2021	E0065629	5/14/2021	B. Gray
	Blain, N	6/5/2021	P210605-1621	6/7/2021	B. Gray
	Winchester	4/6/2021	P210406-0902	4/20/2021	B. Gray
	Winchester	5/22/2021	P210522-1484	5/23/2021	N. Blain
	Winchester	6/1/2021	E0062158	6/7/2021	B. Gray
	Patterson, K	4/6/2021	E0061075	4/20/2021	B. Gray
	Patterson, K	5/18/2021	E0064423	5/23/2021	N. Blain
	Patterson, K	6/1/2021	E0061124	6/7/2021	B. Gray
	Skidmore, R	4/15/2021	E0060604	4/20/2021	B. Gray
	Skidmore, R	5/9/2021	E0064577	5/13/2021	N. Blain
	Skidmore, R	6/1/2021	E0054852	6/7/2021	B. Gray
	Pickens, D	4/14/2021	E0063321	4/21/2021	B. Gray
	Pickens, D	4/24/2021	P210424-1160	4/21/2021	N. Blain
	Pickens, D	6/4/2021	E0063435	6/7/2021	B. Gray
	Fields, J	4/19/2021	E006553	4/21/2021	B. Gray
	Fields, J	5/23/2021	P210523-1486	5/23/2021	N. Blain
	Fields, J	6/4/2021	E0064460	6/7/2021	B. Gray
	Agreda, A	4/10/2021	E0065526	4/21/2021	B. Gray
	Agreda, A	5/9/2021	210509-19311	5/13/2021	N. Blain

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Agreda, A	6/6/2021	P210606-1635	6/7/2021	B. Gray
Kaelin, C	4/6/2021	P210406-0905	4/10/2021	D. Young
Kaelin, C	N/A	N/A	N/A	N/A
Kaelin, C	N/A	N/A	N/A	N/A
Snyder, D	4/1/2021	P210401-0834	4/2/2021	D. Young
Snyder, D	5/7/2021	E0065598	5/12/2021	D. Young
Snyder, D	5/27/2021	P210527-1529	6/6/2021	D. Young
Brasher, A	4/1/2021	P210401-0844	4/10/2021	D. Young
Brasher, A	5/8/2021	E0061096	5/9/2021	D. Young
Brasher, A	5/31/2021	2000023559	6/4/2021	D. Young
Lytle, S	3/29/2021	P210329-0800	4/2/2021	D. Young
Lytle, S	5/4/2021	P210504-1277	5/12/2021	D. Young
Lytle, S	5/17/2021	P210517-1427	5/18/2021	D. Young
Hampton, W	3/18/2021	P210318-11112	4/1/2021	D. Young
Hampton, W	5/3/2021	P210503-1267	5/9/2021	D. Young
Hampton, W	6/5/2021	E0064461	6/6/2021	D. Young
Mikeska, A	3/28/2021	E0063284	4/2/2021	D. Young
Mikeska, A	5/3/2021	P210503-1260	5/9/2021	D. Young
Mikeska, A	5/17/2021	P210517-1427	5/18/2021	D. Young
Jefferson, J	3/28/2021	P210328-0799	4/2/2021	D. Young
Jefferson, J	5/9/2021	P210509-1328	5/12/2021	D. Young
Jefferson, J	6/1/2021	P210601-1582	6/4/2021	D. Young
Behringer, D	3/8/2021	P210308-0586	4/10/2021	D. Young
Behringer, D	5/4/2021	P210504-1274	5/9/2021	D. Young
Behringer, D	5/31/2021	P210531-1575	6/6/2021	D. Young
Williams, A	4/11/2021	E0064326	4/21/2021	B. Gray
Williams, A	4/29/2021	P210429-1219	5/12/2021	D. Young
Williams, A	6/5/2021	E0063436	6/6/2021	D. Young

2021 Video Camera Review Log				
3rd QUARTER				
A Shift				
Officer Name	Date of Incident	Case No.	Date of Review	Reviewed by
Blain, N	7/7/2021	E006751	8/4/2021	B. Gray
Blain, N	8/23/2021	E0060750	8/29/2021	B. Gray
Blain, N	9/7/2021	P210907-2547	9/12/2021	B. Gray
Winchester, A	7/4/2021	P210704-1896	8/4/2021	B. Gray
Winchester, A	8/27/2021	E0065687	8/29/2021	B. Gray
Winchester, A	9/7/2021	E0065709	9/12/2021	B. Gray

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Patterson, K	7/26/2021	E0066620	8/4/2021	B. Gray
Patterson, K	8/28/2021	E0067682	8/29/2021	B. Gray
Patterson, K	9/10/2021	E0067733	9/12/2021	B. Gray
Skidmore, R	7/18/2021	E0054909	8/4/2021	B. Gray
Skidmore, R	8/28/2021	E0065127	8/29/2021	B. Gray
Skidmore, R	9/2/2021	E0054973	9/12/2021	B. Gray
Pickens, D	7/17/2021	E0067544	8/4/2021	B. Gray
Pickens, D	8/28/2021	E0066716	8/29/2021	B. Gray
Pickens, D	9/1/2021	E0066729	9/12/2021	B. Gray
Fields, J	7/16/2021	E0055764	8/4/2021	B. Gray
Fields, J	8/23/2021	E0065119	8/29/2021	B. Gray
Fields, J	9/6/2021	E0055828	9/15/2021	B. Gray
Agreda, A	7/12/2021	E0067524	8/4/2021	B. Gray
Agreda, A	8/18/2021	E0066685	8/29/2021	B. Gray
Agreda, A	9/11/2021	E0067256	9/15/2021	B. Gray
Williams, A	7/27/2021	E0065095	8/4/2021	B. Gray
Williams, A	8/28/2021	P210828-2430	8/29/2021	B. Gray
Williams, A	9/25/2021	E0067307	9/25/2021	B. Gray
Snyder, D	7/3/2021	P210703-1882	7/14/2021	D. Young
Snyder, D	8/1/2021	P210801-2158	8/10/2021	D. Young
Snyder, D	9/11/2021	P210911-2569	9/20/2021	D. Young
Brasher, A	7/13/2021	P210713-1983	7/13/2021	D. Young
Brasher, A	7/31/2021	E0065105	8/10/2021	D. Young
Brasher, A	8/29/2021	P210829-2442	8/29/2021	D. Young
Lytle, S	7/9/2021	P210709-1941	7/13/2021	D. Young
Lytle, S	8/14/2021	P210814-2275	8/15/2021	D. Young
Lytle, S	8/24/2021	P210824-2402	8/24/2021	D. Young
Hampton, W	7/7/2021	E0065066	7/12/2021	D. Young
Hampton, W	8/11/2021	P210810-2249	8/14/2021	D. Young
Hampton, W	9/3/2021	E0067243	9/6/2021	D. Young
Mikeska, A	7/4/2021	P210704-1894	7/12/2021	D. Young
Mikeska, A	8/11/2021	P210811-2252	8/14/2021	D. Young
Mikeska, A	9/11/2021	P210911-2574	9/20/2021	D. Young
Jefferson, J	6/19/2021	P210619-1765	7/12/2021	D. Young
Jefferson, J	8/7/2021	P210708-2222	8/10/2021	D. Young
Jefferson, J	9/12/2021	E0064721	9/21/2021	D. Young
Behringer, D	6/5/2021	P210605-1630	7/13/2021	D. Young
Behringer, D	7/26/2021	P210726-2110	8/15/2021	D. Young
Behringer, D	9/2/2021	P210902-2499	9/20/2021	D. Young
Kaelin, C	7/12/2021	P210712-1982	7/13/2021	D. Young
Kaelin, C	7/27/2021	P210727-2115	8/10/2021	D. Young

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Kaelin, C	9/12/2021	P210912-2577	9/20/2021	D. Young
Dunn, B	8/14/2021	E0061283	8/15/2021	D. Young
Dunn, B	8/14/2021	P210814-2277	8/15/2021	D. Young
Dunn, B	9/2/2021	P210902-2502	9/6/2021	D. Young

Waxahachie Police Department				
2021 Video Camera Review Log				
4th QUARTER				
A Shift				
Officer Name	Date of Incident	Case No.	Date of Review	Reviewed by
Blain, N	10/13/2021	E0064788	11/11/2021	B. Gray
Blain, N	11/11/2021	E0068136	11/26/2021	B. Gray
Blain, N	12/13/2021	E0068233	12/14/2021	B. Gray
Winchester, A	10/18/2021	E0066912	11/11/2021	B. Gray
Winchester, A	11/10/2021	E0068134	11/26/2021	B. Gray
Winchester, A	12/8/2021	P210820-2344	12/14/2021	B. Gray
Patterson, K	10/13/2021	E0064789	11/11/2021	B. Gray
Patterson, K	11/21/2021	E0069041	11/26/2021	B. Gray
Patterson, K	12/9/2021	E0069093	12/14/2021	B. Gray
Skidmore, R	10/24/2021	E0065825	11/11/2021	B. Gray
Skidmore, R	11/20/2021	P211120-3362	11/26/2021	B. Gray
Skidmore, R	12/9/2021	E0064928	12/14/2021	B. Gray
Fields, J	10/6/2021	E0055904	11/11/2021	B. Gray
Fields, J	11/5/2021	P211105-3205	12/5/2021	B. Gray
Fields, J	12/19/2021	E0070116	12/27/2021	B. Gray
Agreda, A	10/10/2021	E0068052	11/11/2021	B. Gray
Agreda, A	11/21/2021	E0068000	12/5/2021	B. Gray
Agreda, A	12/23/2021	E0070630	12/27/2021	B. Gray
Williams, A	10/19/2021	E0062304	11/11/2021	B. Gray
Williams, A	11/21/2021	P211121-3371	12/5/2021	B. Gray
Williams, A	12/23/2021	E0069154	12/28/2021	B. Gray
Snyder, D	10/14/2021	P211014-2946	10/18/2021	D. Young
Snyder, D	10/24/2021	P211029-3110	11/6/2021	D. Young
Snyder, D	11/2/2021	P211102-3152	11/7/2021	D. Young
Brasher, A	10/18/2021	P211018-3002	10/19/2021	D. Young

(56)

Brasher, A	10/28/2021	P211028-3103	11/6/2021	D. Young
Brasher, A	11/6/2021	E0064854	11/7/2021	D. Young
Lytle, S	10/14/2021	P211014-2946	10/18/2021	D. Young
Lytle, S	10/18/2021	P211018-3002	11/7/2021	D. Young
Lytle, S	11/30/2021	E0060914	12/4/2021	D. Young
Hampton, W	10/13/2021	E0067350	10/19/2021	D. Young
Hampton, W	10/27/2021	P211027-3095	11/6/2021	D. Young
Hampton, W	12/3/2021	P11203-3513	12/4/2021	D. Young
Mikeska, A	10/18/2021	E0066910	10/19/2021	D. Young
Mikeska, A	10/10/2021	P211010-2908	11/6/2021	D. Young
Mikeska, A	11/24/2021	P211124-3412	12/4/2021	D. Young
Jefferson, J	10/10/2021	P211010-2906	10/19/2021	D. Young
Jefferson, J	10/23/2021	E0068086	11/6/2021	D. Young
Jefferson, J	12/9/2021	E0055932	12/14/2021	D. Young
Born, T	12/5/2021	E0065940	12/14/2021	D. Young
Born, T	12/5/2021	E0065942	12/14/2021	D. Young
Born, T	12/13/2021	211213-55790	12/14/2021	D. Young
Kaelin, C	10/5/2021	E0065172	10/18/2021	D. Young
Kaelin, C	11/1/2021	P211101-3143	12/4/2021	D. Young
Kaelin, C	11/24/2021	E0070514	12/4/2021	D. Young
Dunn, B	10/19/2021	P211009-2898	10/19/2021	D. Young
Dunn, B	12/3/2021	E0070542	12/4/2021	D. Young
Dunn, B	12/13/2021	P211213-3603	12/14/2021	D. Young

(5f)



Memorandum

To: Honorable Mayor and City Council
From: Ricky Boyd, Fire Chief
Thru: Michael Scott, City Manager
Date: January 19, 2022
Re: Termination of CMAR Contract with WRL for Fire Station 4

On July 6, 2021, Council approved a request to give the City Manager the authority to enter into a contract with WRL General Contractors, LLC of Tyler, Texas to be the CMAR for construction of Fire Station 4 for a total fee of \$416,085. At the time, all references were verified, the contractor's point of contact for the project was interviewed, and staff felt confident in recommending WRL as the CMAR for this important project.

Since that time, the original point of contact has left the company and a new individual assigned this role. Unfortunately, the responsiveness and commitment to our project was not at the level that we had been sold. Meetings were inexplicably cancelled, timelines were missed and expectations have not been met.

Experiencing a continual decline in service levels during the pre-construction phase of the project, both Fire Administration as well as City Management believe the best course of action is to sever ties with WRL before the construction phase of the project begins and solicit the CMAR services of a new firm.

As such, I am requesting your approval to terminate the contract with WRL as the CMAR for the construction of Fire Station 4. Per the contract, we will not owe WRL any fees whatsoever for the pre-construction work they have performed to date.

(5f)

I have discussed this with the City Attorney and per state procurement laws, we will be required to issue a new RFP for CMAR services. Unfortunately, this will result in a six (6) week delay in the construction of the station. However, I feel that it is imperative to do so in order to ensure a successful completion of the project.

Respectfully submitted,


Ricky Boyd, Fire Chief

(59)



WASTE CONNECTIONS
Connect with the Future®

City of Waxahachie
Attn: Mr. Michael Scott - City Manager
P.O. Box 757
Waxahachie, TX 75168

December 15, 2021

Re: Solid Waste and Recycling Collection, Hauling, and Disposal Contract

Dear Mr. Scott,

The agreement between the City of Waxahachie and Waste Connections provides consideration for annual adjustments to the rates for services reflecting any change in the US City Average (Garbage and Trash Collection) Consumer Price Index (CPI-U). The most recent data available from the Bureau of Labor Statistics reflects a 12 month change in the aforementioned CPI-U of 4.77%. A visual has been included for reference.

While we always do our best to keep expenses low, industry cost pressures have increased and we are formally requesting to adjust current rates by 4.77% in accordance with our agreement. This adjustment is requested to be effective April 1, 2022. The impact will be an adjustment in the residential base rate, for trash and recycle combined, from \$5.17/month to \$5.42/month (rates include franchise fee), representing an increase of \$0.25 per home. There will be a commensurate adjustment in all other services associated with the franchise agreement.

Please feel free to call me at 817-733-4221 with any questions or concerns about this proposed rate adjustment.

Thank you for your consideration in this matter.

Sincerely,

Bradley Wainscott
District Manager
Waste Connections

Series Title	Garbage and trash collection in U.S. city average, all urban consumers, seasonally adjusted
Series ID	CUSR0000SEHG02
Seasonally Adjusted	Seasonally Adjusted
Index Year Base	CPI for All Urban Consumers (CPI-U)
Measurement Unit	Garbage and trash collection
Area	U.S. city average
Form	Garbage and trash collection

Year	Month	Value	Observation
2019	M01	2019 Jan	475.687
2019	M02	2019 Feb	477.474
2019	M03	2019 Mar	478.569
2019	M04	2019 Apr	479.449
2019	M05	2019 May	480.865
2019	M06	2019 Jun	480.984
2019	M07	2019 Jul	482.138
2019	M08	2019 Aug	483.987
2019	M09	2019 Sep	484.346
2019	M10	2019 Oct	486.133
2019	M11	2019 Nov	486.485
2019	M12	2019 Dec	486.708
2020	M01	2020 Jan	491.003
2020	M02	2020 Feb	494.429
2020	M03	2020 Mar	495.288
2020	M04	2020 Apr	494.432
2020	M05	2020 May	494.946
2020	M06	2020 Jun	496.679
2020	M07	2020 Jul	498.564
2020	M08	2020 Aug	500.882
2020	M09	2020 Sep	501.756
2020	M10	2020 Oct	503.315
2020	M11	2020 Nov	504.970 ✓
2020	M12	2020 Dec	508.190
2021	M01	2021 Jan	512.722
2021	M02	2021 Feb	517.270
2021	M03	2021 Mar	518.505
2021	M04	2021 Apr	518.579
2021	M05	2021 May	516.440
2021	M06	2021 Jun	517.202
2021	M07	2021 Jul	521.185
2021	M08	2021 Aug	524.408
2021	M09	2021 Sep	529.934
2021	M10	2021 Oct	530.114
2021	M11	2021 Nov	529.053 ✓
		2020 Nov	504.970
		2021 Nov	529.053
		YoY Change	24.083
		% Change	4.77%

(59)

Waste Connections Lone Star, Inc.

Rate Schedule - Effective 4/1/2022

City of Waxahachie

10% Franchise Fee is assessed on the below base rates

Service Description	Service Frequency	Current Rate Effective 4/1/2021	Proposed Rate Adjustment %	Revised Rate Effective 4/1/2022
MONTHLY RESIDENTIAL SERVICE				
Curbside Trash	Monthly	\$3.79	4.77%	\$3.97
Curbside Recycle	Monthly	\$0.86	4.77%	\$0.90
MONTHLY COMMERCIAL HAND COLLECT				
Commercial Cart	Weekly	\$10.62	4.77%	\$11.13
Commercial Cart	2 times per week	\$13.77	4.77%	\$14.43
Commercial Cart	3 times per week	\$16.92	4.77%	\$17.73
Commercial Cart	4 times per week	\$20.07	4.77%	\$21.03
Commercial Cart	5 times per week	\$23.22	4.77%	\$24.33
MONTHLY COMMERCIAL CONTAINER SERVICE				
2 Yd Container	Weekly	\$41.25	4.77%	\$43.22
2 Yd Container	2 times per week	\$78.36	4.77%	\$82.10
2 Yd Container	3 times per week	\$116.86	4.77%	\$122.43
2 Yd Container	4 times per week	\$153.97	4.77%	\$161.31
2 Yd Container	5 times per week	\$192.47	4.77%	\$201.65
2 Yd Container	6 times per week	\$233.71	4.77%	\$244.86
3 Yd Container	Weekly	\$54.99	4.77%	\$57.61
3 Yd Container	2 times per week	\$96.23	4.77%	\$100.82
3 Yd Container	3 times per week	\$151.24	4.77%	\$158.45
3 Yd Container	4 times per week	\$185.59	4.77%	\$194.44
3 Yd Container	5 times per week	\$254.33	4.77%	\$266.46
3 Yd Container	6 times per week	\$288.69	4.77%	\$302.46
4 Yd Container	Weekly	\$78.36	4.77%	\$82.10
4 Yd Container	2 times per week	\$147.10	4.77%	\$154.12
4 Yd Container	3 times per week	\$217.22	4.77%	\$227.58
4 Yd Container	4 times per week	\$247.46	4.77%	\$259.26
4 Yd Container	5 times per week	\$309.31	4.77%	\$324.06
4 Yd Container	6 times per week	\$368.23	4.77%	\$385.79
6 Yd Container	Weekly	\$112.73	4.77%	\$118.11
6 Yd Container	2 times per week	\$215.84	4.77%	\$226.14
6 Yd Container	3 times per week	\$316.52	4.77%	\$331.62
6 Yd Container	4 times per week	\$342.32	4.77%	\$358.65
6 Yd Container	5 times per week	\$423.42	4.77%	\$443.62
6 Yd Container	6 times per week	\$505.91	4.77%	\$530.04
6 Yd Compactor	Weekly	\$116.91	4.77%	\$122.49
6 Yd Compactor	2 times per week	\$233.82	4.77%	\$244.97
6 Yd Compactor	3 times per week	\$350.73	4.77%	\$367.46
6 Yd Compactor	4 times per week	\$467.64	4.77%	\$489.95
6 Yd Compactor	5 times per week	\$584.55	4.77%	\$612.43
6 Yd Compactor	6 times per week	\$701.46	4.77%	\$734.92
8 Yd Container	Weekly	\$123.72	4.77%	\$129.62
8 Yd Container	2 times per week	\$219.95	4.77%	\$230.44
8 Yd Container	3 times per week	\$329.93	4.77%	\$345.67
8 Yd Container	4 times per week	\$356.07	4.77%	\$373.05
8 Yd Container	5 times per week	\$437.18	4.77%	\$458.03
8 Yd Container	6 times per week	\$519.66	4.77%	\$544.45
8 Yd Compactor	Weekly	\$155.88	4.77%	\$163.32
8 Yd Compactor	2 times per week	\$311.76	4.77%	\$326.63
8 Yd Compactor	3 times per week	\$467.64	4.77%	\$489.95
8 Yd Compactor	4 times per week	\$623.52	4.77%	\$653.26
8 Yd Compactor	5 times per week	\$779.40	4.77%	\$816.58
8 Yd Compactor	6 times per week	\$935.28	4.77%	\$979.89

(59)

Waste Connections Lone Star, Inc.

Rate Schedule - Effective 4/1/2022

City of Waxahachie

10% Franchise Fee is assessed on the below base rates

Service Description	Service Frequency	Current Rate Effective 4/1/2021	Proposed Rate Adjustment	New Rates Effective 4/1/2022
10 Yd Container	Weekly	\$154.65	4.77%	\$162.03
10 Yd Container	2 times per week	\$274.94	4.77%	\$288.05
10 Yd Container	3 times per week	\$412.41	4.77%	\$432.08
10 Yd Container	4 times per week	\$445.08	4.77%	\$466.31
10 Yd Container	5 times per week	\$546.47	4.77%	\$572.54
10 Yd Container	6 times per week	\$649.58	4.77%	\$680.56
ROLL OFF CONTAINER SERVICE				
Open Top:				
20 Yd Container	Per Occurrence	\$266.81	4.77%	\$279.54
30 Yd Container	Per Occurrence	\$343.01	4.77%	\$359.37
40 Yd Container	Per Occurrence	\$391.15	4.77%	\$409.81
Compactor:				
28 Yd Self-Contained	Per Occurrence	\$337.12	4.77%	\$353.20
30 Yd Self-Contained	Per Occurrence	\$382.47	4.77%	\$400.71
35 Yd Self-Contained	Per Occurrence	\$427.80	4.77%	\$448.21
42 Yd Receiver	Per Occurrence	\$446.24	4.77%	\$467.53
Special Waste Open Top:				
20 Yd Container	Per Occurrence	\$427.95	4.77%	\$448.36
30 Yd Container	Per Occurrence	\$463.95	4.77%	\$486.08
40 Yd Container	Per Occurrence	\$499.95	4.77%	\$523.80
Rental:				
20 Yd Container	Per Day	\$4.11	4.77%	\$4.31
30 Yd Container	Per Day	\$4.23	4.77%	\$4.43
40 Yd Container	Per Day	\$4.36	4.77%	\$4.57
28 Yd Self-Contained	Monthly	\$192.13	4.77%	\$201.29
30 Yd Self-Contained	Monthly	\$198.07	4.77%	\$207.52
35 Yd Self-Contained	Monthly	\$204.01	4.77%	\$213.74
42 Yd Receiver	Monthly	\$134.72	4.77%	\$141.15
Open Top Delivery	Per Occurrence	\$75.00	4.77%	\$78.58
Dry Run	Per Occurrence	\$117.81	4.77%	\$123.43
Exchange/Swap	Per Occurrence	\$117.81	4.77%	\$123.43
Walking Floor	Per Occurrence	\$891.29	4.77%	\$933.80
Flat Bed	Per Occurrence	\$725.83	4.77%	\$760.45
EXTRA COLLECTION AND OTHER SERVICE OPTIONS				
2 Yd Container Extra Pick up	Per Occurrence	\$9.53	4.77%	\$9.98
3 Yd Container Extra Pick up	Per Occurrence	\$12.70	4.77%	\$13.31
4 Yd Container Extra Pick up	Per Occurrence	\$18.10	4.77%	\$18.96
6 Yd Container Extra Pick up	Per Occurrence	\$26.03	4.77%	\$27.27
6 Yd Compactor Extra Pick up	Per Occurrence	\$28.50	4.77%	\$29.86
8 Yd Container Extra Pick up	Per Occurrence	\$28.57	4.77%	\$29.93
8 Yd Compactor Extra Pick up	Per Occurrence	\$38.00	4.77%	\$39.81
10 Yd Container Extra Pick up	Per Occurrence	\$35.72	4.77%	\$37.42
Additional Cart (Trash or Recycle)	Monthly	\$4.50	4.77%	\$4.71
Household Hazardous Waste	Monthly	\$1.05	4.77%	\$1.10
Pink Tag	Per Occurrence	\$0.68	4.77%	\$0.71
Unusual Accumulation - Vehicle Rate/Hour	Per Occurrence	\$96.00	4.77%	\$100.58
Unusual Accumulation - Disposal Fee/Yd	Per Occurrence	\$12.00	4.77%	\$12.57

(6)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-216-2021



MEETING DATE(S)

Planning & Zoning Commission: January 25, 2022

City Council: February 7, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 25, 2022, the Commission voted 4-0 to recommend approval of case number ZDC-216-2021, subject to staff comments.

CAPTION

Public Hearing on a request by Kenyatta Henderson, YaYa’s Yuniversity, for a **Specific Use Permit (SUP)** for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow for a Daycare use on the subject property.

CASE INFORMATION

<i>Applicant:</i>	Kenyatta Henderson
<i>Property Owner(s):</i>	Seventh Day Adventist
<i>Site Acreage:</i>	0.424 acres
<i>Current Zoning:</i>	Single Family-2 (SF-2)
<i>Requested Zoning:</i>	Single Family-2 with a SUP for Daycare use (SF-2 w/ SUP)

SUBJECT PROPERTY

<i>General Location:</i>	323 Kirksey St
<i>Parcel ID Number(s):</i>	193801
<i>Existing Use:</i>	A church currently exists on the subject property
<i>Development History:</i>	The subject property is platted as Lot 3, Block 1 of the Ferris 2 nd Revision plat.

(6)

Direction	Zoning	Current Use
North	GR w/ SUP	InterBank (with a drive through)
East	SF-2	Single Family Residential Homes
South	GR w/ SUP	InterBank (with a drive through)
West	SF-2	Single Family Residential Homes

Adjoining Zoning & Uses:

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan: The site is accessible via Kirksey Street

Site Image:



PLANNING ANALYSIS

Purpose of Request

The applicant is requesting approval of a Specific Use Permit (SUP) to allow for a daycare use in a Single Family-2 (SF-2) zoning district.

Proposed Use

The applicant is requesting approval of a SUP for the subject property to allow for the opening of YaYa's Yuniversity daycare. The Waxahachie Seventh-day Adventist Church currently occupies the subject property. The applicant is proposing to retrofit the site to meet all state requirements for child daycare centers. These improvements include additional fencing and playground equipment for outdoor spaces as well as a new concrete drop-off and pick-up driveway in front of the building.

(6)

The applicant plans to operate Monday-Friday from 6:00am to 6:00pm. The applicant anticipates having 10 employees for the daycare, with a minimum of 6 employees present during any given shift. The maximum number of children allowed to attend the daycare is currently unknown; however this number will be determined by the State of Texas during licensing for the daycare.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support for the proposed Specific Use Permit and one (1) letter indicating conditional support or conditional opposition to the proposed Specific Use Permit.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, per the following comments:
 1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to any construction on the subject property.
 2. Any new pavement added to the site shall be concrete.
 3. The applicant will need to obtain a Certificate of Occupancy (CO) from the City of Waxahachie Building Inspections Department prior to operating on the subject property.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Ordinance
3. Operational Plan
4. Site Plan
5. Staff Report

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Zack King
Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com



(4)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-216-2021



VINTAGE BANK
PO BOX 557
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 25, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 7, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Kenyatta Henderson, YaYa's University, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-216-2021

City Reference: 173476

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, January 18, 2022** to ensure inclusion in the Agenda Packet. Forms can be emailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Interbank has a shared parking agreement with current owners. If that agreement is not honored then they will not have access to parking in the rear of their property.

Signature

Jeff Finer - EVP
Printed Name and Title

Date

1-7-21
300 Hwy 77N. Waxahachie TX 75165
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(6)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-216-2021



**DOLLAR KENNETH
103 DOLLAR CT
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 25, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 7, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Kenyatta Henderson, YaYa's University, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-216-2021

City Reference: 173408

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, January 18, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Kenneth Dollar

Signature

1-13-2022

Date

Kenneth Dollar owner of
Printed Name and Title 316-18 Lynn St

~~103~~ 316-318 Lynn St.
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(7)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DAYCARE USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED 323 KIRKSEY STREET, BEING PROPERTY ID 193801, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 3, BLOCK 1 OF THE FERRIS 2ND REVISION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-216-2021. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2, with a SUP in order to permit Daycare use on the following property: Lot3, Block 1 of the Ferris 2nd Addition subdivision, which is shown on Exhibit A – Location Map, in accordance with the Operational Plan attached as Exhibit B, Site Layout Plan attached as Exhibit C, and Staff Report attached as Exhibit D.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City’s Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A DAYCARE USE IN THE SINGLE FAMILY-2 (SF-2) DISTRICT;
the following standards and conditions are hereby established as part of this ordinance:

Development Regulations

1. The development shall conform as approved by the City Council under case number ZDC-216-2021.
2. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to any construction on the subject property.
3. Any new pavement added to the site shall be concrete.
4. The applicant will need to obtain a Certificate of Occupancy (CO) from the City of Waxahachie Building Inspections Department prior to operating on the subject property.
5. Any zoning, land use requirement, regulation or restriction not contained within this Zoning Ordinance or Staff Report as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Operational Plan, Exhibit C – Site Plan, and Exhibit D – Staff Report of the approved Ordinance. Where regulations are not specified in Exhibits B, C, D, or zoning ordinance, the regulations of the Single Family-2 Zoning District shall apply to this development.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

(7)

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2022.

MAYOR

ATTEST:

City Secretary

Executive Summary

YaYa's Yuniversity is where learning begins and learning never ends. YaYa's Yuniversity will provide full-day, year-round service for educating children ages 6 weeks to 5 years old in Waxahachie, TX. YaYa's Yuniversity is dedicated to teaching children to LEAD (Learning, Excelling, Achieving and Demonstrating) and will focus on providing a comprehensive approach to brain developing, creating, and mastering developmental milestones. Additionally, the Yuniversity will empower families to advocate for their child's education and become life-long learners. Hours of operation are Monday-Friday from 6:00am-6:00pm.

YaYa's Yuniversity will use the E-LAP (Learning Accomplishment Profile) assessment to show children's progress toward achieving developmental and school readiness goals. There will be various learning stations at the center which will include the following: science, technology, engineering art, mathematic, socialization, self-help skills, fine and gross motor skill, pre-writing, cognitive, language, personal and social emotion skills, math, dramatic play, science, woodworking, library, blocks computer, art, writing, sand/water, and music learning. In addition, YaYa's Yuniversity will implement a strong collaboration with families as life-long educators to ensure resources are available to promote a well-balanced partnership between school and home

YaYa's Yuniversity will implement specialized training for staff that promotes innovative learning systems. The center will utilize a research-based curriculum called: 'Frog Street for infants, toddlers and preschoolers' accompanied with STEAM (Science, Technology, Engineer, Art, and Math). YaYa's Yuniversity will emphasize Christian principles while executing CLASS (Classroom Assessment Scoring System). CLASS is a tool that measures the quality of interactions between teachers and children. These measurements will ensure a low teacher-child ratio and continuity of care for children, which will result in high-quality services.

YaYa's Yuniversity will provides a positive and comprehensive experience for children of all socioeconomic backgrounds to create a more inclusive environment for children to flourish. Approximately 15% of the children attending YaYa's Yuniversity will be at or below the poverty line. YaYa's Yuniversity will accept subsidies for childcare services with a goal of becoming a partner of the DFW Workforce Solution. The Workforce Solutions North Central Texas provides qualified families with financial assistance to offset the high cost of childcare for low-income families.

YaYa's Yuniversity will partner with other early childcare agencies, Waxahachie ISD, Ellis County Coalition and Navarro College to enhance the quality of education to young children. The partnerships will give children attending YaYa's Yuniversity a head start for a successful transition into the school system.

Exhibit B - Operational Plan

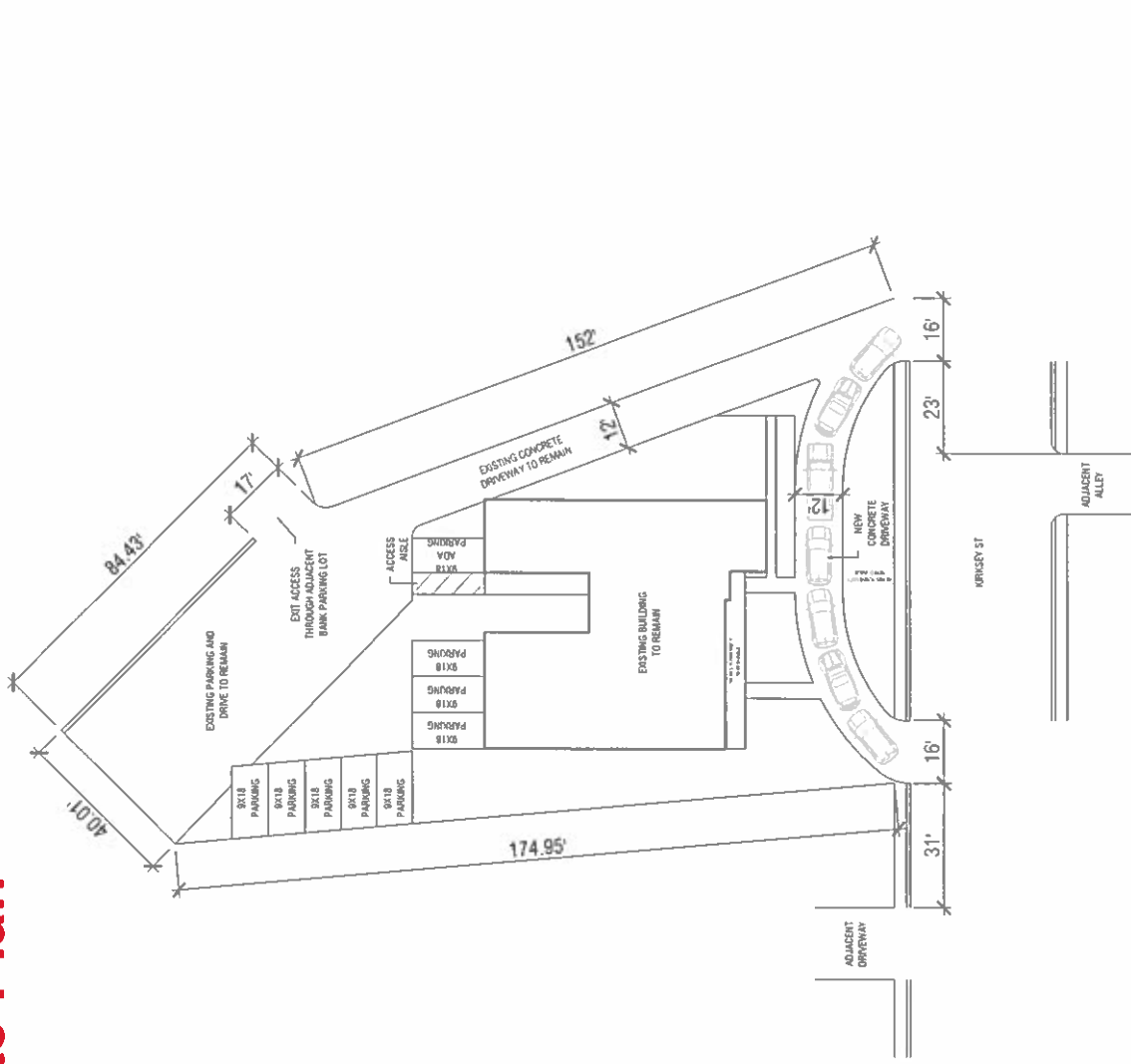
(7)

- We anticipate serving 60 children. The State of Texas Child Care Licensing will approve the number of children we can serve after conducting their inspection.
- We anticipate 10 employees which includes me. 6 minimum during any shift.
- **Hours of operation:** Monday-Friday 6:00am-6:00pm. We will follow the Waxahachie ISD School Calendar
- We will enclose the playground on the South side of the building with a fence.
- We will provide the necessary amount of outdoor space/playground as required by The State of Texas Child Care Licensing. We recently had 2 Playground Specialists visit the property to inspect the space and provide quotes for the cost. The Child Care Licensing Representative has also visited the property.

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Exhibit C - Site Plan

ADRIANA TAYLOR INTERIOR DESIGN	Project Name: YA YAS UNIVERSITY 223 WIKSEY ST MAYACHEN TX 75145	Drawing Title: SITE PLAN	Scale: SEE DRAWING
		Date: 1/21/2022	Drawn By: AT
		Sheet No. 1	REV. OF 1 A



1 SITE PLAN
1" = 30'

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-216-2021



MEETING DATE(S)

Planning & Zoning Commission: January 25, 2022

City Council: February 7, 2022

CAPTION

Public Hearing on a request by Kenyatta Henderson, YaYa's Yuniversity, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow for a Daycare use on the subject property.

CASE INFORMATION

Applicant: Kenyatta Henderson

Property Owner(s): Seventh Day Adventist

Site Acreage: 0.424 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: Single Family-2 with a SUP for Daycare use (SF-2 w/ SUP)

SUBJECT PROPERTY

General Location: 323 Kirksey St

Parcel ID Number(s): 193801

Existing Use: A church currently exists on the subject property

Development History: The subject property is platted as Lot 3, Block 1 of the Ferris 2nd Revision plat.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR w/ SUP	InterBank (with a drive through)
East	SF-2	Single Family Residential Homes
South	GR w/ SUP	InterBank (with a drive through)
West	SF-2	Single Family Residential Homes

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

The site is accessible via Kirksey Street

Site Image:



PLANNING ANALYSIS

Purpose of Request

The applicant is requesting approval of a Specific Use Permit (SUP) to allow for a daycare use in a Single Family-2 (SF-2) zoning district.

Proposed Use

The applicant is requesting approval of a SUP for the subject property to allow for the opening of YaYa's Yuniversity daycare. The Waxahachie Seventh-day Adventist Church currently occupies the subject property. The applicant is proposing to retrofit the site to meet all state requirements for child daycare centers. These improvements include additional fencing and playground equipment for outdoor spaces as well as a new concrete drop-off and pick-up driveway in front of the building.

The applicant plans to operate Monday-Friday from 6:00am to 6:00pm. The applicant anticipates having 10 employees for the daycare, with a minimum of 6 employees present during any given shift. The maximum number of children allowed to attend the daycare is currently unknown; however this number will be determined by the State of Texas during licensing for the daycare.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

Exhibit D - Staff Report

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PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support for the proposed Specific Use Permit and one (1) letter indicating conditional support or conditional opposition to the proposed Specific Use Permit.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, per the following comments:
 1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to any construction on the subject property.
 2. Any new pavement added to the site shall be concrete.
 3. The applicant will need to obtain a Certificate of Occupancy (CO) from the City of Waxahachie Building Inspections Department prior to operating on the subject property.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Ordinance
3. Operational Plan
4. Site Plan
5. Staff Report

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

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ORDINANCE NO. _____

AN ORDINANCE ORDERING AN ELECTION TO BE HELD FOR THE PURPOSE OF ELECTING AT-LARGE COUNCIL MEMBER PLACES 1, 2, & 3; PROVIDING FOR A JOINT ELECTION SERVICES CONTRACT WITH ELLIS COUNTY ELECTIONS ADMINISTRATION; DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

SECTION 1. That an election be held on May 7, 2022, under and by virtue of the provisions of the City Charter of the City of Waxahachie, for the purpose of electing At-Large Council member Places 1, 2, & 3 to fill the regular terms from May 2022 to May 2024.

SECTION 2. City of Waxahachie City officials are authorized and directed to contract with Ellis County Elections Administrator hereinafter referred to as "Contracting Officer" for Election Services.

SECTION 3. Contracting Officer shall be responsible for performing duties and shall furnish services and equipment as outlined in May 7, 2022 Joint Election Contract for Election Services, Exhibit "A", attached hereto, and in accordance with the Texas Election Code.

SECTION 4. The deadline for filing an application for a place on the ballot is Friday, February 18, 2022 at 5:00 p.m.

SECTION 5. The election shall be conducted with bilingual (English and Spanish) election materials and methods, in accordance with the Federal Voting Rights Act.

SECTION 6. The Council finds that an emergency involving the efficient daily operation of the City is involved, and that this ordinance will become effective immediately.

PASSED, APPROVED, AND ADOPTED on this the 7th day of February, 2022.

MAYOR

ATTEST:

CITY SECRETARY

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EXHIBIT "A"



May 7, 2022
Joint Election
Contract for Election Services



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May 7, 2022 Joint Election

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Exhibit B.....Election Day Polling Locations
Exhibit C.....Cost of Services
Exhibit D.....List of Political Subdivision Races on Ballot



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THE STATE OF TEXAS § JOINT CONTRACT FOR
ELLIS COUNTY § ELECTION SERVICES

BY THE TERMS OF THIS CONTRACT made and entered into by and between the following
AS OF January 18, 2022 subject to cancellation of an election:

- COUNTY OF ELLIS
- CITY OF ALMA
- CITY OF BARDWELL
- CITY OF CEDAR HILL
- CITY OF ENNIS
- CITY OF FERRIS
- CITY OF GARRETT
- CITY OF GRAND PRAIRIE
- CITY OF ITALY
- CITY OF MAYPEARL
- CITY OF MIDLOTHIAN
- CITY OF MILFORD
- CITY OF OAK LEAF
- CITY OF OVILLA
- CITY OF PALMER
- CITY OF PECAN HILL
- CITY OF RED OAK
- CITY OF VENUS
- CITY OF WAXAHACHIE
- ENNIS INDEPENDENT SCHOOL DISTRICT
- FERRIS INDEPENDENT SCHOOL DISTRICT
- ITALY INDEPENDENT SCHOOL DISTRICT
- MAYPEARL INDEPENDENT SCHOOL DISTRICT
- MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT
- MILFORD INDEPENDENT SCHOOL DISTRICT
- PALMER INDEPENDENT SCHOOL DISTRICT
- RED OAK INDEPENDENT SCHOOL DISTRICT
- WAXAHACHIE INDEPENDENT SCHOOL DISTRICT

hereinafter referred to as "Participating Political Subdivisions" and JANA ONYON, Elections Administrator of Ellis County, Texas, hereinafter referred to as "County Election Officer", pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the May 7, 2022 Joint Election.



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THIS AGREEMENT is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

I. DUTIES AND SERVICES OF COUNTY ELECTION OFFICER. The County Election Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The County Election Officer shall arrange for notification (including writ of election), training and compensation of all presiding judges, alternate judges, clerks for the polling site, Central Counting Station and early voting ballot board.

- a. The County Election Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge, Central Counting Station and Ballot Board of his or her appointment. The presiding election judge of each polling place, will use his/her discretion to determine when additional manpower is needed during peak voting hours and notify the County Election Officer. The recommendations of the Participating Political Subdivisions will be the accepted guidelines for the number of clerks to work in each polling place. Election judges and early voting personnel shall be secured by the County Election Officer using the recommended names provided by the Participating Political Subdivisions by February 18, 2022. Any open positions will be filled using regular county election workers.
- b. Election judges, Alternate judges, Clerks and Student Clerks shall all attend the County Election Officer's school of instruction. (Date and location to be determined)
- c. Election judges shall be responsible for picking up from and returning election supplies to the County Election Officer. (Date to be determined). Compensation for this pickup and delivery of supplies will be \$25.00.
- d. The County Election Officer shall compensate each election judge and election worker. Compensation will be based on what the county pays and has been approved in Commissioner's Court unless arranged otherwise. Early voting presiding officer shall receive \$12.00 per hour and clerks shall receive \$10.00 per hour for services. Each election day judge shall receive \$12.00 per hour for services rendered; each alternate judge shall receive \$12.00 per hour for services; and clerk shall receive \$10.00 per hour for services. Ballot Board, Central Counting Station Presiding judge and alternate shall receive the same as for Election Day judge and alternate for



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services. Each worker that attends training class shall receive hours of pay. Overtime will be paid to each person working over 40 hours per week. All other required and additional expenses by law shall be paid. (ie: FICA, Medicaid, etc.)

- B. The County Election Officer shall procure, prepare, and distribute voting machines, election kits and election supplies.
- a. Each Participating Political Subdivisions agrees that voting at the Joint Election will be by use of Election Systems and Software ExpressVote marking devices and DS200 Precinct Scanner/Tabulators voting system approved by the Secretary of State in accordance with the Texas Election Code. Procedures will be in accordance with the Texas Election Code and decided by the County Election Officer.
 - b. The County Election Officer shall secure election kits which include the legal documentation required to hold an election.
 - c. The County Election Officer shall secure all tables and chairs required to hold an election.
 - d. The County Election Officer shall provide all lists of registered voters for use on Election Day and for the early voting period as mandated by law. Laptop computers will be used to qualify voters for the early voting period and on Election Day. A second laptop computer with the list of registered voters will be provided as back-up in each Early Voting and Election Day polling place.
 - e. The County Election Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.
 1. Equipment includes the DS200 voting machines (1 or more per site), ADA ExpressVote marking devices (4 or more per site), ballot box, voting signs, carts and laptop computers.
 2. Supplies include election forms, ballots, labels, extension cords, pens, tape, markers, ballot pens, required signage, totem display poles, name tags, etc.



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- C. The County Election Officer, Jana Onyon, shall be appointed the Early Voting Clerk by the Participating Political Subdivisions.
- a. The County Election Officer shall supervise and conduct Early Voting by mail and in person.
 - b. Early Voting by personal appearance for the said Election shall be conducted during the time period and at the locations listed in Exhibit "A", attached and incorporated by reference into this contract. The county election is required to have 2 days of 12 hour voting and those will be the last 2 days of early voting.
 - c. Any qualified voter for the Joint Election may vote early by personal appearance at any of the Early Voting locations within Ellis County. Elections Office 204 E Jefferson Street, Waxahachie, TX 75165 serves as the Main Location.
 - d. Some Participating Political Subdivisions have requested additional Early Voting sites pending their participation, therefore Exhibit "A" is subject to change if any of the Participating Political Subdivisions cancel their election.
 - e. All applications for an Early Voting mail ballot shall be received and processed by the Ellis County Elections Administration Office.
 1. Application for mail ballots erroneously mailed to the Participating Political Subdivisions shall immediately be faxed to the County Election Officer for timely processing. The original application shall then be forwarded by mail to the County Election Officer for proper retention.
 2. Absentee Application (Regular or Federal Postcard) for ballot by mail shall be mailed to:
**Jana Onyon, Early Voting Clerk,
204 E Jefferson Street, Waxahachie, Tx 75165
or faxed to 972-923-5194
or email a scanned copy of signed application to elections@co.ellis.tx.us
(If faxed or emailed, then we must receive original application within 4 days)
Application for ballot by mail must be received no later than close of business on Tuesday, April 26, 2022.**
 3. All Federal Post Card Applicants (FPCA) and Annual Mail Ballot Applicants will be sent a mail ballot with required notices.



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- f. All Early Voting ballots (those cast by mail/absentee) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed in the same manner as election workers according to this contract.
- D. The County Election Officer shall arrange for the use of all Election Day and Early Voting Vote Center polling places.
- a. The Participating Political Subdivisions shall assume the responsibility of remitting the shared cost of all employee services required to provide access, provide security or provide custodial services for the polling locations.
 - b. The Early Voting Vote Center polling locations are listed in Exhibit "A", attached and incorporated by reference into this contract.
 - c. The Election Day Vote Center polling locations are listed in Exhibit "B", attached and incorporated by reference into this contract.
 - d. Some Participating Political Subdivisions have requested additional Vote Centers pending their participation, therefore Exhibit "A" and "B" is subject to change if any of the Participating Political Subdivisions cancel their election.
 - e. Any qualified voter for the said Election may vote during Early Voting or Election Day by personal appearance at any of the Vote Center locations within Ellis County.
 - f. If a Runoff Election is needed, the Participating Political Subdivisions will work together to choose the Early Voting and Election Day Vote Center locations to best serve their voters in their territory according to the Election Code and/or this contract.
- E. The County Election Officer shall be responsible for establishing and overseeing the tabulation of the early voting and election day voted ballots by the Central Counting Station Personnel. Ballots shall be tabulated in accordance with Section 127.001 of the Texas Election Code and of this agreement.



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- a. The County Election Officer shall prepare, test and run the county's tabulation system in accordance with statutory requirements and policies. The tabulation system will be used on Election Night at the Elections Office.
 - b. The Public Logic and Accuracy Test (L&A) of the electronic voting system shall be conducted. County Election Officer will publish required notice in local newspaper of time and place as required by the election code.
 - c. Election night reports will be available to the Participating Political Subdivisions at 7pm on election night on the Ellis County website (www.co.ellis.tx.us/elections). Provisional ballots will be tabulated after election night in accordance with law.
 - d. The County Election Officer shall prepare the unofficial canvass report after all precincts have been counted for election day, provisional ballots, and any overseas ballots that will be tallied after the final deadline to count ballots. This report will be sent to the Participating Political Subdivisions for their canvass.
 - e. The County Election Officer shall be appointed the custodian of the voted ballots and shall retain all election material for a period of 22 months.
 1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the election.
 2. The Participating Political Subdivisions can obtain the list of registered voters who voted from the Elections Administration Office. Pending no litigation and if the Participating Political Subdivisions does not request any further information, the County Election Officer shall destroy them.
 - f. The County Election Officer shall conduct a manual partial count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the Participating Political Subdivisions in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.
- F. The County Election Officer shall post the publication of a "Joint Election Notice" by publishing the notice at least once between the 30th day and the 10th day before the election the proper methods with the proper media in accordance with the Texas Election Code (Sec. 4.003(a)(1)). Newspapers will be agreed upon by the Participating Political Subdivisions based on current publishing customs by each Participating Political Subdivisions. The



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Participating Political Subdivisions shall send the publication of the "Election Notice" to the Contracting Office to place it on the Elections website in accordance to the Texas Election Code (Sec. 4.008)

II. DUTIES AND SERVICES OF THE PARTICIPATING POLITICAL SUBDIVISIONS. The Participating Political Subdivisions shall assume the following responsibilities:

- A. The Participating Political Subdivisions shall prepare the election orders resolutions, notices, justice department submissions (if required), official canvass and other pertinent documents for adoption by the appropriate office or body. The Participating Political Subdivisions shall handle the candidate filing process and packets that are required by law. The Participating Political Subdivisions assume the responsibility of posting required notices and likewise promoting the schedules for Early Voting and Election Day.
- B. The Participating Political Subdivisions if recent changes have been made, shall provide the County Election Officer with an updated map and street index of their jurisdiction in an electronic or printed format as soon as possible but no later than Monday, February 14, 2022, if any changes have occurred since the last election the county has held for your entity.
- C. The Participating Political Subdivisions shall procure and provide the County Election Officer with the ballot layout and Spanish interpretation in an electronic format (word.doc preferred).
 - 1. The Participating Political Subdivisions shall deliver to the County Election Officer as soon as possible after the election has been ordered any proposition wording in English and Spanish. Candidate names should be given after the drawing. Should receive all information no later than Tuesday, March 1, 2022.
 - 2. Exhibit "D" is provided with a listing of races and/or propositions on the ballot for each Participating Political Subdivisions pending any additions, cancellations, or withdrawals.
 - 3. The Participating Political Subdivisions shall approve the "blue line" ballot format prior to printing.



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- D. The Participating Political Subdivisions shall post the publication of the "Election Order" and "Election Notice" by the proper methods with the proper media in accordance with the Texas Election Code. Additional publications would be handled by the Political Subdivisions to meet any special posting requirements during special elections. (See Section I part F of this contract)
- E. The Participating Political Subdivisions shall compensate the County Election Officer for any additional verified cost incurred in the process of running this election or for a manual recount this election may require, or for a required runoff election consistent with charges and hourly rates shown on Exhibit "C" for required services.
- F. The Participating Political Subdivisions shall submit this signed contract and pay the County Election Officer a deposit of 80% of the estimated cost to run the said election prior to Friday, March 25, 2022. The County Election Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code.

The Deposit should be delivered within the mandatory time frame to:

**Ellis County Treasurer
Att. Cheryl Chambers
109 S. Jackson Street
Waxahachie, Texas 75165**

Made payable to: "Ellis County Treasurer" with the note "for election services" included with check documentation.

The signed contract should be delivered or mailed to:

**Ellis County Elections
Attn: Jana Onyon
204 E Jefferson Street
Waxahachie, Texas 75165**

- G. The Participating Political Subdivisions shall pay any additional cost and/or remaining final cost of conducting said election or any required runoff elections pursuant to the Texas Election Code, Section 31.100, within 30 days from the date the final billing was received.



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III. COST OF SERVICES. See Exhibit "C."

- A. All actual shared cost incurred in the conduct of the election will be divided by the Participating Political Subdivisions contracting with the County Election Officer to hold the said election. If one of the Participating Political Subdivisions cancels their election, the full cost of the election will be the responsibility of the remaining Participating Political Subdivisions.
- B. An addendum of Exhibit "C" to the contract shall be provided to the remaining participating Political Subdivisions no later than five (5) business days after receipt of any Political Subdivisions notification of intent to withdraw in writing by Ellis County.
- C. If a Runoff Election is required, all cost will be billed to the Participating Political Subdivisions. Runoff Election will be held on Saturday, June 18, 2022 (subject to changes), if required.

IV. GENERAL PROVISIONS.

- A. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the said Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.
- B. Upon request, the County Election Officer will provide copies of all invoices and other charges received in the process of running said election for the Participating Political Subdivisions.
- C. If a Participating Political Subdivision cancels an election pursuant to the Texas Election Code, they will not be liable for any further costs incurred by the County Election Officer in conducting the said Election. Notice of a cancelled election should be provided to the County Election Officer as soon as the Participating Political Subdivision has approved it in council meeting.
- D. If any provision of this joint election contract and election services agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions. The illegal or invalid provision will be deemed stricken and deleted, but all other provisions



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shall continue and be given effect as if the illegal or invalid provisions had never been incorporated.

- E. The Elections Administrator of Ellis County, Texas and all of the contracting authorities of all of the participating political subdivisions listed in this joint election contract and election services agreement represent that each has the full right, power and authority to enter and perform this Contract in accordance with all of the terms and conditions, and that the execution and delivery of this Contract has been made by authorized representatives of the parties to validly and legally bind the parties to all terms, performances and provisions set forth in this Contract.

- F. The County Election Officer shall file copies of this contract with the County Auditor and the County Treasurer of Ellis County, Texas (Sec. 31.099).

- G. Neither party shall be deemed to have breached any provision of this contract as a result of any delay, failure in performance, or interruption of service resulting directly or indirectly from acts of God, network failures, acts of civil or military authorities, civil disturbances, wars, energy crises, fires, transportation contingencies, interruptions in third-party telecommunications or Internet equipment or service, other catastrophes, or any other occurrences which are reasonably beyond any party's control. The parties are required to use due caution and preventive measures to protect against the effects of a force majeure event, and the burden of proving that a force majeure event has occurred shall rest on the party seeking relief under this provision. The party seeking relief due to force majeure is required to promptly notify the other parties in writing, citing the details of the force majeure event and relief sought, and shall resume performance immediately after the obstacles to performance caused by a force majeure event have been removed, provided the Contract has not been terminated. Delay or failure of performance, by either party to this Contract, caused solely by a force majeure event, shall be excused for the period of delay caused solely by the force majeure event.

- H. Due to recent concerns, if it is determined by the Ellis County Elections Administrator and the Commissioners Court of Ellis County that the health and safety of the Ellis County employees, poll workers, volunteers, and other people involved in conducting an election would be placed in danger by conducting an election according to the terms of this agreement, then the Ellis County Elections Administrator and Commissioners Court of Ellis County, at their sole discretion, may elect not to conduct an election for the political subdivision. If Ellis County elects not handle the election of a local subdivision due to health



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and safety concerns, then Ellis County will provide written notice to the political subdivision with sufficient time for the political subdivision to comply with the Election Code. Furthermore, Ellis County will rent the voting equipment, for a reasonable price, to said political subdivision if it chooses to move forward with the election.

- I. All parties agree to comply with Section 2270.002 and Section 2252.152 of the Texas Government Code.

WITNESS BY MY HAND THIS THE _____ DAY OF _____ 2022

Jana Onyon, CERA
Elections Administrator
Ellis County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____ 2022

By: _____
Signature Printed Name and Title

Political Subdivision Name: _____
Printed

Ellis County, Texas Condado de Ellis, Texas
Joint General and Special Elections Elecciones General y Especial Conjunta
May 7, 2022 07 de mayo de 2022
Early Voting Vote Centers Centros de votación adelantada

The below listed Early Voting Vote Centers will be established for any qualified voter with an effective date of registration on or before May 7, 2022. A voter may vote at any of the Early Voting Vote Centers for the Joint General and Special Elections.

Las ubicaciones para centros de votación anticipada que se enumeran a continuación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 07 de mayo de 2022. Un votante puede votar en cualquiera de los lugares de votación anticipada para las Elecciones General y Especial Conjunta.

Early Voting Location Dates and Times:

Ubicación, fechas, y horarios de la votación anticipada:

- | | |
|--|--|
| 1. Elections Office (Main Location) 204 E. Jefferson Street | Waxahachie, TX 75165 |
| 2. Midlothian Conference Ctr (Foyer) 1 Community Circle Dr. | Midlothian, TX 76065 |
| 3. Palmer ISD Annex Bldg (Portable Bldg) 303 Bulldog Way | Palmer, TX 75152 |
| 4. Ellis County Sub-Courthouse (Foyer) 207 S. Sonoma Trail | Ennis, TX 75119 |
| 5. Red Oak Municipal Center (Pitts Rm) 200 Lakeview Pkwy | Red Oak, TX 75154 |
| 6. *Waxahachie ISD Admin Bldg (BoardRm) 411 N. Gibson | Wax., TX 75165 (WISD) |
| 7. *Mt Gilead Baptist Church (Fellowship Hall) 106 Harris St. | Italy, TX 76651 (Italy/Milford) |

Monday, April 25, 2022 <i>lunes, 25 de abril de 2022</i>	through <i>hasta</i>	Friday, April 29, 2022 <i>viernes, 29 de abril de 2022</i>	8:00 AM - 5:00 PM <i>8:00 AM - 5:00 PM</i>
Saturday, April 30, 2022 <i>sábado, 30 de abril de 2022</i>			8:00 AM - 4:00 PM <i>8:00 AM - 4:00 PM</i>
Monday, May 2, 2022 <i>lunes, 02 de mayo de 2022</i>	and <i>y</i>	Tuesday, May 3, 2022 <i>martes, 03 de mayo de 2022</i>	7:00 AM - 7:00 PM <i>7:00 AM - 7:00 PM</i>

Last day to register to vote for the Joint General and Special Elections is: Thursday, April 07, 2022.

Último día para registrarse para votar en la Elecciones General y Especial Conjunta es: jueves, 07 de abril de 2022.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application: Tuesday, April 26, 2022.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA por sus siglas en inglés) es: martes, 26 de abril de 2022.

Absentee Application (Regular or Federal Postcard) for ballot by mail shall be mailed to:

Early Voting Clerk, 204 E Jefferson Street, Waxahachie, Texas 75165

Or email a scanned copy of signed application to elections@co.ellis.tx.us

Or faxed to 972-923-5194 (If faxed or emailed, then must receive original application within 4 days)

Las solicitudes (Regular o FPCA) de boletas electorales por correo deben enviarse por correo a:

Secretaria de la Votación Adelantada 204 E. Jefferson Street Waxahachie, TX 75165

O por correo electrónico una copia e su aplicación firmada a elections@co.ellis.tx.us

O por fax al 972-923-5194 (Si se envía por fax o correo electrónico, debe recibir la solicitud original dentro de los cuatro días)

****Locations #6-#7 pending if any of the listed Political Subdivisions cancel their Election.**

Ellis County, Texas Condado de Ellis, Texas
Joint General and Special Elections Elecciones General y Especial Conjunta
May 7, 2022 07 de mayo de 2022
Election Day Vote Centers Centros de votación el día de las elecciones

Polls open from 7:00 am to 7:00 pm

Horario de votación estarán abiertos de 7:00 am a 7:00 pm

The below listed Election Day Vote Centers will be established for any qualified voter with an effective date of registration on or before May 7, 2022. A voter may vote at any of the Election Day Vote Centers for the Joint General and Special Elections.

Las ubicaciones para centros de voto de días de votación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 07 de mayo de 2022. Un votante puede votar en cualquiera de los centros de votación de día de las elecciones para las Elecciones General y Especial Conjunta.

- | | | |
|----|--|----------------------|
| 1 | ELLIS COUNTY SUB-COURTHOUSE (Foyer) 207 S SONOMA TRAIL | ENNIS, TX 75119 |
| 2 | ENNIS PUBLIC LIBRARY (Learning Center) 501 W. ENNIS AVE | ENNIS, TX 75119 |
| 3 | FAITH ASSEMBLY OF GOD CHURCH (Fellowship Hall) 1810 W BALDRIDGE ST. | ENNIS, TX 75119 |
| 4 | FERRIS PUBLIC LIBRARY (Trussell Mtg Rm) 301 E 10TH STREET | FERRIS, TX 75125 |
| 5 | MT GILEAD BAPTIST CHURCH (Cafeteria) 106 HARRIS ST. | ITALY, TX 76651 |
| 6 | FIRST BAPTIST CHURCH-MAYPEARL (Cafeteria) 5744 FM 66 | MAYPEARL, TX 76064 |
| 7 | MIDLOTHIAN CHURCH OF CHRIST (Rear Foyer) 1627 N HWY 67 | MIDLOTHIAN, TX 76065 |
| 8 | MIDLOTHIAN CONFERENCE CTR (Ballroom) 1 COMMUNITY CIRCLE DR | MIDLOTHIAN, TX 76065 |
| 9 | MOUNTAIN PEAK COMMUNITY CHURCH (Sanctuary) 751 W. FM 875 | MIDLOTHIAN, TX 76065 |
| 10 | GRACE CHURCH OF OVILLA (Flex Room) 519 WESTMORELAND RD | OVILLA, TX 75154 |
| 11 | PALMER ISD ANNEX BUILDING (Portable Bldg) 303 BULLDOG WAY | PALMER, TX 75152 |
| 12 | EASTRIDGE BAPTIST CHURCH (Gym) 732 E OVILLA RD | RED OAK, TX 75154 |
| 13 | RED OAK MUNICIPAL CENTER (Pitts Room) 200 LAKEVIEW PKWY | RED OAK, TX 75154 |
| 14 | ELLIS COUNTY WOMANS BUILDING (Main Room) 407 W JEFFERSON ST. | WAXAHACHIE, TX 75165 |
| 15 | FARLEY STREET BAPTIST CHURCH (GYM) 1116 BROWN ST. | WAXAHACHIE, TX 75165 |
| 16 | PARK MEADOWS BAPTIST CHURCH (Foyer) 3350 N HWY 77 | WAXAHACHIE, TX 75165 |
| 17 | SALVATION ARMY OF ELLIS COUNTY (Cafeteria) 620 FARLEY ST. | WAXAHACHIE, TX 75165 |
| 18 | * MILFORD SENIOR CITIZENS CENTER 109 S. MAIN STREET MILFORD, TX 76670 | (Milford ISD/City) |
| 19 | * ALMA COMMUNITY CENTER 104 INTERURBAN RD ENNIS, TX 75119 | (Alma) |
| 20 | * LIFEPOINT COMMUNITY 201 LOUISE RITTER RD RED OAK, TX 75154 | (Pecan Hill) |
| 21 | * MARVIN ELEMENTARY SCHOOL (CAFETERIA) 110 BROWN STREET WAXAHACHIE, TX 75165 | (WISD) |
| 22 | * FIRST UNITED METHODIST-BARDWELL (Church Annex) 104 PECAN ST BARDWELL 75119 | (Bardwell) |

Last day to register to vote for the Joint General and Special Elections is: Thursday, April 07, 2022.

Último día para registrarse para votar en la Elecciones General y Especial Conjunta es: jueves, 07 de abril de 2022.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application: Tuesday, April 26, 2022.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA- por sus siglas en inglés) es: martes, 26 de abril de 2022.

For More Information: Website at www.co.ellis.tx.us/Elections

OR Contact us at Elections Office 204 E Jefferson Waxahachie, TX 75165 972-825-5195

OR [Facebook.com/EllisCountyElections](https://www.facebook.com/EllisCountyElections)

****Locations #18-#22 pending if any of the listed Political Subdivisions cancel their Election.**

Estimated Cost for May 7, 2022 Joint General and Special Election
with 27 Political Subdivisions and County (Estimated Cost BEFORE Cancellations)

(8)

Item	Estimated Total Invoiced Cost of Election
Election Day Locations	22
Early voting Locations	7
Election Systems & Software (ES&S) Ballots Cost	\$8,000.00
Election Systems & Software (ES&S) Ballot Layout Charges	\$5,400.00
Election Systems & Software (ES&S) Ballot Audio Charges	\$7,200.00
Election Systems & Software (ES&S) Electronic Voting system programing	\$5,700.00
Election Systems & Software (ES&S) Election Day Support	\$4,675.00
Election Systems & Software (ES&S) Testing and Coding Ballots	\$1,800.00
Newspaper Public Notice of Testing of Electronic Voting System	\$600.00
Newspaper Public Notice of Joint Election	\$5,000.00
Precinct Kits for Early Voting and Election Day: Labels, paper, envelopes, supplies, pens, tape, copies for precinct packets and training packets, signs for posting of state required information at polling place	\$2,900.00
Rental of County voting equipment DS200 Machines at \$57.50 each	\$1,667.50
Rental of County voting equipment ExpressVote Terminal Marking Device (ADA) at \$33.25 each	\$5,818.75
Movers Transportation of Voting Equipment 29 Early Voting and Election Day locations Dropped off and picked up after election	\$6,220.00
Voting Places Rental Charges locations	\$2,000.00
Election Day # of Poll workers	80
Election Day: Judges at \$12.00, Alternate Judges at \$12.00, Clerks at \$10.00 Estimated 22 Polling Location on Election day Estimated 95 poll workers, hours on ED, hours training, Judge pickup fees \$25	\$17,900.00
Early voting # of Poll workers	75
Early Voting: Judges at \$12.00, Clerks at \$10.00 at 7 Early Voting Locations Estimated Poll Workers reg hours, overtime hours, hours training, Judge pickup fees \$25, Fica, Medicare	\$28,000.00
Absentee Mail Ballots Request	3000
Cost for Early Voting mail Ballots for postage and materials for each for ballot mailed	\$6,570.00
Early Voting Ballot Board and Cental Counting Station Workers	\$530.00
WiFi for Early voting and Election Day Laptops	\$1,000.00
Additional Office Personnel to assist before/during/after the Election and technichians for Early Voting and Election Day, and Election employee accrual overtime hours	\$12,000.00
Technichians Mileage for Early Voting and Election Day Support at polling sites	\$300.00
Estimated Grand Total of Election Expenses	\$123,281.25
Estimated Cost for County Portion of the Cost (50%)	\$61,640.63
Estimated Cost for Political Subdivisions Portion of Election Expenses	\$61,640.63
Estimated Cost for Political Subdivisions Election Services Contract 10% Admin Fee	\$6,164.06
Estimated Total Cost for Political Subdivisions Total Cost of Joint Election	\$67,804.69

**Political Subdivisions estimated cost of contracting with the Elections
Department for May 7, 2022 Joint Election
(Estimated Cost Before Cancellations)**

ENTITY	Voters 1/2022	Estimated Cost
GRAND PRAIRIE	89	\$750.00
VENUS	314	\$750.00
ALMA	236	\$1,500.00
GARRETT	258	\$1,500.00
BARDWELL	274	\$1,500.00
MILFORD	453	\$1,500.00
PECAN HILL	491	\$1,500.00
CEDAR HILL	532	\$1,500.00
MAYPEARL	533	\$1,500.00
MILFORD ISD	668	\$1,500.00
OAK LEAF	1141	\$1,500.00
ITALY	1199	\$1,500.00
PALMER	1388	\$1,500.00
FERRIS	1542	\$1,500.00
ITALY ISD	2012	\$1,500.00
OVILLA	3073	\$1,500.00
PALMER ISD	3940	\$1,500.00
MAYPEARL ISD	4080	\$1,500.00
FERRIS ISD	5762	\$2,400.00
RED OAK	9113	\$3,000.00
ENNIS	10230	\$3,300.00
ENNIS ISD	15538	\$3,500.00
RED OAK ISD	20915	\$4,900.00
MIDLOTHIAN	24142	\$4,700.00
WAXAHACHIE	25725	\$5,100.00
MIDLOTHIAN ISD	34874	\$7,500.00
WAXAHACHIE ISD	36179	\$7,900.00
ELLIS COUNTY	124517	\$61,640.00

As of 1/19/2022 Subject to changes after Political Subdivison withdrawal and/or cancel the Election. Revised report with deposit amount and invoice will be given after the deadline to cancel an election has past.

The following Political Subdivisions will be having an Election on May 7, 2022. Entities will be contracting with the Election's Department to conduct their Election.

Las siguientes subdivisiones políticas tendrán elecciones el 7 de mayo de 2022. Contratarán con el Departamento de Elecciones para llevar a cabo su Elección.

Pending

Revised (Revisado) 1/18/2022 Subject to changes (sujeto a cambios)

All races will be vote for one unless noted otherwise. (Todas las carreras votaran por una a menos que se indique lo contrario.)

(9)



Memorandum

To: Honorable Mayor and City Council

From: Ricky Boyd, Fire Chief

Thru: Michael Scott, City Manager

Date: January 24, 2022

Re: Interlocal Agreement with Ft. Worth for Radio Repairs & Installations

Honorable Mayor and City Council,

Currently, we purchase our radios and have them repaired by Mobile Communications America (MCA). In regards to repairs, we have been dissatisfied with their level of service for quite some time.

We recently learned that Midlothian has entered into an Interlocal Agreement (ILA) with the City of Ft. Worth for radio repairs and installations. They stated that Ft. Worth's technicians provide excellent service and that their rates are much lower than MCA's. There is not an annual fee associated with this agreement and we can terminate the agreement with or without cause without penalty upon 90 days written notice. Furthermore, every department in the City of Waxahachie can use them if they so choose or they can stay with their current vendor.

Therefore, I hereby respectfully request your approval to enter into an ILA with the City of Ft. Worth for radio repairs and installations.

A handwritten signature in blue ink that reads 'Ricky Boyd'.

Respectfully submitted,
Ricky Boyd, Fire Chief

(a)

SUBSCRIBER SERVICES AGREEMENT

This SUBSCRIBER SERVICES AGREEMENT (the "Agreement") is made and entered into by and between the City of Fort Worth ("Fort Worth" or "CFW") acting herein by and through its duly authorized Assistant City Manager, and City of Waxahachie ("USER"), acting herein by and through its duly authorized City Manager individually referred to as a "party," collectively referred to herein as the "parties." The CFW or Fort Worth shall include all employees, directors, officers, agents, and authorized representatives. USER shall include all employees, directors, officers, agents, and authorized representatives.

RECITALS

WHEREAS, this Agreement is made under the authority of Sections 791, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the subject of this Agreement is necessary for the benefit of the public and each has the legal authority to perform and to provide the governmental function or service which is the subject matter of this Agreement; and

WHEREAS, each governing body finds that the performance of this Agreement is in the common interest of both parties and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, it is the collective desire of both Fort Worth and USER to allow Fort Worth to provide USER with installation, maintenance and repair services for wireless communications components and systems.

NOW THEREFORE, Fort Worth and USER agree as follows:

1. Services. CFW shall install, configure, maintain, and repair the following equipment: mobile, portable, and fixed two-way radios and other wireless devices, antennas, speakers, and ancillary equipment, sirens, mobile data computers and related hardware and cabling, and any other similar or related public safety emergency response equipment. Unless mutually agreed prior to commencement of work, CFW shall provide primary maintenance services for the equipment at the CFW IT Solutions radio repair facility (or facilities). The service shall include the regular inspection of the equipment and any maintenance or repair necessary to maintain it in good working order. Upon request, CFW shall also install and remove equipment from vehicles for reuse or disposal. USER shall approve equipment installation location and configuration prior to commencement of work, and will inspect and approve installation upon completion.

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2. Term. The Agreement shall become effective upon the signing of the Agreement by an Assistant City Manager of the City of Fort Worth (the "Effective Date") and shall continue in full force and effect unless terminated in accordance with the provisions set forth herein and in Exhibit A.

3. Compensation. USER shall remit payment to Fort Worth in the amount and manner set forth in Exhibit A "Fee Schedule." CFW may revise Exhibit A to adjust service rates as needed without further action by CFW provided that CFW shall provide not less than sixty (60) days advance written notice to USER before any revision to Exhibit A is effective. Estimated total billing is \$5,000 per year. Billing will be from the first day of the month through the last day of the same month. CFW will invoice USER no later than the 21st day of the month following the end of each billing period, with the invoice dated on the day it is sent. USER will pay CFW within thirty (30) days of receipt of any invoice for services under this Agreement. CFW shall have the right to increase any applicable fees under this Agreement each fiscal year to offset any increased costs incurred by CFW. Any increase in applicable fees will be effective at the beginning of the next CFW fiscal year.

4. Liability. Each party agrees to be liable for any damages or loss that may be caused by its own negligence, omission or intentional misconduct. For purposes of this Section 4, the term party shall include employees, directors, officers, agents, authorized representatives, subcontractors, consultants, and volunteers of the respective party. Nothing in the performance of this Agreement shall impose any liability for claims against either party other than for claims for which the Texas Tort Claims Act may impose liability.

5. Independent Contractor. It is expressly understood and agreed that USER shall operate as an independent contractor as to all rights and privileges granted herein, and not as agent, representative or employee of the CFW. Subject to and in accordance with the conditions and provisions of this Agreement, USER shall have the exclusive right to control the details of its operations and activities and be solely responsible for the acts and omissions of its employees, directors, officers, agents, authorized representatives, subcontractors, and consultants. USER acknowledges that the doctrine of *respondent superior* shall not apply as between the CFW, its employees, directors, officers, agents, and authorized representatives, and USER and its employees, directors, officers, agents, authorized representatives, subcontractors, and consultants. USER further agrees that nothing herein shall be construed as the creation of a partnership or joint enterprise between CFW and USER.

6. Non-Appropriation of Funds. Fort Worth and USER will use best efforts to appropriate sufficient funds to support obligations under this Agreement. However, in the event that sufficient funds are not appropriated by either party's governing body, and as a result, that party is unable to fulfill its obligations under this Agreement, that party (i) shall promptly notify the other party in writing and (ii) may terminate this Agreement, effective as of the last day for which sufficient funds have been appropriated.

7. Right to Audit. USER agrees that the CFW shall, at no additional cost to the CFW, during and until the expiration of three (3) years after termination of this Agreement, have access to and the right to examine at reasonable times any directly pertinent books, documents, papers, records, and communications of the USER involving transactions relating to this

(9)

Agreement. USER agrees that the CFW shall have access during normal working hours to all necessary USER facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. The CFW shall give USER reasonable advance notice of intended audits.

8. Assignment. USER shall not have the right to assign or subcontract any of its duties, obligations or rights under this Agreement without the prior written consent of the CFW. Which such right shall be granted solely at the discretion of the CFW. Any assignment in violation of this provision shall be void.

9. No Waiver. The failure of either party to insist upon the performance of any provision or condition of this Agreement or to exercise any right granted herein shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

10. Governmental Powers/Immunities. It is understood and agreed that by execution of this Agreement, the neither CFW nor USER waives or surrender any of its governmental powers or immunities.

11. Amendments. No amendment to this Agreement shall be binding upon either party hereto unless such amendment is set forth in writing, dated subsequent to the date of this Agreement, and signed by both parties.

12. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

13. Confidential Information. To the extent permitted by law, USER for itself and its officers, agents and employees, agrees that it shall treat all information provided to it by the CFW as confidential ("City Information") and shall not disclose any such information to a third party without the prior written approval of the CFW, unless such disclosure is required by law, rule, regulation, court order, in which event USER shall notify CFW in writing of such requirement in sufficient time to allow CFW to seek injunctive or other relief to prevent such disclosure. USER shall store and maintain City Information in a secure manner and shall not allow unauthorized users to access, modify, delete or otherwise corrupt City Information in any way. USER shall notify the CFW immediately if the security or integrity of any City Information has been compromised or is believed to have been compromised.

14. Force Majeure. The parties shall exercise their best efforts to meet their respective duties and obligations hereunder, but shall not be held liable for any delay in or omission of performance due to force majeure or other causes beyond their reasonable control, including, but not limited to, compliance with any state or federal law or regulation, acts of God, acts of omission, fires, strikes, lockouts, national disasters, wars, riots, material or labor restrictions, transportation problems, existing contractual obligations directly related to the subject matter of this Agreement, or declaration of a state of disaster or emergency by the federal, state, county, or City government in accordance with applicable law.

(9)

15. Notices. Notices required pursuant to the provisions of this Agreement shall be conclusively determined to have been delivered when (1) hand-delivered to the other party, its agents, employees, servants or representatives, (2) delivered by facsimile with electronic confirmation of the transmission, or (3) received by the other party by United States Mail, registered, return receipt requested, addressed as follows:

City of Fort Worth
Attn: IT Director
200 Texas Street
Fort Worth TX 76102
Facsimile: (817) 392-8654

City of Waxahachie
Attn: Michael Scott, City Manager
401 S. Rogers Street
Waxahachie, TX 75165
Facsimile: (469) 309-4003

With Copy to the City Attorney
At same address

16. Governing Law / Venue. This Agreement shall be construed in accordance with the laws of the State of Texas. Venue for any action brought on the basis of this Agreement shall lie exclusively in state courts located in Tarrant County, Texas or the United States District Court for the Northern District of Texas – Fort Worth Division. In any such action, each party shall pay its own attorneys' fees, court costs and other expenses incurred as a result of the action.

17. Signature Authority. The person signing this Agreement hereby warrants that he/she has the legal authority to execute this Agreement on behalf of his or her respective party, and that such binding authority has been granted by proper order, resolution, ordinance or other authorization of the entity. The other party is fully entitled to rely on this warranty and representation in entering into this Agreement.

18. Entirety of Agreement. This written instrument, including all Exhibits attached hereto, contains the entire understanding and agreement between Fort Worth and USER as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent in conflict with this Agreement. Any previously executed Subscriber Services Agreement between the parties shall be terminated simultaneously with the final execution of this Agreement by both parties.

19. Counterparts. This Agreement may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute one and the same instrument.

20. Termination. Either USER or CFW may terminate this Agreement for any reason, with or without cause, upon ninety (90) days written notice to the other party. The CFW, in its sole discretion, shall have the right to deny USER services under this Agreement and/or the right to terminate the Agreement immediately if USER fails to make full payment of invoiced fees within thirty (30) days of the date payment is due.

21. Compliance with Laws. The USER shall comply with all current and future Federal, State, and Local laws, Ordinances, and Mandates, including Federal Communications Commission rules and regulations regarding proper use of radio communications equipment.

(9)

Agreed and Accepted:

CITY OF WAXAHACHIE:

By: _____
Name: _____
Title: _____
Date: _____

APPROVED TO LEGALITY

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

(9)

<p>City of Fort Worth</p> <p>By: _____ Name: Valerie Washington Title: Assistant City Manager</p> <p>Date: _____</p> <p>Approval Recommended:</p> <p>By: _____ Name: Kevin Gunn Title: Director, IT Solutions</p> <p>City Secretary:</p> <p>By: _____ Name: Jannette Goodall Title: City Secretary</p>	<p>Contract Compliance Manager: By signing I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.</p> <p>By: _____ Name: Alan Girton Title: Senior IT Manager</p> <p>Approved as to Form and Legality:</p> <p>By: _____ Name: Taylor Paris Title: Assistant City Attorney</p> <p>Contract Authorization: M&C: _____</p>
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(9)

EXHIBIT A

FEE SCHEDULE

Time And Materials Services

Covered Services:

- Mobile Radio Installation
- Mobile Computer Installation
- Radio Repair (Mobile and Portable)
- Base Station Radio Repair
- Radio Template Development
- Radio Code Plug Development
- Radio Programming
- Other Services As Agreed

Applicable Rates:

Labor

1. \$70.00 per hour for work performed during regular business hours (Monday through Friday from 7:30 AM to 6:00 PM except CFW holidays).
2. \$105.00 per hour (*with a two-hour minimum*) for work performed outside regular business hours when User requests work to be performed during these hours.
3. A per-visit trip charge of \$35.00 if User requests work to be performed at a site other than the Fort Worth Radio Services site. Labor rate will be charged beginning with technician's arrival to User site.

Parts and Services

1. Parts and supplies used in the performance of maintenance and repair services will be billed at the vendor's invoiced cost to the City plus 10%.
2. Services from third-parties (such as Motorola repair depot) will be billed at the vendor's invoiced cost to the City plus 10%.

Flat Rate Services

Covered Services:

- Radio Tuning and Alignment (work performed at Fort Worth Radio Services site only)


Applicable Rates:

1. \$35.00 per radio for units delivered by User to the Fort Worth Radio Services site.
2. \$70.00 per mobile radio removed and reinstalled in User vehicles. Vehicle must be delivered by User to the Fort Worth Radio Services site.
3. A trip charge of \$140.00 if the User requests Fort Worth Radio Services staff to pick up and deliver radios to User site.

(10)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Michael Scott, City Manager 
Date: February 07, 2022
Re: Consider the Approval of an Engineering Professional Services Agreement with Teague Nall and Perkins for the Bryson Street Water Main Rehabilitation Project

Item Description: Awarding of the professional services agreement with Teague Nall and Perkins will allow for the design and engineering of an upgraded water main on Bryson Street.

Item Summary: One of the approved Utility Department's FY2021-2022 Capital Improvement Plan (CIP) project is to upgrade the existing six (6) inch cast iron water line within Bryson Street. Funding will allow for the design and engineering of approximately 2300 linear feet of eight (8) inch PVC water line within Bryson Street from W. Marvin to Sycamore. The project would include the new water main, fire hydrants, services, and street repair. These improvements are necessary due to the age and condition of the line. Several breaks and repairs have occurred over recent years, and the efficiency and effectiveness of the line had exceeded their life expectancy.

Fiscal Impact: This project is part of the Utility Department's Five-Year CIP and has been budgeted in the Department's Operations and Maintenance (O&M) funding. The total cost of the project is \$94,565.00. Funding is available within the current O&M budget to cover the expense of this engineering project. Staff recommends that the professional services agreement with Teague Nall and Perkins in the amount of \$94,565.00 be approved.

(11)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Executive Director of Development Services

Thru: Michael Scott, City Manager *[Signature]*

Date: February 07, 2022

Re: Consider the Approval of an Engineering Professional Services Agreement with Gresham Smith for Oldham Street & E. Ross Street Water System Rehabilitation and S. Rogers Street & Alley and Bauder Street Sewer Rehabilitation

Item Description: Awarding of the professional services agreement with Gresham Smith will allow for the design and engineering of upgraded water and sewer lines on Oldham Street and E. Ross Street (water) and S. Rogers Street & Alley and Bauder Street (sewers).

Item Summary: One of the approved Utility Department's FY2021-2022 Capital Improvement Plan (CIP) projects was to upgrade various water and sewer lines throughout the City. It was recently decided to consolidate several smaller projects into a larger project to gain economies of scale.

The Oldham (Kauffman St. to Williams St.) and E. Ross (Farley St. to E. Marvin St.) water main rehabilitation consists of the following: **Oldham** – replace approximately 500 linear feet of water line with new water main, one fire hydrant, and services, **E. Ross** – replace approximately 2,600 linear feet of older water main with new water main.

S. Rogers & Alley (West St. to IH- 35 Service Rd.) and Bauder/Opal (S. Rogers St. to Five Points Rd. in alley between Bauder St. and Opal St.) rehabilitation consists of the following: - **S. Rogers** - Rehabilitate existing sanitary sewer line with approximately 1,100 linear feet of new sanitary sewer line, new manholes, new sewer service connections, new transfer sanitary sewer services connections and pavement repairs, **Alley** - Rehabilitate an existing VCT sewer line with approximately 900 linear feet of PVC sewer line, new manholes, and new sewer service transfer connections, **Bauder/Opal** – Rehabilitate approximately 1,300

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linear feet of existing VCT sanitary sewer line with new PVC sanitary sewer line, new manholes, and new sanitary sewer connections transfers.

Improvements to the water lines are necessary due to the age and condition of the water lines. Several breaks and repairs have occurred over recent years. Improvements to the sanitary sewer lines are necessary due to stoppages and failures in the sanitary sewer lines (constructed prior to 1949). Most water and sewer lines have exceeded or are approaching the end of their service life.

Fiscal Impact: This project is part of the Utility Department's Five-Year CIP and has been funded through FY2021 Bonds. The total cost of the project is \$165,210.00. Staff recommends the approval of the professional services agreement with Gresham Smith for the full amount.