

# **A G E N D A**

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 on ***Monday, February 17, 2020 at 7:00 p.m.***

Council Members: David Hill, Mayor  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Kevin Strength, Councilmember  
Melissa Olson, Councilmember

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.

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 February 3, 2020
- b. Minutes of the City Council briefing of February 3, 2020
- c. Minutes of the City Council work session of February 3, 2020
- d. Waxahachie Police Department Racial Profiling Report for 2019
- e. Consider Tax Increment Reinvestment Zone #1 recommended projects
- f. Consider 2020 Junk in the Trunk Events
- g. Event Application for WAXAJAM 2020 to be held October 10, 2020

6. ***Introduce*** Honorary Councilmember
7. ***Continue Public Hearing*** on a request by Michael Martin, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (PD-19-0175)
8. ***Consider*** proposed Ordinance approving PD-19-0175

9. **Public Hearing** on a request by Karl J. Goss for a Specific Use Permit (SUP) for Furniture Manufacture and Refinishing Shop use within a Central Area zoning district located at 103 N. Jackson (Property ID 170410) – Owner: Goscon LLC (ZDC-000001-2020)
10. **Consider** proposed Ordinance approving ZDC-000001-2020
11. **Consider** request by Leslie Porterfield for a Replat of Tract 3, Allen Family Estates, to create Tracts 3A and 3B, Allen Family Estates, 4.833 acres (Property ID 147329) in the Extra Territorial Jurisdiction – Owner: Leslie Porterfield (RP-19-0168)
12. **Public Hearing** on a request by Clay Cristy, Claymoore Engineering, for a Specific Use Permit (SUP) for Drive Through Establishment use within a Light Industrial-1 zoning district located on a portion of land at the SW corner of FM 66 and Interstate 35E (being a portion of Property ID 174460) – Owner: DML Land LLC (ZDC-000004-2020)
13. **Consider** proposed Ordinance approving ZDC-000004-2020
14. **Consider** a resolution repealing and replacing Resolution Number 1170, and establishing the Planning and Zoning Commission, a City Council Member, and three Ad Hoc Board and Commission Members as the City’s Impact Fee Capital Improvements Advisory Committee
15. **Consider** appointment of three Ad Hoc Board and Commission Members and a City Council Member to serve on the City’s Impact Fee Capital Improvement Advisory Committee
16. Comments by Mayor, City Council, City Attorney and City Manager
17. 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 469-309-4005 or (TDD) 1-800-RELAY TX

(5a)

City Council  
February 3, 2020

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 on Monday, February 3, 2020 at 7:00 p.m.

**Councilmembers Present:** David Hill, Mayor  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Kevin Strength, Councilmember  
Melissa Olson, Councilmember

**Others Present:** Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Councilmember Kevin Strength gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Mr. Alan Fox, 327 University Drive, Waxahachie, encouraged Council to rehabilitate the old Baylor Hospital into a low cost retirement center for the citizens of Waxahachie.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of January 21, 2020
- b. Minutes of the City Council briefing of January 21, 2020
- c. Approval of Supplemental Appropriation for Administration – City Council Election
- d. Event Application for Funday Run Day to be held March 7, 2020
- e. Event Application for North Texas Oldsmobile Club Zone Show to be held May 16, 2020
- f. Event Application for Golden Girls 2020 Classic Car Show to be held November 7, 2020
- g. Authorize city staff to engage Kimley-Horn and Associates, Inc. for Phase II of the BNSF Railroad Water Line CIP Project

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve items a. through g. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.*

**6. Introduce Honorary Councilmember**

Councilmember Chuck Beatty introduced Monti Woodley as the Honorary Councilmember for the month of February 2020. Ms. Woodley is a Senior at Waxahachie High School and maintains a 5.6 GPA, which places her in the Top 12 students of her graduating class.

In addition to her academic success in the classroom, she continues to keep a high level of involvement in various organizations on campus. This includes, but is not limited to, Theatre, Interact Club, Broadcast Media Team, National Honor Society, and Student Council. Her leadership within the school includes being President of the Theatre Department, Secretary of the Interact Club, as well as a member of the Executive Board for Broadcast Media. Monti has had three lead roles, in which she was recently nominated for Best Featured Performer by Dallas Summer Musicals.

Ms. Woodley is involved in volunteer work throughout her community including her commitment to the Mentor Program at Dunaway Elementary and her help in Bethlehem Revisited. In addition, she has traveled on four mission trips within her high school years. She will be attending the University of Texas at Austin in the fall to study Psychology, which she will use to become an adolescent therapist. In fact, this past December, she received a full-ride scholarship directly from UT to aid her financially in her pursuit of higher education.

Lastly, in her free time she loves to create art, her favorite being earrings! Yet her most favorite thing is spending time with her friends and supporting her friends in band and theatre by attending their performances.

#### **7. Hear presentation on “Shop with a Cop”**

Bishop Blake presented a presentation on “Shop with a Cop” noting the Police Department’s participation is greatly appreciated. He explained 32 children were able to participate because of the partnership and funding from local churches. Each child was given \$100 to spend at Target and many bought items for their family members. He thanked the officers for their time to show the children their police vehicles and their one on one time with each child.

Police Chief Wade Goolsby thanked Bishop Blake for allowing his department to participate.

Mayor Hill noted this is the heart of Waxahachie.

#### **8. Employee Recognition for earning professional licenses**

Assistant City Manager Tommy Ludwig recognized the following city employees for their accreditation or certifications obtained over the last year:

- Krystyne Hill (Registered Health Inspector)
- John Franco, Jose Martinez, and Johnny Thompson (Designated Representative License)
- Jason Watson (Plans Examiner)
- Macey Martinez (Graduate Engineer)
- Steve Brigman, Matt Castle, Gerardo Gutierrez, Brandon Lacey, and Otilia Webb (Utility Licenses)

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9. **Continue Public Hearing on a request by Michael Martin, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (PD-19-0175)**

Mayor Hill continued the Public Hearing and announced the applicant requested to continue PD-19-0175 to the City Council meeting of February 17, 2020.

10. **Consider proposed Ordinance approving PD-19-0175**

**Action:**

*Councilmember Kevin Strength moved to continue the Public Hearing on a request by Michael Martin, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (PD-19-0175) to the City Council meeting of February 17, 2020. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

11. **Consider proposed Ordinance annexing property owned by Bobby Lide, for annexation of approximately 81.454 acres situated generally on FM 877 just Southeast of Lake Waxahachie (AX-19-0158)**

Mayor Hill announced the applicant requested to withdraw AX-19-0158.

12. **Public Hearing on a request by Chip G. Boyd, JH Development, for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to a Single Family-1 zoning district located East of the intersection of Hunter Pass and FM 877 (Property ID 183566) - Owner: Bobby Lide Inc. (ZC-19-0152)**

Mayor Hill opened the Public Hearing and announced the applicant requested to withdraw ZC-19-0152.

13. **Consider proposed Ordinance approving ZC-19-0152**

**Action:**

*No action taken*

14. **Consider an action plan for the repair or demolition of a substandard structure located at 712 Givens Street**

Mr. Ludwig explained at the December 16, 2019 meeting Council granted the property owners of 712 Givens Street an additional 60 days to present an action plan explaining their intent with repairing or demolition of the structure on site as well as a timeframe that would be done. Mr. Ludwig noted the applicant was not in attendance at the meeting.

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**15. Consider action to require the substandard structure located 712 Givens Street to be secured, repaired, removed, and/or demolished**

Mr. Ludwig explained staff's recommendation is a motion to either repair or demolish the structure in line with what council did with the other substandard structures from the December meeting.

Councilmember Melissa Olson expressed her concern with acting on this item without the owner present to present their action plan. She asked if the owner was expected at this meeting and Mr. Ludwig noted they were. He explained the owner expressed through email their intent is to demolish but they did not provide a timeframe for that to occur.

**Action:**

*Councilmember Kevin Strength moved for the property located at 712 Givens Street to be repaired or demolished within 60 days. If after the 60 days, and Council's order has not been carried out, staff is authorized to demolish the property. Councilmember Chuck Beatty seconded, the vote was as follows: Ayes: David Hill, Mary Lou Shipley, Chuck Beatty, and Kevin Strength. Noes: Melissa Olson.*

***The motion carried.***

**16. Consider authorization of Task Order Number One, under the Interlocal Cooperation Agreement with the University of Texas Arlington, for the analysis of the Katy Lake and Southwest Interceptor Sewer Lines**

Mr. Ludwig requested authorization of Task Order Number One, for the analysis of the Katy Lake and Southwest Interceptor Sewer Lines. He noted Task Order Number One will provide for the multi-sensor inspection and scanning electron microscope testing of 6,618 linear feet of the Katy Lake 24" Trunk Sewer Line and 3,670 linear feet of the Southwest Interceptor 27" Sewer Line for a cost of \$135,400. He explained the cost of the analysis will be from a portion of the construction funds included in the FY19-20 bonds for Katy Lake.

**Action:**

*Councilmember Kevin Strength moved the authorization of Task Order Number One, under the Interlocal Cooperation Agreement with the University of Texas Arlington, for the analysis of the Katy Lake and Southwest Interceptor Sewer Lines as presented. Councilmember Chuck Beatty seconded, All Ayes.*

**17. Consider proposed Resolution authorizing reimbursement of the operating fund from proceeds of future debt for an analysis, under the Interlocal Cooperation Agreement with the University of Texas Arlington, of the Katy Lake and Southwest Interceptor Sewer Lines**

**RESOLUTION NO. 1280**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING A MULTI-SENSOR INSPECTION ANALYSIS OF THE KATY LAKE AND SOUTHWEST INTERCEPTOR SEWER LINES**

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**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Resolution No. 1280 as presented. Councilmember Chuck Beatty seconded, All Ayes.*

- 18. Consider proposed Ordinance ordering an election to be held 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**

City Manager Michael Scott requested approval of the proposed Ordinance ordering the May 2, 2020 election for At-Large Council Member Places 1, 2, & 3, and providing a contract for election services with Ellis County Elections Administration.

**ORDINANCE NO. 3176**

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

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3176 as presented. Councilmember Kevin Strength seconded, All Ayes.*

- 19. Discussion related to potential revision to the Sub Division Ordinance platting process**

The item was removed from the agenda.

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

Councilmember Kevin Strength & Councilmember Chuck Beatty thanked the Honorary Councilmember for her attendance.

City Manager Michael Scott thanked Bishop Blake, Waxahachie Police Department and Officer Connie for giving back to Waxahachie and their participation in "Shop with a Cop."

Mayor Pro Tem Mary Lou Shipley commended the Parks Department and landscapers for the beautiful Spring Park renovations.

Councilmember Melissa Olson thanked the Honorary Councilmember for her attendance. She also congratulated Assistant City Manager Tommy Ludwig and his departments for their recent accomplishments. She thanked everyone who participated with "Shop with a Cop" and hopes it will continue.

City Attorney Robert Brown thanked the Honorary Councilmember for her attendance.

- 21. Adjourn**

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February 3, 2020  
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There being no further business, the meeting adjourned at 7:37 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary



(5b)

City Council  
February 3, 2020

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 Monday, February 3, 2020 at 6:30 p.m.

Councilmembers Present: David Hill, Mayor  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Kevin Strength, Councilmember  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

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

City Manager Michael Scott reviewed the following agenda items:

- Item 5c requested approval of funding for the May 2, 2020 General Election. He noted the FY19-20 budgeted funds were used for the November 5, 2019 Charter Election.
- Item 7 Bishop Blake will present a video showcasing the “Shop with a Cop” event held in December.
- Item 18 requested approval of the Ordinance calling the May 2, 2020 General Election for At-Large Council Member Places 1, 2, & 3 and providing for a contract for election services with Ellis County Elections Administration.

Assistant City Manager Tommy Ludwig reviewed the following agenda items:

- Item 5g requested approval authorizing professional services agreement with Kimley-Horn for the BNSF Railroad Water Line Project-Phase 2.
- Item 8 will recognize city employees who have received licenses and certifications over the past year.
- Items 14 and 15 were a follow-up from the December 16, 2019 meeting when Council directed the homeowner to provide an action plan within 60 days for the property at 712 Givens Street.
- Item 16 requested approval of Task Order Number One to provide for the multi-sensor inspection and scanning electron microscope testing of Katy Lake 24” Trunk Sewer Line and Southwest Interceptor 27” Sewer Line. Mr. Scott noted the project is in the 5 year Capital Improvements Plan.

Planning Director Shon Brooks reviewed the following items:

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- Item 9 applicant requested to continue the Public Hearing to the February 17, 2020 City Council meeting.
- Item 11 applicant withdrew case no. AX-19-0158.
- Items 12 and 13 applicant withdrew case no. ZC-19-0152.

Councilmember Melissa Olson inquired about adding verbiage to the Subdivision Ordinance for Council consideration of certain replats. Staff and City Attorney Robert Brown explained the legal requirements for notification and timeframes for approval of plats per the state legislature. They explained the issue would arise regarding proper notice of the Replat, meaning staff would have to know beforehand if there is opposition with every Replat submitted and the Public Hearing date would essentially precede the Planning & Zoning meetings. Staff would be unable to provide consistency with the plats.

After further discussion, Councilmember Olson stated to remove the request at this time.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

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City Council  
February 3, 2020

A Work Session of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Conference Room, City Hall, 401 South Rogers, on Monday, February 3, 2020 at 6:15 p.m.

Councilmembers Present: David Hill, Mayor  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Kevin Strength, Councilmember  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

**2. Discuss appointing the Planning and Zoning Commission, plus three additional Ad Hoc Members, as the City's Impact Fee Capital Improvements Advisory Committee**

Assistant City Manager Tommy Ludwig updated Council on the Impact Fee Advisory Committee. He explained staff will request Council to replace and repeal the current Resolution regarding the composition of the committee as well as change the name to Impact Fee Capital Improvements Advisory Committee (IFCIAC). The proposed Resolution would make the Planning and Zoning Commission, a Council Member representative, and three Ad Hoc Board and Commission members, of which at least one must reside in the City's extraterritorial jurisdiction. Council will also take action on appointing the three Ad Hoc Board and Commission Members as a separate item. Mr. Ludwig explained the city is required to provide semi-annual updates to the IFCIAC. The Committee will continue to provide recommendations to Council for any changes proposed to the land use assumptions, capital improvement plans or impact fee rates.

**3. Adjourn**

There being no further business, the meeting adjourned at 6:28 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

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# WAXAHACHIE POLICE DEPARTMENT



## **2019 CITIZEN CONTACT REPORT**

January 15, 2020

(5A)

### **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.

## Introduction

This report details an analysis of the Waxahachie Police Department's statistical information on citizen contacts for the year 2019. According to the State of Texas, "race" means "of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent".

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. The full copies of the applicable laws and regulations pertaining to this report are contained in Appendix A.

This report is divided into five 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 2010 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. This is primarily caused by individuals being counted twice. 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 several major thoroughfares through Waxahachie and many people who receive citations do not live in the city or the county.

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

**2010 Population – City of Waxahachie\***

Total Population	29,621	
Caucasian (Not Hispanic)	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%**

\*These numbers provided by the US Census Bureau

\*\* Total sum of races exceeds actual total population

**2010 Population – Ellis County\***

Total Population	149,610	
Caucasian (Not Hispanic)	117,662	78.6%
African (Black)	13,482	9.0%
Amer. Indian	893	0.6%
Asian	851	0.6%
Hispanic	35,161**	23.5%**

\*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.

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## **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 4.162 states in part:

### **II. POLICY:**

- A. 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**

- A. 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.



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- B. This policy is intended to reaffirm the Waxahachie Police Departments commitment to unbiased policing, to clarify the circumstances in which officers can consider race/ethnicity when making law enforcement decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way.

### **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.

### **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 2017 video review log is attached to this report.

### **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.

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### 201.76 Analysis of Traffic Stops

Waxahachie Police Officers made a total of 8,114 stops that resulted in citations or arrests during 2017. 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, 23% of Waxahachie is Hispanic and 21% 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 18% 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 58%.

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	5463	60	1720	1702	28	
Percentage	61%	1%	19%	19%	0%	
Waxahachie Population	75.6%	0.5%	23.2%	12.9%	0.6%	10.4%**
Ellis Population	78.6%	0.6%	23.5%	9.0%	0.6%	11.1%**

\*\* 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.

### 2019 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

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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.

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 614 searches were conducted and there was contraband found in 364 of those searches.

Search Conducted?	
Yes	614
No	8359
	8973

(5d)

Reason for Search	
Consent	122
Plain View	67
Probable Cause	233
Inventory	26
Incident to arrest	166
	614

Contraband	
Yes	364
No	250
	614
Type of Contraband	
Alcohol	128
Currency	
Drugs	221
Other	3
Weapons	12
Stol. Property	
	364

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

(See next page)

(5d)

## TCOLE Submitted Data

### MOTOR VEHICLE RACIAL PROFILING INFORMATION

\*Total Stops:

---

#### 1. GENDER

*(Must equal total number of stops) - CCP 2.133(b)(1)(a)*

*1.1 Female:	<input type="text" value="3664"/>
*1.2 Male:	<input type="text" value="5309"/>

---

#### 2. RACE OR ETHNICITY

*(Must equal total number of stops) - CCP 2.132(a)(3), 2.132(b)(6)(A), 2.133(b)(1)(B)*

*2.1 Black:	<input type="text" value="1702"/>
*2.2 Asian/Pacific Islander:	<input type="text" value="60"/>
*2.3 White:	<input type="text" value="5463"/>
*2.4 Hispanic/Latino:	<input type="text" value="1720"/>
*2.5 Alaska Native/American Indian:	<input type="text" value="28"/>

---

#### 3. WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

*(Must equal total number of stops) - CCP 2.132(b)(6)(C)*

*3.1 Yes:	<input type="text" value="303"/>
*3.2 No:	<input type="text" value="8670"/>

---

#### 4. REASON FOR STOP

*(Must equal total number of stops) - CCP 2.132(b)(6)(F), 2.133(b)(2)*

*4.1 Violation of law:	<input type="text" value="967"/>
*4.2 Preexisting knowledge:	<input type="text" value="98"/>
*4.3 Moving traffic violation:	<input type="text" value="6541"/>
*4.4 Vehicle traffic violation:	<input type="text" value="1367"/>

---

#### 5. STREET ADDRESS OR APPROXIMATE LOCATION OF THE STOP

*(Must equal total number of stops) - CCP 2.132(b)(6)(E), 2.133(b)(7)*

(14)

*5.1 City Street:	6101
*5.2 US Highway:	2263
*5.3 County Road:	72
*5.4 State Highway:	442
*5.5 Private property or other:	95

---

## 6. WAS A SEARCH CONDUCTED?

(Must equal total number of stops) - CCP 2.132(b)(6)(B), 2.133(b)(3)

*6.1 Yes:	614
*6.2 No:	8359

---

## 7. REASON FOR SEARCH

(Must equal value entered in 6.1)

*7.1 Consent:	122
CCP 2.132(b)(6)(B), 2.133(b)(3)	
*7.2 Contraband in plain view:	67
CCP 2.133(b)(5)(A)	
*7.3 Probable Cause:	233
CCP 2.133(b)(5)(B)	
*7.4 Inventory:	26
CCP 2.133(b)(5)(C)	
*7.5 Incident to arrest:	166
CCP 2.133(b)(5)(C)	

---

## 8. WAS CONTRABAND DISCOVERED?

- (Must equal value entered in 6.1) - CCP 2.133(b)(4)

*8.1 Yes:	364
*8.2 No:	250

---

## 9. DESCRIPTION OF CONTRABAND

(Must equal value entered in 8.1) - CCP 2.133(b)(4)

*9.1 Drugs:	221
*9.2 Currency:	0
*9.3 Weapons:	12
*9.4 Alcohol:	128
*9.5 Stolen property:	0

(5d)

\*9.6 Other:

3

## 10. RESULT OF STOP

*(Must equal total number of stops)*

\*10.1 Verbal Warning:

1

*CCP 2.133(b)(8)*

\*10.2 Written Warning:

3180

\*10.3 Citation:

5257

*CCP 2.133(b)(8)*

\*10.4 Written warning and arrest:

0

\*10.5 Citation and arrest:

82

\*10.6 Arrest:

453

*CCP 2.133(b)(6)*

## 11. ARREST BASED ON:

*(Must equal value entered in 10.6) - CCP 2.133(b)(6)*

\*11.1 Violation of Penal Code:

327

\*11.2 Violation of Traffic Law:

34

\*11.3 Violation of City Ordinance:

0

\*11.4 Outstanding Warrant:

166

## 12. WAS PHYSICAL FORCE RESULTING IN BODILY INJURY USED DURING THE STOP?

*(Must equal total number of stops) - CCP 2.132(b)(6)(D), 2.133(b)(9)*

\*12.1 Yes:

3

\*12.2 No:

8970

### 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 all races are stopped at a percentage that is representative of Waxahachie or the Ellis County area. 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.

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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 our case, we use data from the Municipal Court software system since all citations are processed through the municipal court. For arrest data, we have our Investigations clerk keep a physical count throughout the year of arrests that originate from traffic stops. There have been efforts to standardize collection methods and agencies are now required to submit certain data to the Texas Commission on Law Enforcement (TCOLE).

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.

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 take into account 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 take into account 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.



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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 heavily 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	71	
Caucasian	62	87%*
African (Black)	4	6%
Amer. Indian	0	0%
Asian	1	1%
Hispanic	4	6%
* 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 75 officers but we currently have four openings for police officers. The numbers shown reflect actual numbers of officers.

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 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.

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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.

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## **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;
- (4) provide public education relating to the agency's complaint and complaint process, including providing the telephone number, mailing address, and e-mail address

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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

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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.

(5d)

(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.

(5d)

**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.

(5d)

(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



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(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

(5d)

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.

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

(5d)

(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.

## APPENDIX B

Waxahachie Police Department					
2019 Video Camera Review Log					
1st QUARTER					
B Shift					
	Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
	Figueras, M	3/6/2019		3/7/2019	DM130
	Figueras, M	3/4/2019		3/7/2019	DM130
	Figueras, M	2/21/2019		3/7/2019	DM130
	Gilbert, B	1/11/2019	1900001255	3/28/2019	CH 131
	Gilbert, B	1/26/2019	1900003034	3/28/2019	CH 131
	Gilbert, B	3/13/2019	1900003034	3/28/2019	CH 131
	Gonzales, A	3/27/2019	1900009507	3/28/2019	CH 131
	Gonzales, A	3/4/2019	E0045584	3/28/2019	CH 131
	Gonzales, A	3/23/2019	1900009025	3/28/2019	CH 131
	Heiskell, D	2/18/2019	1900005524	3/28/2019	CH 131
	Heiskell, D	3/09/209	1900007485	3/28/2019	CH 131
	Heiskell, D	3/10/2019	E0042853	3/28/2019	CH 131
	Kaelin, C	2/6/2019	E0043050	2/21/2019	B. Gray
	Kaelin, C				
	Kaelin, C				
	Kirk, J	2/1/2019	1900003596	2/1/2019	JWO112

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Kirk, J	1/2/2019	1900000273	3/9/2019	JWO112
Kirk, J	3/23/2019	1900009003	3/25/2019	JWO112
Lewis, J	3/7/2019	1900007245	3/7/2019	DM130
Lewis, J	3/7/2019	1900007287	3/7/2019	DM130
Lewis, J				
Page, N	1/2/2019	1900000273	3/9/2019	JWO112
Page, N	3/9/2019	1900005647	3/9/2019	JWO112
Page, N	3/18/2019	E0044597	3/19/2019	AB127
Rollins, A	3/9/2019	1900007485	3/28/2019	CH 131
Rollins, A	3/27/2019	1900009508	3/28/2019	CH 131
Rollins, A	3/23/2019	E0044629	3/28/2019	CH 131
Sibley, C	2/1/2019	1900003586	2/1/2019	JWO112
Sibley, C	2/11/2019	1900004626	2/15/2019	JWO112
Sibley, C	3/13/2019	1900007990	3/25/2019	JWO112
Smith, E	3/28/2019	1900009580	3/29/2019	JWO112
Smith, E	3/4/2019	1900006889	3/29/2019	JWO112
Smith, E	3/24/2019	1900009094	3/29/2019	JWO112
Starkey, A	2/9/2019	1900004465	2/10/2019	JWO112
Starkey, A	1/27/2019	1900003088	3/29/2019	JWO112
Starkey, A	1/4/2019	1900000369	3/29/2019	JWO112
Stephens, B	3/25/2019	1900009238	3/29/2019	JWO112
Stephens, B	2/28/2019	1900009238	3/29/2019	JWO112
Stephens, B	1/23/2019	1900002565	3/29/2019	JWO112
Wilmot, R	3/13/2019	1900007990	3/25/2019	JWO112
Wilmot, R	3/18/2019	1900008466	3/29/2019	JWO112
Wilmot, R	1/31/2019	1900003512	3/29/2019	JWO112

Waxahachie Police Department					
2019 Video Camera Review Log					
2nd QUARTER					
B Shift					
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by	
Figueras, M	6/20/2019		6/25/2019	CH131	
Figueras, M	6/20/2019		6/25/2019	CH131	
Figueras, M	6/3/2019	1900017659	6/3/2019	RG114	
Gilbert, B	5/22/2019	1900016325	5/22/2019	CH131	
Gilbert, B	5/13/2019	1900015207	13-May	CH131	
Gilbert, B	6/26/2019	1900020423	6/29/2019	RG114	

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Gonzales, A	6/25/2019		6/25/2019	CH 131
Gonzales, A	6/25/2019		6/25/2019	CH 131
Gonzales, A	4/25/2019	E0043229	7/3/2019	RG114
Cole, M	4/20/2019	E0046524	7/3/2019	RG114
Cole, M	5/18/2019	E0046597	7/3/2019	RG114
Cole, M	6/19/2019	E0045894	7/3/2019	RG114
Farmer, C	5/23/2019	1900016509	5/23/2019	CH131
Farmer, C	6/26/2019	1900020423	6/29/2019	RG114
Farmer, C	3/24/2019	1900009057	3/27/2019	RG114
Kirk, J	5/9/2019	1900014252	5/9/2019	JWO112
Kirk, J	6/6/2019	1900018014	6/10/2019	JWO112
Kirk, J	6/25/2019	None	6/25/2019	JWO112
Lewis, J	4/16/2019	1900011580	7/3/2019	RG114
Lewis, J	5/23/2019	1900016460	7/3/2019	RG114
Lewis, J	6/12/2019	E0049115	7/3/2019	RG114
Page, N	4/21/2019	1900012718	4/24/2019	JWO112
Page, N	4/1/2019	E0048530	6/10/2019	JWO112
Page, N	6/24/2019	1900020157	6/25/2019	JWO112
Rollins, A	3/24/2019	1900009057	3/27/2019	RG114
Rollins, A	5/20/2019	1900016009	5/20/2019	CH131
Rollins, A	6/20/2019	E0048302	7/3/2019	RG114
Sibley, C	4/2/2019	E0038404	4/10/2019	JWO112
Sibley, C	5/3/2018	1900013922	5/3/2018	JWO112
Sibley, C	6/24/2018	1900020140	6/25/2019	JWO112
Smith, E	4/30/2019	1900013703	4/30/2019	CH131
Smith, E	5/9/2019	1900014731	5/9/2019	CH131
Smith, E	6/26/2019	1900020426	6/29/2019	RG114
Starkey, A	5/3/2019	1900013922	5/3/2018	JWO112
Starkey, A	6/25/2019	1900020279	6/25/2019	JWO112
Starkey, A	6/10/2019	1900018423	6/10/2019	JWO112
Stephens, B	4/21/2019	1900012718	4/24/2019	JWO112
Stephens, B	6/20/2019	1900019701	6/25/2019	JWO112
Stephens, B	6/10/2019	1900018447	6/10/2019	JWO112
Wilmot, R	5/9/2019	1900014252	5/9/2019	JWO112
Wilmot, R	6/20/2019	1900019647	6/25/2019	JWO112
Wilmot, R	6/2/2019	1900017548	6/25/2019	JWO112

## Waxahachie Police Department

### 2019 Video Camera Review Log

3rd QUARTER



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B  
Shift

Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
Farmer, C	7/14/2019	E0048408	9/25/2019	114
Farmer, C	8/25/2019	E0053169	9/25/2019	114
Farmer, C	8/20/2019	19000277714	9/26/2019	114
Gilbert, B	7/26/2019	1900024597	7/27/2019	CH131
Gilbert, B	9/20/2019	1900021709	9/21/2019	CH131
Gilbert, B	8/23/2019	hawkins citation	9/25/2019	114
Gonzales, A	7/28/2019	e0051579	9/26/2019	114
Gonzales, A	8/6/2019	e0051642	9/26/2019	114
Gonzales, A	9/16/2019	e0051896	9/26/2019	114
Cole, M	7/23/2019	e0046799	9/26/2019	114
Cole, M	8/6/2019	e0046877	9/26/2019	114
Cole, M	9/11/2019	e0044493	9/29/2019	114
Martin, S	9/6/2019	1900030154	9/9/2019	JWO112
Martin, S	9/21/2019	1900032008	9/22/2019	JWO112
Martin, S	9/27/2019	1900032885	9/30/2019	JWO112
Page, N	7/3/2019	1900021486	7/8/2019	JWO112
Page, N	8/7/2019	1900026067	8/21/2019	JWO112
Page, N	9/21/2019	1900032008	9/22/2019	JWO112
Rollins, A	8/10/2019	1900024619	8/14/2019	CH131
Rollins, A	7/23/2019	1900024239	8/15/2019	CH131
Rollins, A	8/10/2019	1900026419	9/26/2019	114
Sibley, C	9/17/2019	1900031679	9/18/2019	JWO112
Sibley, C	7/27/2019	1900024752	9/22/2019	JWO112
Sibley, C	8/10/2019	1900026442	9/22/2019	JWO112
Smith, E	7/28/2019	1900024688	7/28/2019	CH131
Smith, E	8/10/2019	1900026419	8/11/2019	CH131
Smith, E	8/29/2019	1900028971	8/29/2019	CH131
Starkey, A	8/12/2019	1900026587	8/21/2019	JWO112
Starkey, A	9/18/2019	1900031703	9/22/2019	JWO112
Starkey, A	9/30/2018	1900033307	9/30/2018	JWO112
Stephens, B	7/3/2019	1900021486	7/8/2019	JWO112
Stephens, B	8/7/2019	1900026067	8/21/2019	JWO112

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Stephens, B	9/6/2019	1900030154	9/9/2019	JWO112
Stracener, A	8/10/2019	1900026426	8/10/2019	CH131
Stracener, A	7/23/2019	e0052078	9/26/2019	114
Stracener, A	9/11/2019	e0047297	9/26/2019	114
Wafer, D	7/9/2019	1900022179	8/21/2019	JWO112
Wafer, D	9/6/2019	1900030154	9/9/2019	JWO112
Wafer, D	9/30/2018	1900033307	9/30/2018	JWO112

Waxahachie Police Department					
2019 Video Camera Review Log					
4th QUARTER					
B Shift					
	Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
	Farmer, C	10/19/2019	E0052420	12/27/2019	RG114
	Farmer, C	11/21/2019	E0058082	12/27/2019	RG114
	Farmer, C	12/9/2019	1900041490	12/11/2019	RG114
	Gilbert, B	10/19/2019		12/28/2019	RG114
	Gilbert, B	11/12/2019	1900038598	12/28/2019	RG114
	Gilbert, B	12/24/2019	1900043038	12/28/2019	RG114
	Gonzales, A	10/29/2019	1900036956	12/13/2019	JWO
	Gonzales, A	11/25/2019	1900039996	12/13/2019	JWO
	Gonzales, A	12/15/2019	E0056240	12/27/2019	RG114
	Cole, M	10/15/2019	1900035195	10/20/2019	CH 131
	Cole, M	11/8/2019	E0050602	12/10/2019	RG114
	Cole, M	12/5/2019	E0041992	12/10/2019	RG114
	Martin, S	10/29/2019	1900036956	12/13/2019	JWO
	Martin, S	11/11/2019	1900038499	12/13/2019	JWO
	Martin, S	12/19/2019	1900042552	12/29/2019	AB127
	Page, N	10/2/2019	1900033325	10/2/2019	JWO
	Page, N	9/27/2019	1900041524	10/2/2019	JWO
	Page, N	12/27/2019	E0057702	12/29/2019	AB127
	Rollins, A	10/18/2019	E0054521	12/30/2019	RG114

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Rollins, A	11/16/2019	E0057542	12/30/2019	RG114
Rollins, A	12/1/2019	1900040508	12/30/2019	RG114
Sibley, C	10/4/2019	1900033743	12/29/2019	AB127
Sibley, C	12/12/2019	E0050130	12/29/2019	AB127
Sibley, C	10/23/2019	1900036205	12/29/2019	AB127
Smith, E	10/15/2019	1900035180	10/15/2019	CH 131
Smith, E	11/2/2019	1900037441	11/3/2019	CH 131
Smith, E	12/24/2019	E0057135	12/27/2019	RG114
Starkey, A	10/15/2019	1900035101	10/18/2019	JWO
Starkey, A	9/27/2019	1900041524	10/2/2019	JWO
Starkey, A	11/11/2019	1900038499	12/13/2019	JWO
Stephens, B	10/15/2019	1900035101	10/18/2019	JWO
Stephens, B	12/14/2019	1900041917	12/14/2019	JWO
Stephens, B	12/24/2019	1900041377	12/29/2019	AB127
Stracener, A	11/3/2019	1900037486	11/3/2019	CH 131
Stracener, A	10/7/2019	E0052905	12/10/2019	RG114
Stracener, A	12/6/2019	E0043549	12/10/2019	RG114
Wafer, D	9/11/2019	1900003454	12/29/2019	RT105
Wafer, D	12/9/2019	1900041428	12/29/2019	AB127
Wafer, D	9/16/2019	E0053570	12/29/2019	AB127

Waxahachie Police Department					
2019 Video Camera Review Log					
1st QUARTER					
A Shift					
Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by	
Martin, W	2/27/2019	1900006323	3/7/2019	S. Sanders	
Martin, W	2/3/2019	1900003893	3/7/2019	S. Sanders	
Martin, W	1/1/2019	1900000055	3/11/2019	S. Sanders	
Dunn, B	3/3/20019	1900006769	3/6/2019	B. Gray	
Dunn, B	3/16/2019	E0044251	3/20/2019	B. Gray	
Dunn, B	3/21/2019	N/A	3/25/2019	B. Gray	
Taylor, J	1/9/2019	19000001125	3/11/2019	S. Sanders	
Taylor, J	2/7/2019	E0044101	3/11/2019	S. Sanders	
Taylor, J	3/7/2019	E0044559	3/11/2019	S. Sanders	
Fuller, B	2/5/2019	N/A	3/6/2019	B. Gray	
Fuller, B	3/16/2019	E0044251	3/20/2019	B. Gray	
Fuller, B	3/21/2019	N/A	3/25/2019	B. Gray	



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Blain, N	1/18/2019	E0041567	3/11/2019	S. Sanders
Blain, N	2/8/2019	1900004391	3/11/2019	S. Sanders
Blain, N	3/6/2019	1900007176	3/11/2019	S. Sanders
Knight, D	2/3/2019	1900003893	3/6/2019	S. Sanders
Knight, D	2/18/2019	1900005413	3/7/2019	S. Sanders
Knight, D	3/7/2019	E0042832	3/11/2019	S. Sanders
McKie, D	2/18/2019	1900005413	3/7/2019	S. Sanders
McKie, D	2/7/2019	E0041644	3/11/2019	S. Sanders
McKie, D	3/1/2019	1900006622	3/11/2019	S. Sanders
Lytle, S	2/18/2019	1900005413	3/7/2019	S. Sanders
Lytle, S	2/22/2019	1900005984	3/11/2019	S. Sanders
Lytle, S	3/7/2019	E0041774	3/11/2019	S. Sanders
Wright, K	2/6/2019	E0042294	2/21/2019	B. Gray
Wright, K	2/6/2019	E0042293	3/6/2019	B. Gray
Wright, K	2/16/2016	1900004757	3/12/2019	B. Gray
Kaelin, C	2/6/2019	1900004207	3/6/2019	B. Gray
Kaelin, C	2/6/2019	E0043050	2/21/2019	B. Gray
Kaelin, C	1/4/2019	E0038987	3/25/2019	B. Gray
Partington, A	2/15/2019	1900005200	2/15/2019	B. Gray
Partington, A	2/15/2019	E0031937	3/12/2019	B. Gray
Partington, A	1/4/2019	E0028284	3/25/2019	B. Gray
Behringer, D	3/11/2019	N/A	3/12/2019	B. Gray
Behringer, D	3/16/2019	1900008296	20-Mar	B. Gray
Behringer, D	3/21/2019	1900008827	3/25/2019	B. Gray
Clayton, R	1/18/2019	Citation	3/11/2019	S. Sanders
Clayton, R	2/17/2019	1900005417	3/11/2019	S. Sanders
Clayton, R	3/2/2019	1900006705	3/11/2019	S. Sanders
Koch, D	2/20/2019	N/A warning	2/21/2019	B. Gray
Koch, D	2/12/2019	E0031920	3/6/2019	B. Gray
Koch, D	3/25/2019	1900009248	3/25/2019	B. Gray
Brasher, A	2/20/2019	1900005739	2/21/2019	B. Gray
Brasher, A	25-Feb	E0041382	3/6/2019	B. Gray
Brasher, A	3/11/2019	E0044568	3/12/2019	B. Gray
Skidmore, R	2/6/2019	E0038289	2/21/2019	B. Gray
Skidmore, R	2/21/2019	E0028415	3/6/2019	B. Gray
Skidmore, R	2/7/2019	E0031905	3/6/2019	B. Gray
Patterson, K	2/27/2019	1900006323	3/7/2019	S. Sanders
Patterson, K	2/18/2019	1900005413	3/7/2019	S. Sanders
Patterson, K	3/3/2019	E0031974	3/11/2019	S. Sanders
Snyder, D	2/6/2019	N/A warning	2/21/2019	B. Gray
Snyder, D	3/3/2019	E0044183	3/6/2019	B. Gray

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Snyder, D	3/11/2019	E0044235	3/12/2019	B. Gray
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Waxahachie Police Department 2019 Video Camera Review Log					
2nd QUARTER					
A Shift					
	Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
	Martin, W	6/8/2019		6/18/2019	R. Wilson
	Martin, W	6/8/2019	E0047172	6/18/2019	R. Wilson
	Martin, W	6/8/2019	E0047183	6/18/2019	R. Wilson
	Dunn, B	4/17/2019	E0046064	4/18/2019	B. Gray
	Dunn, B	5/13/2019	1900015099	5/17/2019	B. Gray
	Dunn, B	6/8/2019	CFS	6/19/2019	B. Fuller
	Taylor, J	6/17/2019		6/21/2019	R Wilson
	Taylor, J	5/27/2019	CFS	6/21/2019	R Wilson
	Taylor, J	5/2/2019	E0048651	6/21/2019	R Wilson
	Fuller, B	4/13/2019	1900011643	4/18/2019	B. Gray
	Fuller, B	5/11/2019	N/A	5/17/2019	B. Gray
	Fuller, B	6/4/2019	N/A	6/19/2019	B. Gray
	Blain, N	5/30/2019	E0047147	6/21/2019	R Wilson
	Blain, N	5/12/2019		6/21/2019	R Wilson
	Blain, N	5/11/2019	1900014903	6/21/2019	R. Wilson
	Knight, D	4/30/2019	1900013580	4/30/2019	CH 131
	Knight, D	6/20/2019		6/20/2019	CH 131
	Knight, D				
	McKie, D				
	McKie, D				
	McKie, D				
	Lytle, S	6/18/2019	E0048820	6/26/2019	DM130
	Lytle, S	5/10/2019	E0045747	6/26/2019	DM130
	Lytle, S	4/9/2019	E0047005	6/26/2019	DM130
	Wright, K	4/12/2019	E0045680	4/18/2019	B. Gray
	Wright, K	5/11/2019	E0048116	5/17/2019	B. Gray
	Wright, K	6/14/2019	CFS	6/19/2019	B. Fuller

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Kaelin, C				
Kaelin, C				
Kaelin, C				
Behringer, D	6/13/2019	1900018841	7/1/2019	B. Gray
Behringer, D	6/19/2019	E0047837	7/1/2019	B. Gray
Behringer, D	6/24/2019	N/A	7/1/2019	B. Gray
Clayton, R	5/29/2019	CFS	6/18/2019	R. Wilson
Clayton, R	5/26/2019	CFS	6/18/2019	R. Wilson
Clayton, R	5/30/2019	CFS	6/18/2019	R. Wilson
Koch, D	4/13/2019	1900011643	4/18/2019	B. Gray
Koch, D	5/15/2019	1900015442	5/17/2019	B. Gray
Koch, D	6/13/2019	N/A	7/1/2019	B. Gray
Brasher, A	4/14/2019	E0044381	4/18/2019	B. Gray
Brasher, A	5/15/2019	E00048704	5/17/2019	B. Gray
Brasher, A	6/10/2019	1900018392	6/19/2019	B. Fuller
Skidmore, R	4/14/2019	E0046055	4/18/2019	B. Gray
Skidmore, R	5/11/2019	1900014960	5/17/2019	B. Gray
Skidmore, R	6/17/2019	E0044875	6/19/2019	B. Gray
Patterson, K	4/17/2019	E0049657	6/26/2019	DM130
Patterson, K	5/16/2019	E0046126	6/26/2019	DM130
Patterson, K	6/18/2019	N/A	6/26/2019	DM130
Snyder, D	4/8/2019	1900011066	4/18/2019	B. Gray
Snyder, D	5/15/2019	E0044823	5/17/2019	B. Gray
Snyder, D	6/9/2019	CFS	6/19/2019	B. Fuller

## Waxahachie Police Department

### 2019 Video Camera Review Log

3rd QUARTER					
A Shift					
	Officer Name	Date of Incident	Case No.	Date of Review	Reviewed by
	Martin, W				
	Martin, W				
	Martin, W				
	Dunn, B	8/18/2019	1900027486	8/18/2019	B. Gray
	Dunn, B	9/9/2019	190003039	9/10/2019	B. Gray

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Dunn, B	9/13/2019	E0043524	9/14/2019	B. Gray
Taylor, J				
Taylor, J				
Taylor, J				
Fuller, B	8/6/2019	1900027239	8/18/2019	B. Gray
Fuller, B	9/9/2019	1900030534	9/14/2019	B. Gray
Fuller, B	7/11/2019	1900022559	9/14/2019	B. Gray
Blain, N				
Blain, N				
Blain, N				
Knight, D	8/17/2019	E0045478	8/18/2019	B. Gray
Knight, D	8/27/2019	1900028696	8/31/2019	B. Gray
Knight, D	9/9/2019	E0030546	9/10/2019	B. Gray
McKie, D				
McKie, D				
McKie, D				
Lytle, S				
Lytle, S				
Lytle, S				
Wright, K	7/5/2019	E0047275	7/6/2019	B. Gray
Wright, K	8/30/2019	1900029109	8/31/2019	B. Gray
Wright, K	9/13/2019	1900026913	9/14/2019	B. Gray
Kaelin, C	7/5/2019	E0043461	7/6/2019	B. Gray
Kaelin, C	8/16/2019	E0051693	8/18/2019	B. Gray
Kaelin, C	9/9/2019	15636	9/10/2019	B. Gray
McCorkle, M	7/5/2019	E0044925	7/6/2019	B. Gray
McCorkle, M	8/18/2019	1900027486	8/18/2019	B. Gray
McCorkle, M	9/10/2019	1900030612	9/14/2019	B. Gray
Behringer, D	8/10/2019	E0051021	8/18/2019	B. Gray
Behringer, D	9/13/2019	1900031140	9/14/2019	B. Gray
Behringer, D	7/21/2019	E0052060	9/14/2019	B. Gray
Clayton, R				
Clayton, R				
Clayton, R				
Brasher, A	8/13/2019	E0046421	8/18/2019	B. Gray
Brasher, A	8/17/2019	E0053125	8/18/2019	B. Gray
Brasher, A	9/5/2019	1900029971	9/9/2019	B. Gray
Skidmore, R	8/18/2019	1900027486	8/18/2019	B. Gray
Skidmore, R	9/13/2019	verbal warning	9/14/2019	B. Gray
Skidmore, R	9/10/2019	E0051133	9/14/2019	B. Gray
Patterson, K				

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Patterson, K				
Patterson, K				
Snyder, D	7/5/2019	E0045249	7/6/2019	B. Gray
Snyder, D	8/30/2019	E0053202	8/31/2019	B. Gray
Snyder, D	9/13/2019	1900031046	9/14/2019	B. Gray

## Waxahachie Police Department

### 2019 Video Camera Review Log

4th QUARTER					
A Shift					
	Officer Name	Date of Incident	Case No.	Date of Review	Reviewed by
	Martin, W	9/24/2019	CFS	10/3/2019	R Wilson
	Martin, W	9/16/2019	CFS	10/3/2019	R Wilson
	Martin, W	9/14/2019	CFS	10/3/2019	R Wilson
	Dunn, B	10/7/2019	E0054125	10/26/2019	B. Gray
	Dunn, B	9/27/2019	E0052333	11/18/2019	B. Gray
	Dunn, B	9/13/2019	E0043524	12/23/2019	B. Gray
	Taylor, J	10/8/2019	CFS	10/21/2019	R Wilson
	Taylor, J	10/7/2019	CFS	10/21/2019	R Wilson
	Taylor, J	9/29/2019	CFS	10/21/2019	R Wilson
	Fuller, B	10/12/2019	1900034825	10/26/2019	B. Gray
	Fuller, B	11/1/2019	1900037225	11/18/2019	B. Gray
	Fuller, B	12/21/2019	1900042828	12/22/2019	B. Gray
	Blain, N	10/3/2019	Citation	10/21/2019	R Wilson
	Blain, N	10/2/2019	CFS	10/21/2019	R Wilson
	Blain, N	9/30/2019	33221	10/21/2019	R Wilson
	Knight, D	11/4/2019	Citation	11/27/2019	R Wilson
	Knight, D	10/31/2019	Citation	11/27/2019	R Wilson
	Knight, D	10/21/2019	CFS	11/27/2019	R Wilson
	McKie, D	10/21/2019	Traffic	10/22/2019	R Wilson
	McKie, D	10/17/2019	CFS	10/22/2019	R Wilson
	McKie, D	10/12/2019	CFS	10/22/2019	R Wilson
	Lytle, S	10/2/2019	CFS	10/21/2019	R Wilson
	Lytle, S	10/2/2019	Citation	10/21/2019	R Wilson
	Lytle, S	10/17/2019	Traffic	10/21/2019	R Wilson
	Wright, K	10/12/2019	E0054514	10/26/2019	B. Gray
	Wright, K	11/10/2019	E0050158	11/18/2019	B. Gray
	Wright, K	11/23/2019	1900039846	11/24/2019	B. Gray

(5d)

Kaelin, C	11/19/2019	Citation	12/26/2019	R. Wilson
Kaelin, C	11/17/2019	Citation	12/26/2019	R. Wilson
Kaelin, C	11/21/2019	Citation	12/26/2019	R. Wilson
McCorkle, M	10/17/2019	E0055209	10/26/2019	B. Gray
McCorkle, M	11/10/2019	E0041974	11/18/2019	B. Gray
McCorkle, M	11/23/2019	1900039846	11/24/2019	B. Gray
Behringer, D	10/14/2019	E0055201	10/26/2019	B. Gray
Behringer, D	11/18/2019	1900039339	11/19/2019	B. Gray
Behringer, D	11/30/2019	E0050205	12/22/2019	B. Gray
Clayton, R	10/8/2019	CFS	10/21/2019	R Wilson
Clayton, R	10/17/2018	Traffic	10/21/2019	R Wilson
Clayton, R	10/16/2019	CFS	10/21/2019	R Wilson
Brasher, A	10/25/2019	E0050563	10/26/2019	B. Gray
Brasher, A	11/10/2019	E0057524	11/19/2019	B. Gray
Brasher, A	12/7/2019	E0058124	12/23/2019	B. Gray
Skidmore, R	10/2/2019	E0049885	10/26/2019	B. Gray
Skidmore, R	11/11/2019	E0054293	11/19/2019	B. Gray
Skidmore, R	12/22/2019	E0054345	12/23/2019	B. Gray
Patterson, K	10/3/2019	Citation	10/21/2019	R Wilson
Patterson, K	10/2/2019	Citation	10/21/2019	R Wilson
Patterson, K	9/25/2019	CFS	10/21/2019	R Wilson
Snyder, D	10/17/2019	E0052406	10/26/2019	B. Gray
Snyder, D	11/10/2019	E0058028	11/19/2019	B. Gray
Snyder, D	11/23/2019	1900039846	11/24/2019	B. Gray



## Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager

Thru:

Date: February 6, 2020

Re: TIRZ recommended projects

On February 5, 2020, the Tax Increment Reinvestment Zone ("TIRZ") board convened to consider two items and both were recommended for City Council approval.

The first is a request to assist with funding foundation work at the Historical Freight Depot, located at 421 S. College Street. The Freight Depot, once renovated, would serve as retail or restaurant space and link between downtown and Railyard Park. This project will enhance the value of the property and allow the TIRZ to recoup this investment over time. The rehabilitation plans have been approved by the Historic Preservation Committee. The board voted for funding assistance from the TIRZ fund in the amount of \$138,484 for these repairs.

The second is a request from Glenn's Carpet property located at 301 N. College Street to repair their parking lot. The parking lot became faulty due to a drainage channel collapse. This request is similar to the approved request by Covenant Life Church for funding to repair a drainage channel collapse and parking lot repair at their facility at 423 N. College. The drainage channel is on private property and thus, not a part of the City-owned drainage system. The board voted for assistance from the TIRZ fund not to exceed \$25,000 for these repairs.

(5f)



## Memorandum

To: Honorable Mayor and City Council

From: Anita Simpson *AS*

Thru: Michael Scott, City Manager *MS*

Date: February 5, 2020

Re: 2020 Junk in the Trunk Events

---

The Waxahachie Downtown Merchants Association hosts this quarterly event as a fundraiser for their organization. All funds from space rental go towards their programs to promote downtown. Two of this year's dates have been coordinated with the two annual Antique Alley regional events to capitalize on visitor traffic and minimize street closure requests.

Request permission to close Franklin Street from College to Jackson from 7 am to 3 pm

Request permission to close College Street from Main to Franklin from 7 am to 3 pm

2020 Dates:

April 18<sup>th</sup>

June 20<sup>th</sup>

September 19<sup>th</sup>

November 21<sup>st</sup>

Thank you





Application for a Festival or Event Permit

Event Name and Description: WAXAJAM 2020  
EX WHS STUDENTS & FRIENDS MUSIC FESTIVAL SHOWCASING  
LOCAL TALENT.

Applicant Information

Name: JOHNNY BRYANT  
Address: 107 MCKENZIE  
City, State, Zip: WAXAHACHIE, TX 75165 Phone: 817-995-0102  
E-mail Address: \_\_\_\_\_

Organization Information

Organization Name: WAXAJAM  
Address: \_\_\_\_\_  
Authorized Head of Organization: SAM TAYLOR, STEVE CAGLE  
Phone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Event Chairperson/Contact

Name: JOHNNY BRYANT  
Address: 107 MCKENZIE  
City, State, Zip: WAXAHACHIE, TX. 75165 Phone: 817-995-0102  
E-mail Address: \_\_\_\_\_

Event Information

Event Location/Address: RAILPORT Amphitheater - College & Roger St  
Purpose: EX WHS STUDENTS & FRIENDS RAISING MONEY FOR SCHOLARSHIPS FOR MUS. STUDENTS  
Event Start Date and Time: Homecoming Weekend - ALL DAY SATURDAY -  
October 10, 2020

Received in  
City Secretary's Office

Event End Date and Time: <sup>(59)</sup> TBD 10/20 Homecoming \*\* October 10, 2020

Approximate Number of Persons Attending Event Per Day: 500

Site Preparation and Set-Up Date and Time: 10/2020 - Day before event

Clean-Up Completion Date and Time: 11 - Day After event

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.

- LIVE MUSIC
- VENDOR BOOTHS - Merchandise
- VENDOR BOOTHS - Food, Alcohol
- AUCTION
- Raffle

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

\*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? YES

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License. NOT @ THIS TIME

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.

[Signature] 12-15-2020  
Signature of Applicant 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).

\* \*\*WAITING ON WISD Redistricting Meetings to know DATE.  
WORKING WITH WISD School board & Ex Student Assoc.

# Waxahachie Amphitheater - 2020 WAXAJAM



**Villarreal, Amber**

(59)

**From:** Smith, John  
**Sent:** Thursday, December 26, 2019 2:11 PM  
**To:** Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Griffith, Thomas; Mosley, Laurie; Simpson, Anita; Martinez, Jose; Hill, Krystyne  
**Cc:** Scott, Michael; Ludwig, Tommy; Lawrence, Albert  
**Subject:** RE: Event Application-WAXAJAM 2020

I don't see any issues. They requested a dumpster, I'm sure we can handle it with our poly-carts.

It's great to see events being planned there.

Thanks,  
John

---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Thursday, December 26, 2019 2:03 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Smith, John <jsmith@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Hill, Krystyne <khill@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application-WAXAJAM 2020

Please review the attached event application and send me your comments/concerns. Note\* The applicant is waiting on WISD to set the 2020 Homecoming Date for the event.

Thank you,

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

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(59)

**Villarreal, Amber**

---

**From:** Simpson, Anita  
**Sent:** Thursday, December 26, 2019 2:31 PM  
**To:** Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Griffith, Thomas; Mosley, Laurie; Smith, John; Martinez, Jose; Hill, Krystyne  
**Cc:** Scott, Michael; Ludwig, Tommy; Lawrence, Albert  
**Subject:** RE: Event Application-WAXAJAM 2020

What if WISD sets Homecoming the same weekend as Texas Country Reporter Festival like they did in 2018? Would that be compatible with the festival?

Do you know what the X's around the perimeter mean? Are they asking for the part of College around the curve to be closed? There will technically be "on street" parking there I guess, but I don't know if it will be striped as spaces. And that makes for a tight fit if we block any of that. I believe everything else that is X'd is interior to the park and doesn't include any of Beverly Horak's property. Is that what everyone else sees?



---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Thursday, December 26, 2019 2:03 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Smith, John <jsmith@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Hill, Krystyne <khill@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application-WAXAJAM 2020

Please review the attached event application and send me your comments/concerns. Note\* The applicant is waiting on WISD to set the 2020 Homecoming Date for the event.

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[www.waxahachie.com](http://www.waxahachie.com)



(59)

**Villarreal, Amber**

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Thursday, December 26, 2019 3:45 PM  
**To:** Villarreal, Amber  
**Subject:** Re: Event Application-WAXAJAM 2020

I have no concerns with this request.

Sent from my iPhone

On Dec 26, 2019, at 14:03, Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)> wrote:

Please review the attached event application and send me your comments/concerns. Note\*  
The applicant is waiting on WISD to set the 2020 Homecoming Date for the event.

Thank you,

**Amber Villarreal, TRMC, CMC**  
**Acting City Secretary**  
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<Event Application-WAXAJAM 2020.pdf>

(59)

**Villarreal, Amber**

---

**From:** Mosley, Laurie  
**Sent:** Friday, December 27, 2019 11:40 AM  
**To:** Simpson, Anita  
**Cc:** Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Griffith, Thomas; Smith, John; Martinez, Jose; Hill, Krystyne; Scott, Michael; Ludwig, Tommy; Lawrence, Albert; Skistimas, Kelly  
**Subject:** Re: Event Application-WAXAJAM 2020

Good Morning Everyone! Kelly and I have both been working closely with this group, and it is everyone's understanding that they will not schedule homecoming the same weekend as the TCR festival, so we can perhaps add that stipulation to the event permit - "Excludes October 23-24, 2020."

Also, as for the as of the "x" marks, I'm pretty sure that is Johnny Bryant's way of saying it is contained within Railyard Park. All of our conversations have only been about utilizing that space.

I have copied Kelly on this email in case something has changed and she knows something different.

Thank you all!!  
Laurie

Sent from my iPhone

On Dec 26, 2019, at 2:31 PM, Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)> wrote:

What if WISD sets Homecoming the same weekend as Texas Country Reporter Festival like they did in 2018? Would that be compatible with the festival?

Do you know what the X's around the perimeter mean? Are they asking for the part of College around the curve to be closed? There will technically be "on street" parking there I guess, but I don't know if it will be striped as spaces. And that makes for a tight fit if we block any of that. I believe everything else that is X'd is interior to the park and doesn't include any of Beverly Horak's property. Is that what everyone else sees?



---

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**Sent:** Thursday, December 26, 2019 2:03 PM  
**To:** Ricky Boyd <[rboyd@waxahachiefire.org](mailto:rboyd@waxahachiefire.org)>; Wade Goolsbey <[wgoolsby@waxahachiepd.org](mailto:wgoolsby@waxahachiepd.org)>; Griffith,

(59)

**Villarreal, Amber**

---

**From:** Hill, Krystyne  
**Sent:** Friday, December 27, 2019 8:28 AM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Application-WAXAJAM 2020

Food and/or alcohol vendors will need to be permitted for the City of Waxahachie. If he needs recommendations I have a list!

---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Thursday, December 26, 2019 2:03 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Smith, John <jsmith@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Hill, Krystyne <khill@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application-WAXAJAM 2020

Please review the attached event application and send me your comments/concerns. Note\* The applicant is waiting on WISD to set the 2020 Homecoming Date for the event.

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## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: February 5, 2020

Re: PD-19-0175 – Victron Park

---

On February 3, 2020, the applicant requested to continue case no. PD-19-0175 to the March 10, 2020 Planning and Zoning meeting and the March 16, 2020 City Council meeting agenda.

(9+10)



## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: February 13, 2020

Re: ZDC-000001-2020 103 N. Jackson – Furniture Manufacture and Refinishing Shop

---

On February 12, 2020, the applicant requested to withdraw case no. ZDC-000001-2020 from the February 17, 2020 City Council meeting agenda.

(11)

## Planning & Zoning Department

### Plat Staff Report

Case: RP-19-0168



#### MEETING DATE(S)

*Planning & Zoning Commission:* February 11, 2020

*City Council:* February 17, 2020

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 11, 2020 the Commission voted 4-0 to recommend denial of plat no. RP-19-0168, due to lack of Right-of-Way dedication as determined by Sec. 3.1.c.6(a) *Dedication of Right-of-Way and Road Improvements* of the Waxahachie Subdivision Ordinance.

#### CAPTION

*Consider* request by Leslie Porterfield for a **Replat** of Tract 3, Allen Family Estates, to create Tracts 3A and 3B, Allen Family Estates, 4.833 acres (Property ID 147329) in the Extra Territorial Jurisdiction – Owner: Leslie Porterfield (RP-19-0168)

#### APPLICANT REQUEST

The applicant is requesting a replat that would separate Lot 3, Block 1 of the Allen Family tract into 2 different lots and allow for the construction of one (1) single family dwelling on the new lot in addition to an already existing dwelling unit on the property. The applicant is requesting a petition of relief for Right-of-Way dedication.

#### CASE INFORMATION

*Applicant:* Leslie Porterfield

*Property Owner(s):* Leslie Porterfield

*Site Acreage:* 4.833 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* N/A (ETJ)

*Adequate Public Facilities:* Adequate public facilities are available for this property.

#### SUBJECT PROPERTY

*General Location:* 2431 Patrick Rd

*Parcel ID Number(s):* 147329

(11)

**Current Zoning:** N/A (ETJ)

**Existing Use:** Largely undeveloped with an existing single family dwelling

**Platting History:** Lot 3, Block 1 Allen Family Estates has been platted but staff was unable to find the existing plat for the site.

**Site Aerial:**



#### **STAFF CONCERNS**

1. Staff has requested a 40' Right-of-Way dedication from the center of Patrick Rd due to Patrick Rd being listed as an 80' ROW per the City's Thoroughfare plan.

#### **APPLICANT RESPONSE TO CONCERNS**

1. The applicant wishes to request a petition of relief for ROW dedication. The applicant has made it known that any ROW dedication would be an issue for this replat and that the neighboring lots have not given up any ROW.

#### **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:

- ☒ Disapproval
  1. Staff is recommending disapproval for this replat because of a failure to dedicate the necessary ROW for Patrick Rd per *Sec. 3.1.c.6(a) Dedication of Right-of-Way and Road Improvements* of the Waxahachie Subdivision Ordinance.
- ☐ Approval, as presented.
- ☐ Approval, per the following conditions:

#### **ATTACHED EXHIBITS**

1. Plat Drawing
2. Water Letter
3. Ellis County Lot Width Variance

(11)

**Current Zoning:** N/A (ETJ)

**Existing Use:** Largely undeveloped with an existing single family dwelling

**Platting History:** Lot 3, Block 1 Allen Family Estates has been platted but staff was unable to find the existing plat for the site.

**Site Aerial:**



**STAFF CONCERNS**

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**APPLICANT RESPONSE TO CONCERNS**

1. The applicant wishes to request a petition of relief for ROW dedication. The applicant has made it known that any ROW dedication would be an issue for this replat and that the neighboring lots have not given up any ROW.

**RECOMMENDATION**

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- ☐ Approval, as presented.
- ☐ Approval, per the following conditions:

**ATTACHED EXHIBITS**

1. Plat Drawing
2. Water Letter
3. Ellis County Lot Width Variance

(11)

#### **APPLICANT REQUIREMENTS**

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

#### **CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

#### **STAFF CONTACT INFORMATION**

*Prepared by:*

Chris Webb

Planner

[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

[illegible]



(11)

**PLANNING & ZONING DEPARTMENT**  
401 South Rogers Street | Waxahachie, Texas 75168  
(469) 309-1290 | [www.waxahachie.com/Departments/PlanningandZoning](http://www.waxahachie.com/Departments/PlanningandZoning)



## WATER UTILITY PROVIDER'S ENDORSEMENT

**Applicant Name:** Leslie Porterfield **Parcel ID #:** \_\_\_\_\_  
**Subdivision Name:** \_\_\_\_\_

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

*Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.*

**Contact Information:**

Buena Vista-Bethel SUD	(972) 937-1212
Carroll Water Company	(972) 617-0817
Mountain Peak SUD	(972) 775-3765
Rockett SUD	(972) 617-3524
Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

**To be completed by the water utility provider:**

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <u>500 gpm</u>	<input type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Morgan Massey, Development Coordinator  
Print Name of General Manager of water provider or Designee

Rockett SUD  
Name of water provider company

Morgan Massey  
Signature of General Manager of water provider or Designee

11/14/2019  
Date



2019 SEP 12 AM 10:06

COMMISSIONERS COURT OF ELLIS COUNTY

ORDER NO. 363.19

FILED FOR RECORD  
KRYSTAL VALDEZ  
ELLIS COUNTY CLERK

ORIGINAL FILED

On this the 27<sup>th</sup> day of August 2019, the Commissioners' Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

**COUNTY JUDGE:**

☐ Judge Todd Little

**COMMISSIONERS:**

☐ Randy Stinson, Commissioner, Pct. 1

☐ Paul Perry, Commissioner, Pct. 3

☐ Lane Grayson, Commissioner, Pct. 2

☐ Kyle Butler, Commissioner, Pct. 4

**AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:**

**AN ORDER OF THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS GRANT A ONE-TIME VARIANCE FOR PARCEL ID NO. 147329 FROM SECTION IV (B) (4 - RESIDENTIAL LOTS) OF THE SUBDIVISION DEVELOPMENT STANDARDS TO ALLOW TWO (2) LOTS WITHOUT MEETING THE 150-FOOT ROAD FRONTAGE MINIMUM REQUIREMENT. THE OVERALL PROPERTY CONTAINS ± 4.83 ACRES OF LAND LOCATED AT 2431 PATRICK ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4 WITH PROPERTY MORE FULLY DESCRIBED IN EXHIBIT "A", PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Commissioners' Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

**NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS' COURT OF ELLIS COUNTY TEXAS, THAT:**

**SECTION 1. GRANTING OF A VARIANCE.**

The Commissioners' Court finds that the variance criteria outlined in Section VIII (B) of the Subdivision & Development Standards apply and are set forth above are incorporated into the body of this order as if fully set forth herein and the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.

(11)

**SECTION 2. CONDITIONS OF APPROVAL.**

The variance for the above-described property is hereby granted a one-time variance from the Ellis County Rules Section IV (B) (4) for relief from the minimum road frontage requirement of 150 feet to allow a road frontage variance on two (2) lots with a minimum lot frontage of  $\pm 110$  feet and  $\pm 130$  feet each with the following conditions:

- 1) An application for a subsequent replat shall be submitted for review that includes the road frontage width of two (2) lots with minimum lot frontages of  $\pm 110$  feet and  $\pm 130$  feet.
- 2) Only one (1) habitable structure shall be allowed per lot.
- 3) No further subdivision or platting of this property shall occur.

**SECTION 3. CONFLICTS.**

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

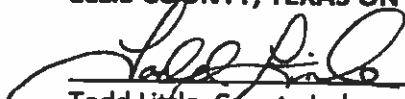
**SECTION 4. SEVERABILITY CLAUSE**


If any section, paragraph, sentence, phrase, or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect.

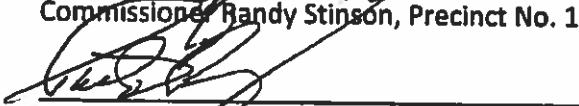
**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

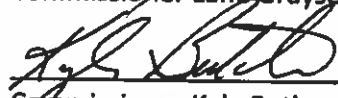
**PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 27TH DAY OF AUGUST, 2019.**

  
\_\_\_\_\_  
Todd Little, County Judge


  
\_\_\_\_\_  
Commissioner Randy Stinson, Precinct No. 1

  
\_\_\_\_\_  
Commissioner Paul Perry, Precinct No. 3

  
\_\_\_\_\_  
Commissioner Lane Grayson, Precinct No. 2

  
\_\_\_\_\_  
Commissioner Kyle Butler, Precinct No. 4

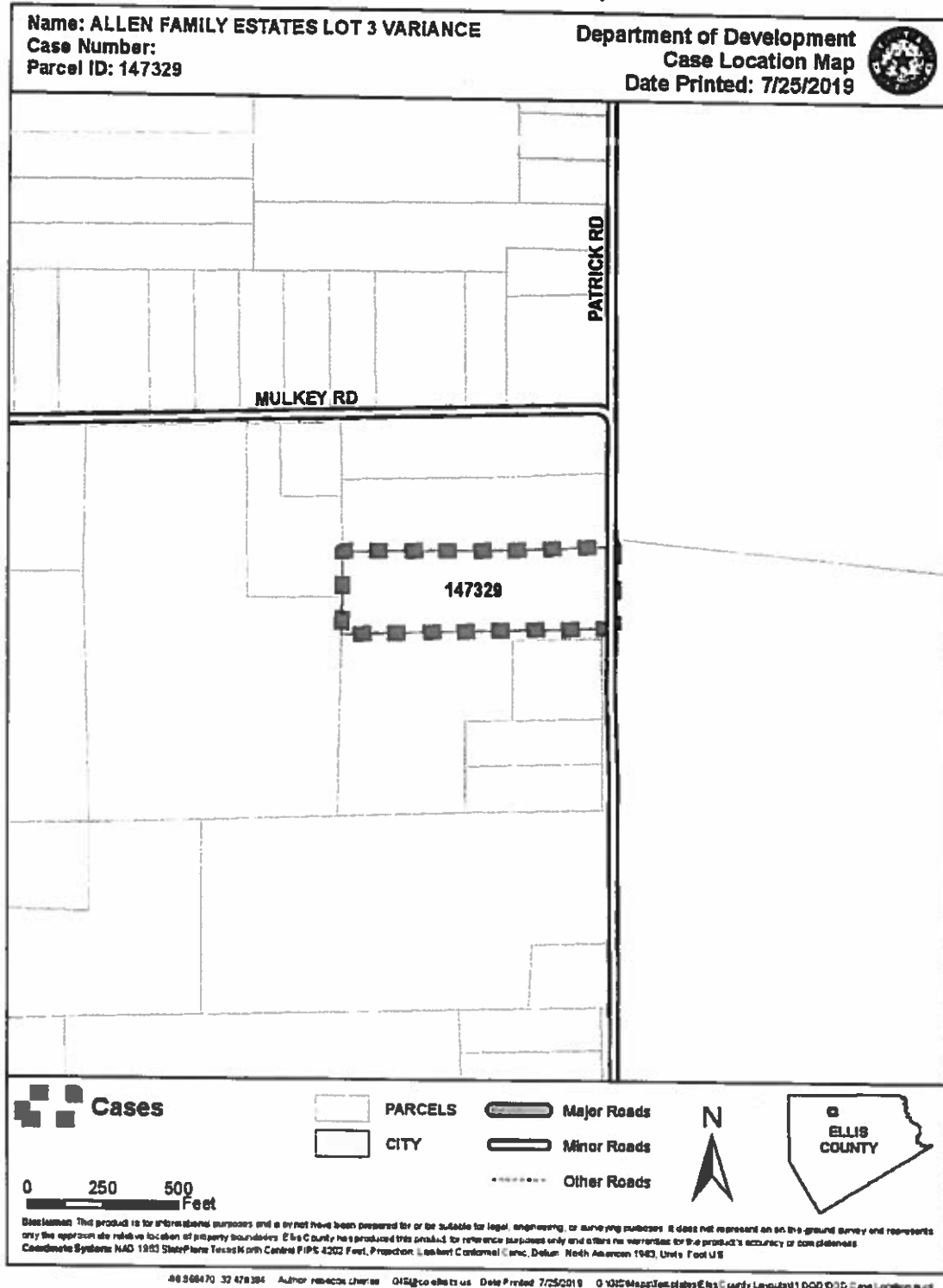
**ATTEST:**

  
\_\_\_\_\_  
Krystal Valdez, County Clerk



(11)

### Exhibit A - Location Map



(12)

# Planning & Zoning Department

## Zoning Staff Report

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Case: ZDC-000004-2020

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### MEETING DATE(S)

*Planning & Zoning Commission:* February 11, 2020

*City Council:* February 17, 2020

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 11, 2020, the Commission voted 4-0 to recommend approval of case number ZDC-000004-2020.

### CAPTION

**Public Hearing** on a request by Clay Cristy, Claymoore Engineering, for a Specific Use Permit (SUP) for **Drive Through Establishment** use within a Light Industrial-1 zoning district located on a portion of land at the SW corner of FM 66 and Interstate 35E (being a portion of Property ID 174460) – Owner: DML Land LLC (ZDC-000004-2020)

### APPLICANT REQUEST

The applicant is requesting to construct a Drive Through Establishment (McDonald's) on 1.43 acres.

### CASE INFORMATION

*Applicant:* Clay Cristy, Claymoore Engineering

*Property Owner(s):* Michael Lyle, DML Land

*Site Acreage:* 1.43 acres

*Current Zoning:* Light Industrial-1

*Requested Zoning:* Light Industrial-1 with SUP

### SUBJECT PROPERTY

*General Location:* SW corner of FM 66 and Interstate 35E

*Parcel ID Number(s):* 174460

*Existing Use:* Currently Undeveloped

*Development History:* N/A

(10)

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	LI1 & GR	Shell Gas Station/Sonic Drive-In
East	GR	Exxon Gas Station
South	LI1	Currently Undeveloped
West	LI1	Estes Electric

***Future Land Use Plan:***

Mixed Use Non-Residential

***Comprehensive Plan:***

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

***Thoroughfare Plan:***

The subject property is accessible FM 66 and a future proposed roadway by the developer.

***Site Image:***



(118)

## **PLANNING ANALYSIS**

### **Purpose of Request:**

The applicant intends to develop a drive through establishment (McDonald's) at the Southwest corner of FM 66 and Interstate 35E. Per the City of Waxahachie Zoning Ordinance, a drive through establishment requires a Specific Use Permit. Due to the Future Land Use Plan (FLUP) designating this area as Mixed Use Non-Residential, the proposed use is consistent with the FLUP.

### **Proposed Use:**

The proposed development includes a 6,003 sq. ft. building that will operate as a quick service restaurant with a drive through. The proposed development will comprise of indoor dining and a children's play area. Per the Operational Plan, the restaurant will be open 24 hours, Sunday-Saturday.

### **Signage:**

The applicant is proposing a pole sign at the Northeast corner of the subject property. According to the submitted sign plan, the proposed height of the sign is labeled "TBD" in hopes to negotiate an acceptable height with City Council. Per the City of Waxahachie Zoning Ordinance, Article 5, Section 8 (5.08) specifies that "pole and pylon signs are only allowed on Interstate 35E and U.S. Highway 287 bypass".

## **DEVELOPMENT STANDARDS**

Table 1 evaluates the dimensional standards for the proposed development.

**Table 1: Proposed Development Standards (Light Industrial-1)**

Standard	City of Waxahachie	McDonald's	Meets Yes/No
Min. Lot Area	7,000 sq. ft.	1.43 acres	Yes
Front Setback	40 ft.	66.7 ft.	Yes
Rear Setback	30 ft.	196.74 ft.	Yes
Side Setback	30 ft.	40.7 ft.	Yes
Maximum Height	6 Stories	1 Story	Yes
Max. Lot Coverage	60%	4.86%	Yes
Parking	60 spaces (1 per 100 sq. ft.)	63 spaces	Yes

## **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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.

## **SPECIAL EXCEPTION/VARIANCE REQUESTS**

1. The applicant is proposing a pole sign at the Northeast corner of the subject property. Per the City of Waxahachie Zoning Ordinance, Article 5, Section 8 (5.08) specifies that "pole and pylon signs are only allowed on Interstate 35E and U.S. Highway 287 bypass".

## **STAFF CONCERNS**

1. Due to the Zoning Ordinance not allowing pole signs where the subject property is located, staff suggests that the applicant construct a ground monument sign instead of constructing a pole sign.

(18)

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant understands staff's concern and intends to state his reasoning at the February 17, 2020 City Council meeting.

**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, as presented.
- ☒ Approval, per the following comments:
  1. To remain consistent with the Zoning Ordinance, staff suggests that the applicant construct a ground monument sign instead of constructing a pole sign.

**ATTACHED EXHIBITS**

1. Ordinance
2. Location Exhibit
3. Site Plan
4. Landscape Plan
5. Elevation/Façade Plan
6. Signage Plan

**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:*  
Colby Collins  
Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(13)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT USE WITHIN A LIGHT INDUSTRIAL-1 (LI1) ZONING DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF FM 66 AND INTERSTATE 35E, BEING PROPERTY ID 174460, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING TRACT 2R 2 OF THE INTERSTATE INDUSTRIAL PARK-REV ADDITION, 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 LI1; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-000004-2020. 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 LI1 to LI1, with an SUP in order to permit a drive through establishment use on the following property: Tract 2R 2 of the Interstate Industrial Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, Landscape Plan attached as Exhibit C, Elevation/Façade Plan attached as Exhibit D, and Sign Plan attached as Exhibit E.

### **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.



(17)

### Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A DRIVE THROUGH ESTABLISHMENT USE IN THE LIGHT INDUSTRIAL-1 (LI1) DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number ZDC-000004-2020.
2. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B – Site Plan, Exhibit C – Landscape Plan, Exhibit D – Elevation/Façade Plan, and Exhibit E – Sign Plan.
3. A pole sign is prohibited for the drive through establishment.
4. 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.
5. If approved, the City Council shall have the right to review and/or deny the Specific Use Permit after 12-months 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.

**PASSED, APPROVED AND ADOPTED** on this 17<sup>th</sup> day of February, 2020.

(1<sup>m</sup>)

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary



**Exhibit A - Location Exhibit**

ZDC\_000004\_2020 (SUP)














**Wherever you look.**  
**Call before you dig.**

VENTY NA

0407  
247 6000 RD ON EAST SIDE OF UTILITY  
ELEVATION 10

0408

LEGEND	
	PROPOSED HEAVY DUTY PAVEMENT
	PROPOSED PRIVATE STANDARD DUTY CONCRETE
	PROPOSED DUMPTER PAVEMENT
	PROPOSED PRIVATE SIDEWALK
	PROPERTY LINE
	PROPOSED CONCRETE CURB AND GUTTER
	BARRETT FULL DEPTH CORRECT TO EXISTING PAVEMENT WITH LONGITUDINAL BUTT JOINT
	PROPOSED FIRE LANE
	PARKING COUNT

### CONSTRUCTION SCHEDULE

1	SAW CUT FULL DEPTH EXISTING PAVEMENT
2	4" PARKING STALL STOPPING
3	CURB & GUTTER
4	PEDESTRIAN RAMP
5	HANDICAP SYMBOL
6	PAVEMENT STRIPING
7	HANDICAP SIGN
8	CURB STOP
9	SIDEWALK

SITE DATA SUMMARY TABLE	
ZONING	LS-1
PROPOSED USE	RESTAURANT W/ DRIVE THRU
TOTAL BUILDING AREA	8,023 SF
MAX BUILDING HEIGHT	1 STORY - 29' 0"
MIN FRONT SETBACK	88.7 FEET
MIN REAR SETBACK	196.70 FEET
MIN SIDE SETBACK	48.7 FEET
MAX BUILDING HEIGHT	1 STORY
LOT COVERAGE	4.94% FOR MAIN STRUCTURE

PARKING INFORMATION	
REQUIRED PARKING OFFICE BUILDING (1 SPACE EVERY 100 SF)	80 SPACES (1 ADA)
PROPOSED PARKING SPACES	83 SPACES (1 ADA)

IMPERVIOUS CALCULATIONS	
TOTAL SITE AREA	1.43 AC (62,356.7 SF)
TOTAL IMPERVIOUS AREA	44,891 SF
TOTAL IMPERVIOUS PERCENTAGE	71.90%
TOTAL LANDSCAPE PERCENTAGE	28.01%

CITY PROJECT NUMBER: 82DC-000004-282  
LOCAL GROUP: LEP  
LOT 2, BLOCK 2, INTERSTATE INDUSTRIAL PARK  
1.43 ACRES

NEW CONSTRUCTION

TBD - SWC OF H-135E & HWY 68		
CITY		STATE
WAXAHACHE		TEXAS
COUNTY	SURVEY	ACRES
ELLIS	J. C. ARMSTRONG	

**CITY SITE PLAN**

17 JUL 1981[illegible]

PLAN APPROVALS		SIGNATURE OF REQUESTOR		DATE
REGIONAL MGR.				
CONST. MGR.				
OPERATIONS DEPT.				
REAL ESTATE DEPT.				
CONTRACTOR				
STATUS	DATE	BY		
DATE DRAWN	3/18/2036	CH		
PLAN CHECKED	3/18/2036	CL		
ASBUILT				
<div style="text-align: center;">  </div>				



Integration studio

John F. Murphy, ASLA

2001 Green Bay, Hwy  
Waco, TX 76798  
817.871.1111  
www.integrationstudio.com

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Waco, TX 76798  
817.871.1111  
www.integrationstudio.com



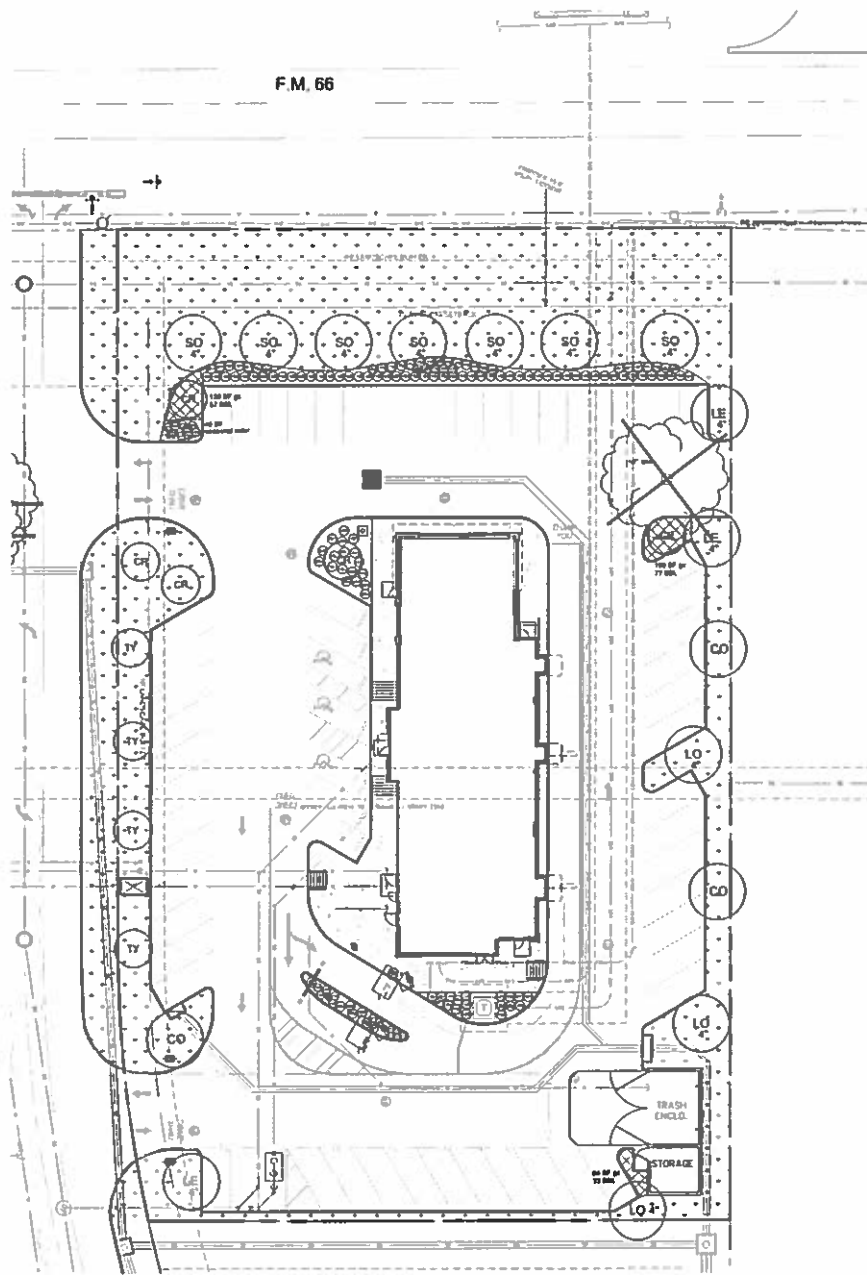
MCDONALDS WAXAHACHIE  
FM 66 AND INTERSTATE HIGHWAY 35E  
WAXAHACHIE, TEXAS

LANDSCAPE PLAN

DATE: 12/28/2018  
DRAWN: JFM  
CHECKED: JFM  
DATE: 12/28/2018

SHEET  
L-1

1 of 10 12/28/2018



### TREE LEGEND

#### Canopy Trees

LO	Live Oak	SO	Shoebill Oak
CO	Cottonwood	LE	Live Elm

#### Ornamental Trees

CR	Crepe Myrtle	TY	Tree Yucca
----	--------------	----	------------



### SHRUB LEGEND

CV	Clay Vase	BB	Black Eyed Susan
CA	Clay Vase	RT	Red Tamar
CO	Common Olive	DS	Doyle's Hollyhock
GR	Green Olive	BL	Big Blue Yucca
LI	Live Oak	SH	Shoebill Oak
MA	Manzanita	CP	Cypress
SP	Spirea	PD	Pink Dogwood

### HATCH LEGEND

[Pattern]	Soft Soil	[Pattern]	Big Blue Yucca
-----------	-----------	-----------	----------------

### LANDSCAPE NOTES

- The project will have an underground automatic irrigation system to water all new plantings.
- Install 4" layer of shredded hardwood mulch to all planting beds.
- Install 4" steel edging between all shrub beds and grass areas.
- Shrub beds to have 12 inches of prepared planting mix (75% impact topsoil, 15% composted manure, 10% washed sand).
- Shredded hardwood mulch must contain long strands along with double shreds four material obtained from a local source.
- Install 4 inches of sharp topsoil on all areas of the site disturbed by grading and construction operations. Topsoil shall be free from rocks, debris and roots larger than 2 inches in diameter and have an organic matter level of 3 percent minimum and a pH range between 6.5 and 7.4 percent. Plants and soil analysis from a soil test laboratory showing soil makeup and organic percentages.
- Soil test on all areas disturbed by construction activities as shown on plan.
- The property owner, tenant, or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly, and long-lasting condition at all times. This shall include watering, pruning, fertilizing, irrigation, mowing, and other such activities necessary to the maintenance of landscaping. Landscaping areas shall be kept free of trash, litter, weeds, and other such materials and a part of the landscaping. Plant materials that do shall be replaced with plant materials of similar variety and size.



GRAPHIC SCALE



12/28/2018 3:45 PM  
C:\USERS\SCOTT\My Documents\AUTOCAD\_LANDSCAPE\WAXAHACHIE\LANDSCAPE\_L-1.DWG  
LAST SAVED: 12/28/2018 3:45 PM

# Exhibit C - Landscape Plan



MCDONALDS WAXAHACHIE  
FM 68 AND INTERSTATE HIGHWAY 38E  
WAXAHACHIE, TEXAS

## PLANT LIST

CANOPY TREES			
3	LE	Loblolly Elm	Unim. paniformis 4" cal. 8.6B 14' H, 7' spread
3	CO	Chinquapin Oak	Quercus muhlenbergii 2" cal. 12' H, 7' spread
7	SO	Shoestring Oak	Quercus shumardii 4" cal. 8.6B 14' H, 7' spread
3	LO	Live Oak	Quercus virginiana 4" cal. 8.6B 14' H, 7' spread
ORNAMENTAL TREES			
4	TY	Tree Yucca	Yucca rostrata 30 gal. 7' H, multi-trunk, female
5	CR	Crapemyrtle	Lagerströmia indica 'Bodensee Pink' 30 gal. 7' H, 3 trunk, 2 1/2" cal. min.
SHRUBS & GROUNDCOVERS			
3	OY	Olive Yucca	Yucca rostrata 'femur' 5 gal. 30" cal.
4	DA	Dwarf Acacia	Acacia greggiana 'E-G' Grafted 5 gal. 30" cal.
5	HO	Hardier Dwarf Hawthorn	Crataegus arvensis 5 gal. 30" cal.
30	CS	Crown-of-Thorns	Leucaena leucostachya 'Green Cloud' 5 gal. 30" cal.
4	GL	Gold Liriodendron	Liriodendron tulipifera 5 gal. 30" cal.
2	WE	White Yucca	Yucca rostrata 5 gal. 30" cal.
4	SP	Spirea	Spirea 'Van Dyke' 5 gal. 30" cal.
3	ES	Black Eyed Susan	Rudbeckia hirta 'Gold Str' (20-30" groundcover)
10	RY	Red Yucca	Yucca rostrata 'Red Yucca' 5 gal. 30" cal.
32	DB	Dwarf Burford Holly	Ilex cornuta 'Burford' 5 gal. 30" cal.
177	DBL	Big Blue Liriodendron	Liriodendron tulipifera 'Big Blue' (20-30" groundcover)
6	DBH	Dwarf Indian Hawthorn 'Cloud'	Rhododendron 'Cloud' 5 gal. 30" cal.
5	CO	Cornus	Cornus amomum 'T. only Summer' 5 gal. 12" cal.
20	PM	Pink Mimos	Mimosa pudica 5 gal. 30" cal.

## City of Waxahachie, Texas LANDSCAPE CALCULATIONS

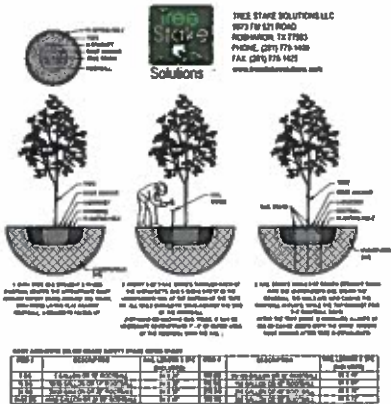
Interior Landscape Area		Required	Provided
Building	5,562 SF ± 40%	2,253 sf	2,250 sf
Canopy Trees	1 per 500 sf	5 trees	5 trees
Understory Trees	1 per 250 sf	9 trees	9 trees
Shrubs	1 per 40 sf	90 shrubs	90 shrubs
Groundcover	15%	336 sf	344 sf
Seasonal Color	2%	46 sf	46 sf

Parking Lot Landscape		Required	Provided
13 of per Parking Space	63 Parking Spaces	819 sf	1,364 sf
50 Species = 13 of = 3,107			
2 trees (4" cal.) + 10 shrubs per 500 sf		6 trees	2 trees 4" cal.
		17 shrubs	2 trees 3" cal.
			42 shrubs

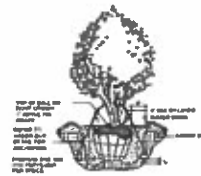
Street Trees		Required	Provided
1st Hwy 68	Street frontage 101' 9"	7 trees	7 trees
1 tree (4" cal.) per 30' ft			

### Mitigation

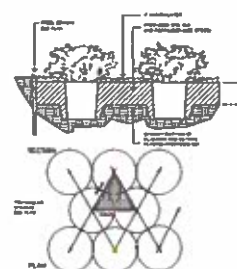
Removed inches : 18" Oak  
Prepared inches : 62.5"



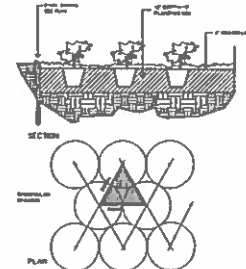
1 CANOPY TREE PLANTING



2 MULTI-TRUNK PLANTING



3 SHRUB PLANTING



4 GROUNDCOVER PLANTING

## LANDSCAPE DETAILS

DATE	10/01/2018
DESIGNED BY	JOHN F. MURPHY
CHECKED BY	JOHN F. MURPHY
DATE	10/01/2018

L-2

File No. 17-000000-0000



INTERNAL AREA CALCULATIONS	
GROSS FACADE SF:	980
NET FACADE SF:	888
(VOLUME WOOD/DOOR)	
WASCHERY SF:	888 (100% OF NET)
STONEFRONT SF:	312 (32% OF GROSS)

1 FRONT ELEVATION  
A2.0 3/16" = 1'-0"

	BT MODULAR BRICK "SLATE GRAY" SMOOTH BY HEBRON		MF C1 METAL FASCIA "WEATHERED ZINC"
	ST PAINTED STONE VENEER "NEW STONE TOUNGARD" BY BOML		MF C2 METAL FASCIA RAL 7022 POWDER COATED
	D HOLLOW METAL DOOR/FRAME PAINT: "CARBONITE GRAY" SHERWIN WILLIAMS		C1 ALUMINUM CANOPY COLOR: WHITE
	ML METAL LANDSCAPE COLOR: GOLD POWDER 123C		C2 ALUMINUM CANOPY COLOR: RAL 7022



INTERNAL AREA CALCULATIONS	
GROSS FACADE SF:	2,733
NET FACADE SF:	1,962
(VOLUME WOOD/DOOR)	
WASCHERY SF:	1,962 (100% OF NET)
STONEFRONT SF:	881 (32% OF GROSS)

2 NON-DRIVE-THRU ELEVATION  
A2.0 3/16" = 1'-0"

## Exhibit D - Elevation/Facade Plan

DATE	PROJECT NO.	PROJECT NAME	PROJECT LOCATION	PROJECT TYPE	PROJECT DESCRIPTION	PROJECT STATUS	PROJECT COMMENTS
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
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01/11/2017	17020	McDonald's #39376	ROCKFORD, IL	RESTAURANT	McDonald's #39376	COMPLETED	McDonald's #39376
01/							









# McDonald's

(17)

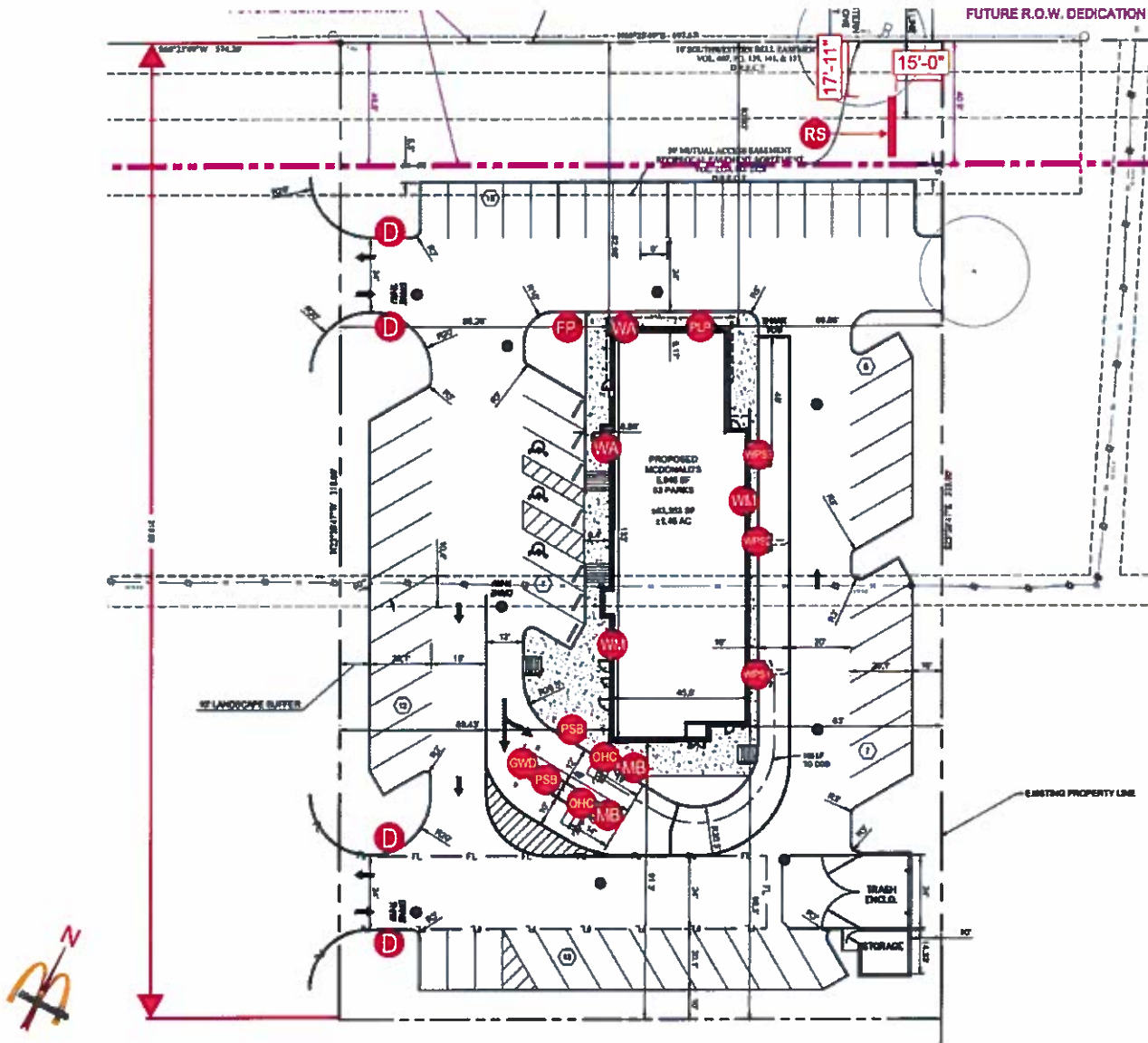
F.M. HWY 66 & 35 E - WAXAHACHIE, TX 75165

SIGN PROGRAM BOOK

## Exhibit E - Sign Plan

Customer: <b>MCDONALD'S</b>	Date: <b>12/11/19</b>	Prepared By: <b>KH</b>	Eng: -	<small><b>Note:</b> Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are required, please provide the correct PMS number and a swatch to this drawing will be made.</small>	<b>persona</b> SIGNS   LIGHTING   IMAGE	<small>DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com</small>
Location: <b>WAXAHACHIE, TX</b>	File Name: <b>233826 - R2 - F.M. HWY 66 &amp; 35 E - WAXAHACHIE, TX</b>					

# Exhibit E - Sign Plan



- PSB .... PRE-SELL BOARD (QTY 2)
- GWD .... DOUBLE ARM GATEWAY
- OHC .... ORDER HERE CANOPY (QTY 2)
- MB .... MENU BOARD (QTY 2)
- WPS1 .... WINDOW POSITION SIGN 1
- WPS2 .... WINDOW POSITION SIGN 2
- WPS3 .... WINDOW POSITION SIGN 3
- PLP .... 22" PLAYPLACE LETTERS
- WA .... WALL ARCH (QTY 2)
- WM .... 24" WORDMARK (QTY 2)
- D .... DIRECTIONAL (QTY 4)
- RS .... 90-200 ROAD SIGN
- FP .... FLAG POLE

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_

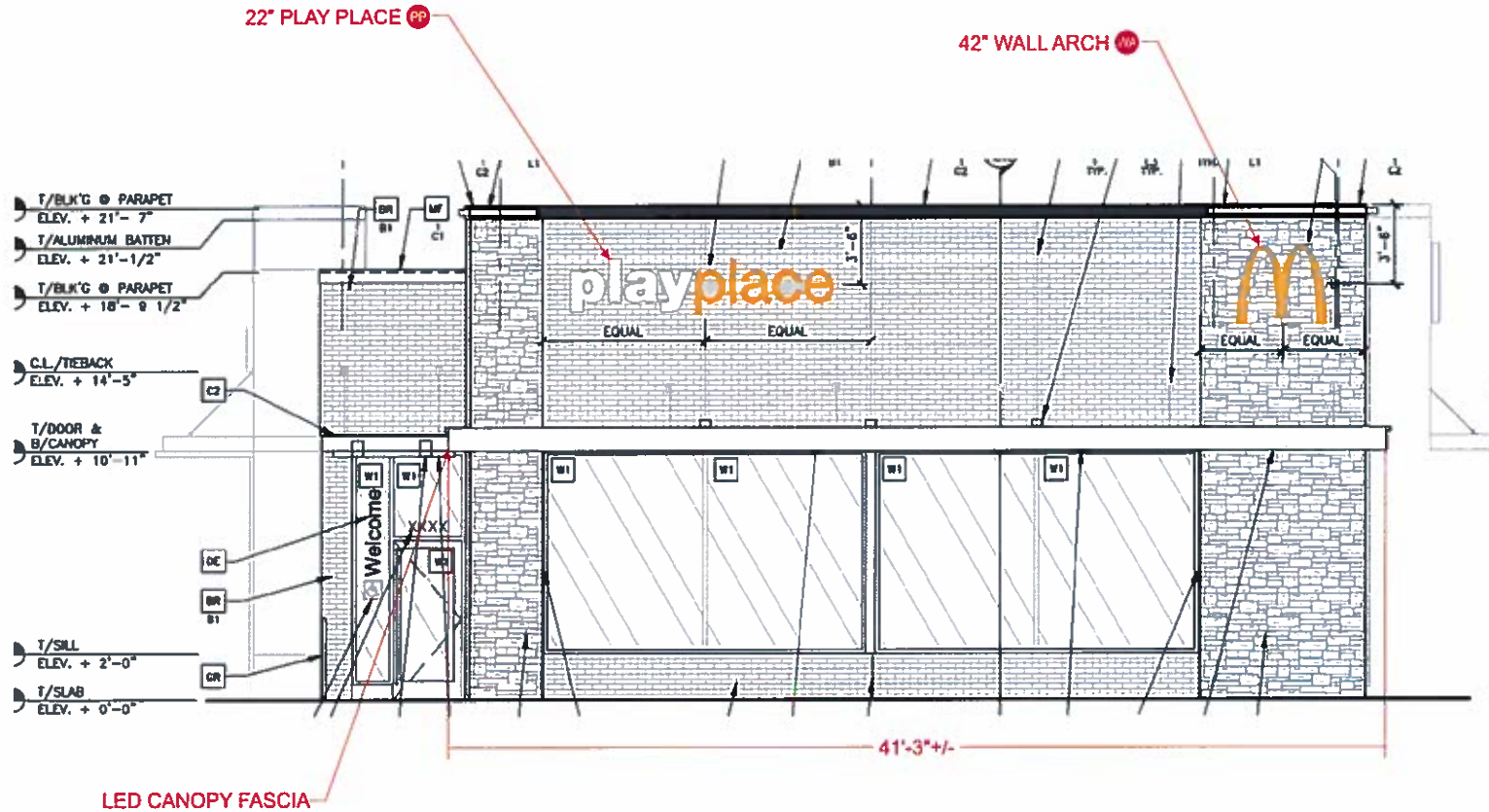
**NOTE:** Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: <b>MCDONALD'S</b>	Date: <b>16DEC19</b>	Prepared By: <b>KH/CM/SC</b>	Eng: <b>-</b>	<small>NOTE: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a reason to this drawing will be made.</small>	 <p><b>persona</b> SIGNS   LIGHTING   IMAGE</p>	<p>DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com</p>
Location: <b>WAXAHACHIE, TX</b>	File Name: <b>233826 - R2 - F.M. HWY 66 &amp; 35 E - WAXAHACHIE, TX</b>					

# Exhibit E - Sign Plan

NORTH (FRONT) ELEVATION

SCALE: 3/16" = 1'-0"



(19)

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

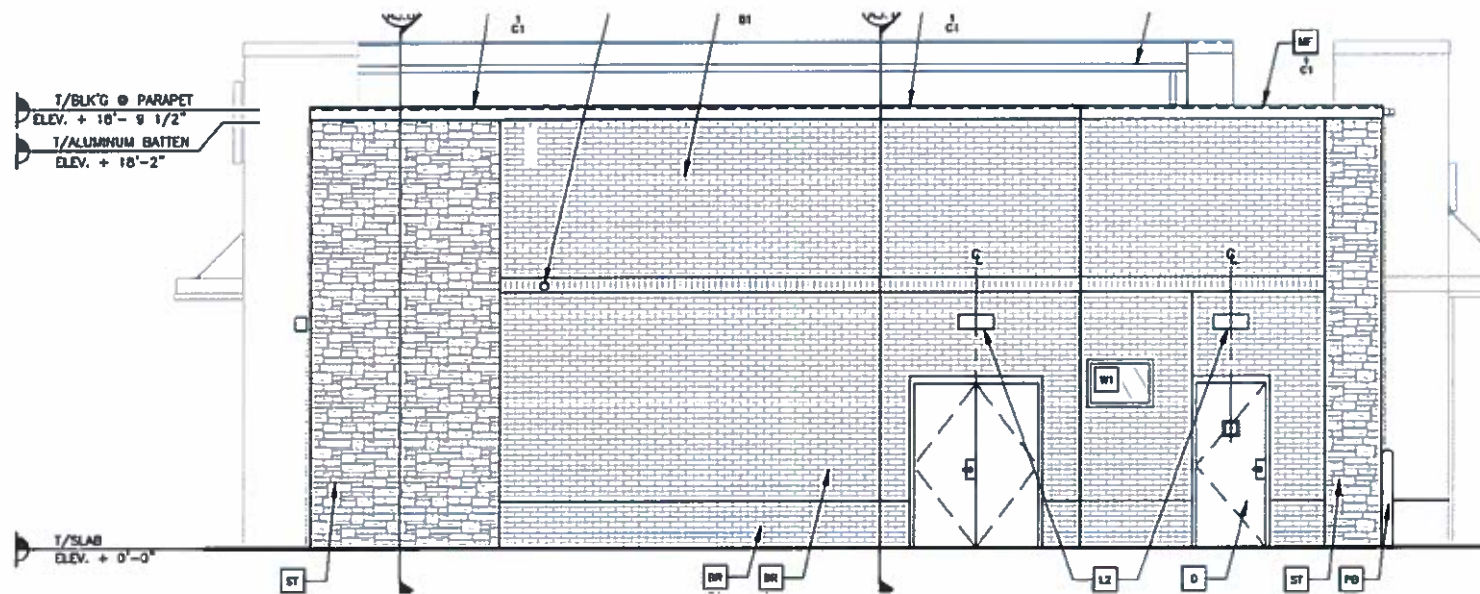
Date

**NOTE:** Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: <b>MCDONALD'S</b>	Date: <b>12/11/19</b>	Prepared By: <b>KH</b>	Eng: <b>-</b>	<small>Note: Color accuracy, not to scale when viewing a printed drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>	 <b>signs   lighting   image</b>	<small>DISTRIBUTED BY SIGN UP COMPANY</small> <small>700 21st Street Southwest</small> <small>PO Box 210</small> <small>Watertown, SD 57201-0210</small> <small>1.800.843.9888 • www.personasigns.com</small>
Location: <b>WAXAHACHIE, TX</b>	File Name: <b>233826 - R2 - F.M. HWY 66 &amp; 35 E - WAXAHACHIE, TX</b>					

SOUTH (REAR) ELEVATION  
SCALE: 3/16" = 1'-0"

## Exhibit E - Sign Plan



APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

Date

**NOTE:** Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: <b>MCDONALD'S</b>	Date: <b>12/11/19</b>	Prepared By: <b>KH</b>	Eng: <b>-</b>	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PNG or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PNG match and a revision to this drawing will be made.	<b>persona</b> SIGNS   LIGHTING   IMAGE	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com
Location: <b>WAXAHACHIE, TX</b>	File Name: <b>233826 - R2 - F.M. HWY 66 &amp; 35 E - WAXAHACHIE, TX</b>					



## Exhibit E - Sign Plan



CUSTOMER APPROVAL	Date
-------------------	------

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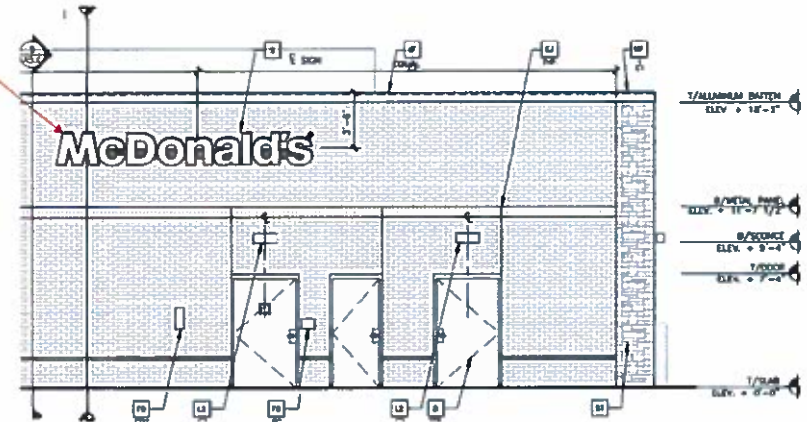
**persōna**  
SIGNS | LIGHTING | IMAGE

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1.800.843.9888 • [www.personasigns.com](http://www.personasigns.com)

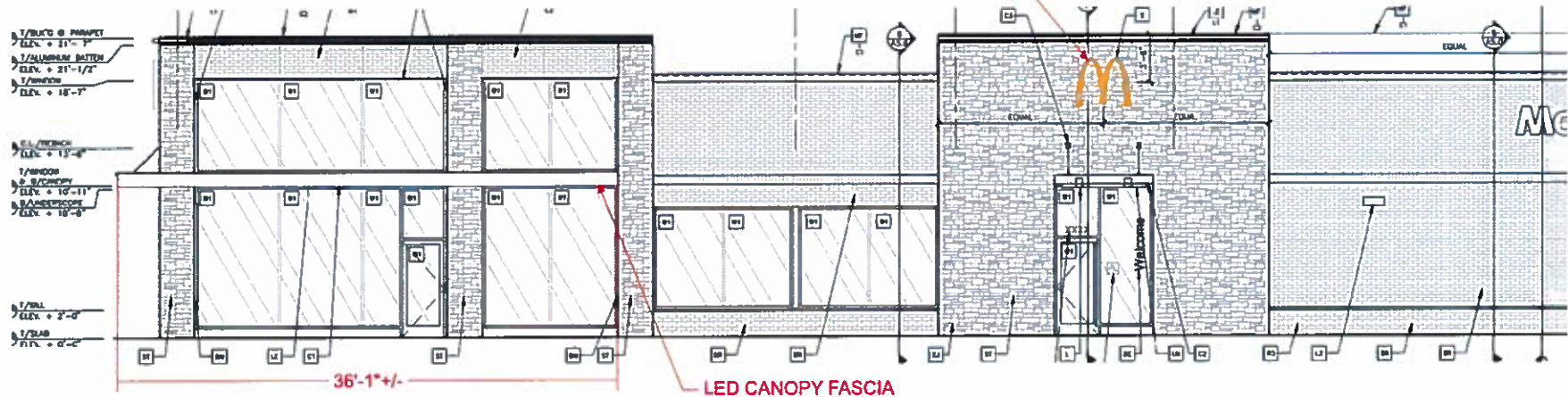
WEST (NON DRIVE-THRU) ELEVATION  
SCALE: 1/8" = 1'-0"

# Exhibit E - Sign Plan

24" WORDMARK



42" WALL ARCH



LED CANOPY FASCIA

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

Date

**NOTE:** Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: MCDONALD'S  
Location: WAXAHACHIE, TX  
Date: 12/11/19  
Prepared By: KH  
File Name: 233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX

Eng:

**NOTE:** Color reproducing not be exact when viewing a printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are correct, please provide the correct PMS number and a swatch to this drawing will be made.

**persōna**  
SIGNS | LIGHTING | IMAGE

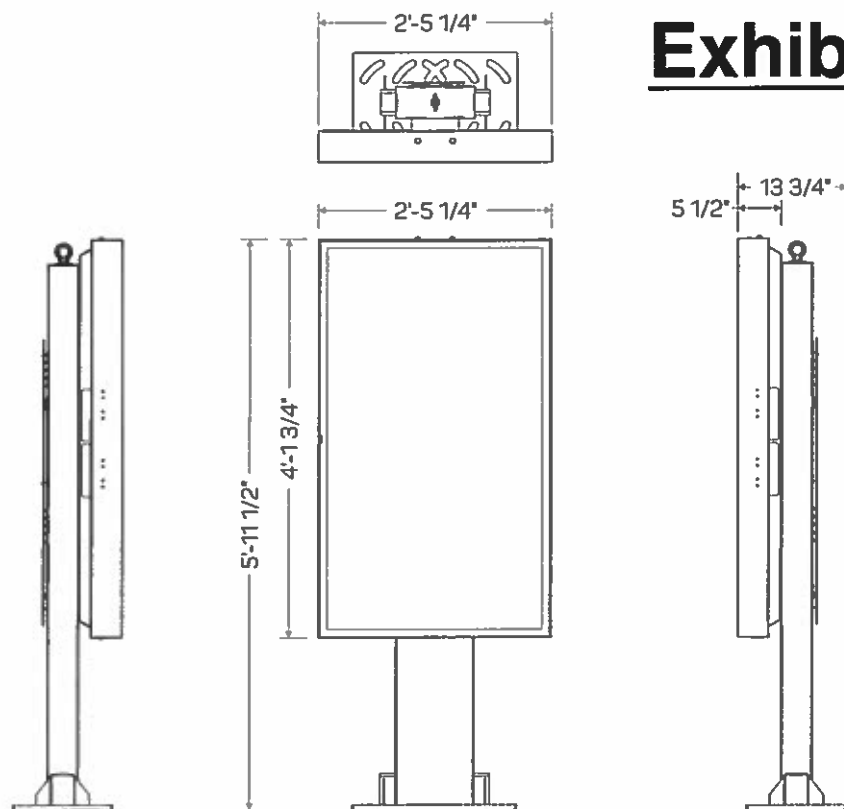
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Frame	Hot dip galvanized + anti-graffiti powder coated steel
Brackets	Hot dip galvanized
Panels	Aluminium + anti-graffiti powdercoat
Access fasteners	Security Torx
Media player access	Dual camlock
Eyebolt	Stainless crane on
Baseplate	McDonalds spec triple mounting pattern option

## ODMB 02 SINGLE

Displays	Samsung OH55F
Hardware	Stratacache Spectra NG
Heating/Cooling	Watlow 100W Heater Sunon 120mm AC Fan
Power Supply Units	60W DC Media Player Power Supply
Power Cables	1 x IEC Power Cable
Electrical Components	Isolated Ground 2 x IG Receptacles 20A Circuit Breaker
Communication Cables	2 x HDMI 1 x RS232
Certification	UL Certified

## Exhibit E - Sign Plan



SCALE: 1/2" = 1'-0"



GRAPHIC DETAIL  
NOT TO SCALE

Customer:  
**MCDONALD'S**

Location:  
**WAXAHACHIE, TX**

Date:  
**12/11/19**

File Name:  
**233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX**

Prepared By:  
**KH**

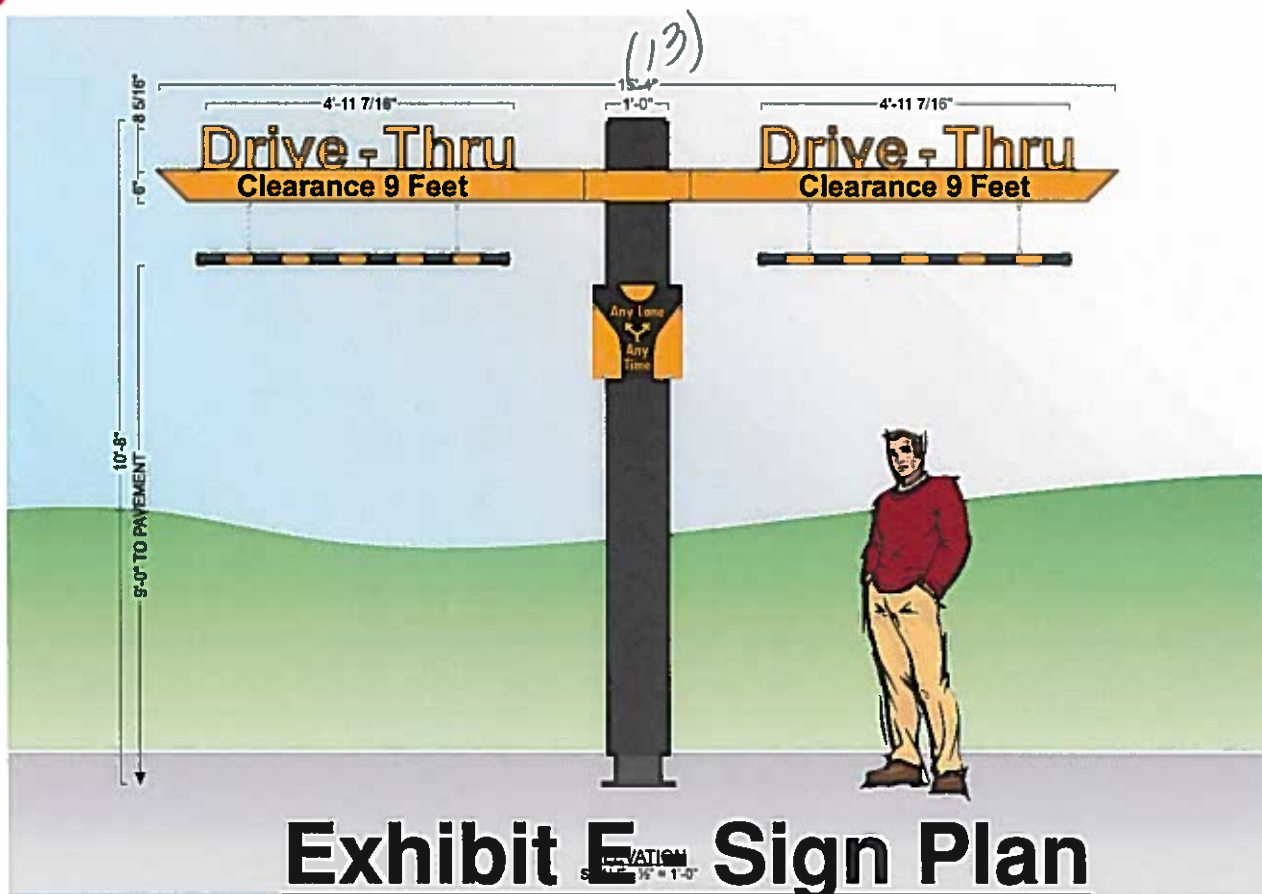
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Eng:  
-

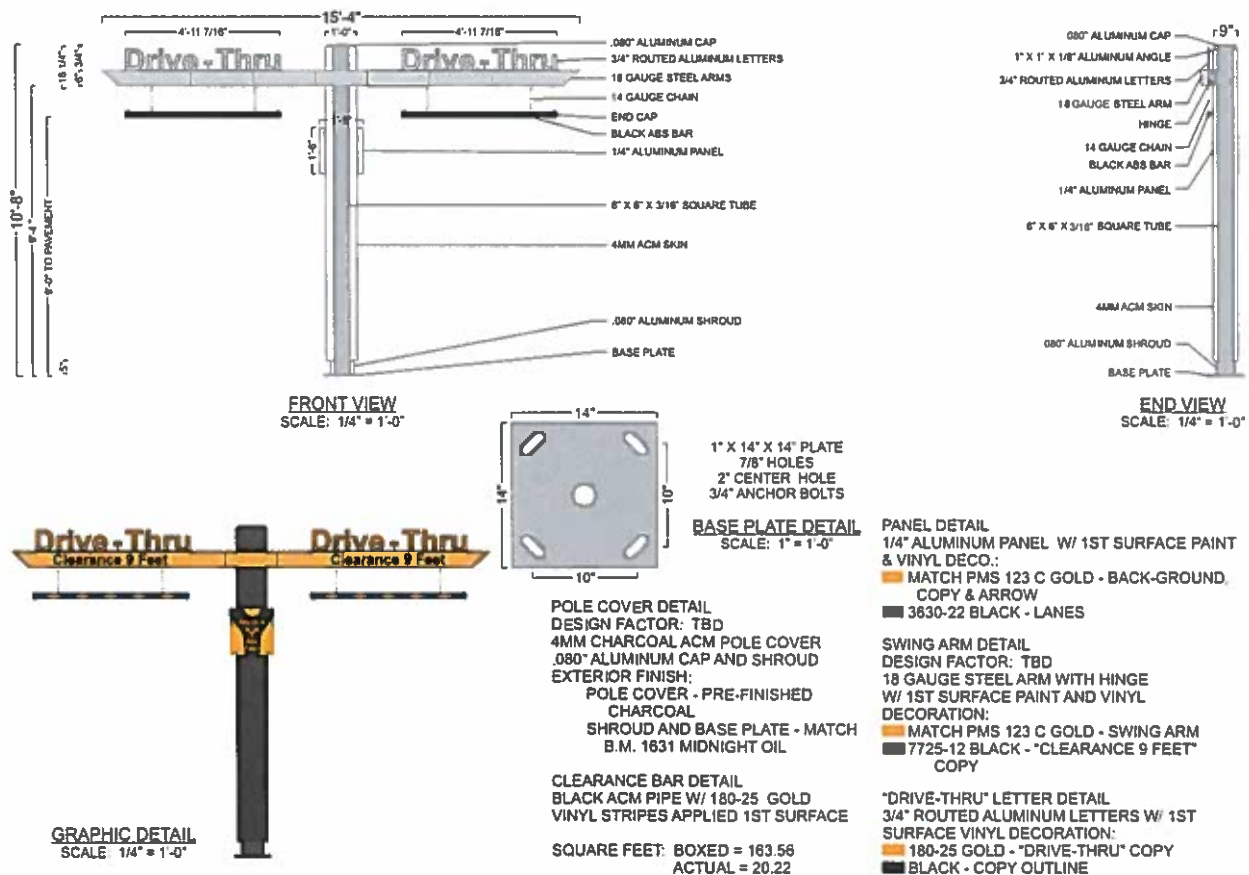
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SIGNS | LIGHTING | IMAGE

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## Exhibit E Sign Plan



Customer  
**MCDONALD'S**

Location  
**WAXAHACHIE, TX**

Date  
**12/11/19**

File Name  
**233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX**

Prepared By  
**KH**

Notes: Call before the start of the work to verify the drawing. All work shall be done in accordance with the latest DPM standards. If you have any questions, please provide the correct P&H project and a written description of the drawing will be made.

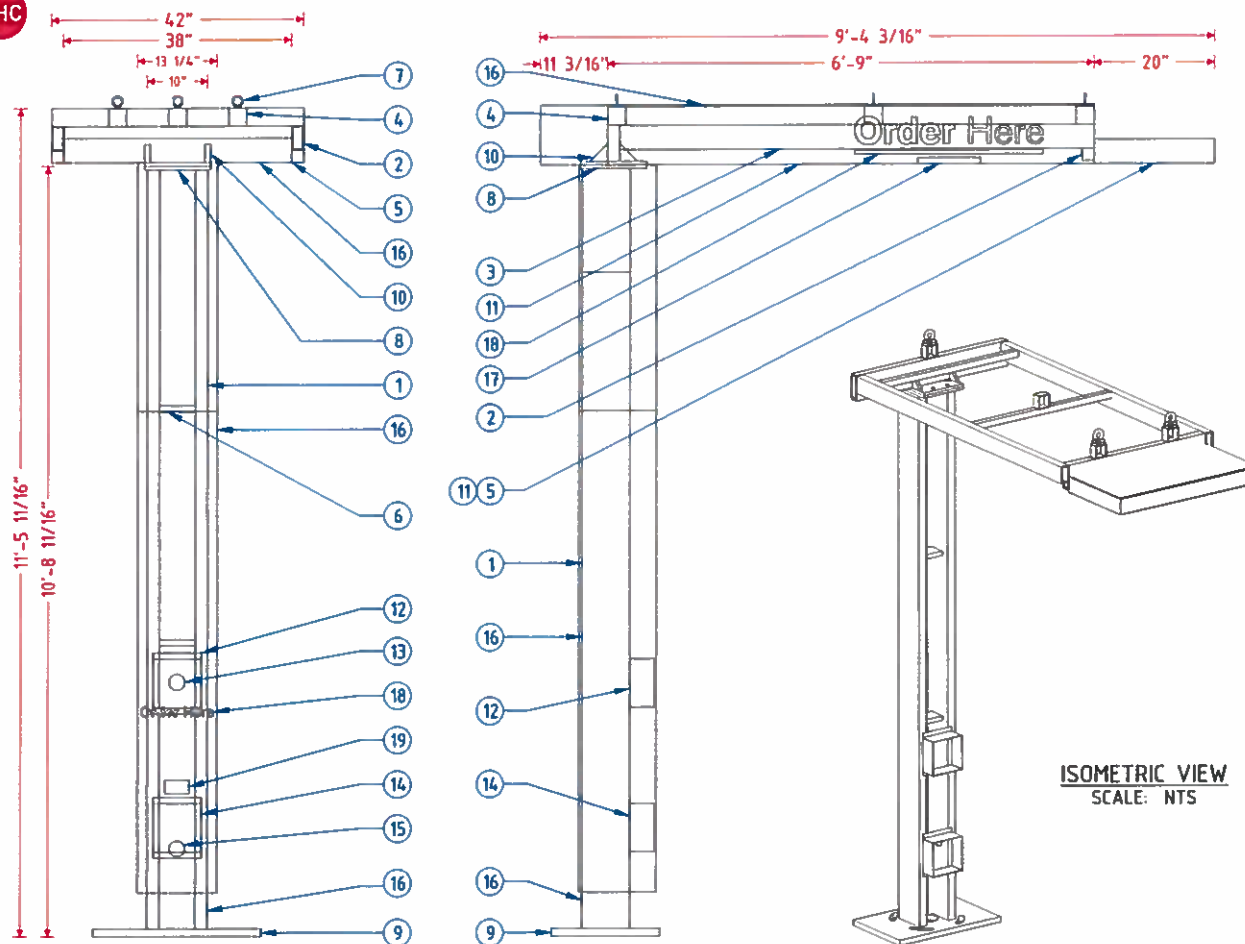
Eng

**persona**  
SIGNS | LIGHTING | IMAGE

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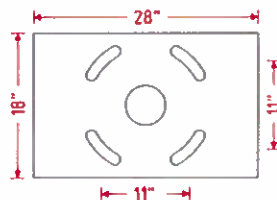


OHC



**FRAME & LAMP DETAIL**  
SCALE: 3/8" = 1'-0"

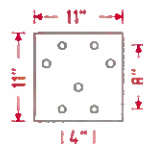
18" X 28" X 1 1/4" PLATE  
1 3/8" SLOTTED HOLES  
1" BOLTS



**PLATE DETAIL**  
SCALE: 1/2" = 1'-0"

**CROSS SECTION A-A**  
SCALE: 3/8" = 1'-0"

11" X 11" X 5/8" PLATE  
3/4" HOLES  
5/8" BOLTS



**PLATE DETAIL**  
SCALE: 1/2" = 1'-0"

**ISOMETRIC VIEW**  
SCALE: NTS

Order Here

**GRAPHIC DETAIL**  
SCALE: 3/16" = 1'-0"

**MCDONALD'S SPRINGBOARD OHC SPECIFICATIONS**

NO.	PART/DESCRIPTION
1	2" X 8" X 3/16" RECTANGULAR TUBE
2	2" X 6" X 1/4" RECTANGULAR TUBE
3	2" X 4" X 1/4" RECTANGULAR TUBE
4	3" X 3" X 3/16" SQUARE TUBE
5	1" X 4" X 1/8" RECTANGULAR TUBE
6	C4 ALUMINUM C-CHANNEL
7	1/2" EYEBOLTS (3)
8	11" X 11" X 5/8" TOP PLATES (2) (SEE PLATE DETAILS)
9	18" X 28" X 1 1/4" BASE PLATE (SEE PLATE DETAILS)
10	3" X 3" X 3/4" GUSSETS
11	.063" ALUMINUM SKIN
12	.063" ALUMINUM BENT SP10 SPEAKER BOX HOLDER
13	SPEAKER OPENING
14	.063" ALUMINUM BENT DM 4/DM 5 MICROPHONE BOX HOLDER
15	MICROPHONE OPENING
16	ACM CLADDING
17	SLOAN LED LIGHT WITH POWER SUPPLY
18	REFLECTIVE WHITE 680-10 VINYL
19	ADA STICKER

**NOTES:**

- DESIGN FACTOR: TO BE DETERMINED
- 2" X 8" X 3/16 RECTANGULAR TUBE FRAME
- ACM AND .063" ALUMINUM SKIN
- EXTERIOR FINISH:  
BASE PLATE - PAINT BM 1631 MIDNIGHT OIL  
TUBE AND TOP ACM - PAINT CHARCOAL  
SPRINGBOARD TIP AND UNDERSIDE - PAINT PMS 123 C GOLD
- ACM/SKIN REMOVABLE FOR SERVICE
- U.L. LISTED
- ELECTRICAL: 0.64 AMPS/120 VOLTS

# Exhibit E - Sign Plan

Customer:  
**MCDONALD'S**

Location:  
**WAXAHACHIE, TX**

Date:  
**12/11/19**

File Name:  
**233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX**

Prepared By:  
**KH**

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest DMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

Eng:  
-

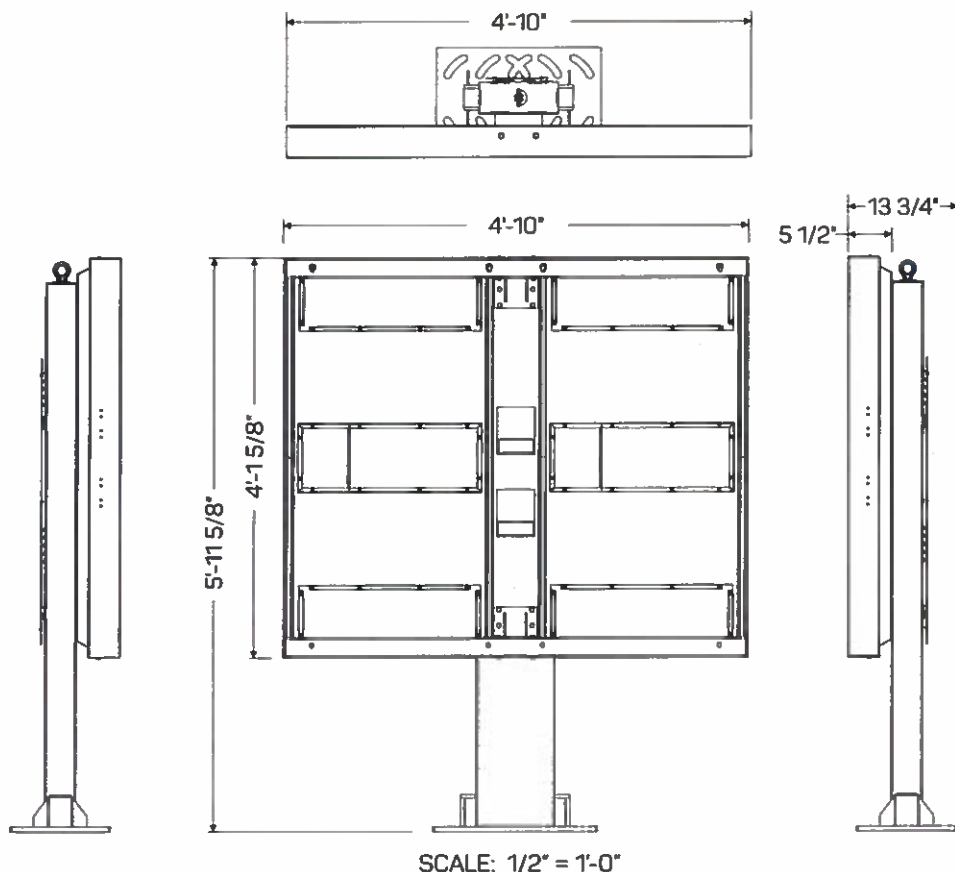
**persōna**  
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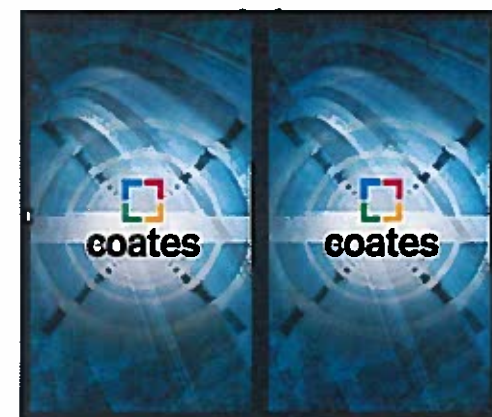
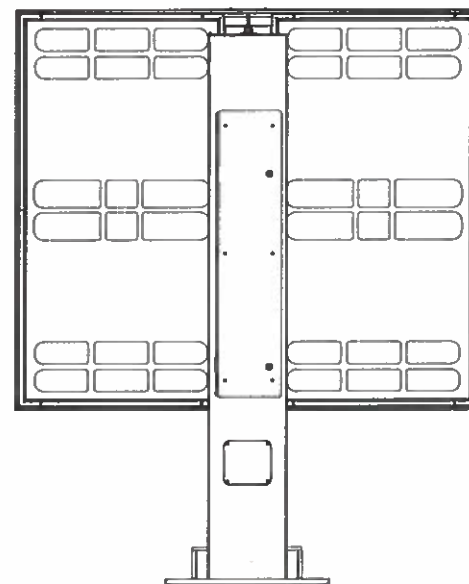
Frame	Hot dip galvanized + anti-graffiti powder coated steel
Brackets	Hot dip galvanized
Panels	Aluminium + anti-graffiti powdercoat
Access fasteners	Security Torx
Media player access	Dual camlock
Eyebolt	Stainless crane on
Baseplate	McDonalds spec triple mounting pattern option

## ODMB 02 DOUBLE

Displays	2 x Samsung OH55F
Hardware	2 x Stratacache Spectra NG
Heating/Cooling	Watlow 100W Heater Sunon 120mm AC Fan
Power Supply Units	2 x 60W DC Media Player Power Supply
Power Cables	2 x IEC Power Cables
Electrical Components	Isolated Ground 2 x IG Receptacles 20A Circuit Breaker
Communication Cables	4 x HDMI 2 x RS232
Certification	UL Certified



SCALE: 1/2" = 1'-0"



GRAPHIC DETAIL  
NOT TO SCALE

## Exhibit E - Sign Plan

Customer:  
**MCDONALD'S**

Location:  
**WAXAHACHIE, TX**

Date:  
**12/11/19**

File Name:  
**233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX**

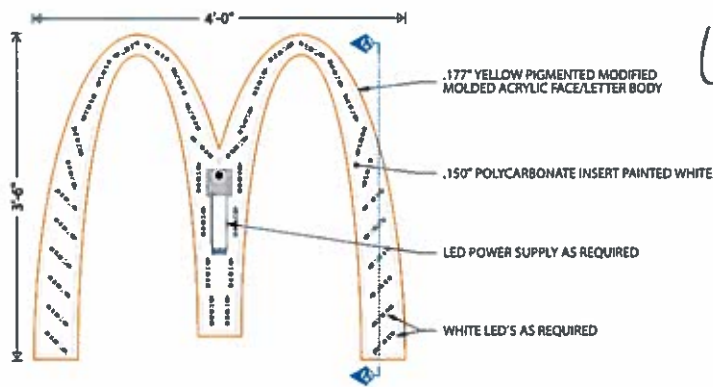
Prepared By:  
**KH**

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

Eng:  
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**persōna**  
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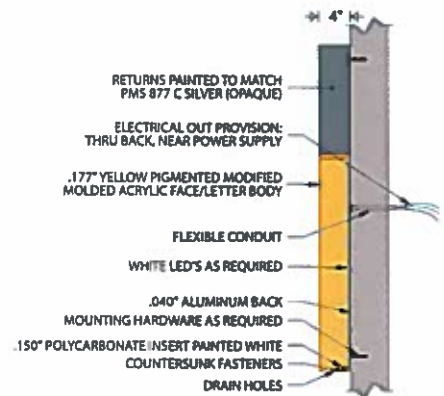
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**FRAME & LAMP DETAIL**  
SCALE: 3/4" = 1'-0"



**GRAPHIC DETAIL**  
SCALE: 3/4" = 1'-0"



**CROSS SECTION A-A**  
SCALE: 3/4" = 1'-0"

**FRAME DETAIL:**  
DESIGN FACTOR: TBD  
.177" FORMED YELLOW PIGMENTED (PMS 123 C)  
MODIFIED ACRYLIC FACE/LETTER BODY  
EXTERIOR FINISH: PAINTED TO MATCH PMS 877 C SILVER (OPAQUE)  
INTERIOR FINISH: PAINTED STARBRIGHT WHITE (OPAQUE)  
.150" POLYCARBONATE INSERT PAINTED STARBRIGHT WHITE  
.040" ALUMINUM BACK  
LETTER BODY REMOVABLE FOR SERVICE ACCESS  
U.L. APPROVED  
ELECTRICAL: 0.85 AMPS, 120 VOLTS  
SQUARE FOOTAGE:  
BOXED = 14.00  
ACTUAL = 4.90

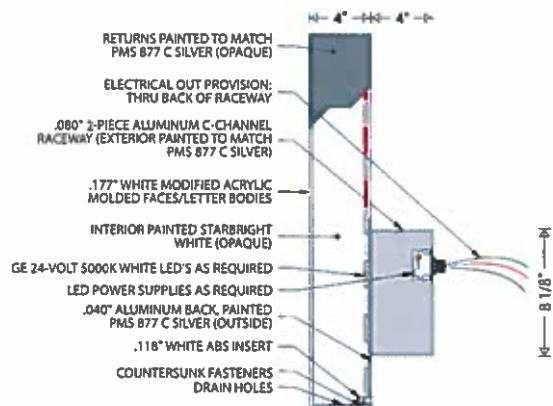


**GRAPHIC DETAIL**  
SCALE: 1/2" = 1'-0"

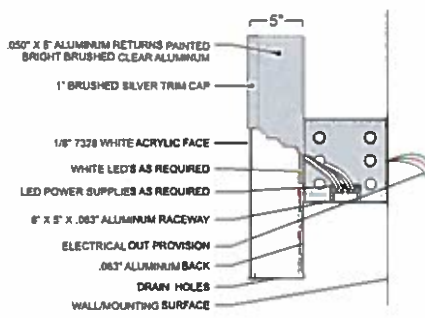
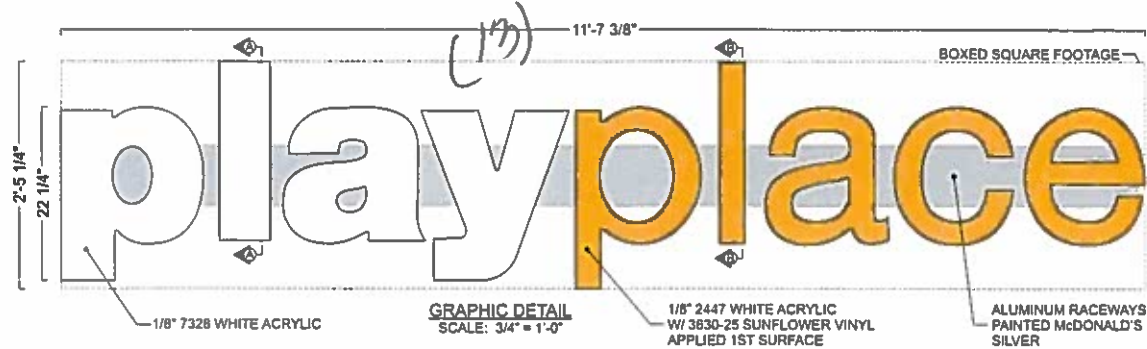
## Exhibit E - Sign Plan

### NOTES:

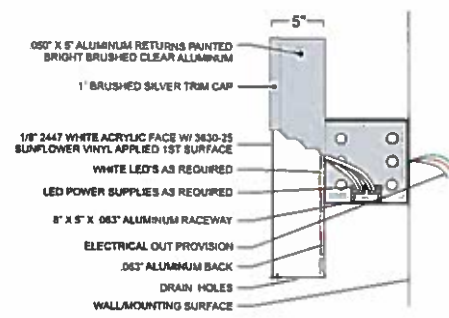
.177" MOLDED WHITE MODIFIED ACRYLIC LETTER BODIES  
INSTALLED ON ALUMINUM BACKS  
.118" WHITE ABS INSERTS  
EXTERIOR FINISH: MATCH PMS 877 C SILVER (OPAQUE);  
BACKS PAINTED PMS 877 C SILVER  
INTERIOR FINISH: STAR-BRIGHT WHITE (OPAQUE)  
LETTER BODIES-REMOVABLE FOR SERVICE ACCESS  
ACCESS PANEL BEHIND LETTER "n" FOR RACEWAY ACCESS  
U.L. APPROVED  
ELECTRICAL: 1.10 AMPS, 120 VOLTS  
SQUARE FOOTAGE:  
BOXED = 33.38  
ACTUAL = 19.53



**LETTER PROFILE**  
SCALE: 1 1/2" = 1'-0"



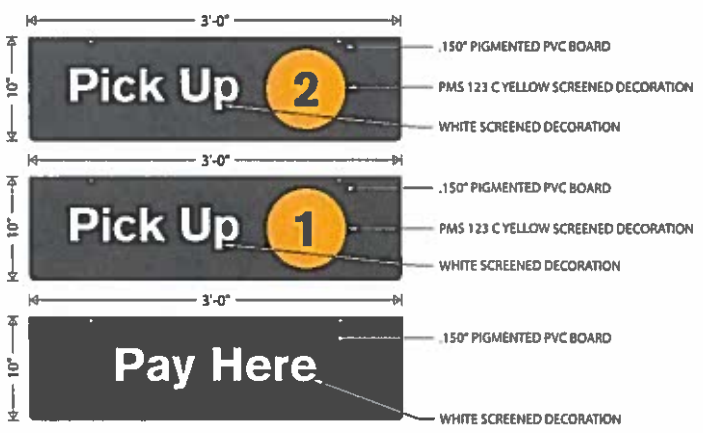
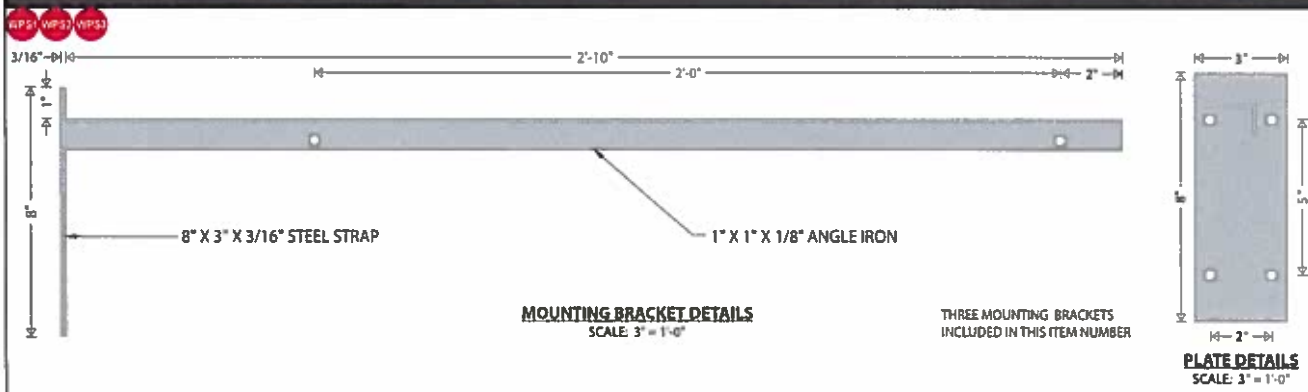
**CROSS SECTION A-A**  
SCALE: 1" = 1'-0"



**CROSS SECTION B-B**  
SCALE: 1" = 1'-0"

**NOTES:**  
U.L. LISTED  
ELECTRICAL: (1) 20A/120V CIRCUIT  
INTERIOR FINISHED REFLECTIVE WHITE  
DISCONNECT SWITCH ON RIGHT HAND END OF RACEWAY  
SQUARE FOOTAGE: BOXED = 28.31  
ACTUAL = 11.31

# Exhibit E - Sign Plan

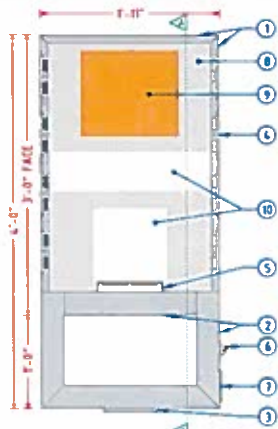


**BRACKET DETAILS**  
DESIGN FACTOR: TBD  
3/16" X 3" STEEL STRAP  
1" X 1" X 1/8" ANGLE IRON ARM  
EXTERIOR FINISH: PAINTED PMS  
877 C SILVER  
5/16" HOLES PUNCHED IN ANGLE  
AND PLATE FOR MOUNTING

**WINDOW POSITION SIGNS DETAIL**  
DESIGN FACTOR: TBD  
.150" PIGMENTED PVC BOARD TO  
MATCH GREY FORD - MED DK  
PLATINUM  
WHITE SCREENED COPY 1ST SURFACE  
PMS 123 C YELLOW - NUMERAL BACKGROUND  
2.50 SQUARE FEET  
\* ALL THREE WINDOW POSITION SIGNS  
ARE INCLUDED IN THIS ITEM.



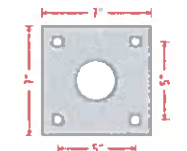
# Exhibit E - Sign Plan <sup>(13)</sup>



FRAME & LAMP DETAIL  
SCALE: 3/4" = 1'-0"



CROSS SECTION A-A  
SCALE: 3/4" = 1'-0"



1/2" X 7" X 7" ALUMINUM PLATE  
5/8" BOLT HOLES  
2 1/2" CENTER HOLE

PLATE DETAIL  
SCALE: 1 1/2" = 1'-0"

MCDONALD'S 48" NEXT GEN DIRECTIONAL SPECIFICATIONS	
NO.	PART/DESCRIPTION
1	3" X 1" X 1/8" ALUMINUM C-CHANNEL
2	3" X 3" X 1/8" ALUMINUM TUBE
3	MOUNTING PLATE (SEE PLATE DETAIL)
4	WHITE LED'S AS REQUIRED
5	LED POWER SUPPLIES AS REQUIRED
6	DISCONNECT SWITCH
7	ELECTRICAL CONNECTION ACCESS THROUGH COVER
8	880" ROUTED ALUMINUM SHOTBOX FACES
9	118" NG YELLOW SOLAR GRADE POLYCARBONATE BACKER PANEL
10	118" NG WHITE SOLAR GRADE POLYCARBONATE BACKER PANEL
11	POWDERCOAT HENTZEN #P90353APC (OR PAINT TO MATCH)
12	PAINT TO MATCH SILVER OR METALLIC GRAY

## NOTES:

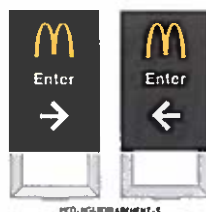
- DESIGN FACTOR TO BE DETERMINED
- 3" X 1/8" ALUMINUM C-CHANNEL FRAME
- ROUTED ALUMINUM SHOTBOX FACES
- EXTERIOR FINISH
  - FACES - POWDERCOAT HENTZEN #P90353APC (OR PAINT TO MATCH)
  - TUBES AND PLATE - PAINT SILVER OR METALLIC GRAY
- INTERIOR FINISH: PAINT REFLECTIVE WHITE
- FACES REMOVABLE FOR SERVICE ACCESS
- UL LISTED
- ELECTRICAL: 1.10 AMPS/120 VOLTS
- SQUARE FOOTAGE
  - FACE = 5.75
  - DISPLAY = 7.67



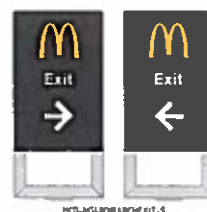
MCD-HGA000ARCHIVE-1



MCD-HGA000ARCHIVE-1



MCD-HGA000ARCHIVE-1



MCD-HGA000ARCHIVE-1



MCD-HGA000ARCHIVE-1

GRAPHIC DETAIL  
SCALE: 3/8" = 1'-0"

Customer  
**MCDONALD'S**  
Location  
**WAXAHACHIE, TX**

Date  
**12/11/19**  
File Name  
**233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX**

Prepared By  
**KH**

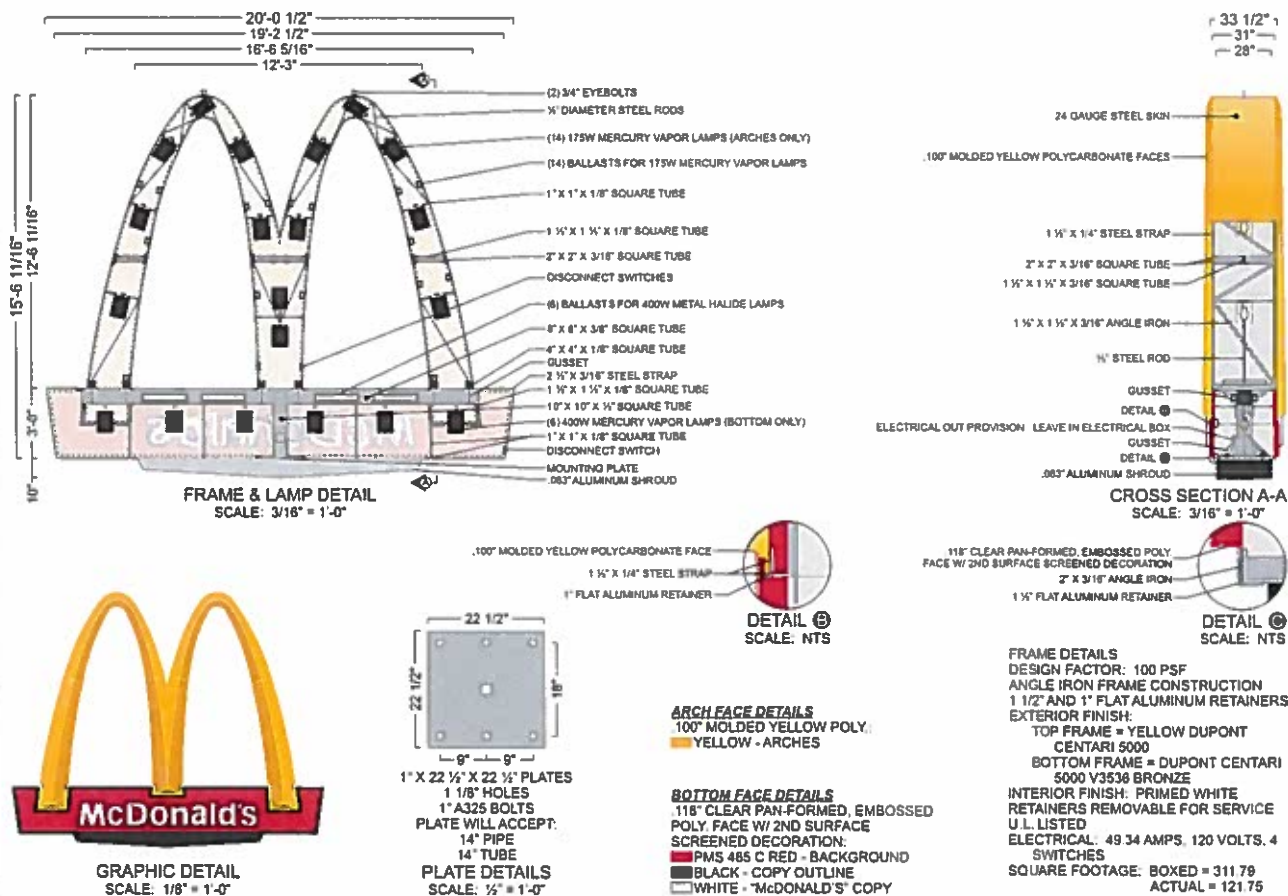
Note: Color may vary when viewing a printing of this drawing. If color and/or P&ID is the chosen option, it is the user's responsibility to ensure the correct color and P&ID are used in the final production.

Eng

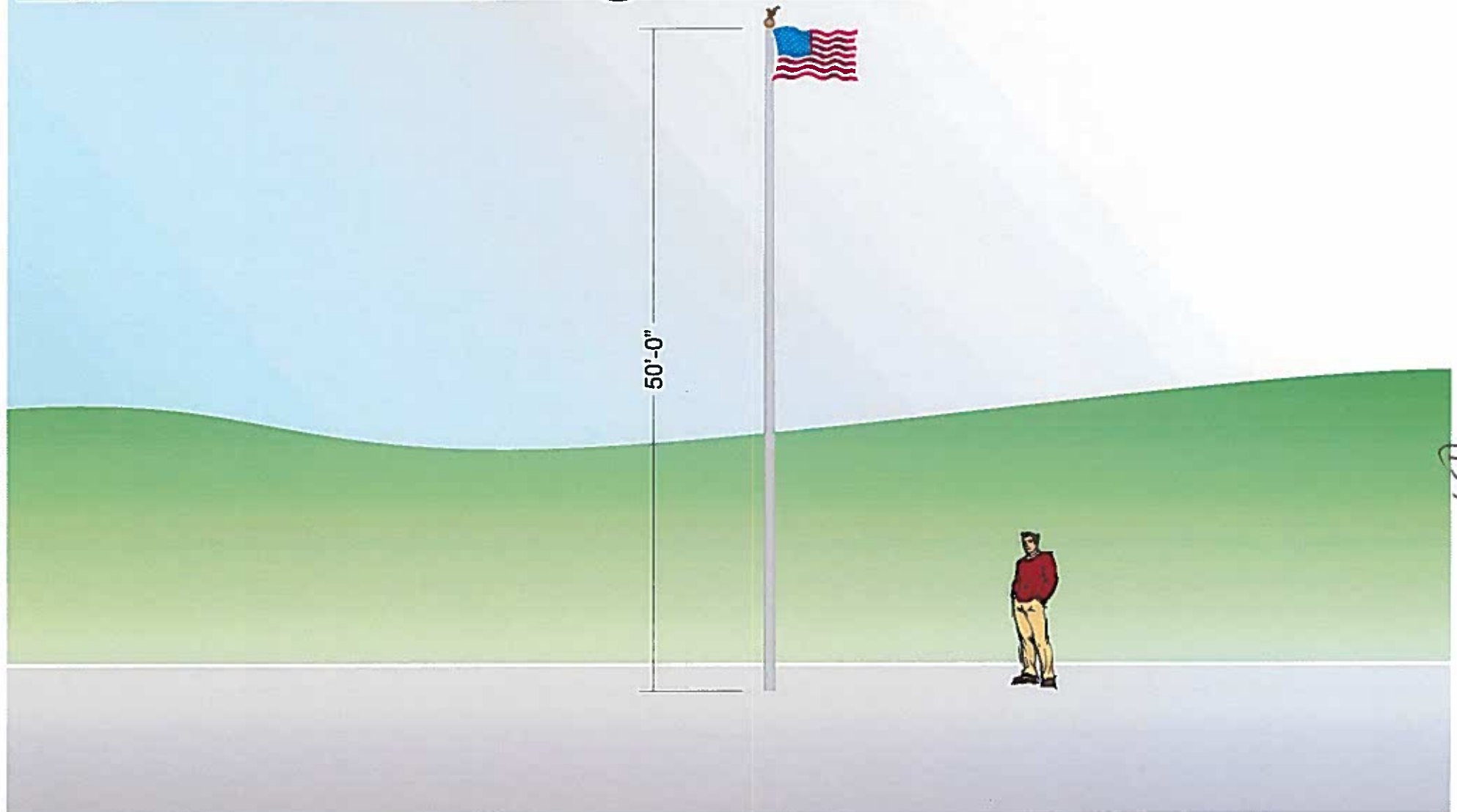
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# Exhibit E - Sign Plan <sup>(13)</sup>



# Exhibit E - Sign Plan



ELEVATION  
SCALE: 3/32" = 1'-0"

Customer:  
**MCDONALD'S**  
Location:  
**WAXAHACHIE, TX**

Date:  
**16DEC19**

Prepared By:  
**SC**

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File Name:  
**233826 - R2 - F.M. HWY 66 & 35 E - WAXAHACHIE, TX**

Eng:  
-

**persona**  
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## Memorandum

To: Honorable Mayor and City Council  
From: Tommy Ludwig, Assistant City Manager  
Thru: Michael Scott, City Manager  
Date: February 17, 2020  
Re: Impact Fee Capital Improvements Advisory Committee Update

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On Monday, February 17, 2020, two items will appear before the City Council for consideration related to the City's Impact Fee Capital Improvements Advisory Committee (IFCIAC). The first item is a resolution repealing and replacing Resolution Number 1170, which establishes the membership of the IFCIAC. The proposed resolution would make the Planning and Zoning Commission, a City Council representative, and three Ad Hoc Board and Commission Members, of which at least one must reside in the City's extraterritorial jurisdiction, as the new IFCIAC. The second item would be an action to take nominations and appoint the three Ad Hoc Board and Commission Members to the IFCIAC.

Chapter 395 of the Texas Local Government Code requires that municipalities provide semiannual updates to the IFCIAC regarding the progress of capital improvement projects and impact fee revenues and expenditures. Chapter 395 also requires that municipalities update their land use assumptions and capital improvement plans associated with their impact fees at minimum every five years. The IFCIAC serves as a recommending body to the City Council for any changes proposed to the land use assumptions, capital improvement plans or impact fee rates. In the past the IFCIAC has primarily been made up of individuals representing the local development community, with representation from members of the Planning and Zoning Commission and City Council included as well.

Due to the diverse schedules of the committee members, it has often been difficult to obtain a quorum for the committee to meet. As a result, staff recommends the aforementioned change to the committee make up. The proposed change will ensure



(14+15)

a committee quorum is consistently met and committee business moves forward at a consistent pace. Staff recommends that the three Ad Hoc Members be made up from individuals who represent the development, real estate, and/or banking industry to ensure these sectors are fairly represented on the committee.

I am available at your convenience should you need additional information.

Tommy Ludwig

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS, REPEALING AND REPLACING RESOLUTION 1170 AND APPOINTING AN IMPACT FEE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE, TO CONSIST OF THE CITY'S PLANNING AND ZONING COMMISSION, THE CITY COUNCIL LIAISON, TOGETHER WITH THREE AD HOC BOARD AND COMMISSION MEMBERS FOR PURPOSES OF HEARING SEMIANNUAL REPORTS ON CAPITAL IMPROVEMENT PROJECTS, IMPACT FEE REVENUE AND EXPENDITURES, AND ADVISING THE CITY COUNCIL ON UPDATES TO THE CITY'S IMPACT FEE PROGRAM FOR WATER, WASTEWATER, AND ROADWAYS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City Council of Waxahachie has determined that it is in the public interest to adopt an impact fee program for water and wastewater facilities and roads; and

**WHEREAS,** the City has retained consultants for the purpose of advising the City concerning the update of an impact fee program; and

**WHEREAS,** Texas Local Government Code, Chapter 395, prescribes certain procedures for the updating of an impact fee program; and

**WHEREAS,** Chapter 395 requires the City to appoint an Impact Fee Capital Improvements Advisory Committee for the purpose of making recommendations to the City Council concerning the capital improvement plans for water, wastewater facilities, roadways, and impact fees for such facilities; and

**WHEREAS,** the City Council in accordance with Chapter 395 has determined that the City's Planning and Zoning Commission, a City Council Representative, plus three Ad Hoc Board and Commission Members should serve as the Impact Fee Capital Improvements Advisory Committee; and

**WHEREAS,** the City Council has determined that the impact fee program may be applied in the Extraterritorial Jurisdiction (ETJ) of the City, and that a representative residing in the City's ETJ should be appointed to the Committee;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**SECTION 1**

The City's Planning and Zoning Commission, a City Council Representative, plus three Ad Hoc Board and Commission Members shall serve as the Impact Fee Capital Improvements Advisory Committee for the City of Waxahachie and hereby shall hereafter undertake the functions of such Committee.

**SECTION 2**

Out of the three Ad Hoc members, a minimum of one member must reside in the City's ETJ. It is recommended that the three Ad Hoc members represent the interests of the development and financial sectors of the City.

**SECTION 3**

The duties of the Impact Fee Capital Improvements Advisory Committee shall include the following:

- A. Advise and assist the City in the updating of land use assumptions to support the preparation of capital improvement plans;
- B. Review the capital improvement plans for water, wastewater, and roadways and other facilities for which the City determines to charge impact fees, and file written comments with the City Council thereon;
- C. Monitor and evaluate the implementation of the capital improvement plans;
- D. File semiannual reports with respect to the progress of the capital improvement plans and report to the City Council any perceived inequities in implementing the capital improvement plans or imposing impact fees based on such plans, and
- E. Advise the City Council of the need to update or revise the land use assumptions, capital improvement plans, and impact fees.

**SECTION 4**

The Impact Fee Capital Improvements Advisory Committee shall conduct meetings in accordance with the procedural rules adopted by the Planning and Zoning Commission.

**SECTION 5**

This resolution shall take effect immediately upon its adoption.

ADOPTED THIS 17<sup>th</sup> day of February, 2020.

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MAYOR

ATTEST:

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City Secretary