

**AGENDA**  
**JOINT CITY COUNCIL AND PLANNING AND ZONING COMMISSION**  
**WORK SESSION**  
**MONDAY, JANUARY 9, 2012 — 6:00 P.M.**  
**CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS**

**CITY COUNCILMEMBERS**

<b>MAYOR</b>	<b>WILLIAM FORTNER</b>
<b>MAYOR PRO-TEM</b>	<b>JEFF COUNCIL</b>
<b>COUNCILMEMBER</b>	<b>BARRY RATCLIFFE</b>
<b>COUNCILMEMBER</b>	<b>CHARLES GILLENWATER</b>
<b>COUNCILMEMBER</b>	<b>KENNETH MUNDEN</b>
<b>COUNCILMEMBER</b>	<b>TONY RADER</b>
<b>COUNCILMEMBER</b>	<b>LOUIS TIJERINA</b>

**PLANNING AND ZONING COMMISSION**

<b>CHAIRMAN</b>	<b>ANITA HALL</b>
<b>VICE-CHAIRMAN</b>	<b>BURTON BROWN</b>
<b>COMMISSIONER</b>	<b>PATRICK CARDOZA</b>
<b>COMMISSIONER</b>	<b>VENTIA DOSTER</b>
<b>COMMISSIONER</b>	<b>KAY FERRELL</b>
<b>COMMISSIONER</b>	<b>LARRY NELSON</b>
<b>COMMISSIONER</b>	<b>SAM LALUMIA</b>

**CALL MEETING TO ORDER:**

Mayor calls the Meeting to order, state the date and time. State Councilmembers present and declare a quorum present.

Planning and Zoning Commissioner Chairperson calls the Meeting to order, state the date and time. State Members present and declare a quorum present.

NOTE: A Work Session is used to explore matters of interest to one or more City Council Members or the City Manager for the purpose of giving staff direction into whether or not such matters should be placed on a future regular or special meeting of the Council for citizens input, City Council deliberation and formal City action. At a work session, the City Council generally receives informal and preliminary reports and information from City staff, officials, members of City committees, and the individual or organization proposing council action, if invited by City Council or City Manager to participate in the session. Participation by individuals and members of organizations invited to speak ceases when the Mayor announces the session is being closed to public input. Although Work

Sessions are public meetings, and citizens have a legal right to attend, they are not public hearings, so citizens are not allowed to participate in the session unless invited to do so by the Mayor. Any citizen may supply to the City Council, prior to the beginning of the session, a written report regarding the citizen's opinion on the matter being explored. Should the Council direct the matter be placed on a regular meeting agenda, the staff will generally prepare a final report defining the proposed action, which will be made available to all citizens prior to the regular meeting at which citizen input is sought. The purpose of this procedure is to allow citizens attending the regular meeting the opportunity to hear the views of their fellow citizens without having to attend two meetings.

1. [Receive a report, hold a discussion, and give Staff direction on proposed annexations east and west of the current city limit boundaries along U.S. Highway 175.](#)

#### **PLANNING AND ZONING COMMISSION ADJOURNMENT.**

#### **CITY COUNCIL ADJOURNMENT.**

I, JO ANN TALBOT, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:00 P.M., JANUARY 5, 2012 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

---

**JO ANN TALBOT  
CITY SECRETARY**

THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES) AND 551 .087 (ECONOMIC DEVELOPMENT).

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



# City of Kaufman

## Council Agenda Item

<b>Meeting Date:</b> 01-09-12	<b>Date:</b> 01-04-12	<b>Item #:</b> 1	<b>Dept:</b> Development Services
-------------------------------	-----------------------	------------------	-----------------------------------

(Check one)

Consent                       Action                       Discussion

**Subject:**

Receive a report, hold a discussion, and give Staff direction on proposed annexations east and west of the current city limit boundaries along U.S. Highway 175.

**Background:**

The proposed annexations would extend the current city limit boundaries one mile east and west along U.S. Highway 175. A municipality may not annex a total area greater than 10% of the incorporated area of the city as of January 1, 2012. Based upon the 5,397.09 acres presently within the corporate limits of Kaufman, the city can annex approximately 1,619 acres in the first year. The proposed areas to be annexed have a total acreage of 246.01 acres. The proposed areas meet the minimum 1,000 foot width requirement. See the attached maps for Area A – East U.S. Highway 175 and Area B1 and B2 – West U.S. Highway 175.

The annexation plan was officially adopted on August 22, 2011. According to the Texas Local Government Code, annexations may occur beginning on the third anniversary of the date the annexation plan is adopted. There are some limited exceptions to the rule. The Texas Local Government Code also requires within 90 days that cities provide written notice to every property owner, every public entity and each railroad company in the proposed annexation areas. Additionally, a comprehensive inventory of services and facilities provided by public and private entities, directly or by contract in each area proposed for annexation is required. The inventory for utility facilities, roads, drainage, structures, and other infrastructure provided

**Author:**  
**Marcy Ratcliff, Director**

**Reviewed:**

<b>Cost:</b> \$0.00	<b>Funds Available:</b> \$0.00	<b>Source:</b>
------------------------	-----------------------------------	----------------

**Recommendation:**  
**Direct Staff on proceeding with the annexation process.**

**City Secretary Only**

1. Fortner     2. Ratcliffe     3. Rader     4. Gillenwat     5. Council     6. Tijerina     7. Munden

<b>Motion:</b>	<b>Second:</b>	<b>Ayes:</b>	<b>Nayes:</b>
----------------	----------------	--------------	---------------

<b>Tabled:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Return Date:</b>	<b>Passed Date:</b>
--	---------------------	---------------------

**Background Continued:**

or maintained by public or private entities must include an engineer's report that describes the physical condition of all infrastructure elements in the area and a summary of capital, operational and maintenance expenditures for the infrastructure. Included in the inventory for fire, police and emergency medical services is information about the average dispatch and delivery time; a schedule of equipment, including vehicles; a staffing schedule that discloses the certification and training levels of personnel; and a summary of operating and capital expenditures. The inventory is required to be available for public inspection in a specific time period.

Development Services did not make the necessary notifications or complete the required inventory of services and facilities within in each proposed annexation area as required. It is staff's contention that the annexation plan is null and void. Staff is in the process of verifying that assumption with the City Attorney.

If the annexation plan is deemed null and void we would still able to continue annexing using Subchapter C-1, Annexation Procedure for area exempted from the municipal annexation plan. One condition for the exemption from the state's annexation procedure is a proposed annexation of an area with 100 residents or less. Staff would also want Council to authorize initiating zoning at the same time. The proposed zoning would be Agricultural – Open Space "A-O" to use as a holding zone until the land owner determines the zoning desired in compliance with the Comprehensive Plan.

Staff prepared a draft annexation service plan for your review. Also included is a map showing the surrounding local water supply corporation's (WSC) Certificate of Convenience and Necessity (CCN's) boundaries. Area A (east U.S. Highway 175) is located within the Becker-Jiba WSC boundary. Area B1 and B2 (west U.S. Highway 175) is located within in the Gastonia Scurry WSC boundary.

Below is a draft schedule of annexation procedural and hearing dates to review. The two required public hearings for annexation must be held between a range of dates after the first 40 days and before the 70<sup>th</sup> day in the process. The City Attorney, David Dodd will also be present to help address any questions you may have.

January 23 to April 9 (90 days)

January 23rd - Direct Staff to begin annexation process by preparing service plan and setting public hearing dates

Public Hearing Range Dates: March 3 to April 2

1. Proposed 1st Public Hearing: March 19th
2. Proposed 2nd Public Hearing: April 2nd

Property Owner Notification Date Minimum 30 days

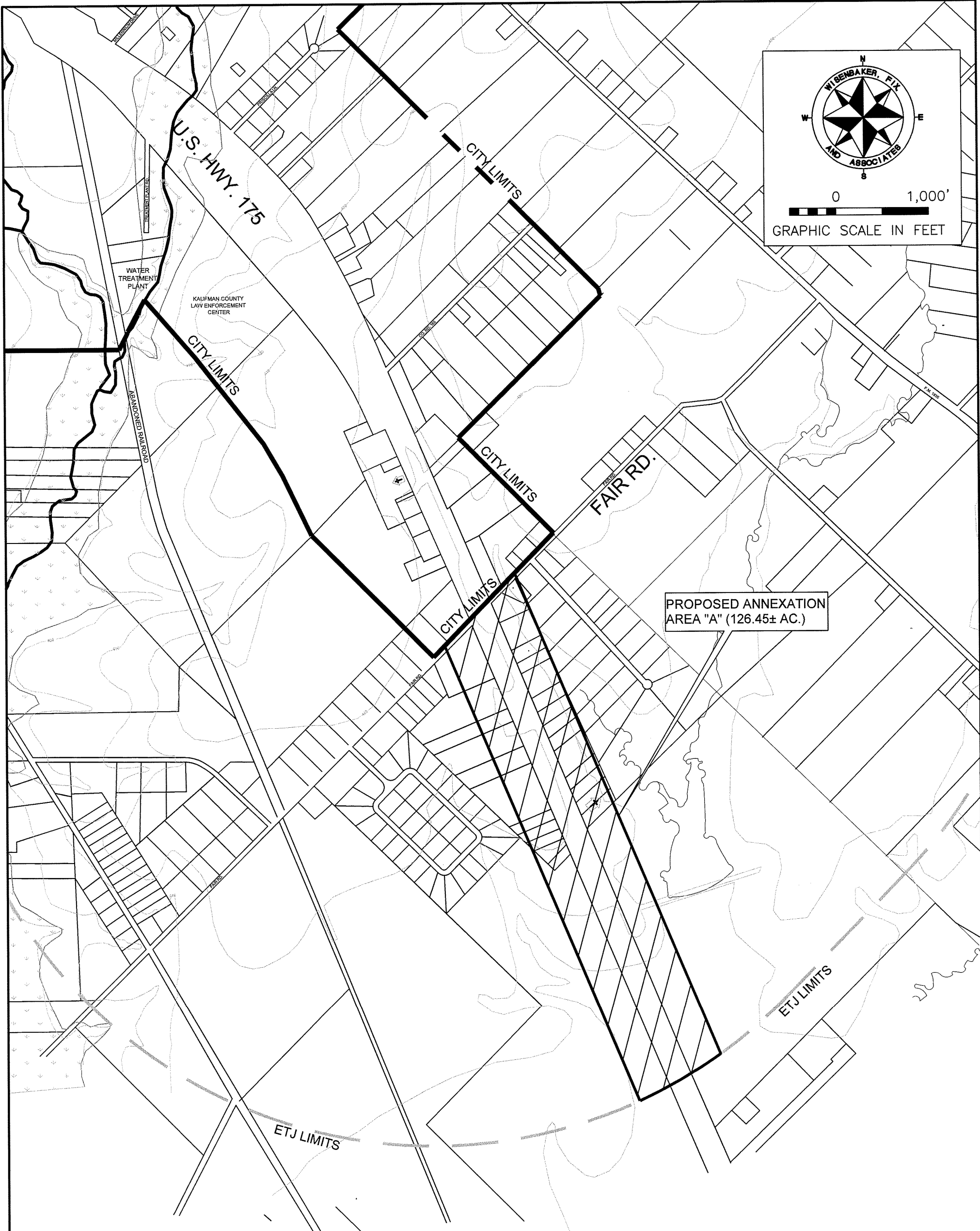
1. Proposed February 17th (31 days)

Newspaper & Internet Notification Minimum 10 days (not counting publication or hearing dates)

1. March 8th (email March 1st)
2. March 22nd (email March 15th)

Ordinance Adoption

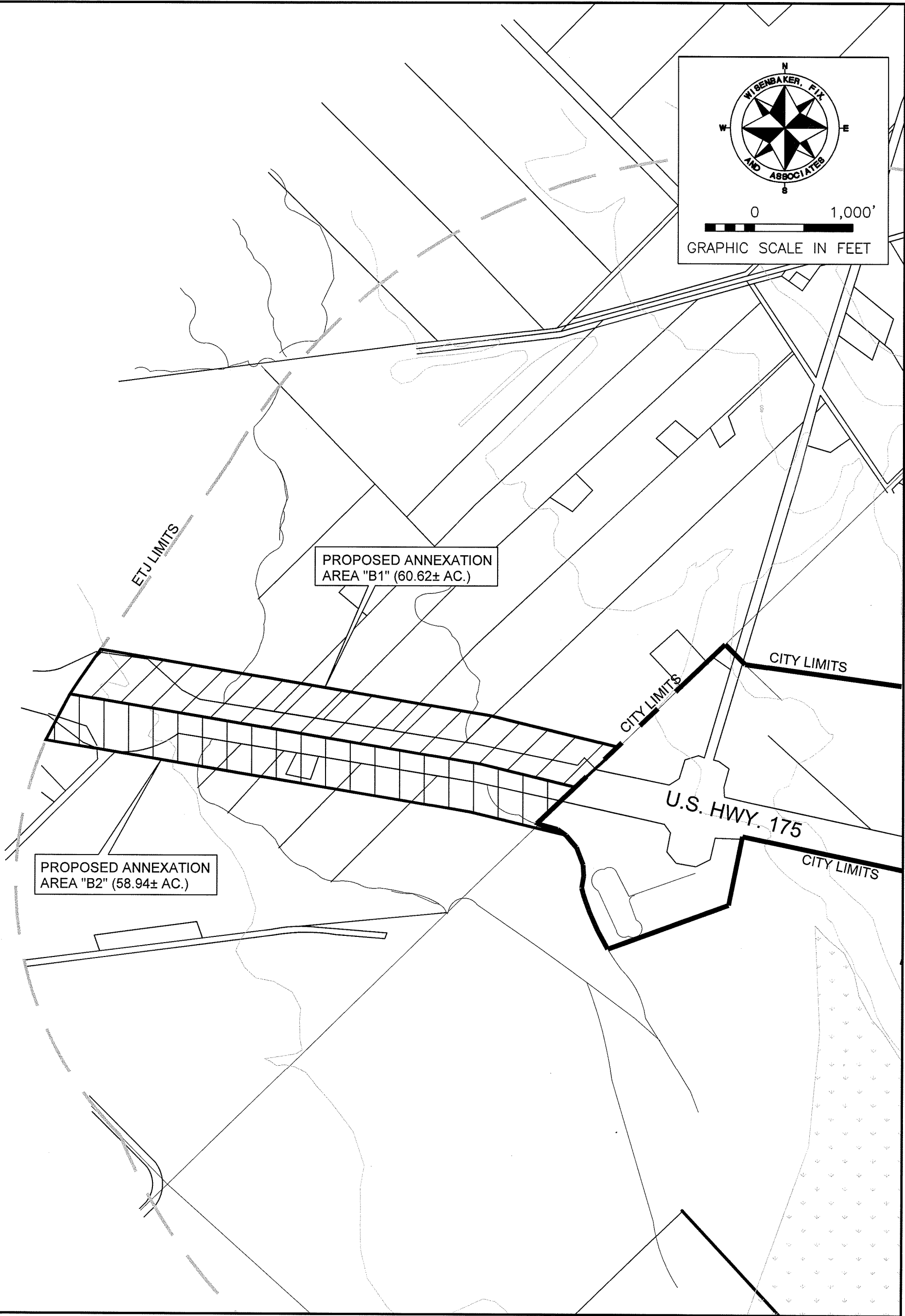
1. First Reading April 2nd
2. Second Reading April 12<sup>th</sup>



**KAUFMAN, TEXAS**  
**PROPOSED ANNEXATION AREA "A"**  
**126.45± ACRES**

**KSA**  
**ENGINEERS**

6781 Oak Hill Blvd.  
 Tyler, Texas 75703  
 T.903-581-8141 F.903-581-6853  
 www.ksaeng.com



**KAUFMAN, TEXAS**  
**PROPOSED ANNEXATION AREA "B1" AND "B2"**  
**"B1" = 60.62± ACRES - "B2" = 58.94± ACRES**

**KSA**  
**ENGINEERS**

6781 Oak Hill Blvd.  
 Tyler, Texas 75703  
 T.903-581-8141 F.903-581-6853  
 www.ksaeng.com

# EXHIBIT A

## CITY OF KAUFMAN, TEXAS

### SERVICE PLAN FOR ANNEXED AREAS

**DATE OF ANNEXATION ORDINANCE:**

**ACREAGE ANNEXED:** Area A – 126 ± acres

**PROPERTY DESCRIPTION:** See Exhibit A and Exhibit A.1 attached to the annexation ordinance.

Municipal Services to the acreage described above shall be furnished by or on behalf of the City of Kaufman, Texas (“City”) at the following levels and in accordance with the following schedule:

**A. POLICE PROTECTION:**

1. Police personnel and equipment from the City of Kaufman Police Department shall be provided to the areas annexed, at a level consistent with current methods and procedures presently provided to similar areas, on the effective date of this ordinance.
2. As development commences in these areas, sufficient police protection, including personnel and equipment will be provided to furnish these areas with the level of police services consistent with the characteristics of topography, land utilization and population density of the areas.
3. Upon ultimate development, police protection will be provided at a level consistent with other similarly situated areas within the City limits.

**B. FIRE PROTECTION / EMERGENCY MEDICAL SERVICES:**

1. Fire protection and Emergency Medical Services (EMS) from the City shall be provided to the areas annexed, at a level consistent with current methods and procedures presently provided to similar areas, on the effective date of this ordinance
2. As development commences in these areas, sufficient fire protection and EMS, including personnel and equipment will be provided to furnish these areas with

the level of services consistent with the characteristics of topography, land utilization and population density of the areas.

3. Upon ultimate development, fire protection and EMS will be provided at a level consistent with other similarly situated areas with the City limits.

**C. FIRE PREVENTION:**

The services of the City of Kaufman Fire Department shall be provided to the area on the effective date of the ordinance.

**D. SOLID WASTE COLLECTION:**

1. Solid waste collection shall be provided to the area annexed upon request on the effective date of this ordinance. The collection of refuse from individual properties shall be made in accordance with the solid waste collection contract in effect on the effective date of the ordinance.
2. As development commences in these areas, sufficient solid waste collection will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas.
3. Upon ultimate development, solid waste collection will be provided at a level consistent with other similarly situated areas with the City limits.

**E. WATER SERVICE:**

1. Connection to existing water mains for water service will be provided in accordance with existing City Policies. Upon connection to existing mains, water will be provided at rates established by City Ordinance.
2. As development commences within these areas, water mains will be extended in accordance with the provisions of the Subdivision Ordinance O-24-99 and/or other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City Ordinances and Regulations. Capacity shall be provided consistent with the characteristics of topography, patterns of land utilization, and population density of the area. The attached water facilities plan reflects the principal facilities currently planned by the City to provide for currently expected land utilization and population density, based on applicable policies, ordinances and regulations.
3. Water mains installed or improved to City standards within the annexed area which are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, shall be maintained by the City of Kaufman on the effective date of the ordinance.

4. Maintenance of private lines will be the responsibility of the owner or occupant.
5. Operation and maintenance of water facilities in the annexed area that within the service area of another water utility will be the responsibility of that utility unless an agreement exists between the City and the other water utility.

**F. SANITARY SEWER SERVICE:**

1. Connection to existing city sanitary sewer mains for sewage service will be provided in accordance with existing City Policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City Ordinances.
2. As development commences in these areas, sanitary sewer mains will be extended in accordance with the provisions of the Subdivision Ordinance O-24-99 and/or other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City Ordinances and Regulations. Capacity shall be provided consistent with the characteristics of topography, patterns of land utilization and populations density of the area. The attached wastewater facilities plan reflects the principal facilities currently planned by the City to provide for currently expected land utilization and population density, based on applicable City policies, ordinances, and regulations.
3. Sanitary sewer mains and lift stations installed or improved to City Standards within the annexed area which are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, shall be maintained by the City of Kaufman on the effective date of this ordinance.
4. Operation and maintenance of wastewater facilities in the annexed area that are within the service area of another wastewater utility will be the responsibility of that utility unless an agreement exists between the City and the other wastewater utility.
5. Operation and maintenance of private wastewater facilities in the annexed area will be the responsibility of the owner.

**G. STREETS:**

1. Emergency street maintenance shall be provided for publicly dedicated streets or roads within these areas on the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures defined by ordinance.

2. As development commences in these areas all publicly dedicated streets shall be constructed to current City of Kaufman standards. The regulations and ordinance regarding City participation, maintenance and acceptance upon completion, shall apply. Maintenance will be provided at a level consistent with the characteristics of topography, patterns of land utilization, and population density of the area.

**H. PARKS AND RECREATION:**

1. Residents within the areas annexed may utilize all existing park and recreation facilities, on the effective date of the Ordinance. Fees for such usage shall be in accordance with the current fees established by ordinance.
2. As development commences in these areas, additional park and recreation facilities shall be constructed based on the Park policies defined in the Comprehensive Plan. The general planned locations and classifications of parks will ultimately serve residents from the current city limits and residents from areas being considered for annexation.

**I. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES:**

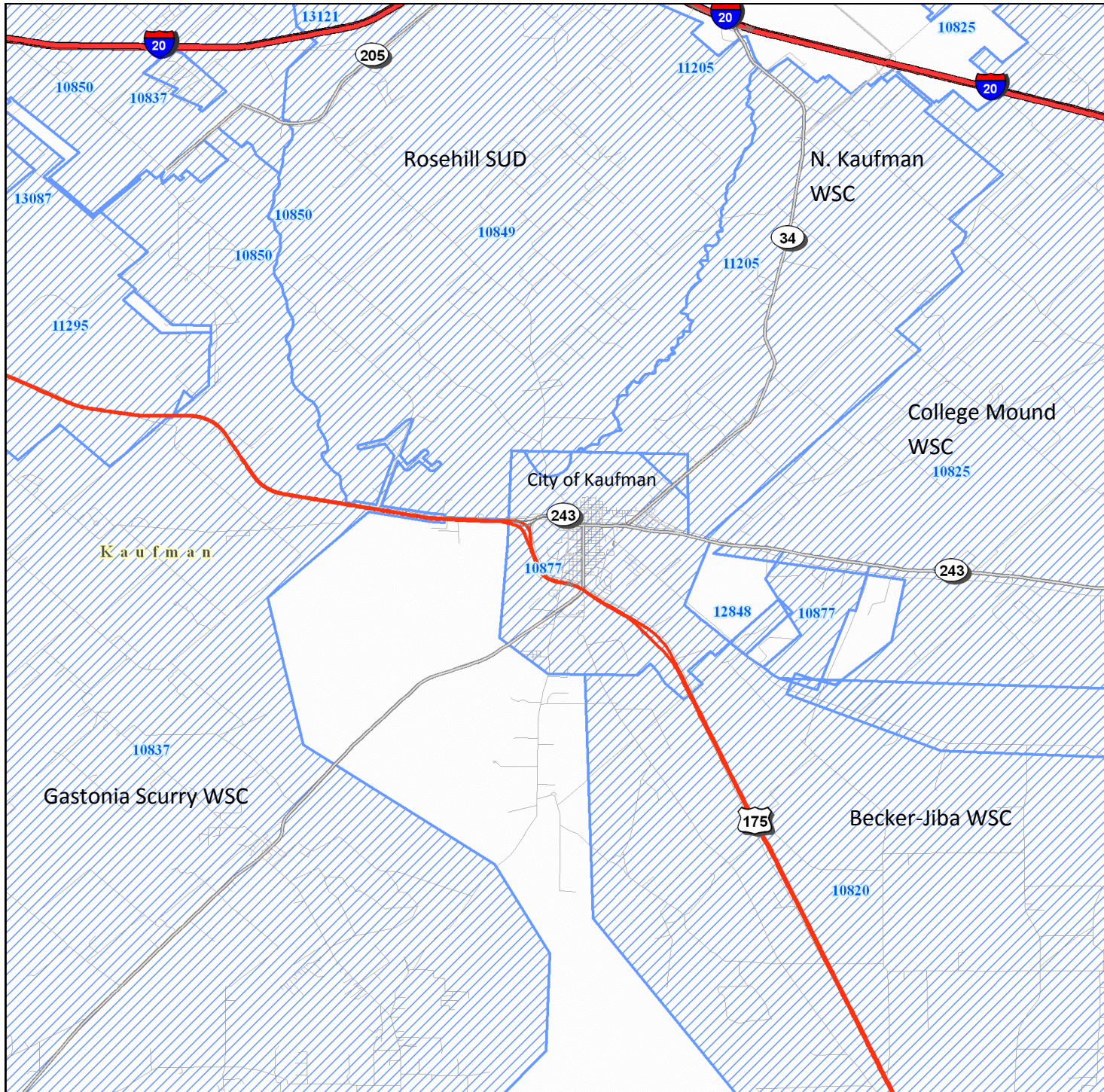
1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, shall begin within this area within sixty (60) days of the effective date of the annexation ordinance.
2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within sixty (60) days of the effective date of this ordinance.
3. As development commences in this area, the City shall provide the level of Environmental Health and Code Enforcement Services as are furnished in other similarly situated areas throughout the City.

**J. MISCELLANEOUS:**

1. Any publicly owned facility, building, or service located within the annexed area shall be maintained by the City on the effective date of this annexation ordinance.
2. This area being annexed and the residents thereof will be entitled to and shall be governed by the Charter of the City and all statutes, ordinances, policies, and any and all other governing directives that exist or may ever exist for those statutes currently within the corporate limits of the City.

3. If this area being annexed is ever de-annexed, then only those laws, rules, regulations, ordinances, and any and all other governing directives that may apply to areas of land within the extraterritorial jurisdiction of the City will be in effect.
4. It is the intent of the City to comply with the laws of the State of Texas that relate to the annexation of territory.
5. The provisions of this service plan will commence upon the effective date of an approved and adopted ordinance annexing this territory into the corporate limits of the City of Kaufman.

DRAFT COPY



*Protecting Texas by  
Reducing and  
Preventing Pollution*

Texas Commission on Environmental Quality

P.O. Box 13087

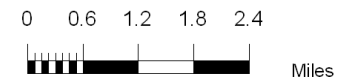
Austin, Texas 78711-3087

For more information

concerning this map, please contact the

Water Supply Division at (512) 239-4691.

### The Selected Area of Interest



### Legend

- Water CCN Facility Line
  - Sewer CCN Facility Line
  - Senate - Districts
  - House - Districts
  - TCEQ Service Region Boundary
  - County Boundary
  - Sewer CCN Service Area
  - Water CCN Service Area
  - City Boundary
- CCN Overlap Key**
- Sewer-Water CCN Service Area

