



MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 06, 2020 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present in person were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Councilmember Macalik attended Executive Session via telephone conference call and attended the public portion of the meeting remotely, via ZOOM. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:02 p.m.

II. EXECUTIVE SESSION.

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

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

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:40 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

VI. OPEN FORUM

Kristy Cole, City Secretary read the following comments, which were received via email (publiccomments@rockwall.com) prior to the meeting:

Hello Mayor and City Council,

Though I am a relatively new resident of the city of Rockwall and only moved here a few short years ago, I am aware of the impact Former Mayor Scott Self had on the community in both the public and private sector.

I believe the council should name the boat slips at The Harbor after Scott Self, perhaps the Scott Self Boat Slips. He spent a lot of time there with Seawolf and I think it would be a fitting tribute.

Thanks,
Josh Ronin

Judith Matherne
Former County Chair,
Rockwall County Democratic Party
1115 Signal Ridge Place
Rockwall, TX 75032

Mayor and Members of the City Council.

At a recent city council meeting, Christian Gialodor outlined three short term goals for the Black Lives Matter movement in the City of Rockwall. After a discussion with Christian, I find these goals admirable and necessary if the City of Rockwall is to further the cause of racial justice.

As elected officials you can no longer look away from the lynching and burning of Anderson Ellis, an African-American, in downtown Rockwall in the early 1900's, the frequency of unwarranted traffic stops of black and brown people, and the racial taunts students are subjected to in our schools.

I stand in support of these goals, and I look forward to the approval of Appointment Item 1. of today's agenda.

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

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

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

Marie-Anne Shiffmann
2125 Hillcroft Drive
Rockwall, TX 75087

Ms. Shiffmann came forth and expressed support for the erection of a monument in memory of Anderson Ellis. She went on to speak in general about her belief that bias exists and that racial-related biases creep into our everyday speech and behavior.

Hannah Garrett
1330 Calistoga Drive
Rockwall, TX 75087

Ms. Garrett came forth and generally expressed support for Mr. Christian Gialador's efforts (related to erecting a monument for Anderson Ellis, a black man who was lynched in Rockwall in the 1900s). She believes racism and prejudice remain prevalent in this town. She generally spoke against racism and encouraged elected officials to join in solidarity against it.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forth and spoke about the recent 4th of July parade that was held. He generally commented that he did not sense any racial tension at the parade. He shared some statistics about murders in the Chicago area and murder of police officers. He believes that, although Rockwall used to have some racial problems, it is not prolific any longer. He went on to share some comments pertaining to the COVID-19 pandemic, generally indicating that numbers of positive cases have increased; however, hospitals are treating patients, and they are recovering. He encouraged collaboration among people in lieu of hateful name calling, especially on social media.

Dwight Dabney
604 E. Ross
Rockwall, TX

Mr. Dabney shared that he has been a long-time resident of this community. He went on to explain that his mother was Ruby Dabney, and she was born in 1936 in Rockwall. She used to work at the local Southside community swimming pool for a number of years. He indicated that his mother created an atmosphere of inclusion and diversification at the swimming pool located in the Southside neighborhood. He pointed out that Gloria Williams worked with his mother, Ruby, and he understands the park in the Southside is named after Gloria Williams. He would like the swimming pool there named after his mother (i.e. "the Ruby Dabney Swimming Pool at Gloria Williams Park").

Mayor Pruitt pointed out that anything related to 'naming' will first go to the city's Park Board for consideration. Then the Park Board will make a recommendation to the City Council for consideration of a requested "naming."

Fred Dabney
2B Lakeway Drive
Heath, TX

Mr. Dabney came forth and shared that he has been in the community for a very long time, and so has his family. His grandfather helped dig the swimming pool that is in the Southside community, and he also helped build the courthouse on the downtown square. He himself graduated Rockwall High School in 1977. He generally expressed that there have been racial issues within the Rockwall community and within Rockwall schools throughout the years. He also believes that the way the city has been run in the past has not been in the best interest of all Rockwall citizens. For example, he pointed out that people in the Southside were given tickets for jaywalking even though there are no sidewalks there. He went on to urge the Council to consider naming the swimming pool at Gloria Williams Park after Ruby Dabney. He generally encouraged an end to racism and called for unity.

Saron Regassa

1389 Stewart Drive
Rockwall, TX 75032

Ms. Regassa came forth and offered support for efforts to get a historical monument dedicated to the lynching and burning of Anderson Ellis (back in the 1900s in Rockwall). She generally expressed concern about local students not being taught about or having knowledge of black history within our community (i.e. "Dorris A. Jones Elementary School" is named after a black man).

Randall Bryant
2603 Norwood Drive
Dallas, TX 75228

Mr. Bryant shared that he currently lives in Dallas; however, he is a 2005 Rockwall High School graduate. He shared that he and others are wearing red ribbons today, standing in solidarity for the request to have the swimming pool in the Southside neighborhood named after Ruby Dabney. He pointed out that she had a faithful, 20+ years of service to the City and the swimming pool. He believes naming the swimming pool after Ms. Dabney will be very fitting and appropriate. He hopes the Rockwall Park Board and City Council will approve the request to name the pool after Mrs. Dabney.

Priscylla Bento
2002 S. Lakeshore Drive
Rockwall, TX 75087

Ms. Bento came forth and generally expressed support for the naming of the Southside swimming pool after Mrs. Ruby Dabney. She believes Mrs. Dabney planted seeds of inclusion, unification and diversification. She was known to have included all children at the local Southside swimming pool. She generally encouraged the Park Board and Council Members to support this naming request.

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

Mayor Pruitt then reordered the agenda to address Appointment Item #1 next.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler made a motion to authorize the City Manager to amend the contract with Legacy Humane Society as discussed in Executive Session. Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the June 15, 2020 regular City Council meeting, and take any action necessary.
2. Consider approval of the minutes from the June 26, 2020 emergency City Council meeting, and take any action necessary.
3. **Z2020-016** - Consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of

Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary **(2nd Reading)**.

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

Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12) as presented. Councilmember Campbell seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-21
SPECIFIC USE PERMIT NO. S-223**

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

CITY OF ROCKWALL
ORDINANCE NO. 20-22
SPECIFIC USE PERMIT NO. S-224

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

CITY OF ROCKWALL
ORDINANCE NO. 20-23
SPECIFIC USE PERMIT NO. S-225

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

**CITY OF ROCKWALL
ORDINANCE NO. 20-24
SPECIFIC USE PERMIT NO. S-226**

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

The motion to approve passed by a vote of 6 ayes (Macalik voting in the affirmative remotely) and 1 absence (Pruitt stepped out of the meeting for a while).

IX. APPOINTMENT ITEMS

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

Mr. Giadolor came forth and provided a presentation related to "Black Lives Matter." In part, his presentation focused on the past lynching of Anderson Ellis in Rockwall in the 1900s. He then called for a moment of silence for those who have been victims of "police brutality and racial injustice." Subsequently, he turned the presentation over to Ryan Figert. Mr. Figert came forth and provided a past history of Rockwall (when it was founded, it historically being a farming community, past slavery, past racial division, past racial related violence, etc.). Mr. Giadolor came forth again and spoke about the lynching of Anderson Ellis, generally explaining that Mr. Ellis had been accused of rape, which is why he was brutally murdered and lynched. He generally expressed that the lynching of this man has been erased from local, Rockwall history, and he would like to bring the story to light. Mr. Figert then came forth again and shared details of past discrimination, segregation, and additional details regarding local Rockwall history. Rachel Giadolor then came forth and shared results from a recent survey that was taken, which generally asked questions about black-related Rockwall history (i.e. "do you know who Dorris A. Jones is?"). Mr. Giadolor came forth again and pointed out comments that many RISD black students expressed, generally about their experiences and how they feel attending Rockwall schools (i.e. black students do not feel safe or welcome in our schools or our community). He went on to generally ask for a statement of support from our institutional leaders, not necessarily in support of "BLM" but in support of racial unity. He also asked for support for placement of a plaque / a marker in memory of Anderson Ellis in downtown Rockwall, which is where this lynching occurred in the early 1900s. Mr. Giadolor asked that, by July 20, the Council give indication of its support for a lynching memorial to be placed in memory of Anderson Ellis in downtown Rockwall.

Councilmember Johannesen briefly spoke and confirmed that Mr. Giadolor lives in McLendon-Chisholm. He asked what steps Mr. Giadolor has taken to engage that particular city in his efforts.

Mr. Giadolor shared that he has not taken any explicit steps with McLendon-Chisholm because he does not believe that it will be as difficult of a stakeholder engagement challenge as it has been here in Rockwall. He believes that Rockwall and the Rockwall City Council sets the tone for surrounding cities such as Heath, McLendon-Chisholm, Royse City, Fate, etc. Mr. Giadolor generally indicated that he would like to receive the Rockwall City Council's support before approaching Judge Sweet to attempt to secure his support for the erection of a plaque.

Following general, brief discussion about the possibility of erection of a plaque and who would ultimately authorize it, Mayor Pruitt then called for a short break, recessing the public meeting at 7:14 p.m.

X. ACTION ITEMS

1. **Z2020-022** - Discuss and consider a request by Brad Johnson for the approval of an **ordinance** for a Specific Use Permit (SUP) for Detached Garage that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernoodle Street, and take any action necessary (**2nd Reading**).

Mayor Pro Tem Fowler called the meeting back to order at 7:22 p.m. He mentioned that Mayor Pruitt had to step out of the meeting for a short while but that he would be back.

Mr. Miller, Planning Director provided background information pertaining to this agenda item. He generally explained that, following the last city council meeting, the applicant has come forth and expressed he is having some challenges meeting what the Council approved.

Brad Johnson
803 Kernoodle Street
Rockwall, TX

Mr. Johnson, the applicant, came forth and explained complications that he ran into after the last city council meeting. He tried to reposition the building in order to meet the rear setback stipulation. One problem is that the closer the building is brought to the home, the higher its elevation and the more it is seen. Also, it just puts it too close to the house. Moving it closer would also result in having to remove some existing concrete, and it would be within the drip line of an existing tree he is trying not to disturb. He went on to explain some additional challenges he is having with placement of this structure as related to the rear setback.

Following clarification regarding the purpose of a rear yard setback requirement and additional, brief comments, Councilmember Johannesen moved to approve Z2020-022, including the detached garage exceeding the maximum square footage and with the understanding that it will encroach into the rear setback. Mayor Pro Tem Fowler seconded the motion. The motion passed by a vote of 4 in favor, 2 against (Daniels and Hohenshelt), and 1 absent (Pruitt).

2. **A2020-001** - Discuss and consider the expiration of an existing 212 Development Agreement for a 2.77-acre tract of land that is contiguous with the City of Rockwall's city limits, situated within the City's Extraterritorial Jurisdiction (ETJ), addressed as 417 & 463 Green Circle and identified as Tract 8 of the R. Dickens Survey, Abstract No. 73, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. He generally indicated that the applicant has asked for the Council to consider extending the existing 212 development agreement for a period of 7 years. At the request of Councilmember Johannesen, Mr. Miller went on to explain what a 212 development agreement generally is and what it does for the city and for the property owner. City Attorney, Frank Garza, also provided some legal clarifications pertaining to 212 agreements.

Following brief discussion, Councilmember Hohenshelt moved to extend this 212 development agreement for a period of three (3) years. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

3. Discuss and consider Governor Abbott's recent Executive Order(s), and take any action necessary.

Mayor Pruitt rejoined the meeting at the start of this agenda item (7:39 p.m.). He shared that he plans to issue an additional declaration, which will generally state that gatherings of over 10 people within the City of Rockwall are allowed and permissible. General discussion ensued pertaining to the Governor's recent Executive Order and Proclamation. Council took no formal action pertaining to this agenda item.

4. Discuss and consider status of upcoming public events, and take any action necessary.

Mayor Pruitt shared that our city staff did a really great job at the local 4th of July Parade and the fireworks at Harry Myers Park. He pointed out that families were very well spaced out (usually about 15' apart from other families). He believes that a lot of folks enjoyed getting out and celebrating. He acknowledged that he also received a lot of negative comments about the events as well.

Travis Sales, Park Director, indicated that staff has provided to the Council a list of upcoming events that are scheduled within the City of Rockwall (i.e. Baseball Nation tournament(s) at Tuttle Ball Fields, Concerts by the Lake, etc.). All Council members other than Mrs. Macalik generally seemed to indicate that they are ok with baseball tournaments continuing. Councilmember Macalik expressed that she prefers that the City not be allowing large events like this to take place.

Regarding fall baseball, the majority of Council generally indicated that they are ok with this starting back up again in the month of September.

Regarding the City's Concert by the Lake series, Mr. Sales shared that there seems to be a concerted effort to spread out and exercise social distancing on the part of those attending these concerts. He is estimating that about 1,000 – 1,500 people (which is about half the typical attendance) are currently attending weekly. Attendance, in part, depends on the cover band that is playing. He estimates that those wearing masks at the Concerts is perhaps 50% / 50%. Councilmember Macalik generally expressed concerns about Concerts by the Lake being able to continue.

Regarding upcoming youth summer camps, only a small handful of parents have signed up their kids to attend. So these two, upcoming week-long camps may end up getting cancelled due to lack of interest. Council generally expressed no opposition to these two camps continuing.

Regarding the San Jacinto Music Series, a majority of Council generally expressed that they are ok with these Thursday, Friday and Saturday night concerts continuing.

No formal action was taken by Council concerning this agenda item.

5. Discuss and consider a resolution authorizing the Mayor to execute grant application for the Coronavirus Relief Fund, and take any action necessary.

City Manager Rick Crowley provided background information concerning this agenda item. Mayor Pro Tem Fowler made a motion to pass the resolution, authorizing the mayor to execute the grant application. Councilmember Hohenshelt seconded the motion. Following additional, brief comments, the motion passed unanimously (7 ayes to 0 nays).

6. Discuss and consider (re)appointments to the city's Architectural Review Board, Park Board, Art Review Commission, Historic Preservation Advisory Board, Animal Advisory Board and Airport Advisory Board, and take any action necessary.

Regarding the Architectural Review Board, Councilmember Daniels moved to reappoint the following individuals to serve an additional two-year term (expiring in August of 2022) on the board:

**Rick Johnson
Bob Wacker
Derek Deckard
Lindsay Mitchell**

Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

City Manager Rick Crowley indicated that departmental reports have been included in the informational meeting packet, and staff is happy to answer any questions the Council may have. No questions were posed / no discussion took place.

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

Assistant City Manager Joey Boyd provided a brief update on Census related responses and associated efforts.

XII. EXECUTIVE SESSION.

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

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).

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

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

Council did not reconvene into Executive Session at the close of the public meeting agenda. See above for action taken as a result of the pre-public meeting Executive Session.

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 8:07 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 20th DAY OF JULY, 2020.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

