



# AGENDA

## ROCKWALL CITY COUNCIL MEETING

**Tuesday, February 17, 2026 - 5:00 PM**

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

**I. Call Public Meeting to Order**

**II. Executive Session**

**The City of Rockwall City Council will recess into executive session to discuss the following matter as authorized by chapter 551 of the Texas government code:**

- 1.** Discussion regarding Economic Development prospects, projects, and/or incentives, pursuant to §Section 551.087 (Economic Development)
- 2.** Discussion regarding possible sale/purchase/lease of real property in the vicinity of the Southside District and The Harbor District, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)
- 3.** Discussion regarding legal advice pertaining to upcoming municipal elections, pursuant to Section §551.071 (Consultation with Attorney)
- 4.** Discussion regarding legal advice pertaining to Order No. BOA2025-3-V pursuant to Section §551.071 (Consultation with Attorney).
- 5.** Discussion regarding Donald Palmer v. City of Rockwall, Cause No. 1-26-0003, pursuant to Section 551.071 (Consultation with Attorney)

**III. Adjourn Executive Session**

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

**V. Invocation and Pledge of Allegiance - Mayor Tim McCallum**

**VI. Proclamations / Awards / Recognitions**

- 1.** Black History Month Proclamation

**VII. Appointment Items**

- 1.** Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

**VIII. Open Forum**

**This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. To speak during this time, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. Per Council policy, public comments should be limited to three (3) minutes out of respect for others' time. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of**

discussion/deliberation be posted on an agenda not less than 3 business days in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

**IX. Take Any Action as a Result of Executive Session**

**X. Consent Agenda**

These agenda items are routine/administrative in nature, have previously been discussed at a prior City Council meeting, and/or they do not warrant Council deliberation. If you would like to discuss one of these items, please do so during "Open Forum."

1. Consider approval of the minutes from the February 2, 2026, city council meeting, and take any action necessary.
2. Consider an **ordinance** amending the Code of Ordinances in Chapter 44 Utilities, Article IV Sewers and Sewage Disposal, Division 4 Grease Traps, regarding procedures for grease trap maintenance and reporting, and take any action necessary. **(2nd reading)**
3. **Z2025-075** - Consider a request by Michael G. Tresp of HH Architects on behalf of Kyle Cavin of First Baptist Church Rockwall for the approval of an **ordinance for a Zoning Change** from a Single-Family 7 (SF-7) District, Single-Family 10 (SF-10) District, and General Retail (GR) District to a Planned Development District for limited General Retail (GR) District land uses on a 11.155-acre tract of land identified as Block A & 129 of the B. F. Boydston Addition and Lot 1, Block A, First Baptist Church Addition, Phase 3, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, Single-Family 10 (SF-10) District, and General Retail (GR) District, addressed as 602-610 S. Goliad Street [SH-205] and 103-127 Kenway Drive, and take any action necessary **(2nd Reading)**.
4. **P2025-045** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of John Vick of Qualico Development (US), Inc. for the approval of a Final Plat for Phase 1 of the Juniper Subdivision, being a 143.431-acre tract of land identified as Tract 7 of the W. H. Baird Survey, Abstract No. 25 and Tract 3 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 103 (PD-103) for Single Family 10 (SF10) District land uses, generally located west of the intersection of FM-549 and Wimberley Lane, and take any action necessary.
5. Consider approval of the Rockwall Police Department's 2025 Racial Profiling Report, and take any action necessary.
6. Consider approval of a resolution regarding a recommendation from the City Council's Naming Subcommittee to rename Sam Houston Street to Sam Buffington Street, and take any action necessary.
7. Consider authorizing the City Manager to execute purchase orders in the amount of \$269,981 pertaining to "not at fault" vehicular accidents for the purchase of four Police Department replacement vehicles and associated loose equipment to outfit said vehicles (three 2026 Ford Explorers and one 2026 Harley-Davidson motorcycle) utilizing vendors under existing cooperative purchasing contracts, while also authorizing the use of \$162,794 of General Fund Reserves for replacement costs not covered by insurance proceeds with the understanding that the insurance claims are still in subrogation, with \$107,187 so far being received from TX Municipal League insurance settlement funds and additional recoveries possibly forthcoming, and take any action necessary.

## **XI. Public Hearing Items**

If you would like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.

- 1. Z2026-001** - Hold a public hearing to discuss and consider the approval of an ordinance for Text Amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of allowing the *Banquet Facility/Event Hall* land use by Specific Use Permit (SUP) in a Light Industrial (LI) District, and take any action necessary (**1st Reading**).
- 2. Z2026-002** - Hold a public hearing to discuss and consider a request by Alex Flores for the approval of an ordinance for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 846-A0 of 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, addressed as 214 Blanche Drive, and take any action necessary (**1st Reading**).

## **XII. Action Items**

If your comments are regarding an agenda item below, you are asked to speak during Open Forum.

1. Discuss and consider a request from Kenda Culpepper on behalf of Rockwall Noon Rotary regarding approval for placement of a 'peace pole' to be located on city-owned property in/around the historic downtown square, and take any action necessary.

## **XIII. Adjournment**

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 10th day of February, 2026, at 5 PM and remained so posted for at least three business days before the scheduled time of said meeting.

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

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Date Removed



# Proclamation

*Whereas*, Black History Month is an annual observance originating from the work of historian Carter G. Woodson, who established Negro History Week in 1926 to recognize the indispensable contributions of African Americans to our nation's history; and

*Whereas*, throughout the history of the United States, African Americans have demonstrated extraordinary courage, resilience, innovation, and leadership while overcoming injustice and inequality; and

*Whereas*, African Americans have made significant contributions in every area of society - including public service, education, business, law, science, technology, medicine, military service, arts, culture, and civic leadership - strengthening communities across the State of Texas and throughout our nation; and

*Whereas*, it is fitting during the month of February to honor the legacy, achievements, and enduring impact of African Americans such as Dr. Martin Luther King Jr., Rosa Parks, Barbara Jordan, and many other state and local leaders whose lives and work continue to inspire generations; and

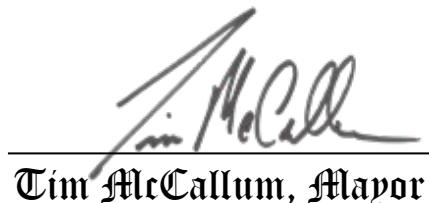
*Whereas*, the observance of Black History Month provides an opportunity for all citizens to reflect upon our shared history, celebrate diversity, promote understanding, and recommit ourselves to the principles of equality, justice, and opportunity for all.

*Now, Therefore*, I, Tim McCallum, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of **February** as

## **BLACK HISTORY MONTH**

in the City of Rockwall and encourage all residents to participate in programs, discussions, and activities that honor the history, culture, and contributions of African Americans to our community, state, and nation.

*In Witness Whereof*, I hereunto set my hand and official seal this 17<sup>th</sup> day of February, 2026.



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Tim McCallum, Mayor



# MINUTES

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## ROCKWALL CITY COUNCIL MEETING

**Monday, February 2, 2026 - 5:00 PM**

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

**I. Call Public Meeting to Order**

Mayor McCallum called the meeting to order at 5:00 p.m. Present were Mayor Tim McCallum and Councilmembers Sedric Thomas, Melba Jeffus, Anna Campbell, Dennis Lewis and Richard Henson. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd, and City Attorney Frank Garza. Mayor Pro Tem Mark Moeller was absent from the meeting. As noted below, Councilmember Thomas left the meeting at 6:30 for the duration of the meeting (to attend a board meeting elsewhere).

Mayor McCallum read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session.

**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 Brandy and Wayne Lutz v. The Shores (City of Rockwall, Intervenor), Cause No. 1-22-0425, pursuant to Section 551.017 (Consultation with Attorney)
2. Discussion regarding Donald Palmer v. City of Rockwall, Cause No. 1-26-0003, pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding terms of contract and legal considerations related to solid waste contract(or), pursuant to Section §551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to Section §551.074 (Personnel Matters)

**III. Adjourn Executive Session**

**Council adjourned from Executive Session at 6:02 p.m.**

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

**Mayor McCallum reconvened the public meeting at 6:03 p.m.**

**V. Invocation and Pledge of Allegiance - Pastor David Spiegel (The Lakes Assembly Church)**

**Pastor Spiegel was unable to attend. So, in his absence, Dr. Michael Criner from First Baptist Church Rockwall came forth instead and delivered the invocation and led the Pledge of Allegiance.**

## **VI. Proclamations / Awards / Recognitions**

### **1. Teen Dating Violence Awareness Month Proclamation**

**Representatives from the City's Youth Advisory Council (YAC) along with representatives from the local Women in Need organization and the Rockwall Police Dept. came forth at this time. Mayor McCallum then read the proclamation, followed by brief comments from Women in Need.**

### **2. Presentation of Certificate of Merit**

- Tyler Knight (Telecommunications Officer)

**City Secretary, Kristy Teague, read information about this award, as follows: On July 15, 2025, at approximately 10:30 a.m., Telecommunications Officer Tyler Knight received a 911 call from a distraught 22-year-old female who had left her residence to report that her father was experiencing a mental health crisis and was threatening suicide. TCO Knight then contacted the caller's mother, who remained inside the residence, to gather additional information. During the call, the mother began asking questions unrelated to the context of the emergency, signaling to Tyler that she may have been in distress or in close proximity to the individual in crisis. Recognizing this, Tyler quickly adjusted her communication strategy and began asking yes-or-no questions to discreetly obtain critical information, allowing responding officers to assess the situation and respond safely. Tyler's calm demeanor, quick thinking, and adaptability enabled officers to approach the scene safely and resolve the incident without harm. Tyler's actions exemplify the highest standards of the law enforcement profession and demonstrate exceptional dedication and commitment to her role. For her exemplary performance in bringing a safe resolution to a high-risk call, Tyler Knight was then awarded the Certificate of Merit Award.**

### **3. Presentation of Lifesaving Awards – Rockwall Fire Dept. Engine 4 "B" Shift**

- Captain Lewis Johnson
- Driver Engineer Andrew Burton
- Firefighter Tyler Baumgartner
- Firefighter Joseph Evans

Citizen Lifesaving Award - Keegan King

**Each of the persons named above were recognized for a CPR related event that led to saving the life of Keegan King's grandmother who had experienced cardiac arrest but survived due to the actions of the above-named individuals. Each of them, along with EMS staff at Rockwall County EMS, were presented with life-saving awards and were praised for their actions in saving her life.**

## **VII. Appointment Items**

### **1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.**

**Dr. Jean Conway came forth and briefed the Council on the one Public Hearing item on tonight's meeting agenda. No action was taken following her brief comments.**

## **VIII. Open Forum**

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

**Corky Randolph**  
**621 E. Boydston Ave.**  
**Rockwall, TX**

Mr. Randolph shared that he lives right across the street from where Doug Kaufman's property is located. He explained that Doug's daughter-in-law is putting in a pilates studio at this location. He shared that these property owners have been phenomenal neighbors. He understands they need approval of a sign variance of some sort this evening. He shared that the signs that have been painted on the building have been done professionally, and they are also lit, and they look good. He generally spoke in favor of the sign variance(s) being approved by Council this evening. He indicated he is also "for" the item pertaining to the First Baptist Church this evening (the one Public Hearing item).

There being no one else wishing to come forth and speak, he then closed Open Forum.

#### **IX. Take Any Action as a Result of Executive Session**

Mayor McCallum moved to appoint Dr. Catherine Casteel to fill the vacant ("Alternate Board Member") seat and associated unexpired term of Galen Hilliard on the city's Board of Adjustments through August of 2027; he also included in the motion to move BOA "Alternate Board Member," Kerry Shepherd up to a full voting member on the BOA (to fill a vacant seat left by former member, Glenn Carr) through August of 2027; and to newly appoint Caren Williams to the Board of Adjustments (to fill Kerry Shepherd's "Alternate Board Member" seat) through August of 2026.

Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absence (Moeller).

#### **X. Consent Agenda**

1. Consider approval of the minutes from the January 20. 2026, city council meeting, and take any action necessary.
2. **Z2025-074** - Consider a request by Brierre Cathey on behalf of Mike Rodgers for the approval of an ordinance for a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on a 0.3480-acre tract of land identified as Lots 10 & 11 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1011 S. Goliad Street [SH-205], and take any action necessary **[2nd Reading]**.
3. **Z2025-078** - Consider a request by Johnnathan Brown, AIA of JHP Architecture/Urban Design on behalf of Darlene Singleton of the Rockwall Community Playhouse for the approval of an ordinance for a Zoning Change from Single-Family 7 (SF-7) District to a Planned Development District for Single-Family 7 (SF-7) District land uses for a 1.0061-acre tract of land identified as a portion of Lot 120D and all of Lots 120C & 120G of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 609 E. Rusk Street and 606, 610, & 612 Kaufman Street, and take any action necessary **[2nd Reading]**.
4. Consider approval of a resolution calling a General Election for the purpose of electing City

Councilmembers - one each, for Places 2, 4, and 6 and each for a two-year term, with said election to be held on May 2, 2026, and take any action necessary.

5. Consider approval of a resolution calling a Special Election (Charter Amendment) to be held in conjunction with the General Election on May 2, 2026, and take any action necessary.
6. Consider approval of a resolution repealing Resolution #26-02 in its entirety and approving a new resolution regarding an Advance Funding Agreement ("AFA") with the Texas Department of Transportation for TXDOT's Green Ribbon Program Project for median landscaping improvements on SH-740 from in the vicinity of IH-30 to SH-205, including authorizing the mayor or city manager to execute said agreement, and take any action necessary.
7. Discuss and consider an **ordinance** amending the Code of Ordinances in Chapter 44 Utilities, Article IV Sewers and Sewage Disposal, Division 4 Grease Traps, regarding procedures for grease trap maintenance and reporting, and take any action necessary. **(1st reading)**
8. **P2026-001** - Consider a request by Luke Snead of OJD Engineering on behalf of John W. Dunn, Jr. of the Shores Country Club, LLC for the approval of a Replat for Lots 4 & 5, Block A, The Shores Club House Phase Addition being a 8.96-acre parcel of land identified as Lots 2 & 3, Block A, The Shores Club House Phase Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 3 (PD-3) for General Retail (GR) District land uses, addressed as 2600 Champions Drive, and take any action necessary.
9. **P2026-002** - Consider a request by Grayson Hughes of Sutherland King Consulting, LLC on behalf of Felix Tan of Ridgeview Church for the approval of a Replat for Lot 29 of the Skyview Country Estate No. 3 Addition being a 6.156-acre parcel of land identified as Lot 28 of the Skyview Country Estate No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, addressed as 1362 FM-552, and take any action necessary.
10. **P2026-003** - Consider a request by Jasmine Martinez of CBG Surveying Texas, LLC on behalf of Zachary Conti of Conti and Williamson Series, LLC for the approval of a Final Plat for Lot 1, Block A, National Addition being a 1.95-acre tract of land identified as Tract 2-24 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 626 National Drive, and take any action necessary.
11. **P2026-004** - Consider a request by Keaton Mai of Dimension Group on behalf of Michael Hampton of Creekside Commons Crossing, LP for the approval of a Replat for Lots 19-21, Block A, Creekside Commons Addition being a 13.286-acre tract of land identified as Lots 15, 16 & 18, Block A, Creekside Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located at the southwest corner of the intersection of FM-549 and S. Goliad Street [SH-205], and take any action necessary.

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

**CITY OF ROCKWALL  
ORDINANCE NO. 26-02  
SPECIFIC USE PERMIT NO. S-390**

**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 A RESTAURANT WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN ON A 0.3480-ACRE TRACT OF LAND IDENTIFIED AS LOTS 10 & 11 OF THE CANUP 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. 26-03**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A SINGLE FAMILY 7 (SF-7) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 106 (PD -106) FOR SINGLE- FAMILY 7 (SF-7) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 1.0061-ACRE TRACT OF LAND IDENTIFIED AS PORTION OF LOT 120D AND ALL OF LOTS 120C & 120G OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A'; 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. 26-**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN SECTION 44-221 & 44-222 OF ARTICLE IV, *SEWERS AND SEWAGE DISPOSAL*, OF CHAPTER 44, *UTILITIES*; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; DECLARING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS OPEN TO THE PUBLIC; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve the entire Consent Agenda then passed by a vote of 6 ayes to 0 nays with 1 absence (Moeller).

**XI. Public Hearing Items**

1. **Z2025-075** - Hold a public hearing to discuss and consider a request by Michael G. Tresp of HH Architects on behalf of Kyle Cavin of First Baptist Church Rockwall for the approval of an *ordinance* for a *Zoning Change* from a Single-Family 7 (SF-7) District, Single-Family 10 (SF-10) District, and General Retail (GR) District to a Planned Development District for limited General Retail (GR) District land uses on a 11.155-acre tract of land identified as Block A & 129 of the B. F. Boydston Addition and Lot 1, Block A, First Baptist Church Addition, Phase 3, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, Single-Family 10 (SF-10) District, and General Retail (GR) District, addressed as 602-610 S. Goliad Street [*SH-205*] and 103-127 Kenway Drive, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller, provided background information on this agenda item. The subject property is located at 602-610 S. Goliad Street [*SH-205*] and 103-127 Kenway Drive. The proposed zoning change to a Planned Development (PD) District establishes a customized regulatory framework that is intended to

govern the continued development and expansion of an existing *Church/House of Worship* campus while maintaining compatibility with the surrounding land uses. The submitted concept plan and conceptual building elevations illustrate the proposed demolition of the Kenway Retail Center located on the northern portion of the Planned Development District area. The Kenway Retail Center is a legally nonconforming shopping center. Within the Planned Development District, the applicant proposes construction of a parking garage at this location. In addition, the applicant proposes an expansion of the existing sanctuary building to accommodate adult education classrooms. This portion of the expansion would be four (4) stories in height and is intended to support the operational needs of the existing *Church/House of Worship* campus.

It was noted that Councilmember Thomas left the meeting for the duration of the meeting at this time (6:30 p.m.).

On December 17, 2025, staff mailed 222 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Bent Creek Condos, Highridge Estates, and Stonebridge Meadows Homeowner's Associations (HOAs), which were the only Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted, staff has received one (1) notice in opposition of the applicant's request, and one (1) notice in favor of the applicant's request. In addition, on January 27, 2026, the Planning and Zoning Commission approved a motion to recommend approval of the *Zoning Change* by a vote of 5-0, with Commissioners Conway and Brock having been absent.

Mayor McCallum opened the public hearing, asking if anyone would like to speak and also calling forth the applicant. No one wished to come forth and speak, including the applicant.

Thereafter, Councilmember Lewis moved to approve Z2025-075. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 26-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF  
THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE  
THE ZONING FROM A SINGLE-FAMILY 7 (SF-7) DISTRICT, SINGLE-FAMILY 10  
(SF-10) DISTRICT AND GENERAL RETAIL (GR) DISTRICT TO A PLANNED  
DEVELOPMENT DISTRICT XXX (PD-XXX) FOR GENERAL RETAIL (GR)  
DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 11.155-ACRE  
TRACT OF LAND IDENTIFIED AS BLOCK A & 129 OF THE B. F. BOYDSTON  
ADDITION AND LOT 1, BLOCK A, FIRST BAPTIST CHURCH ADDITION, PHASE  
3, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY  
DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B';  
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 with 1 absence (Moeller).

## **XII. Action Items**

- 1. Discuss and consider a request from Holly Kaufman seeking approval of a sign variance to allow**

alternate sign materials for a property located at 702 S. Clark Street, and take any action necessary.

Building Official Jeffrey Widmer provided background information on this agenda item. He shared that Holly Kaufman has requested to appear before City Council to seek a variance to the City's sign materials requirement, to allow signage painted directly on her building façade located at 702 S. Clark in the southwest corner of S. Clark St. and E. Boydston Ave. Mrs. Kaufman has been in the process of remodeling the building with the intention of opening a new Pilates studio. Mrs. Kaufman hired a contractor to install wall signage on her building. The contractor failed to apply for the required sign permit and painted Mrs. Kaufman's signage directly on her building façade, in violation of the city's adopted sign standards. The city's Sign Ordinance Sec. 32-204. – "Wall signs" states the following: Wall signs may be painted on a window or door, but no other building surface. All other wall signs shall be attached to and not painted onto any building. Mrs. Kaufman was notified by our Building Inspections Dept. of her need to seek a building permit for her signage. When Mrs. Kaufman contacted the City to do just that, she was informed that her signage did not conform to the City's sign ordinance standards and that a permit could not be issued for the signage. Staff informed Mrs. Kaufman that she does have the ability to seek a variance to the City's sign ordinance standards, including a variance to the materials used for permitted signs when a variance would be appropriate for the construction of a sign to be consistent with the theme or style of an individual development. In addition to her request for the materials variance, Mrs. Kaufman is requesting a variance to allow a sign that exceeds the allowable sign area. The sign that was painted on the north façade, is approximately 107 square feet in area and the allowable area per our ordinance is a maximum of 60 square feet. Mrs. Kaufman has provided a letter explaining her situation and her request for such a variance, and the letter has been provided to Council. Also, staff has provided a map highlighting the location of the property, as well as pictures of the building and signage that was installed.

Mayor McCallum moved to approve the sign variance, as requested. Councilmember Lewis seconded the motion. He indicated to the applicant that he has traditionally been very tough on contractors who do not pull permits, as they are required to do. However, in this instance he is going to make an exception and go ahead and vote in favor of approving this sign variance request. Following brief, additional comments by Mayor McCallum, the motion to approve passed by a vote of 6 ayes with 1 absence (Moeller).

**XIII. City Manager's Report, Departmental Reports and Related Discussions Pertaining To Current City Activities, Upcoming Meetings, Future Legislative Activities, and Other Related Matters.**

1. Budget Report for Quarter ended December 31, 2025
2. Building Inspections Department Monthly Report
3. Fire Department Monthly Report
4. Parks & Recreation Department Monthly Report
5. Police Department Monthly Report
6. Roadway Projects Update
7. Sales Tax Historical Comparison

## **8. Water Consumption Historical Statistics**

**Amy Williams, City Engineer, briefed the Council on recent roadway projects throughout the city. She also briefed Council on recent activities within the Public Works Department (Streets), indicating the City ran two crews of eight men on twelve-hour shifts throughout the recent snow/ice storm that occurred. She explained how the city crews not only tended to city-owned roadways, but they also tended to TXDOT (state) owned roadways as well. The crews ran 24/7 for three days straight in efforts to keep the local streets as passable / drivable as possible during that severe winter weather event.**

**Mayor McCallum shared that he had a meeting with all local mayors after the recent snow / ice storms, and the other city's mayors were asking him how City of Rockwall crews were able to do such a good job on keeping the City of Rockwall's streets in good condition. He believes that is a compliment to our city's staff and crews who worked so hard. Fire Chief, Kenneth Cullins, also praised Ms. Williams and her Public Works staff for also assisting his fire department crews at some recent structure fires that occurred during the severe winter weather event that happened. City Manager Mary Smith shared that, although she was on vacation during the recent severe winter weather storm, she commended Assistant City Manager Joey Boyd and all the other city staff for the phenomenal job they did handling things in her absence, especially pertaining to the winter storm.**

**Councilmember Campbell also thanked city staff for their work during the winter storm. She also commented about the recent very slight increase in sales tax. Brief comments were made pertaining to the upcoming budget season and associated process.**

## **XIV. Adjournment**

**Mayor McCallum adjourned the meeting at 6:51 p.m.**

**CITY OF ROCKWALL**  
**ORDINANCE NO. 26-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN SECTION 44-221 & 44-222 OF ARTICLE IV, *SEWERS AND SEWAGE DISPOSAL*, OF CHAPTER 44, *UTILITIES*; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; DECLARING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS OPEN TO THE PUBLIC; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rockwall, Texas desires to amend its requirements and procedures for maintenance and reporting for grease traps contained in Chapter 44, *Utilities*, of the Municipal Code of Ordinances of the City of Rockwall; and,

**WHEREAS**, the City Council has determined that the ordinance amendments set forth herein are necessary and appropriate.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:**

**SECTION 1. Findings.** The recitals are hereby found to be true and correct and are hereby incorporated as part of this Ordinance.

**SECTION 2. Amendments.** Certain sections within the Code of Ordinances shall be hereby amended and adopted as follows:

- A. That Sections 44-221 and 44-222 of Article IV, *Sewers and Sewage Disposal*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances shall hereafter be amended as follows:

**Section 44-221 – Maintenance and sanitary condition reports.**

All grease traps shall be maintained in good working condition. It shall be the owner's responsibility to service all grease traps a **minimum of every 90 days** **or** as necessary to prevent passage of grease to the city's sanitary sewer system. It shall be the owner's responsibility to report all service work done to the grease traps; this report shall be done **through the City of Rockwall's third-party vendor by a registered grease trap removal company**, ~~in written form and submitted to the building inspection department for review~~. The building inspection department shall maintain a file of all active grease traps within the city. ~~This file shall contain all written reports of grease removal, repair, any overflows into the city's sanitary sewer system~~. The report from the registered grease trap **company owner** shall show **the location of the grease trap, who did the service work, how much grease was disposed of, as well as the date**. Any repairs shall be reported with a description of the problem and what corrective action was taken. **All third-party vendor fees shall be paid at the time of**

submitting the reports.

**Section 44-22 – Responsibility of owner/occupant.**

The owner/occupant of any establishment where a grease trap has been installed shall have the following duties and responsibilities:

- (1) Service all grease traps a **minimum of 90 days** or as necessary to prevent passage of grease into the city's sanitary sewer system.
- (2) Submit a **written** report to the building inspector, **via the City's third-party vendor**, each time service work is performed on the grease trap. The report shall contain:
  - a. Location of the grease trap;
  - b. Name of the person performing the service work;
  - c. How much grease was removed;
  - d. Where the grease was disposed of;
  - e. A description of the repairs needed and the corrective action taken.

**SECTION 3. Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

**SECTION 4. Remaining Provisions Unchanged.** The remainder of the existing Article IV, *Sewer and Sewage Disposal*, of Chapter 44, *Utilities*, shall remain unchanged and shall remain in full force and effect, save and except as amended by this *Ordinance*.

**SECTION 5. Effective Date.** This ordinance shall take effect immediately from and after its passage, and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS, ON THIS 17<sup>th</sup> DAY OF FEBRUARY, 2026.**

**ATTEST:**

---

Tim McCallum, Mayor

---

Kristy Teague, City Secretary

1<sup>st</sup> Reading: 02-02-2026

**APPROVED AS TO FORM:**

2<sup>nd</sup> Reading: 02-17-2026

---

Frank J. Garza, City Attorney

**CITY OF ROCKWALL**

**ORDINANCE NO. 26-05**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A SINGLE-FAMILY 7 (SF-7) DISTRICT, SINGLE-FAMILY 10 (SF-10) DISTRICT AND GENERAL RETAIL (GR) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT 107 (PD-107) FOR GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 11.155-ACRE TRACT OF LAND IDENTIFIED AS BLOCK A & 129 OF THE B. F. BOYDSTON ADDITION AND LOT 1, BLOCK A, FIRST BAPTIST CHURCH ADDITION, PHASE 3, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Michael G. Tresp of HH Architects on behalf of Kyle Cavin of First Baptist Church Rockwall for a change in zoning from a Single-Family 7 (SF-7) District, Single-Family 10 (SF-10) District, and General Retail (GR) District to a Planned Development District for General Retail (GR) District land uses for an 11.155-acre tract of land identified as Block A & 129 of the B. F. Boydston Addition and Lot 1, Block A, First Baptist Church Addition, Phase 3, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, Single-Family 10 (SF-10) District, and General Retail (GR) District, addressed as 602-610 S. Goliad Street [SH-205] and 103-127 Kenway Drive, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

**SECTION 2.** That development of the *Subject Property* shall generally be in

accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 3.** That development of any buildings on the *Subject Property* shall be generally in accordance with the *Conceptual Building Elevations*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 4.** That development of any buildings on the *Subject Property* shall be generally in accordance with the *Conceptual Building Renderings*, depicted in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 5.** That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 6.** That the official zoning map of the City be corrected to reflect the changes in the zoning described herein;

**SECTION 7.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 8.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 9.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the Unified Development Code), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 10.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS, THIS THE 17<sup>TH</sup> DAY OF FEBRUARY, 2026.**

---

Tim McCallum, Mayor

**ATTEST:**

---

Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

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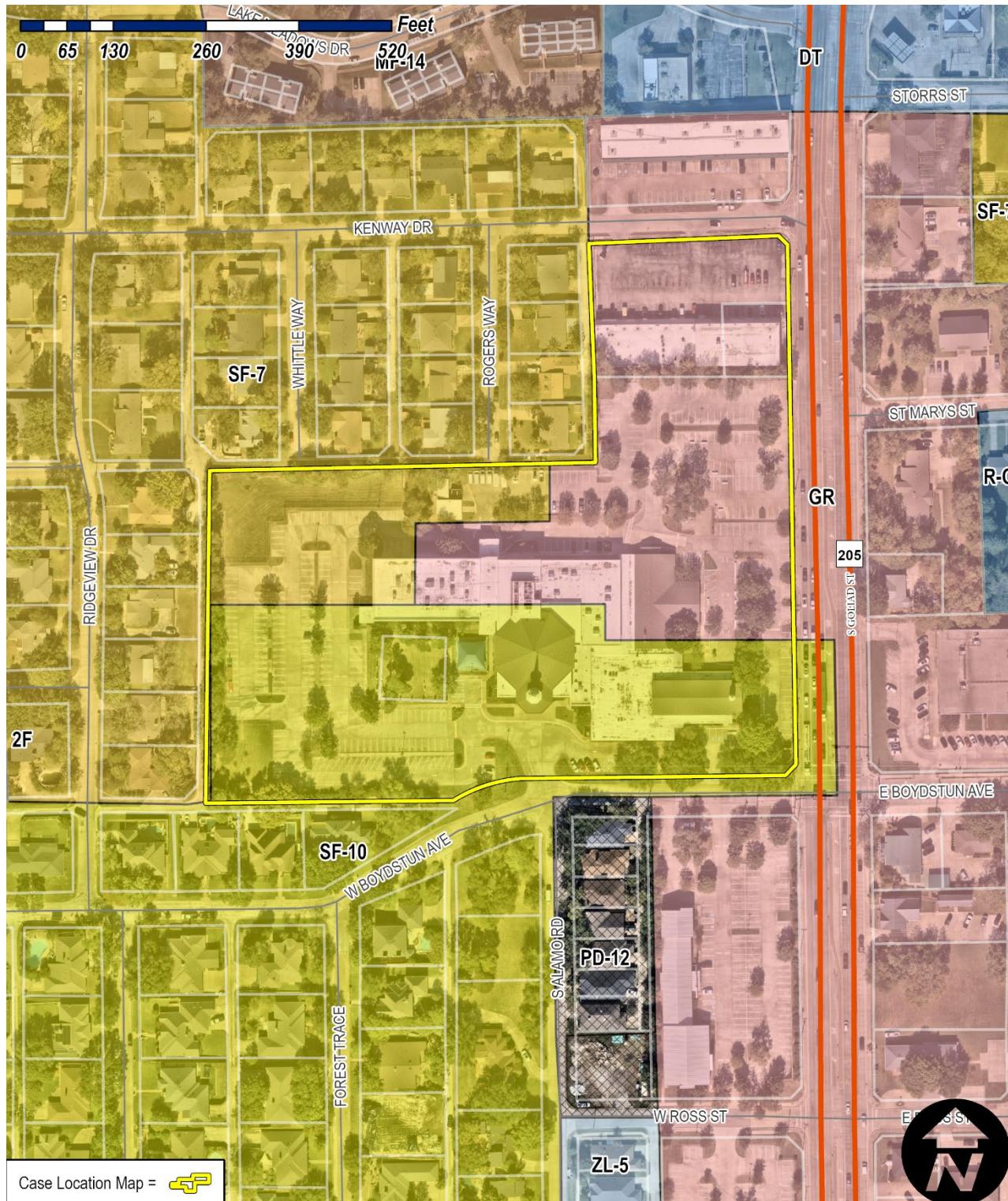
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: February 2, 2026

2<sup>nd</sup> Reading: February 17, 2026

**Exhibit 'A':**  
*Location Map*

Address: 602-610 S. Goliad Street [SH-205] and 103-127 Kenway Drive  
Legal Description: Lot 1, Block A, First Baptist Church Addition, Phase 3

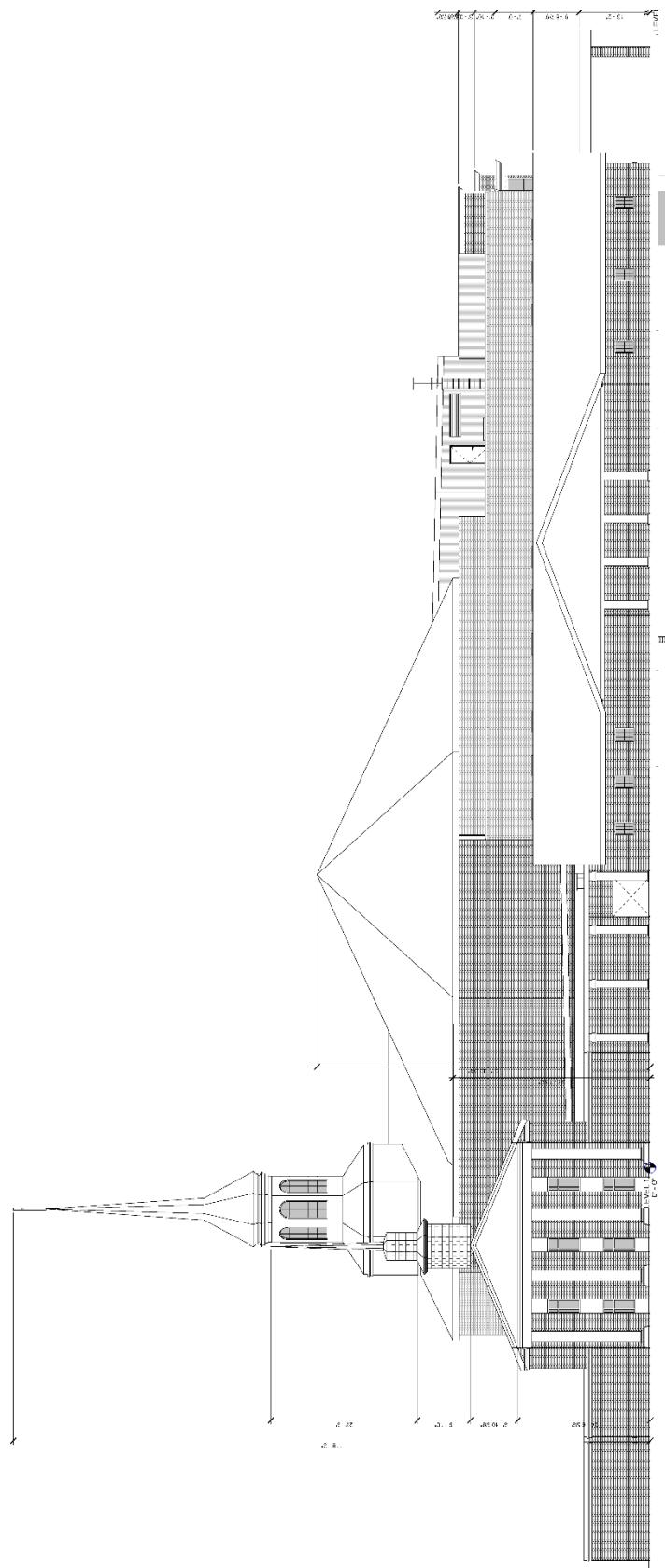


**Exhibit 'B':**  
**Concept Plan**



**ARCHITECTURAL SITE PLAN - PHASE 1 AND 2**  
As indicated

**Exhibit 'C':**  
*Conceptual Building Elevations*



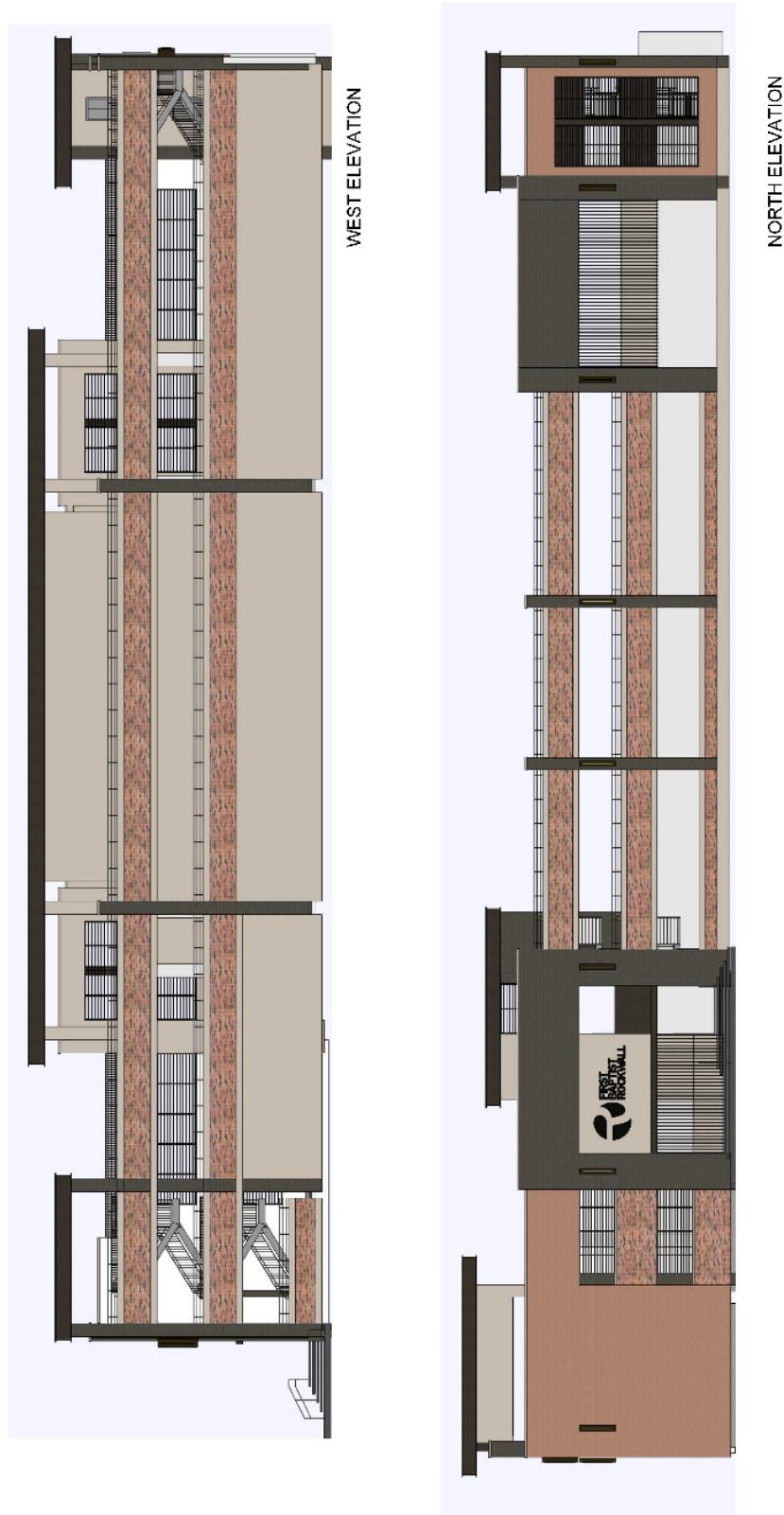
## **Exhibit 'C':** *Conceptual Building Elevations*



Z2025-075: Zoning Change (SF-7, SF-10, & GR to PD) for First Baptist Church Rockwall  
Ordinance No. 26-05; PD-107

Page 7

**Exhibit 'C':**  
*Conceptual Building Elevations*



**Exhibit 'C':**  
*Conceptual Building Elevations*



**Exhibit 'D':**  
*Conceptual Building Renderings*



**Exhibit 'D':**  
*Conceptual Building Renderings*



NORTH PARKING GARAGE RENDERINGS  
Scale:

**Exhibit 'E':**  
*Development Standards*

**E.1 PURPOSE.**

The purpose of this Planned Development District is to provide provisions that control the development and expansion of an existing *Church/House of Worship* with special conditions and requirements for ancillary land uses.

**E.2 LAND USE AND DEVELOPMENT STANDARDS.**

(1) **Permitted Uses.** Unless specifically provided by this Planned Development District Ordinance only those land uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in the Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, are permitted on the *Subject Property*; however, the following shall apply to the *Subject Property*:

(a) The only Land Uses Permitted By-Right on the *Subject Property* shall be as follows:

- CEMETERY
- CHURCH/HOUSE OF WORSHIP <sup>(1)</sup>
- COMMERCIAL PARKING GARAGE
- RESTAURANT, WITH 2,000 SF OR LESS, WITHOUT A DRIVE-THROUGH OR DRIVE-IN

(b) Land Uses Permitted by Specific Use Permit (SUP):

- ACCESSORY BUILDING FOR STORAGE <sup>(2)</sup>
- DAYCARE WITH SEVEN (7) OR MORE CHILDREN

**NOTES:**

<sup>(1)</sup>: ALL ANCILLARY LAND USES TYPICALLY ASSOCIATED WITH THE DEVELOPMENT OF A *CHURCH/HOUSE OF WORSHIP* -- AS DETERMINED BY THE DIRECTOR OF PLANNING AND ZONING OR HIS/HER DESIGNEE -- SHALL BE PERMITTED ON THE SUBJECT PROPERTY AND BE SUBJECT TO APPROVAL THROUGH A SITE PLAN OR AMENDED SITE PLAN BY THE PLANNING AND ZONING COMMISSION.  
<sup>(2)</sup>: THIS DOES NOT INCLUDE ANY EXISTING ACCESSORY BUILDINGS DEPICTED IN EXHIBIT 'B', CONCEPT PLAN, OF THIS ORDINANCE.

(2) **Density and Dimensional Requirements.** Unless specifically provided by this Planned Development District ordinance, the density and dimensional standards stipulated by the General Retail (GR) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*; however, all development shall conform to the standards depicted in *Table 1*, which are as follows:

**TABLE 1: DENSITY AND DIMENSIONAL REQUIREMENTS**

MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	6,000 SF
MINIMUM FRONT YARD SETBACK <sup>(1)</sup>	20'
MINIMUM SIDE YARD SETBACK	10'
MINIMUM REAR YARD SETBACK <sup>(2)</sup>	20'
MINIMUM DISTANCE BETWEEN BUILDINGS <sup>(3)</sup>	20'
MAXIMUM BUILDING HEIGHT <sup>(4)</sup>	65'
MAXIMUM LOT COVERAGE	40%

**Exhibit 'E':**  
*Development Standards*

MINIMUM REQUIRED LANDSCAPING	20%
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**GENERAL NOTES:**

- 1: THE LOCATION OF THE FRONT YARD BUILDING SETBACK AS MEASURED FROM THE FRONT PROPERTY LINE ADJACENT TO RIGHT-OF-WAY.
- 2: THE LOCATION OF THE REAR YARD BUILDING SETBACK AS MEASURED FROM THE REAR PROPERTY LINE.
- 3: ZERO (0) FEET WITH A FIRE RATED WALL.
- 4: BUILDING HEIGHT MAY BE INCREASED UP TO 120-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL; HOWEVER, THE EXISTING STEEPLE CAN EXTEND UP TO 120-FEET IN HEIGHT BY-RIGHT AS DEPICTED IN *EXHIBIT 'C'* OF THIS ORDINANCE.

(3) **Building Size**. There shall be no limit of the size of a building, as long as, the lot coverage requirement remains below 50.00%.

(4) **Residential Adjacency Standards**. Unless specifically provided by this Planned Development District ordinance, any area adjacent to a residentially zoned or used property will require a 20-foot landscape buffer with three (3) tiered screening [*i.e. one [1] row of canopy trees, one [1] row of accent trees and large shrubs, and one [1] row of lower level shrubs*] along the entire adjacency.

(5) **Architectural and Building Standards**. The design of any expansion to the proposed *Church or House of Worship* or proposed parking garage shall adhere to the following requirements:

(a) **Expansions to the Existing House of Worship**. Any expansion to the existing *Church or House of Worship* shall generally match the materials and design of the existing building/campus. This shall be determined by the Architectural Review Board (ARB) at the time of *Site Plan* approval.

(b) **Parking Garage**. The proposed parking garage shall adhere to *Exhibits 'B', 'C', & 'D'* of this ordinance. This shall be reviewed by the Architectural Review Board (ARB) for compliance at the time of *Site Plan* approval.

(6) **Landscaping and Hardscape Standards**. Unless specifically provided by this Planned Development District ordinance, the landscape and hardscape standards stipulated by Article 05, *District Development Standards*, and Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) shall be applicable to any development of the Subject Property; however, the following standards shall also apply:

(a) **Landscape Buffer Adjacent to Kenway Drive**. A minimum of a ten (10) foot landscape buffer -- *outside of any required easements and right-of-way dedication* -- shall be established adjacent to Kenway Drive, and shall include one (1) canopy tree and one (1) accent tree shall be planted per 50-linear feet of frontage.

(b) **Landscape Buffer Adjacent to S. Goliad Street [SH-205]**. A minimum of a 20-foot landscape buffer -- *outside of any required easements and right-of-way dedication* -- shall be established adjacent to the proposed parking garage along S. Goliad Street [SH-205], and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms shall have a

**Exhibit 'E':**  
*Development Standards*

minimum height of 24-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 50-linear feet of frontage.

(7) **Variances**. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

**TO:** Mayor and City Council

**DATE:** February 17, 2026

**APPLICANT:** Ryan Joyce; *Michael Joyce Properties*

**CASE NUMBER:** P2025-045; *Final Plat for Phase 1 of the Juniper Subdivision*

### SUMMARY

Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of John Vick of Qualico Development (US), Inc. for the approval of a *Final Plat* for Phase 1 of the Juniper Subdivision, being a 143.431-acre tract of land identified as Tract 7 of the W. H. Baird Survey, Abstract No. 25 and Tract 3 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 103 (PD-103) for Single Family 10 (SF10) District land uses, generally located west of the intersection of FM-549 and Wimberley Lane, and take any action necessary.

### PLAT INFORMATION

- Purpose.* The applicant is requesting the approval of a *Final Plat* for a 143.431-acre tract of land (i.e. *Tract 7 of the W. H. Baird Survey, Abstract No. 25 and Tract 3 of the A. Johnson Survey, Abstract No. 123*) for the purpose of establishing Phase 1 of the Juniper Subdivision, which will consist of 195 single-family residential lots, 14 open space lots, and one (1) public park (i.e. *Lots 1-14, Block A; Lots 1-10, Block B; Lots 1-36, Block C; Lots 1-16, Block D; Lots 1-11 & 23, Block E; Lots 1-19 & 45, Block I; Lots 1-15 & 29, Block M; Lots 1-28, Block N; Lots 1-15; Block O; Lots 1-21, Block P; Lots 1-12, Block R; Lots 1-9, Block Q; Lots 1-4, Block S, Juniper Phase 1 Subdivision*). Staff should note that in conjunction with the final plat, the applicant has submitted a *PD Site Plan* [Case No SP2025-048] that lays out the landscape and hardscape improvements associated with Phase 1 of the proposed subdivision.
- Background.* The portions of the subject property adjacent to the current alignment of S. Goliad Street [SH-205] were annexed into the City on May 19, 1986 by *Ordinance No. 86-37* [Case No. A1986-005]. The remainder of the subject property, north of S. Goliad Street [SH-205], was annexed into the City on June 15, 1998 by *Ordinance No. 98-20* [Ordinance No. A1998-002]. The portion of the subject property southeast of S. Goliad Street [SH-205] was annexed into the City on August 30, 1999 by *Ordinance No. 99-33* [i.e. Case No. A1999-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. On January 6, 2025, the City Council approved a zoning change [Case No. Z2024-060] for the subject property changing the zoning from an Agricultural (AG) District to Planned Development District 103 (PD-103) for Single-Family 10 (SF-10) and limited General Retail (GR) District land uses. This zoning change was approved by a vote of 4-3, with Council Members McCallum, Jorif, and Campbell dissenting. On March 17, 2025, the City Council approved a *Preliminary Plat* [Case No. P2025-004] for Phases 1 and 2 of the Juniper Subdivision and a *Master Plat* [Case No. P2025-005] for Phases 1 through 6 of the Juniper Subdivision. The property has remained vacant since annexation.
- Parks Board.* The subject property is located within Park District #12, which carries a *Cash-in-Lieu of Land* fee of \$661.59 per residential lot and a *Pro-Rata Equipment Fee* of \$565.36 per residential lot. On January 6, 2026, the Parks and Recreation Board reviewed the *Final Plat* and made a recommendation to assess the following fees:
  - (1) The property owner shall pay *Pro-Rata Equipment* fees of \$110,245.20 (i.e. \$565.36 x 195 Lots = \$110,245.20).
  - (2) In lieu of paying the *Cash in Lieu of Land* fees the applicant is dedicating a 24.450-acre public park.
- Conformance to the Subdivision Ordinance.* The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the*

*Municipal Code of Ordinances* -- - is recommended for conditional approval pending the completion of final technical modifications, submittal requirements, and conformance to the items listed in the Conditions of Approval section of this case memo.

Conditions of Approval. Conditional approval of this *Final Plat* by the City Council shall constitute approval subject to the conditions stipulated in the Conditions of Approval section below.

## **CONDITIONS OF APPROVAL**

If City Council chooses to approve of a *Final Plat* for Phase 1 of the Juniper Subdivision, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (i.e. *Engineering, Planning and Fire Department*) shall be addressed prior to release of the civil engineering plans; and,
- (2) The development shall adhere to the Parks Board recommendations as outlined above in this case memo; and,
- (3) Any construction resulting from the approval of this *Final Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On February 10, 2026, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-1, with Commissioner Roth dissenting.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY  
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:  
CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

**PLATTING APPLICATION FEES:**

- MASTER PLAT (\$100.00 + \$15.00 ACRE)<sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

- SITE PLAN (\$250.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

**OTHER APPLICATION FEES:**

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)<sup>2</sup>

**NOTES:**

IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

<sup>1</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT

**PROPERTY INFORMATION** (PLEASE PRINT)

ADDRESS Spans between S John King Blvd & FM 549 at Mercers Colony Avenue

SUBDIVISION Juniper Phase 1 LOT BLOCK

GENERAL LOCATION Spans between S John King Blvd & FM 549 at Mercers Colony Avenue

**ZONING, SITE PLAN AND PLATTING INFORMATION** (PLEASE PRINT)

CURRENT ZONING PD-103

CURRENT USE Single Family

PROPOSED ZONING

PROPOSED USE

ACREAGE 143.431

LOTS (CURRENT)

LOTS (PROPOSED) 195

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

**OWNER/APPLICANT/AGENT INFORMATION** (PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED)

OWNER Qualico Developments (US), Inc  APPLICANT Michael Joyce Properties

CONTACT PERSON John Vick

CONTACT PERSON Ryan Joyce

ADDRESS

ADDRESS

CITY, STATE & ZIP

CITY STATE & ZIP

PHONE

PHONE

E-MAIL

E-MAIL

**NOTARY VERIFICATION** (REQUIRED)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John Vick [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$3,168.62, TO COVER THE COST OF THIS APPLICATION HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 8 DAY OF December, 2025. BY SIGNING THIS APPLICATION I AGREE THAT THE CITY OF ROCKWALL (I.E. 'CITY') IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

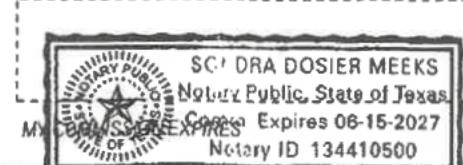
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 8 DAY OF December, 2025.

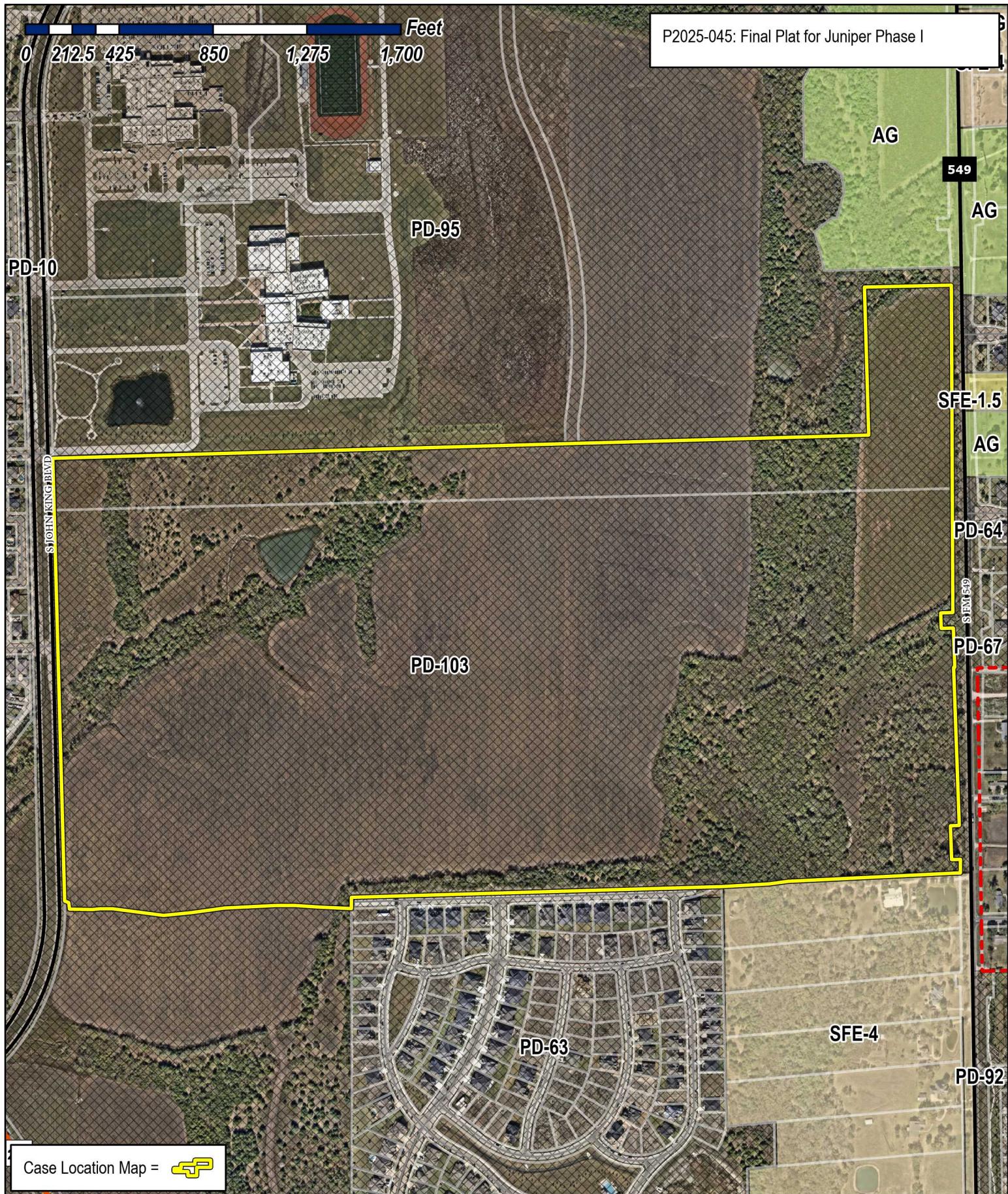
OWNER'S SIGNATURE

John Vick

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Sondra Doser Meeks



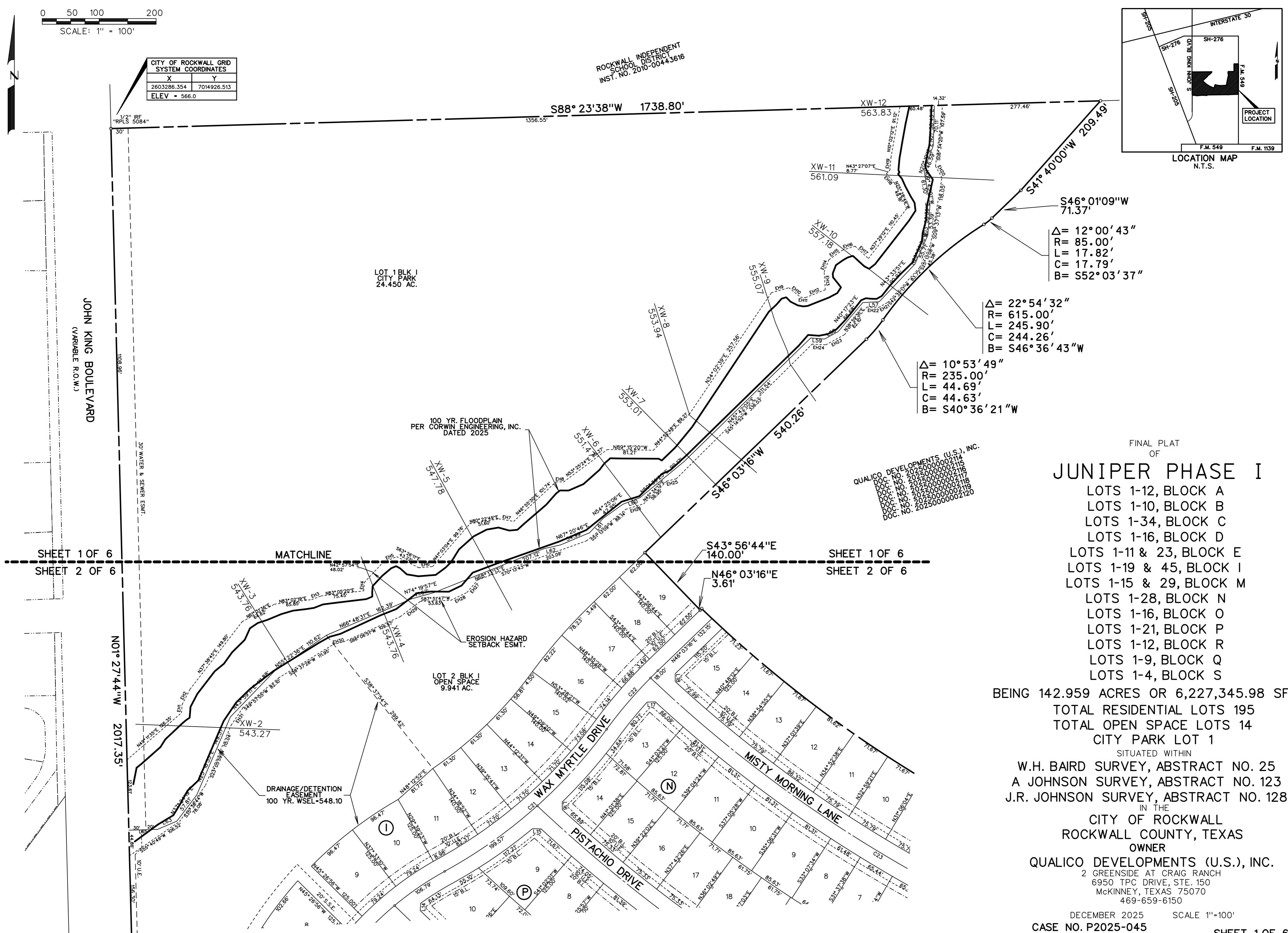


## City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087  
 (P): (972) 771-7745  
 (W): [www.rockwall.com](http://www.rockwall.com)

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







## JUNIPER PHASE

LOTS 1-12, BLOCK A  
LOTS 1-10, BLOCK B  
LOTS 1-34, BLOCK C  
LOTS 1-16, BLOCK D  
LOTS 1-11 & 23, BLOCK E  
LOTS 1-19 & 45, BLOCK I  
LOTS 1-15 & 29, BLOCK M  
LOTS 1-28, BLOCK N  
LOTS 1-16, BLOCK O  
LOTS 1-21, BLOCK P  
LOTS 1-12, BLOCK R  
LOTS 1-9, BLOCK Q  
LOTS 1-4, BLOCK S

BEING 142.959 ACRES OR 6,227,345.98 SF

TOTAL RESIDENTIAL LOTS 195

TOTAL OPEN SPACE LOTS 14

CITY PARK LOT 1

$\Delta = 24^\circ 29' 13''$   
R = 1875.00'  
L = 801.33'  
C = 795.25'  
B = S86° 24' 08" E

SHEET 2 OF 6

N14° 37'08" E -187.71'

MATCHLINE

SHEET 3 OF 6

N14° 37'08" E -187.71'

SHEET 4 OF 6

N11° 05' 14" E

SITUATED WITHIN  
W.H. BAIRD SURVEY, ABSTRACT NO. 25  
A JOHNSON SURVEY, ABSTRACT NO. 123  
J.R. JOHNSON SURVEY, ABSTRACT NO. 128  
IN THE  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS  
OWNER  
QUALICO DEVELOPMENTS (U.S.), INC.

2 GREENSIDE AT CRAIG RANCH  
6950 TPC DRIVE, STE. 150  
MCKINNEY, TEXAS 75070  
469-659-6150

DECEMBER 2025 SCALE 1"=100'

$\Delta = 01^\circ 16' 00''$   
R = 950.00'  
L = 21.00'  
C = 21.00'  
B = N11° 05' 14" E

SHEET 4 OF 6

SHEET 3 OF 6

XE-8

553.84

N00° 07'11" W

133.54

N04° 29'29" C

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100.01"

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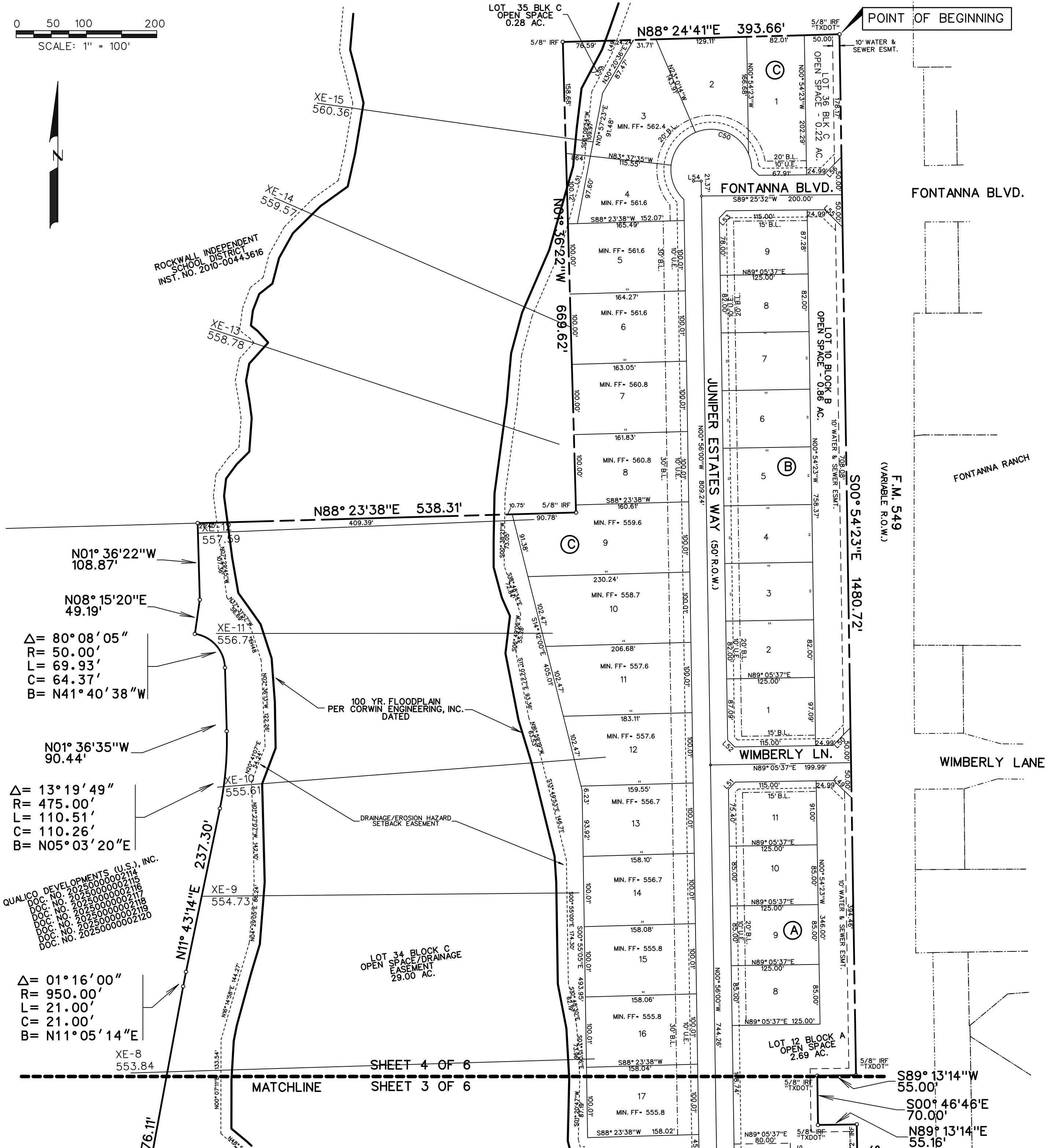
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0 50 100 200  
SCALE: 1" = 100'



I hereby certify that the above and foregoing JUNIPER PHASE I was reviewed by the Planning and Zoning Commission and approved by the City Council of the City of Rockwall, Texas for the preparation of a Final Plat on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Mayor, City of Rockwall

Planning &amp; Zoning Commission

City Secretary

City Engineer

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:  
STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

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

QUALICO DEVELOPMENTS (U.S.), INC.

FINAL PLAT  
OF

## JUNIPER PHASE I

LOTS 1-12, BLOCK A

LOTS 1-10, BLOCK B

LOTS 1-34, BLOCK C

LOTS 1-16, BLOCK D

LOTS 1-11 &amp; 23, BLOCK E

LOTS 1-19 &amp; 45, BLOCK I

LOTS 1-15 &amp; 29, BLOCK M

LOTS 1-28, BLOCK N

LOTS 1-16, BLOCK O

LOTS 1-21, BLOCK P

LOTS 1-12, BLOCK R

LOTS 1-9, BLOCK Q

LOTS 1-4, BLOCK S

BEING 142.959 ACRES OR 6,227,345.98 SF  
TOTAL RESIDENTIAL LOTS 195  
TOTAL OPEN SPACE LOTS 14  
CITY PARK LOT 1  
SITUATED WITHIN

W.H. BAIRD SURVEY, ABSTRACT NO. 25

A JOHNSON SURVEY, ABSTRACT NO. 123

J.R. JOHNSON SURVEY, ABSTRACT NO. 128  
IN THE

CITY OF ROCKWALL

ROCKWALL COUNTY, TEXAS

OWNER

QUALICO DEVELOPMENTS (U.S.), INC.

2 GREENSIDE AT CRAIG RANCH

6950 TPC DRIVE, STE. 150

McKINNEY, TEXAS 75070

469-659-6150

DECEMBER 2025

## LINE TABLE

## LINE NO. BEARING DISTANCE

1.	S 45°39'37" E	35.86'
2.	N 54°47'05" E	13.87'
3.	S 37°27'42" E	13.87'
4.	N 52°18'19" E	14.47'
5.	N 34°58'57" W	14.47'
6.	N 37°59'56" E	14.47'
7.	N 09°25'42" W	11.84'
8.	N 51°46'18" W	13.66'
9.	N 05°37'39" W	14.15'
10.	N 84°09'06" E	21.28'
11.	N 51°52'12" E	18.24'
12.	S 37°49'16" E	16.80'
13.	N 89°27'54" W	14.52'
14.	N 03°47'33" E	12.88'
15.	N 88°41'35" W	15.12'
16.	S 00°39'47" E	13.73'
17.	S 87°41'24" W	14.12'
18.	S 00°36'01" E	13.73'
19.	N 88°23'25" E	1.01'
20.	N 46°45'54" E	13.76'
21.	N 41°38'52" W	15.01'
22.	N 36°56'57" W	14.97'
23.	S 59°12'46" W	14.97'
24.	N 18°13'25" W	14.72'
25.	N 71°07'20" E	13.70'
26.	N 24°42'51" W	20.06'
27.	N 62°56'13" E	14.27'
28.	S 36°15'49" E	16.45'
29.	S 53°31'15" W	18.28'
30.	N 43°23'25" E	5.86'
31.	S 43°23'26" W	14.14'
32.	N 46°36'42" W	14.20'
33.	N 46°36'35" W	14.14'
34.	N 43°23'25" E	14.14'
35.	N 58°59'22" E	14.30'
36.	S 31°01'36" E	13.98'

## CURVE TABLE

## CURVE NO. DELTA RADIUS LENGTH CHORD BEARING

37.	S 47°17'33" W	14.07'
38.	N 28°48'45" W	29.29'
39.	N 42°42'27" W	14.22'
40.	N 47°17'33" E	14.07'
41.	S 43°23'25" W	14.14'
42.	N 60°38'45" W	29.15'
43.	N 43°23'25" E	14.14'
44.	S 46°36'35" E	14.14'
45.	N 88°23'25" E	43.56'
46.	N 46°16'18" W	35.15'
47.	N 88°23'25" E	75.00'
48.	N 43°43'42" E	35.57'
49.	S 45°54'23" E	35.36'
50.	S 44°05'37" W	35.36'
51.	S 44°04'49" W	14.14'
52.	N 45°55'12" W	14.15'
53.	S 44°15'35" W	14.10'
54.	S 89°05'37" W	11.17'
55.	N 45°44'25" W	35.46'
56.	S 44°15'35" W	35.25'
57.	N 86°32'59" E	29.03'
58.	N 61°18'50" E	27.31'
59.	S 85°40'04" E	24.51'
60.	S 69°03'45" W	32.26'
61.	N 43°15'51" E	34.60'
62.	N 77°05'02" E	30.48'
63.	N 67°01'56" E	37.33'
64.	N 83°37'35" W	34.99'
65.	N 88°32'16" E	50.00'

## EROSION HAZARD SETBACK TABLE

## "EH" LINE NO. BEARING DISTANCE

1.	N 04°14'11" E	14.63'
2.	N 27°36'47" E	30.20'
3.	N 68°44'58" E	17.67'
4.	N 04°28'02" E	14.69'
5.	N 67°13'03" E	26.12'
6.	N 85°22'24" E	24.42'
7.	S 80°05'54" E	26.44'
8.	S 89°19'05" E	13.41'
9.	N 74°03'17" E	31.78'
10.	S 51°07'24" E	26.51'
11.	S 85°51'51" W	9.13'
12.	N 68°23'33" E	36.97'
13.	N 03°40'33" W	31.31'
14.	N 20°59'55" E	23.32'
15.	N 55°05'51" E	29.15'
16.	N 72°34'15" E	23.10'
17.	S 47°13'40" E	31.93'
18.	N 40°13'32" W	22.23'
19.	N 04°53'57" E	22.10'
20.	S 28°50'00" E	23.30'
21.	S 60°48'54" W	17.61'
22.	S 88°30'17" E	20.98'
23.	S 61°18'50" W	37.43'
24.	S 87°04'50" E	24.21'
25.	S 76°24'47" W	16.90'
26.	S 72°50'58" W	33.22'
27.	S 40°40'30" W	28.97'
28.	S 64°09'20" W	31.64'

## EROSION HAZARD SETBACK TABLE

## "EH" LINE NO. BEARING DISTANCE

29.	S 52°34'32" W	43.97'
30.	S 74°50'08" W	18.90'
31.	S 34°02'45" W	36.31'
32.	S 36°07'49" W	18.37'
33.	N 05°54'22" W	27.17'
34.	N 09°49'09" E	26.73'
35.	N 23°31'08" E	20.68'
36.	N 04°05'08" W	18.93'
37.	S 33°15'42" E	39.41'
38.	N 08°58'21" E	24.94'
39.	N 06°45'14" W	26.

LEGAL DESCRIPTION

BEING a tract of land situated in the Abner Johnston Survey, Abstract No. 123 in the City of Rockwall, Rockwall County, Texas, being all of a 261.9194 acre tract, as described in Clerks File No. in the Deed Records of Rockwall County, Texas being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found at the most northerly northeast corner of said 261.9194 acre tract and being in the west line of F.M. 549 (Variable R.O.W.);

THENCE, South 00° 54'23" East, along the east line of said 261.9194 acre tract and the west line of said F.M. 549, for a distance of 1480.72 feet, to a 5/8 inch iron rod found;

THENCE, South 89° 13'14" West, continuing along said lines, for a distance of 55.00 feet, to a 5/8 inch iron rod found;

THENCE, South 00° 46'46" East, continuing along said lines, for a distance of 70.00 feet, to a 5/8 inch iron rod found;

THENCE, North 89° 13'14" East, continuing along said lines, for a distance of 55.16 feet, to a 5/8 inch iron rod found;

THENCE, South 00° 54'23" East, continuing along said lines, for a distance of 178.33 feet, to a 5/8 inch iron rod found;

THENCE, South 89° 05'37" West, continuing along said lines, for a distance of 5.34 feet, to a 5/8 inch iron rod found;

THENCE, South 00° 56'00" East, continuing along said lines, for a distance of 717.97 feet, to a 1/2 inch iron rod found;

THENCE, South 89° 04'00" West, continuing along said lines, for a distance of 40.00 feet, to a 5/8 inch iron rod found capped with Txdot;

THENCE, South 00° 56'00" East, continuing along said lines, for a distance of 153.61 feet, to a 5/8 inch iron rod found capped with Txdot;

THENCE, North 89° 04'00" East, continuing along said lines, for a distance of 40.00 feet, to a 1/2 inch iron rod found;

THENCE, South 00° 56'00" East, continuing along said lines, for a distance of 70.20 feet, to a 5/8 inch iron rod found capped with Txdot, at the most southerly southeast corner of said 261.9194 acre tract;

THENCE, South 87° 07'00" West, departing said west line and along the south line of said 261.9194 acre tract, for a distance of 781.16 feet, to a 1/2 inch iron rod found capped with CBG Surveying;

THENCE, South 81° 46'04" West, continuing along said south line, for a distance of 90.00 feet, to a 1/2 inch iron rod found capped DCA Inc;

THENCE, South 89° 41'21" West, continuing along said south line, for a distance of 206.71 feet, to a 1/2 inch iron rod found at the northwest corner of said Somerset Phase 2, an addition to the City of Rockwall, as recorded in Doc. No. in the Plat Records of Rockwall County, Texas;

THENCE, South 88° 23'25" West, continuing along said south line and with the north line of said Somerset Phase 2, for a distance of 1672.69 feet, to a 1/2 inch iron rod found at the northwest corner of said Somerset Phase 2 being an ell corner of said 261.9194 acre tract;

THENCE, South 00° 08'29" West, along the west line of said Somerset Phase 2 and the east line of said 261.9194 acre tract, for a distance of 52.02 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", on a curve to the right, having a radius of 1000.00 feet, a central angle of 08° 21'00";

THENCE, departing said lines and with said curve to the right for an arc distance of 145.74 feet (Chord Bearing North 87° 26'18" West - 145.61 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of reverse curvature of a curve to the left, having a radius of 1000.00 feet, a central angle of 06° 35'43";

THENCE, along said curve to the left for an arc distance of 115.11 feet (Chord Bearing North 86° 33'39" West - 115.05 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of tangency;

THENCE, North 89° 51'31" West, for a distance of 87.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point curvature of a curve to the left, having radius of 2221.00 feet, a central angle of 09° 55'28";

THENCE, along said curve to the left for an arc distance of 384.71 feet (Chord Bearing South 85° 10'45" West - 384.23 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of reverse curvature of a curve to the right, having a radius of 830.00 feet, a central angle of 24° 53'46";

THENCE, along said curve to the right for an arc distance of 360.61 feet (Chord Bearing North 87° 20'11" West - 357.78 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of reverse curvature of a curve to the left, having a radius of 100.00 feet, a central angle of 31° 15'05";

THENCE, along said curve to the left for an arc distance of 54.54 feet (Chord Bearing South 89° 29'04" West - 53.87 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of reverse curvature of a curve to the right, having a radius 100.00 feet, a central angle of 21° 24'23";

THENCE, along said curve to the right for an arc distance of 37.36 feet (Chord Bearing South 84° 34'58" West - 37.14 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point reverse curvature of a curve to the left, having a radius of 550.50 feet, a central angle of 05° 08'40";

THENCE, along said curve to the left for an arc distance of 49.43 feet (Chord Bearing North 87° 17'11" West - 49.41 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of tangency;

THENCE, North 89° 51'31" West, for a distance of 55.21 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", in the west line of said 261.9194 acre tract and being in the east line of John King Boulevard (Variable R.O.W.);

THENCE, North 07° 17'08" West, along said east and west lines, for a distance of 25.48 feet, to a 5/8 inch iron rod found;

THENCE, South 88° 32'18" West, continuing along said east and west lines, for a distance of 20.84 feet, to a 1/2 inch iron rod found on a curve to the left, having a radius of 1004.93 feet, a central angle of 00° 04'58";

THENCE, continuing along said lines and with said curve to the left for an arc distance of 1.15 feet (Chord Bearing North 01° 27'43" West - 1.15 feet), to a 1/2 inch iron rod found at the point of tangency;

THENCE, North 01° 27'44" West, continuing along said lines, for a distance of 2017.35 feet, to a 1/2 inch iron rod found capped "RPLS 5084", at the most westerly northwest corner of said 261.9194 acre tract and being the southwest corner of a tract in Deed to Rockwall Independent School District, as recorded in Doc. No. 2010-00443616 in said Deed Records;

THENCE, North 88° 23'38" East, along the north line of said 261.9194 acre tract and the south line of said Rockwall Independent School District tract, for a distance of 1759.40 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.:";

THENCE, South 41° 40'00" West, departing said north and south lines, for a distance of 224.76 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.:";

THENCE, South 46° 03'16" West, for a distance of 71.37 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of curvature of a curve to the right, having a radius of 100.00 feet, a central angle of 12° 00'43";

THENCE, along said curve to the right for an arc distance of 20.96 feet (Chord Bearing South 52° 03'37" West - 20.93 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of reverse curvature of a curve to the left, having a radius of 600.00 feet, a central angle of 22° 54'22";

THENCE, along said curve to the left for an arc distance of 239.90 feet (Chord Bearing South 46° 36'43" West - 238.31 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of reverse curvature of a curve to the right, having a radius of 250.00 feet, a central angle of 10° 53'49";

THENCE, along said curve to the right for an arc distance of 47.54 feet (Chord Bearing South 40° 36'21" West - 47.78 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of tangency;

THENCE, South 46° 03'16" West, for a distance of 540.26 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.:";

THENCE, South 43° 56'44" East, for a distance of 125.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.:";

THENCE, North 46° 03'16" East, for a distance of 3.61 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", on a curve to the left, having a radius of 2175.00 feet, a central angle of 28° 35'46";

THENCE, along said curve to the left for an arc distance of 1085.54 feet (Chord Bearing South 60° 17'31" East - 1074.31 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", on a curve to the right, having a radius of 640.00 feet, a central angle of 10° 07'29";

THENCE, along said curve to the right for an arc distance of 113.09 feet (Chord Bearing North 09° 33'23" East - 112.95 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of tangency;

THENCE, North 14° 37'08" East, for a distance of 187.71 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", on a curve to the left, having a radius of 1875.00 feet, a central angle of 24° 29'13";

THENCE, along said curve to the left for an arc distance of 801.33 feet (Chord Bearing South 86° 24'08" East - 795.25 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point reverse curvature of a curve to the right, having a radius of 350.00 feet, a central angle of 19° 05'59";

THENCE, along said curve to the right for an arc distance of 116.67 feet (Chord Bearing South 86° 24'08" East - 116.13 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", to the point of tangency;

THENCE, South 79° 32'46" East, for a distance of 83.69 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.:";

THENCE, North 10° 27'14" East, for a distance of 576.11 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point curvature of a curve to the right, having a radius of 950.00 feet, a central angle of 01° 16'00";

THENCE, along said curve to the right for an arc distance of 21.00 feet (Chord Bearing North 11° 05'14" East - 21.00 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of tangency;

THENCE, North 11° 43'14" East, for a distance of 237.30 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of curvature of a curve to the left, having a radius of 475.00 feet, a central angle of 13° 19'49";

THENCE, along said curve to the left for an arc distance of 110.51 feet (Chord Bearing North 05° 03'20" East - 110.26 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", at the point of tangency;

THENCE, North 01° 36'35" West, for a distance of 90.44 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", on a non-tangent curve to the left, having a radius of 50.00 feet, a central angle of 80° 08'05";

THENCE, along said curve to the left for an arc distance of 69.93 feet (Chord Bearing North 41° 40'38" West - 67.37 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.:";

THENCE, North 08° 15'20" East, for a distance of 159.70 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng, Inc.", in the north of said 261.9194 acre tract and the south line of said Rockwall Independent School District tract;

THENCE, North 88° 23'38" East, along said north and south lines, for a distance of 519.39 feet, to a 5/8 inch iron rod found at the southeast corner of said Rockwall Independent School District tract and being an ell corner of said 261.9194 acre tract;

THENCE, North 01° 36'22" West, along east line of Rockwall Independent School District tract and the west line of said 261.9194 acre tract, for a distance of 669.62 feet, to a 5/8 inch iron rod found at the north most northerly northwest corner of said 261.9194 acre tract;

THENCE, North 88° 24'41" East, along the north line of said 261.9194 acre tract and the south line of said Rockwall Independent School District tract, for a distance of 393.66 feet, to the POINT OF BEGINNING and containing 142.959 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

WARREN L. CORWIN  
R.P.L.S. No. 4621

FINAL PLAT  
OF

JUNIPER PHASE I

LOTS 1-12, BLOCK A

LOTS 1-10, BLOCK B

LOTS 1-34, BLOCK C

LOTS 1-16, BLOCK D

LOTS 1-11 & 23, BLOCK E

LOTS 1-19 & 45, BLOCK F

LOTS 1-15 & 29, BLOCK M

LOTS 1-28, BLOCK N

LOTS 1-16, BLOCK O

LOTS 1-21, BLOCK P

LOTS 1-12, BLOCK R

LOTS 1-9, BLOCK Q

LOTS 1-4, BLOCK S

BEING 142.959 ACRES OR 6,227,345.98 SF

TOTAL RESIDENTIAL LOTS 195

TOTAL OPEN SPACE LOTS 14

CITY PARK LOT 1

SITUATED WITHIN

W.H. BAIRD SURVEY, ABSTRACT NO. 25

A JOHNSON SURVEY, ABSTRACT NO. 123

J.R. JOHNSON SURVEY, ABSTRACT NO. 128

IN THE

CITY OF ROCKWALL

ROCKWALL COUNTY, TEXAS

OWNER

QUALICO DEVELOPMENTS (U.S.), INC.

2 GREENSIDE AT



**City of Rockwall**  
*The New Horizon*

## **MEMORANDUM**

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**TO:** **Mary Smith, City Manager**  
**FROM:** **Edward Fowler, Chief of Police**  
**DATE:** **February 4, 2025**  
**SUBJECT:** **2025 Racial Profiling Comparative Analysis**

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In compliance with Texas Code of Criminal Procedure the Police Department's 2025 Racial Profiling Report has been completed and is attached with this memo. The full analysis has also been submitted to the Texas Commission on Law Enforcement (TCOLE), which is the designated central repository for all such reports. A cursory breakdown of data points of Del Carmen Consulting LLC analysis of our data is discussed in the following paragraphs.

In 2025 the Department received one racial profiling complaint, which was related to a motor vehicle traffic stop. The subsequent investigation into this complaint determined that racial profiling had not occurred and was not tied to a denial of services or enforcement decisions. The Police Department's public education efforts concerning the racial profiling complaint process continue with both printed and electronic information on the process of filing a racial profiling complaint listed on the Department's Website and in the lobbies of the Police Building.

A review of the data supports that patrol supervisors were actively reviewing and auditing the activity of those officers that fell under their chain of command, while also demonstrating our officers were acting in accordance with state law and/or established Departmental policies. The conclusion based upon the information that has been gleaned from the comparison is that the officers and supervisors of the Rockwall Police Department are following the procedures set forth by the Rockwall Police Department's General Order 412.00 Bias Based Profiling. In addition, the report found that the Department is abiding by all set rules and is following the Texas Racial Profiling Law and all its requirements.

Attachment:  
Rockwall Police Department 2025 Racial Profiling Report-Del Carmen Consulting

# ROCKWALL POLICE DEPARTMENT

## 2025 RACIAL PROFILING REPORT



**DC** | **DEL CARMEN**  
**Consulting®**  
LAW ENFORCEMENT EXPERTS

A photograph of a Texas state flag, which consists of a blue field with a white star in the upper left corner and a white stripe on the left side. The flag is partially visible, with the rest of the image being a field of bluebonnet flowers. The flowers are a vibrant blue color and are in sharp focus in the foreground, while the flag is slightly out of focus in the background.

*"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."*

*-Quote by Geneva Reed (Mother of Sandra Bland)*

February 3, 2026

Rockwall City Council  
385 S. Goliad St.  
Rockwall, TX 75087

Dear Distinguished Members of the City Council,

The Texas Racial Profiling Law, originally enacted by the Texas Legislature in 2001, was designed to address concerns regarding racial profiling practices in law enforcement. Throughout the preceding calendar year, the Rockwall Police Department, in full compliance with statutory requirements, systematically collected and reported traffic and motor vehicle-related contact data for the express purpose of identifying, evaluating, and addressing any potential concerns regarding racial profiling practices within the department.



Since its initial enactment, the Texas Racial Profiling Law has undergone significant legislative modifications. During the 2009 legislative session, the law was amended to incorporate additional data collection and reporting requirements. Subsequently, in 2017, the Texas Legislature passed two landmark pieces of legislation: House Bill 3051, which standardized racial and ethnic classification categories, and the Sandra Bland Act (Senate Bill 1849), which substantially expanded data collection mandates and analytical requirements. The Sandra Bland Act represents the most comprehensive legislative framework in Texas history pertaining to law enforcement contact data requirements. I am pleased to confirm that the Rockwall Police Department has satisfied all statutory requirements, and the documentation contained herein demonstrates full compliance with these legislative mandates.

This annual report is organized into distinct sections, each addressing specific components of the compliance framework. Section One contains the table of contents, providing navigational guidance throughout the document. Section Two presents documentation demonstrating the Rockwall Police Department's compliance with the procedural requirements established under the Texas Racial Profiling Law, including evidence of mandatory training protocols for all sworn personnel on racial profiling prevention, as well as the institutionalization of formal compliment and complaint processes as required by statute.

Section Three contains comprehensive statistical data pertaining to motor vehicle-related contacts, as defined by applicable law, occurring between January 1, 2025, and December 31, 2025. This section includes the Tier 2 reporting form, which must be submitted to the Texas Commission on Law Enforcement (TCOLE) and the local governing authority by March 1 of each calendar year. All data presented in this report was compared against the Fair Roads Standard, a baseline measure derived from U.S. Census Bureau data. The analytical findings and corresponding recommendations are presented in detail within this section.

The final section of this report contains reference materials, including the original text of Senate Bill 1074 (the Texas Racial Profiling Law) and the Sandra Bland Act (current governing law). Additionally, this section includes a comprehensive listing of compliance requirements established by TCOLE. The findings documented in this report substantiate the Rockwall Police Department's ongoing commitment to full compliance with the Texas Racial Profiling Law and its commitment to constitutional policing practices.

Respectfully submitted,

Alex del Carmen, Ph.D.  
Criminologist

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## Public Education on Responding to Compliments and Complaints

### Informing the Public on the Process of Filing a Compliment or Complaint with the Rockwall Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Rockwall Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Rockwall Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Rockwall Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Rockwall Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Rockwall has been included in this report.

It is important to recognize that the Chief of the Rockwall Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Rockwall Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.



## **Racial Profiling 3256**

### **Instructor's Note:**

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

### **Abstract**

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

**Target Population:** Licensed law enforcement personnel in Texas

**Prerequisites:** Experience as a law enforcement officer

**Length of Course:** A suggested instructional time of 4 hours

**Material Requirements:** Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

**Instructor Qualifications:** Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

### **Evaluation Process and Procedures**

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

### **Reference Materials**

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

## Racial Profiling 3256

### 1.0 RACIAL PROFILING AND THE LAW

**1.1 UNIT GOAL:** The student will be able to identify the legal aspects of racial profiling.

**1.1.1 LEARNING OBJECTIVE:** The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

#### Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

#### A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

#### B. Not *prima facie* evidence

#### C. Feasibility of use of video equipment

#### D. Data does not identify officer

#### E. Copy of complaint-related video evidence to officer in question

#### F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

#### G. Compilation and analysis of data

#### H. Exemption from reporting – audio/video equipment

#### I. Officer non-liability

#### J. Funding

#### K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074

**1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.**

**A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)**

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

**B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)**

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

**C. Other cases**

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)

**2.0 RACIAL PROFILING AND THE COMMUNITY**

**2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.**

**2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.**

A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

### **3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION**

**3.1 UNIT GOAL:** The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

**3.1.1 LEARNING OBJECTIVE:** The student will be able to identify elements of a racially motivated traffic stop.

- A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements
- B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)
- C. A typical traffic stop resulting from racial profiling
  - 1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
  - 2. The driver and passengers are questioned about things that do not relate to the traffic violation
  - 3. The driver and passengers are ordered out of the vehicle
  - 4. The officers visually check all observable parts of the vehicle
  - 5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
  - 6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



**3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.**

- A. Drug courier profile (adapted from a profile developed by the DEA)
  - 1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
  - 2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
  - 3. Vehicle is rented
  - 4. Driver is a young male, 20-35
  - 5. No visible luggage, even though driver is traveling
  - 6. Driver was over-reckless or over-cautious in driving and responding to signals
  - 7. Use of air fresheners
  
- B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

**3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.**

- A. Thinking about the totality of circumstances in a vehicle stop
  
- B. Vehicle exterior
  - 1. Non-standard repainting (esp. on a new vehicle)
  - 2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
  - 3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
  - 4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)
  
- C. Pre-stop indicators
  - 1. Not consistent with traffic flow
  - 2. Driver is overly cautious, or driver/passengers repeatedly look at police car
  - 3. Driver begins using a car- or cell-phone when signaled to stop
  - 4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)
  
- D. Vehicle interior
  - 1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
  - 2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

**Resources**

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074



## Report on Compliments and Racial Profiling Complaints

### Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/25-12/31/25 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



A check above indicates that the Rockwall Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/25-12/31/25.

### Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint Number	Alleged Violation	Disposition of the Case
1	Racial Profiling	Unsubstantiated

### Additional Comments:

.

# Tables Illustrating Motor Vehicle-Related Contacts

## TIER 2 DATA

### TOTAL STOPS: 13,821

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

City Street	9,331
US Highway	1,323
State Highway	1,986
County Road	16
Private Property	1,165

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

Yes	378
No	13,443

#### RACE OR ETHNICITY

Alaska Native/American Indian	156
Asian/Pacific Islander	261
Black	2,854
White	6,914
Hispanic/Latino	3,636

#### GENDER

#### Female Total: 5,290

Alaska Native/American Indian	55
Asian/Pacific Islander	94
Black	1,189
White	2,921
Hispanic/Latino	1,031

#### Male Total: 8,531

Alaska Native/American Indian	101
Asian/Pacific Islander	167
Black	1,665
White	3,993
Hispanic/Latino	2,605

#### REASON FOR STOP?

#### Violation of Law Total: 395

Alaska Native/American Indian	2
Asian/Pacific Islander	8
Black	58
White	225
Hispanic/Latino	102

#### Pre-existing Knowledge Total: 368

Alaska Native/American Indian	1
Asian/Pacific Islander	4
Black	101
White	187
Hispanic/Latino	75

#### Moving Traffic Violation Total: 6,299

Alaska Native/American Indian	92
Asian/Pacific Islander	139
Black	1,095
White	3,354
Hispanic/Latino	1,619

## TIER 2 DATA

### Vehicle Traffic Violation Total: 6,759

Alaska Native/American Indian	61
Asian/Pacific Islander	110
Black	1,600
White	3,148
Hispanic/Latino	1,840

### Contraband (in plain view) Total: 8

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	3
White	4
Hispanic/Latino	1

### WAS SEARCH CONDUCTED?

	YES	NO
Alaska Native/American Indian	3	153
Asian/Pacific Islander	6	255
Black	205	2,649
White	147	6,767
Hispanic/Latino	136	3,500
<b>TOTAL</b>	<b>497</b>	<b>13,324</b>

### Probable Cause Total: 301

Alaska Native/American Indian	3
Asian/Pacific Islander	4
Black	152
White	75
Hispanic/Latino	67

### Inventory Total: 35

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	11
White	8
Hispanic/Latino	16

### Incident to Arrest Total: 22

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	2
White	13
Hispanic/Latino	5

## TIER 2 DATA

### WAS CONTRABAND DISCOVERED?

	YES	NO
Alaska Native/American Indian	3	0
Asian/Pacific Islander	2	4
Black	103	102
White	65	82
Hispanic/Latino	47	89
<b>TOTAL</b>	<b>220</b>	<b>277</b>

### DESCRIPTION OF CONTRABAND

#### Drugs Total: 159

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	85
White	44
Hispanic/Latino	29

#### Currency Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

#### Weapons Total: 7

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	4
White	2
Hispanic/Latino	1

#### Alcohol Total: 29

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	8
White	9
Hispanic/Latino	12

## TIER 2 DATA

### Stolen Property Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

### Other Total: 26

Alaska Native/American Indian	3
Asian/Pacific Islander	1
Black	6
White	9
Hispanic/Latino	7

### RESULT OF THE STOP

#### Verbal Warning Total: 10,402

Alaska Native/American Indian	116
Asian/Pacific Islander	213
Black	2,179
White	5,395
Hispanic/Latino	2,499

#### Written Warning Total: 40

Alaska Native/American Indian	3
Asian/Pacific Islander	1
Black	4
White	21
Hispanic/Latino	11

### Citation Total: 3,144

Alaska Native/American Indian	36
Asian/Pacific Islander	45
Black	574
White	1,422
Hispanic/Latino	1,067

### Written Warning and Arrest Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

### Citation and Arrest Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	1
Hispanic/Latino	0

### Arrest Total: 232

Alaska Native/American Indian	1
Asian/Pacific Islander	2
Black	96
White	74
Hispanic/Latino	59

## TIER 2 DATA

### ARREST BASED ON

**Violation of Penal Code Total: 177**

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	73
White	59
Hispanic/Latino	43

**Violation of Traffic Law Total: 14**

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	7
White	2
Hispanic/Latino	5

**Violation of City Ordinance Total: 1**

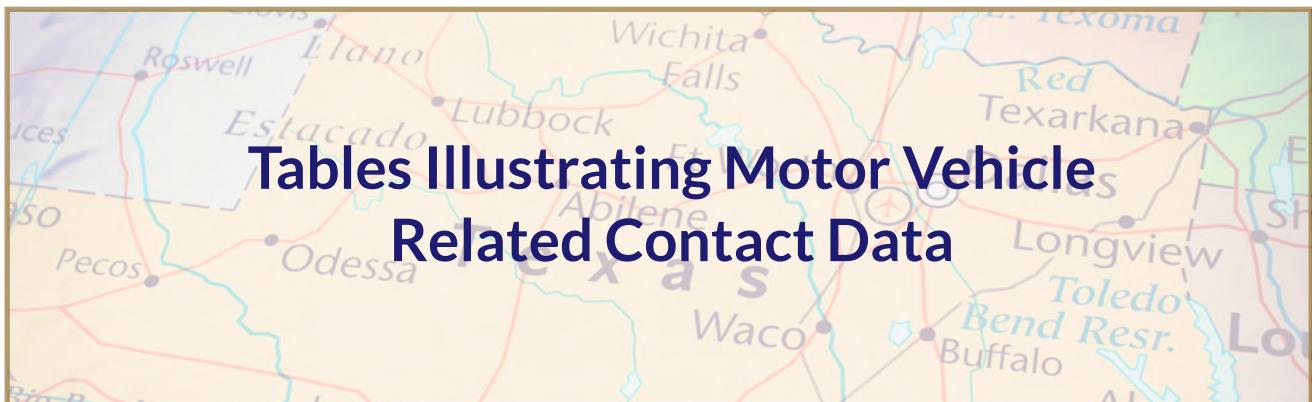
Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

**Outstanding Warrant Total: 43**

Alaska Native/American Indian	1
Asian/Pacific Islander	0
Black	17
White	14
Hispanic/Latino	11

**Was physical force used resulting in bodily injury during the stop?**

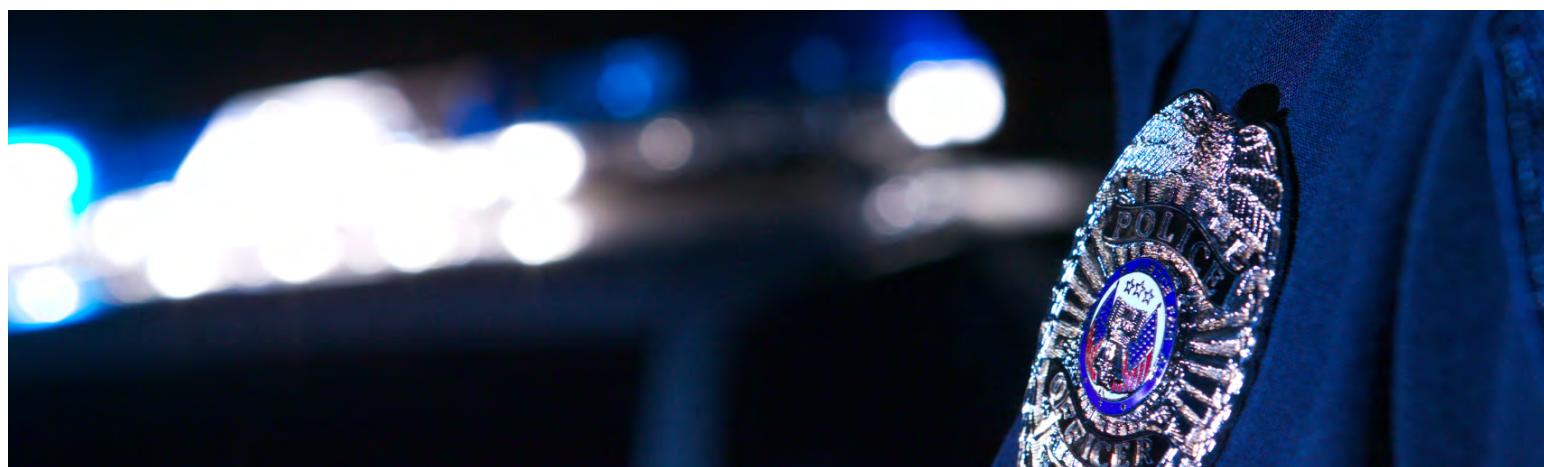
	YES	NO
Alaska Native/American Indian	0	156
Asian/Pacific Islander	1	260
Black	0	2,854
White	2	6,912
Hispanic/Latino	2	3,634
<b>TOTAL</b>	<b>5</b>	<b>13,816</b>



## Tables Illustrating Motor Vehicle Related Contact Data

**Table 1. Citations and Warnings**

Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
Alaska Native/ American Indian	156	36	116	3	1%	1%	1%	8%
Asian/ Pacific Islander	261	45	213	1	2%	1%	2%	3%
Black	2,854	575	2,179	4	21%	18%	21%	10%
White	6,914	1,423	5,395	21	50%	45%	52%	53%
Hispanic/ Latino	3,636	1,067	2,499	11	26%	34%	24%	28%
<b>TOTAL</b>	<b>13,821</b>	<b>3,146</b>	<b>10,402</b>	<b>40</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>



**Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison**

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
<b>Alaska Native/American Indian</b>	1%	0%
<b>Asian/Pacific Islander</b>	2%	5%
<b>Black</b>	21%	14%
<b>White</b>	50%	60%
<b>Hispanic/Latino</b>	26%	19%
<b>TOTAL</b>	100%	98%

**Table 3. Motor Vehicle Searches and Arrests.**

Race/Ethnicity	Searches	Consent Searches	Arrests
<b>Alaska Native/American Indian</b>	3	0	1
<b>Asian/Pacific Islander</b>	6	0	2
<b>Black</b>	205	37	97
<b>White</b>	147	47	76
<b>Hispanic/Latino</b>	136	47	59
<b>TOTAL</b>	497	131	235

**Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury**

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Arrest	Location of Stop	Reason for Stop	Bodily Harm
1	01/19/25	City Street	Pre-Existing Knowledge	Suspect
2	04/06/25	Private Property	Violation of Law/DWI	Suspect
3	09/10/25	City Street	Vehicle Traffic Violation	Suspect
4	12/04/25	City Street	Pre-Existing Knowledge	Both
5	12/09/25	City Street	Vehicle Traffic Violation	Suspect

**Table 5. Search Data**

Race/Ethnicity	Searches	Contraband Found Yes	Contraband Found No	Arrests	Percent Searches	Percent Contraband Found	Percent No Contraband	Percent Arrest
Alaska Native/American Indian	3	3	0	1	1%	1%	0%	0%
Asian/Pacific Islander	6	2	4	2	1%	1%	1%	1%
Black	205	103	102	97	41%	47%	37%	41%
White	147	65	82	76	30%	30%	30%	32%
Hispanic/Latino	136	47	89	59	27%	21%	32%	25%
<b>TOTAL</b>	<b>497</b>	<b>220</b>	<b>277</b>	<b>235</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Table 6. Report on Audits.**

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/25-12/31/25.

<b>Audit Data</b>	<b>Number of Data Audits Completed</b>	<b>Date of Completion</b>	<b>Outcome of Audit</b>
1	1	03/01/25	Data was valid and reliable
2	1	06/01/25	Data was valid and reliable
3	1	09/01/25	Data was valid and reliable
4	1	12/01/25	Data was valid and reliable

**ADDITIONAL COMMENTS:****Table 7. Instance Where Force Resulted in Bodily Injury.**

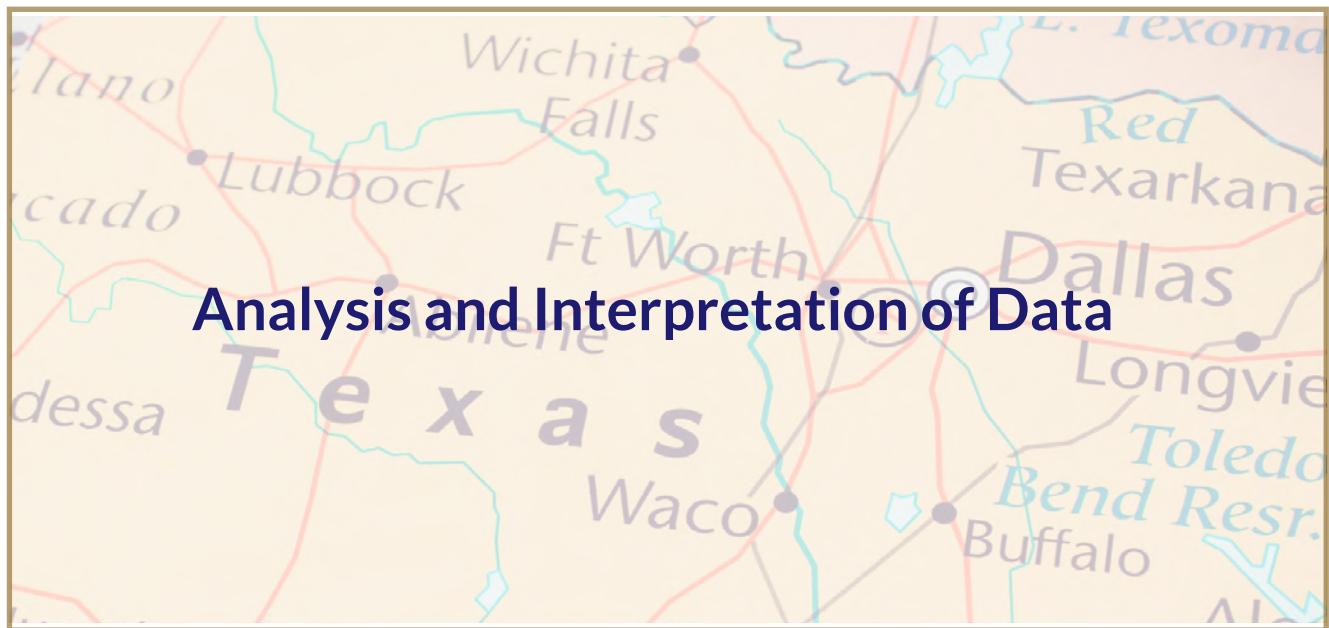
<b>Race/Ethnicity</b>	<b>Number</b>	<b>Percent</b>
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	1	20%
Black	0	0%
White	2	40%
Hispanic/Latino	2	40%
<b>TOTAL</b>	<b>5</b>	<b>100%</b>

**Table 8. Reason for Arrests from Vehicle Contact**

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	0	0	0	1	0%	0%	0%	2%
Asian/Pacific Islander	2	0	0	0	1%	0%	0%	0%
Black	73	7	0	17	41%	50%	0%	40%
White	59	2	1	14	33%	14%	100%	33%
Hispanic/ Latino	43	5	0	11	24%	36%	0%	26%
<b>TOTAL</b>	<b>177</b>	<b>14</b>	<b>1</b>	<b>43</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Table 9. Contraband Hit Rate**

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	3	3	100%	1%	1%
Asian/ Pacific Islander	6	2	33%	1%	1%
Black	205	103	50%	41%	47%
White	147	65	44%	30%	30%
Hispanic/Latino	136	47	35%	27%	21%



## Legislative Background and Statutory Framework

In 2001, the Texas Legislature enacted Senate Bill 1074, establishing the Texas Racial Profiling Law. This legislation became effective on January 1, 2002, and required all law enforcement agencies in Texas to collect traffic-related contact data and submit annual reports to their respective local governing authorities by March 1 of each calendar year. The original statutory framework remained substantially unchanged until 2009, when the Texas Legislature passed House Bill 3389, introducing significant amendments to the data collection and reporting requirements.

The 2009 legislative amendments, which took effect on January 1, 2010, expanded the definition of reportable contacts to include all motor vehicle-related encounters resulting in the issuance of a citation or custodial arrest. Additionally, the amended statute required law enforcement officers to document whether they possessed knowledge of the individual's race or ethnicity prior to initiating the detention. The 2009 legislation also mandated the inclusion of "Middle Eastern" as a distinct racial and ethnic classification category and established TCOLE as the central repository for annual data submissions.

In 2017, the Texas Legislature enacted two significant pieces of legislation affecting racial profiling data collection requirements. House Bill 3051 eliminated the Middle Eastern classification category and standardized racial and ethnic designations to align with federal reporting standards. Concurrently, the Sandra Bland Act (Senate Bill 1849) was passed and signed into law, representing the most comprehensive legislative mandate in Texas history regarding law enforcement contact data requirements. The Sandra Bland Act, which became effective on January 1, 2018, not only expanded data collection requirements but also mandated detailed analytical assessments addressing the following statutory elements:

- 1. A comparative analysis of compiled information pursuant to Article 2.133, including:*

  - a. Evaluation and comparison of motor vehicle stops within the applicable jurisdiction between persons recognized as racial or ethnic minorities and persons not recognized as racial or ethnic minorities;*
  - b. Examination of the disposition of motor vehicle stops conducted by agency personnel, categorized according to the race or ethnicity of affected persons, including any searches resulting from stops within the applicable jurisdiction;*
  - c. Evaluation and comparison of searches resulting from motor vehicle stops within the applicable jurisdiction and documentation of whether contraband or other evidence was discovered during the course of such searches.*
- 2. Documentation of all complaints filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.*

## **Analytical Methodology and Baseline Considerations**

In accordance with the Texas Racial Profiling Law and Sandra Bland Act requirements, the Rockwall Police Department commissioned an independent analysis of its 2025 motor vehicle contact data. The analytical framework employed in this study incorporated two distinct methodological approaches. The primary analysis involved a comprehensive evaluation of all motor vehicle-related contact data collected during the 2025 reporting period. This analysis measured, as required by statute, the number and percentage of contacts involving individuals classified as White, Black, Hispanic or Latino, Asian and Pacific Islander, and Alaska Native and American Indian, who encountered law enforcement during motor vehicle-related contacts resulting in the issuance of citations, warnings, or custodial arrests.

The Tier 2 data analysis encompassed multiple variables including, but not limited to: the number and percentage of contacts by race and ethnicity; gender distribution; documented reason for the stop; geographic location of the encounter; search activity including search type classification; outcome of the contact; legal basis for any resulting arrest; and any use of physical force resulting in bodily injury. This comprehensive data collection framework enables a thorough assessment of departmental practices and facilitates identification of any patterns warranting further examination.

The analytical framework employed in this report utilized a comparative methodology that assessed 2025 motor vehicle contact data against an established demographic baseline. It should be noted that considerable scholarly debate exists regarding the appropriate baseline measure for analyzing motor vehicle-related contact data. Among available baseline measures, the Rockwall Police Department accepted the recommendation to employ the Fair Roads Standard as the primary comparative benchmark. This particular baseline is derived from U.S. Census Bureau data (2020) pertaining to the number of households with vehicle access, controlled for the race and ethnicity of heads of households.

It is important to acknowledge the methodological limitations inherent in utilizing census-derived baseline data for racial profiling analysis. Census data encompasses all residents within a given jurisdiction, regardless of their status within the driving population. Furthermore, census data captures information exclusively pertaining to municipal residents, thereby excluding individuals who may have encountered the Rockwall Police Department during the reporting period but reside outside jurisdictional boundaries. In certain municipalities, contacts with non-residents constitute a substantial proportion of all motor vehicle-related encounters recorded during any given reporting period.

In 2002, prominent civil rights organizations in Texas advocated for the adoption of the Fair Roads Standard as the preferred baseline measure for all law enforcement agencies conducting racial profiling analyses. These standard compares census data specific to "households" with vehicle access against "contacts," which represent individual-level counts. This methodological approach introduces the potential for ecological fallacy, as household-level data is being compared with individual-level contact data. Notwithstanding these limitations, the Rockwall Police Department elected to employ this comparison methodology to demonstrate institutional commitment to transparency and community accountability. The Fair Roads Standard data utilized in this analysis is specific to the jurisdiction of the Dallas Fort-Worth (DFW) Metroplex.

## **Tier 2 Motor Vehicle-Related Contact Analysis (2025)**

Examination of the enhanced Tier 2 data collected during the 2025 reporting period reveals distinct patterns in motor vehicle-related contacts. The demographic distribution of contacts indicates that the majority of motor vehicle-related encounters involved White individuals, followed by Hispanic individuals. Among all individuals contacted by law enforcement, the greatest number of citations were issued to White and Hispanic individuals, followed by Black individuals. With respect to written warnings, the majority were issued to White individuals, with Hispanic individuals representing the second largest recipient group.

Analysis of search and arrest data reveals that the majority of searches were conducted involving Black individuals. When examining search methodology, the greatest number of consent searches involved White and Hispanic individuals. The majority of custodial arrests involved Black individuals. Overall, the preponderance of searches did not result in the discovery of contraband. Among searches that yielded contraband, the majority involved Black individuals, followed by White individuals. Among searches that did not produce contraband, the majority involved Black individuals.

Arrest data indicates that the majority of custodial arrests involved Black individuals. Among arrests originating from alleged violations of the Texas Penal Code, the majority involved Black individuals. With respect to use of force, the department reports five instances where physical force was used resulting in bodily injury during the reporting period.

## **Comparative Analysis**

A comprehensive comparative analysis was conducted examining 2025 motor vehicle contact data against census data pertaining to households within DFW that reported vehicle access in the 2020 Census. This analysis produced the following findings:

The percentage of White and Asian individuals who came into contact with law enforcement was equal to or lower than the percentage of White and Asian households within DFW that reported vehicle access in the most recent census enumeration. Conversely, the data revealed that a higher percentage of Black, Hispanic, and American Indian individuals came into contact with law enforcement compared to the percentage of Black, Hispanic, and American Indian households that reported vehicle access. It should be noted that the percentage differential for American Indian contacts relative to household representation is 1%, which may be considered statistically insignificant depending upon the analytical threshold employed.

The contraband discovery rate analysis reveals that among all searches conducted during the 2025 reporting period, American Indian individuals demonstrated the highest contraband hit rate, followed by Black and White individuals respectively. This indicates that among all searches performed, the highest percentage of searches resulting in contraband discovery involved American Indian individuals. The lowest contraband discovery rate was observed among Asian individuals.

## **Summary of Findings**

As mandated by the current Texas Racial Profiling Law, law enforcement agencies are required to conduct data audits to validate the accuracy and reliability of reported data. In compliance with this requirement, the Rockwall Police Department engaged Del Carmen Consulting, LLC to perform independent data audits consistent with normative statistical practices and methodological standards. As documented in the accompanying audit report, the validation process confirms that the data submitted is both valid and reliable.

Furthermore, as required by statute, this report includes a comprehensive analysis of search activity, including documentation of whether contraband was discovered as a result of searches while controlling for the race and ethnicity of searched individuals. The search analysis demonstrates that the Rockwall Police Department is engaging in search practices consistent with prevailing national trends in law enforcement and does not reveal patterns indicative of discriminatory practices.

Based upon the analytical findings presented in this report, the following recommendations are offered to ensure continued compliance and institutional best practices:

1. Continue to collect and evaluate supplementary motor vehicle contact data elements, including but not limited to documented basis for probable cause searches and detailed contraband classification, which may prove valuable in assessing the nature and circumstances of law enforcement contacts with all individuals.
2. Commission an independent analysis of contact and search data during the upcoming reporting period to maintain analytical continuity and identify any emerging trends.
3. Continue to commission periodic data audits to ensure data integrity and verify that collected data is consistent with reported data, thereby maintaining the validity and reliability of all submissions.

## **Conclusion**

The comprehensive data analysis presented in this report serves as documented evidence that the Rockwall Police Department has achieved full compliance with the Texas Racial Profiling Law and all associated statutory requirements. This report demonstrates that the department has:

- Implemented and maintains a comprehensive racial profiling policy in accordance with statutory requirements;
- Established and publicized procedures for members of the public to file compliments or complaints regarding officer conduct;
- Commissioned periodic data audits to ensure the validity and reliability of all collected and reported data;
- Collected and commissioned independent analysis of all required Tier 2 data elements; and
- Ensured that the practice of racial profiling is expressly prohibited and will not be accepted or tolerated within the organization.

The Rockwall Police Department remains committed to constitutional policing practices, equitable treatment of all individuals, and continued compliance with all applicable state and federal requirements pertaining to racial profiling prevention and reporting.

# APPENDICES

*[This section should include the following reference materials:]*

- ✓ Original text of Senate Bill 1074 (Texas Racial Profiling Law)
- ✓ Sandra Bland Act (Senate Bill 1849) - Current governing law
- ✓ TCOLE compliance requirements and guidelines
- ✓ Agency racial profiling policy documentation
- ✓ Training documentation and certifications
- ✓ Complaint and compliment procedure documentation
- ✓ Data audit methodology and validation results
- ✓ Tier 2 data collection forms and submission confirmation



# LEGISLATIVE & ADMINISTRATIVE

# TCOLE GUIDELINES

## Guidelines for Compiling and Reporting Data under Senate Bill 1074

### Background

Senate Bill 1074 of the 77<sup>th</sup> Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of **what** must be accomplished by an agency but allows wide latitude in determining **how** the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

### Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

### Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

## **Standard 2**

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

## **Commentary**

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

## **Standard 3**

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

## **Commentary**

Senate Bill 1074 from the 77<sup>th</sup> Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

#### **Standard 4**

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

#### **Commentary**

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

#### **Standard 5**

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

#### **Commentary**

None

#### **Standard 6**

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

#### **Commentary**

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

## **Standard 7**

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

### **Commentary**

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

# The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

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

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 traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(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 process;

(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 traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

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

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

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) 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 traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic 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.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILED AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(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 local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

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

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and  
(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; 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 traffic or pedestrian 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 Commission on Law Enforcement Officer Standards and Education 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.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

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.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

- (1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;
- (2) implementing laws and internal agency policies relating to preventing racial profiling;  
and
- (3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(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.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(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).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

- (1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;
- (2) the registration number of the vehicle involved;
- (3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;
- (4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;
- (5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

- (7) the plea, the judgment, and whether bail was forfeited;
- (8) [7] the date of conviction; and
- (9) [8] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

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President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

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Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

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Chief Clerk of the House

Approved:

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Date

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Governor

# Modifications to the Original Law

## (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

- (A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);
- (B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);
- (C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);
- (D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION \_\_\_\_\_. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(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[~~traffic~~] 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 of a particular descent, including Caucasian, African, Hispanic, Asian, [~~or~~] Native American,or Middle Eastern descent.

(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 process;

(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 [~~traffic~~] stops in which a citation is issued and to arrests made as a result of [~~resulting from~~] those [~~traffic~~] stops, including information relating to:

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

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

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

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit [~~to the governing body of each county or~~

~~municipality served by the agency~~] an annual report of the information collected under Subdivision (6) to:

- (A) the Commission on Law Enforcement Officer Standards and Education; 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.

(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 [traffic] stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle [traffic] stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle [traffic] 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).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education 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.

SECTION \_\_\_\_\_. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE [TRAFFIC AND PEDESTRIAN] STOPS. (a) In this article, "race":

- [(1) "Race" or ethnicity" has the meaning assigned by Article 2.132(a).]
- [(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance [regulating traffic or who stops a pedestrian for any suspected offense] shall report to the law enforcement agency that employs the officer information relating to the stop, including:

- (1) a physical description of any [each] person operating the motor vehicle who is detained as a result of the stop, including:
  - (A) the person's gender; and
  - (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
- (2) the initial reason for the stop [traffic law or ordinance alleged to have been violated or the suspected offense];
- (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- (4) whether any contraband or other evidence was discovered in the course of the search and a description [the type] of the contraband or evidence [discovered];
- (5) the reason for the search, including whether:
  - (A) any contraband or other evidence was in plain view;
  - (B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [existed and the facts supporting the existence of that probable cause];

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop[, including a description of the warning or a statement of the violation charged].

SECTION \_\_\_\_\_. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[,"pedestrian] stop" has the meaning assigned by Article 2.132(a) [means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].

(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 [local] law enforcement agency shall submit a report containing the incident-based data [information] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education 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 [in a manner approved 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 [determine the prevalence of racial profiling by peace officers employed by the agency]; and

(B) examine the disposition of motor vehicle [traffic and pedestrian] 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 [the] stops within the applicable jurisdiction; 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 [traffic or pedestrian] 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 Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education 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.

SECTION \_\_\_\_\_. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle ~~[traffic and pedestrian]~~ stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle ~~[traffic and pedestrian]~~ stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle ~~[traffic and pedestrian]~~ stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle ~~[traffic and pedestrian]~~ stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle ~~[traffic or pedestrian]~~ stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION \_\_\_\_\_. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

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.

SECTION \_\_\_\_\_. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION \_\_\_\_\_. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 ~~[\$5]~~; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION \_\_\_\_\_. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 ~~[\$5]~~; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION \_\_\_\_\_. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; [and]
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION \_\_\_\_\_. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; [and]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and

- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION \_\_\_\_\_. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION \_\_\_\_\_. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

- (a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:

- (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;  
or

(3) a commission rule.

SECTION \_\_\_\_\_. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

# Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

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

- (A) Alaska native or American Indian;
- (B) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;
- (C) black;
- (D) white; and
- (E) Hispanic or Latino [, Native American, or Middle Eastern descent].

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

- (1) Alaska native or American Indian;
- (2) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;
- (3) black;
- (4) white; and
- (5) Hispanic or Latino [, or Native American descent].

SECTION 3. This Act takes effect September 1, 2017.

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President of the Senate

Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor

# The Sandra Bland Act

## (S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

### ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

### ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b)

or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

### ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

- (1) defendant is not charged with and has not been previously convicted of a violent offense;
- (2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];
- (3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

- (4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

- (1) mental illness or intellectual disability [mental retardation] is chronic in nature; or
- (2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(a) The commission shall:

(1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;

(2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;

(3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;

(4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;

(5) revise, amend, or change rules and procedures if necessary;

(6) provide to local government officials consultation on and technical assistance for county jails;

(7) review and comment on plans for the construction and major modification or renovation of county jails;

(8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;

(9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules

and procedures adopted under this chapter;

(10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;

(11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;

(12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;

(13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;

(14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;

(15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;

(16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:

(A) common issues concerning jail administration;

(B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by

Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

#### ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program 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. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

## ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(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 compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

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

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

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (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.

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

(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.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

- (1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
  - (A) the person's gender; and
  - (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
- (2) the initial reason for the stop;
- (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- (4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

- (A) any contraband or other evidence was in plain view;
- (B) any probable cause or reasonable suspicion existed to perform the search; or
- (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(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; [and]

(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.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(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 an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and (B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

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President of the  
Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:  
Yea 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:  
Yea 137, Nays 0, one present not voting.

**ARTICLE 6. EFFECTIVE DATE**

**SECTION 6.01.** Except as otherwise provided by this Act,  
Approved:

---

Date

---

Governor

---

Chief Clerk of the House

**ROCKWALL  
POLICE DEPARTMENT  
RACIAL PROFILING POLICY**

supervisor. All employees shall maintain a telephone either at their residence or a cell phone on their person.

- F. An employee shall not feign illness or injury. If injured or ill when duty has been scheduled, the employee shall remain at his residence except to consult a physician, attend a medical facility, or obtain prescriptions. If convalescence is to be at a location other than their residence, they will notify the department.
- G. Except in emergencies, an employee shall not leave a post, beat or other assignment without having been properly relieved. An employee, who has cause to leave his post, beat or other assignment because of an emergency without being relieved shall notify or cause notification of his supervisor as soon as possible of the absence, the reason for it, and the employee's present whereabouts and activity.
- H. Every employee receiving a subpoena or instructions to appear in court or at any hearing shall do so at the time and place designated. An employee who is unable to comply will notify or cause to be notified his supervisor and the appropriate court as soon as possible.
- I. Employees shall advise their supervisors of any unusual activity, situations, or problem in which the department would logically be concerned.
- J. Except when other duties prevent it, officers shall patrol and take enforcement actions in accordance with the tenets of selective enforcement aimed at accident reduction.
- K. Whenever it is reasonably possible, all required reports or forms relating to daily activities, such as citations, accident investigations, recovered or stored vehicles, arrests, radio transmissions and assignments, shall be completed and submitted at the end of the tour of duty during which such activities were performed by the employee responsible for such reports. When such completion and submission is not possible, reports shall be submitted in preliminary form and shall be completed during the next tour of duty unless a supervisor directs otherwise.

#### **411.00 DEPARTMENTAL RIGHT TO ENTER AND INSPECT**

- A. Employees may be assigned department-owned vehicles, lockers, desks, file cabinets, and/or similar equipment. The department does not relinquish its control of rights to such items and reserves the right to enter and inspect the aforementioned property. Employees shall have no expectation of privacy in the above property.
- B. Supervisory staff may conduct inspections as they deem necessary.

#### **412.00 BIAS BASED PROFILING**

The purpose of this policy is to reaffirm the Rockwall Police Department's commitment to unbiased policing in all its encounters between officer and any person, to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion, and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

- A. It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of the law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in bias based profiling, and especially bias based profiling as defined in this policy. Bias based profiling is an unacceptable police tactic and will not be condoned.
- B. This General Order is adopted in compliance with requirements of Articles 2.131 through 2.138, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in bias based profiling.

#### 412.01 DEFINITIONS

- A. Bias Based Profiling - A law enforcement-initiated action based on an individual's cultural group, sexual orientation, economic status, age, gender, background, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Bias based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance or other citizen contacts.
- B. Race or Ethnicity – Persons of particular descent, including Alaska Native or American Indian, White, Black, Hispanic or Latino, Asian or Pacific Islander.
- C. Acts Constituting Bias Based Profiling – Acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation or an arrest based solely upon an individual's race, ethnicity or national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.
- D. Motor Vehicle Contacts – Means an occasion in which a peace officer stops a motor vehicle for an alleged violation of law or ordinance.

#### 412.02 PROHIBITION

- A. Officers of the Rockwall Police Department are strictly prohibited from engaging in bias based profiling. The prohibition against bias based profiling does not preclude the use of race, ethnicity or national origin as factors in such a decision when used as part of a description of a suspect or witness for whom an officer is searching.
- B. Officers of the Rockwall Police Department shall not engage in profiling based solely on gender, sexual orientation, religion, economic status, age, culture or any other identifiable group.

#### 412.03 COMPLAINT PROCESS

- A. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because they filed such a complaint.
- B. Any person who believes that a peace officer employed by the Rockwall Police Department has engaged in bias based profiling with respect to that person, may file a complaint in accordance with the provisions of General Order 507, Complaint Processing and Investigation.
  1. An employee who is contacted regarding a complaint against an officer shall follow the procedures set forth in General Orders 507, Section 507.01, Action upon Receipt of Complaint.
  2. Citizens who appear in person wishing to file a complaint shall be provided with a departmental brochure, "Bias Based Profiling Complaint Procedures". Brochures are maintained in the Rockwall Police Department lobby and at Rockwall City Hall. Citizens may also be directed to the departmental website to file a complaint.
- C. Any supervisor who becomes aware of an alleged or suspected violation of the General Order shall report the alleged violation in accordance with General Order 504, Responsibilities in Internal Complaints, Section 504.01, Supervisors Responsibilities.
- D. Complaints of bias based profiling shall be investigated by the Internal Affairs Division, unless otherwise directed by the Chief of Police. A log of all Bias based profiling Complaints will be maintained by the Internal Affairs Division.

#### 412.04 DISCIPLINARY AND CORRECTIVE ACTIONS

- A. Any officer of this department, who is found, after investigation, to have engaged in bias based profiling in violation of the General Order, may be subject to disciplinary action, up to and

including termination. Disciplinary or corrective actions may include diversity, sensitivity or other appropriate training or counseling, as determined by the Chief of Police.

#### 412.05 PUBLIC EDUCATION

- A. This department shall provide education to the public concerning the bias based profiling complaint process. The primary method of public education shall be through a brochure, "Bias Based Profiling Complaint Procedures", which are maintained in the lobby of the Rockwall Police Department and at the Rockwall City Hall. These brochures are available in both English and Spanish versions. Other education methods may be utilized to inform the public include local newspapers, news media, service or civic presentations, the Internet, as well as City Council Meetings.
- B. This department shall provide public education relating to our agency's compliment and complaint process, including providing the:
  1. Telephone number
  2. Mailing address
  3. Email address

#### 412.06 COLLECTION OF INFORMATION AND ANNUAL REPORT WHEN CITATION ISSUED, ARREST MADE, OR WARNING ISSUED

- A. For each motor vehicle contact in which a citation or warning is issued and/or for each arrest resulting from a motor vehicle contact, an officer involved in the stop shall collect the following information:
  1. The physical description of any person operating the motor vehicle who is being detained as well as a result of the stop, including:
    - a. Gender
    - b. Race or Ethnicity (as stated by the person or as determined by the officer to the best of the officer's ability)
  2. Race or Ethnicity means the following categories:
    - a. White
    - b. Black
    - c. Hispanic or Latino
    - d. Asian or Pacific Islander
    - e. Alaska Native or American Indian
  3. Initial reason for the stop:
    - a. Violation of the law
    - b. Pre-existing knowledge (i.e. warrant)
    - c. Moving Traffic Violation
    - d. Vehicle Traffic Violation (Equipment, Inspection, Registration)
  4. If a search was conducted as a result of the stop?
    - a. If so, did the person detained consent to the search?
  5. Was contraband or other evidence discovered as a result of the search?
  6. Description of the contraband or evidence found?
    - a. Illegal drugs/drug paraphernalia
    - b. Currency
    - c. Weapons
    - d. Alcohol
    - e. Stolen Property

f. Other

7. Reason for search:

- Consent
- Contraband/Evidence in Plain Sight
- Probable Cause or Reasonable Suspicion
- Inventory Search Performed as a Result of Towing
- Incident to Arrest/Warrant

8. Information on arrests:

- Did officer make an arrest as a result of the stop or search?
- Reasons for Arrest:
  - Violation of Penal Code
  - Violation of Traffic Law
  - Violation of City Ordinance
  - Outstanding Warrant

9. Street address or approximate location of the stop:

- City Street
- US Highway
- County Road
- Private Property or Other

10. Verbal or Written Warning or a Ticket or Citation as a result of the stop?

11. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code ("means physical pain, illness, or any impairment of physical condition"), during the stop;

- The location of the stop, and
- The reason for the stop

B. The information collected shall be entered in to a database by entering Bias Based Profiling data utilizing the in-car Mobile Data Computer (MDC) or the computers available in the department. All contacts requiring Bias Based Profiling data collection must be entered.

- In the event the data is unable to be collected electronically, the data will be recorded on temporary forms and entered in the database at a later date.

C. The Assistant Chief of Police shall ensure all Bias Based Profiling Data is collected and reported to the Chief of Police. The data collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Rockwall no later than March 1 of the following year. The report must include:

- A comparative analysis of the information compiled (under Article 2.133):
  - 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;
  - 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;
  - 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 (SEARCH ANALYSIS).
- Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.
- Number of searches that were consensual;

4. Number of citations that resulted in custodial arrest; and
5. Public education efforts concerning the Bias Based Profiling complaint process.

D. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

E. Bias based profiling Data will also be reported to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year, following the Commission's prescribed format.

#### 412.07 AUDIO AND VIDEO EQUIPMENT

- A. Each motor vehicle regularly used by this department to make motor vehicle contacts shall be equipped with a mobile video camera system capable of recording video and audio, and each motorcycle regularly used by this department to make motor vehicle contacts shall be equipped with video and audio recording equipment.
- B. Each motor vehicle contact made by an officer of this department capable of being recorded by video and audio, shall be recorded, both on the in car video and issued body worn camera.
- C. Supervisors and officers shall ensure that mobile video camera equipment and/or audio equipment is properly functioning prior to commencing their tour of duty. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized under normal circumstances.
- D. This department shall retain the video and audiotape of each motor vehicle stop. If a complaint is filed with this department alleging that one of our officers has engaged in bias based profiling with respect to a motor vehicle contact, this department shall retain the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

#### 412.08 REVIEW OF VIDEO AND AUDIO DOCUMENTATION

- A. The Patrol Lieutenants shall ensure that all audio and recordings are properly stored and retained in accordance with applicable laws and this General Order.
- B. If a complaint is received alleging that an officer has engaged in bias based profiling, the audio/video recording shall be forwarded through the Chain of Command to the Internal Affairs Division. The Internal Affairs Division shall retain the video until final disposition of the complaint has been made.
- C. Supervisors will ensure officers of this department are recording their motor vehicle contacts. A recording of each officer will be reviewed at least once every thirty (30) days.
  1. Written documentation shall include:
    - a. The names of the officers whose contacts were reviewed;
    - b. The date(s) of the videos reviewed;
    - c. The date the actual review was conducted; and
    - d. The name of the person conducting the review.
  2. The Patrol Division Lieutenants shall forward the required documentation to the Internal Affairs Division.
  3. The Internal Affairs Division shall maintain a file of all video review documentation performed, in compliance with this General Order.
- D. In reviewing audio and video recordings, the Patrol Division Lieutenant or his designee, shall seek to determine if the officer(s) reviewed have engaged in a pattern of Bias Based Profiling, which includes multiple acts constituting bias based profiling for which there no reasonable, credible explanation is based on established police and law enforcement procedures.
- E. This agency shall review the data collected to identify any improvements this agency could make in its practices and policies regarding motor vehicle stops.

412.09 TRAINING

- A. Each peace officer employed by the department shall complete the comprehensive education and training program on bias based profiling established by the Texas Commission of Law Enforcement (TCOLE) no later than the second anniversary of the date the officer was licensed, or the date the officer applies for an Intermediate Proficiency Certificate, whichever date is earlier. A person, who on September 1, 2001, held a TCOLE Intermediate Proficiency Certificate, or who had held a peace officer license issued by TCOLE for at least two years, shall complete a TCOLE training and education program on bias based profiling not later than September 1, 2003.
- B. The Chief of Police shall, in completing the training required by Section 96.941, Texas Education Code, complete the program on Bias Based Profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT), not later than September 1, 2003.

## **500.00 INTERNAL INVESTIGATIONS AND DISCIPLINARY PROCESS**

### **501.00 PHILOSOPHY OF DISCIPLINE**

- A. The Chief of Police is charged with the responsibility and has the authority to maintain discipline within the Department. The policy of the Rockwall Police Department is to provide citizens with a fair and effective avenue of redress with their legitimate grievances against members of this Department. At the same time, members of this Department must be protected from false charges of misconduct or wrongdoing, and must be provided with *due process* safeguards. The Department seeks to maintain its integrity and that of its employees. In doing so, the Department will not hesitate to impose severe disciplinary actions on those found guilty of any violation such as untruthfulness or dishonesty, which is contrary to the ethics of this Department. The Department will remove from employment those individuals who prove to be unfit for their assignment and dismiss unjustified allegations against innocent members of this Department.
- B. All members will comply with City and Department rules, regulations, directives and orders. Employees will be held strictly accountable for properly exercising the authority they have been given to protect the rights, lives, and the property of individuals.
- C. The Rockwall Police Department is committed to providing high quality law enforcement services applied efficiently, fairly, impartially, and with empathy. In doing so, employees are held to the highest standards of official and professional conduct and are expected to respect the rights of all citizens. Employees' voluntary adherence to these standards, motivated by an ethical obligation to perform their job to the best of their ability, is eminently desirable and an ultimate objective to this Department.
- D. If an employee does not adhere to the standards of official conduct, either through deliberate action or negligence, corrective action will be applied in a prompt and certain manner. This corrective action will be applied consistently and fairly to all employees at all times.

### **502.00 REQUIREMENTS FOR MAKING COMPLAINTS**

- A. Personnel complaints will be handled in accordance with the Texas Government Code, Section 614.021 – 614.023.
  1. A signed letter of complaint will be sufficient after verifying that it is not a fictitious letter signed with a fictitious name.
  2. A signed memo to the Chief from a supervisor, or other employee, who is aware of the facts of an incident will fulfill the requirements for an internally originated complaint.
- B. Complaints will not be accepted more than sixty (60) days after the alleged incident with the following exceptions:
  1. The complaint involves a criminal matter in which the statute of limitations will prevail;
  2. The complainant can show good cause;
  3. The complainant alleges racial profiling from a traffic stop. The Texas Code of Criminal Procedure Art. 2.135 requires law enforcement agencies to retain audio and video recordings for ninety (90) days and longer until the final disposition of any complaint. For that reason, allegations of racial profiling will be accepted up to ninety (90) days following the incident.
- C. Complaint Restrictions
  1. Complaints related to differences of opinion over the issuance of a traffic citation will not be investigated;
  2. Complaints relative to the difference of opinion over guilt or innocence of a citizen will not be investigated, but will be properly adjudicated within the judicial system;
  3. Complaints involving a citizens' misunderstanding of Department Policy, which can be explained and resolved by a supervisor; or
  4. Complaints relative to differences of opinion regarding contributing factors listed on an accident report will not be investigated.

1. The Incident Section is intended to capture basic information about the pursuit and conditions.
2. The Police Personnel Section is intended to capture information about any police officers and/or supervisors actually involved in the pursuit or involved in the management of the pursuit.
3. The Other Persons Section is intended to capture information about any persons involved in or injured as a result of the pursuit.
4. The Reporting Officer's Narrative Section is intended to capture narrative details about the decision to initiate the pursuit, continue/discontinue it and how/why it ended or any other narrative information that may be required. It is not necessary to repeat any information that is already in this report or documented in any attached, associated report.

B. The Supervisor Review:

1. The Supervisor Review is intended to capture additional information about the initiating officer, the officer's assignment, property damage assessment, policy violations, reviewing supervisor's comments and/or conclusions and forward through the chain of command.
2. The Controlling Supervisor's Narrative (Supervisor on duty) is intended to capture narrative details regarding policy violations, property damage, other agency involvement, Inter-jurisdictional pursuit agreement violation(s), your conclusion, and other pertinent information. The controlling supervisor will forward a copy of the form to the initiating officer's immediate supervisor.
3. Policy Violations is intended to capture information about alleged policy violations committed by any officer listed on the front of the form.
4. Chain of Command Review is intended to capture information regarding the chain review of the pursuit and space for reviewing supervisor's comments and/or conclusions. The Intermediate Supervisor is defined as the Division Commander (Patrol Lieutenant), Assistant Chief and the Chief.

C. Annual Pursuit Report

1. Every calendar year, an annual report will be completed by the Patrol Division Commander documenting the number of incidents requiring a Pursuit Report. This annual report will be completed and forwarded through the chain of command to the Chief of Police no later than the 15<sup>th</sup> day of February of the following calendar year.
2. The report will include any identified trends in use of force by agency personnel, as well as identified training or equipment needs, and any recommendations to policy revisions.

**308.10 EMERGENCY ESCORTS**

- A. An emergency escort is the use of an emergency vehicle to lead other non-emergency vehicles on the roadway. Because of the hazard and liability, this department does not permit emergency escorts. If necessary, an officer may lead a motorist to a destination if that is appropriate and a judicious use of time, but not doing so using emergency equipment. The motorist should be advised that such assistance does not allow violation of any laws.
- B. A supervisor on duty will determine a code response to be utilized for police vehicles while escorting dignitaries or other processions.

**309.00 MOBILE VIDEO RECORDING EQUIPMENT**

**309.01 USE OF EQUIPMENT**

- A. Mobile video/audio equipment has proven valuable in the prosecution of traffic violations and related offenses; in evaluation of officer performance; and in training. In order to ensure the most

efficient and effective use of MVR equipment, officers shall follow the procedures set forth in this directive.

### 309.02 DEFINITIONS:

- A. MVR – Mobile Video/Audio Recording equipment
- B. PVR – Portable Video/Audio Recording equipment

### 309.03 PROCEDURES

#### A. Program Objectives

The Rockwall Police Department has adopted the use of in-car video/audio recording systems in order to accomplish several objectives. The objectives include, but are not limited to:

1. The enhancement of officer safety;
2. The enhancement of officer reporting, evidence collection, and court testimony through audio/video documentation of events, actions, conditions, and statements made during arrests and critical incidents;
3. The enhanced ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes;
4. The protection from false claims of impropriety; and
5. For officer evaluation and training.

#### B. General Statements

1. All patrol vehicles are equipped with MVR systems.
2. The MVR will automatically activate when the vehicle's emergency warning devices are in operation and will remain in operation until the conclusion of the incident. An officer may not deactivate the MVR video during an incident unless approved by a supervisor.
3. The MVR equipment may be manually deactivated during non-enforcement activities such as when protecting accident scenes from other vehicular traffic, during parades, escorts, etc.
4. Recordings are to be used for official use only and copies must be obtained only through formal channels specified by this directive.

#### C. Applications

##### Shall Use To:

1. Record all traffic stops;
2. Record all enforcement actions;
3. Record the actions of suspects during calls for service, interviews, and sobriety checks; and
4. Record family violence/disturbance calls.

##### May Use To:

1. Document the circumstances at crime and accident scenes or other events such as confiscation and documentation of evidence or contraband; and
2. During other circumstances in which documentation of the suspect's or officer's actions may prove to be useful in court.

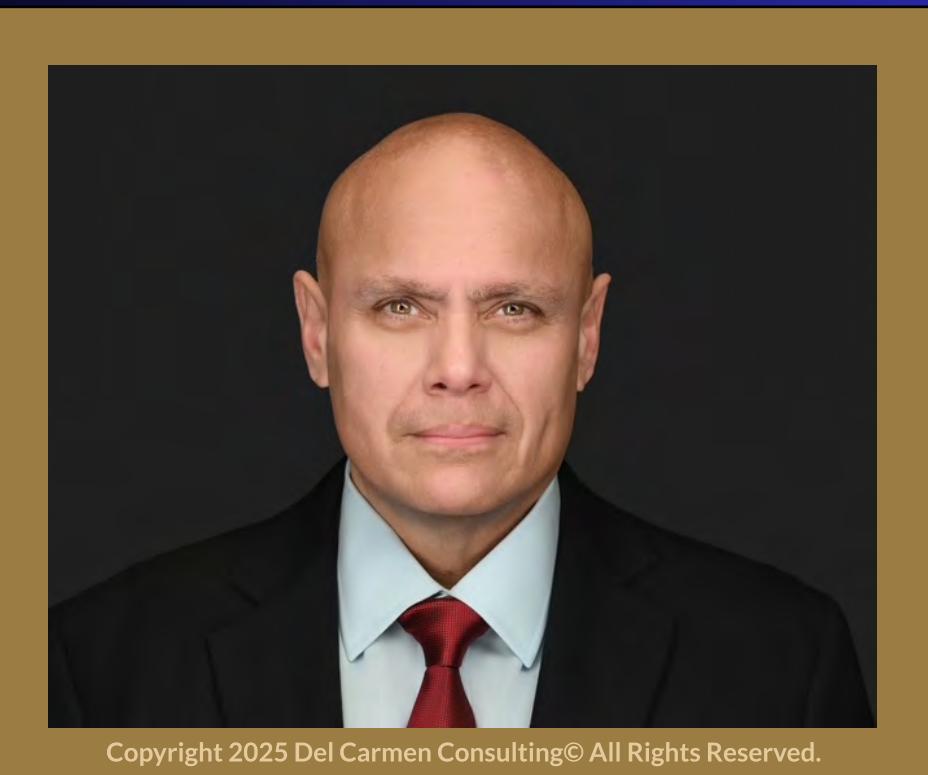
#### D. Officer Responsibilities

1. MVR equipment installed in vehicles is the responsibility of the officer assigned to the vehicle and will be maintained according to manufacturer's recommendation.
2. At the beginning of each shift, officers shall determine whether the MVR equipment is working satisfactorily by doing the following:
  - a. Officers will log into the MVR system using their name and password;

- b. Ensure the **body cam** is synced with the MVR system and working properly in order to capture audio;
  - c. Confirm the camera is properly positioned in order to capture incidents; and
  - d. Report any problem to the attention of their immediate supervisor. If another vehicle with a properly functioning MVR is available, the officer will change vehicles.
3. When an enforcement action has been taken, the officer must mark the recording when prompted to do so upon completion of the incident.
  - a. On traffic stops, officers will clear the system with Citation or Warning.
  - b. On pursuits, officers will clear the system with Pursuit.
  - c. On arrests, officers will clear the system with Class C or Class B and above.
  - d. For Class B and above arrests, the case number and the defendant's last name must be entered into the system.
  - e. Officers will also note in their offense report narrative and/or supplements whether or not the incident was captured on the MVR and if the incident was not captured, officers will explain the reason for not recording the incident, i.e.; equipment malfunction, distance from recording unit, etc.
  - f. All MVR systems are set up to auto upload the recordings. Officers are responsible for making sure recordings are uploaded by the end of their shift.
  - g. If recordings do not upload properly, the officer will notify the shift supervisor in order to complete a manual upload.
4. Portable Video/Audio Recorders
  - a. Motorcycle officers and other assigned officers are issued PVR units that can be worn on their uniform.
  - b. Officers will activate the PVR during the same circumstances as outlined for the MVR systems.
  - c. Officers will download the PVR at the Police Department prior to the end of their shift.

#### 309.04 MANAGEMENT OF RECORDINGS

- A. Evidentiary
  1. Recordings for Class C citations/arrests are maintained for a period of one year.
  2. Recordings for Class B and above arrests are maintained for a period of two years.
  3. Recordings of pursuits are maintained for a period of two years.
- B. Non-Evidentiary
  1. Recordings not scheduled for court proceedings or departmental uses shall be maintained for a minimum of a 90 day period.
  2. Officers may request a copy of a recording for training and/or demonstration purposes. These requests must be forwarded to a patrol lieutenant for approval.
- C. Public Information Act Request
  1. Recordings will be considered subject to Public Information Act requests as any other police record.
  2. Requests are to be directed to the Records Department.
  3. The Records Department Supervisor will be responsible for determining to what extent the contents of the recording are to be released.



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For additional questions regarding the information presented in this report, please contact:

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[www.texasracialprofiling.com](http://www.texasracialprofiling.com)  
[www.delcarmenconsulting.com](http://www.delcarmenconsulting.com)

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**City of Rockwall**

*The New Horizon*

## **MEMORANDUM**

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**TO:** **City Council**

**FROM:** **Joey Boyd, Assistant City Manager**

**DATE:** **February 9, 2026**

**SUBJECT:** **Renaming Sam Houston Street**

---

Members of the Southside community recently brought forward a request to rename a city street in the southside neighborhood in honor of the late life-long southside resident and former Councilmember Sam Buffington. Mr. Buffington served on the City Council from May 1995 to May 2001 when he termed out of office.

It is proposed to rename Sam Houston Street because this street begins and ends at points that go completely through the southside community, beginning at Boydston Avenue on the north and ending at S. Goliad Street on the south. Please see attached exhibit.

The Naming Subcommittee (Mayor McCallum, Mayor Pro Tem Moeller, and Council Member Thomas) has discussed this matter and recommends renaming Sam Houston Street to Sam Buffington Street.

A resolution formally renaming this section of street is attached for review and consideration by the City Council.

**CITY OF ROCKWALL, TEXAS**  
**RESOLUTION NO. 26-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF ROCKWALL, TEXAS, (RE)NAMING A CERTAIN  
ROADWAY WITHIN THE CITY OF ROCKWALL, TEXAS;  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Sam Buffington served on the Rockwall City Council from May 1995 to May 2001; and

**WHEREAS**, members of the Southside community recently brought forward a request to rename a City street in the Southside neighborhood in honor of the late, lifelong Southside resident and former Councilmember, Sam Buffington; and

**WHEREAS**, with the renaming, the City Council wishes to recognize the service and contributions made by Sam Buffington to the Southside Community and all citizens of Rockwall; and

**WHEREAS**, the Rockwall City Council believes said naming to be in the best interest of the public.

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

**Section 1.** That the 700 – 1000 Block of Sam Houston Street shall hereafter be designated as Sam Buffington Street, a map of which is attached hereto and incorporated for all intents and purposes as “**Exhibit A**;” and

**Section 2.** That this resolution shall take effect immediately from and after its adoption, and it is so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS THIS 17<sup>th</sup> DAY OF FEBRUARY, 2026.**

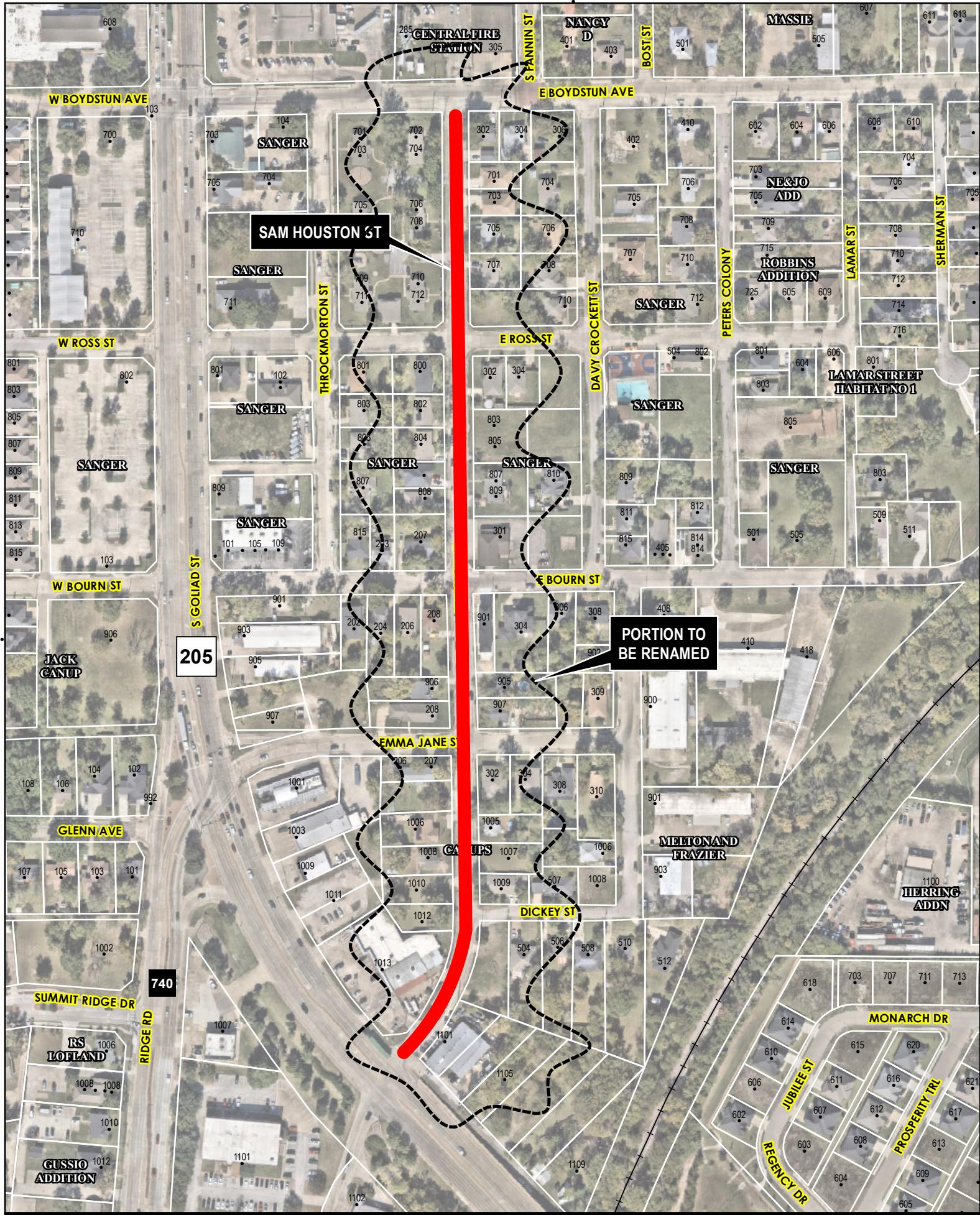
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**Tim McCallum, Mayor**

**ATTEST:**

---

**Kristy Teague, City Secretary**



City of  
Rockwall



0 100 200 Feet  
Date: 12/23/2025

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be lost at the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

**EXHIBIT A**  
Resolution 26-06

**SAM HOUSTON  
STREET RENAMING**



**City of Rockwall**  
*The New Horizon*

**MEMORANDUM**

**To:** **Mary Smith, City Manager**  
**From:** **Edward Fowler, Chief of Police**  
**Date:** **February 4, 2026**  
**Subject:** **Replacement Police Pursuit Explorers and Motorcycle**

---

Recently, a 2022 Ford Explorer, two 2024 Ford Explorers and a 2024 Harley Davidson Motorcycle were involved in separate not at fault vehicle accidents. TML has examined these wrecked vehicles and declared that all four are totaled. TML has paid the City \$107,187 as settlement for all four vehicles and we are waiting for subrogation on three of the four claims, which may result in additional settlement funds.

Staff would like to replace these vehicles with new 2026 model pursuit rated Ford Explorers and a new Harley Davidson Motorcycle including replacing equipment that was damaged in the collisions and cannot be reused (emergency lighting, siren, graphics, push bumper, mounts and wiring for computers, speakers, upfitting and removal of existing equipment). The total cost of replacement is \$269,981 less any current and future settlement offers.

A new 2026 Harley Davidson motorcycle meeting our required specifications is currently available for purchase from Longhorn Harley Davidson who is on the Buy Board Contract#724-23. The 2026 Explorers meeting our required specifications will be available for purchase from a vendor on a cooperative contract. New equipment for these 2026 vehicles would be provided by vendors on a cooperative contract. As a member and participant in these cooperative programs, the City has met all formal bidding requirements pertaining to the purchase of these four new vehicles.

Including the TML settlement there are not adequate funds in the Patrol vehicle budget to cover the cost of replacing the four totaled out vehicles and equipment. It is recommended that General Fund Reserves be utilized to cover the additional replacement cost.

For Council consideration are the purchase of three new Explorers and one new Harley Davison motorcycle along with replacement of damaged equipment is \$162,794 out of General Fund Reserves less any future settlement offers. The bid award to Longhorn Harley Davidson and vendors on a cooperative contract respectively and authorize the City Manager to execute purchase orders.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** February 17, 2026

**SUBJECT:** Z2026-001; *Text Amendment to Article 04, Permissible Uses, of the UDC to Allow the Banquet Facility/Event Hall Land Use in a Light Industrial (LI) District*

---

On January 5, 2026, the City Council directed staff to amend the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) to allow the *Banquet Facility/Event Hall* land use in a Light Industrial (LI) District. This direction came in response to a request by Ron Hawkins of Land Art of Rockwall (i.e. *Honey Locus Farms*) to amend the Unified Development Code (UDC) to allow the land use in conjunction with the existing *Garden Supply/Plant Nursery* on the property at 4571 SH-276. Specifically, Mr. Hawkins was making the request in order to obtain a Certificate of Occupancy (CO) to add a *Banquet Facility/Event Hall* and a *Restaurant* (i.e. a *Coffee Shop*) to the property; however, the subject property was zoned Agricultural (AG) District, and none of the proposed land uses were permitted within the Agricultural (AG) District, with the exception of the *Garden Supply/Plant Nursery* that was in place at the time of annexation and is considered to be a legally non-conforming land use. Based on this, the subject property would need to be rezoned in order to facilitate Mr. Hawkins' request. The Future Land Use Map designates the subject property for *Technology/Employment* land uses, and that the most appropriate zoning for this property based on this designation would be the Light Industrial (LI) District. The issue with the Light Industrial (LI) District is that it does not allow the *Banquet Facility/Event Hall* land use. For more information concerning the appointment item from January 5, 2026, staff has provided a copy of the memorandum that was contained in the City Council's packet for this meeting.

Currently, the Unified Development Code (UDC) allows both the *Garden Center/Plant Nursery* and *Restaurant with Less Than 2,000 SF without Drive-Through or Drive-In* land uses *by-right* in a Light Industrial (LI) District; however, the *Banquet Facility/Event Hall* land use is not a permitted land use in the Light Industrial (LI) District. The purpose for this is due to how these types of facilities operate and their parking requirements (i.e. *one [1] parking space per 100 SF of building area*), which are typically seen as being incompatible within areas that are zoned Light Industrial (LI) District. Recently, staff has observed a trend in older industrial areas where due to lack of tenant options, these areas have started to convert existing lease spaces to allow land uses that are more commercial in nature. Based on this trend, staff is of the opinion that changing the land use charts to allow the *Banquet Facility/Event Hall* land use by Specific Use Permit (SUP) in a Light Industrial (LI) District should not create an issue or inconsistencies with land uses. As a reminder, the Specific Use Permit (SUP) gives the City Council -- *upon recommendation from the Planning and Zoning Commission* -- the ability to approve a land use on a case-by-case basis, and consider any externalities that may exist in a particular area. The change that would need to be made to the Unified Development Code (UDC) is summarized below in *Table 1*.

*Continued on Next Page ...*

TABLE 1: PERMITTED LAND USE CHARTS [PROPOSED CHANGES SHOWN IN **HIGHLIGHT**]

LAND USE SCHEDULE	RESIDENTIAL DISTRICTS								MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS			OVERLAY DISTRICTS										
	Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay / (IH-30 OV) District
<b>LEGEND:</b>																							
<p><b>Land Use NOT Permitted OR for Overlay Districts Refer to Base Zoning District</b></p> <p><b>P</b> Land Use Permitted <i>By-Right</i></p> <p><b>P</b> Land Use Permitted with Conditions</p> <p><b>S</b> Land Use Permitted Specific Use Permit (SUP)</p> <p><b>X</b> Land Use Prohibited by Overlay District</p> <p><b>A</b> Land Use Permitted as an Accessory Use</p>																							
<b>LAND USES</b>																							
<b>RETAIL AND PERSONAL SERVICES LAND USES</b>																							
Banquet Facility/Event Hall															S		P	P	P	<b>S</b>			
Garden Supply/Plant Nursery																S	P	P	P	P			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In														P	S	P	P	P	P	P			

In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the proposed text amendment to the City Council for consideration, and -- *in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC)* -- the Director brought the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. On February 10, 2026, the Planning and Zoning Commission approved a motion to recommend approval of the text amendment by a vote of 7-0.

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the City Council have any questions staff will be available at the meeting on February 17, 2026.

## LAND USE SCHEDULE

### LEGEND:

	Land Use <u>NOT</u> Permitted <u>OR</u> for Overlay Districts Refer to Base Zoning District
P	Land Use Permitted By-Right
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE [Article 04, Permissible Uses]	Agricultural (AG) District	RESIDENTIAL DISTRICTS						MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS			OVERLAY DISTRICTS							
				Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District		Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District

LAND USES	2.02(F)	2.03(F)																						
RETAIL AND PERSONAL SERVICES LAND USES																								
Alcoholic Beverage Package Sales	(1)	(1)															P	S	P	P	P	S		
Alcoholic Beverage Store	(2)	(2)															S		S	P	P	P		
Antique/Collectible Store	(3)																S	S	P	P	P			
Astrologer, Hypnotist, or Psychic	(4)																S	P	P	P	P	P		
Banquet Facility/Event Hall	(5)																S		P	P	P	S		
Portable Beverage Service Facility	(6)	(3)															S	S	S	S	S	P		
Brewpub	(7)																P	P	P	P	P	P	P	
Business School	(8)																P		P	P	P	P		
Catering Service	(9)																A	S	P	P	P	P		
Temporary Christmas Tree Sales Lot and/or Similar Uses	(10)	(4)															S	S	P	P	P	P	P	
Copy Center	(11)																P	P	P	P	P	P	P	
Craft/Micro Brewery, Distillery and/or Winery	(12)	(5)															S		S	S		P	P	
Incidental Display	(13)	(6)															P	P	P	P	P	P		
Food Trucks/Trailers	(14)	(7)															P	S	S	P	P	P	P	
Garden Supply/Plant Nursery	(15)																	S	P	P	P	P		
General Personal Service	(16)	(8)															P	P	P	P	P	S		
General Retail Store	(17)																P	S	P	P	P	P	S	S
Hair Salon and/or Manicurist	(18)																P	S	P	P	P	P	S	
Laundromat with Dropoff/Pickup Services	(19)																P		P	P	P	P	P	
Self-Service Laundromat	(20)																P		P	P	P	P	P	
Massage Therapist	(21)																P	P	P	P	P	P		
Private Museum or Art Gallery	(22)																P	P	S	P	P		P	
Night Club, Discotheque, or Dance Hall	(23)																S		S	P	P	S	S	



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

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**TO:** Mayor and City Council

**CC:** Mary Smith, *City Manager*  
Joey Boyd, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** January 5, 2026

**SUBJECT:** Appointment with Ron Hawkins of Land Art of Rockwall (*i.e. Honey Locus Farms*)

---

In response to a proactive case (*i.e. Case Number CE2025-6295*) by the Neighborhood Improvement Services (NIS) Division, the property owner -- *Ron Hawkins of Land Art of Rockwall* (*i.e. Honey Locus Farms*) -- met with staff on December 11, 2025. The purpose of this meeting was to discuss the *Banquet Facility/Event Hall* and *Restaurant* (*i.e. a Coffee Shop*) that had been established on the subject property in conjunction with the existing *Garden Supply/Plant Nursery* without obtaining a Certificate of Occupancy (CO). As discussed in this meeting, the subject property was zoned Agricultural (AG) District, and none of the proposed land uses were permitted within the Agricultural (AG) District, with the exception of the *Garden Supply/Plant Nursery* that was in place at the time of annexation and is considered to be a legally non-conforming land use. Staff also pointed out that the property was designated for *Technology/Employment Center* on the Future Land Use Map contained within the Comprehensive Plan, and that the most appropriate zoning for this property would be Light Industrial (LI) District under this designation. Staff also pointed out that based on current zoning cases and development in this area, this zoning/future land use designation was appropriate for the subject property. The issue with the Light Industrial (LI) District is that it does not allow the *Banquet Facility/Event Hall* land use. It was further discussed that to zone the subject property to a Commercial (C) District -- *which would support all the requested land uses* -- would be inconsistent with the plan and amount to *Spot Zoning*<sup>1</sup>. After further discussing the issue with the property owner, staff determined that perhaps the best course of action was for staff to initiate an appointment with the City Council to propose a text amendment to the Unified Development Code (UDC) to allow the *Banquet Facility/Event Hall* land use by Specific Use Permit (SUP) in the Light Industrial (LI) District. Based on this, staff has included this item on the January 5, 2026 City Council agenda as an appointment with the property owner. In addition, staff has prepared a packet that contains all the requisite information, and this memorandum which contains a background on the subject property and a summary (*and rationale*) for the proposed code amendment.



FIGURE 1. MARCH 2013



FIGURE 2. JUNE 2025

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<sup>1</sup>: *Spot Zoning* refers to the practice of applying a zoning classification to a specific parcel or small area that is inconsistent with the surrounding zoning pattern and is primarily for the benefit of a particular property owner, rather than to advance the public health, safety, morals, or general welfare. *Spot Zoning* is not expressly prohibited in Texas, but zoning actions that meet the classic definition of *Spot Zoning* are legally vulnerable and must be supported by a clear, defensible public-interest rationale to withstand judicial scrutiny.

If the City Council, chooses to proceed with the text amendment -- as outlined below by staff -- the process to bring the subject property into conformance would include the following steps: [1] Text Amendment, [2] Zoning Change, [3] Specific Use Permit (SUP). After the completion of these steps the applicant would be required to amend the Certificate of Occupancy (CO), provide any necessary improvements to the subject property, and apply for building permits for any unpermitted work on the subject property.

## BACKGROUND

The subject property is a 9.9398-acre tract of land (i.e. *Tract 3 of the J. H. Bailey Survey, Abstract No. 34*) that is zoned Agricultural (AG) District and is situated within the SH-276 Overlay (SH-276 OV) District. It was annexed on December 22, 2008 by *Ordinance No. 08-65* [Case No. A2008-003]. At the time of annexation, the subject property was zoned Agricultural (AG) District and was occupied with a legally non-conforming *Garden Supply/Plant Nursery* (see *Figure 1*). On April 21, 2009, the property owner -- *Ron Hawkins* -- applied for a Certificate of Occupancy (CO) for a *Nursery/Office* that included the outside storage of "...plants, soils, irrigations parts, fertilizer (seasonal), [and] mulch." On this application, the applicant indicated that the *Garden Supply/Plant Nursery* has been open since 1999. A copy of this Certificate of Occupancy (CO) application has been included in the attached packet. According to the City's *Permitting, Land, and Licensing Software*, other than a sign permit (i.e. SGN2014-0088) that expired prior to final inspection in 2014, no additional building permits have been issued for the subject property.

## PROPOSED TEXT AMENDMENT

Currently, the Unified Development Code (UDC) allows both the *Garden Center/Plant Nursery* and *Restaurant with Less Than 2,000 SF without Drive-Through or Drive-In* land uses *by-right* in a Light Industrial (LI) District; however, the *Banquet Facility/Event Hall* land use is not a permitted land use in the Light Industrial (LI) District. The purpose for this is due to how these types of facilities operate and there parking requirements (i.e. *one [1] parking space per 100 SF of building area*), which are typically seen as being incompatible within areas that are zoned Light Industrial (LI) District. Recently, staff has observed a trend in older industrial areas where due to lack of tenant options, these areas have started to convert existing lease spaces to allow land uses that are more commercial in nature. Based on this trend, staff is of the opinion that changing the land use charts to allow the *Banquet Facility/Event Hall* land use by Specific Use Permit (SUP) in a Light Industrial (LI) District shouldn't create an issue or inconsistencies with land uses. As a reminder, the Specific Use Permit (SUP) gives the City Council -- upon recommendation from the Planning and Zoning Commission -- the ability to approve a land use on a case-by-case basis, and considers any externalities that may exist in a particular area. The change that would need to be made to the Unified Development Code (UDC) is summarize below in *Table 1*.

**TABLE 1: PERMITTED LAND USE CHARTS [PROPOSED CHANGES SHOWN IN **HIGHLIGHT**]**

LAND USE SCHEDULE		RESIDENTIAL DISTRICTS							MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS			OVERLAY DISTRICTS										
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
<b>LEGEND:</b>																							
P		Land Use NOT Permitted <i>OR</i> for Overlay Districts Refer to Base Zoning District																					
P		Land Use Permitted <i>By-Right</i>																					
S		Land Use Permitted with Conditions																					
X		Land Use Permitted Specific Use Permit (SUP)																					
A		Land Use Prohibited by Overlay District																					
		Land Use Permitted as an Accessory Use																					
<b>LAND USES</b>																							
<b>RETAIL AND PERSONAL SERVICES LAND USES</b>																							
Banquet Facility/Event Hall														S			P	P	P	I	S		
Garden Supply/Plant Nursery																S	P	P	P	P			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In														P	S	P	P	P	P	P	P		

CITY OF ROCKWALL

**ORDINANCE NO. 26-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 04, *PERMISSIBLE USES*, AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [Ordinance No. 20-02] has been initiated by the City Council of the City of Rockwall to amend Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] to create allow the *Banquet Facility/Event Hall* land use in the Light Industrial (LI) District; and,

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

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1. FINDINGS OF FACT.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. AMENDMENT.** That Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 3. PENALTY OF FINE.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 4. REMAINING PROVISIONS UNCHANGED.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 20-02], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 5. EFFECTIVE DATE.** That this ordinance shall take effect immediately from and after its passage.

**SECTION 6. OPEN MEETINGS.** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
THE 2<sup>ND</sup> DAY OF MARCH, 2026.

Tim McCallum, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: February 17, 2026

2<sup>nd</sup> Reading: March 2, 2026

**Exhibit 'A'**  
**Article 04, Permissible Uses, of the**  
**Unified Development Code (UDC)**

RESIDENTIAL DISTRICTS		NON-RESIDENTIAL DISTRICTS		OVERLAY DISTRICTS		LAND USE SCHEDULE													
						MIXED USE DISTRICTS		RESIDENTIAL DISTRICTS		NON-RESIDENTIAL DISTRICTS		OVERLAY DISTRICTS		MIXED USE DISTRICTS		RESIDENTIAL DISTRICTS		NON-RESIDENTIAL DISTRICTS	
Land Use NOT Permitted OR for Overlay Districts Refer to Base Zoning District																			
Land Use Permitted By-Right	P																		
Land Use Permitted with Conditions	P																		
Land Use Permitted Specific Use Permit (SUP)	S																		
Land Use Prohibited by Overlay District	X																		
Land Use Permitted as an Accessory Use	A																		
LAND USES		REFERENCE ARTICLE 04, PERMISSIBLE USES																	
RETAIL AND PERSONAL SERVICES LAND USES		REFERENCE ARTICLE 13, DEFINITIONS																	
Alcoholic Beverage Package Sales		LAND USE DEFINITION REFERENCE																	
Alcoholic Beverage Store		REFERENCE ARTICLE 03(F)																	
Antique/Collectible Store		CONDITIONAL USE REFERENCE																	
Astrologer, Hypnotist, or Psychic		REFERENCE ARTICLE 04, DEFINITION																	
Banquet Facility/Event Hall		REFERENCE ARTICLE 13, DEFINITION																	
Portable Beverage Service Facility		REFERENCE ARTICLE 03(F)																	
Brewpub		REFERENCE ARTICLE 04, DEFINITION																	
Business School		REFERENCE ARTICLE 04, DEFINITION																	
Catering Service		REFERENCE ARTICLE 04, DEFINITION																	
Temporary Christmas Tree Sales Lot and/or Similar Uses		REFERENCE ARTICLE 04, DEFINITION																	
Copy Center		REFERENCE ARTICLE 04, DEFINITION																	
Craft/Micro Brewery, Distillery and/or Winery		REFERENCE ARTICLE 04, DEFINITION																	
Incidental Display		REFERENCE ARTICLE 04, DEFINITION																	
Food Trucks/Trailers		REFERENCE ARTICLE 04, DEFINITION																	
Garden Supply/Plant Nursery		REFERENCE ARTICLE 04, DEFINITION																	
General Personal Service		REFERENCE ARTICLE 04, DEFINITION																	
General Retail Store		REFERENCE ARTICLE 04, DEFINITION																	
Hair Salon and/or Manicure		REFERENCE ARTICLE 04, DEFINITION																	
Laundromat with Dropoff/Pickup Services		REFERENCE ARTICLE 04, DEFINITION																	
Self-Service Laundromat		REFERENCE ARTICLE 04, DEFINITION																	
Massage Therapist		REFERENCE ARTICLE 04, DEFINITION																	
Private Museum or Art Gallery		REFERENCE ARTICLE 04, DEFINITION																	
Night Club, Discotheque, or Dance Hall		REFERENCE ARTICLE 04, DEFINITION																	



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

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**TO:** Mayor and City Council

**DATE:** February 17, 2026

**APPLICANT:** Alex Flores

**CASE NUMBER:** Z2026-002; *Specific Use Permit (SUP) for a Residential Infill in an Established Subdivision at 214 Blanche Drive*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Alex Flores for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 846-A0 of 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, addressed as 214 Blanche Drive, and take any action necessary.

### **BACKGROUND**

The subject property was originally platted as Lot 846A of the Rockwall Lake Properties Development No. 2 Addition, which was filed with Rockwall County on April 23, 1968. On February 17, 2009, the subject property -- *along with the rest of the Lake Rockwall Estates Subdivision* -- was annexed into the City of Rockwall by *Ordinance No. 09-07*. On September 21, 2009, the City Council rezoned the Lake Rockwall Estates Subdivision from an Agricultural (AG) District to Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] for Single-Family 7 (SF-7) District land uses. On January 4, 2016, the City Council amended Planned Development District 75 (PD-75) with *Ordinance No. 16-01*, which made minor changes to the *Consideration of a Special Request* section of the ordinance. According to Rockwall Central Appraisal District (RCAD), there is currently an 804 SF manufactured home on the subject property that was constructed in 1993. This structure will be removed upon City Council approval of this Specific Use Permit (SUP).

### **PURPOSE**

The applicant -- Alex Flores -- is requesting the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

### **ADJACENT LAND USES AND ACCESS**

The subject property is located at 214 Blanche Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are three (3) parcels of land [i.e. 199 Diana Drive and 226 & 234 Blanche Drive] developed with mobile/manufactured homes. Beyond this is Diana Drive, which is classified as a R2 (residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of this are three (3) parcels of land [i.e. 194, 204, & 214 Diana Drive] developed with one (1) mobile/manufactured home [i.e. 194 Diana Drive] and two (2) vacant lots [i.e. 204 & 214 Diana Drive]. All of these properties are zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses.

South: Directly south of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile/manufactured homes, with two (2) of the lots being vacant. Beyond this is County Line Road, which is classified as a *Minor Collector* on the

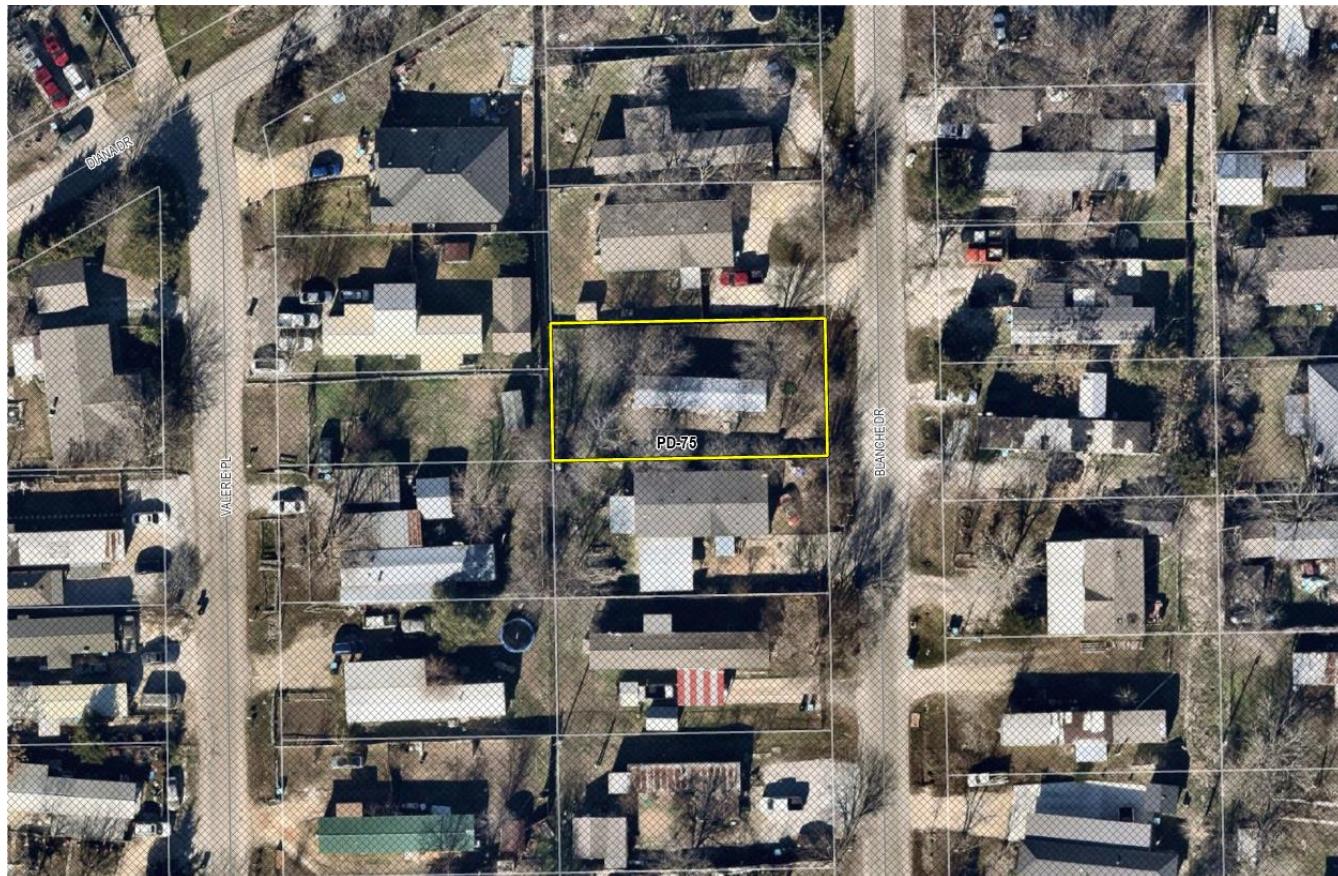
Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this is a 3.5449-acre tract of land [*i.e. Tract 26-1 of the W.W. Ford Survey, Abstract No. A0080*] that is developed with a health club [*i.e. Big League Sports Academy, Inc.*].

East: Directly east of the subject property is Blanche Drive, which is classified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile/manufactured homes, with some of the lots being developed with single-family homes. Beyond this is Lynne Drive, which is classified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are two (2) parcels of land [*i.e. 209 & 219 Valerie Place*], which are developed with one (1) vacant lot [*i.e. 209 Valerie Place*] and one (1) mobile/manufactured home [*i.e. 219 Valerie Place*]. Beyond this is Valerie Place, which is classified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. West of this are multiple lots that are developed mostly with mobile/manufactured homes, with some of the lots being developed with single-family homes. All of these properties are zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses.

MAP 1: LOCATION MAP

**YELLOW: SUBJECT PROPERTY**



#### CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04,

*Permissible Uses*, of the UDC as "...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." The subject property is part of the Lake Rockwall Estates Subdivision, which has been in existence since before 1968 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for Single-Family 7 (SF-7) District land uses, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, "...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. *Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ..." The following is a summary of observations concerning the housing on Blanche and Diana Drive compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Evans Road, Wayne Drive & Russell Drive	Proposed Housing
Building Height	One (1) Story	One (1) Story
Building Orientation	All of the homes face the towards Blanche and Diana Drive	The front elevation of the home will face onto Blanche Drive
Year Built	1960-2017	N/A
Building SF on Property	804 SF – 1,855 SF	1,539 SF
Building Architecture	Modular Homes	Brick Single-Family Home
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot yard setback.	20-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot setback.	X=5-Feet, X= 5-Feet
Rear	The rear yard setbacks appear to conform to the ten (10) feet rear yard setback.	X>10-Feet
Building Materials	Metal, Modular Paneling	Brick
Paint and Color	Yellow, Gray, Blue, White, & Pink	<i>Undefined by the Applicant</i>
Roofs	Composite Shingles and Metal	Asphalt Composite Shingle
Driveways/Garages	Some Carports/Mostly No Garages	The garage will be a one (1) car, front entry garage with the driveway facing onto Blanche Drive.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), parking garages in single-family or duplex districts must be located a minimum of 20 feet behind the front façade for front-entry garages. In this case, the applicant proposes to locate the garage approximately five (5) feet, ½ inch behind the front façade of the single-family home. Approval of this request would therefore require the Planning and Zoning Commission and City Council to waive this standard.

Additionally, Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*, requires a two (2) car garage in the Single-Family 7 (SF-7) District. The applicant's proposal consists of only a one (1) car garage. Staff should note that the majority of newer development within this subdivision includes two (2) car garages, making this request uncharacteristic of the surrounding area.

With the exception of these requirements, the proposed single-family home generally meets all of the density and dimensional requirements for the Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Blanche and Diana Drive and the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## NOTIFICATIONS

On January 23, 2026, staff mailed 163 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program to notify. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices back regarding the applicant's request.

## **CONDITIONS OF APPROVAL**

If City Council chooses to approve of the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'A'* of the Specific Use Permit (SUP) ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
  - (c) The subject property shall be replatted prior to the issuance of a Building Permit.
  - (d) The applicant shall obtain a *Demolition Permit* from the Building Inspections Department prior to the removal of the mobile/manufactured home currently on the subject property; and,
  - (e) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On February 10, 2026, the Planning and Zoning Commission approved a motion to deny the Specific Use Permit (SUP) without prejudice by a vote of 6-1, with Commissioner Brock dissenting.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. [REDACTED]

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

DIRECTOR OF PLANNING: [REDACTED]

CITY ENGINEER: [REDACTED]

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

**PLATTING APPLICATION FEES:**

- MASTER PLAT (\$100.00 + \$15.00 ACRE)<sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

- SITE PLAN (\$250.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

**OTHER APPLICATION FEES:**

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)<sup>2</sup>

**NOTES:**

- <sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
- <sup>2</sup>: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

**PROPERTY INFORMATION** [PLEASE PRINT]

ADDRESS 214 BLANCHE DR.

SUBDIVISION

LOT 846a BLOCK

GENERAL LOCATION ROCKWALL LAKE ESTATES

**ZONING, SITE PLAN AND PLATTING INFORMATION** [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

NONE

PROPOSED ZONING

PROPOSED USE

SINGLE FAMILY

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

- SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

OWNER

ALEX FLORES

APPLICANT

CONTACT PERSON

ADDRESS

CONTACT PERSON

ADDRESS

CITY, STATE & ZIP

CITY, STATE & ZIP

PHONE

PHONE

E-MAIL

E-MAIL

**NOTARY VERIFICATION** [REQUIRED]

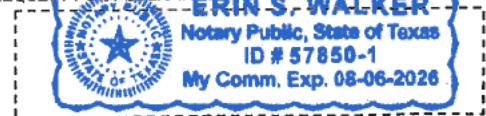
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ALEX FLORES [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$219.00 [January 26, 2026] TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF January, 2026 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14th DAY OF January, 2026

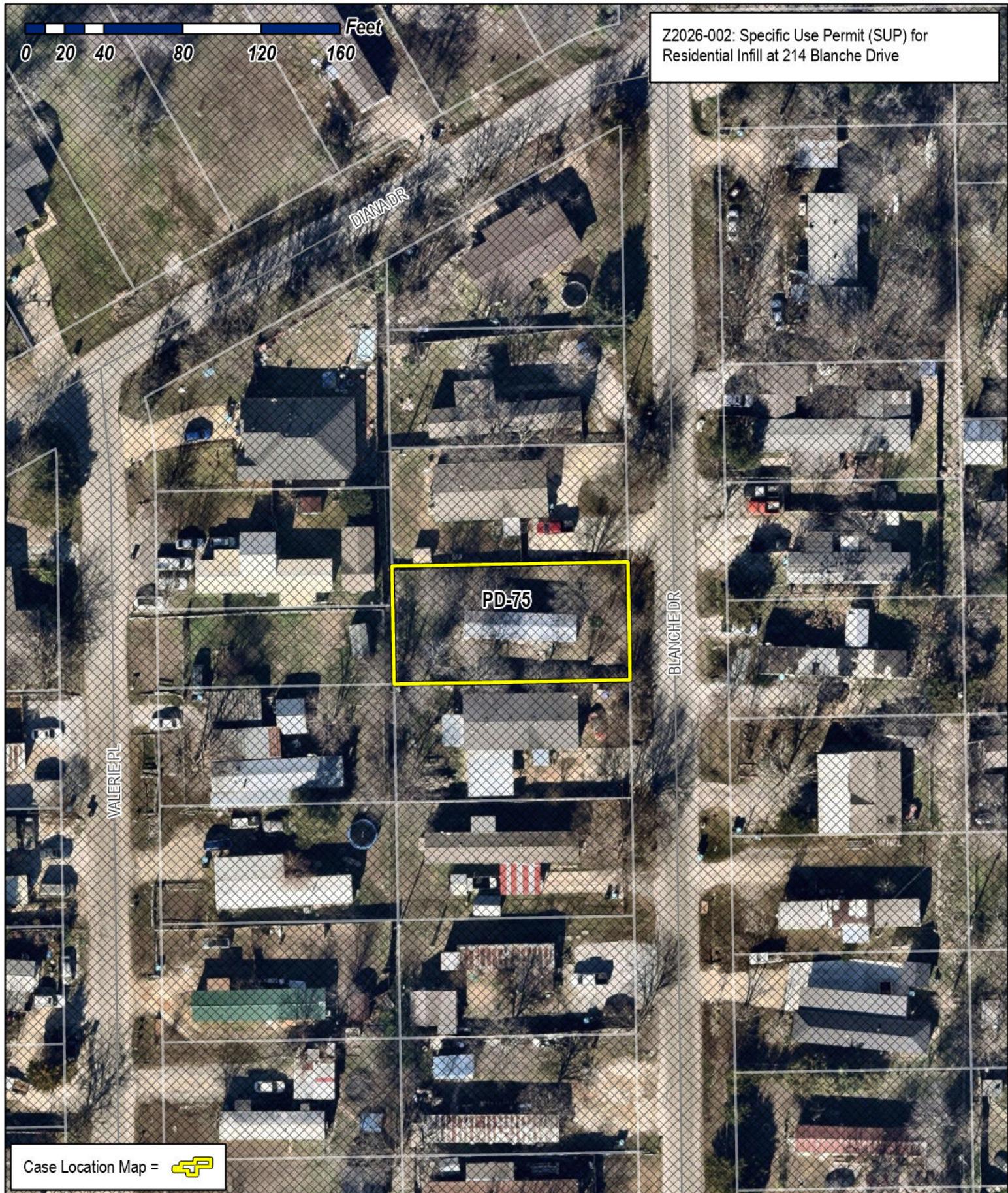
OWNER'S SIGNATURE Alex -

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Erin S. Walker



MY COMMISSION EXPIRES

08/06/2026



## City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087  
 (P): (972) 771-7745  
 (W): [www.rockwall.com](http://www.rockwall.com)

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

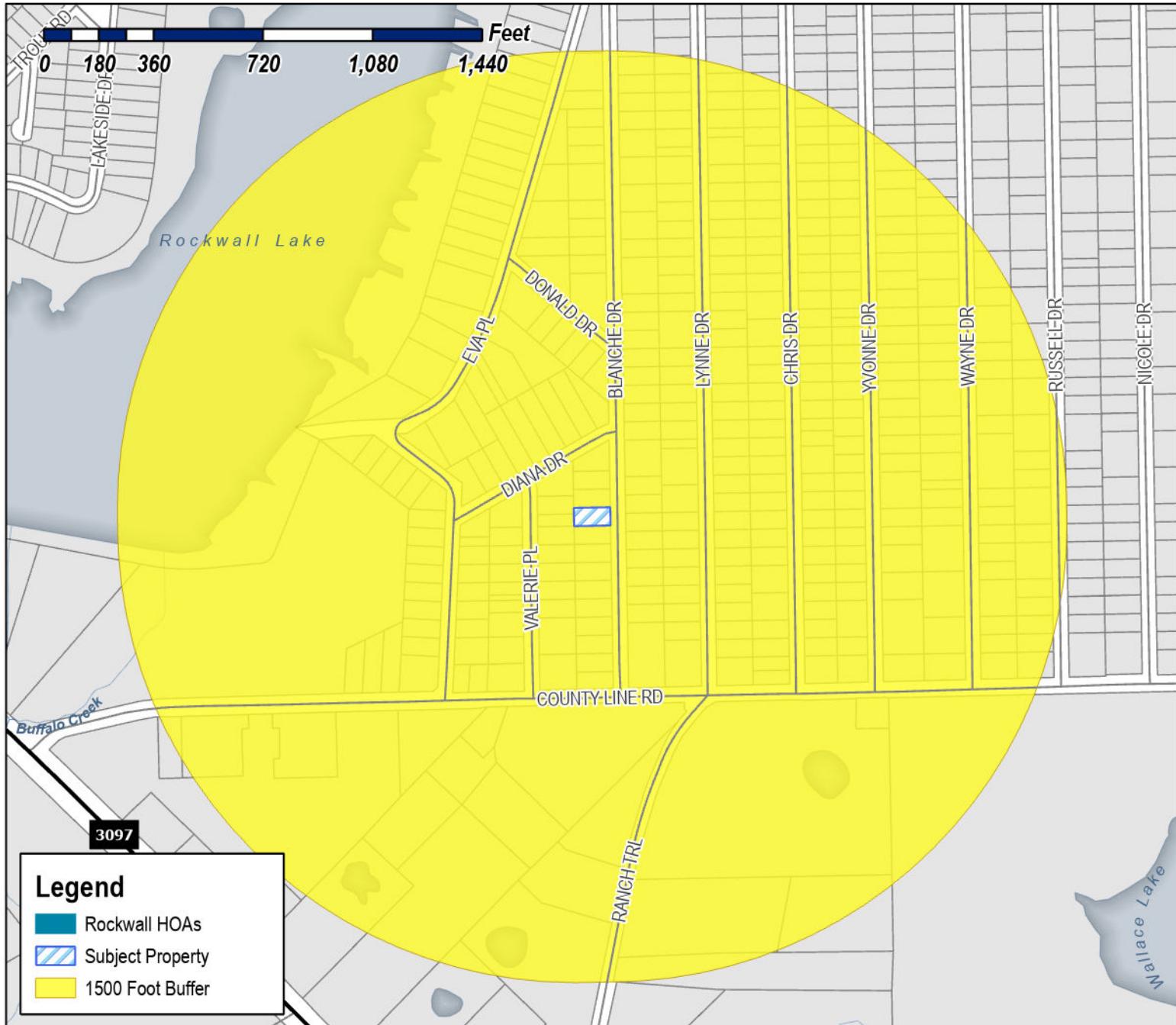




# City of Rockwall

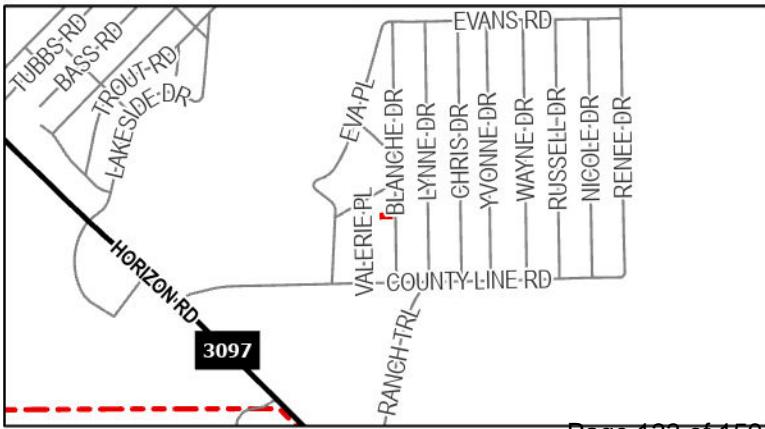
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**Case Number:** Z2026-002  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Planned Development District 75 (PD-75)  
**Case Address:** 214 Blanche Drive

**Date Saved:** 1/15/2026  
For Questions on this Case Call (972) 771-7745

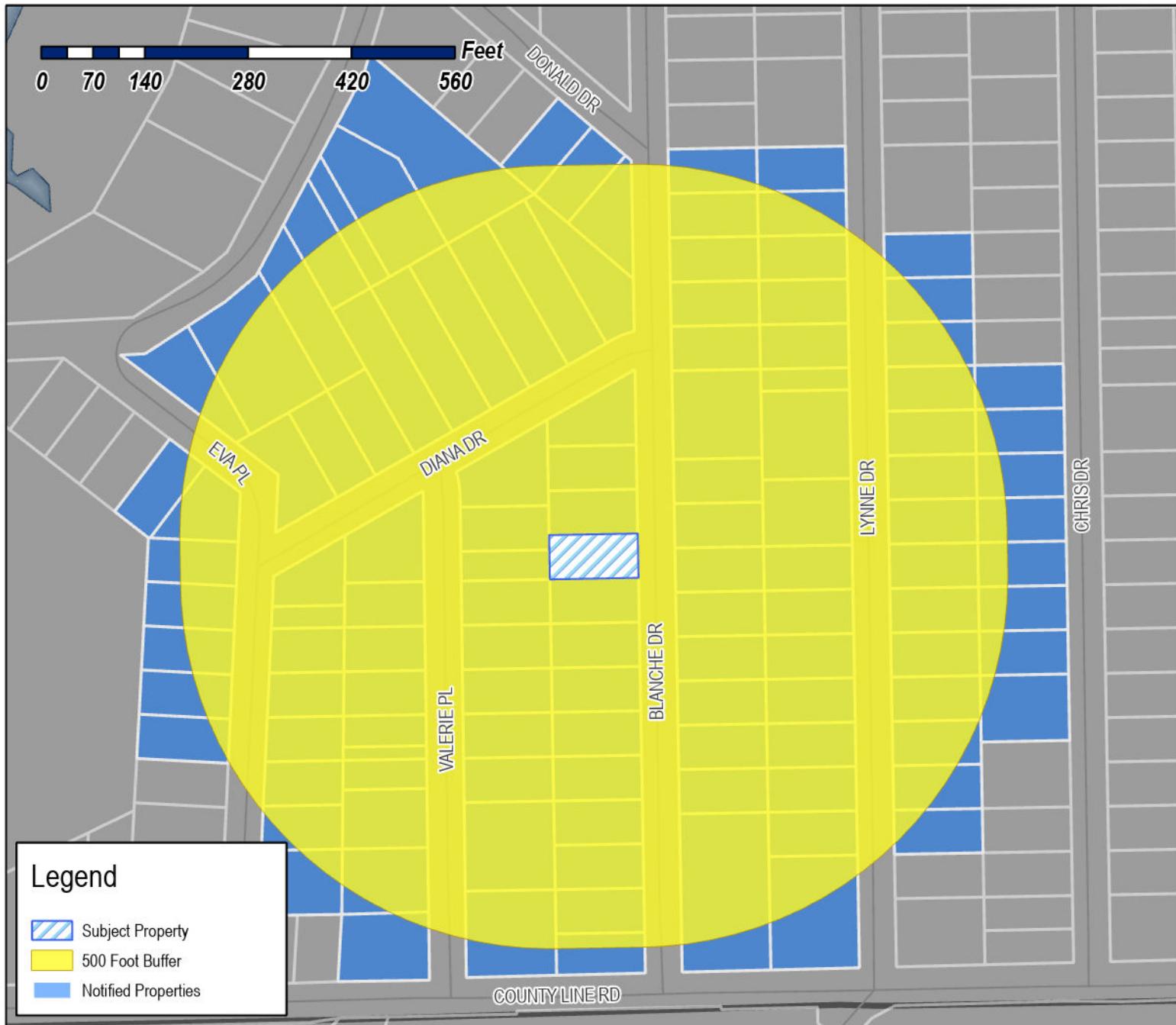




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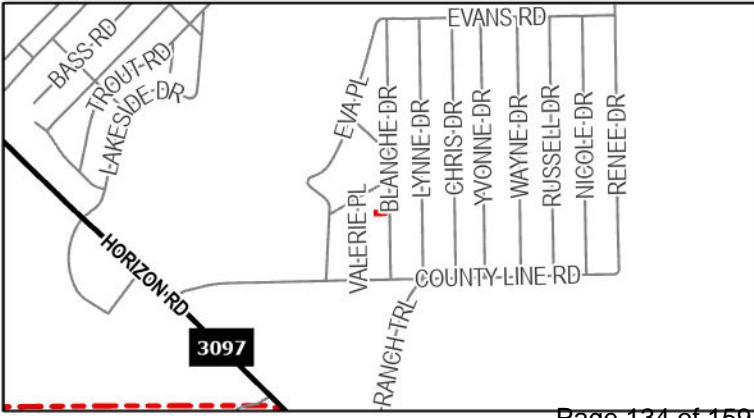
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For Questions on this Case Call: (972) 771-7745



RESIDENT  
109 DIANA PL  
ROCKWALL, TX 75087

HERREROS ANTELMO &  
SONIA T SERNA  
109 DIANA DR  
ROCKWALL, TX 75032

SALAS ALBERTO R & ADELA A  
109 VALERIE PL  
ROCKWALL, TX 75032

NAVA GUILLERMO & VANESSA  
1167 SMITH ACRES DR  
ROYSE CITY, TX 75189

RESIDENT  
118 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
120 BLANCHE DR  
ROCKWALL, TX 75087

OLIVARES JAIME  
1209 QUAIL DR  
GARLAND, TX 75040

GUILLEN EMANUEL FERNANDEZ  
1235 VZ COUNTY ROAD 3425  
WILLS POINT, TX 75169

FERNANDEZ URBANO  
1235 VZ CR3425  
WILLS POINT, TX 75169

FERNANDEZ URBANO  
1235 VZ CR3425  
WILLS POINT, TX 75169

RESIDENT  
124 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
132 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
132 VALERIE PL  
ROCKWALL, TX 75087

HERNANDEZ SONIA BETANCOURT  
134 YVONNE DR  
ROCKWALL, TX 75032

MONTELONGO MOISES  
135 EVA PLACE  
ROCKWALL, TX 75032

CASTILLO SANJUANA  
136 DIANA DR  
ROCKWALL, TX 75032

RESIDENT  
137 VALERIE PL  
ROCKWALL, TX 75087

RESIDENT  
143 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
144 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
144 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
147 EVA PL  
ROCKWALL, TX 75087

VALDEZ MARY ESTHER  
148 VALERIE PL  
ROCKWALL, TX 75032

RESIDENT  
149 VALERIE PL  
ROCKWALL, TX 75087

VARGAS RICARDO  
149 BLANCHE DR  
ROCKWALL, TX 75032

VARGAS RICARDO  
149 BLANCHE DR  
ROCKWALL, TX 75032

ROMAN JAIME A & MA GUADALUPE SANDOVAL  
154 DIANA DR  
ROCKWALL, TX 75032

LUU TRAN M  
154 LYNNE DR  
ROCKWALL, TX 75032

VAZQUEZ RAMON LOPEZ  
156 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
157 LYNNE DR  
ROCKWALL, TX 75087

MORALES RAMIRO JR  
159 EVA PLACE  
ROCKWALL, TX 75032

MORALES RAMIRO JR  
159 EVA PLACE  
ROCKWALL, TX 75032

TEPOX FABIOLA DOMINGUEZ  
159 VALERIE PL  
ROCKWALL, TX 75032

DURAN ROCIO  
160 VALERIE PL  
ROCKWALL, TX 75032

LORENZ PAOLA  
162 DIANA DR  
ROCKWALL, TX 75032

VARGAS RICARDO  
163 BLANCHE DR  
ROCKWALL, TX 75032

HERNANDEZ JOSE O AND MIRIAM G SALAZAR  
AND  
JESUS HERNANDEZ SALAZAR  
164 LYNNE DR  
ROCKWALL, TX 75032

LOREDO SUSANA  
166 CHRIS DR  
ROCKWALL, TX 75032

CHEPETLA ANTHONY  
167 LYNNE DRIVE  
ROCKWALL, TX 75032

RESIDENT  
168 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
168 VALERIE PL  
ROCKWALL, TX 75087

RESIDENT  
172 EVA PL  
ROCKWALL, TX 75087

RESIDENT  
172 VALERIE PL  
ROCKWALL, TX 75087

RESIDENT  
173 DONALD DR  
ROCKWALL, TX 75087

RESIDENT  
173 EVA PL  
ROCKWALL, TX 75087

TONG VINCENT  
174 SUNRAY CREEK DR  
KATY, TX 77493

TONG VINCENT HIEU AND  
TIFFANY PHU  
174 SUNRAY CREEK DR  
KATY, TX 77493

LOC PHU AND VINCENT TONG  
174 SUNRAY CREEK DR  
KATY, TX 77493

RESIDENT  
175 VALERIE PL  
ROCKWALL, TX 75087

CASTANEDA NOE A  
175 Blanche Dr  
Rockwall, TX 75032

RESIDENT  
176 DIANA  
ROCKWALL, TX 75087

MEJIA JULIO & MARIA  
176 RENEE DR  
ROCKWALL, TX 75032

RESIDENT  
178 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
178 VALERIE PL  
ROCKWALL, TX 75087

PALACIOS ARIEL  
178 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
179 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
184 LILLIAN DR  
ROCKWALL, TX 75087

RESIDENT  
185 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
186 EVA PL  
ROCKWALL, TX 75087

ESQUIVEL ZAIDA  
186 CHRIS DRIVE  
ROCKWALL, TX 75032

RESIDENT  
187 VALERIE PL  
ROCKWALL, TX 75087

ORTEGA RUBEN  
187 EVA PL  
ROCKWALL, TX 75032

RETANA JOSE L  
187 LYNNE DR  
ROCKWALL, TX 75032

ALVAREZ FRANCISCO J  
190 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
192 LYNNE DR  
ROCKWALL, TX 75087

JIMENEZ HERIBERTO FERRER AND  
CRISTINA MORENO SALAZAR  
192 VALERIE PLACE  
ROCKWALL, TX 75032

RESIDENT  
194 DIANA  
ROCKWALL, TX 75087

GARCIA JOSE  
195 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
196 CHRIS DR  
ROCKWALL, TX 75087

CONTRERAS MANUEL AND MARIA G  
198 EVA PL  
ROCKWALL, TX 75032

MELENDEZ HOPE  
199 DIANA DR  
ROCKWALL, TX 75032

CANADY JERRY ANN  
199 VALERIE PL  
ROCKWALL, TX 75032

CANADY JERRY ANN  
199 VALERIE PLACE  
ROCKWALL, TX 75032

MOONEY GERALD M & JEWELL F REV LIV TR  
2 BROWNWOOD  
LONGVIEW, TX 75602

ARROYO MARGARITO &  
LUCIA ARROYO-ESPINOSA  
202 BLANCHE DR  
ROCKWALL, TX 75032

TOVAR JUAN GABRIEL  
202 VALERIE PLACE  
ROCKWALL, TX 75032

UNDERWOOD TAMMY M AND  
CAITLIN A DAVIS-WILSON  
203 LYNNE DRIVE  
ROCKWALL, TX 75032

UNDERWOOD TAMMY M AND  
CAITLIN A DAVIS-WILSON  
203 LYNNE DRIVE  
ROCKWALL, TX 75032

RESIDENT  
204 DIANA  
ROCKWALL, TX 75087

RESIDENT  
204 LYNNE DR  
ROCKWALL, TX 75087

TORRES JAIME AND BERNICE  
204 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
209 EVA PL  
ROCKWALL, TX 75087

RESIDENT  
209 VALERIE PL  
ROCKWALL, TX 75087

URBINA ARACELI C  
209 BLANCHE DR  
ROCKWALL, TX 75032

CRUZ MARIA D AND IGNACIO D  
212 LYNNE DR  
ROCKWALL, TX 75032

CRUZ MARIA D AND IGNACIO D  
212 LYNNE DR  
ROCKWALL, TX 75032

CRUZ IGNACIO  
212 LYNNE DR  
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE  
212 LYNNE DR  
ROCKWALL, TX 75032

RICO RUIZ CARLOS AND MARIA  
212 VALERIE PL  
ROCKWALL, TX 75032

RESIDENT  
214 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
214 DIANA  
ROCKWALL, TX 75087

RESIDENT  
215 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
216 CHRIS DR  
ROCKWALL, TX 75087

RUIZ JOSE C  
219 VALERIE PL  
ROCKWALL, TX 75032

CARMONA JOEL  
221 NICOLE DR  
ROCKWALL, TX 75032

CASTILLO CELIA GURRUSQUIETA  
225 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
226 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
228 EVA PL  
ROCKWALL, TX 75087

GUADALUPE JOSE AND  
ANGELA ANN GUTIERREZ  
229 BLANCHE DR  
ROCKWALL, TX 75032

GUTIERREZ JOSE G & ANGELA A  
229 BLANCHE DR  
ROCKWALL, TX 75032

SCHULKE VANESSA AND ANTHONY FRESQUEZ  
229 Valerie Pl  
Rockwall, TX 75032

YANEZ MARIA TERESA  
230 CHRIS DR  
ROCKWALL, TX 75032

PEREZ FERMIN  
230 LYNN DRIVE  
ROCKWALL, TX 75032

RESIDENT  
234 BLANCHE DR  
ROCKWALL, TX 75087

CARMONA MARTIN SALVADOR  
235 LYNNE DR  
ROCKWALL, TX 75032

RAMIREZ MARTHA E  
235 LYNNE DRIVE  
ROCKWALL, TX 75032

RESIDENT  
238 EVA PL  
ROCKWALL, TX 75087

RODRIGUEZ ALMA R  
242 CHRIS DRIVE  
ROCKWALL, TX 75032

RESIDENT  
245 EVA  
ROCKWALL, TX 75087

RESIDENT  
247 BLANCHE DR  
ROCKWALL, TX 75087

CARMONA EVELIA  
249 LYNNE DR  
ROCKWALL, TX 75032

MARTINEZ CARLOS ALONZO  
252 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
254 EVA PL  
ROCKWALL, TX 75087

SALAZAR-CARMONA MIRIAM GUADALUPE  
263 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
265 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
266 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
273 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
276 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
281 BLANCHE DR  
ROCKWALL, TX 75087

RESIDENT  
283 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
288 LYNNE DR  
ROCKWALL, TX 75087

QUEVEDO OSCAR F  
293 YVONNE  
ROCKWALL, TX 75032

RODRIGUEZ ANTONIO & LAURA  
301 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
302 LYNNE DR  
ROCKWALL, TX 75087

VAZQUEZ JUAN MIGUEL & MARTHA PATRICIA  
304 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
305 EVA PL  
ROCKWALL, TX 75087

WESLEY ASHLEY MONIQUE  
305 BLANCHE DR  
ROCKWALL, TX 75032

BARRON INOCENCIO & HILDA AND  
MONTSERRAT BARRON  
310 LYNNE DR  
ROCKWALL, TX 75032

NEXTEL PARTS & SUPPLIES INC  
311 E I-30  
ROCKWALL, TX 75087

RESIDENT  
316 LYNNE DR  
ROCKWALL, TX 75087

RESIDENT  
317 BLANCHE DR  
ROCKWALL, TX 75087

222 SWORD LLC  
3225 McLeod Dr Ste 777  
Las Vegas, NV 89121

MAZARIEGOS EDGAR & SONIA I  
3248 BLACKLAND RD  
ROYSE CITY, TX 75189

SALAZAR JOEL  
335 EVA PL  
ROCKWALL, TX 75032

AVALOS JORGE SILVA & LETICIA CASTELL &  
ESTELA SILVA MASARIEGOS & ALICI  
346 Perch Rd  
Rockwall, TX 75032

RESIDENT  
355 EVA  
ROCKWALL, TX 75087

PALICIOS MARIA  
365 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
375 EVA  
ROCKWALL, TX 75087

RESIDENT  
383 EVA PL  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
ATTN;MARY SMITH  
385 S GOLIAD ST  
ROCKWALL, TX 75087

RESIDENT  
391 EVA  
ROCKWALL, TX 75087

CARMONA JOSE ROBERTO &  
MARIA BLANCA RESENDIZ  
397 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
401 EVA  
ROCKWALL, TX 75087

RENOVATION SPECIALIST LLC  
411 CHRIST DRIVE  
ROCKWALL, TX 75032

RESIDENT  
420 COUNTY LINE RD  
ROCKWALL, TX 75087

GREENVILLE E-Z RENT LLC  
430 Renee Dr  
Rockwall, TX 75032

MBA CUSTOM HOMES LLC  
430 RENEE DRIVE  
ROCKWALL, TX 75032

SARABIA SILVESTRE  
4322 BOWSER AVE APT 203  
DALLAS, TX 75219

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

UC RUBEN A  
506 LILLIAN ST  
ROCKWALL, TX 75087

MOSELEY CYNTHIA SUE  
5100 HORIZON RD  
ROCKWALL, TX 75032

GARCIA MARTIN  
590 SUN VALLEY DR  
ROYSE CITY, TX 75189

FLORES DAYANARA &  
JAMES GLEASON  
611 MEADOW DR  
ROCKWALL, TX 75032

HILGENFELD DONNA & ROSS  
6409 ALTA OAKS DR  
GARLAND, TX 75043

GUTIERREZ DONATILO & BLANCA  
6514 BUNKER HILL CT  
ROWLETT, TX 75089

GUEVARA JOSE  
6938 STATE HIGHWAY 50  
COMMERCE, TX 75428

LAKEPOINTE CHURCH, INC  
701 E INTERSTATE 30  
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A  
802 N ALAMO RD  
ROCKWALL, TX 75087

PAVON MARISOL  
810 E. DOUGHERTY DR  
GARLAND, TX 75041

RESZI SFR MASTER FUND I, LLC  
8343 DOUGLAS AVE STE 350  
DALLAS, TX 75225

OLIVA ANGEI MELISSA CASTRO  
8839 COUNTY ROAD 3602  
QUINLAN, TX 75474

SALAS HECTOR JABIER & CAROLINA ORTIZ  
921 W YELLOWJACKET LANE APT 105  
ROCKWALL, TX 75087

LA REN CORPORATION  
C/O DON/AUDREY BLAKENSHIP  
P.O. BOX 2155  
ROCKWALL, TX 75087

HTX INVESTMENTS, LLC  
PO BOX 741209  
HOUSTON, TX 77274

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Z2026-002: SUP for a Residential Infill

*Hold a public hearing to discuss and consider a request by Alex Flores for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650-acre parcel of land identified as Lot 846-A0 of 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, addressed as 214 Blanche Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 10, 2026 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 17, 2026 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Angelica Guevara  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 17, 2026 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning

USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

## Case No. Z2026-002: SUP for a Residential Infill

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

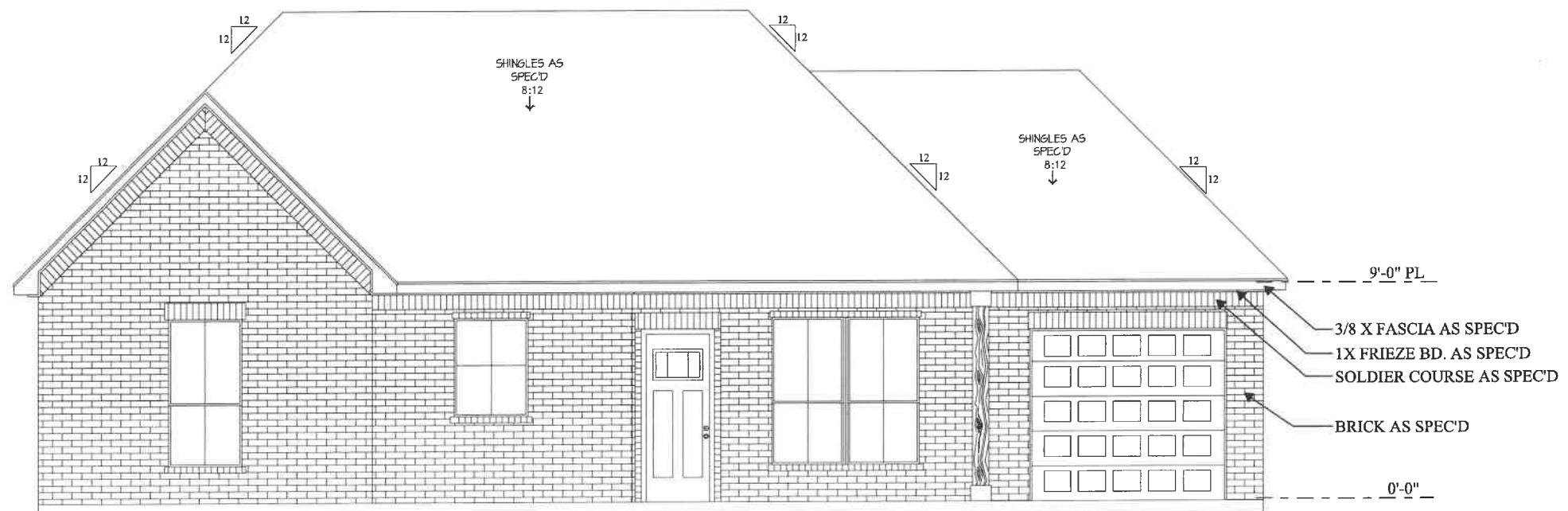
I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)



② FRONT VIEW

SCALE: 1/8" to 1' W/ 11X17

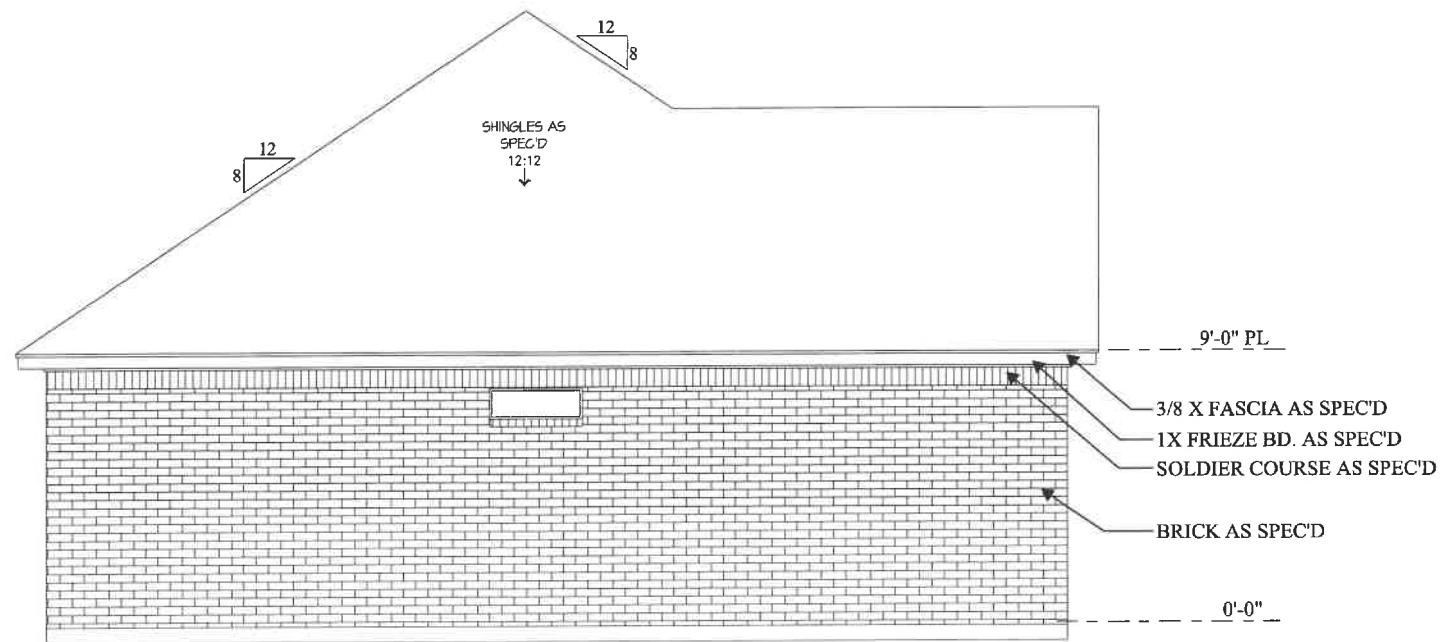


③ BACK VIEW

SCALE: 1/8" to 1' W/ 11X17

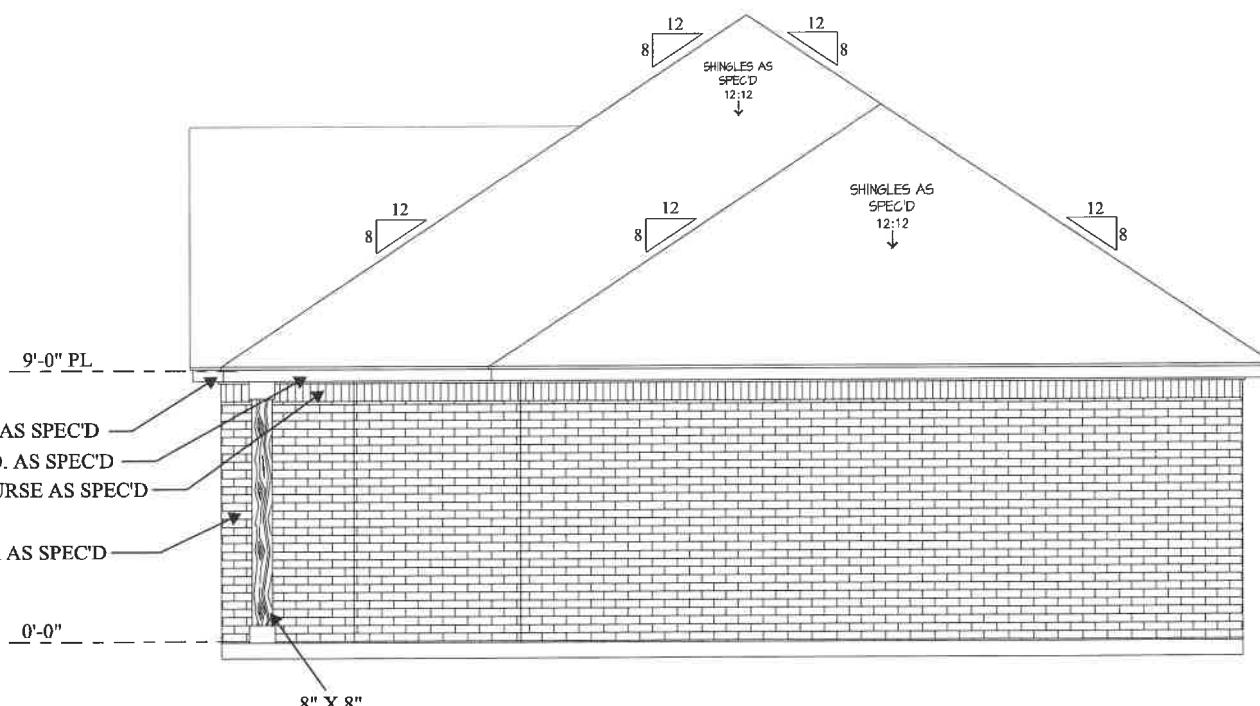
214 BLANCHE DRIVE  
ROCKWALL, TX.

ELEVATION:  
A  
SHEET NUMBER:  
A1-2



④ LEFT SIDE VIEW

SCALE: 1/8" to 1' W/ 11X17



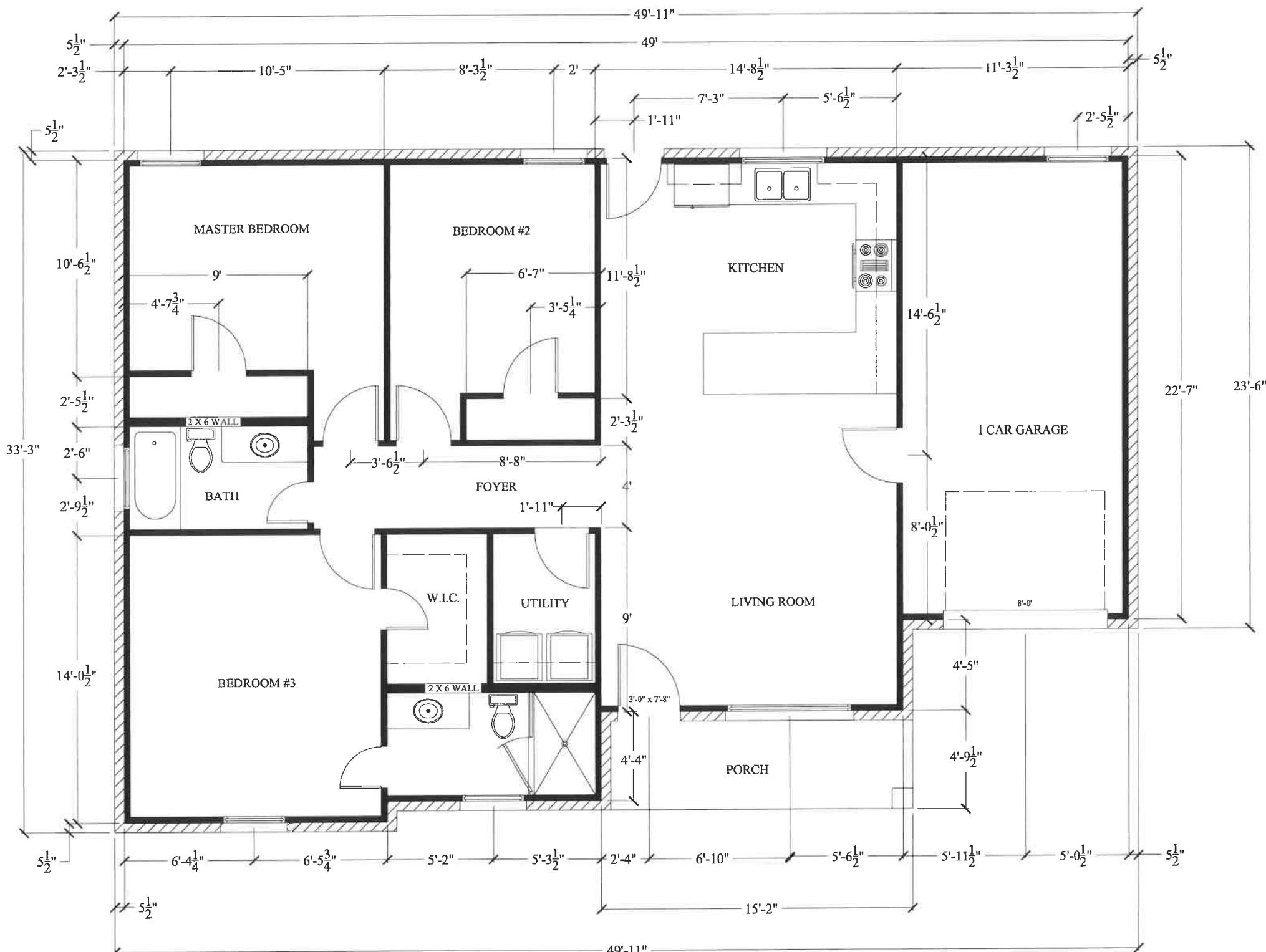
⑤ RIGHT SIDE VIEW

SCALE: 1/8" to 1' W/ 11X17

214 BLANCHE DRIVE  
ROCKWALL, TX.

ELEVATION:  
A

SHEET NUMBER:  
A1-3



Alex Flores	(469)534-5809
SQUARE FOOTAGE TABLE	
AREA	7200
LIVING AREA	1,238
COVERED PORCH	64
GARAGE:	264

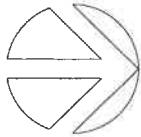
1

## FIRST FLOOR PLAN

SCALE: 1/8" to 1' W/ 11X17

214 BLANCHE DRIVE  
ROCKWALL, TX.

ELEVATION: A  
SHEET NUMBER: A1-1



**NORTH**

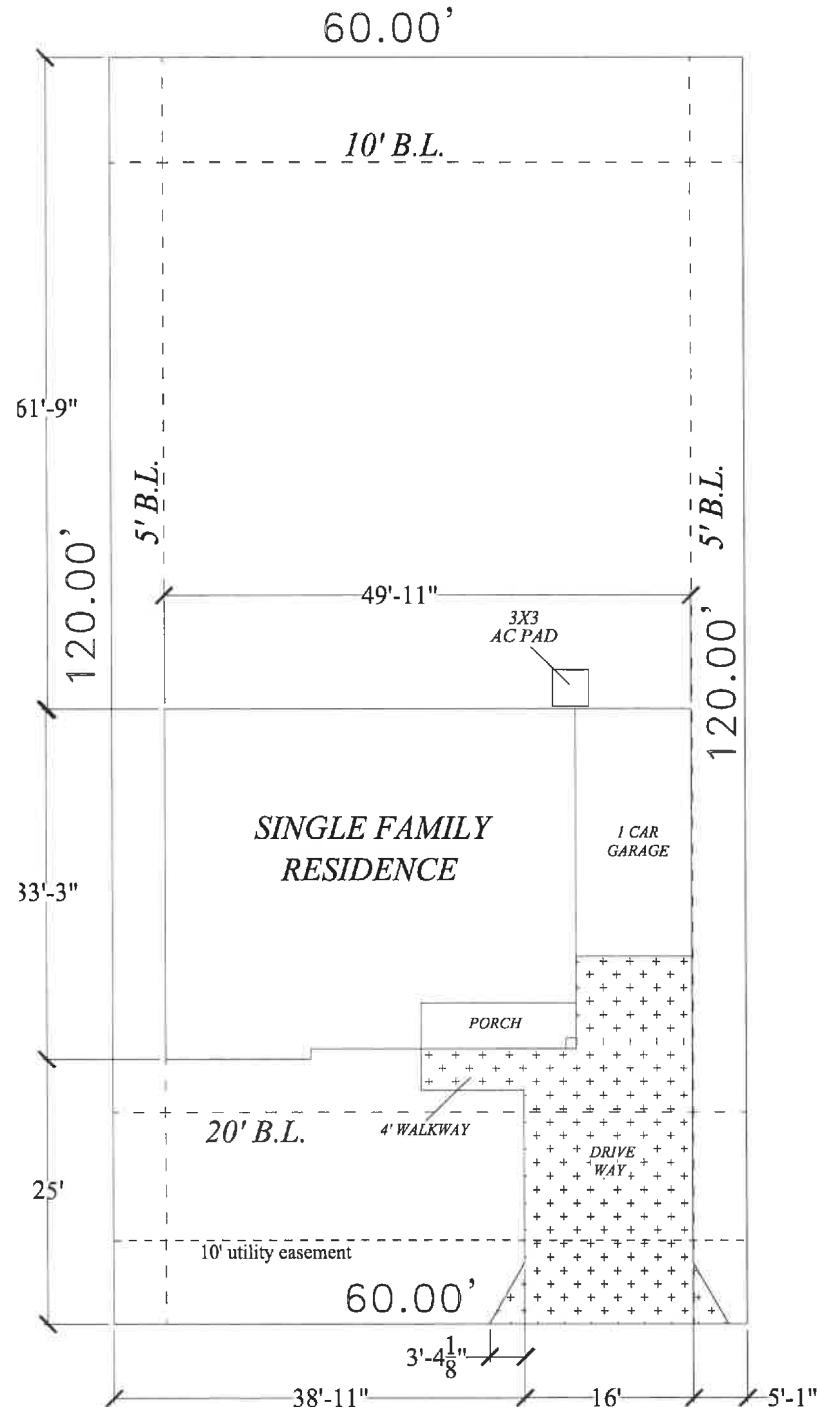
SCALE:

1' = 20'-0"-11X17

1' = 10'-0"-22X34

AREA CALCULATIONS	
LOT AREA	7200 SF
SLAB COVERAGE	1,539 SF
% BUILDING COVERAGE	21.3 % COVERAGE
TOTAL IMP. COVERAGE.	2332 SF
% TOTAL IMP. COVERAGE.	32.4 % COVERAGE
DRIVEWAY COVERAGE	560 SF
% DRIVEWAY COVERAGE	6.2 % COVERAGE
WALKWAY COVERAGE	39 SF
% WALKWAY COVERAGE	0.5 % COVERAGE
3'X3' A.C. PAD COVERAGE	16 SF
% 3'X3' A.C. PAD COVERAGE	0.22 % COVERAGE
FLAT WORK	0 SF
SOD GRASS	511 SQ YARD
SIDEWALK COVERAGE	0 SF
APPROACH COVERAGE	101 SF
LOT FRONTAGE	0 SF
EXISTING FENCE	160 LINEAR SF

\* THE PERCENT CALCULATION IS A REFERENCE TO THE COVERAGE AS A PERCENT ESTIMATION OF THE SQ. FT. COVERAGE OF ANY GIVEN STRUCTURE FROM THE TOTAL SQ. FOOT OF THE LOT AREA.



BLANCHE DRIVE

CUSTOMER SIGNATURE:

DATE:

NOTES:

LEGEND

→ - DRAINAGE FLOW
— x — PROPOSED FENCE
— o — EXISTING FENCE
— / — CURLEX
— \ — RETAINING WALL
● - REQUIRED TREE PLANTING
◎ - REQUIRED BUSH

BUILDER: ALEX FLORES

ADDITION: --

ADDRESS: 214 BLANCHE DRIVE

LOT: 846-A

BLOCK: --

PHASE: N/A

OPTION: N/A

DATE: 01-29-2026

DRAWN BY: DDSG-A.H.

CITY: ROCKWALL, TX

PLAN: N/A

ELEVATION: N/A

SWING: LEFT

DDS GROUP

PLOT PLAN

SP1

NOTE: ARCHITECTURAL PLANS TAKES PRECEDENCE OVER ALL DRAWINGS, ALL FINAL DECISIONS REFER TO PLANS PROVIDED BY DDS GROUP ARCHITECTURAL DEPARTMENT. PLOT PLAN IS APPROPRIATE PLACEMENT ONLY. BUILDER CAN VARY DUE TO ACTUAL BUILDING CONDITIONS. BUILDER IS FULLY RESPONSIBLE FOR ADHERING TO ANY AND ALL BUILDING LINES OR EASEMENTS OF RECORD OR THAT MAY NOT BE NOTED ON THE RECORDED PLAT. BUILDER TO CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH THE INLETS OF UTILITY SERVICES. FINAL SURVEY WILL SHOW PLACEMENT OF HOUSE AND ALL FLATWORK, SUCH AS SIDEWALKS AS PRESCRIBED BY THE BUILDER. FLATWORK IS ONLY A REPRESENTATION.



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2026-002

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

#### ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
185 Blanche Drive	Modular Home	1980	970	N/A	Siding
190 Blanche Drive	Modular Home	1960	1,612	128	Siding
195 Blanche Drive	Modular Home	1986	1,520	N/A	Siding
202 Blanche Drive	Modular Home	1994	1,855	552	Siding
214 Blanche Drive	Modular Home	1993	804	N/A	Siding
219 Blanche Drive	Modular Home	1970	1,212	N/A	Siding
226 Blanche Drive	Modular Home	2017	1,528	80	Siding
229 Blanche Drive	Modular Home	1982	1,767	N/A	Siding
234 Blanche Drive	Modular Home	1975	1,020	N/A	Siding
247 Blanche Drive	Modular Home	1969	1,736	400	Siding
199 Diana Drive	Modular Home	1980	1,784	N/A	Siding
AVERAGES:		1983	1,484	290	



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2026-002

### PLANNING AND ZONING DEPARTMENT

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PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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185 Blanche Drive



190 Blanche Drive



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2026-002

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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195 Blanche Drive



202 Blanche Drive



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2026-002

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



214 Blanche Drive



219 Blanche Drive



**CITY OF ROCKWALL**  
HOUSING ANALYSIS FOR CASE NO. Z2026-002  
**PLANNING AND ZONING DEPARTMENT**  
385 S. GOLIAD STREET • ROCKWALL, TX 75087  
PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



226 Blanche Drive



229 Blanche Drive



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2026-002

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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234 Blanche Drive



247 Blanche Drive



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2026-002

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

---



199 Diana Drive

CITY OF ROCKWALL

ORDINANCE NO. 26-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] AND 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 0.1650-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 846-A0 OF THE ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Alex Flores for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 846-A0 of the 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 214 Blanche Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Planned Development District 75 (PD-75) [Ordinance No. 16-01] and Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of this ordinance.
- 3) The subject property shall be replatted prior to the issuance of a Building Permit.
- 4) The applicant shall obtain a *Demolition Permit* from the Building Inspections Department prior to the removal of the mobile/manufactured home currently on the subject property; and,
- 5) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

## 2.2 COMPLIANCE

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

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

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

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

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

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid,

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 2<sup>ND</sup> DAY OF MARCH, 2026.**

\_\_\_\_\_  
Tim McCallum, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, City Attorney

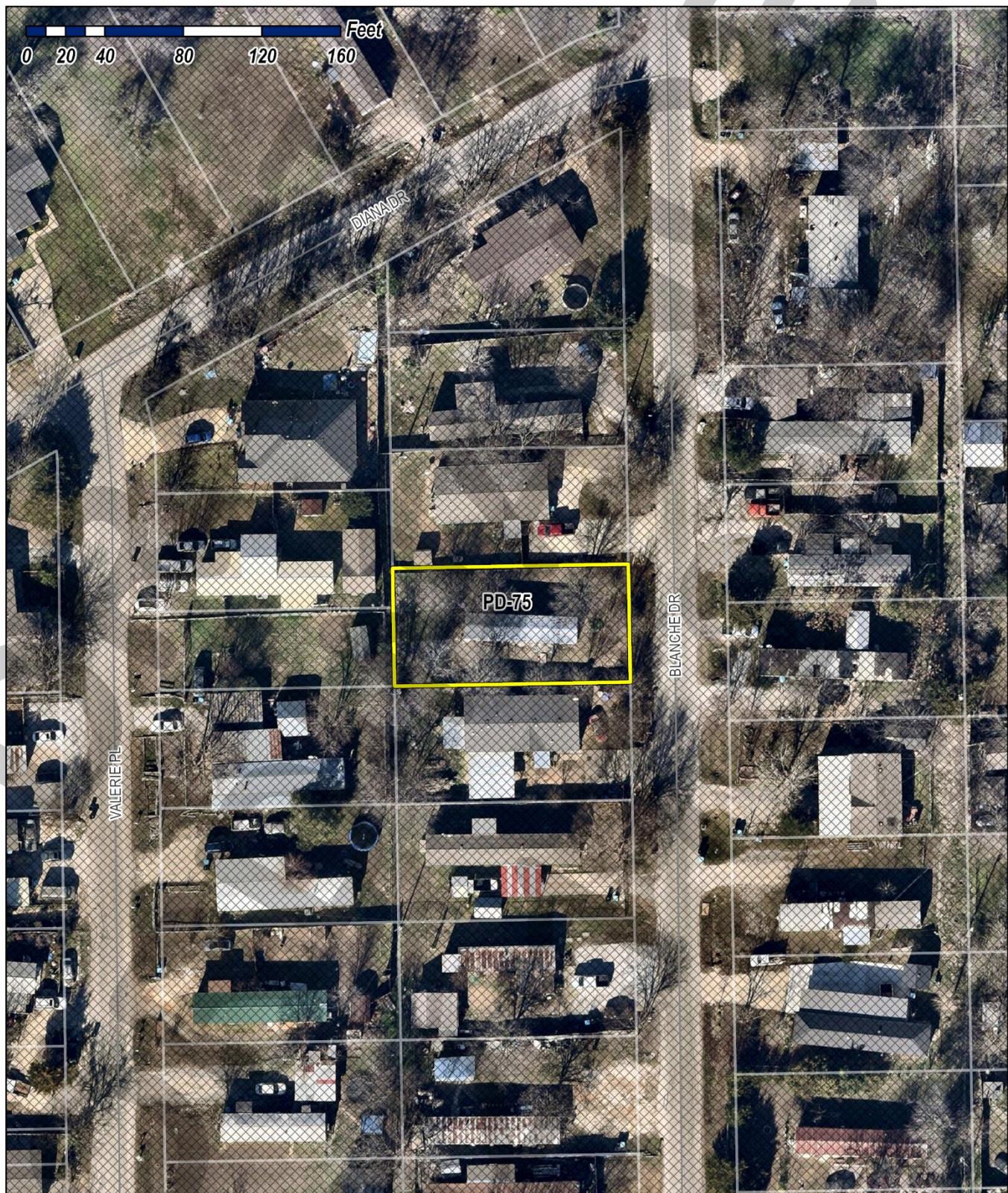
1<sup>st</sup> Reading: February 17, 2026

2<sup>nd</sup> Reading: March 2, 2026

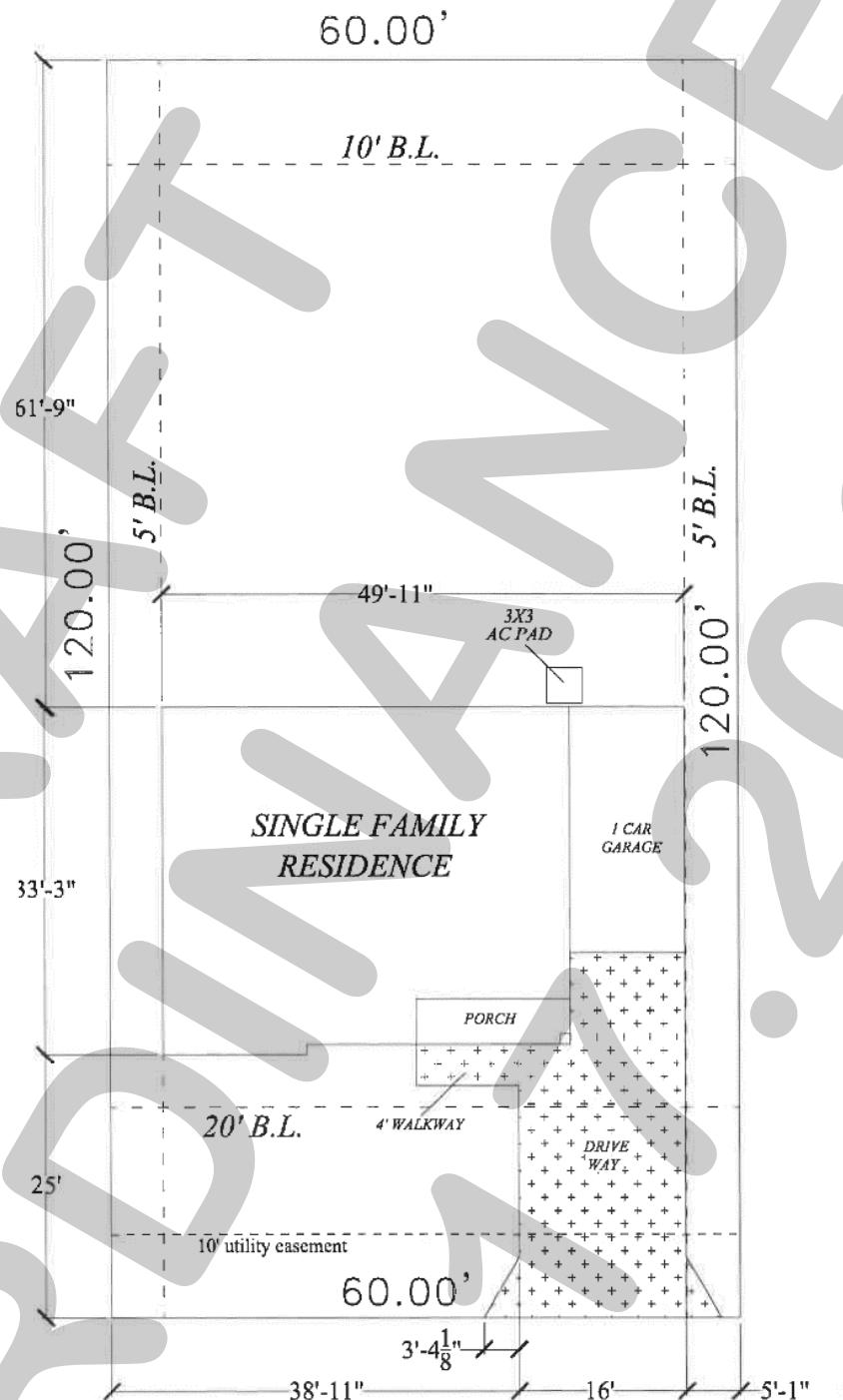
**Exhibit 'A':**  
**Location Map**

Address: 214 Blanche Drive

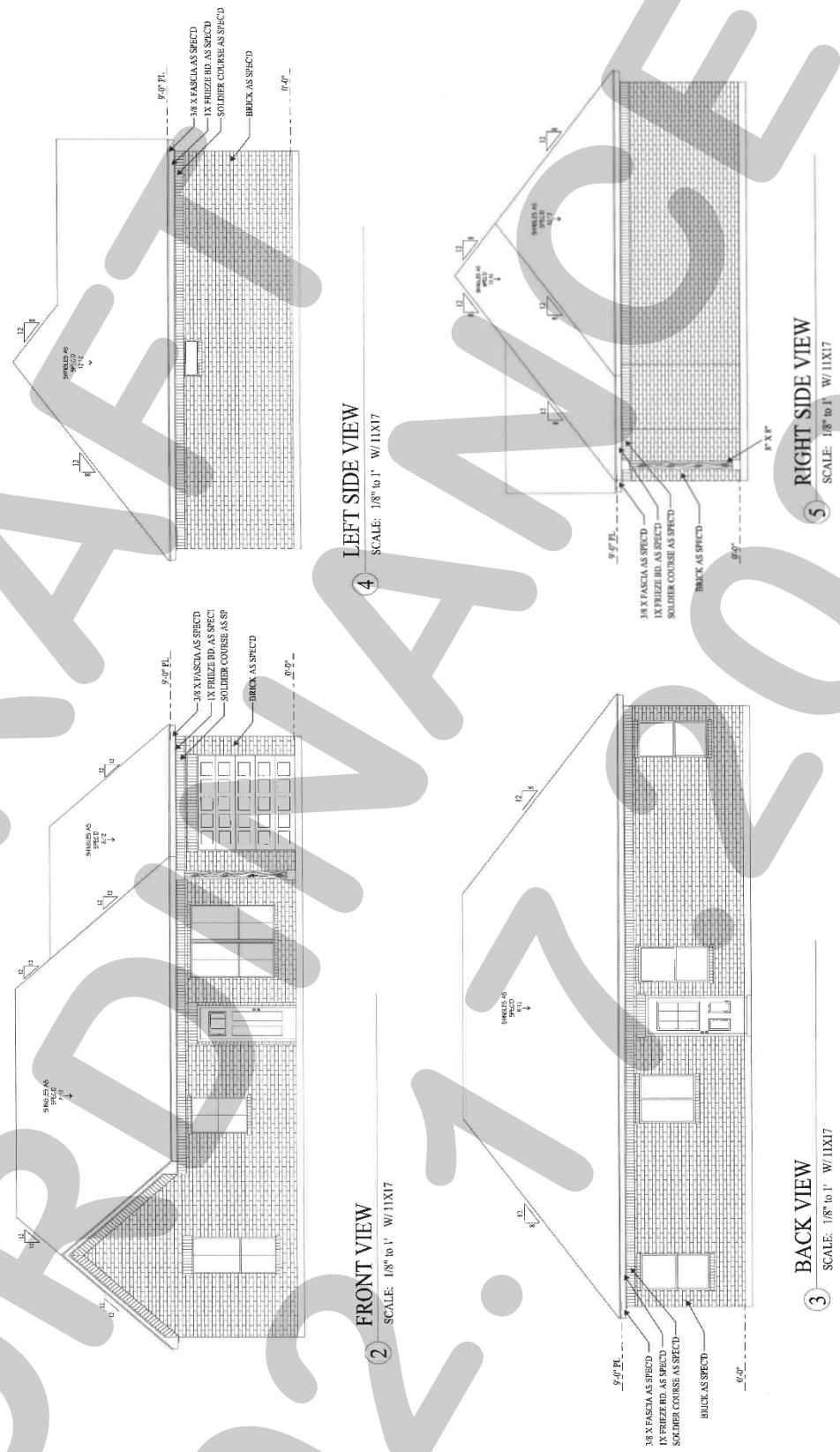
Legal Description: Lot 846-A of the Rockwall Lake Estates #2 Addition



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



## **Exhibit 'C':** *Building Elevations*





## **CITY OF ROCKWALL, TEXAS MEMORANDUM**

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**TO:** Mayor & City Council Members

**FROM:** Kristy Teague, City Secretary / Asst. to the City Manager

**DATE:** February 12, 2026

**SUBJECT:** Appt. RE: Noon Rotary Request for “Peace Pole” placement downtown

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Kenda Culpepper, current President of Rockwall Noon Rotary, will be in attendance at Tuesday's meeting to request permission to place a 'peace pole' on city-owned property in the historic downtown area. Additional details will be provided by Mrs. Culpepper during the council meeting on Tuesday.