

Agenda
Town of Poetry
Regular Town Council Meeting

Thursday, January 18th, 2023

Poetry Town Hall

5671 CR 323

Poetry, TX 75160

6:30 p.m.

- a) Call the Town Council to order.
- b) Roll call to confirm quorum– volunteer clerk, Robin Boles
- c) Pledge of allegiance—Kevin Kelly
- d) Invocation—Kevin Kelly

- e) **CITIZEN COMMENTS:** Persons wishing to speak on any posted agenda item may do so when the individual item is opened for consideration by the Council. Speakers will be limited to 3 minutes unless a longer period of time is allowed by law for use of a translator. Persons wishing to speak must sign up at least 24 hours in advance of the meeting by emailing contact@poetrytexas.org or by signing up in person at the meeting location from 6-6:30 pm with name, address, and an agenda item on which there is a desire to speak. You must be signed up to speak during the meeting. Comments should be respectful with no personal attacks. To preserve the order and decorum of the meeting of the Town Council, any person who makes, profane, slanderous, or threatening remarks or who becomes disruptive during the meeting will be asked to leave the Council Chambers. (Texas Penal Code §§ 38.13, 42.05)
- f) **Items of Community Interest:**
Pursuant to Section 551.0415 of the Texas Government Code, the Town Council may report on the following items: 1) expression of thanks, congratulations, or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders upcoming Town Council events; 5) about community events, and 6) announcements involving an imminent threat to public health and safety.

Kaufman County is hosting several **Clean up Events for all KC residents. Our Pct 2 residents can go to 12051 PCT Circle, Forney on Feb 3rd, June 10th, and Oct 5th from 8 am-4 pm. Mattresses, furniture, appliances, trash & recyclables will be collected for free. For more information **see handout** which is available in tonight's packet.*

** Thanks to Sheri Vinson for typing the minutes.*

**Thanks to Brian and Sheri Vinson for taking down Christmas tree and décor.*

**Thanks to carpenter David Burke for donating his labor for some miscellaneous items and installing the Assembly room TV on the wall.*

**Thanks to Becky Carter and Todd for installing solar light poles at Town Hall.*

g) REGULAR MEETING

h) Reports

1. Financial
 - a) December end 2023
 - b) Sales & Use Tax Receipts
 - c) Q1 Budget vs. Actual Report –postponed to Feb owing to secretary surgery.

2. Secretary's Report—No report owing to Secretary post-surgery absence.
3. Report from Legal Counsel—approved letter to read.
4. Update on Poetry's transition to Blackjack Disposal and Solid Waste services.

i) Consent Agenda:

1. Minutes from November 16th, 2023 Meeting.
2. Pay November legal bill of \$ 390.00

j) Regular Agenda:

- 1) Listen to presentation to Council from Debbie Taylor of **Murrey, Paschall, & Caperton P.C.** regarding the required annual town audit. [The auditor will not take questions from the public].
- 2) Listen to presentation from **Street Dynamics**. Discuss and take action on a Solar-powered Speed and Communication device for Roadways to collect data needed for grant applications for roadwork.
- 3) Discuss and take action on either of the two engineering firms presented last month with Statement of Qualifications (S.O.Q.) by Engineering firms R. Brumley of **Exceed Engineering** and of **Birkhoff, Hendricks & Carter, L.L.P. Engineering Firm**.
- 4) Discuss and take action on materials upcharge for ADA loop railing and change of contractor to Mike Duret, welder, for total of \$1599.
- 5) Discuss and take action on **Project Sheet H-09r** on CR 2464 for culvert replacement for the amount of \$1950 for oil sand and \$2040 for asphalt for materials and fuel costs.
- 6) Discuss and take action on **Project Sheet H-10** on CR 2446 for replacing 3 culverts for the amount of \$6300 for oil sand and \$6500 for new asphalt for materials and fuel costs.
- 7) Discuss and take action on Smith's updated petition to release from ETJ.

- 8) Discuss and take action on allowing voluntary annexation window as last year.
 - 9) Discuss and take action regarding whether citizen comments should be included in the town minutes in summary or left out entirely.
 - 10) Discuss and take action on the of the town **updated prospective zoning map**.
 - 11) Discuss roles and responsibilities of Poetry Town government. Take action as necessary. [CM Jaffe]
 - 12) Discuss expectations and responsibilities of Poetry Town government employees and volunteers. Take action as necessary. [CM Jaffe]
- k) General Public Comments: Comments are limited to three (3) minutes. If a translator is needed, the speaker may be given up to four (4) minutes. Sign-up is required BEFORE the Meeting is called to order. Be aware that the Town Council can only respond with *factual information only*. The Town Council may consider putting citizen concerns on a future agenda.**

l) Adjournment NOTE: The Town Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including Sec. 551.071 (private consultation with the attorney for the Town); Sec. 551.072 (purchase, exchange, lease, or value of real property); Sec. 551.074 (personnel or to hear complaints against personnel); Sec. 551.076 (deployment, or specific occasions for implementation of security personnel or devices); and Sec. 551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Notes: Disabled persons requiring special assistance are requested to notify the Town of Poetry 24 hours in advance of the meeting by calling the mayor's office at 214-317-8128.

I certify that the above notice of the meeting was posted at 5671 CR 323 Poetry Texas on January 13th, 2024 by 6:30 pm and online at poetrytexas.org.

Tara Senkevech, Mayor

TOWN OF POETRY, TEXAS
AUDITED FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

MURREY PASCHALL & CAPERTON, P.C.
Certified Public Accountants

TOWN OF POETRY, TEXAS
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TOWN OF POETRY, TEXAS
ELECTED OFFICIALS
FOR THE YEAR ENDED SEPTEMBER 30, 2023

TOWN COUNCIL

Tara Senkevech	Mayor
Mike Jaffe	Mayor Pro Tem
Terry Fowler	Council Member
Tom Anderson	Council Member
Jonathan Blake	Council Member
Simeon White	Council Member

TOWN SECRETARY

Theresa Scholander

M **Murrey Paschall & Caperton PC**
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

To the Mayor and Town Council
Town of Poetry, Texas
Poetry, Texas

REPORT ON THE AUDIT OF THE FINANCIAL STATEMENTS

OPINIONS

We have audited the accompanying financial statements of the governmental activities and each major fund of the Town of Poetry, Texas ("Town"), as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Town of Poetry, Texas, as of September 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

BASIS FOR OPINIONS

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Town of Poetry, Texas and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

RESPONSIBILITIES OF MANAGEMENT FOR THE FINANCIAL STATEMENTS

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Poetry, Texas' ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

AUDITOR'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town of Poetry, Texas' internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Poetry, Texas' ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

REQUIRED SUPPLEMENTARY INFORMATION

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, and budgetary comparison information on pages 5-10 and 25 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our

inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Murrey Paschall & Caperton, PC

Murrey, Paschall & Caperton, P.C.

Certified Public Accountants

Forney, Texas

December 21, 2023

TOWN OF POETRY , TEXAS
MANAGEMENT’S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

Within this section of the Town of Poetry, Texas’ annual financial report, the Town’s management provides narrative discussion and analysis of the financial activities of the Town for the fiscal year ended September 30, 2023. The Town’s financial performance is discussed and analyzed within the context of the accompanying financial statements and disclosures following this section. The discussion focuses on the Town’s primary government.

FINANCIAL HIGHLIGHTS

- The Town’s assets exceeded its liabilities by \$221,115 (net assets) for the fiscal year reported. This compares to the previous year when assets exceeded liabilities by \$141,278. This increase was primarily due to new sales tax revenue that contributed to an increase of \$79,837 net income from current operations.
- Total net assets are comprised of the following:
 - 1) Capital assets of \$136,187.
 - 2) Unrestricted net assets of \$84,928 represent the portion available to maintain the Town’s continuing obligations to citizens.

OVERVIEW OF THE FINANCIAL STATEMENTS

Management’s Discussion and Analysis introduces the Town’s basic financial statements. The basic financial statements include (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the financial statements. The Town also includes in this report additional information to supplement the financial statements.

Government-Wide Financial Statements

The Town’s annual report includes two government-wide financial statements. These statements provide both long-term and short-term information about the Town’s overall status. Financial reporting at this level uses a perspective similar to that found in the private sector with its basis in full accrual accounting and elimination or reclassification of internal activities.

The first of these government-wide statements is the *Statement of Net Assets*. This is the townwide statement of financial position presenting information that includes all the Town’s assets and liabilities, with the difference reported as *net assets*. Over time, the increases or decreases of net assets may serve as a useful indicator of whether the financial position of the Town as a whole is improving or deteriorating. Evaluation of the overall health of the Town would extend to other non-financial factors such as diversification of the taxpayer base or the condition of Town infrastructure in addition to the financial information provided in this report.

The second government-wide statement is the *Statement of Activities*, which reports how the Town’s net assets changed during the current fiscal year. All current year revenues and expenses

TOWN OF POETRY , TEXAS
MANAGEMENT’S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

are included regardless of when cash is received or paid. An important purpose of the design of the statement of activities is to show the financial reliance of the Town’s distinct activities or functions on revenues provided by the Town’s taxpayers.

Both government-wide financial statements distinguish governmental activities of the Town that are principally supported by taxes and fees and on occasion grants from state and federal sources. Governmental activities include general government, public safety, public services, and culture and recreation. Business-type activities include airports, water utilities, solid waste management, storm water drainage, golf courses, fairgrounds and stadium, ground transportation, and parking. Fiduciary activities such as employee pension plans are not included in government-wide statements since these assets are not available to fund Town programs. The Town currently has no business-type or fiduciary activities.

The Town’s financial reporting includes the funds of the Town (primary government). The governmental activities include the Town’s basic services such as general administration. Franchise fees finance these activities. There are currently no component units.

The government-wide financial statements are presented on pages 11-12 of this report.

Fund Financial Statements

A fund is an accountability unit used to maintain control over resources segregated for specific activities or objectives. The Town uses funds to ensure and demonstrate compliance with finance related laws and regulations. Within the basic financial statements, fund financial statements focus on the Town’s most significant funds rather than the Town taken as a whole. Major funds are separately reported while all others are combined into a single, aggregated presentation. The Town of Poetry, Texas has only one governmental fund, the General Fund.

Governmental funds are reported in the fund financial statements and encompass essentially the same functions reported as governmental activities in the government-wide financial statements. However, the focus is very different with fund statements providing a distinctive view of the Town’s governmental funds. These statements report short-term fiscal accountability focusing on the use of expendable resources during the year and balances of expendable resources available at the end of the year. They are useful in evaluating annual financing requirements of governmental programs and the commitment of the expendable resources for the near-term.

Since the government-wide focus includes the long-term view, comparisons between these two perspectives may provide insight into the long-term impact of short-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide reconciliation to the government-wide statements to assist in understanding the differences between the two perspectives.

The basic governmental fund financial statements are presented on pages 13-16 of this report.

The Town adopts an annual budget for its General Fund, as required by the General Statutes. The budget is a legally adopted document that incorporates input from the citizens of the Town,

TOWN OF POETRY , TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

the management of the Town, and the decisions of the council about which services to provide and how to pay for them. It also authorizes the Town to obtain funds from identified sources to finance these current period activities. The budgetary schedule provided for the General Fund demonstrates how well the Town complied with the budget ordinance and whether or not the Town succeeded in providing the services as planned when the budget was adopted. The budgetary comparison statement uses the budgetary basis of accounting and is presented using the same format, language, and classifications as the legal budget document. The statement shows three columns: 1) the original & final budget as amended by the Council (if any changes); 2) the actual resources, charges to appropriations, and ending balances in the General Fund and 3) the difference or variance between the final budget and the actual resources and charges.

The budgetary comparison statement can be found on page 25 of this report.

Notes to the financial statements

The accompanying notes to the financial statements provide information essential to a full understanding of the government-wide and fund financial statements. The notes to the financial statements begin immediately following the basic financial statements on page 17 of this report.

FINANCIAL ANALYSIS OF THE TOWN AS A WHOLE

As year-to year financial information is accumulated on a consistent basis, changes in net assets may be observed and used to discuss the changing financial position of the Town as a whole.

Comparative data is accumulated and presented to assist analysis. The Town's net assets at fiscal year-end are \$221,115. This is a \$79,837 increase over last year's net assets of \$141,278.

A portion of the Town's net assets (62%) reflects its investments in capital assets (e.g. land, building, equipment and leasehold improvements). The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending.

The remaining balance of unrestricted net assets of \$84,928 may be used to meet the government's ongoing obligation to citizens and creditors.

TOWN OF POETRY , TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

The following table provides a summary of the Town's net assets:

	<u>Governmental Activities</u>	
	<u>September 30, 2023</u>	<u>September 30, 2022</u>
Cash & Equivalents	\$ 66,681	\$ 38,269
Receivables	19,791	7,956
Capital assets	<u>136,187</u>	<u>114,474</u>
Total Assets	<u>222,659</u>	<u>160,699</u>
Liabilities	\$ <u>1,544</u>	\$ <u>19,421</u>
Net assets:		
Invested in capital assets, net of related debt	136,187	114,474
Unrestricted	<u>84,928</u>	<u>26,804</u>
Total Net Assets	<u>\$ 221,115</u>	<u>\$ 141,278</u>

The Town reported a positive balance in net assets for governmental activities as net assets increased by \$79,837. The following table provides a summary of the Town's changes in net assets:

	<u>2023</u>	<u>%</u>	<u>2022</u>	<u>%</u>
General Revenues:				
Franchise Fees	\$ 92,546	61.77	\$ 82,671	95.94
Sales Taxes	50,615	33.78	-	-
Other Income - Donations	<u>6,661</u>	<u>4.45</u>	<u>3,500</u>	<u>4.06</u>
Total Revenue	<u>149,822</u>	<u>100.00</u>	<u>86,171</u>	<u>100.00</u>
Expenses:				
General Government	<u>69,985</u>	<u>100.00</u>	<u>58,675</u>	<u>100.00</u>
Total Expenses	<u>69,985</u>	<u>100.00</u>	<u>58,675</u>	<u>100.00</u>
Increase in Net Assets	<u>79,837</u>		<u>27,496</u>	
Contributed Capital Assets	-		100,000	
Beginning Net Assets	<u>141,278</u>		<u>13,782</u>	
Ending Net Assets	<u>\$ 221,115</u>		<u>\$ 141,278</u>	

TOWN OF POETRY , TEXAS
MANAGEMENT’S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

FINANCIAL ANALYSIS OF THE TOWN’S FUNDS

As discussed, the general fund was reported in the fund statements with a short-term, inflow and outflow of expendable resources. General funds reported ending fund balances of \$84,928. Of this year-end total, the entire amount is unassigned indicating availability for continuing Town service requirements.

CAPITAL ASSETS

The Town’s investment in capital assets for its governmental activities, net of depreciation, as of September 30, 2023 is \$136,187. These primarily include the land for the Town Hall Building and improvements for the building. No depreciation expense was recorded for the year ended September 30, 2023 as all building and improvements are currently Construction in Progress.

	<u>2023</u>	<u>2022</u>
Land	\$ 100,000	\$ 100,000
Building and Improvements (CIP)	\$ 36,187	\$ 14,474
Less: Accumulated Depreciation	<u>(-)</u>	<u>(-)</u>
Total Capital Assets	<u>\$ 136,187</u>	<u>\$ 114,474</u>

Additional information regarding the Town of Poetry’s capital assets can be found in Note V on page 22.

GENERAL FUND BUDGETARY HIGHLIGHTS

The general fund budget for fiscal year 2023 was \$134,398. The general fund budget complied with financial policies approved by the Town Council and maintained core services. Budgetary comparisons are found on page 25 of this report. Budgeted revenues for FY 2023 included expected sales tax income; however, due to the timing of election voting, sales tax revenue was only collected for 6 months in FY 2023.

ECONOMIC FACTORS AND NEXT YEAR’S BUDGET CONSIDERATIONS

General Fund expenses and revenues for the 2023-2024 fiscal year are budgeted to increase by 57% from the 2022-2023 budget. This increase in revenue and expenditures is primarily driven by the timing of sales tax receipts, and significant road repair projects expected in FY 2024. The Town Hall remodel is the only current capital project, and it is expected to be completed in FY 2024.

TOWN OF POETRY , TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

CONTACTING THE TOWN'S FINANCIAL MANAGEMENT

This financial report is designed to provide a general overview of the Town's finances, comply with finance-related laws and regulations, and demonstrate the Town's commitment to public accountability. If you have questions regarding this report or would like to request additional information, you may submit a request to the Mayor and Town Council at 5671 CR 323, Poetry, TX 75160.

TOWN OF POETRY, TEXAS
STATEMENT OF NET ASSETS
SEPTEMBER 30, 2023

	Government Activities
Assets	
Cash & Equivalents	\$ 66,681
Receivables	19,791
Total Current Assets	<u>86,472</u>
Capital Assets	
Land	100,000
Construction in Progress	36,187
Accumulated Depreciation	-
Total Capital Assets	<u>136,187</u>
Total Assets	<u><u>\$ 222,659</u></u>
Liabilities	
Accounts Payable	<u>1,544</u>
Total Liabilities	<u>1,544</u>
Net Assets	
Investment in Capital Assets	136,187
Unrestricted	84,928
Total Net Assets	<u><u>\$ 221,115</u></u>

The accompanying notes are an integral part of the financial statements.

TOWN OF POETRY, TEXAS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2023

PROGRAM REVENUE

	Expenses	Charges for Services	Net Revenue (Expense)
Primary Government			
Government Activities			
General Government	69,985	-	(69,985)
	\$ 69,985	\$ -	\$ (69,985)
 Change in Net Assets			
Net (Expenses) Revenue			\$ (69,985)
 General Revenue			
Franchise Fees			92,546
Sales Taxes			50,615
Permits			371
Other Income - Donations			6,290
Total General Revenue			149,822
Change in Net Assets			79,837
Contributed Capital Assets (Note V)			-
Net Assets: Beginning			141,278
Net Assets: Ending			\$ 221,115

The accompanying notes are an integral part of the financial statements.

TOWN OF POETRY, TEXAS
BALANCE SHEET - GOVERNMENTAL FUNDS
SEPTEMBER 30, 2023

	<u>General Fund</u>
Assets	
Cash & Equivalents	\$ 66,681
Receivables	19,791
Total Current Assets	86,472
Total Assets	\$ 86,472
Liabilities	
Accounts Payable	\$ 1,544
Fund Balance	
Unassigned	84,928
Total Liabilities and Fund Balance	\$ 86,472

The accompanying notes are an integral part of the financial statements.

TOWN OF POETRY, TEXAS
RECONCILIATION OF BALANCE SHEET - GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET ASSETS
SEPTEMBER 30, 2023

Total Fund Balance - Total Governmental Funds	\$ 84,928
Amounts reported for government assets in the Statement of Net Assets are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	136,187
Accumulated depreciation has not been included in the governmental fund financial statements.	<u>-</u>
Net Assets of Governmental Activities	<u><u>\$ 221,115</u></u>

The accompanying notes are an integral part of the financial statements.

TOWN OF POETRY, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023

	<u>General Fund</u>
Revenues	
Franchise Taxes	\$ 92,546
Sales Taxes	50,615
Permits	371
Other Income - Donations	6,290
Total	<u>149,822</u>
Expenditures	
Office Operations	31,381
Repairs & Maintenance	25,155
Equipment and Supplies	3,308
Payroll Expense	8,343
Utilities	1,799
Other Operating Expense	-
Capital Outlays	21,712
Total	<u>91,698</u>
Net Change in Fund Balance	58,124
Fund Balance: Beginning	<u>26,804</u>
Fund Balance: Ending	<u><u>\$ 84,928</u></u>

The accompanying notes are an integral part of the financial statements.

TOWN OF POETRY, TEXAS
RECONCILIATION OF STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2023

Net Change in Fund Balance - Total Governmental Funds	\$ 58,124
<p style="margin-left: 40px;">Amounts reported for government activities in the Statement of Activities are different because:</p>	
<p style="margin-left: 40px;">Governmental funds report capital outlay as expenditures. However, in the government-wide statement of activities and changes in net assets, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount of capital assets recorded in the current period.</p>	
	21,713
<p style="margin-left: 40px;">Depreciation expense on capital assets is reported in the government-wide statement of activities and changes in net assets, but they do not require the use of current financial resources. Therefore, depreciation expenses is not reported as expenditure in governmental funds.</p>	
	<hr style="width: 100%; border: 0.5px solid black;"/> -
Change Net Assets of Governmental Activities	<hr style="width: 100%; border: 0.5px solid black;"/> \$ 79,837

The accompanying notes are an integral part of the financial statements.

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

NOTE I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Introduction

The accounting and reporting framework and the more significant accounting principles and practices of the Town of Poetry, Texas (Town) are discussed in subsequent sections of this Note. The remaining notes are organized to provide explanations, including required disclosures of the Town's financial activities for the fiscal year ended September 30, 2023.

B. Financial Reporting Entity

Incorporated in 2020, the Town of Poetry, Texas is a Type-A General Law Municipality in which citizens elect the mayor at large and 5 council members at large. The Town is located approximately nine miles north of Terrell in northwestern Kaufman County and southeastern Hunt County. The Town covers around 10,930 acres and contains households and businesses which front Farm to Market Roads 986. Based on the primary accountability for fiscal matter, authority to make decisions, appoint administrators and managers, and significantly influence operations, the Town meets the definition of a "Financial Reporting Entity" as defined by GASB statement 14.

The accompanying financial statements present the Town's primary government. The town is small and has no reporting component units.

C. Basis of Presentation

Government-Wide and Fund Financial Statements

The government-wide focus is more on the sustainability of the Town as an entity and the change in aggregate financial position resulting from the activities of the fiscal period. The focus of the fund financial statements is on the individual fund of the governmental categories. Each presentation provides valuable information that can be analyzed and compared to enhance the usefulness of the information.

Government-Wide Financial Statements

The government-wide financial statements include the statements of net assets and the statement of activities. These statements report financial information of the Town as a whole. The government has no funds other than the General Fund and no component units. Therefore, the statements do not distinguish governmental activities, generally supported by franchise fees, from activities generally financed with fees charged to external customers.

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

The statement of activities reports the expenses of a given function offset by program revenues directly connected with the functional program. A function is an assembly of similar activities that capture the expenses and program revenues associated with a distinct functional activity. Program revenue typically includes charges for services, which report fees and other charges to users of the Town's services (such as permit fees). Franchise fees and other revenue sources not properly included with program revenues are reported as general revenues.

Fund Financial Statements

Fund financial statements are provided for governmental funds. The Town currently has no proprietary or fiduciary funds. The general fund is reported individually and as a total under total governmental funds. It is currently the only governmental fund of the Town.

D. Basis of Accounting

Measurement focus refers to what is being measured; basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting thus relates to the timing of the measurement made, regardless of the measurement focus applied.

The government-wide financial statement uses the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when they are both measurable and available. Available means collectible within the current period or soon enough thereafter to pay current liabilities. The Town considers revenues to be available if they are collected within 60 days of the end of the fiscal year. Expenditures are recorded when the related fund liability is incurred. However, expenditures related to claims and judgments are recorded only when payment is due and payable shortly after year end as required by GASB Interpretations No. 6.

Program revenues as reported in the Statement of Activities typically include 1) charges to customers for goods, services, or privileges provided and 2) capital grants; however, the Town of Poetry had none of these revenues during FY 2023. Other revenues received by the Town that are internally dedicated by their purpose are reported as general revenues rather than program revenues.

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

Franchise fee revenues recorded in the General Fund are recognized under the susceptible to accrual concept. License and permits, charges for services, and miscellaneous revenues are recorded as revenues when received in cash, as the related receivable is not measurable. In applying the susceptible to accrual concept to intergovernmental revenues, the legal and contractual requirements are used as guidance.

Allocation of indirect expenses: The Town currently has no indirect expenses.

Estimates - The preparation of financial statements in accordance with generally accepted accounting principles requires management to make certain estimates and assumptions that affect certain reported amounts. Accordingly, actual results could differ from those estimates.

The General Fund is the only operating fund of the Town. Other funds typically would be used to account for debt service, grants management, general obligation bonds, internal service fund, pension trust fund, etc. Currently there is no activity that would require such funds.

E. Financial Statement Amounts

Cash and Equivalents – The Town’s cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

Receivables – Account receivables are shown gross with no calculation for an allowance for uncollectible accounts. Currently the Town does not collect property taxes.

Capital Assets – The Town’s capital assets with useful lives of more than one year are stated at historical cost if purchased or constructed and comprehensively reported in the government-wide financial statements. Donated capital assets are recorded at their estimated fair value at the date of donation. The Town generally capitalizes purchases of \$5,000 or more as outlays occur. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed.

TOWN OF POETRY, TEXAS
 NOTES TO FINANCIAL STATEMENTS
 SEPTEMBER 30, 2023

Capital assets are being depreciated using the straight-line method over the following estimated useful lives:

<u>Asset Class</u>	<u>Estimated Useful Life</u>
Building	25 years
Improvements	5 to 15 years

Long-Term Obligations – In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities statement of net position. The Town did not have any long-term debt in the current fiscal year.

Fund Equity – GASB Statement No. 54, “Fund Balance Reporting and Governmental Fund Type Definitions” provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government’s fund balances more transparent. The following classifications describe the relative strength of the spending constraints:

- *Nonspendable fund balance* – includes the portion of net resources that cannot be spent because of their forms (i.e., inventory, long-term debt, or prepaid items) or because they must remain intact such as the principle of an endowment.
- *Restricted fund balance* – includes the portion of net resources on which limitations are imposed by creditors, grantors, contributors, or by laws or regulations of other governments (i.e., externally imposed limitations). Amounts can be spent only for the specific purposes stipulated by external resource providers or as allowed by law through constitutional provisions or enabling legislation.
- *Committed fund balance* – includes the portion of net resources on which the Town Council has imposed limitations on use. Amounts that can be used only for the specific purposes determined by a resolution of the Town Council. The resolution must be approved before the end of the fiscal year in which the commitment will be reflected on the financial statements.
- *Assigned fund balance* – includes the portion of net resources for which an intended use has been established by the Town Council or the Town official authorized to do so by the Town Council. Assignment of fund balance is much less formal than commitments and do not require formal action for their imposition or removal.
- *Unassigned fund balance* – includes the amounts in excess of what can properly be classified in one of the other four categories of fund balance. It is

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

the residual classification and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose.

When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first and then unrestricted resources as needed.

NOTE II. COMPLIANCE AND ACCOUNTABILITY

Finance-Related Legal and Contractual Provisions

- In accordance with GASB Statement No. 38, "Certain Financial Statement Note Disclosures," violations of finance-related legal and contractual provisions, if any, are reported below, along with actions taken to address such violations:

<u>Violation</u>	<u>Action Taken</u>
None Reported	Not applicable

Deficit Fund Balance or Fund Net Position of Individual Funds

- Following are funds having deficit fund balances or net position at year end, if any, along with remarks which address such deficits:

<u>Fund Name</u>	<u>Deficit Amount</u>
None Reported	Not applicable

Budgets and Budgetary Accounting

- The budget is formally adopted by ordinance by the Mayor and Council members before September 30 of each fiscal year.

NOTE III. DEPOSITS AND INVESTMENTS

The Town's funds are required to be deposited and invested under the terms of a depository contract. The depository bank deposits for safekeeping and trust with the Town's agent bank approved pledged securities in an amount sufficient to protect Town funds on a day-to-day basis during the period of the contract. The pledge of approved securities is waived only to the extent of the depository banks dollar amount of Federal Deposit Insurance Corporation ("FDIC") insurance.

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

- Cash Deposits – At September 30, 2023, the carrying amount of the Town’s deposits (cash, certificates of deposit, and interest-bearing savings accounts included in temporary investments) was \$66,681.

NOTE IV. RECEIVABLES

Receivables at September 30, 2023 for the government’s individual major fund is as follows. There is no allowance for uncollectible accounts.

• Sales Taxes Receivable	\$ 18,455
• Franchise Fees – Solid Waste	<u>1,330</u>
• Total Receivables	<u>\$ 19,791</u>

NOTE V. CAPITAL ASSETS

Currently, the Town has no depreciable assets. There is one capital project ongoing and classified as Construction in Progress, which is the Town Hall remodel. Once this project is complete, it will be a depreciable asset. FY 2022 and FY 2023 costs associated with this project were \$36,187. Planned completion date is in FY 2024.

Land donated for the Town Hall site is the other capital asset. Appraised value at the donation date was \$100,000.

NOTE VI. LONG-TERM OBLIGATIONS

The Town has no long-term obligations as of September 30, 2023.

NOTE VII. OPERATING LEASE

The Town has no substantial operating leases.

NOTE VIII. INSURANCE COVERAGE

In accordance with the state statute, the Town is protected against unanticipated catastrophic individual or aggregate loss by stop-loss coverage carried through Texas Municipal League, a commercial insurer licensed or eligible to do business in Texas in accordance with the Texas Insurance Code. Stop-loss coverage was in effect for individual claims not to exceed \$500,000 and for aggregate loss of \$1,000,000. According to the latest actuarial opinion

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

dated October 1, 2023, the unfunded claim benefit obligation included no reported claims that were unpaid and no estimated claims incurred, but not reported.

NOTE IX. RISK MANAGEMENT COVERAGE

The Town is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Town has general liability coverage at a cost that is considered to be economically justifiable by joining together with other governmental entities in the State as a member of the Texas Municipal League Intergovernmental Risk Pool (“TML”). TML is a self-funded pool operating as a common risk management and insurance program. The Town pays an annual premium to TML for its above coverage. The agreement for the formation of TML provides that TML will be self-sustaining through member premiums and will reinsure through commercial companies for claims in excess of acceptable risk levels; however, each category has its own level of reinsurance. The Town continues to carry commercial coinsurance for other risk of loss. There were no significant reductions in commercial insurance coverage in the past fiscal year and settled claims resulting from these risks have not exceeded coverage in any of the past three years.

NOTE X. LITIGATION

Currently management is unaware of significant pending litigation against the Town.

NOTE XI. SUBSEQUENT EVENTS

The Town has evaluated all events or transactions that occurred after September 30, 2023 up through December 21, 2023, the date the financial statements were available to be issued. During this period, there were no subsequent events requiring disclosure.

NOTE XII. OTHER INFORMATION

Public Safety

- Fire: Provided by the Terrell and Union Valley Volunteer Fire Departments. Hunt and Kaufman Counties have agreed to provide fire-fighting and other related emergency services to the Town for residents of their county.
- Police: Provided by Kaufman and Hunt County Sheriffs’ Departments.
- Emergency: Hunt County EMS provides ambulance service to Poetry residents who reside in Hunt County, and Kaufman County EMS provides ambulance service to Poetry residents who reside in Kaufman County.

TOWN OF POETRY, TEXAS
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

Infrastructure

The State of Texas maintains the State Highway and Farm to Market Roads. Private roads are maintained by the residents of those roads. Repairs are typically completed under interlocal agreements with Hunt and Kaufman counties.

Utilities

- Sewer is not provided by the Town. Septic systems are individually owned by residents.
- Water is provided by Poetry Water Supply Corporation, a company not affiliated with the Town.
- Electric service is provided by Farmers Electric or Oncor, companies not affiliated with the Town.
- Trash collection was provided by AWT, Card, CRS, or Titan, companies not affiliated with the Town during FY2023. Beginning in November 2023, the Council voted to make Blackjack the exclusive vendor for solid waste for cans and small dumpsters. Blackjack is not affiliated with the Town.

TOWN OF POETRY, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES - BUDGET AND ACTUAL - GOVERNMENTAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2023

	NON-GAAP BUDGETARY BASIS			
	Budget Original	Budget Final	Actual	Variance
Revenues				
Franchise Taxes	\$ 90,000	\$ 90,000	\$ 92,546	\$ 2,546
Sales Taxes	15,000	15,000	50,615	35,615
Permits	-	-	371	371
Donations	-	-	6,290	6,290
Use of Prior Year Excess	29,398	29,398	-	(29,398)
	134,398	134,398	149,822	15,424
Expenditures				
Salary & Benefits	10,500	10,500	8,343	2,157
Bank Fees	-	-	-	-
Dues/Membership	-	-	788	(788)
Shipping & Postage	-	-	315	(315)
Required Newspaper Publications	900	900	1,659	(759)
Repair & Maint - Admin	-	-	309	(309)
Ground & Building Care	1,800	1,800	2,247	(447)
Professional Membership	1,500	1,500	484	1,016
Legal Fees	40,000	27,600	5,962	21,638
Educational Expenses	600	600	-	600
Service & Supplies	6,000	6,000	3,798	2,202
Equipment & Supplies	-	-	3,308	(3,308)
Capital Outlays	15,000	15,000	21,713	(6,713)
Audit Expense	4,250	4,250	4,250	-
Survey & Engineering	2,500	2,500	300	2,200
Information Technology	4,876	4,876	2,063	2,813
TML Insurance	1,860	1,860	3,210	(1,350)
Election Costs	10,000	12,400	6,304	6,096
Utilities	5,340	5,340	1,799	3,541
Miscellaneous	500	500	-	500
Road Fund	19,060	29,060	24,846	4,214
Rainy Day Fund	9,712	9,712	-	9,712
	134,398	134,398	91,698	42,700
Net Change in Fund Balance	-	-	58,124	58,124
Fund Balance: Beginning	26,804	26,804	26,804	
Fund Balance: Ending	\$ 26,804	\$ 26,804	\$ 84,928	

See independent auditor's report.

M **Murrey Paschall & Caperton PC**
Certified Public Accountants

December 21, 2023

To the Honorable Mayor and Members of the City Council
Town of Poetry, Texas

We have audited the financial statements of the governmental activities and each major fund of the Town of Poetry, Texas, for the year ended September 30, 2023, and have issued our report thereon dated December 21, 2023. Professional standards require that we advise you of the following matters relating to our audit.

OUR RESPONSIBILITY IN RELATION TO THE FINANCIAL STATEMENT AUDIT

As communicated in our engagement letter dated August 31, 2023, our responsibility, as described by professional standards, is to form and express an opinion(s) about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

PLANNED SCOPE AND TIMING OF THE AUDIT

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

COMPLIANCE WITH ALL ETHICS REQUIREMENTS REGARDING INDEPENDENCE

The engagement team has complied with all relevant ethical requirements regarding independence.

SIGNIFICANT AUDIT FINDINGS

Qualitative Aspects of the City's Significant Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Town of Poetry, Texas are described in Note A to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2023. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgement and are particularly sensitive because of their significance to financial statement users. There was no long-term debt or any other sensitive disclosures to note.

The financial statement disclosures are neutral, consistent, and clear.

Significant Unusual Transactions

For purposes of this communication, professional standards require us to communicate to you significant unusual transactions identified during our audit. There were no unusual transactions noted.

Significant Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

These included adjustments to:

- An adjustment was needed to tie out the sales tax receivable to the State Comptroller reports.
- Several reclass entries were needed to record the City Hall renovation expenses to capital asset additions included in Construction in Progress at year end.
- An adjustment was needed to reverse legal expenses accrued in the prior year and then to accrue a legal invoice for the current year to accounts payable.
- An adjustment was needed to reverse franchise fees accrued in the prior year and then to accrue a franchise fee invoice for the current year to accounts receivable.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 21, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Town of Poetry, Texas's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Town of Poetry, Texas's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

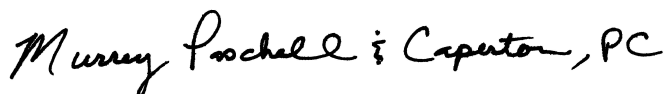
OTHER MATTERS

We applied certain limited procedures to the MD&A, Budget and Actual schedules by fund type, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

RESTRICTION ON USE

This information is intended solely for the information and use of the Honorable Mayor and City Council and management of the Town of Poetry, Texas and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,



Murrey Paschall & Caperton, P.C.



Statement of Qualifications for
**ENGINEERING and
ARCHITECTURAL SERVICES**

PARTNERING FIRMS

SC Architecture
Shipp Engineering Services

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Company Profile

Exceed Engineering is a multi-state registered design firm established in 2016 to provide specialized multi-professional design services. With two locations in East Texas, Exceed has experienced rapid growth in response to our innovative approach combining architectural, engineering and construction services. Our portfolio of projects includes K-12 education, churches, recreational facilities, government, industrial, corporate and commercial, retail, and healthcare. We are committed to develop practical, technically reliable and cost-effective project solutions for our clients.



OUR SERVICES

Preliminary Phase

- Preliminary Design and Budget Preparation
- Engineering Feasibility Report
- Surveying and 3-D Scanning
- Geotechnical Investigation
- Permitting

Design Phase

- Design Drawing Preparation and Specification
- Plan Reviews and Regulatory
- Client Correspondence
- Update Project Budget

Bid Phase

- Contract Bid Documents Preparation
- Newspaper Publication Submittal
- Notifications to Qualified Contractors, Suppliers and Plan Rooms
- Bid Documents Distribution
- Bid Opening
- Low Bidder Reference Check

Construction Phase

- Preconstruction Conference
- Construction Contract Administration
- On-site Representation
- Site Visits
- Close-Out Documentations, including Record Drawings
- O&M Manual Preparation

Exceeding Client Expectations.

Offering professional service and engineering that exceeds the quality, economic and deadline requirements of each individual project.

Technology

AutoCAD
AutoCAD Architectural
AutoCAD Civil 3D
AutoCAD MEP
AutoDesk Storm and Sanitary
AutoDesk Recap
BlueBeam
Hilti Profis
MS Office Suite
MS Project
Revit
Risa 3D

OUR CORE TEAM



Ray M. Thomas

Owner/Registered Professional Engineer

Ray Thomas is co-owner of Exceed Engineering, LLC. Ray is a graduate from University of Texas at Tyler with a Bachelor of Science in Civil Engineering. He has 15 years of experience in project management, civil-structural engineering and design. Ray has engineered schools, commercial buildings, Petro/chemical and agricultural structures and industrial projects of many types.



Ray D. Brumley

Owner/Project Manager

Ray Brumley is co-owner of Exceed Engineering, LLC. Ray serves as Project Manager, Production Manager and Construction Manager. He has over 33 years of experience in most all areas of the design and construction industry. His background includes the design, bid, and development of educational, commercial, industrial, municipal and residential projects.

Eric Roberts

Registered Professional Engineer, Project Manager

Eric Roberts has over 11 years of experience spanning mechanical design and design specification engineering and project management. Projects include Petro/chemical upstream facilities, schools, office buildings, industrial buildings, industrial HVAC, commercial kitchens and manufacturing facilities. Eric received his Bachelor of Science in Mechanical Engineering from the University of Texas at Tyler. He joined the Exceed team in 2021 after working extensively with the company in a consulting capacity.



Matt Taylor

Registered Professional Engineer, Civil and Structural

Matt Taylor is a graduate from the University of Texas at Tyler with a Bachelor of Science in Civil Engineering. He has 8 years of experience in structural engineering and design and has worked on residential, commercial and industrial projects of various sizes. Matt has been an engineer with Exceed Engineering since 2018 where he has widely focused his efforts in structural engineering including foundation design and wood and steel frame construction. Matt has also been integral in assisting with management and design review of Exceed's Engineers in Training program.



Shelby Knight-Eskandani

Engineer in Training (EIT)

Shelby Knight-Eskandani has an Associates of Business Administration from Tyler Junior College and a Bachelor of Science in Civil Engineering from the University of Texas at Tyler. In her role as an Engineer in Training, Shelby has assisted in the design of foundations, retaining walls, wood framing design and steel design. Relevant municipal projects include a Troup Hwy Valve House Roof and Platform for City of Tyler, Longview City wide Parks Improvements and the City of Palestine Water Treatment Plant Improvements.





SC Architecture-Gator Waders Headquarters



SC Architecture-Zippy J's Convenience Stores



SC Architecture-Smith County Children's Advocacy Center

Quality Assurance

Exceed Engineering prioritizes high quality engineering design and construction. Our engineering team tracks professional development hours to stay compliant with licensing regulations and the firm carries \$2,000,000 professional liability insurance. Designs are peer reviewed and every drawing package undergoes senior level engineering review prior to being issued for construction. Client reviews are conducted at 30/60/90 percent complete intervals to keep the client abreast of progress and discuss desired adjustments to the scope.

Exceed has never had a claim filed against our "Professional Error and Omissions" insurance.

Consultants

Consultant relationships are integral to our company's success. Exceed partners with professional architects, **SC Architecture** (see photos above) as well as outside registered engineers, surveyors, geotechnical engineers and landscape designers. Communication with consultants is priority for understanding clients' vision for the current work as well as needs and goals for future expansion. Communication continues throughout the project as needs evolve and effective, affordable design alternatives are offered.

Exceed Engineering is a multi-discipline design firm that provides engineering and architectural services to municipalities, state agencies and the private sector.

Innovative Solutions

Engineers are born problem-solvers and try to look at every project from multiple angles to determine the best course of action. Innovative solutions come from experience and testing. Familiarity with the materials, working many years across multiple site locations and with varied soil structures helps Exceed to create stable and safe structures for our clients. Listening to the needs of clients can bring about a new approach to problems that arise.

Options are an important part of addressing budgetary concerns. While engineers may have a reputation of putting function over form, we have found that partnering with architectural consultants has improved our form and allows us to create designs that are both economical and attractive.

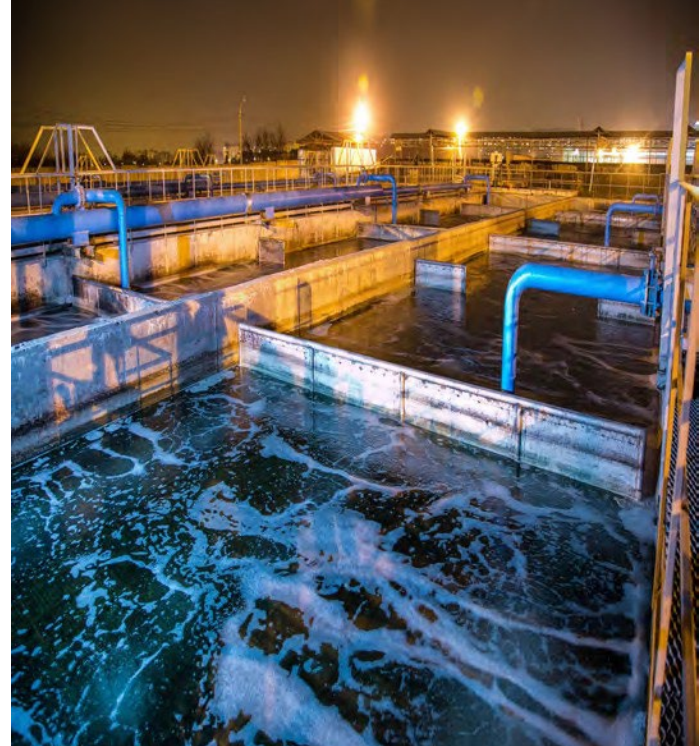
Our affiliate firm, **RDR Construction**, allows us to frequently be directly involved in the construction of our engineered designs. This has led to tremendous growth in our understanding of how engineered designs do not stand alone on paper but come to life in the field.

Value Engineering

Value engineering is a combination of function and cost. Gathering information takes place at the beginning of a project prior to design. Functional analysis identifies the goals of the project and subsequent generating of alternative solutions adds value. These creative ideas have to be evaluated and presented clearly to stakeholders for the process of value engineering to be complete. Exceed uses experience, best management practices and industry standards to produce consistent value for our clients.

Vision for Growth

Because Exceed frequently works with municipalities and schools, we have an acute understanding of yearly budget structure. We know how to be flexible when it comes to the timing of projects to coincide with budgets and bonds and we design for future expansion as need grows and funds become available.

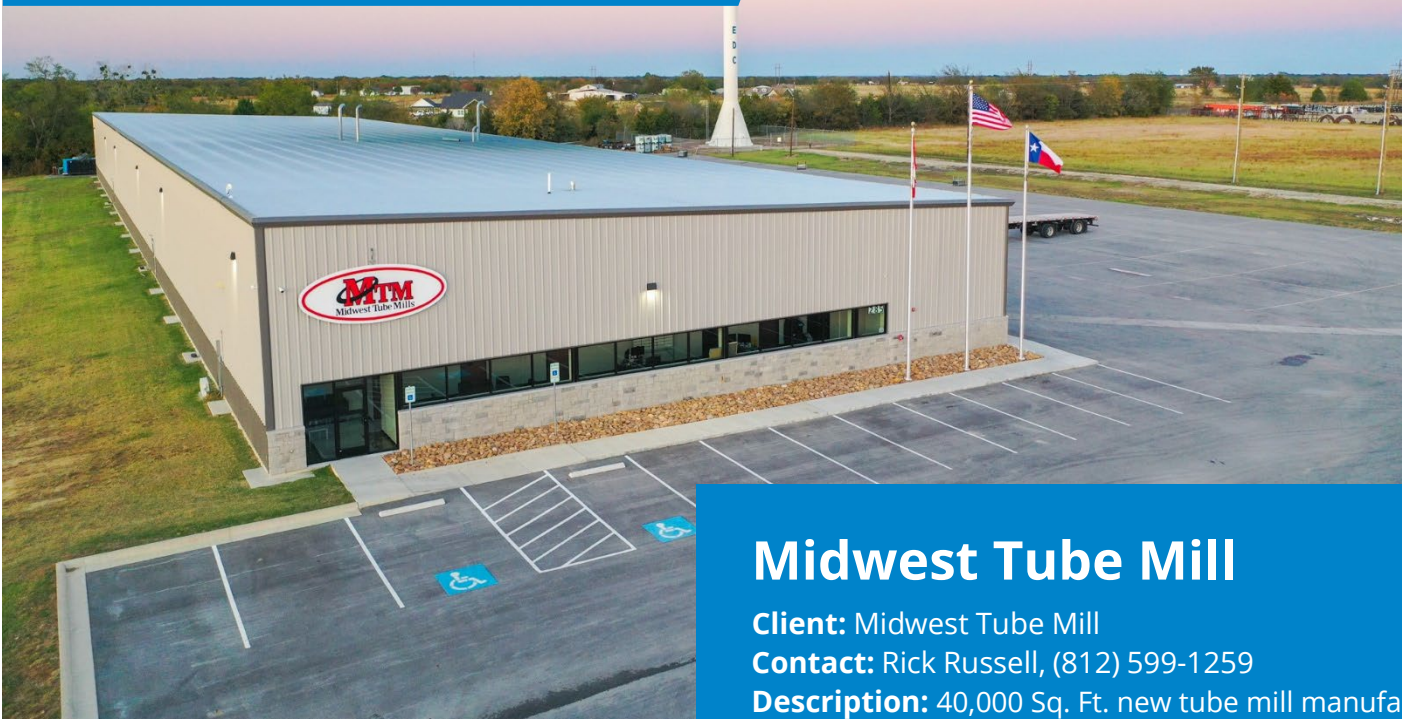


Commercial. Industrial. Residential.

Our projects include schools, industrial structures, single and multi-story office buildings, restaurants, commercial, retail, municipal water and sewer systems, and manufacturing facilities.



Projects



Midwest Tube Mill

Client: Midwest Tube Mill

Contact: Rick Russell, (812) 599-1259

Description: 40,000 Sq. Ft. new tube mill manufacturing headquarters including workshop, offices, meeting rooms and area paving



Canton City Hall

Client: City of Canton, Canton TX

Contact: Lonny Cluck, City Manager (903) 567-1841

Budget: 1.2 Million

Description: 8,600 Sq. Ft. new City Hall including city block paving and sidewalk improvements

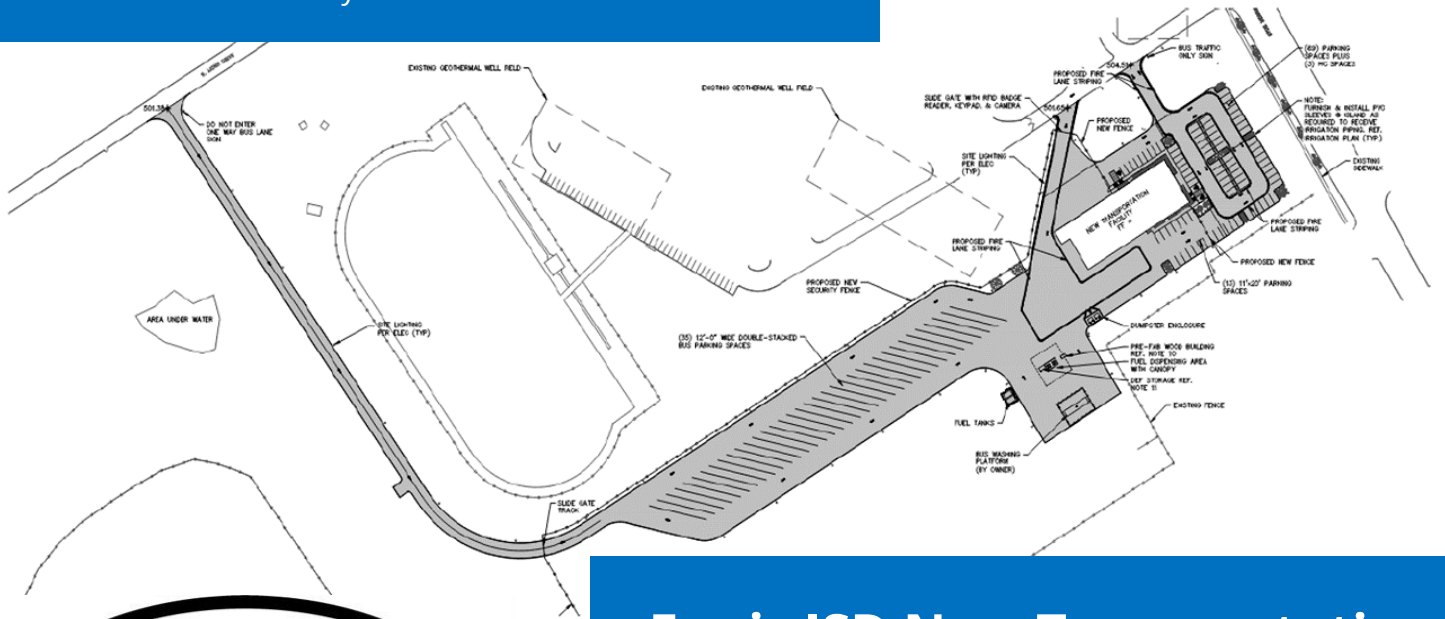


Wills Point ISD Terrace Dr Improvements

Client: Wills Point ISD

Contact: Jeff Russell, (903) 873- 5100 EXT 7003

Description: Engineering and design services as need to remove and replace existing asphalt roadway (Terrace Drive) with new concrete roadway. 1500 LF and 29' wide.



Ennis ISD New Transportation Facility

Client: Ennis ISD

Contact: Jay Tullos, Superintendent, (972) 872- 7000

Description: Engineering and design of 10,000 SQ Ft. of workshop, 6,000 Sq Ft of office space, and 9,200 Sq. Ft of remodel. Also, 4.5 acres of pavement and .10 miles of Lyons Lane extension.



West Texas Roadway Improvements

Client: Blue Origin, TX

Contact: Lucas Lizana, (228) 424-1904

Description: Ground control, ariel survey, civil engineering, hydraulic model, and cost estimate of proposed improvements.



Mill Creek Ranch Rd Improvements

Client: Mill Creek Lodge (Canton, TX)

Contact: Norm Bissonette, (903) 502-5401

Description: Civil engineering and design, drainage improvements, storm water prevention plan, bid solicitation, and contract preparation.



City Of Canton Side Circle & Amy Improvements

Client: City Of Canton

Contact: Lonny Cluck, City Manager (903) 567-1841

Description: Preliminary, design, bid, and construction administration phase services for the reconstruction of Sides Circle and Amy Street including the relocation of water/sewer lines and the new roadway surface.

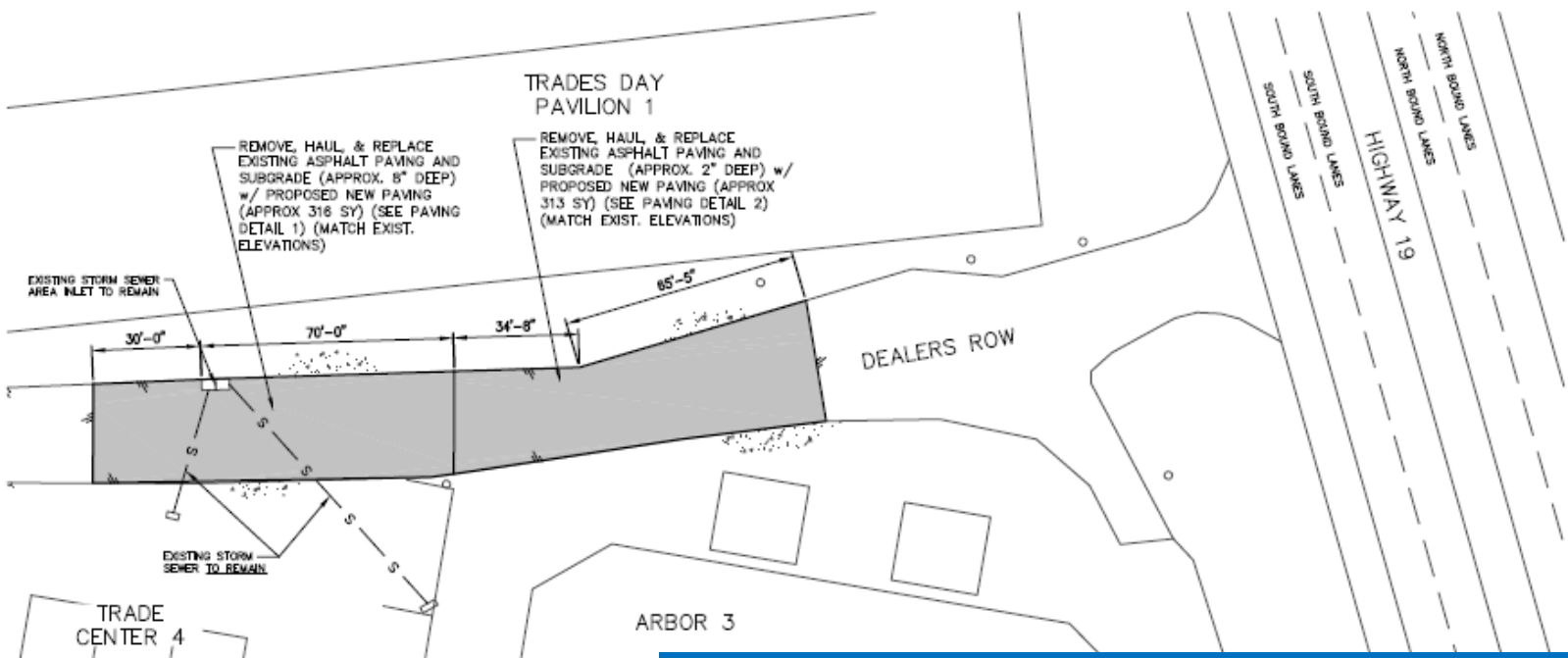


City Of Oak Ridge- Oak Lane Improvements

Client: City of Oak Ridge

Contact: Al Rudin, Mayor (972) 932-3400

Description: Preliminary, design, civil engineering, topo survey, and sealed drawing for Oak Lane Road Improvements.

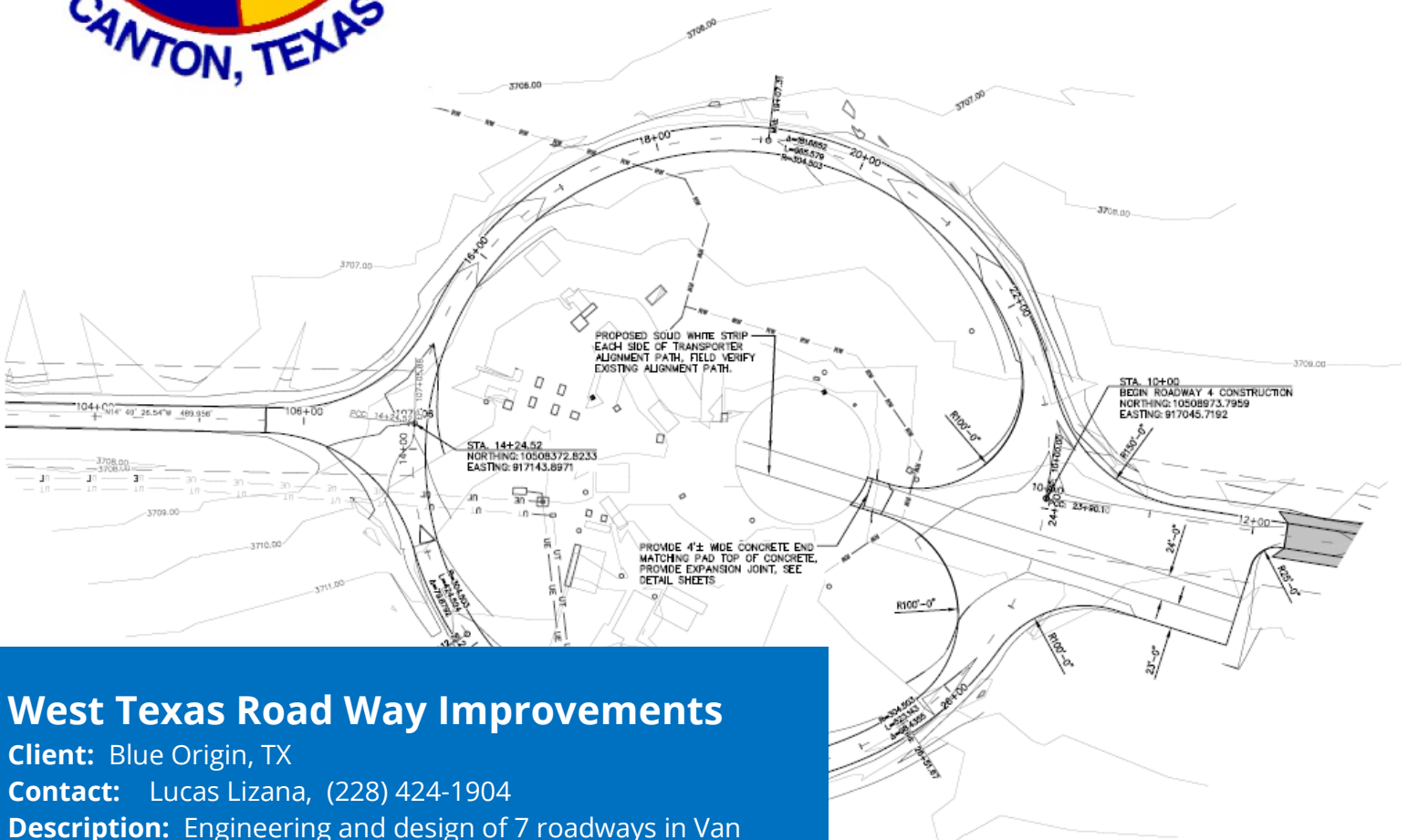


City Of Canton First Monday Pavement Improvements

Client: City Of Canton

Contact: Lonny Cluck, City Manager (903) 567-1841

Description: Pavement improvements for First Monday Trade Days.



West Texas Road Way Improvements

Client: Blue Origin, TX

Contact: Lucas Lizana, (228) 424-1904

Description: Engineering and design of 7 roadways in Van Horn, TX roughly 15 Miles.

Additional Projects

Municipal Projects

Canton Goshen Street Improvements
Cherry Creek Park Development
Canton Fire Dept. Station Upgrades
Canton Area Sewer System Improvements
Canton CDBG Utility Improvements
City of Van Utility Improvements
City of Canton- Water Model
City of Ferris- Fire Station
City of Maybank- Water Treatment Risk Plan

School Projects

Canton ISD Jr. High Expansion
Canton Agricultural Education Building
Fruitvale ISD Administration Building
Ennis ISD DAEP Facility
Wills Points ISD Primary School Roof Improvements
Martin's Mill ISD HVAC Improvements
Canton ISD- Trail Erosion Repairs

East Texas Commercial Projects

Madix
Mid-West Tube Mill
Ben Curtis Dental Office
VZ County ESD #4 Fire Department
Biomerics FMI Headquarters
Mill Creek Road Improvements
Corinth WSC Water System Evaluation
Mill Creek Lodge Improvements

West Texas Commercial Projects

9000 sq ft Aircraft Hanger
7000 sq ft Office Facility
32,000 Sq Ft Warehouse
Water Systems Improvements

Tyler Area-SC Architecture

Calvary Chapel, 7500 sq ft
Capstone Court, 20,000 sq ft complex
City of Tyler Faulker Baseball Complex
Haverhill Apartments and Clubhouse
NobiliTea Shops, multi locations
Residence Papillon, Multi family
Shelton Professional Building, 6,800 sq ft
TA Express Convenience, multi locations
Tyler Eye Care Clinic, 14,000



References

Canton ISD

**Dr. Brian Nichols, Superintendent
(903) 567-1851**

Ennis ISD

**Dr. Jay Tullos, Superintendent
(972) 872-7000**

City of Canton

**Mr. Lonny Cluck, City Manager
(903) 561-1841**

Midwest Tube Mill

**Mr. Rick Russell, Owner
(812) 599-1259**

Blue Origin, TX

**Mr. Lucas Lizana, Construction Project Manager
(228) 424-1904**

City Of Ferris

**Brian Horton, Fire Chief
(972) 544-2110**

City of Van

**Kevin Johnson, Director of Public Safety
(903) 963-7216**

Corinth Water Supply Corporation

**Mickey Lewis, Board President
(903) 752-0821**



**2024 Monthly Clean-up/Collection Events
for Kaufman County Residents**

Pct 1	Pct 2	Pct 3	Pct 4	Pct 4
City of Kaufman/Kaufman County - Convenience Station	Forney Road & Bridge Maintenance Facility	Terrell Convenience Station	Kemp ECO Station	Scurry
701 Alton St, Kaufman (972) 932-2161	12051 Pct Circle, Forney (972) 703-2626	287 FM 429, Terrell (972) 703-2626	6520 Plainview Dr, Kemp (903) 289-9881	Downtown Scurry at the corner of HWY 34 and S. Raguet St. (across from Sloans SuperSave)
January 6th, 2024 8:00am - 4:00pm	February 3rd, 2024 8:00am - 4:00pm	March 2nd, 2024 8:00am - 4:00pm	April 6th, 2024 8:00am - 4:00pm	April 20th, 2024 8:00am - 4:00pm
May 4th, 2024 8:00am - 4:00pm	June 1st, 2024 8:00am - 4:00pm	July 6th, 2024 8:00am - 4:00pm	August 3rd, 2024 8:00am - 4:00pm	
September 7th, 2024 from 8:00am - 4:00pm	October 5th, 2024 8:00am - 4:00pm	November 2nd, 2024 8:00am - 4:00pm	December 7th, 2024 8:00am - 4:00pm	

Items taken at all locations for free during cleanup/collection events: Mattresses, Furniture, Appliances, Trash & Recyclables
******NO CONSTRUCTION DEBRIS/DUMP TRAILERS/NO ENCLOSED OR CATTLE TRAILERS******

Tires will be accepted for free on April 6th, April 20th, May 4th, June 10th & July 6th
******Limit 10 per household until truck is full, Passenger vehicle tires only. (NO RIMS ALLOWED)******

Kaufman Convenience Station will be open for you to bring items that are not being collected at the free event.
 Check out www.kaufmancounty.net for regular pricing. Coupons will need to be purchased by Friday at 4:30pm

[At all locations the following items can be collected for a charge on the day of the event:](#)
[Tires, TV's, Computers, Microwaves, Latex Paint, Pesticide Containers, Hazardous household waste.](#)
[Check www.blackjackdisposal.com for pricing!](http://www.blackjackdisposal.com)

Items that will not be accepted:
 Barbed wire, Bricks, Concrete, Construction Materials, Rock, Roofing Shingles, Brush, Boats, Travel Trailers, &
 Dead Animals (of any Kind)

Proof of residence will be required at all locations (Drivers License or Water Bill)
 Managed by Blackjack Disposal

Nichols, Jackson, Dillard, Hager & Smith L.L.P.
 500 N Akard St.
 Suite 1800
 Dallas, TX 75201 USA
 214-965-9900 Tax ID: 75-0861592

TOWN OF POETRY
 TX USA

Date: 12/31/2023
 Ref.: 3089.000
 Bill #: 50108

RE: General Legal Services

Attention: Mayor Tara Senkevech

Date	Init	Description of Service	Hours	Amount
12/08/2023	DMB	Review, revision and transmittal of solid waste collection franchise agreement.	0.50	97.50
12/09/2023	DMB	Revision and transmittal of solid waste collection franchise agreement, email to mayor.	0.50	97.50
12/15/2023	DMB	Emails to mayor and council member (TF) re confidential information and conflicts of interest.	0.50	97.50
12/21/2023	DMB	Email to mayor with draft language for notice of violation	0.25	48.75
12/28/2023	DMB	Email to mayor re SB 2038, ETJ petitions.	0.25	48.75
		Our Fee	2.00	390.00

Time Summary

Lawyer Initials	Rate	Hrs	Amount
DMB	195.00	2.00	390.00
Total Fees and Disbursements			390.00
TOTAL			390.00
Net Amount Owing on This Bill			390.00

Statement of Account

Prior Balance	1,171.03
Payments & Adjustments	-1,171.03
Current Fees	390.00
Amount Due and Owing to Date	\$390.00

Nichols, Jackson, Dillard, Hager & Smith L.L.P.
Attorneys & Counselors at Law
500 N Akard St.
Suite 1800
Dallas, TX 75201 USA
214-965-9900
Fax (214) 965-0010
E-mail NJDHS@NJDHS.com

Dec 31, 2023

Client: 3089

TOWN OF POETRY
TX USA

MATTER STATUS

	Prior Balance	Payments Adjustments	Current Charges	Total
3089.000 General Legal Services	1,171.03	-1,171.03	390.00	390.00
Total	1,171.03	-1,171.03	390.00	390.00

TOWN OF POETRY, TEXAS



STATEMENT OF QUALIFICATIONS For Professional Engineering Services

CITY ENGINEERING SERVICES

Closing Date & Time
Tuesday, December 12, 2023 – 5:00pm

BIRKHOFF, HENDRICKS & CARTER, L.L.P.

PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600, Dallas, Texas 75243

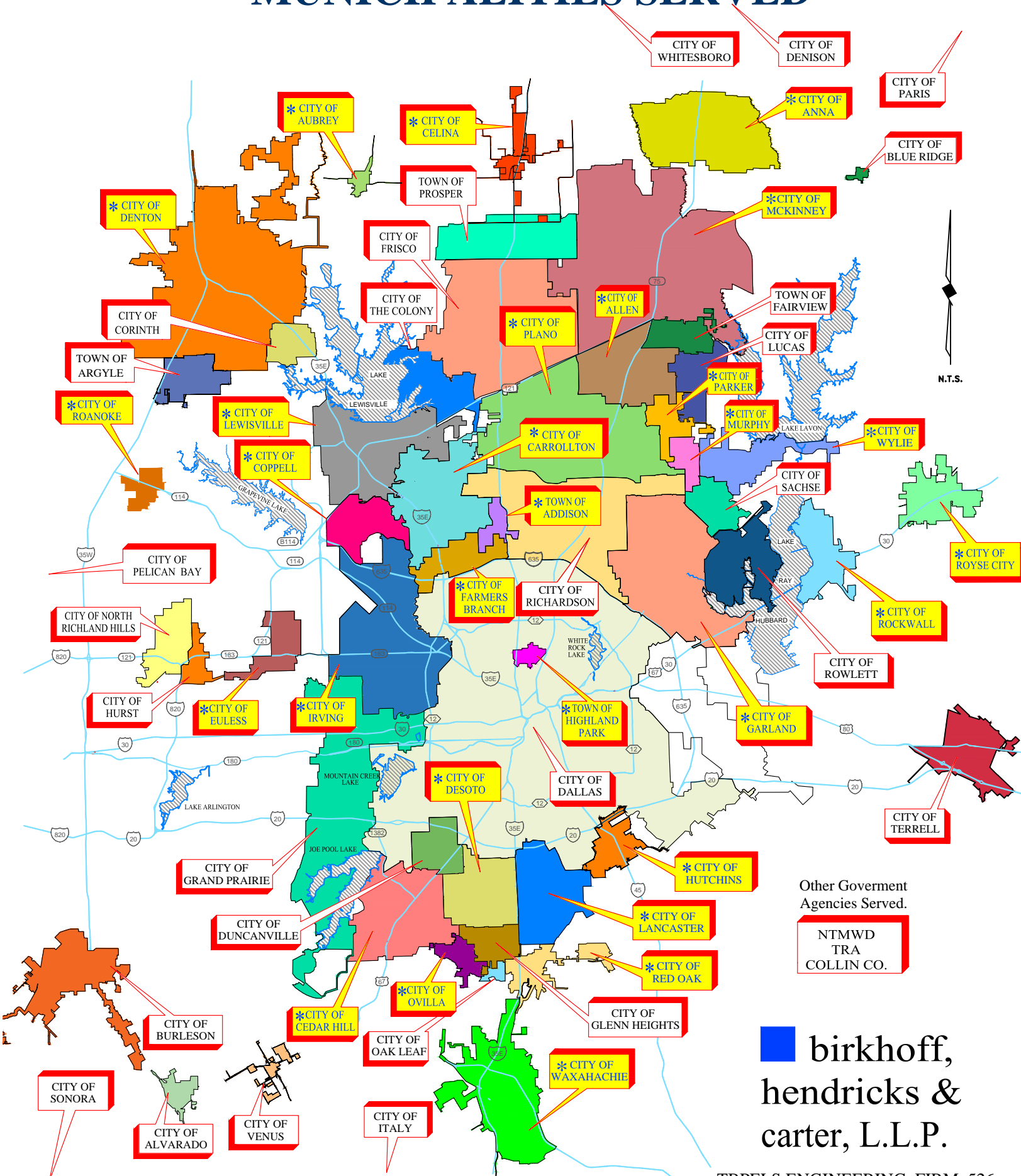
TBPE Firm 526; TBPLS Firm 100318-00

Phone (214) 361-7900; Fax (214) 461-8390

Contact: Gary C. Hendricks, P.E., R.P.L.S.

ghendricks@bhcllp.com

MUNICIPALITIES SERVED



Other Government Agencies Served.
 NTMWD
 TRA
 COLLIN CO.

**birkhoff,
hendricks &
carter, L.L.P.**

* Water and Wastewater Master Plans Or Impact Fee Studies completed by Birkhoff, Hendricks & Carter, L.L.P.

TBPELS ENGINEERING FIRM 526
 TBPELS SURVEY FIRM 100318-00
 11910 Greenville Ave., Suite 600
 Dallas, Texas - (214) 361-7900

Table of Contents

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Section 2. Service Approach

Section 3. Innovative Techniques or Methodology

Section 4. Scope of Work and Schedule

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Section 6. Firm's Current Workload

Section 7. References

Section 8. Completed Conflict of Interest Questionnaire

Section 9. Letters of Recommendation

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone: (214) 361-7900

Fax: (214) 461-8390

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E., R.P.L.S.
JOE R. CARTER, P.E.
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.
COOPER E. REINBOLD, P.E.

Re: City Engineering Services

Birkhoff, Hendricks & Carter, L.L.P. has excelled in Municipal Engineering since 1969, providing professional engineering services to municipalities and other governmental agencies. We have maintained that focus of municipal engineering for the past 54 years.

We include specialized sub-consultants that we have long-term relationships with to supplement what we do not have on staff. The Birkhoff, Hendricks & Carter professionals listed for this project will be the people on the ground throughout the our professional relationship with the Town of Poetry.

We encourage the selection committee to contact the following references when considering our Statement of Qualifications:

Mr. Gary Machado
Public Works Director
City of Parker, Texas
5700 East Parker Road
Parker, Texas 76084
(972) 442-6811 ext. 235
GMachado@parkertexas.org

Mr. David Bailey
Senior Director of Utilities
City of Waxahachie
P. O. Box 757
Waxahachie, Texas 75168
(469) 309-4321
dbailey@waxahachie.com

Ms. Leanne Wilson.
Director of Public Works
City of Aubrey, Texas
107 S. Main Street
Aubrey, Texas 76227
(940) 440-9343 ext. 108
LVilson@aubreytx.gov

STATEMENT OF INTEREST

The undersigned, in submitting this RFQ and endorsement of same, represents that they are authorized to obligate his firm. The undersigned certifies that sufficient personnel, equipment, and time resources are available and can be committed to the Town of Poetry.



Digitally signed by Gary C. Hendricks, P.E., R.P.L.S.
DN: C=US, E=ghendricks@bhcllp.com, O="Birkhoff, Hendricks & Carter, LLP", CN="Gary C. Hendricks, P.E., R.P.L.S"
Location: Dallas, TX
Reason: I am the author of this document
Contact Info: 214.769.5705
Date: 2023.12.12 15:21:53-06'00'

Gary C. Hendricks, P.E., R.P.L.S.
Alternate Managing Partner
ghendricks@bhcllp.com

Section 1 – Introduction – Executive Summary

BACKGROUND

Birkhoff, Hendricks & Carter, L.L.P. (BHC) roots were founded in Dallas, Texas in 1969 to provide Professional Engineering Services to municipalities and other governmental agencies. After 54 years, our focus remains the same, dedicated to providing quality consulting engineering services for small and medium-sized municipalities and other governmental agencies. Our focus on municipal engineering eliminates potential conflicts of interest that can occur with firms who participate in private development work.

Birkhoff, Hendricks & Carter, L.L.P. has been providing professional engineering services to municipalities as a Texas Partnership for 54 years, under the following names:

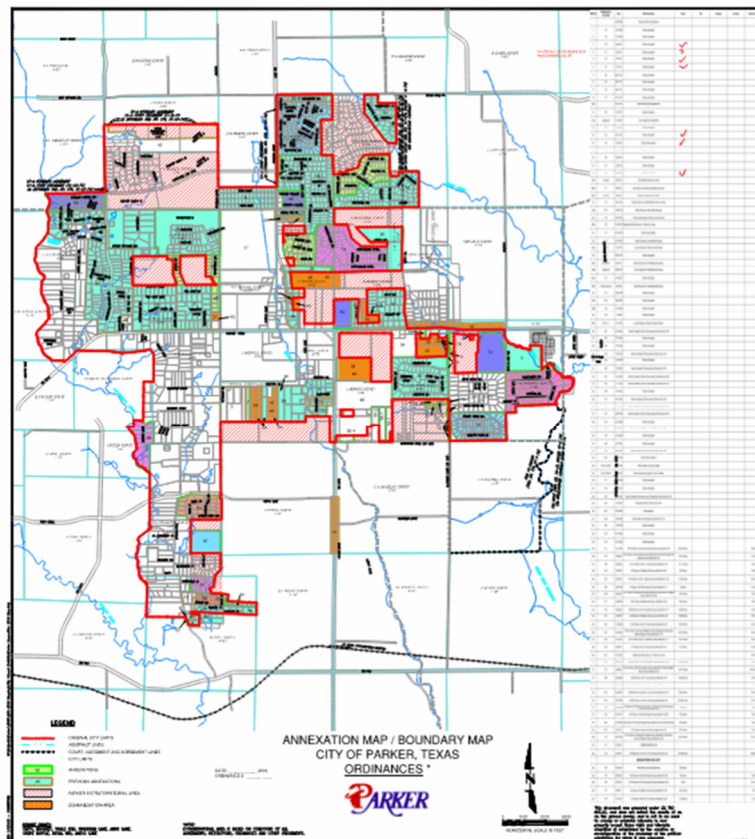
- Shimek, Roming, Jacobs & Finklea July 1969 – 1976
- Shimek, Jacobs & Finklea September 1976 – 1996
- Shimek, Jacobs & Finklea, L.L.P. August 1996 – 2001
- Birkhoff, Hendricks & Conway, L.L.P. May 2001 – 2010
- Birkhoff, Hendricks & Carter, L.L.P. February 1, 2010 – Present

The partnership has transitioned ownership gradually over time with the current name being Birkhoff, Hendricks & Carter, L.L.P. Currently, the partnership is made up of seven (7) partners, all of whom are professional engineers and fully active in the day-to-day operation of the firm.

FIRM LOCATION

11910 Greenville Avenue Ste. 600
Dallas, Texas 75243
214-361-7900
www.bhcllp.com

Sample Map
City of Parker Annexation Map



Section 2 – Service Approach

CLIENT SERVICE APPROACH

It is our understanding that the requested services will include a wide variety of engineering and surveying services. The scope outlined is very similar to the type of work we provide. We have been successful at completing such a wide variety of projects utilizing a client-based approach and not a project specific approach.

The client approach establishes project managers experienced in municipal engineering, supported by a technical staff of civil engineers, electrical engineers, environmental engineers, geotechnical engineers, professional land surveyors, structural engineers, surveyors, CAD design technicians, drafters, and word processors.

This approach allows continuity through all projects and provides consistent construction plans, studies and reports for staff, work crews or contractors to work from.

Disciplines which are not on our permanent staff are obtained through specialized subconsultants. We have been successful accomplishing projects utilizing experienced competent subconsultants with specialized knowledge. The project engineer maintains full control of projects. Generally, no interface occurs between a subconsultant and client. The interface occurs with the project engineers to eliminate miscommunications. Further, we have found this approach to be economical for clients since we can keep our overhead down and our subconsultants maintain reasonable fees working under our firm.

Birkhoff, Hendricks & Carter, L.L.P. has the required technical staff and resources to complete municipal projects. Our 54-year track record with a stable and trained technical staff allows us to achieve successful projects for municipalities.

QUALITY ASSURANCE / QUALITY CONTROL PLAN

QUALITY POLICY

Birkhoff, Hendricks & Carter, L.L.P. is committed to providing a quality product to our clients. This can be achieved through a systematic process to uphold the firm's work practices and procedures.

PROCESS

At inception of the project, the Project Manager shall clearly identify the objectives, requirements, milestone dates and operating procedures for the project and share them with the members of the design team. The project manager shall also meet with the design team periodically throughout the project to update the design team. At no time shall plans be released from Birkhoff, Hendricks & Carter, L.L.P. without QA/QC review:

- **Level 1 Review**

The QA/QC staff member shall either be a senior technician or engineer-in-training appointed by the drafting coordinator to complete initial check of data in the electronic drawing files and review the quality of drafting for conformance with the firm's drafting

standards. The QA/QC staff member shall use the firm's quality control checklist for checking the electronic drawing files. The checklist shall be provided to the project manager at completion of the QA/QC check. Checklists are available for the following project types:

- ◇ Elevated & Ground Storage Tanks
- ◇ Sanitary Sewer Lines / Force Mains
- ◇ Pump Stations/Lift Stations
- ◇ Water Lines
- ◇ Paving and Drainage

If in the opinion of the project manager, the quality control checklists are not specific enough for their project, the project manager shall prepare a project-specific quality control checklist and distribute it to the appointed QA/QC staff member.

- **Level 2 Review**

The project manager shall perform a concurrent review of the plans to check engineering related items, including but not limited to engineering design, calculations, and coordination with subconsultants and utility companies. At completion of review by the project manager and QA/QC staff member, they shall meet with the primary CAD technician for the project to discuss the revisions. Review comments shall be incorporated into the plans and the revised plans issued to the project manager and QA/QC staff member for final review prior to being released by the firm.

- **Level 3 Review**

On a random basis, determined by the Managing Partner and Project Manager, plans will be sent to an independent third party for review.

PROVIDE SERVICES IN A TIMELY MANNER & WITHIN BUDGET

Birkhoff, Hendricks & Carter, L.L.P. specializes in municipal and governmental engineering without overextending the firm. This allows us to provide the level of service our clients deserve. We complete projects on schedule and within the budget of the original scope of services. This FACT is best demonstrated by the repeat client business that we obtain from our clients. We focus on clients and not on every project that comes along. Such a specialization requires repeat clientele. To achieve repeat business from clients, we provide quality service, on-time performance, in budget projects and quick response to the client. This formula has been successful for over 54 years and continues to work successfully.

Birkhoff, Hendricks & Carter, L.L.P.'s current and future workload will allow us to provide the staff to meet the City's needs. Our engineering and technical staff is trained in municipal engineering, and each can perform various types of projects, from water and sewer to paving and drainage.

Section 3 – Innovative Techniques or Methodology

Birkhoff, Hendricks & Carter, LLP uses all current software to aid in the gathering of information and design process.

- 10 – CAD Design Workstations
- 8 – CAD Design Laptops
- 6 – Engineering Workstations
- 3 – Engineering Laptops
- 4 - Windows Servers
- 1 – Linux FTP Server
- 1 – Laserfiche Server
- 4 – NAS Drives for Local Backup & Offsite Backup
- HP DesignJet T1200 42” Wide Color Plotter
- HP DesignJet T930 36” Wide Color Plotter
- Canon AdvColor 5035
- Network Copy/Scan/Print Center
- Canon AdvColor 7055
- Network Copy/Scan/Print Center
- Canon AdvColor 5250
- Network Copy/Scan/Print Center
- Logix FiberOptic Internet Service
- NEC SL1100 phone system
- SonicWall TZ 400 Network Security Appliance
- Firewall and VPN serices
- 4 -Wireless Anker Conference Speakerphones
- 1 – Polycom Conference Speakerphone
- Sony Alpha a6000 Video Conf Camera
- Black Magic ATEM Mini Pro
- Autodesk Architecture Engineering & Construction Collection
- AutoCAD, AutoCAD Map, Civil 3D, Vehicle Tracking, and Revit
- ESRI ArcView and ArcPro
- InnoVize InfoWater Pro (Water Distribution Model)
- InnoVize InfoSewer Pro (Wastewater Model)
- InnoVize XPSWMM Complete (Storm Water Hydraulics Analysis)
- HEC-2, HEC-HMS, HEC-RAS, TR55
- Thysys (Storm Drainage Model)
- TNM (Traffic Noise Model)
- Deed Plotter (Deed Analyzer and Closure)
- LaserFiche (Archive Document Retrieval)
- BlueBeam Revu Standard
- Office 365 Business Premium & Microsoft Office 2010 Professional
- Windows Server 2016
- Outlook 365 Email
- Windows Pro 10 (Computer OS) 64 bit
- PaperPort Deluxe
- Adobe Acrobat Standard
- FTP Access
- Sophos Central & Mail route Continuity Email Protection
- Cisco Duo MFT Authentication

We are in consistent communication with vendors regarding innovative products that could benefit the City. However, we do not recommend any new development to the City until we have a firm knowledge that it will function as intended.

Section 4 – Scope of Work and Schedule

Birkhoff, Hendricks and Carter, LLP has provided *civil engineering services exclusively to municipalities in the DFW area* for the last 54 years. For each City, our role is tailored to meet their individual needs. As City Engineer for various municipalities, we are responsible for development and drainage reviews, creating and updating Masterplans, designing CIP projects including construction administration. We provide services ranging from day-to-day engineering tasks to managing CIP programs. With ten (10) Professional Engineers, two (2) Registered Professional Land Surveyors and two (2) Certified Floodplain Managers on staff, BHC has the workforce, experience, and dedication to provide all the Town of Poetry's daily municipal engineering needs. Upon the occurrence of a unique scenario that requires outside expertise, we have a myriad of trusted colleagues in a variety of fields that could be utilized at any time.

We understand the Town of Poetry is a lightly populated agricultural community. Your foremost needs include:

- Road Maintenance and Repair
- Supervision/Monitoring of Franchise Utilities

The Town Engineer's responsibilities may include, but are not limited to:

- Review and Evaluation of Drainage Matters
- Street Construction, Maintenance and Repairs
- Street Right of Way Evaluation and Management consultation
- Development Review and Permitting

The BCH Team is familiar with this type of work and provide very similar services to the City of Parker and the City of Aubrey.

Section 5.a - Qualifications

A. FIRM'S PROFILE & HISTORY

Birkhoff, Hendricks & Carter, L.L.P. (BHC) was founded in Dallas, Texas in 1969 to provide professional engineering services to municipalities and governmental agencies. 54 years later, our focus remains the same, dedicated to providing quality consulting engineering services to small and medium size municipalities and other governmental agencies. Our focus on municipal engineering eliminates potential conflicts of interest that can occur with firm's who participate in private development work.

Birkhoff, Hendricks & Carter, L.L.P. (Firm # F526) has been in business as a Texas Partnership for over 54 years. The eight (8) partners at the firm own 100% of the business. We have a vested interest in *OUR* company and *OUR* future. We are not a satellite office reporting to unseen supervisors. We don't farm out the work to other engineers that do not know where the City of Alvarado is located. We live in DFW and we work in DFW. We engineer the future for our neighbors and ourselves.

Providing a value service to municipalities for almost five decades has engrained the customer service expectations we have set for ourselves that will lead to many more decades of client relationships.

B. OFFICE LOCATION

BHC has operated through its main office located in Dallas, Texas for over 54 years. Our physical address is:

Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., Suite 600
Dallas, Texas 75243
Phone: (214) 361-7900
Fax: (214) 461-8390
www.bhcllp.com



Municipal Civil
Engineering is
our passion
and is the
lifeline
of what we do

C. LICENSING AND STATE REGISTRATION

Birkhoff, Hendricks & Carter, L.L.P. is legally qualified to offer professional engineering and surveying services in the State of Texas.

Licensed To Practice In Texas

Texas Board of Professional Engineers Firm No. 526

Texas Board of Professional Land Surveyors Firm No. 100318-00

Certified Floodplain Manager: CFM #1698-09N; and #3099-16N

All engineering services will be completed under the responsible supervision of a Professional Engineer licensed to practice in the State of Texas. All surveying will be completed under the responsible supervisor of a registered public land surveyor in the State of Texas.

D. NO CONFLICT OF INTEREST

Birkhoff, Hendricks & Carter, L.L.P. has no conflicts of interest with regard to any other work performed in Johnson County. Birkhoff, Hendricks & Carter, L.L.P. does not provide engineering services to the private sector.

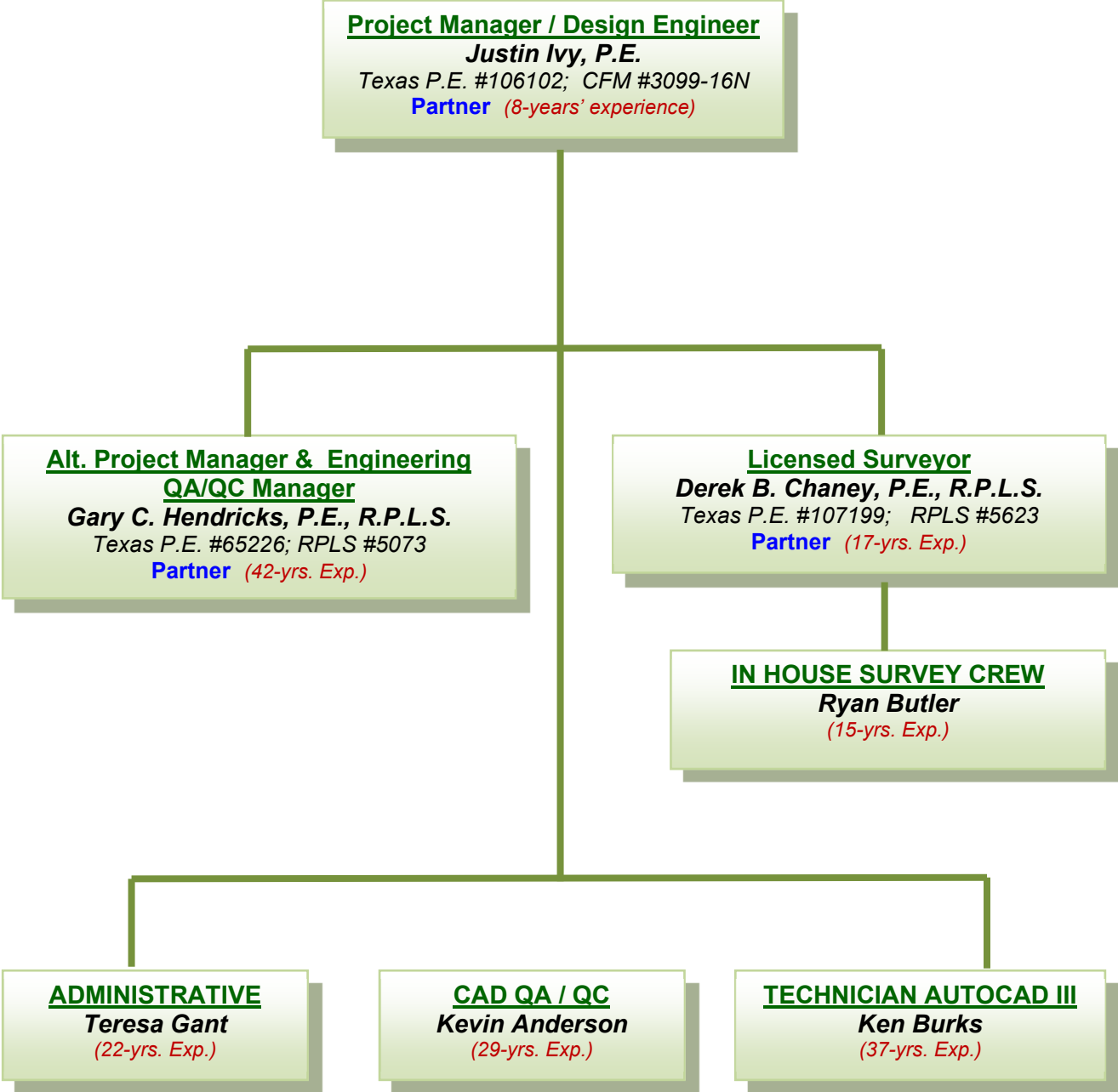
E. DBE Status and Participation

BHC has a record of using firms classified as Disadvantaged Business Enterprises as subconsultants for engineering projects in the North Central Texas area. It is the intent of Birkhoff, Hendricks & Carter, L.L.P. to utilize DBE firms in providing professional engineering services on any project in which subconsultants are utilized.

The efforts made by **BHC** for minority participation, if our firm were to receive this assignment, includes involving our minority employees in the proposed project in compliance with the requirements of the "Equal Employment Opportunity", the "Department of Labor Laws & Regulation", and the "Disadvantaged Business Enterprise, 49 CFR, Part 23, Subpart D".

Section 5.b and Section 5.c - Qualifications

Birkhoff, Hendricks & Carter, L.L.P. has a total of 28 long-tenured staff members. The following is BHC's proposed Design Team Chart.





GARY C. HENDRICKS, P.E., R.P.L.S.

Birkhoff, Hendricks & Carter, L.L.P. – Alternate Managing Partner

Mr. Hendricks joined the firm in September of 1980 and celebrates his 43rd year of continuous service with the firm this year. In addition to his 39 years of professional experience, Gary also has 4-years of technical/drafting experience in municipal engineering, all at Birkhoff, Hendricks & Carter, L.L.P. He has been a partner with Birkhoff, Hendricks & Carter, L.L.P. since January 1989. Today, Gary is the Alternate Managing Partner of the Firm, and is one of the Firm’s Registered Professional Land Surveyors. During this time, Gary has been the project manager as well as project design engineer for a wide variety of municipal projects, both large and small.

Professional Experience

43 Years

Registered

Professional Engineer

State of Texas No. 65226

Registered

Professional Land Surveyor

State of Texas No.5073

Education

B.S. Civil Engineering (1984)

University of Texas at

Arlington

Professional Affiliations

American Society of Civil Engineers

American Council of Engineering Companies

Texas Society of Professional Engineers.

Preston Trail 2001 President

Dallas 1991 Young Engineer of Year

Preston Trail 2011 Engineer of Year

Civil Design and Project Management Experience

As a Partner with Birkhoff, Hendricks & Carter, L.L.P. his experience includes project management, design, preparation of plans & specifications, and construction administration for:

- Paving & Drainage Projects (Transportation)
- Elevated Storage Tanks Projects (Water)
- Water Pump Station Projects
- Water Treatment Plants Plans
- Water and Sewer Impact Fees
- Wastewater Lift Stations
- Wastewater Collection System Master Plans
- Water Lines Projects
- Ground Storage Reservoirs
- Water Rehabilitation Projects
- Water Distribution Master Plans
- Water Pump Stations
- Wastewater Collection Lines
- Storm Water Utility Rate Studies

Land Surveying Experience

Mr. Hendricks co- directs the Surveying operations at BHC and has been a Registered Professional Land Surveyor in the State of Texas for 29 years. His experience in the field of surveying includes topographic and design surveys, construction surveys, land boundary surveys, and political boundary surveys (Annexations, ETJ Agreements, Jurisdictional Boundary Agreements).

City Engineer Experience

Mr. Hendricks has extensive experience acting as City Engineer for small and medium size Cities throughout north Texas. He is currently City Engineer for the City of Aubrey. In addition to his current City Engineer assignments, over the course of his career, he has acted as City Engineer for the Cities of Anna ● Cedar Hill ● Roanoke● Murphy● Waxahachie ● Royse City ● Coppell.

In his capacity as City Engineer, Mr. Hendricks performs and directs:

- Development civil plan and plat reviews and coordination
 - Formulation and negotiation of development agreements
 - FEMA hydraulic study reviews and FEMA LOMRs
 - Storm Water Management Plan preparation and management
 - Major Public Infrastructure Capital Improvement and Rehabilitation Plans
 - Development of Regional Surface Treated Water Supply
 - Development of Regional Wastewater Collection and Treatment Systems

Expert Witness Experience

Due to his extensive experience as City Engineer here in North Texas, Mr. Hendricks has been sought after as an expert witness in cases before brought before the Texas State Office of Administrative Hearings (SOAH) representing the interest of his municipal and county clients. His wide-ranging knowledge of various development related issues including municipal utility districts (MUDs), Public Improvement Districts (PIDs), Tax Increment Reinvestment Zones (TIRZ), regional water distribution and supply, regional wastewater collection and treatment and master plan efforts makes him a uniquely qualified expert in his field. His expertise in this arena include financial evaluations, regional and jurisdictional challenges to the creation of certain MUDs; and regionalization challenges brought against applications to the TCEQ for Texas Discharge Elimination System permits. To date, Mr. Hendricks has or is acting as an expert witness in four (4) separate cases brought before the SOAH with one case pending.



Experience

9 Years

Registered P.E.

State of Texas No. 133022

Education

B.S. Civil Engineering

Texas Tech University

2009-2011

Oklahoma State University

2012-2014

JUSTIN R. IVY, P.E.

Birkhoff, Hendricks & Carter, L.L.P.

Justin Ivy joined Birkhoff, Hendricks & Carter, L.L.P. on June 9, 2014, after graduating from Oklahoma State University, in May 2014. Justin has experience in water, wastewater and stormwater hydraulic modeling software often used in water and wastewater master planning and storm sewer design/analysis. A significant amount of his experience has been in transportation, drainage, and wastewater collection where he has designed various City streets, drainage systems, lift stations and wastewater collection lines.

His experience includes:

- Paving & Drainage Improvement Projects
- Pavement Rehabilitation / Reconstruction
- Water Distribution System Hydraulic Modeling
- Wastewater Collection System Hydraulic Modeling
- Water Transmission & Distribution Lines
- Wastewater Lift Stations & Lift Station Expansions / Improvements
- Wastewater Trunk Sewers & Collection Lines
- Water & Wastewater Master Plan & Impact Fee Studies

Representative Projects Include:

- **City of Allen:** 2014 Water Distribution System & Water Quality Study; 2014 Water & Wastewater Impact Fee Update
- **City of Anna:** 5th Street Rehabilitation
- **Town of Argyle:** S-1 Sanitary Trunk Sewer, Force Main & Lift Station
- **City of Aubrey:** 2015 Water & Wastewater Impact Fee Update; North Street Drainage Analysis; U.S. 377 Utility Relocations Analysis; Pecan Creek Lift Station; 2022 Water & Wastewater Impact Fee Update
- **City of Blue Ridge:** Ridgeway Drive Roadway & Water Line Rehabilitation; 2020 Water & Wastewater Impact Fee Analysis; TxCDBG Sanitary Sewer Replacement
- **City of Italy:** 2017-2018 TxCDBG Street Rehabilitation
- **City of Keene:** Existing Water Distribution & Wastewater Collection System Hydraulic Models
- **City of Lewisville:** Vista Ridge Lift Station Improvements
- **City of Murphy:** North & South Murphy Road Water Line Loops; North Murphy Road Hooded Left Turn Lane; South Murphy Road Asbestos Cement Water Line Replacement; Windy Hill Farms Lift Station Jib Crane
- **City of Ovilla:** Red Oak Creek 12-inch Water Line; 2016 Water & Wastewater Impact Fee Update
- **City of Parker:** Allen Heights Drive Widening; Springhill Estates Culvert Replacement; 2016 Water & Wastewater Impact Fee Update
- **City of Pelican Bay:** TxCDBG Water Well #3; 2022 Emergency Preparedness Plan
- **City of Red Oak:** S.H. 342 & Main Street Connector Street
- **City of Rockwall:** Turtle Cove & Windmill Ridge Sanitary Sewer Replacement; Buffalo Creek Tributary No. 1 Sanitary Sewer Interceptor Improvements; F.M. 552 Utility Relocations
- **City of Rowlett:** Faulkner to Thornhill & Powell to Persimmon Alley Reconstruction
- **City of Waxahachie:** Mustang Creek 20-inch Parallel Force Main, Grove Creek Lift Station Expansion, Mustang Creek Lift Station Expansion; Marshall Rd/Lofland Rd. 24-inch Transmission Main; I.H. 35E 18-inch Water Line; F.M. 664 24-inch Transmission Main
- **City of Whitesboro:** Existing Water Distribution System Hydraulic Model



DEREK B. CHANEY, P.E., R.P.L.S.

Birkhoff, Hendricks & Carter, L.L.P. - Partner

Survey Manager

Derek Chaney joined Birkhoff, Hendricks & Carter, L.L.P. in June of 2006, after graduating from Texas A&M University, and became a partner in the Firm in January 2012. Derek's experience includes project design, preparation of plans and specifications, and construction administration for wastewater lift stations, wastewater collection lines, water distribution and transmission lines, ground storage water facilities, drainage system improvements, paving improvements and monitoring and control systems. During this time, Derek's experience included the design and construction administration for a wide variety of municipal projects, including:

Experience

17 Years

Registered

Professional Engineer

State of Texas No. 107199

Registered

Professional Land Surveyor

State of Texas No. 5623

Education

B.S. Civil Engineer (2006)
Texas A&M University

- Paving & Drainage Improvement Projects
- Ground Storage Reservoirs,
- Water Transmission, Distribution Lines, and Collection Lines,
- Drainage Analysis
- Water & Wastewater Master Plans
- Impact Fee Analysis, and
- Capital Improvement Projects

Before joining BHC, Derek was an Engineering Technician (2002-2006) with Chaney Engineering, Inc. In the Summer of 2005, Derek also worked as an Engineering Intern with TxDOT - Paris Area Office.

Representative Projects Include:

- Celina: 2010 Capital Improvement Project Planning Report
- Dallas: Group 3 Alley Reconstruction
- Desoto: Pleasant Run Road Well Groundwater Study
- Garland: Club Creek Lift Station Abandonment
- Murphy: McCreary Road Paving & Drainage Improvements
- North Richland Hills: Odell Street Paving & Drainage Improvements
- North Richland Hills: Susan Lee 12" Water Line Replacement
- N.T.M.W.D.: North McKinney Lift Station and Force Main
- Paris: 2014 Downtown Sidewalk & Street Lighting Improvements
- Red Oak: 5-Year Water & Wastewater Impact Fee Review
- Rockwall: Water & Wastewater Impact Fee Analysis
- Royse City: Water & Wastewater Maser Plan
- Royse City: 2006-2016 Water, Wastewater & Roadway Impact Fee Analysis
- Royse City: North Houston Street Paving, Drainage & Utilities Improvements
- Sachse: 2-MG Ground Storage Reservoir No. 2
- Sachse: 5th Street / Dewitt Road Improvements
- Waxahachie: Water Distribution System Addition - US Hwy 287 Bypass W.L.
- Waxahachie: 2008 Water & Wastewater System Master Plan
- Waxahachie: Water & Wastewater Impact Fee Update
- Waxahachie: Wastewater Collection System - Northeast Trunk Sewer CIP
- Waxahachie: RVG Blvd Extension, from existing RVG Cul-De-Sac to Solon Rd
- Wylie: State Highway 78 Water Distribution Line

Section 5.c - Qualifications

Owner & Representative	Project Description	Est. Completion	Const. Cost	Design Team
Collin County Clarence Daughtery (972) 548-3728	Frontier Parkway Paving and Drainage Improvements-Preparation of construction plans, specifications, bidding documents and construction contract administration for Paving and Drainage Improvements to Frontier Parkway (C.R. 5) from the DNT to S.H. 289.	2022-2023	\$21,809,000	Carter
City of Aubrey Leanne Wilson (940) 440-9343 x 108	Prepare construction and bidding plans for the City of Aubrey TxCDBG 2021 Water Distribution System improvements and Wastewater Collection System improvements	2021	\$61,000	Mata
City of Waxahachie James Gaertner, P.E., CFM (469) 309-4301	Royal Street – Replacement of existing asphalt section to a reinforced concrete section with 100-year design for drainage and utility replacements	2021	\$932,525	Chaney
City of Rowlett Timothy Engle (972) 463-3979	Alley Reconstruction between Powell Drive and Persimmon Place, from Scott Drive to Rowlett Road. The length of the alley proposed for replacement is approximately 1,650 linear feet, and has a width of approximately 10-ft.	2021	\$826,252	Chaney
City of Venus Andy Wolfe (972) 366-3348	Venus Street Reconstructions	2021	\$429,053	Kerkhoff Ivy
City of Parker Gary Machado (972) 442-6811	Parker Annual Maintenance	2021	\$257,378.05	Birkhoff
City of Venus Andy Wolfe (972) 366-3348	Venus Parkway- Prepare plans, specs and bidding documents for 2,300 LF of 4-lane divided roadway (Venus Parkway) as well as 2,100 LF of 2-lane roadway (5th Street). Project includes RR crossing and TxDOT connection.	2021	\$4,312,934	Kerkhoff Ivy
City of Blue Ridge Edie Sims (972) 752-5791	Replace approximately 3,000 LF of 8-inch sanitary sewer line with funding provided by the 2019 TxCDBG Application.	2020	\$415,000	Kerkhoff
City of Alvarado Rick Holden (817) 790-3351	Jessup Street Rehabilitation- Scarify, remix and overlay of Jessup Street from Cummins to US 67. Waterline replacement throughout most of the project. Will be bid in 3 sections. Geotech included to confirm capacity to scarify and recompact.	2020	\$623,000	Kerkhoff Ivy
City of Hutchins Charles Brewer (972) 225-6121	Preparation of plans and specifications along with construction administration for the reconstruction of Franklin Street from Palestine to Hickman.	2020	\$20,000	Birkhoff
City of Allen Chris Flanigan, P.E. (214) 509-4578	Prepare plans, specs, and bidding documents for 2,300 LF of 4-lane divided roadway (Venus Parkway) as well as 2,100 LF of 2-lane roadway (5th Street). Project includes RR crossing and TxDOT connection.	2020	\$4,312,934	Kerkhoff Ivy
City of Anna Greg Peters, P.E. (972) 924-4510	Suzie Lane East-West Collector Water Line- 12-in Water line under US 75 and to the west along an alignment provided by the City referenced as the East-West Collector.	2019	\$54,630	Kerkhoff
City of Blue Ridge Edie Sims (972) 752-5791	Ridgeway Drive Roadway and Water Line Rehabilitation- Rehab (Scarify, remix and overlay) of existing asphalt roadway. Regrade drainage channel on north side of roadway for positive drainage. Replace existing undersized water line with an 8-inch located within the ROW.	2019	\$62,160	Kerkhoff Hickey
City of Carrollton Mr. Jody Byerly (972) 466-3476	Northcrest Estates Subdivision Reconstruction: Paving, Water & Sewer	2019	\$3,000,000	Birkhoff Mata
City of Italy Shawn Holden (972) 483-7329	2017/2018 TxCDBG Street Rehabilitation of Pavement on Clark St. (Harris St to SH 34)	2019	\$245,000	Chaney

Owner / Representative	Project Description	Est. Const. Completion	Const. Cost	Design Team
City of Sonora Ed Carrasco (325) 387-2558	Texas Capital Fund project Love's Infrastructure – 17,222 L.F. of 6" sanitary sewer force main.	2017	\$1,092,795	Hickey Hendricks
City of Sonora Ed Carrasco (325) 387-2558	2014 TCDBG 7214429 Sanitary Sewer Improvements	2016	84,949	Hickey Kerkhoff
City of Aubrey Leanne Wilson (940) 440-9343 x 108	2014 Texas Capital Fund project , consisting of water and sewer system improvements.	2015	\$98,800	Mata Hendricks
City of Anna Greg Peters, P.E. (972) 924-4510	2014 Texas Community Development Block Grant sewer replacement of approximately 2,900 L.F. of 6" sanitary sewer along Riggins and Interurban Streets	2015	\$307,000	Kerkhoff Hendricks
City of Rockwall Amy Williams, P.E. (972) 771-7746	Facilitate City-wide wastewater flow monitoring program. Develop flow monitoring basins & determine sites for flow monitor & rainfall monitoring. 38 flow meters, & approx. 4-rain gauges.	2015	Study	Chaney Hickey
City of Sonora Ed Carrasco (325) 387-2558	Survey manholes & cleanouts; develop a Wastewater System Base Map showing manhole rim, invert & dia.; along w/pipe diameters & slopes for bidding cleaning & TV inspection of system.	2014	\$2,300,000	Hickey Kerkhoff
City of Murphy Bernie Parker (972) 468-4024	S. Maxwell Creek Trunk Sewer: Approx. 14,500' of 15" through 24" Sanitary Sewer, from the DART R.R. to the NTMWD Point of Entry at Hensley Lane in Wylie	2014	\$1,825,035	Chaney Hendricks
Plano Mutual Cemetery Nathan White (972) 979-9204	Paving & Drainage Improvements at the Plano Mutual Cemetery (18th and Jupiter)	2014	\$325,000	Hendricks Grajewski
City of Waxahachie James Gaertner, P.E., CFM (469) 309-4301	N. Getzendaner Ave. Reconstruction (MLK Blvd. to Peters), 2,875 LF, Width 31' back-to-back. Drainage improvements to include minor adjustment to existing system.	2014	\$780,000	Grajewski Hendricks
City of Waxahachie James Gaertner, P.E., CFM (469) 309-4301	Baylor Medical Center Access Road, from U.S. Highway 287 Bypass to Baylor Way; and the Solon Road – I.H. 35E Intersection Improvements	2014	\$742,000	Hendricks Grajewski
City of Celina Andy Glasgow, P.E., CFM (972) 382-2682	Texas Water Development Board Fund – Carter Ranch Relief Sewer and Lift Station Abandonment. Approximately 4,000 linear feet 15"-18" Sanitary Sewer Improvements.	2013	\$313,000	Hendricks
City of Waxahachie James Gaertner, P.E., CFM (469) 309-4301	Cantrell Street Sanitary Sewer Siphon: Replace existing 12" sanitary sewer aerial crossing with a double barrel sanitary sewer siphon under Waxahachie Creek.	2013	\$136,500	Hendricks Chaney

CITY OF SONORA, TEXAS

Wastewater Collection System Rehabilitation through TWDB Clean Water State Revolving Fund (TWDB CWSRF No. 72101)

Design Engineers: Birkhoff, Hendricks & Carter, L.L.P.

Rehabilitation of 53,500 LF of 6" to 12" VCP sanitary sewer by pipe bursting and CIPP.

Roughly 67% of City's existing wastewater collection system was rehabilitated. 106-Manholes were rehabilitated with a cement/epoxy liner system. 86-MH were replaced/added to the Collection System. The construction of the project was completed in 6-months.



- Key Personnel: Matt Hickey, P.E.
- Role: Project Manager/Design Engineer
- Original Contract Amount: \$2,342,907
- Final Construction Contract Amount \$2,353,697
- Est. Construction Cost: \$2,507,445
- Percent Complete: Approx. 100%
- Completed: Aug. 2013

CITY OF ANNA, TEXAS
2010 Texas Community Development Block Grant (TCDBG)
Water Line Replacements Project:

The Problem: The downtown area of the City of Anna is the area initially developed back in 1913. This area of town still has many clay tile pipes, asbestos cement (AC) pipes, as well as other aging infrastructure. Water line and service leaks and repairs are a major concern. The locations of many water meters were unknown and had to be located. Several existing services were found under porches, A/C units, amidst other atypical locations. Many large significant trees populated the area and a 200' railroad right-of-way was to be crossed.



The Solution: Birkhoff, Hendricks & Carter, LLP partnered with the City of Anna and the grant consultant to replace the water lines identified within the TCDBG grant and place water meter boxes. The approach and solution for this project varied at every tract as easements had to be obtained, services located, and the transfer completed with minimal interruption. Careful planning with each resident in mind was a high priority. Constant creativity was also required as existing lines that were unknown were located during the construction and the water line alignment had to be adjusted within the easement to accommodate.

Scope of Services: Start to finish, that's how this project was completed by our firm. From the field surveying, easement exhibit preparation, bidding and construction administration to project close out. We worked with the City on a daily basis to get the project completed within the allotted budget and timeframe specified by the TCDBG.

Status of Project: Construction Complete in 2011

Actual Construction Cost: \$435,000

CITY OF PARIS, TEXAS

2014 Downtown Sidewalks and Street Lighting Improvements (Main St. Grant Project)

Scope of Services: The scope consisted of providing topographic surveying, engineering design, construction plan preparation and construction administrative services to replace 4 sections of deteriorated sidewalk in the Historic Downtown Paris area.

The scope of services for this project also included the coordination effort required to provide power to decorative street lights along the improvement route.

During the detailed design phase, the Cities Main Street Program Coordinator also made a push to include Trees in the new sidewalk. 4 Tree Wells were successfully incorporated into the design.

Services Provided: In addition to those services described in the scope above, one section of sidewalk replacement required a split-grade design to accommodate access as required by the Americans with Disabilities Act (ADA). Special consideration was given to insuring regular ingress/egress to businesses would be maintained during construction, by use of platforms or other means determined in the field.

Preliminary and final design meetings were held with City staff, ironing out any potential hiccups that could occur with a project requiring such attention to detail.

The historical nature of many elements was also a prime consideration, as decorative tile, basement windows, and brick building faces were incorporated into the design.

The project was also located along a state right-of-way corridor, requiring coordination with TxDOT throughout the design process. This included preparation of traffic control plans, to ensure lane closures were properly conducted.

Status of Project: Construction Completed in 2015

Construction Cost: \$135,142



CITY OF DALLAS, TEXAS
Alley Paving, Drainage & Utility Reconstruction

Scope of Services: The Scope of Services for this project included paving, utility and drainage design for nine alleys at various locations. BHC provided the topographic survey for the design of the improvements, designed **sanitary sewer** relocations, prepared Storm Water Pollution Prevention Plans (SWPPP). Designed and conducted storm drainage analysis and design.

Services Provided: In addition to those services described in the scope above, Birkhoff, Hendricks & Carter, L.L.P. attended public meetings to address questions or concerns from local residents affected by the project.

Our working relationship with the City of Dallas was one of the keys in the successful completion of this project. We communicated on a consistent basis, regularly holding design meetings to discuss progress of the design, and the cities expectations.

BHC's in-house field survey crew was utilized for all topographic surveying needs on this project.

The City added addition scope via supplemental agreements to include, Right-of-Way/Boundary and Control Surveying, additional off-site drainage design for the Alley between Peyton and Sprucewood and additional drainage design for Vista View Drive in the vicinity of Vista Gate Drive to relocate a drainage pipe traversing under a home. BHC coordinated with sub-consultants to acquire Subsurface Utility Engineering (SUE) and video inspection of existing Storm Drainage Pipe as necessary. With exception to these three work items, the remainders of all design and plan production aspects were completed by Birkhoff, Hendricks & Carter, L.L.P.

Status of Project: Construction Complete 2013

Construction Cost: \$1.7 Million



Section 6 – Firm’s Current Workload

BHC has the capacity to complete the engineering projects listed in the 2023 City Engineering Services RFQ. Our staff is prepared to complete small short-term projects quickly as they come through the door, while simultaneously completing large, long-term projects. This process has worked successfully for the past 54 years. Birkhoff, Hendricks & Carter, L.L.P.’s current and future workload will allow us to provide the staff to meet the City's needs. Below is a list of BHC’s Active Projects as of October, 2023:

Client	Brief Description
Allen	Prestige Water Study
Allen	Custer and Rowlett Elevated Storage Tank and Custer Ground Storage Reservoir
Allen	Allenwood Waterline
Alvarado	Water, Sewer, and Roadway Impact Fee
Alvarado	Davis Street Sanitary Sewer
Anna	Hackberry Drive Paving and Drainage
Anna	US 75 Utility Relocations
Anna	Hurricane Creek Regional SS-Project B
Anna	Hackberry Dr Construction
Anna	Hurricane Creek Line C
Anna	SH5 Utility Relocations Phase 1
Anna	Somerset Farms Lift Station
Aubrey	Win Ridge Phase 2B & 3B Review
Aubrey	Aubrey Water Well
Aubrey	TxCDBG 2021 Water/Wastewater Improvement
Aubrey	Phase 1A-S1-Pecan Creek LS
Aubrey	Phase 1B-S5 Pecan Creek East LS
Aubrey	Phase 2A-W4.1-Rockhill Ground Water Well
Aubrey	Phase 2A-W4.2 Rock Hill High PS/GSR
Aubrey	Phase 1a-W1-FM 428 Water Line
Aubrey	Phase 1B Water Project W2.1, W2.2, W3.1
Aubrey	Phase 1B Project S4-24" Gravity Main
Aubrey	Phase 1B Project S6 Pecan Grove Trunk Sewer
Aubrey	Phase 2A Project W5 Waterline Dane
Aubrey	Phase 1A-S2-FM428 144 Force Main
Aubrey	2022 Impact Fee Update
Aubrey	Pump Station Generators & Improvements
Blue Ridge	FY22/23 Annual Wastewater Model
Blue Ridge	Existing Wastewater Model
Burleson	Lift Station Rehab
Carrollton	Josey Elevated Storage Tank
Carrollton	Northcrest Estates
Carrollton	Don Cline Pump Station Rehab
Carrollton	2020 Master Plan & Impact Fee
Carrollton	Columbian Club Headers
Carrollton	Standby Generators
Collin County	Frontier Parkway Paving & Drainage
Coppell	Review Water and Wastewater Plans & Impact Fees
Corinth	Lake Sharon Dr Extension
Corinth	Quail Run EST Offsite Waterline
Corinth	Lake Sharon Dr Roundabout
Corinth	Reviews
Denison	Iron Ore Creek

Client	Brief Description
Denison	0.50-MG Elevated Storage Tank
Farmers Branch	Pump Station Improvements at two pump stations
Forney	Sanitary Sewer Line Extension
Dunkin, Sims, Stoffels	Old Celina Park - Phase 2
Dunkin, Sims, Stoffels	Duncanville Harrington Waterview Park
Forney	FY 22-23 Annual Wastewater Model Maintenance.
Forney	Smurfit Sanitary Sewer Relief
Garland	Freeman Heights Drainage
Hurst	Storm Sewer Extension
HC MCKinney 3, LLC	HC McKinney Booster Pump Station
Hutchins	Southern Lift Station
Hutchins	Southern Force Main
Hutchins	Shoreline Interceptor
Hutchins	Zoning Map
Hutchins	Sidewalk Improvements
Hutchins	Senior Center
Lavon	Water Management Plan Annual Reports
League City	Harbour Park Lift Station
Lewisville	Midway Branch Lift Station & Force Main
Lewisville	Consulting Services
Lucas	Water Distribution System Master Plan/Impact Fee
Lucas	Rimrock Detention Pond
Lucas	South Orchard Road Culvert & Channel
McKinney	Developer Water Studies
McKinney	Water Master Plan/Impact Fee
McKinney	Wastewater Master Plan/Impact
McKinney	Wireless Review
McKinney	Stonebridge Lift Station Phase I Improvements
McKinney	Rutherford W Wastewater Lift Station Improvements
McKinney	Rutherford East Wastewater Lift Station
McKinney	University PS VFD Replacement
McKinney	SCADA Improvements
McKinney	FY23 Water/Wastewater What If Modeling
Murphy	Restore the Grasslands
Murphy	Petition for Collin County MUD #7
N. Richland Hills	College Hills 5MG Ground Storage Tank Rehab
Oak Leaf	Park Lighting
Ovilla	Water & Wastewater Impact Fee Update
Parker	Central Pump Station
Parker	FM 2551 Utility Relocations
Pelican Bay	2022 TxCDBG Lift Station
Plano	Wireless Review
Plano	Public Works 2018
Plano	Security Fence/ Ridgeview & Shiloh
Richardson	2019 Canyon Creek Alley
Richardson	2021 Alley Reconstruction Group 2
Richardson	2021 Bond Alley Group 7
Roanoke	Water Distribution System Master Plan
Roanoke	North Gateway 2MG Ground Storage #2
Rockwall	Squabble Ck LS Wastewater Sludge Grinders
Rockwall	Heath St Pump Station Improvements
Client	Brief Description

Rockwall	FM 552 Utility Relocations
Rockwall	780 Zone IH30 Water Lines
Rockwall	SH276 Utility Relocations
Rockwall	W Quail Run Rd Sanitary Sewer Improvements
Rockwall	Little Buffalo Ck & LRE SS Improvements
Rockwall	Ext of Little Buffalo Creek Trunk Sewer
Rockwall	Squabble Creek Wastewater Treatment Plant
Rockwall	Wastewater Flow Monitoring Study
Rockwall	Utility Relocation for TxDOT
Royse City	Lopez Lift Station
Royse City	IH 30 Utility Relocations
Royse City	E Sabine Relief Sewer & Force Main
Royse City	Sabine Creek Parallel Trunk Sewer
Royse City	Pump Station #2 Expansion
Royse City	Pump Station #2 Transmission
Royse City	Pump Station #1 & #2 Discharge Flow
Sachse	2021 Water, Wastewater & Roadway Impact Fee
Sachse	Sable Hills Lift Station Improvements
Sherman	Shepherd Drive Sewer Extension
The Colony	Squires 8" Waterline & Vaden 8" Waterline
Venus	Master Plans
Venus	Prison Standby Generator
Venus	Generator & ATS at Main Lift Station
Venus	Venus Parkway
Venus	Pump Station
Venus	0.75 MG EST
Venus	Water Supply Line Control Valve
Venus	Existing Storm Sewer Capacity Evaluation
Venus	Bluestem Hills Drainage Analysis
Venus	FM 157 Utility Relocations
Waxahachie	Lofland Rd 24" Water Line Extension
Waxahachie	Grove Creek Parallel Trunk Sewer
Waxahachie	Lower Mustang Creek Lift Station Expansion
Waxahachie	IH35E Transmission Water Main
Waxahachie	Lake Bardwell Raw Water Intake
Waxahachie	FM664 20" Water Transmission Main
Whitesboro	Main/North Avenue Sewer Replacement
Whitesboro	Water & Wastewater Impact Fees
Whitesboro	Elevated Storage Tank 12" Water Line Loop
Whitesboro	Downtown Sidewalk Rehab
Whitesboro	Texoma Dr. Rehabilitation
Wylie	New Ballard Ave. 1.5 MG EST
Wylie	Ann Dr Paving & Drainage Improvements
Wylie	Water Pump Station Emergency Back-Up Generator
Wylie	Wastewater System Model

Section 7 – References

Birkhoff, Hendricks & Carter, L.L.P., Professional Engineers specializing in municipal engineering. The firm has a proven record of quality engineering and has maintained a stable and well-experienced staff throughout its history. The following references are for your convenience.

City of Allen

Mr. Chris Flanigan, P.E.
Director of Engineering
305 Century Pkwy.
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cflanigan@cityofallen.org

City of Anna

Mr. Justin Clay, CPM
CIP Manager
P. O. Box 776
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City of Aubrey

Ms. Leanne Wilson
Public Works Director
107 S. Main Street
Aubrey, Texas 76227
(940) 440-9343 EXT 108
lwilson@aubreytx.gov

City of Burleson

Ms. Tiana Jackson, P.E., CFM
Civil Engineer, Project Manager-
Capital Improvements
141 W. Renfro
Burleson, Texas 76028
(817) 426-9619
tjackson@burlesontx.com

City of Carrollton

Mr. Jody Byerly
Public Works Director
P. O. Box 110535
Carrollton, Texas 75011-0535
(972) 466-3476
jody.byerly@cityofcarrollton.com

City of Celina

Mr. Andy Glasgow, P.E., CFM
Director of Engineering
142 N. Ohio Street
Celina, Texas 75009
(972) 382-2682
aglasgow@Celina-tx.gov

Collin County

Mr. Clarence Daugherty, P.E.
Director of Engineering
4690 Community Ave., Suite 200
McKinney, TX 75071
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Cdaugherty@collincountytx.org

City of League City

Mr. John R. Baumgartner, P.E.
Asst. City Manager
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City of Lewisville

Mr. Jeff Kelly, P.E.
Asst. City Engineer
P. O. Box 299002
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jkelly@cityoflewisville.com

City of McKinney

Mr. Michael Hebert
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City of McKinney

Mr. Paul Tucker, P.E.
Sr. Utility Engineer
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City of Parker

Mr. Gary Machado
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City of Plano

Mr. Dan Prendergast
Director of Public Works
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Plano, Texas 75086-0358
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danielpr@plano.gov

City of Rockwall

Ms. Amy Williams, P.E.
City Engineer/Public Works Dir.
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Rockwall, Texas 75087
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awilliams@rockwall.com

City of Royse City

Ms. Lacey Rodgers, P.E., CFM
City Engineer/Public Works Dir.
305 N. Arch St.
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City of Waxahachie

Mr. James Gaertner, P.E., CFM
City Engineer / Public Works Dir.
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City of Wylie

Mr. Tim Porter
City Engineer
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100
Wylie, Texas 75098-3000
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tim.porter@wylietetexas.gov

Section 8 - Conflict of Interest Questionnaire

CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

By law this questionnaire must be filed with the records administrator of the local government not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person doing business with local governmental entity.

N/A

2

Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Describe each affiliation or business relationship with an employee or contractor of the local governmental entity who makes recommendations to a local government officer of the local governmental entity with respect to expenditure of money.

4 Describe each affiliation or business relationship with a person who is a local government officer and who appoints or employs a local government officer of the local governmental entity that is the subject of this questionnaire.

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM CIQ

Page 2

5 Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.)

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or business relationship. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income from or at the direction of the local government officer named in this section AND the taxable income is not from the local governmental entity?

Yes No

C. Is the filer of this questionnaire affiliated with a corporation or other business entity that the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each affiliation or business relationship.

6 Describe any other affiliation or business relationship that might cause a conflict of interest.

7

Digitally signed by Gary C. Hendricks, P.E.,
R.P.L.S
DN: C=US, E=ghendricks@bhcllp.com,
O="Birkhoff, Hendricks & Carter, LLP",
CN="Gary C. Hendricks, P.E., R.P.L.S"
Location: Dallas, TX
Reason: I am approving this document
Contact Info: 214.769.5705
Date: 2023.12.12 15:22:27-06'00'

Gary C. Hendricks, P.E., R.P.L.S

Signature of person doing business with the governmental entity

Dec. 12, 2023

Date

Section 9 – Letters of Recommendation

Birkhoff, Hendricks & Carter, L.L.P., Professional Engineers specializing in municipal engineering. The firm has a proven record of quality engineering and has maintained a stable and well-experienced staff throughout its history. The following letters of recommendation from a select few of our long-term and loyal clients demonstrates the level of service we are known for.

- Keith Self - U.S. Congressman, 3rd District, Texas
- Clarence Daugherty, P.E. – Collin County, Director of Engineering
- Mark Kaiser – City of Aubrey, City Administrator (Retired)
- David Bailey – City of Waxahachie, Sr. Director of Utilities
- Timothy Porter, P.E., CFM – City of Wylie, Director of Public Works

Congress of the United States
House of Representatives
Washington, DC 20515-4303

June 28, 2023

Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave
Suite #600
Dallas, TX 75243

Re: Frontier Parkway Grand Opening

Dear Birkhoff, Hendricks & Carter,

Congratulations on the grand opening of Frontier Parkway. This is a milestone for the Town of Prosper, City of Celina, Collin County, and Birkhoff, Hendricks & Carter.

This expansion not only addresses current needs but also lays the groundwork for future growth. The provision for further expansion to accommodate the anticipated population growth in Prosper and Celina demonstrates the proactive planning that went into this project. Beyond easing traffic congestion and providing safer access to schools, neighborhoods, and local businesses, it will foster greater connectivity and enhance the overall quality of life in Prosper and Celina.

I want to personally commend you for your strong leadership and steadfast commitment to our community. I am confident that Frontier Parkway will stand as a testament to the quality of your work, as well as the collaboration between two growing cities and the things that can be achieved for the betterment of our citizens.

Once again, congratulations!

Sincerely,



Keith Self
Member of Congress





COLLIN COUNTY

Engineering
4690 Community Avenue
Suite 200
McKinney, Texas 75071
972-548-3727
www.collincountytx.gov

February 8, 2021

City of Denton Purchasing Department
901B Texas Street
Denton, TX 76209

RE: Professional Engineering Services- Request for Qualifications # 7599
Letter of Recommendation for Birkhoff, Hendricks & Carter, LLP

To Whom It May Concern:

The Collin County Engineering Department has had the pleasure of working with Birkhoff, Hendricks & Carter, LLP consulting engineers (BHC) over the past several years on the design of Frontier Parkway Paving and Drainage Improvements. The project is about 2 miles in length and consists of the design, bidding and construction administration of a new 4-lane of future 6-lane arterial roadway with a 6-lane grade separated crossing of the Burlington Northern and Santa Fe Railroad.

The Frontier Parkway project is a vital east-west arterial link between to major north-south transportation corridors in Collin County. The project had a variety of unique and special challenges that our engineering consulting team of BHC has navigated and met. These challenges include specialized and creative technical layouts and designs, difficult land rights acquisitions, and close coordination with other agencies and entities. These entities include the BNSF RR, Prosper ISD, TxDOT, USACE, NCTCOG, franchise utilities, and City of Celina and Town of Prosper, coordination with adjacent landowners and developers, and a variety of political dynamics. It has been a long rough road at times yet through it all, the BHC team consistently performed and performed well.

The engineering design is complete, the project has successfully bid on budget, and Collin County is now moving into the construction phase. The BHC engineering design and management team remained diligent, responsive, and most importantly **consistent** throughout the entire process. The same BHC team was involved from early conceptual layouts and project budgets, through numerous design changes posed by the project stakeholders, to the proposal and bidding phase; and now moving into construction. Their team demonstrated highly specialized skills in evaluating problems and finding solutions, coordinating team members and schedules, and persistently moving the project forward. They continue to deliver their services on time and with a sense of loyalty and responsiveness that is welcome and refreshing.

Given the opportunity, I would not hesitate to utilize the engineering services of Birkhoff, Hendricks & Carter, LLP again for Collin County's critical engineering projects and look forward to our continued relationship with their unique and talented team.

Sincerely,

Clarence Daugherty, P.E.
Director of Engineering
Office: 972.548.3728
Cdaugherty@collincountytx.gov



CITY OF AUBREY

107 S. MAIN STREET
AUBREY, TX 76227
(940) 440-9343

February 5, 2021

City of Denton Purchasing Department
901B Texas Street
Denton, TX 76209

RE: Professional Engineering Services- Request for Qualifications # 7599
Letter of Recommendation for Birkhoff, Hendricks & Carter, LLP

To Whom it May Concern:

I have had the pleasure of working with Gary Hendricks and his firm of Birkhoff, Hendricks & Carter, LLP consulting engineers (BHC) for my entire tenure here in Aubrey as the City Administrator and Finance Director. Mr. Hendricks and his firm provide consulting engineering service to the City of Aubrey and act as our City Engineers. Like many, Aubrey has seen its share of staff turnover in recent times. Thankfully, the BHC team has remained consistent, loyal, and provided a continuity of knowledge and experience that has been an asset to our community.

BHC acts as our City Engineer and provides normal day-to-day engineering services. These services routinely include development review and negotiation, capital improvement planning, water and wastewater master plans, impact fee calculations, and City Council Presentations. They also provide engineering design and construction administration service for most of our more critical and major public infrastructure projects. Currently they are engaged in construction administration services for the City's new elevated storage tank and ground water well that BHC designed. Thanks to the BHC team, the project has progressed smoothly and on budget. With their comprehensive service, our busy staff has been able to focus on their regular duties and other City needs. This is just one example of many projects BHC has successfully accomplished for our City.

The City of Aubrey plans to continue our relationship with Birkhoff, Hendricks & Carter, LLP for our day-to-day engineering needs and our critical capital improvements projects. If you would like to discuss this recommendation further, please do not hesitate to contact me directly.

Sincerely,

Mark A Kaiser
City Administrator/ Finance Director
mkaiser@aubreytx.gov



February 8, 2021

City of Denton Purchasing Department
901B Texas Street
Denton, TX 76209

RE: Professional Engineering Services- Request for Qualifications # 7599
Letter of Recommendation for Birkhoff, Hendricks & Carter, LLP

To Whom it May Concern:

As the Senior Director of Utilities for the City of Waxahachie, I have had the opportunity of working with Gary Hendricks and his firm of Birkhoff, Hendricks & Carter, LLP consulting engineers (BHC) over the past 25 years. Mr. Hendricks and his firm have provided consulting engineering service to the City of Waxahachie for over 40-years. While our city has seen substantial growth over the years and utilize the services of other professional engineering firms, BHC is still one of the primary firms utilized by the city.

Over the many years of our relationship, BCH consistently and expertly provided engineering service including, but not limited to:

- Performing duties as City Engineer
- Development reviews, coordination, and agreement negotiations
- Water and Wastewater Master planning and hydraulic modeling
- Major Water Infrastructure design including raw water & high service pump stations, ground storage tanks, raw water supply lines, and water transmission and distribution mains.
- Major Wastewater Infrastructure design including: Trunk mains and collection system lines, lift stations and wastewater treatment plant improvements.
- Water and Wastewater system rehabilitation
- Major Arterial and Throughfare Paving and Drainage Design
- Street Rehabilitation program management
- Drainage evaluation and design
- All manner of engineering evaluations and reports

The BHC engineering team is a reliable, consistent, qualified, and diverse group. What we appreciate most from their team is their ability to provide a wide variety of engineering expertise from very knowledgeable and experienced team of professional engineers. We continue to turn to Gary and the BHC team as they have been and remain our trusted engineering advisors. With their team's experience, they routinely see the "bigger picture" and have provided valuable guidance and advice beyond engineering.

The City of Waxahachie will continue to utilize the engineering services of Birkhoff, Hendricks & Carter, LLP for various critical engineering projects and look forward to our continued relationship with their dedicated group.

Sincerely,

David R. Bailey
Senior Utility of Director
Office: (469) 309-4321
dbailey@waxahachie.com



Our Mission...

*...to be responsible stewards of the public trust,
to strive for excellence in public service
and to Enhance the quality of life for all.*

February 8, 2021

City of Denton Purchasing Department
901B Texas Street
Denton, TX 76209

RE: Professional Engineering Services- Request for Qualifications # 7599
Letter of Recommendation for Birkhoff, Hendricks & Carter, LLP

To Whom it May Concern:

I have had the pleasure of working with Joe Carter and his firm, Birkhoff, Hendricks & Carter, LLP consulting engineers (BHC) for my tenure here in Wylie as the Public Works Director and City Engineer. Mr. Carter and his firm provide consulting engineering service to the City of Wylie and Mr. Hendricks acts the City Engineer for our neighbor, the City of Murphy. The BHC team has remained consistent, loyal, and provided a continuity of knowledge and experience that I believe has been an asset to our community during my tenure.

BHC is currently the City of Wylie Engineering Review Firm and also provides normal day-to-day engineering services as needed. These services routinely include development review, capital improvement planning, water and wastewater master plans, impact fee calculations, and City Council Presentations. BHC also, through selection from our Request for Qualification processes, have provided engineering design and construction administration services for several critical infrastructure projects. Currently BHC is engaged in design of the City's new elevated storage tank project, which includes some paving, drainage, and water line improvements. To date, the BHC team has been progressing efficiently and on budget.

This is just one example of many projects BHC has successfully accomplished for our City over the past 30-years. With their comprehensive service, our busy staff has been able to focus on our more time-sensitive items, which has been a great help to our team. If you would like to discuss this recommendation further, please do not hesitate to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy J. Porter'.

Timothy J. Porter, PE, CFM
Director of Public Works, City of Wylie
O: 972-516-6381
tim.porter@wylietexas.gov



**Town of
Poetry**

DECEMBER END 2023

Beginning Bank Balance c	12/31/23			\$76,689.29
Deposits				
	12/1/2023	Qty 3 fees	ETJ Release Appl Fees	\$375.00
	12/8/2023	Texas Comptroller	Sales and Use Tax	\$8,982.72
	12/8/2023	Walmart	Return Office Supplies	\$35.68
	12/12/2023	Card Dallas Solid Waste Franchise Fee	Pmt 2 of 2 Q3	\$4,114.33
	12/14/2023	Qty 1 Fee+PIR	ETJ Release plus PIR Req \$2	\$127.00
	12/18/2023	Credit Creative Frame	Order Canceled	\$103.00
	12/22/2023	FEC	Franchise Fee	\$10,437.36
	12/22/2023	The Home Depot	Return Bldg Supplies	\$17.10
	12/29/2023	Ross Welding	Return Deposit Canceled Job	\$500.00
	12/29/2023	Oncor	Franchise Fee	\$3,852.80
			Total	\$28,544.99
Withdrawals and debits				
	12/1/2023	USPS	Stamps	\$6.18
	12/1/2023	Computer Solutions	Renewalf O365	\$723.60
	12/4/2023	Vbulletin Solutions	Town Public Forum Fee	\$179.95
	12/6/2023	Reliant Energy	Electric Service	\$80.74
	12/8/2023	Walmart	Supplies	\$35.68
	12/8/2023	Walmart	Supplies	\$32.96
	12/12/2023	Amazon	TV	\$134.95
	12/13/2023	Creative Frames	Frame Returned 12/18	\$103.00
	12/14/2023	Amazon Prime	Subscription Fee	\$14.99
	12/14/2023	McCoys	Maint Supplies	\$65.99
	12/14/2023	Amazon	Chlorine Tabs Septic System	\$10.96
	12/15/2023	Wix	Internet	\$19.48
	12/18/2023	Amazon	Air Filters/Dusting Products/Etc.	\$36.59
	12/19/2023	Brookshires	Supplies	\$6.99
	12/19/2023	Amazon	Office Supplies	\$56.99
	12/20/2023	Walmart	Frame/ Wreath/ Etc	\$24.23
	12/20/2023	Reliant Energy	Electric Service	\$150.55
	12/20/2023	The Home Depot	Supplies	\$22.80
			Total	\$1,706.63
Checks Paid				
	12/4/23	Mallard Air LLC	HVAC	\$9,044.59
	12/5/23	Nichols, Jackson, Dillard	Legal Services Oct 2023	\$1,706.25
	12/5/23	Simmons Beauty Roofs	Roof Town Hall	\$4,736.45
	12/5/23	Dustin Hernandez	AC Disconnect	\$220.00
	12/11/23	Theresa Scholander	Nov Payroll	\$393.42
	12/11/23	PWSC	Water Utilities	\$34.90
	12/13/23	Print Tyme	Newsletter	\$49.99
	12/13/23	Freedom Foam	Foam Insulation	\$2,600.00
	12/15/23	Charter Communications	Phones/Internet	\$100.29
	12/18/23	Theresa Scholander	Christmas Bonus	\$138.52
	12/20/23	Kelly Lane Plumbing	Plumbing	\$136.00
	12/20/23	Dorothy Dillon	GIS Mapping	\$300.00
	12/22/23	Poetry Tack and Ag	Reimburse Expenses	\$56.33
	12/28/23	Vicars Septic	Septic Service	\$100.00
			Total	\$19,616.74
Ending Balance 12/31/2023				<u>\$83,910.91</u>

11 FEC checks outstanding

\$ 591.47

SIMPLIFIED
BUILDING



Custom ADA Handrails for Poetry Town Hall

Town of Poetry, Texas

Quote #159116

Prepared on Dec 14, 2023

Valid until Dec 31, 2023

Prepared for Tom Anderson, tca70@att.net

Lead Times:

Production Time: 3 business days

Transit Time: 4-5 business days



I'm Your Contact:

Vadim Dushuk

vadim@simplifiedbuilding.com

Simplified Building

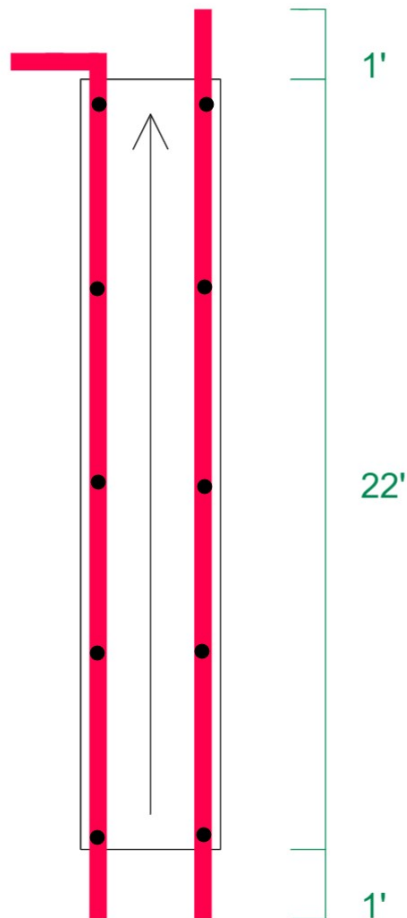
64 Commercial St. Suite 601

Rochester, NY 14614

Fax: (585) 672-7313

Quote Summary

	Extended
1. Custom ADA Wall Mounted w/ D>Returns Handrail (Left Side)	\$1,145.86
2. Custom ADA Wall Mounted w/ D>Returns Handrail (Right Side)	\$1,095.77
Sub Total	\$2,241.63
Delivery via UPS Ground to 75160 (155 lbs.)	\$386.20
Texas Tax (8.2500%)	\$216.80
Quote Total	\$2,844.63








Right side currently is 15.25'
 but customer has stated he will
 add 2x6's to continue the wooden rail to
 the end of the ramp

Custom ADA Wall Mounted w/ D>Returns Handrail (Left Side)

- Hot Dip Galvanized Steel. Pipe and Fittings for decades of maintenance-free performance. No welding is required for install. There will be pipe cutting that will need to be done on site. Posts are cut to length. Surface mounting hardware is not included.

ASSEMBLY INFORMATION	Price	Extended
Weight: 79.05 lbs.	\$1,145.86	\$1,145.86

Consisting of:

PRODUCT	QTY
 570-7 - Wall Mounted Handrail Bracket SKU: 570-7	5
No Picture Available 7 FT 10 IN SKU: SR-RAIL-7FT10IN	3
 565-7 - Wall Mounted End Return 1-1/4" with Internal Coupling SKU: 565 / 514-7	2
 520-7 - 90 Solid Elbow with Internal Couplings SKU: 520 / 514-7	6
 554-7 - Variable Angle 1-1/4" with Internal Couplings SKU: 554 / 514-7	1
 514-7 - ADA Internal Coupling 1-1/4" SKU: 514-7	2
No Picture Available Rail Hardware Pack 3 - Consisting of (5) #10 x 1" stainless steel countersunk screws SKU: Rail Hardware Pack 3	3






2. Custom ADA Wall Mounted w/ D>Returns Handrail (Right Side)

2.

Hot Dip Galvanized Steel. Pipe and Fittings for decades of maintenance-free performance. No welding is required for install. There will be pipe cutting that will need to be done on site. Posts are cut to length. Surface mounting hardware is not included.

ASSEMBLY INFORMATION	Price	Extended
Weight: 75.95 lbs.	\$1,095.77	\$1,095.77

Consisting of:

PRODUCT	QTY
 570-7 - Wall Mounted Handrail Bracket SKU: 570-7	5
No Picture Available 7 FT 10 IN SKU: SR-RAIL-7FT10IN	3
 565-7 - Wall Mounted End Return 1-1/4" with Internal Coupling SKU: 565 / 514-7	2
 520-7 - 90 Solid Elbow with Internal Couplings SKU: 520 / 514-7	4
 554-7 - Variable Angle 1-1/4" with Internal Couplings SKU: 554 / 514-7	2
 514-7 - ADA Internal Coupling 1-1/4" SKU: 514-7	2
No Picture Available Rail Hardware Pack 3 - Consisting of (5) #10 x 1" stainless steel countersunk screws SKU: Rail Hardware Pack 3	3

Order Notes



PRICING:

Prices do not include tax or installation unless directly specified in the quote.

LEAD TIMES:

All materials that are currently in stock can ship within four business days. If urgent delivery is needed, expediting is available at an additional cost.

FREIGHT DELIVERY:

Unless specified, freight delivery costs are for commercial delivery with no added services. If residential delivery or additional services are required, additional charges may apply. Additional charges do not apply to UPS shipments.



Payment Terms:

NET 30

**STATE OF TEXAS
COUNTIES OF KAUFMAN AND HUNT
CITY OF POETRY, TEXAS**

BE IT REMEMBERED THAT ON THIS DAY OF THE 16th of November, 2023 at 6:30 pm, the City Council of Poetry, Texas, held a Regular Town Council Meeting at Poetry Town Hall, 5671 CR 323 Poetry, Texas 75160 with the following present:

Mayor Tara Senkevech
Councilmember Tom Anderson
Councilmember Mike Jaffe

Councilmember Simeon White
Councilmember Terry Fowler
Councilmember Jonathan Blake

Mayor Senkevech called the meeting to order at 6:30 p.m.

Evie Anderson, Clerk confirmed quorum.
All council members were present.

Pledge of Allegiance and Invocation

Citizen Daryll Watson led the pledge and invocation.

f: Mayor Tara Senkevech gives items of community interest;

*Newly approved Solid Waste Vendor for Roll-offs; Blackjack Disposal.

*Thanks to Kevin Potts for spreading the Landscaping Mix at Town Hall and providing disposal of tree limbs and debris.

* Thanks to Sheri Vinson for typing the minutes.

g) Reports

1. Financial— a) October end 2023
b) Sales & Use Tax Receipts to date

h) Consent Agenda

1. Minutes from October 19th, 2023 Meeting

Mayor Senkevech makes motion to move to Regular Agenda, seconded by Councilmember Jaffe.

a) Minutes from 10-19-2023, pg. 2. The word addendum should be changed to ordinance.

Mayor Senkevech makes motion to amend minutes, seconded by **Councilmember Anderson. Passes 5:0**

1) Discuss and take action on paying October legal bill of \$1706.25 Councilmember Jaffe suggests that two council members should agree to invite legal. **Councilmember Fowler** makes motion to pay bill, seconded by **Councilmember White. Passes 5:0**

2) Discuss and take action on Solid Waste vendors and applicable ordinance.

Council discusses polycarts vs roll-offs. Council discusses the past conclusions with trash vendors against current realities. Citizen Brian Vinson voices desire to decline exclusivity. Citizen Sheri Vinson votes no exclusivity. Citizen Evie Anderson recommends BlackJack for exclusivity. Citizen Glenn Strauss prefers competition. Council discusses opinions from other towns and citizens. Titan and BlackJack are both called as experts. **Councilmember Anderson** makes motion to go exclusive for polycarts and dumpsters, but not rollofs. Seconded by **Councilmember White. Passes 3:2.** **Councilmember Anderson** makes motion to except contract with BlackJack for polycarts and dumpsters. Seconded by **Councilmember White. Passes 3:2.** Council discusses changes to contract years and franchise fees. **Councilmember Jaffe** makes motion to create a subcommittee of Mayor Senkevech, Councilmember White, and Councilmember Anderson to review contract with BlackJack and return to council with changes. Seconded by **Councilmember Blake. Passes 5:0**

Mayor Senkevech calls for 5-minute recess.

3) Discuss and take action to approve HVAC installation \$9044.59 plus needed electrical (under \$1000) for the HVAC system and ADA metal loop railing for Town Hall, \$1000. Discuss and take action on needed other construction items as needed.

Council discusses various bids. Council discusses budget, timing, current costs vs future costs. **Councilmember Anderson** makes motion to accept Ross Welding handrail bid, seconded by **Councilmember Fowler. Passes 5:0.** **Councilmember Blake** makes motion to accept HVAC bid with addition of Wifi thermostat up to \$10,000. Seconded by **Councilmember Anderson. Passes 5:0**

4) Discuss and take action on M365 annual subscription choice. Council discusses Midlothian bid, and calls on expert Josh Senkevech to weigh in. **Mayor Senkevech** makes a motion to choose a Microsoft service, not over \$705.04 contingent upon Councilmember Jaffe and Josh Senkevech deciding on the best course understanding the time ramifications. Seconded by **Councilmember Anderson. Passes 5:0**

5) Discuss and take action on the third Annual Christmas Lights contest from December 1 to December 12th and Lighting celebration with Council informal gathering for Saturday, December 16th, 2023. **Councilmember Anderson** makes motion to accept , seconded by **Councilmember White. Passes 5:0**

6) Discuss and take action on Town's policy regarding dead tree removal in the Town's Right of Way versus on private property and determining such. Council discusses information found on this topic. Council plans to talk to counties, and follow the checklist.

7) Discuss and take action on lack of service on 3 roads by Kaufman County paid for by Town of Poetry with Interlocal Agreement Project Sheet K-04 end of April 2023.

Council thoroughly discusses past, present, and future plans for this project list. **Mayor Senkevech** makes motion to buy product, not over \$3000 and have volunteer crew to finish this project sheet. Seconded by **Councilmember Jaffe. Passes 5:0**

8) Discuss and take action on Hunt County Project Sheet H-07 for serving 12 roads in Poetry. Mayor Senkevech clarifies project. **Councilmember Anderson** makes motion to accept, seconded by **Councilmember Blake. Passes 5:0**

9) Discuss current proposed Zoning Ordinance with added amendments. Council makes additions and subtractions. Councilmember White is tasked with creating a subcommittee. Citizen Brian Vinson lists various items for review.

j) General Public Comments

Citizen Brian Vinson thanks Council for changing decorum rules concerning the stating of addresses. Citizen Sheri Vinson requests Council decide on inclusion or exclusion of citizen comments, and requests a street sign for CR 323.

Mayor Senkevech adjourns meeting at 10:00 pm.

IN THE COMMISSIONERS COURT OF
HUNT COUNTY, TEXAS

SEPARATE WRITTEN APPROVAL OF INTERLOCAL
COOPERATION CONTRACT WITH:
TOWN OF POETRY

The Commissioners' Court of HUNT County, Texas, in compliance with §791.015 of the Texas Government Code, otherwise known as the Interlocal Cooperation Act, and before the commencement of any work to construct, improve, or repair the subject matter of an Interlocal Contact with Town of Poetry, hereby authorizes, and approves this separate specific written approval for the proposed project described below. In this regard, the following provisions apply to such proposed Interlocal Cooperation Contract:

1. This approval is separate and distinct from the Interlocal Cooperation Contract itself.
2. The proposed project is for Hunt County R&B Precinct #2 to:
 - A. Description of Project: _____
 1- **Three culverts replaced using oil sand \$6300**
 2- **OR using new asphalt \$6500 [will appear darker than the current road].**
 - B. Exact Project Location: **CR 2446**
 - C. Material, equipment, labor hours, etc. to be used on this project:

Labor & Equipment for completion

Approximate Start Date: _____ Approximate Completion Date: _____

Cost of Project: **\$ 6300 or \$6500.***

*(to be paid into an escrow account with the County before the start date of the above-described project)

It is mutually understood that no additional projects will be performed for any entities that owe outstanding project costs to Hunt County.

Approved by Commissioners' Court:

Hunt County Commissioner

Date:

Approved by: Town of Poetry

Date:

Authorized Signature for Other Entity

Copy of said agreement will be provided to the County Auditor and an accounts receivable will be recorded for said agreement. The Commissioners Office will report the date of completion to the County Auditor within seven (7) days of completion of above-described project. The fund deposited in the escrow account will then be paid to the County.

DRAFT

IN THE COMMISSIONERS COURT OF
HUNT COUNTY, TEXAS

SEPARATE WRITTEN APPROVAL OF INTERLOCAL
COOPERATION CONTRACT WITH:
TOWN OF POETRY

The Commissioners' Court of HUNT County, Texas, in compliance with §791.015 of the Texas Government Code, otherwise known as the Interlocal Cooperation Act, and before the commencement of any work to construct, improve, or repair the subject matter of an Interlocal Contact with Town of Poetry, hereby authorizes, and approves this separate specific written approval for the proposed project described below. In this regard, the following provisions apply to such proposed Interlocal Cooperation Contract:

1. This approval is separate and distinct from the Interlocal Cooperation Contract itself.
2. The proposed project is for Hunt County R&B Precinct #2 to:

A. Description of Project: _____

- 1- **Three culverts replaced using oil sand \$6300**
- 2- **OR using new asphalt \$6500 [will appear darker than the current road].**

B. Exact Project Location: **CR 2446**

C. Material, equipment, labor hours, etc. to be used on this project:

_____ Labor & Equipment for completion _____

Approximate Start Date: _____ Approximate Completion Date: _____

Cost of Project: **\$ 6300 or \$6500.***

*(to be paid into an escrow account with the County before the start date of the above-described project)

It is mutually understood that no additional projects will be performed for any entities that owe outstanding project costs to Hunt County.

Approved by Commissioners' Court:

Hunt County Commissioner

Date:

Approved by: Town of Poetry

Date:

Authorized Signature for Other Entity

Copy of said agreement will be provided to the County Auditor and an accounts receivable will be recorded for said agreement. The Commissioners Office will report the date of completion to the County Auditor within seven (7) days of completion of above-described project. The fund deposited in the escrow account will then be paid to the County.

Secretary



From: Patrick Smith [mailto:psmith@...]
Sent: Thursday, December 14, 2023 3:08 PM
To: Secretary; contact
Subject: Re: Supplement to Second Petition for Release
Attachments: Supp-to-Second-Pet-Release.pdf; EXHIBIT B-2.pdf; Ex-E-page-one-surveys-all-pet.'s-land.pdf; Ex-E-page-two-surveys-all-pet.'s-land.pdf



Dear Ms. Scholander:


Attached please find Supplement to Second Petition for Release of Area by Landowner or Resident from Extraterritorial Jurisdiction along with Exhibits "B-2", "E" and F.



Thank you for your assistance,

Patrick Smith

 [Ex-E-page-three-surveys-all-pet.'s-land.pdf](#) 

 [Ex-F-page-one-surveys-portion-land-release.pdf](#) 

 [Ex-F-page-two-surveys-portion-land-release.pdf](#) 

 [Ex-F-page-three-surveys-portion-land-release.pdf](#) 


SUPPLEMENT TO SECOND PETITION FOR RELEASE OF AREA BY LANDOWNER
OR RESIDENT FROM EXTRATERRITORIAL JURISDICTION

TO THE TOWN OF POETRY, TEXAS:

Pursuant to Chapter 42, Local Government Code as amended and effective September 1, 2023, Petitioners Patrick J. Smith and Shelley J. Smith, hereby file this Supplement to Second Petition for Release of Area within the municipality's extraterritorial jurisdiction ("ETJ") and in support thereof would respectfully show as follows:

FACTUAL BACKGROUND

In order to provide the Town of Poetry with additional clarity so that it may verify that Petitioners only seek release of the area of their property contained solely within the Town of Poetry's extraterritorial jurisdiction ("ETJ") Petitioners submit the following exhibits, argument and authority. See Exhibits "B-2", "E" and "F" attached hereto.

ARGUMENT AND AUTHORITY

1. The petition includes a map of the land to be released and describes the boundaries of the land to be released by metes and bounds or lot and block numbers. See Tex. Loc. Gov. Code Sec. 42.104(d)(1) and (2). See also Ex.s "A" through "C" attached to Second Petition. Ex. B-2 clarifies the metes and bounds description of the portion to be released on p. 3 "LESS AND EXCEPT;" as follows:

BEING all of those tracts of land in Kaufman County, Texas, and a part of Plat tract K-4 and K-6 as defined in "AN ORDER FOR INCORPORATION OF THE TOWN OF POETRY, TEXAS", Instrument 2020-20915 of the Real Property Records of Hunt County, Texas, which is on file with the Town of Poetry and is incorporated herein by reference and more specifically described as the most southerly 261 feet of said

property running parallel to FM Highway 1565 and the most northerly portion of said property within the circumference created by the 311 feet of the radius from POB: K-4 running across said property

AND FURTHER IDENTIFIED AS PARCEL TRACTS, 216021, 215881, 215882, 216022, and 215977 of the Kaufman County Appraisal District.

Ex. "B-2" at p. 3. (See also Ex.s "C" to Second Petition for Release, and Ex.s "E" and "F" attached hereto) The original Ex. "B" should be considered withdrawn and superseded by Ex. "B-2" which is offered in its place.

2. The "area described by the petition" and "land to be released" as set forth herein is any part of the following property included within the Town of Poetry's ETJ: (1) KCAD Property ID: 56090; Legal Acreage: 6.21; GEO ID: 99.0529.0000.0600.05.06.00; Legal Description: ELISHA TURNER, TRACT 600.05; 6.21 ACRES; Tract or Lot: 600.05; Abstract Subdivision Code: A0529; Neighborhood Code: 28-001 and as more specifically described on original Exhibits "A" and "C", and Ex.s "B-2", "E" and "F" attached hereto and which are incorporated herein by reference; (2) KCAD Property ID: 14516; Legal Acreage: 1.39; GEO ID: 99.0529.0000.0600.03.06.00; Legal Description: ELISHA TURNER, TRACT 600.03; 1.39 ACRES; Tract or Lot: 600.03; Abstract Subdivision Code: A0529; Neighborhood Code: 28-001 and as more specifically described on original Exhibits "A" and "C", and Ex.s "B-2", "E" and "F" attached hereto and which are incorporated herein by reference; (3) KCAD Property ID: 188047; Legal Acreage: 6.34; GEO ID: 99.0529.0000.0600.06.06.00; Legal Description: ELISHA TURNER, TRACT 600.06; 6.338 ACRES; Tract or Lot: 600.06; Abstract Subdivision Code: A0529; Neighborhood Code: 28-001 and as more specifically described on original Exhibits "A" and "C", and Ex.s "B-2", "E" and "F" attached hereto and which are incorporated herein by reference; and (4): KCAD Property ID: 14515; Legal Acreage: 1.77; GEO ID: 99.0529.0000.0600.02.06.00; Legal Description: ELISHA TURNER, TRACT 600.02; 1.77 ACRES, & HOUSE; Tract or Lot: 600.02; Abstract Subdivision Code: A0529; Neighborhood Code: 28-RFGD/AV and as more specifically described on original Exhibits "A" and "C", and Ex.s "B-2", "E" and "F" attached hereto and which are incorporated herein by reference. (Ex. "B-2" - METES AND BOUNDS DESCRIPTION OF PORTION TO BE RELEASED; Ex. "E" - SURVEYS OF ALL OF PETITIONERS' LAND; Ex. "F" SURVEYS OF PORTION OF LAND TO BE RELEASED .) See also the official

recorded maps of the Town of Poetry maintained by said municipality as required by law, and the boundaries of the Town of Poetry as depicted on the Plat tract K-4 and K-6 as defined in "AN ORDER FOR THE INCORPORATION OF THE TOWN OF POETRY, TEXAS," instrument Number 2020-20915 of the Real Property Records of Kaufman County, Texas which is an official record of the Town of Poetry and which is incorporated herein by reference.

3. Petitioners request and seek removal of only the portions of their land contained within the Town of Poetry ETJ. See Ex. "C" attached to Petitioners Second Petition for Release which is on file herein and incorporated by reference and Ex.s "B-2", "E" and "F" attached hereto. In further support of this Petition, see the Petitioners Voter ID Numbers and related information attached as Ex. "D" to Second Petition for Release.
4. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(a) Petitioners request this petition requesting removal shall be verified by the municipal secretary or other person responsible for verifying signatures.
5. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(b), Petitioners request the municipality to notify the residents and landowners of the results of the petition.
6. Pursuant to Tex. Loc. Gov. Code Sec. 42.105(c), since the Petitioners have obtained the required number of signatures under Section 42.104, the aforementioned municipality shall immediately release the area from the municipality's extraterritorial jurisdiction.

Respectfully submitted,

Patrick J. Smith Signature Patrick J. Smith Date: Dec. 14, 2023

Shelley J. Smith Signature Shelley J. Smith Date: Dec 14, 2023

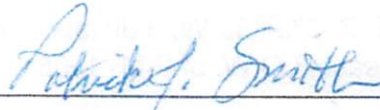
18730 FM 1565

Poetry, Texas 75160

972-563-9404

CERTIFICATE OF SERVICE

This is to certify that on the 14th day of December, 2023, a true and correct copy of the above and foregoing instrument was this date sent to the Town of Poetry, Texas via email to secretary@poetrytexas.org and contact@poetrytexas.org.



PATRICK J. SMITH

EXHIBIT "B-2"

METES AND BOUNDS DESCRIPTION OF PORTION TO BE RELEASED

**STATE OF TEXAS
COUNTY OF KAUFMAN**

BEING all that certain tract or parcel of land in the E. Turner Survey, A-529, Kaufman County, Texas, and being all that 10.000 acre tract as conveyed from Don Strickland, et ux, to Casey Currington, as recorded in Volume 1253, Page 216, of the Deed Records of Kaufman County, Texas, and being more particularly described as follows;

BEGINNING at a 3/8" iron rod found for corner at the north corner of said tract, said point also being at the west corner of the Four Post Ranch addition;

THENCE S45°27'29"E, along the northeast line of said tract, a distance of 306.96 feet to a 1/2" iron rod found for corner;

THENCE S45°04'39"W, a distance of 1458.57 feet to a 1/2" iron rod found for corner in the northeast R.O.W. of F.M. 1565;

THENCE N31°01'48"W, along the northeast R.O.W. of F.M. 1565, a distance of 316.20 feet to a 1/2" iron rod found for corner;

THENCE N45°04'39"E, along the southeast line of the Green Meadows Farms addition, a distance of 1379.78 feet to the POINT OF BEGINNING and containing 10.000 acres of land.

BEING all that certain lot, tract or parcel of land located in the E. TURNER SURVEY, ABSTRACT NO. 529, Kaufman County, Texas, and being part of a 10.000 acre tract of land conveyed to Danny Currington, by deed recorded in Volume 1253, Page 203, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch diameter iron rod found at the North corner of the above mentioned 10.000 acre tract, said point being in the Southwest line of Four Post Ranch Addition, recorded in Cabinet 1, Envelope 674, Plat Records, Kaufman County, Texas;

THENCE South 45 deg. 27 min. 29 sec. East (Directional Control per Volume 1253, Page 203), along said Southwest line, a distance of 291.20 feet to a 1/2 inch diameter iron rod found at the East corner of said 10.000 acre tract;

METES AND BOUNDS DESCRIPTION OF PORTION TO BE RELEASED

THENCE South 45 deg. 04 min. 39 sec. West, along the Southeast line of said 10.000 acre tract, a distance of 1033.86 feet to a fence post for corner;

THENCE North 41 deg. 47 min. 41 sec. West, a distance of 291.62 feet to a ½ inch diameter iron rod set for corner in the Northwest line of said 10.000 acre tract;

THENCE North 45 deg. 04 min. 39 sec. East, along said Northwest line, a distance of 1015.23 feet to the PLACE OF BEGINNING and containing 6.850 acres of land.

BEING part of that certain 10.00 acres tract of land situated in the E. Turner Survey, Abstract 529, Kaufman County, Texas, recorded in a deed from Tom M. Snow to Danny Currington, Vol. 1253, Pg. 204, Deed Records, Kaufman County, Texas, and being more particularly described as follows;

BEGINNING at the Southwest corner of said 10.00 acres tract and in the Northeast right-of-way of FM Highway 1565 a ½" iron rod found for corner;

THENCE N. 45 deg. 04 min. 39 sec. E. (CONTROLLING BEARING LINE) along the Northwest line of said 10.00 acres tract a distance of 443.35 feet to a ½" iron rod found at the Southwest corner of a 6.85 acres tract of land in a deed from Danny & Amy Currington to Patrick J. & Shelley J. Smith, recorded in Vol. 1927. Pg. 187, Deed Records, Kaufman County, Texas for corner;

THENCE S. 41 deg. 50 min. 05 sec. E. along said 6.85 acres tract a distance of 291.76 feet to a ½" iron rod found at the Southeast corner of said tract and in the Southeast line of said 10.00 acres tract, for corner;

THENCE S. 45 deg. 06 min. 41 sec. W. along said 10.00 acres tract a distance of 499.96 feet to a ½" iron rod found in the Northeast right-of way of FM Highway 1565 and at the Southeast corner of said tract for corner;

THENCE N. 30 deg. 58 min. 04 sec. W. along said right-of-way a distance of 299.89 feet to the POINT OF BEGINNING and containing 3.15 acres of land.

METES AND BOUNDS DESCRIPTION OF PORTION TO BE RELEASED

LESS AND EXCEPT;

BEING all of those tracts of land in Kaufman County, Texas, and a part of Plat tract K-4 and K-6 as defined in "AN ORDER FOR INCORPORATION OF THE TOWN OF POETRY, TEXAS", Instrument 2020-20915 of the Real Property Records of Hunt County, Texas, which is on file with the Town of Poetry and is incorporated herein by reference and more specifically described as the most southerly 261 feet of said property running parallel to FM Highway 1565 and the most northerly portion of said property within the circumference created by the 311 feet of the radius from POB: K-4 running across said property

AND FURTHER IDENTIFIED AS PARCEL TRACTS, 216021, 215881, 215882, 216022, and 215977 of the Kaufman County Appraisal District. (See also Exs. "C" and "E")

37.73 ACRES
PAULINE A. STRICKLAND
TO
DON A. STRICKLAND

S 45° 06' 41" W 499.96'

S 41° 50' 05" E 291.76'

3.15 ACRES
PART OF 10.00 ACRES
TOM H. SNOW
DANNY CARRINGTON
VOL. 1253, PG. 203

(CONTROLLING BEARING LINE)
N 45° 04' 39" E 443.35'

BEGINNING

25' ESMT. LINE

N 30° 58' 04" W 299.89'

TEXAS POWER & LIGHT
VOL. 502, PG. 418

F.M. HIGHWAY 1565

R.O.W. DEEDS
VOL. 323, PAGE 564
VOL. 361, PAGE 247

PARTIAL VOL.

FOUR POST RA
ADDITION
CABINET 1 ENVELOPE
P.R./K.C.T.

(MEAS.)

S 45° 27' 29" E 291.20'

N 45° 04' 39" E 1015.23'

PLACE OF BEGINNING

6.850 ACRES OF LAND
PART OF THE E. TURNER SURVEY
ABSTRACT NO 525
KAUFMAN COUNTY, TEXAS

(MEAS.)
S 45° 04' 39" W 1033.86'

REMAINDER OF 79,000 ACRES
DON A. STRICKLAND
VOLUME 1235, PAGE 691
D.R./K.C.T.

ES
SMITH AND
JO SMITH
C 1757, PAGE 86
D.R./K.C.T.


(MEAS.)
N 45° 04' 39" E 1015.23'

(MEAS.)
N 41° 47' 41" W 291.62'

FENCE POST
FOR CORNER

REMAINDER OF 10,000 ACRES
DANNY CURRINGTON
VOLUME 1233, PAGE 203
D.R./K.C.T.

PLACEMENT AGENCY FLOOD
PROPERTY SHOWN HEREON IS
IN ZONE "X"


Professional
Land Surveyor No. 9229