

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JANUARY 20, 2014
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER RYAN JOHNSON**
- A. 3. INVOCATION BY COUNCIL MEMBER RYAN JOHNSON**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 6, 2014**

Proclamations

- B. 1. PROCLAMATION**
"Dr. Martin Luther King, Jr. Day - January 20, 2014"

Public Hearing

- C. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5808**
Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", at Article 4.03, entitled "Ambulance Service", to Amend Sections 4.03.003, 4.03.021, 4.03.023, 4.03.0232, 4.03.024 and 4.03.025, to Add Section 4.03.004, and to Delete Section 4.03.026 in its Entirety

Close Public Hearing and Consider Adoption of Ordinances

- C. 2. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Number: 5808
- C. 3. CONSENT AGENDA**
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

D. 1. * RESOLUTION NO. 5836

Authorizing Execution of an Agreement with Mario Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1514 North Brents Avenue

Requests to Advertise

E. 1. REQUEST TO ADVERTISE

Loy Lake Road Improvement Project

F. CITIZEN REQUESTS

G. MEDIA QUESTIONS

H. COUNCIL COMMENTS

I. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on January 16, 2014 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 16th day of January, 2014
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote

upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

Carolyn S. Wacker

Deputy Mayor

Robert G. Softly

Council Members

Ryan Johnson, Council-At-Large, PL #1

Jason Sofey, Council-At-Large, PL #2

Lawrence Davis, Council – District #1

Robert G. Softly, Council – District #2

Tom Watt, Council – District #3

David Plyler, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. A. 4.

Meeting Date: 01/20/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 6, 2014

Attachments

Minutes of the January 6, 2014 Council Meeting

SEDCO Brochure

STATE OF TEXAS

§

January 6, 2014

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on January 6, 2014.

MEMBERS PRESENT:

MAYOR CARY WACKER; DEPUTY MAYOR ROBERT
SOFTLY.
COUNCIL MEMBERS DAVIS, PLYLER, SOFEY, WATT.

MEMBERS ABSENT:

COUNCIL MEMBER JOHNSON.

CALL TO ORDER

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and the Invocation were given by Council Member Jason Sofey.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of December 16, 2013. Deputy Mayor Softly moved to approve the Minutes as presented; Second by Council Member Watt. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5806 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING A REVISED OFFICIAL ZONING MAP; PROVIDING FOR A REPEALER.

ORD 5806
REVISED OFFICIAL
ZONING MAP

Scott Shadden, Director of Development Services, explained that the ordinance was to update the changes that have been approved through the zoning and Council process since 2002. Mayor Wacker verified that it included the new zoning classifications, such as the Single Family designation. Mr. Shadden said it also included the S.H. 289 and U.S. Hwy 82 annexations.

No citizens appeared before the City Council to discuss Ordinance 5806.

Mayor Wacker introduced Ordinance 5807 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 815 NORTH TRAVIS STREET (MWWF LLC, OWNERS; AND BARRY FONTAINE, REPRESENTATIVE); PROVIDING FOR A REPEALER.

ORD 5807
ZONE CHANGE
(815 N. TRAVIS)

Barry Fontaine, 7171 Dripping Springs Road, Denison

Mr. Fontaine represented the request for the zone change at 815 N. Travis. The City previously approved rezoning the three adjacent properties from the C-1 (Retail Business) District to the R-1 (One Family Residential) District. He is now requesting an additional lot also be changed to R-1 to be used as rental property.

No other citizens appeared before the City Council to discuss Ordinance 5807.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5806

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING A REVISED OFFICIAL ZONING MAP; PROVIDING FOR A REPEALER.

ORD 5806
REVISED OFFICIAL
ZONING MAP

Ordinance 5807

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 815 NORTH TRAVIS STREET (MWWF LLC, OWNERS; AND BARRY FONTAINE, REPRESENTATIVE); PROVIDING FOR A REPEALER.

ORD 5807
ZONE CHANGE
(815 N. TRAVIS)

ACTION TAKEN.

Motion by Council Member Sofey to approve Ordinance Nos. 5806 and 5807, as presented. Second by Deputy Mayor Softly.

VOTING AYE: Davis, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Softly moved to approve the Consent Agenda, as presented. Second by Council Member Sofey. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5835 – AMENDING RESOLUTION NO. 5764 TO REVISE THE CITY OF SHERMAN'S GUIDELINES AND CRITERIA FOR PARTICIPATION IN A RESIDENTIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING RESOLUTION NO. 5764 TO REVISE THE CITY OF SHERMAN'S GUIDELINES AND CRITERIA FOR PARTICIPATION IN A RESIDENTIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY.

RES 5835
RESIDENTIAL TAX
ABATEMENT
GUIDELINES

Robby Hefton, Assistant City Manager/CFO, explained that the City has had a residential tax abatement policy for several years. That policy allowed for a modernization component in the abatement criteria which incentivized property owners to improve existing structures through modernization. There have been no applications for this criterion until recently.

At that time, it was determined that the City's ability to administer that portion of the policy was nearly impossible because it would require that the City or Grayson County Appraisal District appraise specific improvements by performing a detailed property inspection and evaluation and to make a judgment on the incremental value to be added to the tax roll. Neither entity is set up to make this type of assessment.

Mr. Hefton said the staff was recommending that the City Council strike the portion of the policy that deals with modernization. He said they are still encouraging citizens to invest and reinvest in those distressed parts of town, but the criteria would limit the abatements to new structures and additions.

Council Member Watt expressed concern for citizens in his District and asked if there was a revision that would leave the exterior of a building available for abatement. George Olson, City Manager, said this particular program is not for repairs such as painting the outside of a home. The value to the property and the tax rolls is not equal to the abatement they would receive. He felt there might be another method to encourage this type of repair through a separate program or policy.

Council Member Watt verified that there was probably another program that would be better to encourage this type of repair to structures.

Mr. Hefton said this program is designed to recognize increases in property value that can be established through a "drive-by" type of appraisal or an aerial. The goal is to add value to the tax roll and incentivize people who do that through this abatement program.

Things such as updating the existing house would be better accomplished through programs such as the Community Development Block Grant.

Council Member Sofey said he was a proponent of the Residential Tax Abatement and felt it had encouraged a lot of new construction. Mayor Wacker verified that over 100 residential tax abatements had been approved since the program was enacted.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution

No. 5835, as presented. Second by Council Member Sofey.

VOTING AYE: Davis, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

REQUEST TO ADVERTISE

WATER AND SEWER MAINTENANCE SUPPLIES AND PARTS

The City Council approved the request to advertise for water and sewer parts and supplies for annual maintenance work.
CONSENT AGENDA.

REQ TO ADVERTISE
WATER & SEWER
MAINTENANCE
SUPPLIES

WASTEWATER TREATMENT PLANT ULTRA VIOLET LIGHT EQUIPMENT REPLACEMENT

The City Council approved the request to advertise for the replacement of Wastewater Treatment Plant Ultra Violet Light Equipment. The existing system has reached the end of its useful life and the Capital Improvement Program contains a project for its replacement.
CONSENT AGENDA.

WWTP ULTRA VIOLET
LIGHT EQUIPMENT
REPLACEMENT

OTHER BUSINESS

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD VICE CHAIRMAN BROOKS HULL AND SEDCO PRESIDENT SCOTT CONNELL

Brooks Hull, Sherman Economic Development Corporation Vice Chairman, thanked the City Council for the opportunity to serve the community through SEDCO and the shared partnership with the City.

SEDCO QUARTERLY
PROGRESS REPORT

Scott Connell, SEDCO President, presented the quarterly update on the Board's work. He thanked the City and the citizens for their support and the funding that allows them to "grow the community."

This has been an active quarter for SEDCO, including a performance agreement with Progress Rail for \$555,000 for new production equipment. The project does not include any new jobs but does include 156 retained jobs.

Two projects were also approved this quarter for significant investments in infrastructure. SEDCO owns real estate in Progress Park and therefore they become the "developers" of that Park, concerned with conserving the needs of the area.

One project is a water line that will be installed along Flannery Road in support of the Panda Energy Project. The new water line will also open up some opportunities for development.

The second project is a utility sewer line along Howe Drive to replace some systems that have been in place for a long time. This project will support some of Sherman's largest

employers. The line will also support long term growth in Progress Park.

Southeastern Freight Lines is establishing a new operation in Progress Park I, on the north side of FM 1417, next to FedEx Ground. SEDCO will extend Northgate Drive to support some of their property and to open additional sites in the area.

Mr. Connell said SEDCO has also rebranded the old Blalock Industrial District as Progress Park and has enacted a new website to market the area. He distributed a new brochure they have also designed to market Progress Park and the other industries in the area.

There are some long-term projects, including the FM 1417 – US 75 exit ramp, which will help improve the marketability and infrastructure support of the area property.

Also this quarter, SEDCO completed an aerial video of Sherman that is available on the Internet and is an attractive way to display the Sherman community.

Council Member Watt asked about the length of the extension of Northgate Drive, which is estimated at \$200,000. Mr. Connell said the extension removes the cul-de-sac, extends the street about 100 feet, and includes water and sewer along the extension. He felt it would increase the flexibility of future extensions of the street.

CONSIDER RENEWAL OF THE CITY'S PARTICIPATION IN THE TRANSPORTATION EXCELLENCE FOR THE 21ST CENTURY (TEX-21) U.S. 75/69 CORRIDOR TASK FORCE AND THE APPOINTMENT OF REPRESENTATIVES FOR FISCAL YEAR 2013-2014

TEX-21 US 75/69
CORRIDOR TASK
FORCE

Mayor Wacker said she attended the 16th Annual Transportation and Infrastructure Conference sponsored by the TEX-21 organization. The group is an advocacy group and the City's main interest is to stay connected to those working toward a high priority transportation corridor designation for US Hwy 75. This would allow Sherman to continue to receive funding for improvements for safety and to work toward the standards that an interstate highway would have. Ultimately the goal is for US Hwy 75 to receive the interstate designation.

She said the City has been attending quarterly meetings and continue to "be a voice" in the process. The project has continued to US Hwy 82, but she did not want it to end there and felt the City should continue to work for progress. There is no timeline as to when the official designation might come.

Council Member Watt asked about any response from Oklahoma. Mayor Wacker said one of the quarterly

COUNCIL MINUTES – JANUARY 6, 2014

meetings was held in Durant last year and the various entities along the corridor attended.

She added that Sherman's highway access is pretty good, and there are no traffic lights on the highway. However, in Oklahoma there are traffic lights along the highway, and that issue must be addressed.

Currently the priority is to advance the project to the US Hwy 82 node. The corridor can then be connected through additional transportation nodes. The Task Force will then continue working up into Oklahoma and choosing a route to make controlled access onto US Hwy 69. This portion will be very expensive and will be a long term project.

Mayor Wacker added that the Oklahoma portion of the project should not limit what can be completed on the Texas portion of the project.

She said Sherman is tentatively scheduled to host the next quarterly meeting of the Task Force. She said that even though Sherman is "the end of the line," it is an important access point for a great deal of traffic both from US Hwy 75 and US Hwy 82, and she did not want Sherman to be "forgotten."

Mayor Wacker felt Sherman should continue to have a voice in the TEX-21 Task Force and said she would be happy to serve. An alternate representative should also be appointed at some point.

Mr. Olson said the goal for tonight is for the Council to consider renewing their membership in the Task Force, to appoint a representative to serve, and consider an alternative if the representative is unable to attend. Appointment of an alternate representative could also be considered at a future meeting.

ACTION TAKEN.

Motion by Council Member Watt to approve the renewal of the City's participation in the TEX-21 U.S. 75/69 Corridor Task Force and to appoint Mayor Cary Wacker to serve as the City's representative, as presented.

Second by Deputy Mayor Softly.

VOTING AYE: Davis, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

THANKS TO CITY STAFF

Nancy Kirkpatrick, 1020 Western Hills, thanked the City Council and the Sherman Tourism Department for supporting the Sherman Holiday Invitational Basketball Tournament.

**THANKS TO
CITY STAFF**

COUNCIL MINUTES – JANUARY 6, 2014

Beth Tallant, Girls Basketball Coach, thanked the City Council for their support through the Tourism Department. She also thanked Council Member Plyler for sponsoring a bracket. She said the money received provides the student athletes with funding while in school and with scholarships after graduation. It also enhances the program.

Coach Tallant introduced Girls Basketball players Emily Kirkpatrick, Sa'liesha Hunter, J'Lyn Wash, and Brandi Higgs.

THANKS TO CITY STAFF

Rick Adamson, 1911 Bethany Road, commented on a notice he received during the recent ice storm, on a commercial shopping center he owns at Loy Lake Road and Texoma Parkway. His tenants begin hearing noises in the building and expressed concern about the ceiling falling down. He contacted the City and after inspection the building was evacuated and condemned.

Mr. Adamson thanked several City departments including the Police Department that came out and “took control.” He thanked the Police Dispatch, Fire Marshall Jamie Baggs, Acting Fire Chief Tom Brown, and Development Inspector Byrle White for their assistance and direction as to what needed to be done and the quick disconnection and reconnection of utilities.

He again thanked the City for all their help during this critical time of the year.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

ICE STORM RESPONSE

Deputy Mayor Softly thanked the City staff for their hard work during the ice storm and for keeping everyone updated on the status of the area.

ICE STORM RESPONSE

Council Member Sofey also thanked the staff for their hard work during the ice storm and wished everyone a Happy New Year.

ICE STORM RESPONSE

Council Member Watt said it was amazing to see how well the City staff comes together to “take care of business.”

POLICE DEPARTMENT RETIREMENT

Council Member Watt recognized Lieutenant Ken Brooks, who recently retired from the Police Department after almost 20 years of service. He said Lt. Brooks was an amazing asset and he will be missed.

CONGRATULATIONS TO SEDCO

Council Member Plyler congratulated SEDCO on “a job well

THANKS TO CITY STAFF

MEDIA QUESTIONS

ICE STORM RESPONSE

ICE STORM RESPONSE

ICE STORM RESPONSE

KEN BROOKS RETIREMENT

CONGRATULATIONS TO SEDCO

COUNCIL MINUTES – JANUARY 6, 2014

done.” He said the brochure they displayed was very nice. While traveling to Oklahoma City, Oklahoma over the holidays, he also said he saw one of the billboards for Sherman. He added that he appreciated all the work SEDCO does.

HAPPY NEW YEAR

Council Member Plyler wished everyone a Happy New Year.

HAPPY NEW YEAR

ICE STORM RESPONSE

Council Member Davis said it was nice to hear about the City’s response to Mr. Adamson during the ice storm.

ICE STORM
RESPONSE

ANNOUNCEMENTS

Mayor Wacker announced the following:

- The pipeline between the City’s Water Treatment Plant and Lake Texoma will be out of service for one month beginning Monday, January 13, 2014. It will return to service on Monday, February 10, 2014. During this time, the entire City will be supplied with well water.

ANNOUNCEMENTS

HAPPY NEW YEAR

Mayor Wacker wished everyone a Happy New Year.

HAPPY NEW YEAR

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:37 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



Sherman
Texas

Economic
Development
Corporation



PROGRESS PARK

Where leading assets
create unlimited opportunity.

www.ProgressParks.com



Progress Park

Come rise with a top Texas location.

Join global leaders for a future of limitless opportunity in the best state for business.

75

FM HWY 1417

Available Sites

A 130 Available Acres Mixed Use Development	F 83 Available Acres
B 197 Available Acres	G 284 Available Acres
C 119 Available Acres	H 126 Available Acres
D 117 Available Acres	I 313 Available Acres
E 77 Available Acres	J 353 Available Acres
	K 241 Available Acres

Progress Park Assets

- Abundant water supply
- Pro-active Economic Development
- Industrial Parks with Infrastructure In Place
- Rail Served Sites
- Low City Taxes and Tailored Financial Incentives
- Available Workforce
- Close Proximity to Dallas Metro

ProgressParks.com

Progress Park offers unlimited opportunities.

Superior location and logistics in North Texas and the central US; a large labor force able to reach higher global performance standards; a pro-business, low-cost environment in an educated, progressive community ready to innovate and collaborate. At Progress Park, multiple assets that support a variety of operations - along with flexible choices in site design-lead to success for your organization.

Buildings shown in the available sites are conceptual representatives of possible future development in Progress Park.

BNSF RAIL

75

Progress Park Aerial View



Existing Industries

- 1 ActiTech (Botanical extracts / cosmetics)
- 2 Alpla, Inc. (Plastic Bottles)
- 3 CertainTeed Corp. (Commercial duct liner & Insulation)
- 4 Consolidated Container (Beverage containers)
- 5 Emerson Process Management (Rotary control valves)
- 6 FedEx Ground (Distribution / Logistics)
- 7 GlobiTech (Epitaxial foundry)
- 8 Kaiser Aluminum (Aluminum extrusions)
- 9 Longhorn Inc. (Wholesale irrigation & landscape supplies)
- 10 Oncor Electric Delivery (Electrical distribution)
- 11 Panda Power Funds (Power generating plant)
- 12 Power Lift Foundation Repair (Foundation repair)
- 13 Progress Rail (Rail turnouts)
- 14 Sunny Delight (Beverages)
- 15 Texas Instruments (Semiconductors)
- 16 Texas Dept of Transportation - TXDOT (State government)
- 17 Tyson Fresh Meats (Case ready meats)
- 18 YRC Freight (Distribution / Logistics)
- 19 Available Tech Facility - 693,404 SF

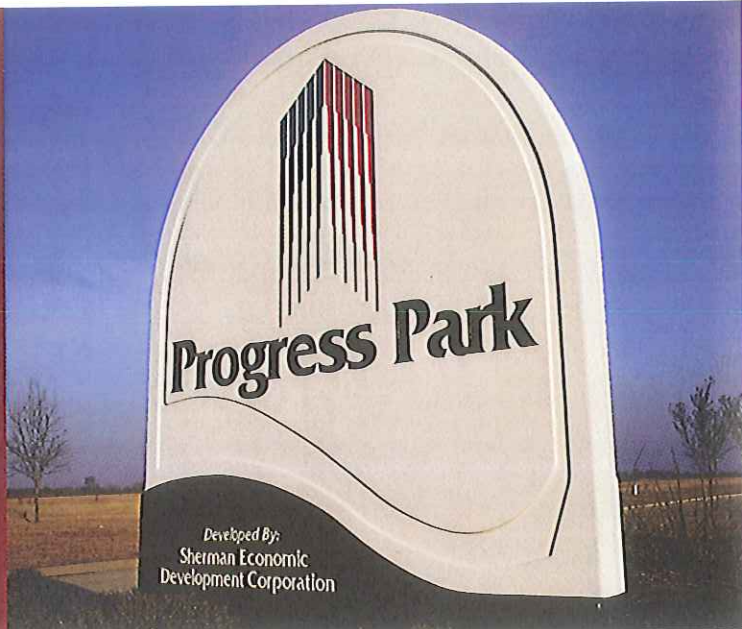
Progress Park is located just 40 miles north of Dallas metro with quick access to U.S. Highway 75 (Central Expressway) and U.S. Highway 82 connecting to Interstates 35, 20, 30 and 45.

South to Dallas

Progress Park - Sherman, Texas

All works together

Superior location and logistics in North Texas and the central US; a large labor force able to reach higher global performance standards; a pro-business, low-cost environment in an educated, progressive community ready to innovate and collaborate. At Progress Park, multiple assets that support a variety of operations - along with flexible choices in site design-lead to success for your organization.



Strategic location and logistics:

- Located just 40 miles north of Dallas, Texas within the Sherman-Denison MSA and the Dallas-Fort Worth CSA.
- Quick access to U.S. Highway 75 (Central Expressway) and US Highway 82 connect to Interstates 35, 20, 30 and 45 in less than one hour and links to Mexico, Canada and the global deepwater port of Houston.
- Burlington Northern Santa Fe (BNSF) Railway offering rail access to 28 states and Canada.
- Air connections including general aviation airports Sherman Municipal and North Texas Regional Airports and commercial at Dallas-Fort Worth International Airport and Dallas Love Field within 70 miles.



Site selection and size to support your needs today - and tomorrow.

Progress Park is a 3,300-acre master-planned development offering outstanding infrastructure in a variety of sites ideal for the global demands of diverse sectors.



www.ProgressParks.com

Strong support:

- Defined development guidelines
- Proactive economic development effort
- Pro-business local government
- Low city property taxes

Superb infrastructure:

- Water capacity 22mgd, average usage 10mgd; Long term water rights
- Wastewater capacity 16mgd, average usage 7.5mgd
- Excellent on-site electrical infrastructure with two substations and a 758 MW generation facility in Progress Park
- Natural gas service delivery, high pressure distribution and transmission lines in Park
- Fiber optic lines by two providers
- Municipal fire station in Park
- Concrete roads
- Annual capital improvements plan

Large, can-do labor force:

- Sherman-Denison MSA 122,000 population
- Texoma Workforce Area 315,000
- Dallas-Fort Worth Region 7,100,000
- Right to work, diverse skills
- World class customized training through Grayson College and Center for Workplace Learning
- Texas Skills Development Fund Grants

A community with better ideas:

- Award-winning growing K-12 school system
- Nationally recognized Austin College, new IDEA Center for STEM programs

Multiple Parks. Unlimited opportunity:

▪ Progress Park I

- 223 total, 197 acres available
- Located 1 mile from US HWY 75, Exit 56
- Office and light industrial

▪ Progress Park II

- 117 acres available
- Located 2 miles from US HWY 75, Exit 56
- Light and medium industrial, BNSF rail spur accessible

▪ Progress Park III

- 77 acres available; Site A 62 acres, Site B 15 acres
- Located less than 1 mile from US HWY 75
- Light and medium industrial, BNSF rail spur accessible on Site A

▪ Progress Park IV

- 119 acres available
- Located 1 mile from US HWY 75, Exit 56
- Light and medium industrial, BNSF rail spur accessible on two sides

▪ Progress Park V

- 83 acres available
- Located less than 1 mile from US HWY 75
- Light and medium industrial

▪ Sherman Crossroads

- 130 acres available
- Frontage visibility on US HWY 75
- Mixed use – retail, hospitality, office, light industrial

▪ Munson Property

- 410 acres; East tract 284 acres, West tract 126 acres
- Located 2 miles from US HWY 75
- Campus development, office, light industrial

Progress Park

Reach markets as you reach and exceed performance goals.

A depth of assets for diverse success.

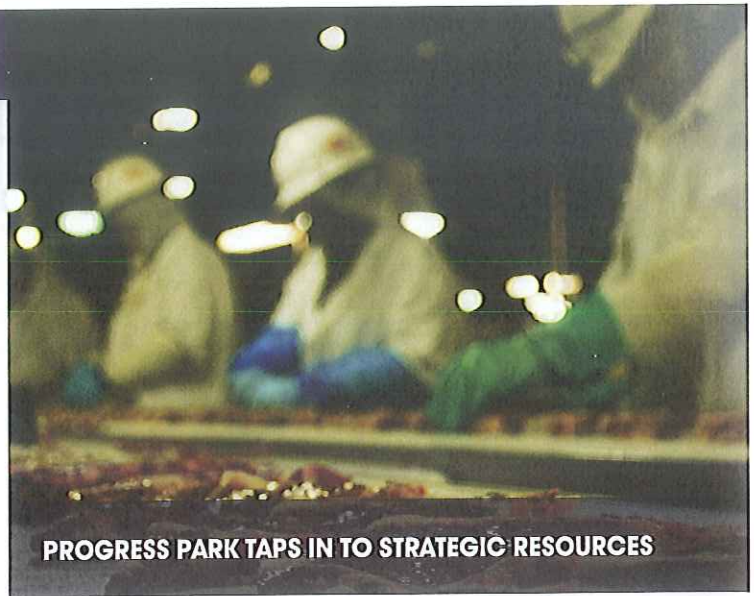
For Panda Power Funds, the choice had to fulfill the location needs of a natural gas-fired, combined-cycle 758 MW generation facility, one of the nation's greenest. For GlobiTech, it was a foundry firing epitaxial wafers to support the semiconductor industry, and for ActiTech, it was a bottling facility to supply the company's sustainable manufacture of leading specialty personal care and nutritional products. The success of these companies shows that across diverse sectors with demanding performance goals, Progress Park offers the depth of assets and support for productivity, and profitability.



HOME TO TECH TITANS LIKE TEXAS INSTRUMENTS

Technology

Build business success alongside neighbors like Texas Instruments, powered by a 21st century electrical and telecommunication infrastructure and superior workforce performance, thanks to the globally-respected, customized workforce training program administered through the Center for Workplace Learning at Grayson College and the Texas Skills Development Fund. Home to Austin College, and the cutting-edge \$38 million IDEA Center for STEM learning, Sherman is a community with better ideas about business, ready to incentivize your operation through tailored packages enhanced by the Texas Emerging Technology Fund.



PROGRESS PARK TAPS IN TO STRATEGIC RESOURCES

Food Production

It's no surprise Sunny Delight Beverages Co. (SDBC) chose its Progress Park manufacturing facility to debut the brand's very first easy-to-pour square gallon bottle. Food producers like SDBC and Tyson Fresh Meats, hungry for outside-the-box thinking and advantages that nurture growth, find Progress Park the ideal location. While low-cost, highly skilled labor insures top quality and bottom-line value, our pro-business community welcomes producers and processors with custom-tailored incentives that hasten ROI.

“ Texas was the top state for job growth in 2012, creating 337,000 new jobs. ”

Progress Park's abundant water capacity and gas and electric infrastructure are the right fit for virtually any processing operation, and logistical assets insure quick delivery to retail shelves and waiting consumers. Located just 40 miles north of Dallas, Progress Park offers highway, rail and air connections that insure easy reach to major U.S. markets, with 10 leading motor freight companies plus truck leasing services ready to meet your needs.





Join these leaders and innovators at Progress Park in Sherman, Texas

AcilTech	Oncor Electric Delivery
Alpla, Inc.	Panda Power Funds
CertainTeed Corp.	Power Lift Foundation Repair
Consolidated Container	Progress Rail
Emerson Process Mgmt	Sunny Delight
FedEx Ground	Texas Instruments
GlobiTech	Texas Dept of Transportation
Kaiser Aluminum	Tyson Fresh Meats
Longhorn Inc.	YRC Freight

Distribution/Logistics

Progress Park's fast-moving logistical resources have attracted pacesetters like YRC Freight and FedEx Ground, which doubled in size in its first four years here. Only 40 miles north of Dallas, the Park's strategic location offers quick access to U.S. Highways 82 and 75; rail access through Burlington Northern Santa Fe (BNSF) Railway; and convenient air connections including the nearby North Texas Regional Airport, as well as, the Dallas/Fort Worth International Airport and Dallas Love Field. Progress Park also offers key maneuverability in other ways, through a skilled, low-cost labor force and powerful incentives such as the Freeport Exemption eliminating ad valorem taxes on qualified inventory.

Plastics

A large and skilled manufacturing labor base, a world-class workforce training program funded by the Texas Skills Development Fund, strategic incentives, low taxes and low costs for doing business—Progress Park has all the elements in place to support plastics manufacturing with the strength and dynamism to thrive in a global market.

Current tenants include ALPLA, a global leader in plastic packaging, supplying Sunny Delight Beverages Co. (SDBC) with innovative square bottles in a co-manufacturing location, and Consolidated Container Corporation through manufacturing processes setting new standards in sustainability. Progress Park's custom tailored state and local incentives packages encompass a range of "wide open for business" supports including exemptions for tangible property and for sales and use tax on natural gas and electricity used in the manufacturing process.

“ Texas is home to fifty-two
Fortune 500 businesses. ”

Metal Products

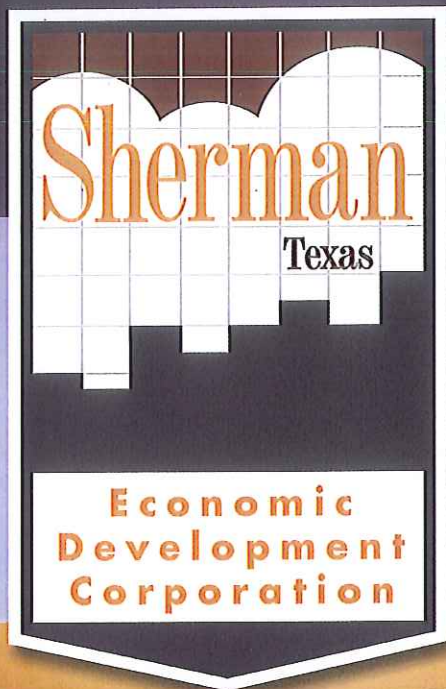
Employing Lean Manufacturing and Six Sigma methodologies, Kaiser Aluminum's fully integrated aluminum extrusion manufacturing operation in Progress Park has been able to combine higher productivity with lower energy costs through collaboration between Kaiser staff and the U.S. Department of Energy. Now their assessments are being adopted across the corporation. At Emerson Process Management, a Fisher Controls manufacturing site, stellar teamwork and communication resulted in record safety performance. These are typical success stories in Progress Park, where a can-do workforce is just the beginning of the benefits metal manufacturers enjoy.

Low costs and tailored incentives (including exemptions for tangible property and for sales and use tax on natural gas and electricity) also aid in rapid ROI and provide strategic maneuverability for companies on the move, like Progress Rail creating high-quality specialized track work for the global rail market.



Metro advantages without metro costs.

Just 40 miles north of Dallas, Progress Park puts your operation in the Dallas-Fort Worth CMA while delivering the top-quality, bottom-line value of a highly skilled, low-cost workforce, plus strategically tailored incentives that promise rapid ROI.



PROGRESS PARK

Sherman, Texas

Sherman Economic Development Corporation
307 West Washington, Suite 102
Sherman, TX 75090
P: 800.981.2566
F: 903.813.0403
E: scottc@SEDCO.org
www.SEDCO.org



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 01/20/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

PROCLAMATION

"Dr. Martin Luther King, Jr. Day - January 20, 2014"

Issue:

To present a proclamation designating Monday, January 20, 2014 as "Dr. Martin Luther King, Jr. Day"

Background:

Each year, local organizations in the community sponsor events to celebrate Dr. Martin Luther King, Jr. Day.

Origination:

The request for this proclamation originated with the City Manager's Office.

Financial Consideration:

There is no financial consideration to the City.

Staff Recommendation:

It is the recommendation of the staff to present a proclamation designating Monday, January 20, 2014 as "Dr. Martin Luther King, Jr. Day."

Alternatives:

The Council could choose not to present the proclamation.

Attachments

Dr. Martin Luther King, Jr. Day Proclamation



Proclamation

WHEREAS, Dr. Martin Luther King, Jr., clergyman and civil rights leader, worked by peaceful means to bring about social, political and economic equality for all Americans, and

WHEREAS, through many nonviolent demonstrations and marches, Dr. King was able to gain support for the struggle for equality, and

WHEREAS, in honor of Dr. King's efforts, a national holiday has been set aside to honor this great man and his accomplishments, and

WHEREAS, local organizations in Sherman sponsor several events to honor Dr. King and to recognize his accomplishments and the changes that are a result of his work.

NOW THEREFORE, I, Cary Blacker, Mayor of the City of Sherman, Texas, by the authority vested in me, do hereby proclaim January 20, 2014

DR. MARTIN LUTHER KING, JR. DAY

in the City of Sherman and encourage all citizens to remember this great man and his contributions to the freedom that all persons of our nation enjoy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Sherman to be affixed this the 20th day of January, 2014.

Mayor

ATTEST:

Sinda Ashby
City Clerk





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 01/20/2014

Prepared By: JJ Jones, Fire Chief

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5808

Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", at Article 4.03, entitled "Ambulance Service", to Amend Sections 4.03.003, 4.03.021, 4.03.023, 4.03.0232, 4.03.024 and 4.03.025, to Add Section 4.03.004, and to Delete Section 4.03.026 in its Entirety

Issue:

To consider approval of amendments to the City's Ambulance Service Code Provisions, codified at Chapter 4, Article 4.03 of the Sherman Code of Ordinances

Background:

The current Ambulance Service Code provisions include a requirement for private ambulance companies to be "franchised" by Council in order to pick up non-emergency patients. The proposed revisions will change "franchise" to "permit" and allow the City to manage those private providers doing business within the city. These providers are licensed by the State of Texas and required to maintain certain standards for their vehicles and personnel.

Other proposed changes provide for a modification in the way the City charges for our ambulance service. Currently, the code provisions list every medication and disposable supply item. As medications change, this requires staff to bring back a change to the code provisions. The proposed changes will allow a more efficient method of processing EMS billing and allow the City Manager to authorize and adjust these charges as medication and supply items change.

Origination:

J. J. Jones, Fire Chief

Financial Consideration:

A nominal fee will be charged for permitting companies doing business within the City and for permitting each ambulance used by these businesses. This fee, established by the City Manager, is expected to cover the administrative costs of managing this program.

Staff Recommendation:

It is recommended that the City Council approve the proposed amendments to the Sherman Code of Ordinances at Article 4.03, "Ambulance Service".

Alternatives:

As directed by the City Council

Attachments

Ordinance No. 5808

Ambulance Service Code Provisions with Proposed Changes

ORDINANCE NO. 5808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", AT ARTICLE 4.03, ENTITLED "AMBULANCE SERVICE", TO AMEND SECTIONS 4.03.003, 4.03.021, 4.03.023, 4.03.0232, 4.03.024 AND 4.03.025, TO ADD SECTION 4.03.004, AND TO DELETE SECTION 4.03.026 IN ITS ENTIRETY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Chapter 4, Article 4.03, Division 1, Section 4.03.003 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 4.03.003 Certificate of public convenience and necessity required

The business of providing ambulance service, both emergency and transfer, is declared to be a business affecting the public interest and public utility. No person shall operate such business within the corporate or extraterritorial limits of the city ~~except as franchised by the city council~~ without a valid permit. *Permit fees and process shall be established by the city manager.*

SECTION 2. That Chapter 4, Article 4.03, Division 1 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended to add a new Section 4.03.004, such section to read as follows:

Sec. 4.03.004 False statements of emergency

It shall be unlawful for any person to willfully request emergency ambulance service when such person knows that the need for emergency ambulance service does not exist at the reported place and time.

SECTION 3. That Chapter 4, Article 4.03, Division 2, Section 4.03.021 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 4.03.021 Created; operation by fire department

There is hereby created a service to the people, to be called the ~~Sherman Ambulance Service~~ City of Sherman Emergency Medical Service (EMS), which service shall be operated within the fire department.

SECTION 4. That Chapter 4, Article 4.03, Division 2, Section 4.03.023 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 4.03.023 Definitions

In this Article, these terms shall have the following meaning:

- (a) Certificate of Medical Necessity means an original order, signed by a physician, indicating that the patient to be transferred cannot sit, stand, or walk and requires transportation by ambulance.
- (b) Emergency Department means the department where emergency medical services are provided in a hospital licensed by the State of Texas.
- (c) Emergency Medical Services has the same meaning as that term is defined in Chapter 773, Texas Health and Safety Code, as amended.
- (d) Emergency Medical Services Personnel has the same meaning as that term is defined in Chapter 773, Texas Health and Safety Code, as amended.
- (e) Emergency Patient means patients requiring priority emergency medical services.
- (f) Emergency Transfer means any immediate transfer of an emergent or unstable patient, ordered by a licensed physician, from a medical facility to ~~a medical [sic]~~ *an Emergency Department*, which has the capability of providing a higher level of care or of providing a specialized type of care not available at the transferring facility.
- (g) Health Care Provider has the same meaning as that term is defined in Chapter 74, Texas Civil Practice and Remedies Code, as amended.
- (h) Medical Control means the process by which a physician or, occasionally, a group of physicians, advise and direct patient care provided by emergency medical services personnel.
- (i) Medical Facility means a nursing home, long-term care facility, assisted living center, any medical establishment devoted to the diagnosis and care of outpatients, or a hospice.
- ~~(j) Transfer Agreement means a signed agreement between a medical facility and the City of Sherman that provides for a flat rate charge for non-emergency transfer service.~~

SECTION 5. That Chapter 4, Article 4.03, Division 2, Section 4.03.0232 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 4.03.0232 Emergency Transfers

Emergency transfers shall be done from medical facilities within the city limits of the City of Sherman to emergency departments and medical facilities within the City of Sherman and Denison. ~~Any emergency transfers must have a valid certificate of medical necessity.~~

SECTION 6. That Chapter 4, Article 4.03, Division 2, Section 4.03.024 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 4.03.024 Non-Emergency Transfers

~~The following criteria shall be applicable to all transfer requests for ambulance service:~~

- ~~(a) — Transfer patients must have a valid certificate of medical necessity.~~
- ~~(b) — A physician's authorization must be provided with every request for a non-emergency transfer.~~
- ~~(c) — Patient transfers will be transported from a medical facility to another medical facility within the city limits of the City of Sherman, Denison, or within ten (10) miles of the city limits of the City of Sherman. Non-emergency patient transfers will be made from a medical facility to a doctor's office or clinic within the city limits of the City of Sherman.~~
- ~~(d) — Emergency medical services personnel will not incur "standby" time in patient transfer situations, and the ambulance personnel will go back into service after completing the transfer.~~
- ~~(e) — Nonemergency transfers will be scheduled during the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday only.~~

The fire chief or his designated representative retains the right to refuse non-emergency ambulance transportation.

SECTION 7. That Chapter 4, Article 4.03, Division 2, Section 4.03.025 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 4.03.025 Billing

- (a) Any person who uses the ambulance service of the city, whether such person requested the same or not by reason of emergencies then existing, shall pay for such service; provided, however, that health-care providers requesting ambulance service on behalf of their patients shall be billed directly and shall be responsible for such charges established by ordinance.

(b) ~~Emergency transfers shall be billed to the transferring health care provider as provided in Section 4.03.026.~~

(b) *The fees and charges for the use of the city ambulance service along with specified collection standards shall be established by the city manager.*

(c) ~~Non-emergency transfers shall be billed as follows:~~

(i) ~~Medical facilities with a transfer agreement shall be billed according to the terms of the transfer agreement.~~

(ii) ~~Medical facilities without a transfer agreement shall be billed as provided in Section 4.03.026.~~

SECTION 8. That Chapter 4, Article 4.03, Division 2 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended to delete Section 4.03.026 in its entirety.

Sec. 4.03.026 — Ambulance Fees

Chargemaster Item	Rate	Medicaid	Medicare
ALS Emergency Mileage	15.00	15.00	15.00
ALS Non-Emergency Mileage	15.00	15.00	15.00
ALS Supplies — Airway Management	94.00	*	*
ALS Supplies — Autopulse	472.10	*	*
ALS Supplies — Capnography	156.00	*	*
ALS Supplies — Defibrillation	210.00	*	*
ALS Supplies — EKG Pads	36.75	*	*
ALS Supplies — External Pacing	210.00	*	*
ALS Supplies — IO Infusion	262.25	*	*
ALS Supplies — IV Therapy	258.00	*	*
ALS Supplies — Intubation	100.00	*	*
ALS Supplies — Mast Trousers	42.00	*	*
ALS Supplies — NG Tube	88.00	88.00	*
ALS Supplies — Needle Thoracostomy	31.50	*	*
ALS Supplies — Routine Disposable	52.50	52.50	*
ALS Supplies — Surgical Airway	314.75	*	*
ALS1 Emergency Base Rate	855.00	855.00	855.00
ALS1 Non-Emergency Base Rate	855.00	855.00	855.00
ALS2 Emergency Base Rate	900.00	900.00	900.00
Ambulance Wait Time (30 min)	31.47	*	*
BLS Emergency Base Rate	787.00	787.00	787.00
BLS Emergency Mileage	15.00	15.00	15.00
BLS Non-Emergency Base Rate	787.00	787.00	787.00
BLS Non-Emergency Mileage	15.00	15.00	15.00
BLS Supplies — Defibrillation (AED)	42.00	*	*

BLS Supplies—Morgan Lens	85.00	*	*
BLS Supplies—Routine Disposable	52.50	52.50	*
BLS Supplies—Scoop Stretcher	35.00	*	*
BLS Supplies—Stair Chair	55.00	*	*
Blood Glucose Test	45.64	*	*
Bone Injection Adult	250.00	*	*
Bone Injection Pedi	250.00	*	*
Dispatch Fee	94.00	*	*
Disposable Linen Kit	25.00	*	*
Drug—Acetaminophen 5 mL	2.25	*	*
Drug—Activated Charcoal 20cc PO	12.50	*	*
Drug—Adenosine 6mg	66.62	*	*
Drug—Albuterol (.83%) 3 mL	19.83	*	*
Drug—Albuterol/Ipratropium	36.00	*	*
Drug—Aminophyllin 250 mg	88.25	*	*
Drug—Amiodarone HCl 150 mg / 3mL	335.71	*	*
Drug—Aspirin Chewable 81 mg	2.10	*	*
Drug—Atropine Sulfate 0.3 mg	14.69	*	*
Drug—Benztropine 1 MG	65.00	*	*
Drug—Butorphanol 2 mg	60.00	*	*
Drug—Calcium Chloride 1 gm / 10 mL	7.75	*	*
Drug—Clonidine 0.1 mg	11.00	*	*
Drug—Dexamethasone 4 mg	44.00	*	*
Drug—Dextrose 25% (D25)	29.50	*	*
Drug—Dextrose 50% (D50)	18.88	*	*
Drug—Diazepam 5 mg	26.23	*	*
Drug—Diltiazem HCL 5mg	61.88	*	*
Drug—Diphenhydramine 50 mg	9.44	*	*
Drug—Dobutamine, per 250 mg	54.55	*	*
Drug—Dolasetron 10 MG	55.00	*	*
Drug—Dopamine 400mg/250cc bag of D5W	22.03	*	*
Drug—EPI 1 mg/10 mL IV	9.32	*	*
Drug—EPI 1 mg/cc IV	15.74	*	*
Drug—EPI Pen 1 dose	60.00	*	*
Drug—EPI Pen Pedi	60.00	*	*
Drug—Enalaprilat 5 mg	44.00	*	*
Drug—Etomidate 20 mg/vial	33.57	*	*
Drug—Flumazenil 0.5 mg	60.00	*	*
Drug—Furosemide 20 mg	20.72	*	*
Drug—Glucagon 1 mg	136.38	*	*
Drug—Haloperidol 5 mg	26.25	*	*
Drug—Hydrocortisone 100 MG	42.59	*	*
Drug—Hydromorphone 4 MG	64.00	*	*
Drug—Ibuprofen for Children 4 oz	2.25	*	*
Drug—Ipecac 5 cc	5.25	*	*

Drug— Ipratropium Bromide .18 mg	5.25	*	*
Drug— Isoproterenol HCl .5%	20.98	*	*
Drug— Ketorlac 15 mg	48.00	*	*
Drug— Labetolol 10 mg	44.59	*	*
Drug— Lidocaine Drip 1 gm 25 mL	52.50	*	*
Drug— Lidocaine HCl (2%) 50 mg	26.23	*	*
Drug— Lorazepam 2 mg	43.01	*	*
Drug— Maalox 5mL	19.00	*	*
Drug— Mag Sulfate, per 500 mg	22.03	*	*
Drug— Mannitol bag	104.91	*	*
Drug— Meperidine HCL 100mg	35.50	*	*
Drug— Methylprednisolone 125 mg	41.44	*	*
Drug— Midazolam HCl mg	41.96	*	*
Drug— Morphine Sulfate, 10 mg	58.75	*	*
Drug— NTG Spray 0.4 mg SL	6.99	*	*
Drug— Nalbuphine HCl 10 mg	24.65	*	*
Drug— Naloxone 1 mg IV	12.65	*	*
Drug— Nitrous Oxide Gas	80.00	*	*
Drug— Norcuron 10 mg	94.42	*	*
Drug— Ondansetron 1 MG	55.00	*	*
Drug— Oral Glucose Gel 15 g	6.29	*	*
Drug— Oxytocin 10 unit/1mL	19.93	*	*
Drug— Procainamide HCl, 1g	39.45	*	*
Drug— Promethazine, 50 mg	33.05	*	*
Drug— Proparacaine Opth gtts	39.00	*	*
Drug— Propranolol HCl 1 mg	11.04	*	*
Drug— Racemic Epi Neb	45.00	*	*
Drug— Revex 100 mcg	60.00	*	*
Drug— Rocuronium/Zemuron 50mg/5ml	119.00	*	*
Drug— Sodium Bicarbonate 50 CC	7.74	*	*
Drug— Sublimaze 1mL	75.75	*	*
Drug— Succinylcholine 20 ml	8.39	*	*
Drug— Terbutaline Sulfate 1 mg	26.02	*	*
Drug— Tetracaine gtts	19.50	*	*
Drug— Thiamine 100 mg IV	3.36	*	*
Drug— Tridil Drip	150.00	*	*
Drug— Vasopressin 40 units	54.55	*	*
Drug— Vecuronium 10 mg	110.00	*	*
Drug— Verapamil 2.5 mg	60.00	*	*
Drug— Xopenex 1.25 mg	35.50	*	*
EKG Interpretation	260.00	*	*
ETCO2 Bulb Adult	32.50	*	*
ETCO2 Bulb Pedi	32.50	*	*
EZ IO	375.00	*	*
Emergency Rate	94.00	*	*

Extra Attend— 300+ lb Patient	40.00	*	*
Extra Attend— CPR	147.00	*	*
Extra Attend— Heavy Extrication	250.00	*	*
Extra Attend— Long Stairs	40.00	*	*
IV— 5% Dextrose/NS 500CC	42.00	*	*
IV— Blood Draw Procedure	21.00	*	*
IV— Collection Tubes	18.75	*	*
IV— D5W 1000CC	47.75	*	*
IV— D5W 250CC	26.30	26.30	*
IV— D5W 500CC	42.00	*	*
IV— Normal Saline 1000CC	47.75	*	*
IV— Normal Saline 100CC	39.60	*	*
IV— Normal Saline 250CC	39.60	*	*
IV— Normal Saline 500CC	41.90	*	*
IV— Ringers Lactate 1000CC	47.75	*	*
Night Call (8p— 8a)	84.00	*	*
Nu-QuickTrake Surg Airway	300.00	*	*
Oxygen, Administrative, & Supplies / hr	119.00	119.00	*
Pulse Oximeter	94.50	*	*
SCT Emergency Base Rate	1662.96	1662.96	1662.96
Spinal Immobilization	184.50	*	*
Treatment / No-Transport	175.00	*	*
Weekend Call	84.00	*	*

SECTION 9. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 10. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 11. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 12. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2014.

ADOPTED on this the _____ day of _____, 2014.

EFFECTIVE DATE on this the _____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

ARTICLE 4.03 AMBULANCE SERVICE*

Division 1. Generally

Sec. 4.03.001 Penalty for violation

Any person violating the provisions of this article shall be punished as provided in [section 1.01.009](#).

Sec. 4.03.002 Rules and regulations

The city manager is authorized and directed to promulgate and effect such reasonable rules and regulations not inconsistent herewith, including, but not excluding, additional charges desired and necessary and not herein covered as well as any other rule or regulation desired or necessary to implement the provisions of this article.

Sec. 4.03.003 Certificate of public convenience and necessity required

The business of providing ambulance service, both emergency and transfer, is declared to be a business affecting the public interest and public utility. No person shall operate such business within the corporate or extraterritorial limits of the city without a valid permit. ~~except as franchised by the city council.~~ *Permit fees and process shall be established by the city manager.*

Sec. 4.03.004 False statements of emergency

It shall be unlawful for any person to willfully request emergency ambulance service when such person knows that the need for emergency ambulance service does not exist at the reported place and time.

Secs. 4.03.005–4.03.020 Reserved

Division 2. Municipal Ambulance Service

Sec. 4.03.021 Created; operation by fire department

There is hereby created a service to the people, to be called the ~~Sherman Ambulance Service~~ *City of Sherman Emergency Medical Service (EMS)*, which service shall be operated within the fire department.

Sec. 4.03.022 Availability

The ambulance service created by this division shall be available to the citizens of the city in accordance with the terms of this article and to the citizens of the county, provided a suitable contract for service in the county is approved by the city council and the county commissioner's court.

Sec. 4.03.023 Definitions

In this Article, these terms shall have the following meaning:

- (a) Certificate of Medical Necessity means an original order, signed by a physician, indicating that the patient to be transferred cannot sit, stand, or walk and requires transportation by ambulance.
- (b) Emergency Department means the department where emergency medical services are provided in a hospital licensed by the State of Texas.
- (c) Emergency Medical Services has the same meaning as that term is defined in Chapter 773, Texas Health and Safety Code, as amended
- (d) Emergency Medical Services Personnel has the same meaning as that term is defined in Chapter 773, Texas Health and Safety Code, as amended
- (e) Emergency Patient means patients requiring priority emergency medical services.
- (f) Emergency Transfer means any immediate transfer of an emergent or unstable patient, ordered by a licensed physician, from a medical facility to ~~a medical [sic]~~ *an Emergency Department* which has the capability of providing a higher level of care or of providing a specialized type of care not available at the transferring facility.
- (g) Health Care Provider has the same meaning as that term is defined in Chapter 74, Texas Civil Practice and Remedies Code, as amended
- (h) Medical Control means the process by which a physician or, occasionally, a group of physicians, advise and direct patient care provided by emergency medical services personnel.
- (i) Medical Facility means a nursing home, long-term care facility, assisted living center, any medical establishment devoted to the diagnosis and care of outpatients, or a hospice.
- ~~(j) Transfer Agreement means a signed agreement between a medical facility and the City of Sherman that provides for a flat rate charge for non-emergency transfer service.~~

Sec. 4.03.0231 Emergency Patients

- (a) Emergency patients shall be transported to the nearest emergency department capable of caring for the emergency patient.
- (b) The determination of which emergency department to transport the emergency patient will be by the emergency services personnel, with direction from medical control.

- (c) Emergency patients will only be transported to emergency departments.

Sec. 4.03.0232 Emergency Transfers

Emergency transfers shall be done from medical facilities within the city limits of the City of Sherman to emergency departments and medical facilities within the City of Sherman and Denison. ~~Any emergency transfers must have a valid certificate of medical necessity.~~

Sec. 4.03.024 Non-Emergency Transfers

~~The following criteria shall be applicable to all transfer requests for ambulance service:~~

- ~~(a) Transfer patients must have a valid certificate of medical necessity.~~
- ~~(b) A physician's authorization must be provided with every request for a non-emergency transfer.~~
- ~~(c) Patient transfers will be transported from a medical facility to another medical facility within the city limits of the City of Sherman, Denison, or within ten (10) miles of the city limits of the City of Sherman. Non-emergency patient transfers will be made from a medical facility to a doctor's office or clinic within the city limits of the City of Sherman.~~
- ~~(d) Emergency medical services personnel will not incur "standby" time in patient transfer situations, and the ambulance personnel will go back into service after completing the transfer.~~
- ~~(e) Nonemergency transfers will be scheduled during the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday only.~~

The fire chief or his designated representative retains the right to refuse non-emergency ambulance transportation.

Sec. 4.03.025 Billing

- (a) Any person who uses the ambulance service of the city, whether such person requested the same or not by reason of emergencies then existing, shall pay for such service; provided, however, that health-care providers requesting ambulance service on behalf of their patients shall be billed directly and shall be responsible for such charges established by ordinance.
- (b) *The fees and charges for the use of the city ambulance service along with specified collection standards shall be established by the city manager.*
- ~~(b) Emergency transfers shall be billed to the transferring health-care provider as provided in [Section 4.03.026](#).~~

(c) ~~Non-emergency transfers shall be billed as follows:~~

(i) ~~Medical facilities with a transfer agreement shall be billed according to the terms of the transfer agreement.~~

(ii) ~~Medical facilities without a transfer agreement shall be billed as provided in [Section 4.03.026](#).~~

~~Sec. 4.03.026: Ambulance Fees~~

<u>Chargemaster Item</u>	<u>Rate</u>	<u>Medicaid</u>	<u>Medicare</u>
-	-	-	-
ALS Emergency Mileage	15.00	15.00	15.00
-	-	-	-
ALS Non-Emergency Mileage	15.00	15.00	15.00
-	-	-	-
ALS Supplies—Airway Management	94.00	*	*
-	-	-	-
ALS Supplies—Autopulse	472.10	*	*
-	-	-	-
ALS Supplies—Capnography	156.00	*	*
-	-	-	-
ALS Supplies—Defibrillation	210.00	*	*
-	-	-	-
ALS Supplies—EKG Pads	36.75	*	*
-	-	-	-
ALS Supplies—External Pacing	210.00	*	*
-	-	-	-
ALS Supplies—IO Infusion	262.25	*	*
-	-	-	-
ALS Supplies—IV Therapy	258.00	*	*
-	-	-	-
ALS Supplies—Intubation	100.00	*	*
-	-	-	-
ALS Supplies—Mast Trousers	42.00	*	*
-	-	-	-

ALS Supplies—NG Tube	88.00	88.00	*
-	-	-	-
ALS Supplies—Needle Thoracostomy	31.50	*	*
-	-	-	-
ALS Supplies—Routine Disposable	52.50	52.50	*
-	-	-	-
ALS Supplies—Surgical Airway	314.75	*	*
-	-	-	-
ALS1 Emergency Base Rate	855.00	855.00	855.00
-	-	-	-
ALS2 Non-Emergency Base Rate	855.00	855.00	855.00
-	-	-	-
ALS2 Emergency Base Rate	900.00	900.00	900.00
-	-	-	-
Ambulance Wait Time (30 min)	31.47	*	*
-	-	-	-
BLS Emergency Base Rate	787.00	787.00	787.00
-	-	-	-
BLS Emergency Mileage	15.00	15.00	15.00
-	-	-	-
BLS Non-Emergency Base Rate	787.00	787.00	787.00
-	-	-	-
BLS Non-Emergency Mileage	15.00	15.00	15.00
-	-	-	-
BLS Supplies—Defibrillation (AED)	42.00	*	*
-	-	-	-
BLS Supplies—Morgan Lens	85.00	*	*
-	-	-	-
BLS Supplies—Routine Disposable	52.50	52.50	*
-	-	-	-
BLS Supplies—Scoop Stretcher	35.00	*	*
-	-	-	-

BLS Supplies—Stair Chair	55.00	*	*
-	-	-	-
Blood Glucose Test	45.64	*	*
-	-	-	-
Bone Injection Adult	250.00	*	*
-	-	-	-
Bone Injection Pedi	250.00	*	*
-	-	-	-
Dispatch Fee	94.00	*	*
-	-	-	-
Disposable Linen Kit	25.00	*	*
-	-	-	-
Drug—Acetaminophen 5 mL	2.25	*	*
-	-	-	-
Drug—Activated Charcoal 20cc PO	12.50	*	*
-	-	-	-
Drug—Adenosine 6mg	66.62'	*	*
-	-	-	-
Drug—Albuterol (.83%) 3 mL	19.83	*	*
-	-	-	-
Drug—Albuterol/Ipratropium	36.00	*	*
-	-	-	-
Drug—Aminophyllin 250 mg	88.25	*	*
-	-	-	-
Drug—Amiodarone HCl 150 mg / 3mL	335.71	*	*
-	-	-	-
Drug—Aspirin Chewable 81 mg	2.10	*	*
-	-	-	-
Drug—Atropine Sulfate 0.3 mg	14.69	*	*
-	-	-	-
Drug—Benztropine 1 MG	65.00	*	*
-	-	-	-

Drug Butorphanol 2 mg	60.00	*	*
-	-	-	-
Drug Calcium Chloride 1 gm / 10 mL	7.75	*	*
-	-	-	-
Drug Clonidine 0.1 mg	11.00	*	*
-	-	-	-
Drug Dexamethasone 4 mg	44.00	*	*
-	-	-	-
Drug Dextrose 25% (D25)	29.50	*	*
-	-	-	-
Drug Dextrose 50% (D50)	18.88	*	*
-	-	-	-
Drug Diazepam 5 mg	26.23	*	*
-	-	-	-
Drug Diltiazem HCL 5mg	61.88	*	*
-	-	-	-
Drug Diphenhydramine 50 mg	9.44	*	*
-	-	-	-
Drug Dobutamine, per 250 mg	54.55	*	*
-	-	-	-
Drug Dolasetron 10 MG	55.00	*	*
-	-	-	-
Drug Dopamine 400mg/250cc bag D5W	22.03	*	*
-	-	-	-
Drug EPI 1 mg/10 mL IV	9.32	*	*
-	-	-	-
Drug EPI 1 mg/cc IV	15.74	*	*
-	-	-	-
Drug EPI Pen 1 dose	60.00	*	*
-	-	-	-
Drug EPI Pen Pedi	60.00	*	*
-	-	-	-

Drug Enalaprilat 5 mg	44.00	*	*
-	-	-	-
Drug Etomidate 20 mg/vial	33.57	*	*
-	-	-	-
Drug Flumazenil 0.5 mg	60.00	*	*
-	-	-	-
Drug Furosemide 20 mg	20.72	*	*
-	-	-	-
Drug Glucagon 1 mg	136.38	*	*
-	-	-	-
Drug Haloperidol 5 mg	26.25	*	*
-	-	-	-
Drug Hydrocortisone 100 MG	42.59	*	*
-	-	-	-
Drug Hydromorphone 4 MG	64.00	*	*
-	-	-	-
Drug Ibuprofen for Children 4 oz	2.25	*	*
-	-	-	-
Drug Ipecac 5 cc	5.25	*	*
-	-	-	-
Drug Ipratropium Bromide .18 mg	5.25	*	*
-	-	-	-
Drug Isoproterenol HCl .5%	20.98	*	*
-	-	-	-
Drug Ketorlac 15 mg	48.00	*	*
-	-	-	-
Drug Labetolol 10 mg	44.59	*	*
-	-	-	-
Drug Lidocaine Drip 1 gm 25 mL	52.50	*	*
-	-	-	-
Drug Lidocaine HCl (2%) 50 mg	26.23	*	*
-	-	-	-

Drug Lorazepam 2 mg	43.01	*	*
-	-	-	-
Drug Maalox 5mL	19.00	*	*
-	-	-	-
Drug Mag Sulfate, per 500 mg	22.03	*	*
-	-	-	-
Drug Mannitol bag	104.91	*	*
-	-	-	-
Drug Meperidine HCL 100mg	35.50	*	*
-	-	-	-
Drug Methylprednisolone 125 mg	41.44	*	*
-	-	-	-
Drug Midazolam HCl mg	41.96	*	*
-	-	-	-
Drug Morphine Sulfate, 10 mg	58.75	*	*
-	-	-	-
Drug NTG Spray 0.4 mg SL	6.99	*	*
-	-	-	-
Drug Nalbuphine HCl 10 mg	24.65	*	*
-	-	-	-
Drug Naloxone 1 mg IV	12.65	*	*
-	-	-	-
Drug Nitrous Oxide Gas	80.00	*	*
-	-	-	-
Drug Norcuron 10 mg	94.42	*	*
-	-	-	-
Drug Ondansetron 1 MG	55.00	*	*
-	-	-	-
Drug Oral Glucose Gel 15 g	6.29	*	*
-	-	-	-
Drug Oxytocin 10 unit/1mL	19.93	*	*
-	-	-	-

Drug—Procainamide HCl, 1g	39.45	*	*
-	-	-	-
Drug—Promethazine, 50 mg	33.05	*	*
-	-	-	-
Drug—Proparacaine Opth gtts	39.00	*	*
-	-	-	-
Drug—Propranolol HCl 1 mg	11.04	*	*
-	-	-	-
Drug—Racemic Epi Neb	45.00	*	*
-	-	-	-
Drug—Revex 100 mcg	60.00	*	*
-	-	-	-
Drug—Rocuronium/Zemuron 50mg/5ml	119.00	*	*
-	-	-	-
Drug—Sodium Bicarbonate 50 CC	7.74	*	*
-	-	-	-
Drug—Sublimaze 1mL	75.75	*	*
-	-	-	-
Drug—Succinylcholine 20 ml	8.39	*	*
-	-	-	-
Drug—Terbutaline Sulfate 1 mg	26.02	*	*
-	-	-	-
Drug—Tetracaine gtts	19.50	*	*
-	-	-	-
Drug—Thiamine 100 mg IV	3.36	*	*
-	-	-	-
Drug—Tridil Drip	150.00	*	*
-	-	-	-
Drug—Vasopressin 40 units	54.55	*	*
-	-	-	-
Drug—Vecuronium 10 mg	110.00	*	*
-	-	-	-

Drug—Verapamil 2.5 mg	60.00	*	*
-	-	-	-
Drug—Xopenex 1.25 mg	35.50	*	*
-	-	-	-
EKG Interpretation	260.00	*	*
-	-	-	-
ETCO2 Bulb Adult	32.50	*	*
-	-	-	-
ETCO2 Bulb Pedi	32.50	*	*
-	-	-	-
EZ IO	375.00	*	*
-	-	-	-
Emergency Rate	94.00	*	*
-	-	-	-
Extra Attend—300+ lb Patient	40.00	*	*
-	-	-	-
Extra Attend—CPR	147.00	*	*
-	-	-	-
Extra Attend—Heavy Extrication	250.00	*	*
-	-	-	-
Extra Attend—Long Stairs	40.00	*	*
-	-	-	-
IV—5% Dextrose/NS 500CC	42.00	*	*
-	-	-	-
IV—Blood Draw Procedure	21.00	*	*
-	-	-	-
IV—Collection Tubes	18.75	*	*
-	-	-	-
IV—D5W 1000CC	47.75	*	*
-	-	-	-
IV—D5W 250CC	26.30	26.30	*
-	-	-	-

IV D5W 500CC	42.00	*	*
-	-	-	-
IV Normal Saline 1000CC	47.75	*	*
-	-	-	-
IV Normal Saline 100CC	39.60	*	*
-	-	-	-
IV Normal Saline 25000	39.60	*	*
-	-	-	-
IV Normal Saline 500CC	41.90	*	*
-	-	-	-
IV Ringers Lactate 1000CC	47.75	*	*
-	-	-	-
Night Call (8p-8a)	84.00	*	*
-	-	-	-
Nu-QuickTrake Surg Airway	300.00	*	*
-	-	-	-
Oxygen, Administrative, & Supplies / hr	119.00	119.00	*
-	-	-	-
Pulse Oximeter	94.50	*	*
-	-	-	-
SCT Emergency Base Rate	1662.96	1662.96	1662.96
-	-	-	-
Spinal Immobilization	184.50	*	*
-	-	-	-
Treatment / No Transport	175.00	*	*
-	-	-	-
Weekend Call	84.00	*	*

(Ordinance 5437 adopted 12/18/06)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 01/20/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 5808

List of Agenda Items:

C.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5808

Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", at Article 4.03, entitled "Ambulance Service", to Amend Sections 4.03.003, 4.03.021, 4.03.023, 4.03.0232, 4.03.024 and 4.03.025, to Add Section 4.03.004, and to Delete Section 4.03.026 in its Entirety



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 01/20/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

List of Agenda Items:

- D.1. * RESOLUTION NO. 5836**
Authorizing Execution of an Agreement with Mario Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1514 North Brents Avenue
-



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 01/20/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5836**

Authorizing Execution of an Agreement with Mario Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1514 North Brents Avenue

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1514 North Brents Avenue. The existing house on the lot was demolished in 2011.

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the designated zone for residential tax abatements.

Origination:

Mario Tobar, Applicant

Financial Consideration:

A \$75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately \$253.34 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 5836

Residential Tax Abatement Agreement

Application

Site Plan

Warranty Deed

Building Permit

Location Map

Photo

RESOLUTION NO. 5836

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1514 NORTH BRENTS AVENUE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from Mario Tobar and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Mario Tobar for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 1514 North Brents Avenue, lying within the City of Sherman's Residential Tax Reinvestment Zone, in accordance with the City's policies and procedures established for this purpose.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

THE STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **MARIO TOBAR**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2011, the City Council of Sherman, Texas, passed Ordinance No. 5692 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, the CITY has adopted a resolution (Resolution No. 5571) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2011;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2014, and continuing for tax years 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022

and 2023, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2013, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
2014	100%
2015	100%
2016	100%
2017	100%
2018	100%
2019	100%
2020	80%
2021	60%
2022	40%
2023	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022 and 2023, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new single-family residence at 11514 North Brents Avenue, Sherman, Texas, and as more particularly described by the following:

BEING Lot 9, Block 27, College Park Second Addition

V.

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no

event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

Mario Tobar
1308 Pintail Drive
Sherman, Texas 75092
(903) 816-0416

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the _____ day of _____, 2014.

CITY:
CITY OF SHERMAN, TEXAS

OWNER:
MARIO TOBAR

BY: _____
GEORGE OLSON
CITY MANAGER

BY: _____
MARIO TOBAR

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **MARIO TOBAR**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____ day of _____, 2014 A.D.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

**CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT**

Property Owner:

Name: Mario Tobar

Mailing Address: 1308 Pintail Dr. Sherman TX

Telephone Number: (903) 816-0416

Contact (if different than owner):

Name: Same.

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 1514 N. Brents st. Sherman TX

Summary Legal Description: Lot: 9 Block: 27 Addition: College Park

*Second
Edition*

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction Remodeling: _____

Estimated Value of Improvements: \$ 72,800.00

Estimated Date of Start of Construction: 12/28/13

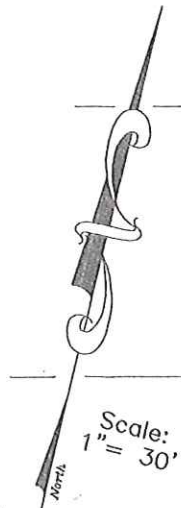
Estimated Date of Completion of Project: 03/28/13

Description of Project: New house

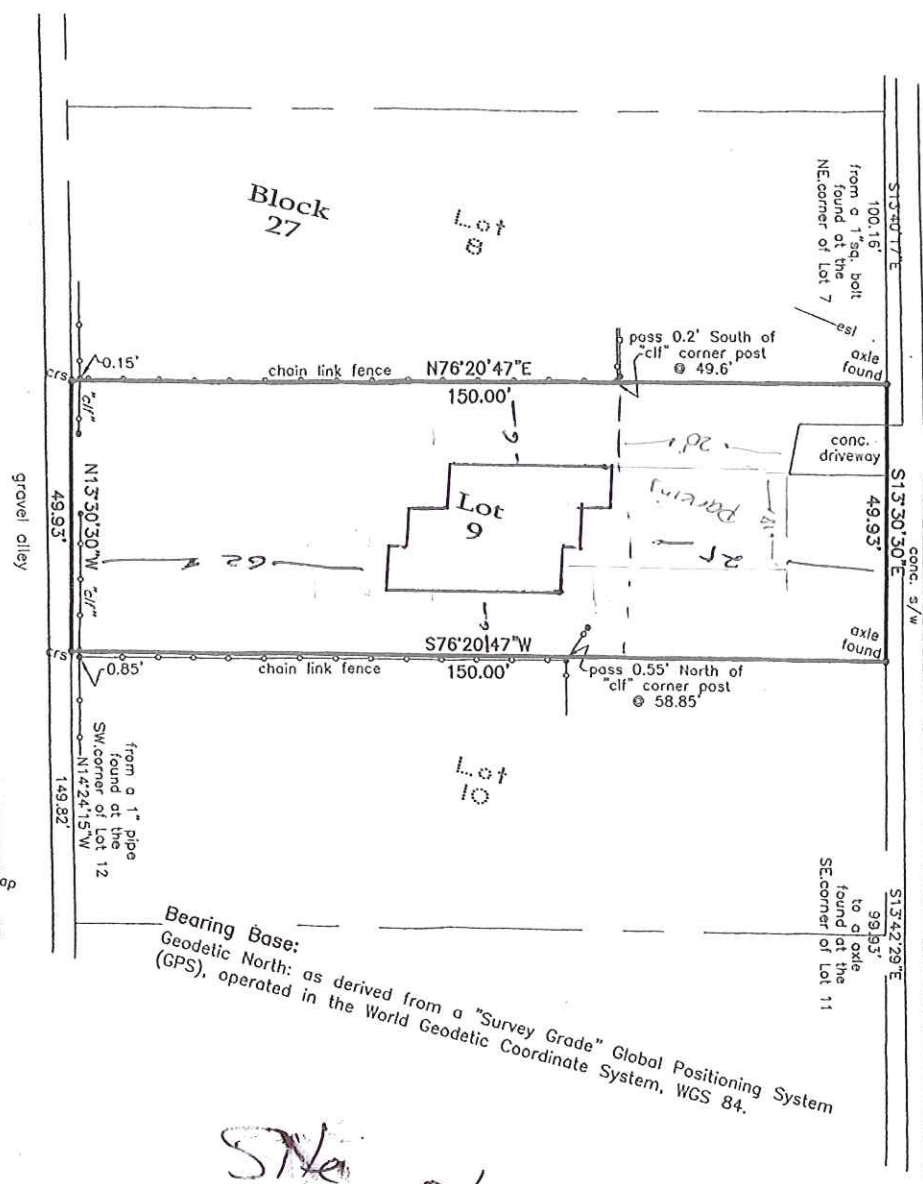
Applicant(s): [Signature]

Date: 12/30/13

Date: _____



- Legend:
- 1. crs = 1/2" rebar with plastic cap (RPLS 4488) set.
 - 2. est = electrical service line.



Bearing Base:
Geodetic North: as derived from a "Survey Grade" Global Positioning System (GPS), operated in the World Geodetic Coordinate System, WGS 84.

SNE Plan

Owner: Mario Tobar
Address: 1514 N. Brents Avenue
Sherman, Texas

I, Billy F. Helvey, Registered Professional Land Surveyor, do hereby certify that the above plat was prepared from a survey made on the ground of Lot 9, Block 27, College Park, Second Addition, to the City of Sherman, Texas, as per plat of record in Volume 88, Page 534, Deed Records, Grayson County, Texas.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Map for Grayson County, Texas, Map No. 48181C0290 F, Effective Date: September 29, 2010.

This survey was prepared for the sole benefit of the transaction (construction loan) by and between the Owner stated hereon and the Owner's Lender/Mortgage Co. and Abstract/Title Co., and is null and void for any other transactions. Any other use of this survey without the sole consent of the undersigned surveyor is prohibited, and would infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Conforms to State Bar of Texas Form

Effective Date: May 14, 2013

Grantor: **WILLIE L. RILES**, expressly representing that the subject property constitutes no part of my homestead

Grantor's Mailing Address (including county): **1503 N. Brents
Sherman, Texas 75090
Grayson County, Texas**

Grantee: **MARIO TOBAR**, a married person

Grantee's Mailing Address (including county): **1308 Pintail Drive
Sherman, Texas 75092
Grayson County, Texas**

Consideration: Ten Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Being all of LOT NO. NINE (9) in BLOCK NO. TWENTY-SEVEN (27) of the COLLEGE PARK SECOND ADDITION to the City of Sherman, Grayson County, Texas, as shown by plat of record in Volume 88, at Page 534 of the Deed Records of Grayson County, Texas.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to: (i) any and all outstanding minerals, mineral leases, restrictions, covenants, conditions and easements, to the extent that they are in force and effect; (ii) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, to the extent that they are applicable and enforceable; (iii) any and all easements, rights of way and encroachments that are apparent, including any utilities buried beneath the surface of

the ground; and (iv) all rights of parties in possession of any part of the Property.

Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

Current ad valorem taxes having been prorated, the payment thereof is assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

Willie Riles
WILLIE L. RILES

ACKNOWLEDGMENT

State of Texas

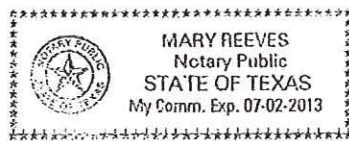
County of Grayson

This instrument was acknowledged before me on this 14 day of May, 2013, by WILLIE L. RILES.

Mary Reeves
Notary Public - State of Texas

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:



Munson, Munson, Cardwell & Tillett, P.C.
301 W. Woodard - P. O. Box 1099
Denison, Texas 75020
(903) 463-3750
GF# 1305-06MR

CITY OF SHERMAN
RESIDENTIAL BUILDING PERMIT

PERMIT #: 132216 SUBCONTRACTOR: ROBERTO DIAZ DECIGA
DATE ISSUED: 12/20/2013

PROJECT ADDRESS: 1514 N BRENTS AVE
PARCEL ID: 157045
SUBDIVISION: COLLEGE PARK 2ND ADDN

LOT #: 9
BLK #: 27
ZONE ORD:

ISSUED TO: MARIO TOBAR
ADDRESS: 1308 PINTAIL
CITY, ST ZIP: SHERMAN TX 75092-4243
PHONE: 903-816-0416

CONTRACTOR: MARIO TOBAR
ADDRESS: 1308 PINTAIL
CITY, ST ZIP: SHERMAN TX 75092-4243
PHONE:

PROP. USE: SINGLE FAMILY RESIDENTIAL
WORK: NEW RESIDENTIAL
CONSTRUCTION
VALUATION: \$ 72,800.00
OCCP TYPE: SINGLE FAMILY RESIDENTIAL
CNST TYPE: WOOD FRAME

SQ FT: 1,742.00
BEDROOMS: 3
BATHROOMS: 2
STORIES: 1

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	\$ 25.00
TOTAL		\$ 25.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.


(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

12/20/13
DATE


(APPROVED BY) FLOOD PLAIN ADMINISTRATOR

12/20/13
DATE


(APPROVED BY) BUILDING & ZONING

12/27/13
DATE



1514 N. Brents Avenue

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



1 inch = 47 feet

1514 N. Brents





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 1.

Meeting Date: 01/20/2014

Prepared By: Clay Barnett, Director of Public Works and Engineering

Approved By: George Olson, City Manager

Caption:

REQUEST TO ADVERTISE

Loy Lake Road Improvement Project

Issue:

Requesting permission to advertise for bids for the construction of the Loy Lake Road Improvement Project

Background:

The project will expand Loy Lake Road to four lanes with a divided median between Sara Swamy Drive and the Texas Department of Transportation (TxDOT) right-of-way for U.S. Highway 75. Additionally, it will include a traffic signal light at the intersection of Loy Lake Road and Sara Swamy Drive.

Origination:

Department of Engineering

Financial Consideration:

The project is funded in this year's Capital Improvement Program; and the cost of advertising is expected to be less than \$200.00.

Staff Recommendation:

It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Location Map





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. J.

Meeting Date: 01/20/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: George Olson, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2014 Council Calendar

2014

JANUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
S	M	T	W	T	F	S
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9	10	11	12	13	14	15
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23	24	25	26	27	28	

MARCH						
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23	24	25	26	27	28	29
30	31					

APRIL						
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27	28	29	30			

MAY						
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25	26	27	28	29	30	31

JUNE						
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29	30					

JULY						
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AUGUST						
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24	25	26	27	28	29	30
31						

SEPTEMBER						
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28	29	30				

OCTOBER						
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26	27	28	29	30	31	

NOVEMBER						
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23	24	25	26	27	28	29
30						

DECEMBER						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

01/17/2014	Joint Meeting with SEDCO Board - Panda Tour
02/12/2014	Called Meeting for Informational Presentation
02/26/2014	Called Meeting for Informational Presentation
03/12/2014	Called Meeting for Informational Presentation
03/26/2014	Called Meeting for Informational Presentation

09/01/2014	Labor Day/Called Council Meeting on 09/02/2014