CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, NOVEMBER 19, 2018
5:00 P.M.

A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

A. 2. PLEDGE OF ALLEGIANCE LED BY DEPUTY MAYOR PAMELA L. HOWETH

A. 3. INVOCATION BY DEPUTY MAYOR PAMELA L. HOWETH

A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 5, 2018

Declare Results of the November 6, 2018 Regular Municipal Election

B. 1. CANVASS OF ELECTION RETURNS

B. 2. RESOLUTION NO. 6437
Declaring the Results of the November 6, 2018 Regular Municipal Election held in the City of Sherman, Grayson County, Texas

B. 3. RECOGNITION OF OUTGOING COUNCIL MEMBERS

Oath of Office

C. 1. OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Deputy Mayor Election

D. 1. COUNCIL ELECTION OF DEPUTY MAYOR

Public Hearing

E. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6168
Amending Chapter 9 of the Code of Ordinances, entitled "Personnel", Article 9.05, entitled "Civil Service for Firefighters and Police Officers", at Section 9.05.026, entitled "Authorized Number of Positions", to Revise the Number of Authorized Positions in the Police Department

Close Public Hearing and Consider Adoption of Ordinances

E. 2. ADOPTION OF ORDINANCES
Consider Adoption of Ordinance Number: 6168

E. 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

F. 1. **** RESOLUTION NO. 6438***

Authorizing the Purchase of a New Case Rubber Tire Excavator for the Distribution Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

F. 2. **** RESOLUTION NO. 6439***

Authorizing the Purchase of a New Case Box 570N Blade Tractor for the Distribution Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

F. 3. **** RESOLUTION NO. 6440***

Authorizing the Purchase of a Genie Telehandler for the Treatment Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

G. **CITIZEN REQUESTS**

H. **MEDIA QUESTIONS**

Consider Board/Commission Appointments

I. 1. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Council Audit Committee (3)

I. 2. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Investment Committee (2)

I. 3. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Reinvestment Committee (2)

I. 4. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Increment Financing Board #1 (3)

I. 5. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Increment Financing Board #2 (3)

I. 6. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Increment Financing Board #3 (3)

I. 7. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Increment Financing Board #5 (3)

I. 8. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Increment Financing Board #6 (3)

I. 9. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Increment Financing Board #7 (3)

J. COUNCIL COMMENTS

K. 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 November 15, 2018 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 15th day of November, 2018
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	Deputy Mayor	Council Members	
David Plyler	Pamela L. Howeth	Willie Steele, Council-At-Large, PL #1	Josh Stevenson, Council – District #2
		Jason Sofey, Council-At-Large, PL #2	Pamela L. Howeth, Council – District #3
		Shawn C. Teamann, Council – District #1	Daron Holland, Council – District #4

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **A.4.**

Meeting Date: 11/19/2018

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 5, 2018

Attachments

November 5, 2018

Recycling Presentation

STATE OF TEXAS §

November 5, 2018

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 November 5, 2018.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH. COUNCIL MEMBERS HOLLAND, SOFEY, STEELE, STEVENSON, TEAMANN.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER **CALL TO ORDER**

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

APPROVE MINUTES **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of October 15, 2018. Deputy Mayor Howeth moved to approve the Minutes, as presented; Second by Council Member Teamann. All present voted AYE.
MOTION CARRIED.

SPECIAL PRESENTATION

MAYOR DAVID PLYLER'S PRESENTATION TO THE SHERMAN POLICE AND FIRE ASSOCIATIONS **PRESENTATION TO POLICE & FIRE ASSOCIATIONS**

Mayor Plyler announced that the first Blue Sky Concert was a success in Sherman and said that proceeds from the concert were donated to the Sherman Police Association and the Professional Firefighters of Sherman. Scott Shadden, Director of Development Services, was the organizer of the event.

These public servants "are special and lay their lives on the line each day to protect and help others. They face danger without waiver, while others are running for safety."

Checks in the amount of $8,360 each were presented to Sergeant Kevin Garbacik and Sergeant Sam Boyle representing the Police Association, and to Captain Shane Kinney representing the Firefighters Association.

He also thanked sponsors of the event including Texoma Educators Federal Credit Union, Douglass Distributing, Lone Star Foods, Orscheln Farm and Home, Plyler Construction, Los Hermanos Realty, Hoyte Chrysler Dodge Jeep Ram, and Dudes Music, as well as the artists, volunteers, and all who attended the event.

HAWN SKATE PARK **HAWN SKATE PARK**

Mayor Plyler introduced David Griggs and Jacob Hope, who thanked the City Council for the recent additions to Hawn Skate Park. Mr. Grigg said they had seen it "wither away" and wanted to come and voice how appreciative they were for the

upgrade. Mr. Hope said it's a good Skate Park and gives people something healthy to do and keeps kids off the street.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 6159 ZONE CHANGE & SUP FOR EVENT VENUE (1615 N. MAXEY & 810 N. FRISCO RD)

Mayor Plyler introduced Ordinance No. 6159 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 C-1 (RETAIL BUSINESS) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EVENT VENUE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 1615 NORTH MAXEY STREET AND 810 NORTH FRISCO ROAD, BEING PART OF LOTS 1-5, BLOCK 1, JONES & SUMMIT ADDITION, ALSO BEING 1.154 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (ALLEN MARTIN, OWNER; AND DAVID FITE SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mr. Shadden said the Event Center would be located at the site of the old Gardenland Nursery. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

Allen Martin, owner of the property, said he purchased the property several months ago, and they were already hosting events. They plan to host private parties and events at the facility.

No other citizens appeared before the City Council to discuss Ordinance No. 6159.

ORD 6160 ZONE CHANGE (1606, 1610 & 1614 S. RUSK & 415 W. LAKE)

Mayor Plyler introduced Ordinance No. 6160 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 1606, 1610, AND 1614 SOUTH RUSK STREET AND 415 WEST LAKE STREET; TRACT 1: BEING LOTS 2, 3 AND 4, BLOCK 4, MAYHEW ADDITION; TRACT 2: BEING THE EAST 55' OF LOTS 6, 7 AND 8, BLOCK 4, MAYHEW ADDITION (BARTON CAPITAL, LTD, OWNER; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

Mr. Shadden said the zone change was a request to change to R-1 for single-family homes. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

A representative from Barton Capital was in attendance to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6160.

Mayor Plyler introduced Ordinance No. 6161 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 AND C-1 (RETAIL BUSINESS) DISTRICT IN THE 1100-1300 BLOCKS OF SOUTH F.M. 1417 (HERITAGE PARKWAY) AND THE 3800-4000 BLOCKS OF QUAIL RUN ROAD; TRACT 1: BEING 19.967 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT; TRACT 2: BEING 6.141 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT (RSCL HOLDINGS, LLC, OWNERS; WYLDEWOOD HOMES, PROSPECTIVE BUYER; AL DENSON, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6161
ZONE CHANGE
(1100-1300 BLOCKS S. FM 1417 & 3800-4000 BLOCKS QUAIL RUN RD)

Mr. Shadden said the request was to change the zoning from Multi-Family to Single-Family, and to Commercial along FM 1417. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6161.

Mayor Plyler introduced Ordinance No. 6162 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE AND HEAVY VEHICLE REPAIR, TRANSMISSIONS, BRAKES, MUFFLERS, SHOCKS, OIL AND LUBE WITH BODY WORK IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 4114 TEXOMA PARKWAY, BEING 0.4986 ACRES IN THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969 (DAS SAM ENTERPRISES, LLC, OWNERS; WILLIAM DOWNEY, DOWNEY AUTOMOTIVE, APPLICANT; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE. PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00

ORD 6162
SUP FOR AUTO & HEAVY VEHICLE REPAIR
(4114 TEXOMA PKWY)

Mr. Shadden said the property has been used for automotive repair in the past, however the permit has expired. They would like to renew the Specific Use Permit for automotive work.

The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter. A representative of the owner was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6162.

**ORD 6163
SUP FOR PARKING LOT & IMPOUND LOT
(5504 TEXOMA PKWY)**

**Mayor Plyler introduced Ordinance No. 6163 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES AND IMPOUND LOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 5504 TEXOMA PARKWAY, BEING 5.188 ACRES IN THE D.C. SHELP SURVEY, ABSTRACT NO. 1097 (ROBERT AND TAMMY ALLEN, OWNERS; LONE STAR HAULIN, LLC, TENANT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.**

Mr. Shadden said this site has served as a wrecking yard in the past, and they are asking for it to be automotive sales and an impound lot. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

Ryan Johnson, Attorney, appeared representing the owners, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6163.

**ORD 6164
SUP FOR PARKING LOT EXTENSION & RV STORAGE
(2005 S. SAM RAYBURN FRWY)**

**Mayor Plyler introduced Ordinance No. 6164 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PARKING LOT EXTENSION FOR ADDITIONAL RV STORAGE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING TRACT 1: 7.036 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; TRACT 2: BEING ALL OF BLOCK 32 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION; TRACT 3: ALL OF BLOCKS 38 & 39 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION CONTAINING 0.487 ACRES;**

AND TRACT 4: 0.888 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, BEING A STRIP OF LAND KNOWN AS COTTAGE AVENUE (UNIMPROVED) AND PLATTED AS A CITY STREET (FRHP LINCOLNSHIRE, LLC, OWNERS; CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER; DAVID TIPTON, REPRESENTATIVE; GONZALES & SCHNEEBERG, ENGINEERS & SURVEYORS, INC., SURVEYOR; AND NOLTE & ASSOCIATES, P.A., ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mr. Shadden said the Specific Use Permit was to add on to Camping World. The owners would like to extend their RV parking lot to the south and east of their existing lot. They would also like to construct a 10,600 square foot metal maintenance building behind their existing building.

The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter, and reviewing in one year from the date the Certificate of Occupancy Permit is issued. They are also required to construct an 8’ wood privacy fence on the east side adjacent to the residential properties.

Brandon Waldrum, CEI Engineering, appeared representing Camping World. He was available if the Council had any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6164.

ORD 6165
SUP FOR LIVING QUARTERS IN A MINI-STORAGE FACILITY
(4615 N. TRAVIS ST)

Mayor Plyler introduced Ordinance No. 6165 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW LIVING QUARTERS IN A MINI-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT AT 4615 NORTH TRAVIS STREET, BEING LOT 1, BLOCK 6 AND LOT 1, BLOCK 7 OF THE REPLAT OF BLOCKS 1-9, NORTH CREEK SECTION 1 (YOUNG ENTERPRISES, LP, OWNERS; TODD YOUNG, REPRESENTATIVE; AND DAVID BACA STUDIO, LLC, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mr. Shadden said the Specific Use Permit is to allow living quarters in a mini-storage facility to allow for a manager on site. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6165.

ORD 6166
STOP SIGN

Mayor Plyler introduced Ordinance No. 6166 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON NORTHGATE DRIVE AT HERITAGE PARKWAY (WEST F.M. 1417) WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Clint Philpott, Director of Engineering, said a new stop sign was installed at Northgate Drive and FM 1417, as a part of the Northgate Drive Extension Project. It was installed for 90 days and there were no complaints or traffic problems.

No citizens appeared before the City Council to discuss Ordinance No. 6166.

ORD 6167
RESIDENTIAL WASTE & RECYCLING FEES

Mayor Plyler introduced Ordinance No. 6167 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.06, ENTITLED "SOLID WASTE", AT SECTIONS 13.06.001, 13.06.005, 13.06.050, AND 13.06.051 TO REVISE RESIDENTIAL WASTE AND RECYCLING PROGRAMS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mary Lawrence, Director of Finance, said the City of Sherman must "clean up the stream" for the recycling. Contamination is the problem with the City's stream and cleaning it up gives the City options. Contamination includes anything that is not recyclable under the City's program, including yard waste and clothing.

The current market is dictating that recycling will now cost something. The sale of the recycling material will not support the program financially, as it has in the past.

Ms. Lawrence said in an effort to clean up the stream, the City will no longer accept glass, because the material processors don't accept glass. Some cities still do accept glass, however she said some of them still have contracts that are in effect. Once those contracts expire and a new one has been negotiated, they will probably not accept the same materials as they previously did.

She said the City is also limited as to where the processor is located. Consideration must be given as to the distance City trucks must travel each day to deliver the recyclables.

Ms. Lawrence said the staff is proposing to keep the trash and recycling rate at the current rate of $18.75. Previously Council discussed increasing the rate by $1. The customer will have a choice in the type of carts they receive. They will have one trash cart and can choose a second trash cart or a recycling cart. The cost for a third cart will be reduced from $15.60 to $8.00 per month.

Senior citizens or disabled citizens can currently recycle for free, so they will be allowed to opt out of the recycling cart and will be allowed to keep their one cart at the $15.60 rate.

The staff is also proposing a $25 fee for a special pickup. A special pickup could include when a cart can't be picked up because it's too full and would dump trash or when a recycling cart is contaminated. Because it's inefficient and expensive to send a truck back out, the $25 fee will help offset the cost.

Compliance will be enhanced by the use of a camera system which will have a search function so specific situations could be located. The staff will continue to use stickers to place on carts for non-compliance. For chronic non-compliance, the recycling cart can be switched to a regular trash cart.

Ms. Lawrence said the City will now accept the following material for recycling, clean fiber (cardboard, newspapers, cereal boxes, junk mail, catalogs); #1 and #2 plastics (drink bottles, milk jugs, detergent, shampoo bottles); tin (food cans); and aluminum (beverage cans). Containers should be lightly rinsed and should be placed loosely in the cart. Do not bag recyclables.

She felt education would be a key part of the program and said the staff would use the City's website, social media, stickers on the recycle carts listing materials accepted, a utility bill flyer, public service announcements, and partnerships with organizations such as the Austin College Environmental Studies Department, the Earth Day Planning Committee, and the Keep Sherman Beautiful Commission.

Cart color will no longer distinguish recycling carts from regular trash carts. New yellow lids will be placed on recycling carts to distinguish the type of service. One type of carts that the City currently uses will not accommodate a different type of lid, so those carts will need to be replaced. Cost of the new lids is expected to be approximately $50,000.

She also addressed the huge undertaking that will be required to make these changes, including "touching" all 10,000 customer accounts to make billing changes. Routing will also probably be changed after citizens have had a chance to opt in or out of the recycling program. She said they estimate it will take about one month per zone to make the changes, resulting in a four month transition period for the entire program.

Originally two additional driver positions had been budgeted for the 2018-2019 fiscal year. They will only be filling one of those positions now. They had also budgeted for another solid waste truck to add a fifth route, but that will also be delayed until they see what the recycling changes do to the operation.

Mr. Hefton said the staff has received a lot of input from citizens and the Council Members over the last few weeks, and clearly everyone wants the recycling program to continue.

The main issue to deal with is contamination. If a big problem with contamination is people using their recycling cart as a trash cart, that can be solved by eliminating the separate recycling fee and letting them select the types of cart they would like. Reducing the cost of the third cart, if needed, should also help with contamination.

He reiterated that citizens that were repeatedly non-compliant, would lose their recycling cart and receive two trash carts. He felt all the changes would be a big step in cleaning up the recycling stream.

Originally the recycling program provided a revenue stream and also helped avoid the landfill. The program will still help avoid the landfill, but there is no revenue to be made.

Mr. Hefton said there were also members of various environmental groups that reached out to the City and wanted to be a part of the solution. He said the changes will take a while to accomplish and hoped that they would be long-lasting. He reiterated the changes that were addressed in Ordinance 6167.

He urged citizens to begin recycling the correct items today to help clean the stream, and reminded them that glass was not a recyclable item in Sherman.

Mr. Hefton said there would be some decrease in revenue because the third trash cart will cost less, however he did not know what the full financial impact would be. The City will defer the purchase of one additional trash truck and the hiring of one additional employee, until the full impact can be determined. These costs are approximately $350,000 to $400,000.

Peter Tracy, 705 S. Valentine, confirmed that the only thing he doesn’t need to include in his recycling is glass. He urged the City to include a list of what can be recycled with the water bills.

Jason Davis, said a State permit is required by the Texas Commission on Environmental Quality to look into someone’s trash. He also suggested putting a sticker on the recycling cart that lists what types of items can be recycled.

Dr. Peter Schultz, Austin College Director of the Center for Environmental Studies, said he was impressed with the creative problem solving and would be willing to help any way he could. He said the recycling market is fluctuating and there is a lot of contamination. He said that the proposed ordinance looks great, and is a good way to deal with the market problems. He said it never made sense to accept glass for recycling anyway.

Mary Boring, Rolling Hills Drive, expressed concern about a recent story in the media about the City spending $50,000. Mr. Hefton confirmed that she was talking about the additional money the City was spending because the loads were being rejected for contamination. He agreed it was a lot of money and said that's why the City is trying to change the program as quickly as possible.

Ms. Boring asked if it was legal for the company to charge that amount. Mr. Hefton said they were a vendor and were charging because of the contamination of the stream. The proposed plan is to help clean up the stream and reduce the cost. If that doesn't work, the City will have to do something different.

Mr. Hefton added that the City was not going to continue to pay the vendor $150 per ton to put it in the landfill, when they could pay $35 per ton and put it in the landfill.

Amy Hoffman-Shehan, Organizer of the Earth Day Festival, said there are many questions about what people can recycle and education is needed. She said she was very encouraged about the "deep look" into this program and what can be done to save it. She said education of the program should be ongoing.

No other citizens appeared before the City Council to discuss Ordinance No. 6167.

The Public Hearing was closed.

<u>ADOPTION OF ORDINANCES</u>

<u>Ordinance 6159</u>

ORD 6159 ZONE CHANGE & SUP FOR EVENT VENUE (1615 N. MAXEY & 810 N. FRISCO RD)

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 C-1 (RETAIL BUSINESS) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EVENT VENUE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 1615 NORTH MAXEY STREET AND 810 NORTH FRISCO ROAD, BEING PART OF LOTS 1-5, BLOCK 1, JONES & SUMMIT ADDITION, ALSO BEING 1.154 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (ALLEN MARTIN, OWNER; AND DAVID FITE SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE

PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

<u>Ordinance 6160</u>
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 1606, 1610, AND 1614 SOUTH RUSK STREET AND 415 WEST LAKE STREET; TRACT 1: BEING LOTS 2, 3 AND 4, BLOCK 4, MAYHEW ADDITION; TRACT 2: BEING THE EAST 55' OF LOTS 6, 7 AND 8, BLOCK 4, MAYHEW ADDITION (BARTON CAPITAL, LTD, OWNER; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6160
ZONE CHANGE
(1606, 1610 & 1614 S. RUSK & 415 W. LAKE)

<u>Ordinance 6161</u>
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 AND C-1 (RETAIL BUSINESS) DISTRICT IN THE 1100-1300 BLOCKS OF SOUTH F.M. 1417 (HERITAGE PARKWAY) AND THE 3800-4000 BLOCKS OF QUAIL RUN ROAD; TRACT 1: BEING 19.967 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT; TRACT 2: BEING 6.141 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT (RSCL HOLDINGS, LLC, OWNERS; WYL DEWOOD HOMES, PROSPECTIVE BUYER; AL DENSON, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6161
ZONE CHANGE
(1100-1300 BLOCKS S. FM 1417 & 3800-4000 BLOCKS QUAIL RUN RD)

<u>Ordinance 6162</u>
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE AND HEAVY VEHICLE REPAIR, TRANSMISSIONS, BRAKES, MUFFLERS, SHOCKS, OIL AND LUBE WITH BODY WORK IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 4114 TEXOMA PARKWAY, BEING 0.4986 ACRES IN THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969 (DAS SAM ENTERPRISES, LLC, OWNERS; WILLIAM DOWNEY, DOWNEY AUTOMOTIVE, APPLICANT; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE. PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00

ORD 6162
SUP FOR AUTO & HEAVY VEHICLE REPAIR
(4114 TEXOMA PKWY)

Ordinance 6163

ORD 6163 SUP FOR PARKING LOT & IMPOUND LOT (5504 TEXOMA PKWY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES AND IMPOUND LOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 5504 TEXOMA PARKWAY, BEING 5.188 ACRES IN THE D.C. SHELP SURVEY, ABSTRACT NO. 1097 (ROBERT AND TAMMY ALLEN, OWNERS; LONE STAR HAULIN, LLC, TENANT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Council Member Steele asked about Ordinance 6162 and 6163 for automotive repair and the impound lot on Texoma Parkway. He said there are a lot of these facilities located on Texoma Parkway with vehicles sitting in front of their business. He felt that the vehicles should be behind a screen or behind a wall and not visible to the roadway.

He said Ordinance 6163 had also requested to sell cars in front of their business, but there was no concrete there. Mr. Shadden said they did have the base rock, sealcoat chad.

Mr. Johnson was in attendance representing the request. He said the auto sales would be on an improved surface in front of the building and would be "an occasional sale." The facility will not be a used car lot. It's primary purpose is a towing facility and to store vehicles for insurance or for the police.

He said they have requested an exception for gravel for the drive in back of the property, behind a solid fence. The surface is a combination of gravel, concrete, and asphalt. The site will not be seen from Texoma Parkway.

Council Member Steele verified that, if they did want to expand the improved surface in front of the building, it would need to be an improved, dust-free surface.

Council Member Teamann confirmed that the occasional car sale would probably be an auction to sell off vehicles left in impound. Mr. Johnson said they are combining their Denison and Sherman locations into one facility in Sherman.

Ordinance 6164

ORD 6164 SUP FOR PARKING LOT EXTENSION & RV STORAGE (2005 S. SAM RAYBURN FRWY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PARKING LOT EXTENSION FOR ADDITIONAL RV STORAGE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING TRACT 1: 7.036 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; TRACT 2: BEING ALL OF BLOCK 32 OF

THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION; TRACT 3: ALL OF BLOCKS 38 & 39 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION CONTAINING 0.487 ACRES; AND TRACT 4: 0.888 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, BEING A STRIP OF LAND KNOWN AS COTTAGE AVENUE (UNIMPROVED) AND PLATTED AS A CITY STREET (FRHP LINCOLNSHIRE, LLC, OWNERS; CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER; DAVID TIPTON, REPRESENTATIVE; GONZALES & SCHNEEBERG, ENGINEERS & SURVEYORS, INC., SURVEYOR; AND NOLTE & ASSOCIATES, P.A., ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6165
SUP FOR LIVING QUARTERS IN A MINI-STORAGE FACILITY (4615 N. TRAVIS ST)

Ordinance 6165
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW LIVING QUARTERS IN A MINI-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT AT 4615 NORTH TRAVIS STREET, BEING LOT 1, BLOCK 6 AND LOT 1, BLOCK 7 OF THE REPLAT OF BLOCKS 1-9, NORTH CREEK SECTION 1 (YOUNG ENTERPRISES, LP, OWNERS; TODD YOUNG, REPRESENTATIVE; AND DAVID BACA STUDIO, LLC, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6166
STOP SIGN

Ordinance 6166
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON NORTHGATE DRIVE AT HERITAGE PARKWAY (WEST F.M. 1417) WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6167
RESIDENTIAL WASTE & RECYCLING FEES

Ordinance 6167
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.06, ENTITLED "SOLID WASTE", AT SECTIONS 13.06.001, 13.06.005, 13.06.050, AND 13.06.051 TO REVISE RESIDENTIAL WASTE AND RECYCLING PROGRAMS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Council Member Teamann said the recycling changes would be phased in over time and the staff would need to decide how notifications will be made. He asked if the Council approves this ordinance, would all citizens automatically be opted out of

the recycling program and they would have to opt in. Mr. Hefton confirmed that was correct.

Michael Springer, Solid Waste and Recycling Manager, explained that if the Council approved the ordinance tonight, the City would continue collecting recycling in the current cart. The new program would be phased into each quadrant separately by changing lids and placing stickers on the recycling carts.

He said, today they picked up some of the cleanest recycling loads they have had in years, just from the input at the last Council Meeting. Mr. Hefton reiterated that the City will continue to pick up recycling, but asked that citizens not place glass or plastic bags in the recycling carts.

Mr. Springer discussed the difference between #1 and #2 plastics and other plastics that aren't accepted. He said they will not accept pizza boxes or yard waste.

Council Member Holland confirmed that once the system is fully implemented, the lid will tell them it's recycling and the sticker will tell what types of items are recyclable. The carts may be different colors, but the recycling carts will have a bright yellow lid.

Council Member Teamann asked how citizens should contact the City to make their cart selections known. Mr. Springer said they could call the Solid Waste Department or a "request tracker" will be added to the City's website so they can make their selection.

Council Member Steele asked what constitutes a contaminated load and do they reject the entire load. Mr. Springer said a load is dumped at the sorting facility and an operator looks at a load. If there is a lot of trash and debris they "shove" it out of the way and condemn the load. Glass bottles will break in the truck and spread throughout the load.

He said yard waste is one of the biggest problems they see. Some people also put clothing in their recycle carts. Both items are recyclable, but not through the City's recycling program. They contaminate the load.

Council Member Steele verified that the Council would vote tonight and if approved, the staff would move forward with the program. The Council would then re-evaluate the program in six months. Mr. Hefton said the program would be set up over the next few weeks, but there was no exact timeframe to tell how long it would take to implement. He estimated it would probably take three or four months to fully implement.

ACTION TAKEN.

Motion by Council Member Steele to approve Ordinance Nos. 6159, 6160, 6161, 6162, 6163, 6164, 6165, 6166, and

6167, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA

CONSENT AGENDA
Mr. Hefton explained that Agenda Items D-6 through D-18 are individual items for the purchase of various types of equipment, primarily for the Street Department and the Solid Waste Department.

They were all budgeted items that local vendors are providing, or that can't be provided by local vendors. These items include most of the big equipment purchases that will be made this year.

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

RESOLUTIONS

RES 6417 ACQUISITION OF PROPERTY (205 E. LAMBERTH RD)

RESOLUTION NO. 6417 – AUTHORIZING THE ACCEPTANCE OF A CONTRACT AND CONVEYANCE DOCUMENT FROM JANET KENT FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 205 EAST LAMBERTH ROAD, BEING 0.2066 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, AND A 1.061 ACRE PART OF LOT 1, BLOCK 2 OF THE CORNERSTONE ADDITION, TOTALING APPROXIMATELY 1.2667 ACRES, MORE OR LESS, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONTRACT AND CONVEYANCE DOCUMENT FROM JANET KENT FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 205 EAST LAMBERTH ROAD, BEING 0.2066 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, AND A 1.061 ACRE PART OF LOT 1, BLOCK 2 OF THE CORNERSTONE ADDITION, TOTALING APPROXIMATELY 1.2667 ACRES, MORE OR LESS, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS.

Mr. Philpott said this residential property on the north side of Lamberth Road between US Hwy 75 and Travis Street, is adjacent to the east fork of the Post Oak Creek. The property does have an issue with flooding and the property owner is willing to sell the property.

The property is also adjacent to the proposed drainage improvements and a culvert is currently under design. The purchase of this property will save the City money on that

drainage project and will eliminate the need for a rock retaining wall.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6417, as presented. Second by Council Member Steele.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6418
ROW PROCUREMENT
FM 1417 FROM
US 82 TO SH 56

RESOLUTION NO. 6418 – AUTHORIZING EXECUTION OF AN AGREEMENT FOR RIGHT OF WAY PROCUREMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR RIGHT OF WAY ACQUISITION SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 1417 (HERITAGE PARKWAY) FROM US 82 TO SH 56]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT FOR RIGHT OF WAY PROCUREMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR RIGHT OF WAY ACQUISITION SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 1417 (HERITAGE PARKWAY) FROM US 82 TO SH 56].

Mr. Philpott said this agreement between the City and the Texas Department of Transportation, will allow the City to purchase right of way on their behalf, for the FM 1417 Extension Project, between US Hwy 82 and SH 56.

The project began in 2016 with a schematic design, subject to the City purchasing the right of way and participating with local funding. The appraisals have been completed. The project is expected to bid in August 2019.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 6418, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6419
RECONSTRUCTION &
WIDENING US 75
(THE GAP PROJECT)

RESOLUTION NO. 6419 – AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A NATIONAL HIGHWAY PROJECT FOR RECONSTRUCTION AND WIDENING FROM A 4-LANE TO A 6-LANE ON-SYSTEM HIGHWAY (US 75 "THE GAP" PROJECT)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN

ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A NATIONAL HIGHWAY PROJECT FOR RECONSTRUCTION AND WIDENING FROM A 4-LANE TO A 6-LANE ON-SYSTEM HIGHWAY (US 75 "THE GAP" PROJECT).

Mr. Philpott said this is an Advance Funding Agreement that sets the amount of local funds that the City will provide for "The Gap" Project.

The City's local match is about $8 million and the County recently approved $4.6 million. The total cost for the project is $163 million. The project should begin in 2020.

Grayson County Judge Bill Magers thanked Mayor Plyler for his leadership as the Chairman of the Metropolitan Planning Organization. He said the $161 million project is receiving about $27 million from the MPO.

Part of the reason this project is happening in Sherman is that Denison forwent one of their projects to make sure the MPO had money to fund the Sherman project. He said Denison is approving the Advance Funding Agreement for their SH Spur 503/FM 691 Project tonight. Sherman will also benefit from that project.

He said the area is receiving $130 million in TxDOT funds for local projects. He thanked the City Council for their leadership in not letting turf battles interfere with their professionalism.

Mayor Plyler recognized that the US Hwy 75 and Hwy 82 interchange will finally be addressed.

Council Member Steele said the agreement stated that the local government (the City of Sherman) would be responsible for paying for any cost overruns. Mr. Philpott said this is a standard TxDOT contract and the City and County are "locked in" at their maximum contribution.

Council Member Steele said the agreement also said the City would incur some additional costs for the relocation of utilities. Mr. Philpott said there are several locations where water and sewer lines are crossing. Because those are the City's lines in their right of way, the City is required to relocate them. They are working with the City to change the design so some don't have to be relocated.

Mr. Hefton added that the engineering is not complete, but construction is scheduled to start during the first quarter of 2020.

ACTION TAKEN.

> **Motion by Council Member Stevenson to approve Resolution No. 6419, as presented. Second by Council Member Holland.**

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6420
DEVELOPER'S AGREEMENT
QUAIL RUN, PHASE ONE

<u>RESOLUTION NO. 6420 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH 300 SHERMAN, LP FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN QUAIL RUN, PHASE ONE, A 17.492-ACRE DEVELOPMENT WEST OF F.M. 1417 ALONG QUAIL RUN ROAD IN THE CITY OF SHERMAN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH 300 SHERMAN, LP FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN QUAIL RUN, PHASE ONE, A 17.492-ACRE DEVELOPMENT WEST OF F.M. 1417 ALONG QUAIL RUN ROAD IN THE CITY OF SHERMAN.

Mr. Philpott said this is a Development Agreement to develop 76 additional residential homes along Quail Run, west toward Friendship Road. The development will have several phases, and this is the first phase.

Part of this project does include the City partnering for reimbursement to the developer for a public park and public drainage improvements to the property. The approximately five acre park will be located north of Setting Suns, and will include detention and drainage improvements, a large playing field, and eventually a trail.

ACTION TAKEN.
Motion by Council Member Teamann to approve Resolution No. 6420, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6421
FIRE STATION #4
DEMOLITION

<u>RESOLUTION NO. 6421 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH GARRETT DEMOLITION, INC. BASED ON A REQUEST FOR PROPOSALS FOR BUILDING DEMOLITION OF FIRE STATION NO. 4</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH GARRETT DEMOLITION, INC. BASED ON A REQUEST FOR PROPOSALS FOR THE BUILDING DEMOLITION OF FIRE STATION NO. 4.

Steve Ayers, Assistant City Manager, said the City advertised for bids for the demolition of Fire Station #4, that was located at US Hwy 75 and FM 1417. There were also some asbestos mitigation aspects to the project.

The City received four bids, but one was eliminated because they did not meet the requirement for references and experience concerning the asbestos.

The bid was about $64,000 and the two next bids were over $100,000. The lowest bid did not meet the reference requirements.

The demolition is scheduled to begin between November 14 and 16, 2018, and should only take a few days to complete. Mike Grant, Facilities Superintendent, said he had received notification that they plan to start on November 12, 2018 and complete the project by November 16, 2018.

Council Member Teamann asked about the plan for the basement. Mr. Ayers said everything will be removed and it will be left as a "bowl shape."

ACTION TAKEN.
Motion by Deputy Mayor Howeth to approve Resolution No. 6421, as presented. Second by Council Member Teamann.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6422 SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT

RESOLUTION NO. 6422 – ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC AS COMPLETE FOR ALL EQUIPMENT, MATERIALS AND CONSTRUCTION OF THE CITY OF SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT
A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC AS COMPLETE FOR ALL EQUIPMENT, MATERIALS AND CONSTRUCTION OF THE CITY OF SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT.
CONSENT AGENDA.

RES 6423 WWTP IMPROVEMENTS

RESOLUTION NO. 6423 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH PERKINS ENGINEERING CONSULTANTS, INC. FOR THE DESIGN OF THE AERATION AND SECONDARY TREATMENT IMPROVEMENTS AT THE SHERMAN WASTEWATER TREATMENT PLANT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH PERKINS ENGINEERING CONSULTANTS, INC. FOR THE DESIGN OF THE AERATION AND SECONDARY TREATMENT IMPROVEMENTS AT THE SHERMAN WASTE WATER TREATMENT PLANT.
CONSENT AGENDA.

RES 6424 FAIRVIEW ELEVATED TANK PAINTING

RESOLUTION NO. 6424 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE DESIGN OF THE FAIRVIEW ELEVATED TANK PAINTING IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE DESIGN OF THE FAIRVIEW ELEVATED TANK PAINTING IMPROVEMENTS.

Council Member Steele ask about repairs on the Fairview Elevated Water Tower.

Mark Gibson, Director of Utilities, said the Fairview Water Tower was originally scheduled in this year's Capital Improvement Program for repainting and repair. The staff decided to try and delay the project for another year. About a month ago, the tower developed a leak. This project includes repainting and repair of the tower.

Council Member Steele confirmed that the cost was already included in the budget, but was delayed. Mr. Hefton added that, because of the leak, the project can't be delayed.
CONSENT AGENDA.

RES 6425 STREET MAINTENANCE EQUIPMENT

<u>RESOLUTION NO. 6425 – AUTHORIZING THE PURCHASE OF A NEW 2018 CATERPILLAR ASPHALT PAVER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2018 CATERPILLAR ASPHALT PAVER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6426 STREET MAINTENANCE EQUIPMENT

<u>RESOLUTION NO. 6426 – AUTHORIZING THE PURCHASE OF TWO NEW 2019 KENWORTH T440 DUMP TRUCKS FOR THE STREET MAINTENANCE DEPARTMENT FROM MHC KENWORTH THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF TWO NEW 2019 KENWORTH T440 DUMP TRUCKS FOR THE STREET MAINTENANCE DEPARTMENT FROM MHC KENWORTH THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6427 STREET MAINTENANCE EQUIPMENT

<u>RESOLUTION NO. 6427 – AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR MOTOR GRADER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR MOTOR GRADER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH

THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6429
STREET MAINTENANCE EQUIPMENT

RESOLUTION NO. 6429 – AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR CW34 PNEUMATIC ROLLER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR CW34 PNEUMATIC ROLLER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6430
POLICE VEHICLE PURCHASE THROUGH DALLAS COUNTY

RESOLUTION NO. 6430 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE COUNTY OF DALLAS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE COUNTY OF DALLAS.
CONSENT AGENDA.

RES 6431
STREET MAINTENANCE EQUIPMENT

RESOLUTION NO. 6431 – AUTHORIZING THE PURCHASE OF A NEW FLIP SCREEN FOR THE STREET MAINTENANCE DEPARTMENT FROM FLIP SCREEN, LLC THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW FLIP SCREEN FOR THE STREET MAINTENANCE DEPARTMENT FROM FLIP SCREEN, LLC THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6433
SOLID WASTE EQUIPMENT

RESOLUTION NO. 6433 – AUTHORIZING THE PURCHASE OF A NEW HEIL FRONT LOAD TRUCK FOR THE SOLID WASTE DEPARTMENT FROM HEIL OF TEXAS THROUIGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW HEIL FRONT LOAD TRUCK FOR THE SOLID WASTE DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6434
SOLID WASTE EQUIPMENT

RESOLUTION NO. 6434 – AUTHORIZING THE PURCHASE OF A NEW 2019 AUTOCAR ACX64 BODY FOR THE SOLID WASTE DEPARTMENT FROM CHASTANG ENTERPRISES, INC.

THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2019 AUTOCAR ACX64 BODY FOR THE SOLID WASTE DEPARTMENT FROM CHASTANG ENTERPRISES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6435 – AUTHORIZING THE PURCHASE OF A NEW 2019 HEIL BRUSH TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6435
SOLID WASTE
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2019 HEIL BRUSH TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6436 – AUTHORIZING THE PURCHASE OF A KUBOTA M6060HDC TRACTOR FOR THE PARK MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6436
PARK MAINTENANCE
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A KUBOTA M6060HDC TRACTOR FOR THE PARK MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

REQUEST TO ADVERTISE
FAIRVIEW ELEVATED TANK PAINTING IMPROVEMENTS

REQ TO ADVERTISE
FAIRVIEW ELEVATED
TANK PAINTING

The City Council approved the request to advertise for the repair and painting of the Fairview Elevated Storage Tank, which was originally scheduled for repair and repainting in the next fiscal year.

Several weeks ago the tank developed a significant leak. Following the repair of the leak, a detailed underwater inspection of the tank was undertaken and several significant areas of corrosion were noted throughout the tank. These areas represent the potential for additional failures of the tank structure resulting in significant leaks.

The project will be funded through the Greater Texoma Utility Authority.
CONSENT AGENDA.

REPAIRS TO SHEPHERD DRIVE #1 WOODBINE WATER WELL

WATER WELL REPAIRS

The City Council approved the request to advertise for repairs to the Shepherd Drive #1 Woodbine Water Well. The motor on the well is failing and needs to be pulled and inspected. The pump and piping will also be inspected and repaired or replaced if necessary.

Funds for the well repairs are available in the Utility Fund Capital Improvement Program.
CONSENT AGENDA.

CHANGE ORDER NO. 1
APPROVING A CHANGE ORDER OF $30,551.59 FOR THE SHERMAN FIRE STATION NO. 4 PROJECT; CROSSLAND CONSTRUCTION COMPANY, INC., AS CONSTRUCTION MANAGER-AT-RISK (CMAR)

CHANGE ORDERS FIRE STATION #4

Mr. Hefton said this is the first and final Change Order for the $3.5 million Fire Station #4 Project. The Change Order represents 0.8% of the total contract price and represents five or six different items.

Changes included modifications to the bay area from the original design and additional warranties for the generator that runs the entire facility. Total cost for the Change Order was $30,551.59.

ACTION TAKEN.

Motion by Council Member Teamann to approve Change Order No. 1, for a $30,551.59 increase to Crossland Construction Company, Inc., for the Fire Station No. 4 Project, as presented. Second by Council Member Sofey.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CHANGE ORDER NO. 4
APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENT TO EXECUTE CHANGE ORDER NO. 4; CITY OF SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT; LYNN VESSELS CONSTRUCTION, LLC, $37,899.64 DECREASE

SHERMAN INDUSTRIAL SEWER REPLACEMENT

Mr. Gibson said this is a final, reconciliatory Change Order on the Industrial Sewer Replacement Project, in the Blalock Industrial Park.

The Change Order represents 12 items, some decreasing and some increasing, for a total $37,899.64 decrease. The result of all four Change Orders was an increase of $120 over the original bid price.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Greater Texoma Utility Authority's intent to execute Change Order No. 4, for a $37,899.64 decrease to Lynn Vessels Construction, LLC, for the Sherman Industrial

Sewer Replacement Project, as presented. Second by Council Member Holland.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

<u>OTHER BUSINESS</u>
<u>RECOGNITION OF CITY OF SHERMAN AWARD: "CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING"</u>

FINANCIAL REPORTING

Mr. Hefton recognized Ms. Lawrence, Tammy Davis, Controller, and the Finance Department staff, and said the City of Sherman has received the "Certificate of Achievement for Excellence in Financial Reporting" for 32 consecutive years.

He said the award is a testament to their professionalism and their ability, year after year, to have a "clean audit", and to present the financial statements in a way that is recognized by the industry.

<u>APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED SEPTEMBER 30, 2018</u>

QUARTERLY INVESTMENT REPORT

The City Council approved the Quarterly Investment Report for the quarter ended September 30, 2018. The portfolios were in compliance with applicable State laws and the Investment Policy.

The Operating Investment Portfolio had a book value of about $13.5 million, a decrease of about $3.8 million from the prior quarter of $17.3 million, due to maturities of $2.0 million in Certificates of Deposits, $2.1 million in State of Texas political subdivision obligations, and a net deposit to the Local Government Investment Pools of $300,000.

The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid, and its weighted-average maturity was about 407 days, up from 380 days from last quarter. The portfolio yield of 1.93% for the quarter is 66 basis points lower than the benchmark yield of 2.59%. The portfolio value on the City's books is slightly below market value due to the effect of rising interest rates.

The Debt Proceeds Portfolio balance of $32.3 million was invested in a Local Government Investment Pool, a U.S. Agency, and an FDIC insured money market account. Transactions in this portfolio included the receipt of proceeds from the 2018 Certificates of Obligation, interest income and payments for capital projects.

The yield of 1.78% was below the benchmark yield of 2.12% for this portfolio. Book value and market value were about the same.
CONSENT AGENDA.

<u>VARIANCE AND SITE PLAN APPROVAL FOR DOUGLASS DISTRIBUTING, OWNERS; EIKON, ARCHITECT/ENGINEER; AND CHRIS FRERICH, REPRESENTATIVE UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTIONS 410 (2)(G) TO ALLOW A 10' SETBACK FROM THE F.M. 1417 (VIETNAM VETERANS PARKWAY) PROPERTY LINE FOR A VACUUM CANOPY FOR LEGACY VILLAGE GAS STATION, CONVENIENCE STORE AND CAR WASH IN THE BLALOCK INDUSTRIAL PARK AT 3707 SOUTH U.S. HIGHWAY 75</u>

APPROVE VARIANCE & SITE PLAN (3707 S. US HWY 75)

The City Council approved the Variance and Site Plan for Douglass Distributing, to allow a 10' setback from the FM 1417 property line for a vacuum canopy for Legacy Village Gas Station, Convenience Store, and Car Wash in the Blalock Industrial Park at 3707 South US Hwy 75.

The site is also located in the Blalock Commercial Overlay District. The Planning and Zoning Commission recommended approval of the Variance and Site Plan, subject to the Staff Review Letter.
CONSENT AGENDA.

<u>REPLAT APPROVAL OF EARNHARTBUILT'S FIRST ADDITION, BEING A REPLAT OF LOTS 1 & 2, BLOCK 7, OF THE SLAGLE REPLAT OF BLOCK 7 OF CHRISTIAN COLLEGE ADDITION, BEING ALL OF LOTS 1 & 2, BLOCK 7 OF THE SLAGLE REPLAT OF BLOCK 7, CHRISTIAN COLLEGE ADDITION, CONTAINING 0.544 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, 2101 & 2103 E PECAN SERIES, LLC, OWNERS; EARNHARTBUILT, LLC, DEVELOPER; AND COPLEY LAND SURVEYING, SURVEYOR (2100 BLOCK OF EAST MULBERRY STREET)</u>

APPROVE REPLAT (2100 BLOCK OF E. MULBERRY)

The City Council approved the Replat of Earnhartbuilt's First Addition, being a Replat of Lots 1 and 2, Block 7, of the Slagle Replat of Block 7 of Christian College Addition, being all of Lots 1 and 2, Block 7 of the Slagle Replat of Block 7, Christian College Addition.

The 0.544 acre tract is located in the 2100 block of East Mulberry Street. The owners would like to replat the property into three, fifty foot lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

<u>REPLAT APPROVAL OF LARA'S ADDITION, BEING A REPLAT OF LOTS 7 & 8, BLOCK 1 OF W.D. FITCH ADDITION, BEING LOT 7 AND PART OF LOT 8, BLOCK 1, W.D. FITCH ADDITION; JOSE AND MARIA LARA, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (926 AND 932 SOUTH THROCKMORTON STREET)</u>

APPROVE REPLAT (926 & 932 S. THROCKMORTON)

The City Council approved the Replat of Lara's Addition, being a Replat of Lots 7 and 8, Block 1 of W.D. Fitch Addition, being Lot 7 and part of Lot 8, Block 1, W.D. Fitch Addition, located at 926 and 932 South Throckmorton Street.

The owners would like to plat the property into two lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

CITIZENS REQUESTS
RECYCLING PROJECT

RECYCLING PROJECT

Sandra Melton, 2814 Shoreline, thanked the City Council for the hard work they did on the Recycling Program, and said she was afraid it would be "null and void."

She did mention senior citizens and their option to opt out of the Recycling Program or not having to pay for it.

SOUND QUALITY

SOUND QUALITY

Peter Tracy, 705 S. Valentine, said it was hard to hear the Mayor when he spoke in the meeting.

CODE ENFORCEMENT

CODE ENFORCEMENT

Mary Boring, Rolling Hills Drive, said she would like to see better trash control in Sherman.

Mr. Hefton said part of the solution is what happens with the bulk waste program. Recent revisions have been made to the program. He said most of the citizens comply, but the ones that don't put their bulk waste out whenever they want and it sits on the curb until the pickup. He said there are also commercial areas where trash collects. He said the City can promote solutions, but it really amounts to citizens doing their part to comply.

Ms. Boring ask if the City offered bulk pick up for apartments. Mr. Hefton said there is a drop-off center that is very inexpensive to use. From a practical standpoint, he said bulk pick up at an apartment complex would be difficult. He added that educating citizens as to what is available might be useful.

She asked about new ordinances such as not allowing cars to be parked in residential front yards or about moving trash carts off the curb after pick up.

Mr. Hefton said the City does have ordinances that already address those issues. The issue is one of compliance and that is done on a drive-around basis and a complaint basis. If she has specific addresses or locations for problem areas, he encouraged her to contact the City and lodge the environmental code complaint.

MEDIA QUESTIONS
RECYCLING PROJECT

RECYCLING PROJECT

Meredith McCown, KXII Reporter, asked about the actual cost for citizens that choose to recycle.

Mr. Hefton said there is only one fee for solid waste service and it is $18.75. There is no longer a separate recycling fee. It

also still covers two carts. The only group that can opt out of the fee itself are citizens over the age of 65 or that have carry-out service.

He reiterated that citizens will pay one fee and can choose whether or not they want to participate in the Recycling Program.

COUNCIL COMMENTS

WHAT'S GOING ON IN SHERMAN

WHAT'S GOING ON IN SHERMAN

Council Member Steele said when there is an agenda this long, there is a lot to discuss and a lot going on and many things that must be discussed as Sherman grows. He said it's always nice to have citizens come and speak.

HAWN SKATE PARK

HAWN SKATE PARK

Deputy Mayor Howeth commended the citizens that came to talk about the Hawn Skate Park. She said the Parks and Recreation Department did a wonderful job of planning the ribbon cutting ceremony.

FRIGHT FEST

FRIGHT FEST

Deputy Mayor Howeth commended the Police Department for this year's Fright Fest. She said there has never been that many people at Midway Mall. She thanked everyone that participated.

UPCOMING ELECTION

UPCOMING ELECTION

Council Member Sofey encouraged citizens to vote in tomorrow's Election.

COUNCIL MEMBER SERVICE

COUNCIL MEMBER SERVICE

Council Member Sofey said this is his last full City Council Meeting, but he said he has been involved with City Council or the Planning and Zoning Commission for the last 13 or 14 years.

He said today's Council is the best he has worked with, and "by far" the best staff. He said it has been a wonderful experience, and the City is in really good shape and in good hands.

WHAT'S GOING ON IN SHERMAN

WHAT'S GOING ON IN SHERMAN

Council Member Teamann agreed that an agenda this large is a great indication of what's happening in the City. He said they are voting on things that are happening right now, and it's an exciting time to be a part of Sherman.

At this meeting, Council Member Teamann said the City partnered with the State, with the County, with private industry, and with people that are going to develop parks. All levels of government are working together.

COUNCIL MEMBER SERVICE

COUNCIL MEMBER SERVICE

Council Member Teamann said he appreciated the years of service that Council Member Sofey has given to the City.

BLUE SKY SONGTELLERS' GATHERING

Council Member Teamann thanked Mr. Shadden for his work organizing the Blue Sky Songtellers' Gathering and said it was an amazing event. The event raised "a substantial" amount of money.

BLUE SKY SONGTELLERS' GATHERING

HAWN SKATE PARK

Council Member Holland commended the City on the Hawn Skate Park and said it was a great ribbon cutting event.

HAWN SKATE PARK

TxDOT ROAD PROJECTS

Mayor Plyler said as Chairman of the MPO, Sherman is fortunate to have partners in the County and the other area cities. He said all of the other area mayors came together, especially the City of Denison, and "stepped up to the plate" and they were able to put together the US Hwy 75 Project.

TxDOT ROAD PROJECTS

He said this project will be critical to the community in the coming years. It will be painful and frustrating during construction, but it will be wonderful when it's completed. It will take care of "that awful" US Hwy 75 and US Hwy 82 interchange.

He thanked the City staff, the City of Denison, and everyone at the County level who worked so hard to partner with the City, to bring this project to fruition. He also thanked the State Representative and Sherman's friends in Austin that showed up to lobby on our behalf.

ANNOUNCEMENTS

Mayor Plyler announced the following:

ANNOUNCEMENTS

- **The Municipal Election will be held Tuesday, November 6, 2018, and the Vote Centers open at 7:00 a.m. There are two City Council positions on the ballot. He urged citizens to vote.**

- **The First Annual Veteran's Day Parade will be held Saturday, November 10, 2018, at 11:00 a.m. in Downtown Sherman. He thanked Sarah McRae, Tourism/Main Street Manager, for her work in helping organize the event.**

- **The Christmas Parade and Snowflake Festival will be held on Saturday, December 1, 2018, at 6:00 p.m. The theme will be Cartoon Christmas.**

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

EXECUTIVE SESSION

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.071 -- **CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION**

SECTION 551.071 -- **CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER**

SECTION 551.087 -- **DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS:**
DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:48 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:18 p.m. and reconvened in Open Meeting.

OPEN MEETING

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:19 p.m.

____
MAYOR

____
CITY CLERK

City of Sherman

Recycling Program

Current Recycling Environment

- Market demands clean recyclables
  - No food waste
  - No contamination – prohibited materials
- Recycling costs something
- No glass
- Only certain plastics
  - Depends on recycling processor
  - #1 & #2 most popular to recycle
- Sherman's location limits our options

Proposed Recycling Program

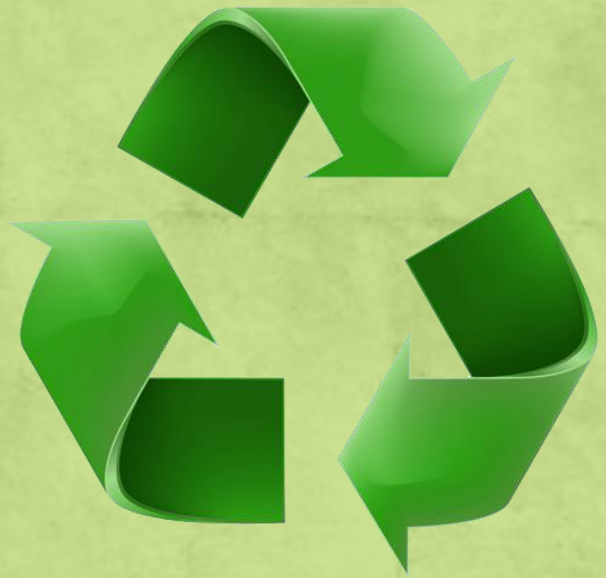
- Current rate of trash + recycle = $18.75 **unchanged** from current rate
- Customer determines cart types
- Third cart is $8.00, down from $15.60
- Seniors/disabled may elect one cart at $15.60
- Fee for special pickup
- Compliance
  - Camera system?
  - Stickers
- Recycle cart swapped for trash for chronic non-compliance

Proposed Recycling Program

- Materials accepted
  - Clean Fiber (cardboard, newspapers, cereal boxes, junk mail, catalogs)
  - #1 & #2 plastic (drink bottles, milk jugs, detergent & shampoo bottles)
  - Tin (food cans)
  - Aluminum (beverage cans)
- Lightly rinse containers
- Do not bag
- Place loosely in the cart

Education

- Website
- Social Media
- Sticker on Recycle carts
- Utility bill flyer
- Public Service Announcements
- Partnerships
  - Austin College Environmental Studies Dept
  - Earth Day Planning Committee
  - Keep Sherman Beautiful Committee



Recycling Program Challenges

- Huge undertaking
  - Lid color will distinguish type of service
  - 10,000 customers; 20,000 carts
  - Billing records
  - $50,000 + for lid purchase
  - Routing challenges for an opt-in program
  - How will customers notify City of cart preference?
  - Four month plus transition
- Evaluate program in first or second quarter of 2019

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **B.1.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:
CANVASS OF ELECTION RETURNS

Issue:
A tally sheet will be prepared for the City Council to use in their canvass of the Regular Municipal Election of November 6, 2018. The Early Voting Ballot Board will meet to process Provisional Ballots on November 15th and determine which ones meet the requirements to be counted. The tally sheet will be provided to the City Council at the Council Meeting.

Background:
The Texas Election Code requires that the City Council canvass the votes by precinct and declare that the Election is official.

Origination:
The tally sheet will be prepared from the official printout obtained November 6, 2018 after the Election and the results of the Early Voting Ballot Board's review of Provisional Ballots.

Financial Consideration:
There is no specific cost associated with canvassing the Election.

Staff Recommendation:
It is recommended that the City Council canvass the Election.

Alternatives:
There is no viable alternative.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **B.2.**

Meeting Date: 11/19/2018

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6437

Declaring the Results of the November 6, 2018 Regular Municipal Election held in the City of Sherman, Grayson County, Texas

Issue:

In order to accommodate the Texas Election Code, the City Council must canvass no earlier than the 3rd day after the Election and no later than the 11th day after the Election. Since the 11th day is on Saturday, November 17, 2018, the deadline is extended to Monday, November 19, 2018. Therefore, the canvass must be held between November 9 and November 19, 2018. The Early Voting Ballot Board met on November 15th to process Provisional Ballots and to determine which ones meet the requirements to be counted. The Resolution with the final votes will be provided to the City Council at the Council Meeting.

Background:

Pursuant to Section 67.003 of the Election Code, each local authority shall convene to conduct the canvass of returns at a specific time after the Election date, at a time set by the Mayor.

Origination:

The canvass of Election returns originated with the City Clerk's Office.

Financial Consideration:

There is no specific cost associated with canvassing the Election and adopting Resolution No. 6437.

Staff Recommendation:

It is recommended that the City Council canvass the Election of November 6, 2018 and adopt Resolution No. 6437.

Alternatives:

There is no viable alternative.

Attachments

Resolution No. 6437

Table

RESOLUTION NO. 6437

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 6, 2018 REGULAR MUNICIPAL ELECTION HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS; 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 there came on to be considered the results of the regular and special elections held on the 6th day of November, 2018, for the purposes of electing the hereinafter named officials; and, it appearing from said results, duly and legally made, that there were cast at said election ________ valid and legal votes; and that, upon counting the votes, the following results are indicated:

CANDIDATES/COUNCILMEMBER	TOTAL VOTES
MAYOR	
David Plyler	________________________
COUNCIL MEMBER, AT-LARGE, PLACE 1	
Sholdon Daniels	________________________
Willie Steele	________________________
COUNCIL MEMBER, AT-LARGE, PLACE 2	
Sandra Melton	________________________
Joe Gilbert	________________________

SECTION 2. That said election was duly called; that notice of said election was given in accordance with law; that said election was held in accordance with law; and that David Plyler was duly elected to the Mayor position; that Willie Steele was duly elected to the Council Member, At-Large, Place 1 position; and that Sandra Melton was duly elected to the Council Member, At-Large, Place 2 position; that said above named individuals are hereby declared to be duly elected to said respective offices, subject to filing of the Statement of Officers and the taking of the oaths provided by the laws of the State of Texas.

SECTION 3. That it is further found and determined that, in accordance with the resolution of this governing body, the Clerk posted written notice of the date, place, and subject of this meeting on the bulletin board located at the Sherman City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the election returns shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

SECTION 4. 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 this the __________ day of _________________, 2018.

CITY OF SHERMAN, TEXAS

BY: ______________________________________
DAVID PLYLER, MAYOR

ATTEST:

BY: _______________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _______________________________
BRANDON S. SHELBY
CITY ATTORNEY

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 6, 2018 Registered Voters 22,925 City Ballots Cast ???? Percentage Voted ?? %

PRECINCTS	101	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	TOTAL
Early Ballots Cast															
Reg. Ballots Cast															
Total Ballots Cast															
Registered Voters	4,027	2,709	0	0	0	0	1,925	5,802	515	3,039	0	552	59	4,297	22,925
% of registered voters casting ballots by precinct															

*Split Precincts - Some voters in these precincts are inside the Sherman City Limits and some are outside the Sherman City Limits;
Only voters inside the Sherman City Limits are allowed to vote the Sherman Ballot

Voter Statistics by Precincts

PRECINCTS	101	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Mayor																	
David Plyler																	
Council Member, At-Large, Place 1																	
Sholdon Daniels																	
Willie Steele																	
Council Member, At-Large, Place 2																	
Sandra Melton																	
Joe Gilbert																	

Prepared by Linda Ashby, City Clerk, Sherman, Texas

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **B.3.**

Meeting Date: 11/19/2018

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

RECOGNITION OF OUTGOING COUNCIL MEMBERS

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C.1.**

Meeting Date: 11/19/2018

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Issue:

The official Statements of Elected Officer have been filed with the Sherman City Clerk; and the newly elected members of the City Council may take the Oath of Office as required by law. They will also be presented with official Certificates of Election.

Background:

Pursuant to the City Charter, Article X, Section 4, all elected officers shall, before entering upon the duties of their respective offices, take and subscribe to the official oath prescribed by the Constitution of the State of Texas. The Oath of Office shall be administered as required by the Charter.

Origination:

The Oath of Office presentation originated with the City Clerk's Office.

Financial Consideration:

There is no specific cost associated with taking the Oath of Office.

Staff Recommendation:

It is recommended that the newly elected City Council Members take the Oath of Office.

Alternatives:

There is no viable alternative.

Attachments

Oath of Office

OATH OF OFFICE

I, ___State your name__________

DO SOLEMNLY SWEAR,

THAT I WILL FAITHFULLY

EXECUTE THE DUTIES

OF _____State you position____

IN THE CITY OF SHERMAN

OF THE STATE OF TEXAS

AND WILL TO THE BEST OF MY ABILITY

PRESERVE, PROTECT, AND DEFEND

THE CONSTITUTION AND LAWS

OF THE UNITED STATES

AND OF THIS STATE

SO HELP ME GOD.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D.1.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:
COUNCIL ELECTION OF DEPUTY MAYOR

Issue:
The Deputy Mayor is elected by the City Council for a one-year term or until the Council is reorganized. Normally the Deputy Mayor is elected at the Council Meeting in November where new members are sworn in.

Background:
Article II, Section 3 of the City Charter provides for the designation of a Deputy Mayor, as follows:

> ***Section 3. Mayor and deputy mayor.***
>
> *The mayor shall preside at the meetings of the council, and shall be recognized as head of the city government for all ceremonial purposes, and by the governor for purposes of military law, but shall have no regular administrative duties. The mayor shall be entitled to vote upon all matters considered by the council. The mayor shall not make or second motions. The council shall elect a deputy mayor from the council for a one-year term, or until the council is reorganized, who shall act as mayor during the absence or inability of the mayor to serve. If a vacancy should occur in the office of mayor, the deputy mayor shall serve for the remainder of the mayor's term or until the next general election, whichever shall first occur.*

Origination:
The election of a Deputy Mayor originated with the City Clerk's Office.

Financial Consideration:
There is no specific cost associated with electing a Deputy Mayor.

Staff Recommendation:
It is recommended that the Council Members elect a new Deputy Mayor.

Alternatives:

There is no viable alternative.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E.1.**

Meeting Date: 11/19/2018

Prepared By: Zachary Flores, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6168

Amending Chapter 9 of the Code of Ordinances, entitled "Personnel", Article 9.05, entitled "Civil Service for Firefighters and Police Officers", at Section 9.05.026, entitled "Authorized Number of Positions", to Revise the Number of Authorized Positions in the Police Department

Issue:

The City Council is required by state law to establish by ordinance the job titles and number of positions in each rank for members of the classified service in the City's Fire and Police Departments.

Background:

The Texas Local Government Code Chapter 143, "Municipal Civil Service for Firefighters and Police Officers", Section 143.014 states the following:

(b) If approved by the governing body of the municipality by resolution or ordinance, the head of a fire or police department in the municipality in which at least four classifications exist below the classification of department head may appoint each person occupying an authorized position in the classification immediately below that of department head, as prescribed by this section. The classification immediately below that of department head may include a person who has a different title but has the same pay grade.

(c) In a police department, the total number of persons appointed to the classification immediately below that of department head may not exceed the total number of persons, plus one, serving in that classification on January 1, 1983. In a fire department in a municipality having fewer than 300 certified fire fighters, the department head may appoint not more than one person to the classification immediately below that of department head.

Police Department Titles	Current No. Positions	Proposed 10/01/2018
Patrolman	52	52
Corporal	5	5
Sergeant	9	9
Lieutenant	5	4

Assistant Chief - Appointed	3	4
Chief	1	1

Police – Request to add one appointed Assistant Chief position for necessary restructuring in the department. This is not intended to be a permanant position, however it is needed at this time. The estimated time for the position to be in effect is less than one year. The department will still be within the civil service statutes with this appointment.

Origination:

City Manager Robby Hefton
Police Chief Zachary Flores

Financial Consideration:

None

Staff Recommendation:

Staff recommends adopting the proposed ordinance.

Alternatives:

No alternatives are recommended.

Attachments

Ordinance No. 6168

ORDINANCE NO. 6168

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO REVISE THE NUMBER OF AUTHORIZED POSITIONS IN THE POLICE DEPARTMENT; 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 ORDERED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Chapter 9, Article 9.05 of the Code of Ordinances of the City of Sherman, be and is hereby amended at Section 9.05.026 so that such section shall read as follows:

Sec. 9.05.026 Authorized number of positions

The number of allocated positions for each job title in the fire and police departments are set forth below in order of ranking:

(1) Fire department

Title	No. Positions
Firefighter	46
Engineer	15
Captain	17
Battalion Chief	3
Division Chief	3
Assistant Chief	1
Fire Chief	1

(a) Active staffing in the "engineer" position greater than the number allocated shall be considered overstaffed and said position shall not be filled upon the occurrence of vacancy due to promotion, demotion, attrition, termination, retirement, or any other reason.

(b) Staffing in the "firefighter" position shall be increased with each occurrence of the number of active "engineer" positions being eliminated until the total number of "engineer" positions meets the number of allocated positions set forth in subsection (1) above.

(c) Once the number of active "engineer" positions is reduced to meet the number of allocated positions set forth in subsection (1) above. The number of active "firefighter" positions shall be increased to meet the number of allocated positions set forth in subsection (1) above.

(2) Police department

Title	No. Positions
Patrolman	52
Corporal	5
Sergeant	9
Lieutenant	~~5~~ *4*
Assistant Chief-Appointed	~~3~~ *4*
Chief	1

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become 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 3. 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 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given all as required by law.

INTRODUCED this the ________________ day of _________________, 2018.

ADOPTED on this the _________________ day of _________________, 2018.

EFFECTIVE DATE on this the _________ day of _________________, 2018.

CITY OF SHERMAN, TEXAS

BY: ______________________________
DAVID PLYLER, MAYOR

ATTEST:

BY: ______________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: ______________________________
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E.2.**

Meeting Date: 11/19/2018

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 6168

Issue:

E. 1. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6168**
Amending Chapter 9 of the Code of Ordinances, entitled "Personnel", Article 9.05, entitled "Civil Service for Firefighters and Police Officers", at Section 9.05.026, entitled "Authorized Number of Positions", to Revise the Number of Authorized Positions in the Police Department

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SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E.3.**

Meeting Date: 11/19/2018

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, 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

Issue:

F. 1. **** RESOLUTION NO. 6438***
Authorizing the Purchase of a New Case Rubber Tire Excavator for the Distribution Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

F. 2. **** RESOLUTION NO. 6439***
Authorizing the Purchase of a New Case Box 570N Blade Tractor for the Distribution Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

F. 3. **** RESOLUTION NO. 6440***
Authorizing the Purchase of a Genie Telehandler for the Treatment Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F.1.**

Meeting Date: 11/19/2018
Prepared By: Mark Gibson, Director of Utilities
Approved By: Robby Hefton, City Manager

Caption:
**** RESOLUTION NO. 6438***
Authorizing the Purchase of a New Case Rubber Tire Excavator for the Distribution Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

Issue:
Authorizing the purchase of a new Case Rubber Tire Excavator from ASCO Equipment via the BuyBoard

Background:
The Distribution Services Department has been renting a rubber tire excavator as the tracks on the City-owned track excavator were damaging landscaping and surfaces on current projects. Purchasing the Case CX80C Rubber Tire Excavator would be more cost effective long-term than continued rental costs. The estimated cost for the purchase of the excavator is $97,361.40.

The equipment was purchased through ASCO Equipment, a Sherman local vendor.

The Texas Local Government Purchasing Cooperative was created to increase the purchasing power of government entities and to simplify their purchasing by using a customized electronic purchasing system called the BuyBoard.

Origination:
Distribution Services

Financial Consideration:
Funds for this purchase were approved in the fiscal year (FY) 2018-2019 budget.

Staff Recommendation:
It is recommended that the City Council authorize the purchase of the new Case Rubber Tire Excavator.

Alternatives:
As may be directed by the City Council

Attachments

Resolution No. 6438

Quote

BuyBoard Agreement

RESOLUTION NO. 6438

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CASE RUBBER TIRE EXCAVATOR FOR THE DISTRIBUTION SERVICES DEPARTMENT FROM ASSOCIATED SUPPLY COMPANY, INC. (ASCO EQUIPMENT) THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); 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 to purchase from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard), a new Case CX80C Rubber Tire Excavator at a total price of Ninety-Seven Thousand Three Hundred Sixty-One Dollars and Forty Cents ($97,361.40). Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2018-2019 budget.

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_______________________, 2018.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

BY: ________________________________
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: ________________________________
BRANDON SHELBY,
CITY ATTORNEY

ASSOCIATED SUPPLY COMPANY, INC.

	Associated Supply Company, Inc.	**Prepared By:**	Carman Fortenberry
	3600 US Highway 82 E, Sherman, Tx 75090	**Mobile:**	940-372-0072
Phone:	903-893-7586	**Email:**	cfortenberry@ascoeq.com
Fax:	903-892-0871		
		Date Prepared:	4/3/2018
Government Agency:	**City of Sherman**		
Ship To:	**City of Sherman Water Utility**	**Bill To:**	**City of Sherman**
	220 W. Mulberry St		PO Box 1106
	Sherman, Tx 75090		Sherman, Tx 75090
Contact Name:	Ted Simpson	**Phone:**	903-821-2761
Email:	teddys@ci.sherman.tx.us	**Fax:**	
Product Description:	CASE CX80C, Excavator	**BuyBoard Contract:**	**515-16**
I. Price List Dated:	1/1/2017	**Base Price:**	$139,704.00

II: Base Bid Options (Itemized Below)

Chassis w/ Dozer	Included		
5' 6" Arm	Included		
18" 450mm Bolt On Rubber Tracks	$ 6,787.00		
Multi Function Auxiliary Hydraulics	$ 7,342.00		
Control Pattern Selector Valve	Included		
Standard Boom	Included		
SUB-TOTAL:	$ 14,129.00	**SUB-TOTAL:**	$ -
		Options List Price Total:	$ 14,129.00

III. SUB-TOTAL OF I & II			$ 153,833.00
IV. BuyBoard Discount:	20.00%	$ 30,766.60	**BUYBOARD CONTRACT PRICE:** $ 123,066.40

V: NON-BASE OPTIONS — **Non-Base Options (%) =**

36" HD Pin On Bucket	$ 2,195.00		
Hydraulic Thumb	$ 4,150.00		
24" HD Pin On Bucket	$ 1,450.00		
SUB-TOTAL:	$ 7,795.00	**SUB-TOTAL:**	$ -

VI: UNPUBLISHED OPTIONS ADDED TO CONTRACT PRICE (SUBTOTAL OF COL1 & COL 2)		$ 7,795.00
VII: TOTAL IV + VI		$ 130,861.40
VIII: QUANTITY ORDERED UNITS:	1	$ 130,861.40
IX: TRADE-IN OR OTHER CREDIT(S):	$ 33,500.00 (Q2 Discount)	$ 33,500.00
	TOTAL:	$ 97,361.40

FAX ALL PURCHASE ORDERS TO BUYBOARD AT 800-211-5454

RECEIVED JUL 1 5 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT for the Texas Local Government Purchasing Cooperative

RECEIVED

This Interlocal Participation Agreement ("Agreement") is made and entered into by and between the Texas Local Government Purchasing Cooperative ("Cooperative"), an administrative agency of cooperating local governments, acting on its own behalf and the behalf of all participating local governments, and the undersigned local government of the State of Texas ("Cooperative Member"). The purpose of this Agreement is to facilitate compliance with state bidding requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings, for Cooperative Members.

WITNESSETH:

WHEREAS, the Cooperative Members are authorized by Chapter 791, et seq., The Interlocal Cooperation Act of the Government Code ("the Act"), to agree with other local governments to form purchasing cooperatives; and

WHEREAS, the Cooperative is an administrative agency of local governments cooperating in the discharge of their governmental functions; and

WHEREAS, the Cooperative Member does hereby adopt the Organizational Interlocal Agreement, together with such amendments as may be made in the future, reflecting the evolving mission of the Cooperative and further agrees to become an additional party to that certain Organizational Interlocal Agreement promulgated on the 26th day of January, 1998.

NOW, THEREFORE, BE IT RESOLVED that the undersigned Cooperative Member in consideration of the agreement of the Cooperative and the Cooperative Members to provide services as detailed herein does agree to the following terms, conditions, and general provisions.

In return for the payment of the contributions and subject to all terms of this Agreement, the parties agree as follows:

TERMS AND CONDITIONS

1. **Adopt Organizational Interlocal Cooperation Agreement.** The Cooperative Member by the adoption and execution of this Agreement hereby adopts and approves the Organizational Interlocal Agreement dated January 26, 1998, together with such amendments as may be made in the future and further agrees to become a Cooperative Member.
2. **Term.** The initial term of this Agreement shall commence at 12:01 a.m. on the date executed and signed and shall automatically renew for successive one-year terms unless sooner terminated in accordance with the provisions of this Agreement. The terms, conditions, and general provisions set forth below shall apply to the initial term and all renewals.
3. **Termination.**
   a. By the Cooperative Member. This Agreement may be terminated by the Cooperative Member at any time by thirty (30) days prior written notice to the Cooperative; provided all charges owed to the Cooperative and any vendor have been fully paid.
   b. By the Cooperative. The Cooperative may terminate this Agreement by:
      1. Giving ten (10) days notice by certified mail to the Cooperative Member if the Cooperative Member fails or refuses to make the payments or contributions as herein provided; or
      2. Giving thirty (30) days notice by certified mail to the Cooperative Member.

c. Termination Procedure. If the Cooperative Member terminates its participation during the term of this Agreement or breaches this Agreement, or if the Cooperative terminates participation of the Cooperative Member under any provision of this Article, the Cooperative Member shall bear the full financial responsibility for any purchases occurring after the termination date, and for any unpaid charges accrued during its term of membership in the Cooperative. The Cooperative may seek the whole amount due, if any, from the terminated Cooperative Member. The Cooperative Member will not be entitled to a refund of membership dues paid.

4. **Payments.**
   a. The Cooperative Member agrees to pay membership fees based on a plan developed by the Cooperative. Membership fees are payable by Cooperative Member upon receipt of an invoice from the Cooperative, Cooperative Contractor or vendor. A late charge amounting to the maximum interest allowed by law, but not less than the rate of interest under Section 2251.021, et seq., Texas Government Code, shall begin to accrue daily on the 31st day following the due date and continue to accrue until the contribution and late charges are paid in full. The Cooperative reserves the right to collect all funds that are due to the Cooperative in the event of termination by Cooperative Member or breach of this Agreement by Cooperative Member.
   b. The Cooperative Member will make timely payments to the vendor for the goods, materials and services received in accordance with the terms and conditions of the Invitation to Bid and related procurement documents. Payment for goods, materials and services and inspections and acceptance of goods, materials and services ordered by the procuring party shall be the exclusive obligation of the procuring Cooperative Member.
5. **Cooperative Reporting.** The Cooperative will provide periodic activity reports to the Cooperative Member. These reports may be modified from time to time as deemed appropriate by the Cooperative.
6. **Administration.** Cooperative Member will use the BuyBoard purchasing application in accordance with instruction from the Cooperative; discontinue use upon termination of participation; maintain confidentiality and prevent unauthorized use; maintain equipment, software and testing to operate the system at its own expense; report all purchase orders generated to Cooperative or its designee in accordance with instructions of the Cooperative; and make a final accounting to Cooperative upon termination of membership.
7. **Amendments.** The Board may amend this agreement, provided that notice is sent to each participant at least 60 days prior to the effective date of any change described in such amendment which, in the opinion of the Board, will have a material effect on the Cooperative Members participation in the Cooperative.

GENERAL PROVISIONS

1. **Authorization to Participate.** Each Cooperative Member represents and warrants that its governing body has duly authorized its participation in the Cooperative.
2. **Bylaws.** The Cooperative Member agrees to abide by the Bylaws of the Cooperative, as they may be amended, and any and all reasonable policies and procedures established by the Cooperative.
3. **Compensation.** The parties agree that the payments under this Agreement and all related exhibits and documents are amounts that fairly compensate the Cooperative for the services or functions performed under the Agreement, and that the portion of gross sales paid by participating vendors enables the Cooperative to pay the necessary licensing fees, marketing costs, and related expenses required to operate a statewide system of electronic commerce for the local governments of Texas.
4. **Cooperation and Access.** The Cooperative Member agrees that it will cooperate in compliance with any reasonable requests for information and/or records made by the Cooperative. The Cooperative reserves the right to audit the relevant records of any Cooperative Member. Any breach of this Article shall be considered material and shall make the Agreement subject to termination on ten (10) days written notice to the Cooperative Member.

5. **Coordinator.** The Cooperative Member agrees to appoint a program coordinator who shall have express authority to represent and bind the Cooperative Member, and the Cooperative will not be required to contact any other individual regarding program matters. Any notice to or any agreements with the coordinator shall be binding upon the Cooperative Member. The Cooperative Member reserves the right to change the coordinator as needed by giving written notice to the Cooperative. Such notice is not effective until actually received by the Cooperative.
6. **Current Revenue.** The Cooperative Member hereby warrants that all payments, contributions, fees, and disbursements required of it hereunder shall be made from current revenues budgeted and available to the Cooperative Member.
7. **Defense and Prosecution of Claims.** The Cooperative Member authorizes the Cooperative to regulate the commencement, defense, intervention, or participation in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution, or other appearances of the Cooperative and/or any past or current Cooperative Member in any litigation, claim or dispute, and to engage counsel and appropriate experts, in the Cooperative's sole discretion, with respect to such litigation, claim or disputes. The Cooperative Member does hereby agree that any suit brought against the Cooperative or a Cooperative Member may be defended in the name of the Cooperative or the Member by the counsel selected by the Cooperative, in its sole discretion, or its designee, on behalf of and at the expense of the Cooperative as necessary for the prosecution or defense of any litigation. Full cooperation by the Cooperative Member shall be extended to supply any information needed or helpful in such prosecution or defense. Subject to specific revocation, the Cooperative Member hereby designates the Cooperative to act as a class representative on its behalf in matters arising out of this Agreement.
8. **Governance.** The Board of Trustees (Board) will govern the Cooperative in accordance with the Bylaws. Travis County, Texas will be the location for filing any dispute, claim or lawsuit.
9. **Limitations of Liability.** COOPERATIVE, ITS ENDORSERS (TEXAS ASSOCIATION OF SCHOOL BOARDS, TEXAS ASSOCIATION OF COUNTIES, AND TEXAS MUNICIPAL LEAGUE) AND SERVICING CONTRACTOR (TEXAS ASSOCIATION OF SCHOOL BOARDS) DO NOT WARRANT THAT THE OPERATION OR USE OF COOPERATIVE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE. COOPERATIVE, ITS ENDORSERS AND SERVICING CONTRACTORS, HEREBY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN REGARD TO ANY INFORMATION, PRODUCT OR SERVICE FURNISHED UNDER THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT IN REGARD TO ANY AND ALL CAUSES OF ACTION ARISING OUT OF OR RELATING TO THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER UNDER ANY CIRCUMSTANCES FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
10. **Merger.** This Interlocal Participation Agreement, Terms and Conditions, and General Provisions, together with the Bylaws, Organizational Interlocal Agreement, and Exhibits, represents the complete understanding of the Cooperative, and Cooperative Member electing to participate in the Cooperative.
11. **Notice.** Any written notice to the Cooperative shall be made by first class mail, postage prepaid, and delivered to the Associate Executive Director Financial Planning, Texas Association of School Boards, Inc., P.O. Box 400, Austin, Texas 78767-0400.
12. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Travis County, Texas.
13. **Warranty.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives, sign this Agreement as of the date indicated.

TO BE COMPLETED BY THE COOPERATIVE:
TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, as acting on behalf of all other Cooperative Members

By: _______________ **Date:** 7-15-02
Gerald Brashears, Cooperative Administrator

TO BE COMPLETED BY COOPERATIVE MEMBER:

CITY OF SHERMAN, TEXAS

By: _______________ **Date:** 5/28/2002
L. SCOTT WALL, CITY MANAGER

Coordinator for the Cooperative Member is:

Name:	MARYANN WINKLER
Address:	405 N. RUSK STREET SHERMAN, TEXAS 75090
Phone:	(903) 892-7285
Fax:	(903) 891-0255
Email:	PURCH@TEXOMA.NET

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F.2.**

Meeting Date: 11/19/2018

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6439***

Authorizing the Purchase of a New Case Box 570N Blade Tractor for the Distribution Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

Issue:

Authorizing the purchase of a new Case 570N Box Blade Tractor from ASCO Equipment via the BuyBoard

Background:

This requested purchase will provide the Distributions Services Department with added functionality within its fleet for City utility projects. The estimated cost for the purchase of the Case 570N Box Blade Tractor is $82,716.80.

The equipment was purchased through ASCO Equipment, a Sherman local vendor.

The Texas Local Government Purchasing Cooperative was created to increase the purchasing power of government entities and to simplify their purchasing by using a customized electronic purchasing system called the BuyBoard.

Origination:

Distribution Services

Financial Consideration:

Funds for this purchase were approved in the fiscal year (FY) 2018-2019 budget.

Staff Recommendation:

It is recommended that the City Council authorize the purchase of the new Case 570N Box Blade Tractor.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6439

Quote

BuyBoard Agreement

RESOLUTION NO. 6439

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CASE BOX 570N BLADE TRACTOR FOR THE DISTRIBUTION SERVICES DEPARTMENT FROM ASSOCIATED SUPPLY COMPANY, INC. (ASCO EQUIPMENT) THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); 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 to purchase from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard), a new Case Box 570N Blade Tractor at a total price of Eighty-Two Thousand Seven Hundred Sixteen Dollars and Eighty Cents ($82,716.80). Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2018-2019 budget.

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______________________, 2018.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ______________________________ **BY:** ______________________________

LINDA ASHBY, CITY CLERK **DAVID PLYLER, MAYOR**

APPROVED AS TO FORM AND CONTENT:

BY: ______________________________

BRANDON SHELBY,
CITY ATTORNEY

ASSOCIATED SUPPLY COMPANY, INC.

	Associated Supply Company, Inc.	**Prepared By:**	Carman Fortenberry
	3600 US Highway 82 E, Sherman, Tx 75090	**Mobile:**	940-372-0072
Phone:	903-893-7586	**Email:**	cfortenberry@ascoeq.com
Fax:	903-892-0871		
		Date Prepared:	11/2/2018
Government Agency:	City of Sherman		
Ship To:	City of Sherman Water Utility	**Bill To:**	City of Sherman
	220 W. Mulberry St		PO Box 1106
	Sherman, Tx 75090		Sherman, Tx 75090
Contact Name:	Ted Simpson	**Phone:**	903-821-2761
Email:	teddys@ci.sherman.tx.us	**Fax:**	
Product Description:	CASE 570N EP 4WD T4 Final	**BuyBoard Contract:**	515-16
I. Price List Dated:	10/31/2017	**Base Price:**	$90,193.00

II: Base Bid Options (Itemized Below)

Three Point Hitch	$ 1,585.00	Wheel Weights	$ 1,103.00
Front Wheels: 12x16.5, 10PR Lug Tread	Included	Engine Block Heater	$ 202.00
Rear Wheels: 19.5Lx24, 10PR STD	$ 344.00	Light Front Counterweight	$ 738.00
Cab, 2 Door w/ Heat and AC	$ 14,849.00	Hand Throttle	$ 203.00
Mech. Suspension Seat, Cloth w/ Armrests	$ 600.00	PTO 540RPM Hyd Drive	$ 4,325.00
Manual Quick Attach	$ 2,467.00	Ride Control	$ 1,445.00
4WD Drive Shaft Guard	$ 196.00	Rotating Beacon	$ 273.00
Battery Disconnect/Jump Start	$ 177.00	CASE SiteWatch Telematics	$ 942.00
Chaff Screen	$ 300.00	Additional Lights	$ 380.00
Seat Belt, 3" Retractable	$ 86.00	Aux. Hydraulics and Controls	$ 1,510.00
Comfort Steer	$ 835.00	Dual Tilt w/ Holding Valve	$ 2,441.00
Cold Start Dual Battery	$ 702.00		
SUB-TOTAL:	$ 22,141.00	**SUB-TOTAL:**	$ 13,562.00
		Options List Price Total:	$ 35,703.00

III. SUB-TOTAL OF I & II			$ 125,896.00
IV. BuyBoard Discount:	20.00%	$ 25,179.20	**BUYBOARD CONTRACT PRICE:** $ 100,716.80

V: NON-BASE OPTIONS — **Non-Base Options (%) =**

84" Box Scraper	$4,000		
3 Year/3,000 Hour EPG Premier Warranty	Included		
SUB-TOTAL:	$ 4,000.00	**SUB-TOTAL:**	$ -

VI: UNPUBLISHED OPTIONS ADDED TO CONTRACT PRICE (SUBTOTAL OF COL1 & COL 2)		$ 4,000.00
VII: TOTAL IV + VI		$ 104,716.80
VIII: QUANTITY ORDERED UNITS:	1	$ 104,716.80
IX: TRADE-IN OR OTHER CREDIT(S):	$ 22,000.00 (Q4 Discount)	$ 22,000.00

TOTAL: $ 82,716.80

FAX ALL PURCHASE ORDERS TO BUYBOARD AT 800-211-5454

RECEIVED JUL 1 5 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT
for the
Texas Local Government Purchasing Cooperative

RECEIVED

This Interlocal Participation Agreement ("Agreement") is made and entered into by and between the Texas Local Government Purchasing Cooperative ("Cooperative"), an administrative agency of cooperating local governments, acting on its own behalf and the behalf of all participating local governments, and the undersigned local government of the State of Texas ("Cooperative Member"). The purpose of this Agreement is to facilitate compliance with state bidding requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings, for Cooperative Members.

WITNESSETH:

WHEREAS, the Cooperative Members are authorized by Chapter 791, et seq., The Interlocal Cooperation Act of the Government Code ("the Act"), to agree with other local governments to form purchasing cooperatives; and

WHEREAS, the Cooperative is an administrative agency of local governments cooperating in the discharge of their governmental functions; and

WHEREAS, the Cooperative Member does hereby adopt the Organizational Interlocal Agreement, together with such amendments as may be made in the future, reflecting the evolving mission of the Cooperative and further agrees to become an additional party to that certain Organizational Interlocal Agreement promulgated on the 26th day of January, 1998.

NOW, THEREFORE, BE IT RESOLVED that the undersigned Cooperative Member in consideration of the agreement of the Cooperative and the Cooperative Members to provide services as detailed herein does agree to the following terms, conditions, and general provisions.

In return for the payment of the contributions and subject to all terms of this Agreement, the parties agree as follows:

TERMS AND CONDITIONS

1. **Adopt Organizational Interlocal Cooperation Agreement.** The Cooperative Member by the adoption and execution of this Agreement hereby adopts and approves the Organizational Interlocal Agreement dated January 26, 1998, together with such amendments as may be made in the future and further agrees to become a Cooperative Member.
2. **Term.** The initial term of this Agreement shall commence at 12:01 a.m. on the date executed and signed and shall automatically renew for successive one-year terms unless sooner terminated in accordance with the provisions of this Agreement. The terms, conditions, and general provisions set forth below shall apply to the initial term and all renewals.
3. **Termination.**
   a. By the Cooperative Member. This Agreement may be terminated by the Cooperative Member at any time by thirty (30) days prior written notice to the Cooperative; provided all charges owed to the Cooperative and any vendor have been fully paid.
   b. By the Cooperative. The Cooperative may terminate this Agreement by:
      1. Giving ten (10) days notice by certified mail to the Cooperative Member if the Cooperative Member fails or refuses to make the payments or contributions as herein provided; or
      2. Giving thirty (30) days notice by certified mail to the Cooperative Member.

c. Termination Procedure. If the Cooperative Member terminates its participation during the term of this Agreement or breaches this Agreement, or if the Cooperative terminates participation of the Cooperative Member under any provision of this Article, the Cooperative Member shall bear the full financial responsibility for any purchases occurring after the termination date, and for any unpaid charges accrued during its term of membership in the Cooperative. The Cooperative may seek the whole amount due, if any, from the terminated Cooperative Member. The Cooperative Member will not be entitled to a refund of membership dues paid.

4. **Payments.**
   a. The Cooperative Member agrees to pay membership fees based on a plan developed by the Cooperative. Membership fees are payable by Cooperative Member upon receipt of an invoice from the Cooperative, Cooperative Contractor or vendor. A late charge amounting to the maximum interest allowed by law, but not less than the rate of interest under Section 2251.021, et seq., Texas Government Code, shall begin to accrue daily on the 31st day following the due date and continue to accrue until the contribution and late charges are paid in full. The Cooperative reserves the right to collect all funds that are due to the Cooperative in the event of termination by Cooperative Member or breach of this Agreement by Cooperative Member.
   b. The Cooperative Member will make timely payments to the vendor for the goods, materials and services received in accordance with the terms and conditions of the Invitation to Bid and related procurement documents. Payment for goods, materials and services and inspections and acceptance of goods, materials and services ordered by the procuring party shall be the exclusive obligation of the procuring Cooperative Member.
5. **Cooperative Reporting.** The Cooperative will provide periodic activity reports to the Cooperative Member. These reports may be modified from time to time as deemed appropriate by the Cooperative.
6. **Administration.** Cooperative Member will use the BuyBoard purchasing application in accordance with instruction from the Cooperative; discontinue use upon termination of participation; maintain confidentiality and prevent unauthorized use; maintain equipment, software and testing to operate the system at its own expense; report all purchase orders generated to Cooperative or its designee in accordance with instructions of the Cooperative; and make a final accounting to Cooperative upon termination of membership.
7. **Amendments.** The Board may amend this agreement, provided that notice is sent to each participant at least 60 days prior to the effective date of any change described in such amendment which, in the opinion of the Board, will have a material effect on the Cooperative Members participation in the Cooperative.

GENERAL PROVISIONS

1. **Authorization to Participate.** Each Cooperative Member represents and warrants that its governing body has duly authorized its participation in the Cooperative.
2. **Bylaws.** The Cooperative Member agrees to abide by the Bylaws of the Cooperative, as they may be amended, and any and all reasonable policies and procedures established by the Cooperative.
3. **Compensation.** The parties agree that the payments under this Agreement and all related exhibits and documents are amounts that fairly compensate the Cooperative for the services or functions performed under the Agreement, and that the portion of gross sales paid by participating vendors enables the Cooperative to pay the necessary licensing fees, marketing costs, and related expenses required to operate a statewide system of electronic commerce for the local governments of Texas.
4. **Cooperation and Access.** The Cooperative Member agrees that it will cooperate in compliance with any reasonable requests for information and/or records made by the Cooperative. The Cooperative reserves the right to audit the relevant records of any Cooperative Member. Any breach of this Article shall be considered material and shall make the Agreement subject to termination on ten (10) days written notice to the Cooperative Member.

5. **Coordinator.** The Cooperative Member agrees to appoint a program coordinator who shall have express authority to represent and bind the Cooperative Member, and the Cooperative will not be required to contact any other individual regarding program matters. Any notice to or any agreements with the coordinator shall be binding upon the Cooperative Member. The Cooperative Member reserves the right to change the coordinator as needed by giving written notice to the Cooperative. Such notice is not effective until actually received by the Cooperative.
6. **Current Revenue.** The Cooperative Member hereby warrants that all payments, contributions, fees, and disbursements required of it hereunder shall be made from current revenues budgeted and available to the Cooperative Member.
7. **Defense and Prosecution of Claims.** The Cooperative Member authorizes the Cooperative to regulate the commencement, defense, intervention, or participation in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution, or other appearances of the Cooperative and/or any past or current Cooperative Member in any litigation, claim or dispute, and to engage counsel and appropriate experts, in the Cooperative's sole discretion, with respect to such litigation, claim or disputes. The Cooperative Member does hereby agree that any suit brought against the Cooperative or a Cooperative Member may be defended in the name of the Cooperative or the Member by the counsel selected by the Cooperative, in its sole discretion, or its designee, on behalf of and at the expense of the Cooperative as necessary for the prosecution or defense of any litigation. Full cooperation by the Cooperative Member shall be extended to supply any information needed or helpful in such prosecution or defense. Subject to specific revocation, the Cooperative Member hereby designates the Cooperative to act as a class representative on its behalf in matters arising out of this Agreement.
8. **Governance.** The Board of Trustees (Board) will govern the Cooperative in accordance with the Bylaws. Travis County, Texas will be the location for filing any dispute, claim or lawsuit.
9. **Limitations of Liability.** COOPERATIVE, ITS ENDORSERS (TEXAS ASSOCIATION OF SCHOOL BOARDS, TEXAS ASSOCIATION OF COUNTIES, AND TEXAS MUNICIPAL LEAGUE) AND SERVICING CONTRACTOR (TEXAS ASSOCIATION OF SCHOOL BOARDS) DO NOT WARRANT THAT THE OPERATION OR USE OF COOPERATIVE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE. COOPERATIVE, ITS ENDORSERS AND SERVICING CONTRACTORS, HEREBY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN REGARD TO ANY INFORMATION, PRODUCT OR SERVICE FURNISHED UNDER THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT IN REGARD TO ANY AND ALL CAUSES OF ACTION ARISING OUT OF OR RELATING TO THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER UNDER ANY CIRCUMSTANCES FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
10. **Merger.** This Interlocal Participation Agreement, Terms and Conditions, and General Provisions, together with the Bylaws, Organizational Interlocal Agreement, and Exhibits, represents the complete understanding of the Cooperative, and Cooperative Member electing to participate in the Cooperative.
11. **Notice.** Any written notice to the Cooperative shall be made by first class mail, postage prepaid, and delivered to the Associate Executive Director Financial Planning, Texas Association of School Boards, Inc., P.O. Box 400, Austin, Texas 78767-0400.
12. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Travis County, Texas.
13. **Warranty.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives, sign this Agreement as of the date indicated.

TO BE COMPLETED BY THE COOPERATIVE:
TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, as acting on behalf of all other Cooperative Members

By: ______________________ **Date:** 7-15-02
Gerald Brashears, Cooperative Administrator

TO BE COMPLETED BY COOPERATIVE MEMBER:

CITY OF SHERMAN, TEXAS

By: ______________________ **Date:** 5/28/2002
L. SCOTT WALL, CITY MANAGER

Coordinator for the Cooperative Member is:

Name:	MARYANN WINKLER
Address:	405 N. RUSK STREET SHERMAN, TEXAS 75090
Phone:	(903) 892-7285
Fax:	(903) 891-0255
Email:	PURCH@TEXOMA.NET

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F.3.**

Meeting Date: 11/19/2018

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6440***

Authorizing the Purchase of a Genie Telehandler for the Treatment Services Department from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard)

Issue:

Authorizing the purchase of a Genie Telehandler from ASCO Equipment via the BuyBoard

Background:

The Treatment Services Department is currently renting a telehandler for use at the wastewater plant. The telehandler is used at the biosolids processing facility and for other maintenance jobs. The estimated cost for the puchase of the Genie GTH-1544 Telehandler is $118,560.00.

The equipment was purchased through ASCO Equipment, a Sherman local vendor.

The Texas Local Government Purchasing Cooperative was created to increase the purchasing power of government entities and to simplify their purchasing by using a customized electronic purchasing system called the BuyBoard.

Origination:

Treatment Services

Financial Consideration:

Funds for this purchase were approved in the fiscal year (FY) 2018-2019 budget.

Staff Recommendation:

It is recommended that the City Council authorize the purchase of the Genie Telehandler.

Alternatives:

As may be recommended by the City Council

Attachments

Resolution No. 6440

Quote

BuyBoard Agreement

RESOLUTION NO. 6440

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A GENIE TELEHANDLER FOR THE TREATMENT SERVICES DEPARTMENT FROM ASSOCIATED SUPPLY COMPANY, INC. (ASCO EQUIPMENT) THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); 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 to purchase from Associated Supply Company, Inc. (ASCO Equipment) through the Texas Local Government Purchasing Cooperative (BuyBoard), a Genie GTH-1544 Telehandler at a total price of One Hundred Eighteen Thousand Five Hundred Sixty Dollars and No Cents ($118,560.00). Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2018-2019 budget.

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_____________________, 2018.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ______________________________
LINDA ASHBY, CITY CLERK

BY: ______________________________
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: ______________________________
BRANDON SHELBY,
CITY ATTORNEY

ASSOCIATED SUPPLY COMPANY, INC.

	Associated Supply Company, Inc.	**Prepared By:**	Carman Fortenberry
	3600 US Highway 82 E, Sherman, Tx 75090	**Mobile:**	940-372-0072
Phone:	903-893-7586	**Email:**	cfortenberry@ascoeq.com
Fax:	903-892-0871		
		Date Prepared:	11/6/2018

Government Agency: **City of Sherman**

Ship To:	**City of Sherman - Waste Water Dept**	**Bill To:**	**City of Sherman - Waste Water Dept**
	1800 E FM 1417		1800 E FM 1417
	Sherman, TX 75090		Sherman, TX 75090
Contact Name:	Dennis Morris	**Phone:**	903-892-7361
Email:	dennism@ci.sherman.tx.us	**Fax:**	
Product Description:	Genie GTH-1544	**BuyBoard Contract:**	**515-16**

I. Price List Dated: **Base Price:** $325,220.00

II: Base Bid Options (Itemized Below)

Enclosed Cab			
Single Joystick			
Manual Quick Attach			
72" Fork Frame			
60" Pallet Forks			
Foam Filled Tires			
Air Conditioning			
SUB-TOTAL:	$ -	**SUB-TOTAL:**	$ -

Options List Price Total: $ -

III. SUB-TOTAL OF I & II $ 325,220.00

IV. BuyBoard Discount: 30.00% $ 97,566.00 **BUYBOARD CONTRACT PRICE:** $ 227,654.00

V: NON-BASE OPTIONS **Non-Base Options (%) =**

SUB-TOTAL: $ - **SUB-TOTAL:** $ -

VI: UNPUBLISHED OPTIONS ADDED TO CONTRACT PRICE (SUBTOTAL OF COL1 & COL 2)			$ -
VII: TOTAL IV + VI			$ 227,654.00
VIII: QUANTITY ORDERED UNITS:	1		$ 227,654.00
IX: TRADE-IN OR OTHER CREDIT(S):	$ 109,094.00	Additional Depreciation = $69,654; Applied Rental = $39,440	$ 109,094.00
		TOTAL:	$ 118,560.00

FAX ALL PURCHASE ORDERS TO BUYBOARD AT 800-211-5454

RECEIVED JUL 1 5 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT for the Texas Local Government Purchasing Cooperative

RECEIVED

This Interlocal Participation Agreement ("Agreement") is made and entered into by and between the Texas Local Government Purchasing Cooperative ("Cooperative"), an administrative agency of cooperating local governments, acting on its own behalf and the behalf of all participating local governments, and the undersigned local government of the State of Texas ("Cooperative Member"). The purpose of this Agreement is to facilitate compliance with state bidding requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings, for Cooperative Members.

WITNESSETH:

WHEREAS, the Cooperative Members are authorized by Chapter 791, et seq., The Interlocal Cooperation Act of the Government Code ("the Act"), to agree with other local governments to form purchasing cooperatives; and

WHEREAS, the Cooperative is an administrative agency of local governments cooperating in the discharge of their governmental functions; and

WHEREAS, the Cooperative Member does hereby adopt the Organizational Interlocal Agreement, together with such amendments as may be made in the future, reflecting the evolving mission of the Cooperative and further agrees to become an additional party to that certain Organizational Interlocal Agreement promulgated on the 26th day of January, 1998.

NOW, THEREFORE, BE IT RESOLVED that the undersigned Cooperative Member in consideration of the agreement of the Cooperative and the Cooperative Members to provide services as detailed herein does agree to the following terms, conditions, and general provisions.

In return for the payment of the contributions and subject to all terms of this Agreement, the parties agree as follows:

TERMS AND CONDITIONS

1. **Adopt Organizational Interlocal Cooperation Agreement.** The Cooperative Member by the adoption and execution of this Agreement hereby adopts and approves the Organizational Interlocal Agreement dated January 26, 1998, together with such amendments as may be made in the future and further agrees to become a Cooperative Member.
2. **Term.** The initial term of this Agreement shall commence at 12:01 a.m. on the date executed and signed and shall automatically renew for successive one-year terms unless sooner terminated in accordance with the provisions of this Agreement. The terms, conditions, and general provisions set forth below shall apply to the initial term and all renewals.
3. **Termination.**
   a. By the Cooperative Member. This Agreement may be terminated by the Cooperative Member at any time by thirty (30) days prior written notice to the Cooperative; provided all charges owed to the Cooperative and any vendor have been fully paid.
   b. By the Cooperative. The Cooperative may terminate this Agreement by:
      1. Giving ten (10) days notice by certified mail to the Cooperative Member if the Cooperative Member fails or refuses to make the payments or contributions as herein provided; or
      2. Giving thirty (30) days notice by certified mail to the Cooperative Member.

c. Termination Procedure. If the Cooperative Member terminates its participation during the term of this Agreement or breaches this Agreement, or if the Cooperative terminates participation of the Cooperative Member under any provision of this Article, the Cooperative Member shall bear the full financial responsibility for any purchases occurring after the termination date, and for any unpaid charges accrued during its term of membership in the Cooperative. The Cooperative may seek the whole amount due, if any, from the terminated Cooperative Member. The Cooperative Member will not be entitled to a refund of membership dues paid.

4. **Payments.**
   a. The Cooperative Member agrees to pay membership fees based on a plan developed by the Cooperative. Membership fees are payable by Cooperative Member upon receipt of an invoice from the Cooperative, Cooperative Contractor or vendor. A late charge amounting to the maximum interest allowed by law, but not less than the rate of interest under Section 2251.021, et seq., Texas Government Code, shall begin to accrue daily on the 31st day following the due date and continue to accrue until the contribution and late charges are paid in full. The Cooperative reserves the right to collect all funds that are due to the Cooperative in the event of termination by Cooperative Member or breach of this Agreement by Cooperative Member.
   b. The Cooperative Member will make timely payments to the vendor for the goods, materials and services received in accordance with the terms and conditions of the Invitation to Bid and related procurement documents. Payment for goods, materials and services and inspections and acceptance of goods, materials and services ordered by the procuring party shall be the exclusive obligation of the procuring Cooperative Member.
5. **Cooperative Reporting.** The Cooperative will provide periodic activity reports to the Cooperative Member. These reports may be modified from time to time as deemed appropriate by the Cooperative.
6. **Administration.** Cooperative Member will use the BuyBoard purchasing application in accordance with instruction from the Cooperative; discontinue use upon termination of participation; maintain confidentiality and prevent unauthorized use; maintain equipment, software and testing to operate the system at its own expense; report all purchase orders generated to Cooperative or its designee in accordance with instructions of the Cooperative; and make a final accounting to Cooperative upon termination of membership.
7. **Amendments.** The Board may amend this agreement, provided that notice is sent to each participant at least 60 days prior to the effective date of any change described in such amendment which, in the opinion of the Board, will have a material effect on the Cooperative Members participation in the Cooperative.

GENERAL PROVISIONS

1. **Authorization to Participate.** Each Cooperative Member represents and warrants that its governing body has duly authorized its participation in the Cooperative.
2. **Bylaws.** The Cooperative Member agrees to abide by the Bylaws of the Cooperative, as they may be amended, and any and all reasonable policies and procedures established by the Cooperative.
3. **Compensation.** The parties agree that the payments under this Agreement and all related exhibits and documents are amounts that fairly compensate the Cooperative for the services or functions performed under the Agreement, and that the portion of gross sales paid by participating vendors enables the Cooperative to pay the necessary licensing fees, marketing costs, and related expenses required to operate a statewide system of electronic commerce for the local governments of Texas.
4. **Cooperation and Access.** The Cooperative Member agrees that it will cooperate in compliance with any reasonable requests for information and/or records made by the Cooperative. The Cooperative reserves the right to audit the relevant records of any Cooperative Member. Any breach of this Article shall be considered material and shall make the Agreement subject to termination on ten (10) days written notice to the Cooperative Member.

5. **Coordinator.** The Cooperative Member agrees to appoint a program coordinator who shall have express authority to represent and bind the Cooperative Member, and the Cooperative will not be required to contact any other individual regarding program matters. Any notice to or any agreements with the coordinator shall be binding upon the Cooperative Member. The Cooperative Member reserves the right to change the coordinator as needed by giving written notice to the Cooperative. Such notice is not effective until actually received by the Cooperative.
6. **Current Revenue.** The Cooperative Member hereby warrants that all payments, contributions, fees, and disbursements required of it hereunder shall be made from current revenues budgeted and available to the Cooperative Member.
7. **Defense and Prosecution of Claims.** The Cooperative Member authorizes the Cooperative to regulate the commencement, defense, intervention, or participation in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution, or other appearances of the Cooperative and/or any past or current Cooperative Member in any litigation, claim or dispute, and to engage counsel and appropriate experts, in the Cooperative's sole discretion, with respect to such litigation, claim or disputes. The Cooperative Member does hereby agree that any suit brought against the Cooperative or a Cooperative Member may be defended in the name of the Cooperative or the Member by the counsel selected by the Cooperative, in its sole discretion, or its designee, on behalf of and at the expense of the Cooperative as necessary for the prosecution or defense of any litigation. Full cooperation by the Cooperative Member shall be extended to supply any information needed or helpful in such prosecution or defense. Subject to specific revocation, the Cooperative Member hereby designates the Cooperative to act as a class representative on its behalf in matters arising out of this Agreement.
8. **Governance.** The Board of Trustees (Board) will govern the Cooperative in accordance with the Bylaws. Travis County, Texas will be the location for filing any dispute, claim or lawsuit.
9. **Limitations of Liability.** COOPERATIVE, ITS ENDORSERS (TEXAS ASSOCIATION OF SCHOOL BOARDS, TEXAS ASSOCIATION OF COUNTIES, AND TEXAS MUNICIPAL LEAGUE) AND SERVICING CONTRACTOR (TEXAS ASSOCIATION OF SCHOOL BOARDS) DO NOT WARRANT THAT THE OPERATION OR USE OF COOPERATIVE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE. COOPERATIVE, ITS ENDORSERS AND SERVICING CONTRACTORS, HEREBY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN REGARD TO ANY INFORMATION, PRODUCT OR SERVICE FURNISHED UNDER THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT IN REGARD TO ANY AND ALL CAUSES OF ACTION ARISING OUT OF OR RELATING TO THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER UNDER ANY CIRCUMSTANCES FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
10. **Merger.** This Interlocal Participation Agreement, Terms and Conditions, and General Provisions, together with the Bylaws, Organizational Interlocal Agreement, and Exhibits, represents the complete understanding of the Cooperative, and Cooperative Member electing to participate in the Cooperative.
11. **Notice.** Any written notice to the Cooperative shall be made by first class mail, postage prepaid, and delivered to the Associate Executive Director Financial Planning, Texas Association of School Boards, Inc., P.O. Box 400, Austin, Texas 78767-0400.
12. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Travis County, Texas.
13. **Warranty.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives, sign this Agreement as of the date indicated.

TO BE COMPLETED BY THE COOPERATIVE:
TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, as acting on behalf of all other Cooperative Members

By: ______________________ **Date:** 7-15-02
Gerald Brashears, Cooperative Administrator

TO BE COMPLETED BY COOPERATIVE MEMBER:

CITY OF SHERMAN, TEXAS

By: ______________________ **Date:** 5/28/2002
L. SCOTT WALL, CITY MANAGER

Coordinator for the Cooperative Member is:

Name:	MARYANN WINKLER
Address:	405 N. RUSK STREET SHERMAN, TEXAS 75090
Phone:	(903) 892-7285
Fax:	(903) 891-0255
Email:	PURCH@TEXOMA.NET

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.1.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Council Audit Committee (3)

Issue:

Mayor David Plyler and Council Members Shawn Teamann and Daron Holland currently serve on the Council Audit Committee. Their terms expire in November 2018.

Background:

The Council Audit Committee assists the Council and staff in the review of the audit reports filed by the independent auditor and provides input on the selection of external auditors. They also provide recommendations to the rest of the Council on technical accounting issues.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Council Audit Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster
Fact Sheet

MEMBERSHIP ROSTER

COUNCIL AUDIT COMMITTEE **LENGTH OF TERMS: 1 YEAR**

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 11/18/2014 R 12/8/2015 R 11/21/2016 R 11/21/2017	11/2015 11/2016 11/2017 11/2018	1 2 3 4	Council Member
Daron Holland	4	A 11/21/2017	11/2018	1	Council Member
Shawn Teamann	1	A 11/21/2016 R 11/21/2017	11/2017 11/2018	1 2	Council Member

NOTE: Council Member's appointment expires at end of one year.

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

FACT SHEET

COUNCIL AUDIT COMMITTEE

Established by RESOLUTION 2790 – DECEMBER 23, 1991

1. **Number of Members: THREE (3)**
2. **Term of Appointment: ONE YEAR**
3. **Consecutive Term Rule: NO RULE**
4. **Qualifications for Membership: COUNCIL MEMBER WITH KNOWLEDGE OF ACCOUNTING AND/OR BUSINESS MANAGEMENT**
5. **Appointed by: MAYOR AND CITY COUNCIL MEMBERS**
6. **Board Organization**

   CHAIRPERSON ____ VICE CHAIRPERSON ____ SECRETARY ___

   ELECTED ___ APPOINTED ___

7. **Departmental Responsibility: CITY MANAGER & DIRECTOR OF FINANCE**
8. **Meeting Date: AS CALLED**
9. **Attendance Requirements: NONE**

==

RESPONSIBILITIES:
Audit Committee will assist Council and staff in the review of the audit papers filed by the independent auditor; provide input on the selection of external auditors; and provide recommendations to the rest of the Council on technical accounting issues.

DUTIES:
Provide input on the selection of external auditors;
Review audit reports;
Provide recommendations to Council on technical accounting matters;
Review the justification for internal audit functions;
All other accounting and financial reviews as directed by the City Council

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.2.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Investment Committee (2)

Issue:

Deputy Mayor Pam Howeth and Council Member Jason Sofey currently serve on the City's Investment Committee. Their terms expire in November 2018.

Background:

The Investment Committee provides guidance on investment matters for the City and annually approves updates to the Investment Policy and the list of authorized brokers and dealers. The Committee also reviews the Quarterly Investment Reports.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Investment Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

<u>CITY OF SHERMAN</u>
<u>INVESTMENT COMMITTEE</u>

LENGTH OF TERMS:
Term of Elected Office

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Jason Sofey	4	A 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017	11/2013 11/2014 11/2015 11/2016 11/2017 11/2018	1 2 3 4 5 6	Council Member
Pam Howeth	3	U 8/1/2016 R 11/22/2016 R 11/21/2017	11/2016 11/2017 11/2018	0 1 2	Council Member
INVESTMENT COMMITTEE SHALL CONSIST OF THE FOLLOWING CITY OFFICIALS:					
Robby Hefton				NA	City Manager

NOTE: Council Member's appointment expires at end of term of elected office.

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.3.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Reinvestment Committee (2)

Issue:
Council Members Josh Stevenson and Willie Steele currently serve on the City's Tax Reinvestment Committee. Their terms expire in November 2018.

Background:
The mission of the Tax Reinvestment Committee is to promote the economic development of Sherman and the Grayson County area by serving as the review point for the tax reinvestment process.

Origination:
The appointments originated with the City Clerk's Office.

Financial Consideration:
There is no financial consideration.

Staff Recommendation:
It is recommended that the City Council consider appointments to the Tax Reinvestment Committee.

Alternatives:
The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

TAX REINVESTMENT COMMITTEE **LENGTH OF TERMS:** One Year per By-Laws

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Josh Stevenson	2	A 11/21/2017	11/2018	1	Sherman Council Member Voting Member
Willie Steele	1	A 11/21/2017	11/2018	1	Sherman Council Member Voting Member

NOTE: Two (2) Council Members are appointed to this committee.
There are also two Grayson County Members, two Grayson College Members, and two SISD Members
Both SISD Members are Non-Voting Members and are eligible to vote for chairman only

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.4.**

Meeting Date: 11/19/2018

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #1 (3)

Issue:

Mayor David Plyler and Council Members Jason Sofey and Shawn Teamann currently serve on the City's Tax Increment Financing Board #1. Their terms expire in November 2018.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number One. TIF Zone Number One incorporates essentially all of the Sherman Town Center, on the west side of U.S. Highway 75 and south of Loy Lake Road.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #1.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #1

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Jason Sofey	4	A 12/8/2015 R 11/22/2016 R 11/21/2017	11/2016 11/2017 11/2018	1 2 3	Council Member
Shawn Teamann	1	A 11/22/2016 R 11/21/2017	11/2017 11/2018	1 2	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017	11/2012 11/2013 11/2014 11/2015 11/2016 11/2017 11/2018	1 2 3 4 5 6 7	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

FACT SHEET

TAX INCREMENT FINANCING BOARD #1

Established by ORDINANCE 5095 – JANUARY 20, 2003

1. **Number of Members: FIVE**
2. **Term of Appointment: REVIEW ANNUALLY**
3. **Consecutive Term Rule: N/A**
4. **Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER**
5. **Appointed by: MAYOR AND CITY COUNCIL**
6. **Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE**
7. **Departmental Responsibility: CITY MANAGER**
8. **Meeting Date: CALLED AS NECESSARY**
9. **Attendance Requirements: N/A**

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number One.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.5.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #2 (3)

Issue:

Mayor David Plyler, Deputy Mayor Pam Howeth and Council Member Daron Holland currently serve on the City's Tax Increment Financing Board #2. Their terms expire in November 2018.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Two. TIF Zone Number Two is comprised of the Central Business District and an area to the north of the district.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #2

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster
Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #2

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Pam Howeth	3	A 11/21/2017	11/2018	1	Council Member
Daron Holland	4	A 11/21/2017	11/2018	1	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017	11/2012 11/2013 11/2014 11/2015 11/2016 11/2017 11/2018	1 2 3 4 5 6 7	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

FACT SHEET

TAX INCREMENT FINANCING BOARD #2

Established by ORDINANCE 5347 – NOVEMBER 7, 2005

1. **Number of Members: FIVE**
2. **Term of Appointment: REVIEW ANNUALLY**
3. **Consecutive Term Rule: N/A**
4. **Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER**
5. **Appointed by: MAYOR AND CITY COUNCIL**
6. **Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO**
7. **Departmental Responsibility: CITY MANAGER**
8. **Meeting Date: CALLED AS NECESSARY**
9. **Attendance Requirements: N/A**

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Two.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.6.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #3 (3)

Issue:

Mayor David Plyler, Deputy Mayor Pam Howeth, and Council Member Jason Sofey currently serve on the City's Tax Increment Financing Board #3. Their terms expire in November 2018.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Three. TIF Zone Number Three is comprised of the Sherman Commons development and portions of Loy Lake Road.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #3.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster
Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #3

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Jason Sofey	4	A 11/21/2017	11/2018	1	Council Member
Pam Howeth	3	A 11/22/2016 R 11/21/2017	11/2017 11/2018	1 2	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017	11/2012 11/2013 11/2014 11/2015 11/2016 11/2017 11/2018	1 2 3 4 5 6 7	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

FACT SHEET

TAX INCREMENT FINANCING BOARD #3

Established by ORDINANCE 5424 – NOVEMBER 6 , 2006

1. **Number of Members: FIVE**
2. **Term of Appointment: REVIEW ANNUALLY**
3. **Consecutive Term Rule: N/A**
4. **Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER**
5. **Appointed by: MAYOR AND CITY COUNCIL**
6. **Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE**
7. **Departmental Responsibility: CITY MANAGER**
8. **Meeting Date: CALLED AS NECESSARY**
9. **Attendance Requirements: N/A**

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Three.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.7.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #5 (3)

Issue:

Mayor David Plyler and Council Members Jason Sofey and Shawn Teamann currently serve on the City's Tax Increment Financing Board #5. Their terms expire in November 2018.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Five. TIF Zone Number Five is located at the northwest intersection of U.S. Highway 75 and F.M. 1417 (Heritage Parkway), and is known as Sherman Crossroads.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #5.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster
Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT REINVESTMENT ZONE #5

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 5/2/2017 R 11/21/2017	11/2017 11/2018	1 2	Mayor
Jason Sofey	4	A 5/2/2017 R 11/21/2017	11/2017 11/2018	1 2	Council Member
Shawn Teamann	1	A 5/2/2017 R 11/21/2017	11/2017 11/2018	1 2	Council Member
Robby Hefton	n/a				City Manager

NOTE:

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

FACT SHEET

TAX INCREMENT REINVESTTEMENT ZONE BOARD #5

Established by ORDINANCE 6010 – FEBRUARY 20, 2017

1. **Number of Members: FIVE**
2. **Term of Appointment: REVIEW ANNUALLY**
3. **Consecutive Term Rule: N/A**
4. **Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER**
5. **Appointed by: MAYOR AND CITY COUNCIL**
6. **Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE**
7. **Departmental Responsibility: CITY MANAGER**
8. **Meeting Date: CALLED AS NECESSARY**
9. **Attendance Requirements: N/A**

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PURPOSE:
The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Five.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.8.**

Meeting Date: 11/19/2018

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #6 (3)

Issue:

Mayor David Plyler, Deputy Mayor Pam Howeth, and Council Member Josh Stevenson currently serve on the City's Tax Increment Financing Board #6. Their terms expire in November 2018.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Six. TIF Zone Number Six is located south of the intersection of U.S. Highway 75 and F.M. 691.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #6.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT REINVESTMENT ZONE #6

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 5/2/2017 R 11/21/2017	11/2017 11/2018	1 2	Mayor
Pam Howeth	3	A 5/2/2017 R 11/21/2017	11/2017 11/2018	1 2	Council Member
Josh Stevenson	2	A 11/21/2017	11/2018	1	Council Member
Robby Hefton	n/a				City Manager

NOTE:

CITY STAFF: Robby Hefton, City Manager
Revised 11/22/2017

FACT SHEET

TAX INCREMENT REINVESTTEMENT ZONE BOARD #6

Established by ORDINANCE 6011 – FEBRUARY 20, 2017

1. **Number of Members: FIVE**

2. **Term of Appointment: REVIEW ANNUALLY**

3. **Consecutive Term Rule: N/A**

4. **Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER**

5. **Appointed by: MAYOR AND CITY COUNCIL**

6. **Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SIX**

7. **Departmental Responsibility: CITY MANAGER**

8. **Meeting Date: CALLED AS NECESSARY**

9. **Attendance Requirements: N/A**

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Six.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **I.9.**

Meeting Date: 11/19/2018
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #7 (3)

Issue:

Mayor David Plyler, Deputy Mayor Pam Howeth, and Council Member Daron Holland currently serve on the City's Tax Increment Financing Board #7. Their terms expire in November 2018.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Seven. Zone #7 encompasses the southeast corner of U.S. Highway 75 and F.M. 1417, and includes approximately 23 acres.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #7.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster
Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT REINVESTMENT ZONE #7

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 12/5/2017	11/2018	1	Mayor
Pam Howeth	3	A 12/5/2017	11/2018	1	Council Member
Daron Holland	4	A 12/5/2017	11/2018	1	Council Member
Robby Hefton	n/a				City Manager

NOTE:

CITY STAFF: Robby Hefton, City Manager
Revised 12/5/2017

FACT SHEET

TAX INCREMENT REINVESTTEMENT ZONE BOARD #7

Established by RESOLUTION 6301 – NOVEMBER 20, 2017

1. **Number of Members: FIVE**
2. **Term of Appointment: REVIEW ANNUALLY**
3. **Consecutive Term Rule: N/A**
4. **Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER**
5. **Appointed by: MAYOR AND CITY COUNCIL**
6. **Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SEVEN**
7. **Departmental Responsibility: CITY MANAGER**
8. **Meeting Date: CALLED AS NECESSARY**
9. **Attendance Requirements: N/A**

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting
Meeting Date: 11/19/2018
Prepared By: Pamela Cloer, Assistant to the City Manager
Approved By: Robby Hefton, City Manager

Caption:
COUNCIL CALENDAR

Attachments

2018 Council Calendar

2018

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
				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			

MARCH						
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

APRIL						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY						
S	M	T	W	T	F	S
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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		

JUNE						
S	M	T	W	T	F	S
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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

JULY						
S	M	T	W	T	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST						
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			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER						
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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			

NOVEMBER						
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	

DECEMBER						
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					

1/1/2018	New Year's Day/Regular City Council Meeting on 01/02/2018
2/28/2018	Called Council Meeting - Training Session for Council Members
4/27/2018	Called Budget Planning Mtg in Council Chambers
6/14/2018	Called Budget Workshop in Council Chambers
6/15/2018	Called Budget Workshop in Council Chambers - Cancelled
7/2/2018	City Council Meeting - Cancelled
9/27/2018	Called Joint Meeting with SEDCO Board in Council Chambers
9/3/2018	Labor Day/Regular City Council Meeting on 09/04/2018