

**CITY OF SHERMAN  
CITY COUNCIL REGULAR MEETING AGENDA  
COUNCIL CHAMBERS OF THE CITY HALL  
220 WEST MULBERRY STREET  
SHERMAN, TEXAS  
MONDAY, NOVEMBER 18, 2013  
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 4, 2013**

**Declare Results of November 5, 2013 Regular Municipal Election**

- B. 1. CANVASS OF ELECTION RETURNS**
- B. 2. RESOLUTION NO. 5827**  
Declaring the Results of the November 5, 2013 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**

**Consent Agenda**

- E. 1. 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. 5826**

Abandoning a Portion of a Sanitary Sewer Easement Crossing Lot 1 in Block 2 of Independence Square Addition Section Three as Fully Described in Volume 865, Page 640 of the Deed Records of Grayson County, Texas

**F. 2.      \* RESOLUTION NO. 5828**

Authorizing Execution of a Professional Engineering Services Agreement with Freeman-Millican, Inc. for the Wastewater Treatment Plant Headworks Lift Station and Electrical Upgrade Improvements

## **Other Business**

**G. 1.      OTHER BUSINESS**

Recognition of City of Sherman Award: "Certificate of Achievement for Excellence in Financial Reporting"

**G. 2.      \* OTHER BUSINESS**

Consider Request of Next Media Radio Groups 93.1 Katy Country, 97.5 KLAK and 102.5 MADROCK to Temporarily Close Certain Streets for a 5K Radio Run on Saturday, March 29, 2014

**G. 3.      \* OTHER BUSINESS**

Replat Approval of Lots 6 & 7 of the Park Plaza Addition, containing 4.70 acres in the Elizabeth Jones Survey, Abstract No. 625; Walt DeRonde, Owner; Greg Edwards Engineering Services, Inc., Engineer; and Cox Land Surveying Company, Surveyors (1800-1900 Blocks of South FM 1417/Heritage Parkway)

**G. 4.      OTHER BUSINESS**

Site Plan Approval and Exceptions for Sherman Economic Development Corporation, Owners; W.T. Brogdon, Southeastern Freight Lines, Inc., Applicant/Tenant; David Mollenkopf, Architect; Schwob Building Company, LTD, Contractor; Wier & Associates, Inc., Engineers/Land Planners; and Underwood Drafting & Surveying, Inc., Surveyors; under Ordinance No. 2252, Article IV, Sections 410(2)(j), 410(2)(m), 410(2)(i), 410(2)(l) and 410(2)(g)(1) to Allow Architectural Panels with the Condition the Metal Panels have a Stucco Finish in Lieu of Masonry or Factory Finished Metal Panels; Overhead Doors, Loading Docks and Tractor and Dolly Parking Facing Northgate Drive; a Chain Link Fence on the Property Line in Lieu of 100' Setback Required on the West Side; a Chain Link Fence on the Property Line in Lieu of 55.7' Setback Required on the North Side; and 74' Front Lawn, Landscape and Green Area in Lieu of 100' Required in the Blalock Industrial Park District for Southeastern Freight Lines, Inc. at 3209 Northgate Drive

**G. 5.      OTHER BUSINESS**

Final Plat Approval of Northgate Business Park, Phase Two, being 14.335 acres in the Elizabeth Jones Survey, Abstract No. 625; Sherman Economic Development Corporation, Owners; and Underwood Drafting & Surveying, Inc., Surveyors (3209 Northgate Drive)

- G. 6.     OTHER BUSINESS**  
Continue the Repair and Reworking of Three City Water Wells Under an Emergency Designation

**H.         CITIZEN REQUESTS**

**I.         MEDIA QUESTIONS**

**Consider Board/Commission Appointments**

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

- (a)     Parks and Recreation Advisory Board (3)

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

- (a)     Historical Preservation Board

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

- (a)     Council Audit Committee (3)

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

- (a)     Investment Committee (2)

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

- (a)     Tax Reinvestment Committee (2)

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

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

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

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

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

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

**K.         COUNCIL COMMENTS**

## **L. 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 14, 2013 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 14<sup>th</sup> day of November, 2013  
City of Sherman, Texas

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City Clerk

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

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

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

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

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

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

Mayor

Carolyn S. Wacker

Deputy Mayor

Pamela L. Howeth

Council Members

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

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

Joe N. Smith, Council – District #1

Robert G. Softly, Council – District #2

Pamela L. Howeth, Council – District #3

David Plyler, Council – District #4



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. A. 4.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 4, 2013**

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**Attachments**

**Minutes of November 4, 2013 Council Meeting**

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STATE OF TEXAS

§

November 4, 2013

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 4, 2013.

MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR PAM HOWETH.  
COUNCIL MEMBERS PLYLER, SMITH, SOFEY, SOFTLY.

MEMBERS ABSENT: COUNCIL MEMBER JOHNSON.

**CALL TO ORDER**

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

**CALL TO ORDER**

**APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of October 21, 2013. Council Member Plyler moved to approve the Minutes as presented; Second by Council Member Smith. All present voted AYE.  
MOTION CARRIED.

**APPROVE MINUTES**

**CONSENT AGENDA**

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

**CONSENT AGENDA**

**RESOLUTIONS**

**RESOLUTION NO. 5820 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO SHERMAN COMMONS, L.P. FOR THE CONSTRUCTION OF TWO MONUMENT SIGNS IN A DRAINAGE AND UTILITY EASEMENT OF LOTS 2 AND 3, BLOCK 1 IN THE REPLAT OF BLOCKS A, B, AND D OF SHERMAN COMMONS ADDITION TO THE CITY OF SHERMAN**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO SHERMAN COMMONS, L.P. FOR THE CONSTRUCTION OF TWO MONUMENT SIGNS IN A DRAINAGE AND UTILITY EASEMENT OF LOTS 2 AND 3, BLOCK A IN THE REPLAT OF BLOCKS A, B, AND D OF SHERMAN COMMONS ADDITION TO THE CITY OF SHERMAN.

**RES 5820  
ENCROACHMENT  
EASEMENT TO  
SHERMAN COMMONS**

Clay Barnett, Director of Public Works, explained that the Loy Lake Project is behind schedule. In conjunction with that project, Sherman Commons has requested two monument signs on each side of the new main entrance of their property.

The staff has reviewed this request and the signs to not adversely impact the ability of the City to maintain their

facilities in the easements.

Mayor Wacker said the new monument signs might also offer an improvement to the visual appearance of the new entrance of the shopping center.

Council Member Plyler asked if traffic flow had been analyzed to determine if there will be any obstructions for drivers entering or leaving the intersection. Mr. Barnett said there should be no problems with the monument signs. There will also be a traffic signal at that location.

Mayor Wacker asked if there was a new timeline for beginning construction on this project. Mr. Barnett said there is a new timeline, but it has not been released by the Texas Department of Transportation at this time.

**ACTION TAKEN.**

Motion by Deputy Mayor Howeth to approve Resolution No. 5820, as presented. Second by Council Member Softly.

VOTING AYE: Howeth, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 5821 – AUTHORIZING THE PURCHASE OF FOUR CHEVROLET TAHOE POLICE PATROL VEHICLES FOR THE SHERMAN POLICE DEPARTMENT FROM CALDWELL COUNTRY THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)**  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF FOUR CHEVROLET TAHOE POLICE PATROL VEHICLES FOR THE SHERMAN POLICE DEPARTMENT FROM CALDWELL COUNTRY THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

**RES 5821  
POLICE PATROL  
VEHICLES**

Otis Henry, Police Chief, said approximately two years ago Ford Motor Company announced that they were phasing out the Crown Victoria vehicles. The Police Department was tasked with determining which new vehicle would best serve the officers and the citizens of Sherman. It was determined that the Chevrolet Tahoe was the best choice for patrol vehicles.

Since 2011 the Department has been transitioning the Tahoes into the City's fleet and removing the Crown Victorias. They now have ten Tahoes and are asking to purchase four additional Tahoes.

The Police Department maintains 17 patrol vehicles, and the requested purchase will make 14 Tahoes. Chief Henry said they hope to completely outfit the fleet with Tahoes next year and then return to the regular replacement schedule.

COUNCIL MINUTES – NOVEMBER 4, 2013

Mayor Wacker confirmed that the current fleet purchase would be through the Texas Local Government Purchasing Cooperative (BuyBoard).

**ACTION TAKEN.**

Motion by Council Member Smith to approve Resolution No. 5821, as presented. Second by Council Member Plyler.

VOTING AYE: Howeth, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 5822 – AUTHORIZING THE PURCHASE OF A NEW KENWORTH T800 ROLL-OFF CAB AND CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM MHC KENWORTH 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 KENWORTH T800 ROLL-OFF CAB AND CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM MHC KENWORTH THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 5822  
SOLID WASTE  
ROLL-OFF CAB  
& CHASSIS

**RESOLUTION NO. 5823 – AUTHORIZING THE PURCHASE OF A NEW GALBREATH ROLL-OFF HOIST FOR THE SOLID WASTE SERVICES DEPARTMENT FROM B & C BODY COMPANY 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 GALBREATH ROLL-OFF HOIST FOR THE SOLID WASTE SERVICES DEPARTMENT FROM B & C BODY COMPANY THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 5823  
SOLID WASTE  
ROLL-OFF HOIST

**RESOLUTION NO. 5824 – AUTHORIZING THE PURCHASE FROM KIRBY-SMITH MACHINERY, INC. OF A GEHL RT 210 TRACK LOADER AND JLG TRIPLE L TRAILER THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) FOR THE STREET MAINTENANCE DEPARTMENT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE FROM KIRBY-SMITH MACHINERY, INC. OF A GEHL RT 210 TRACK LOADER AND JLG TRIPLE L TRAILER THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) FOR THE STREET MAINTENANCE DEPARTMENT.

CONSENT AGENDA.

RES 5824  
STREET DEPARTMENT  
TRACK LOADER &  
TRAILER

**RESOLUTION NO. 5825 – AUTHORIZING THE PURCHASE OF A KOMATSU WA200PZ-6 FRONT END LOADER FROM KIRBY-SMITH MACHINERY, INC. THROUGH THE TEXAS**

RES 5825  
STREET DEPARTMENT  
FRONT END LOADER

LOCAL GOVERNMENT PURCHASING COOPERATIVE  
(BUYBOARD) FOR THE STREET MAINTENANCE  
DEPARTMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A KOMATSU WA200PZ-6 FRONT END LOADER FROM KIRBY-SMITH MACHINERY, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) FOR THE STREET MAINTENANCE DEPARTMENT.  
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER REQUEST OF THE SHERMAN CHAMBER OF  
COMMERCE TO TEMPORARILY CLOSE CERTAIN STREETS  
FOR THE ANNUAL SHERMAN CHRISTMAS PARADE ON  
FRIDAY, DECEMBER 6, 2013 WITH A RAIN/MAKE UP DATE  
FOR FRIDAY, DECEMBER 13, 2013

CLOSE STREETS  
FOR CHRISTMAS  
PARADE

Mayor Wacker said the Sherman Chamber of Commerce has requested to close certain streets for the Annual Christmas Parade on December 6, 2013. She reminded citizens of the rain/make up date of December 13, 2013.

The Chamber also has information available for anyone wishing to enter a float in the parade.

ACTION TAKEN.

Motion by Council Member Plyler to approve the request of the Sherman Chamber of Commerce to temporarily close certain streets for the Annual Christmas Parade on Friday, December 6, 2013, with a rain/make up date for Friday, December 13, 2013, as presented. Second by Council Member Smith.

VOTING AYE: Howeth, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

CONSIDER REQUEST OF ST. MARY'S CATHOLIC SCHOOL  
TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE  
"RUN RUN RUDOLPH 5K FUN RUN" ON SATURDAY,  
DECEMBER 7, 2013

CLOSE STREETS FOR  
ST. MARY'S CATHOLIC  
SCHOOL FUN RUN

Mayor Wacker said St. Mary's Catholic School has requested to close certain streets for the Annual "Run Run Rudolph 5K Fun Run" on December 7, 2013.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve the request of St. Mary's Catholic School to temporarily close certain streets for the "Run Run Rudolph 5K Fun Run" on Saturday, December 7, 2013, as presented. Second by Council Member Smith.

VOTING AYE: Howeth, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

APPROVAL OF THE 2013 AD VALOREM TAX ROLL VALUE  
AND TAX LEVY

AD VALOREM TAX  
ROLL VALUE & LEVY

COUNCIL MINUTES – NOVEMBER 4, 2013

The City Council approved the 2013 Ad Valorem Tax Roll

Value and Tax Levy. The 2013 tax year represents taxes that will be collected during the City's 2013-2014 fiscal year.

The Grayson County Tax Assessor/Collector's office has provided the taxable value as \$2,255,659,820.00, which equates to a levy of \$7,794,506.05 based on the City's total tax rate of \$.34800 per \$100 valuation.

CONSENT AGENDA.

APPROVE QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING SEPTEMBER 30, 2013

The City Council approved the Quarterly Investment Report for the period ending September 30, 2013.

QUARTERLY  
INVESTMENT REPORT

As of September 30, 2013, the portfolio was in compliance with applicable State laws and the Investment Policy. The Operating investment portfolio had a book value of about \$14.3 million, down about \$2.0 million net from the prior quarter when considering an increase in cash balances of \$1.0 million. This decrease is typical for this time of year.

This portfolio is appropriately liquid and its weighted-average maturity was about 376 days, down slightly from 384 days last period. The portfolio yield of 0.378% for the quarter is higher than the benchmark yield of 0.10%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

CONSENT AGENDA.

CITIZENS REQUESTS  
ANNUAL FRIGHT FEST

Eugene Lund, 1815 Sandra Dr, congratulated Police Sergeant D.M. Hampton and the Police Department on a wonderful job with the Annual Fright Fest on Halloween.

ANNUAL FRIGHT FEST

MEDIA QUESTIONS  
ANNUAL FRIGHT FEST

Jerri Whiteley, Herald Democrat Reporter, said it was a lovely night at the Annual Fright Fest.

ANNUAL FRIGHT FEST

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS:

KEEP SHERMAN BEAUTIFUL COMMISSION CHAIRPERSON  
Mayor Wacker said Keep Sherman Beautiful Commission Member Lauren Roth has volunteered to serve as Chairperson for the Commission.

KEEP SHERMAN  
BEAUTIFUL  
CHAIRPERSON

Members had a brief orientation and will have their first official meeting on Wednesday, November 6, 2013. Mayor Wacker thanked the staff for preparing materials for the meeting and helping revitalize that Commission.

ACTION TAKEN.

Motion by Council Member Smith to appoint Lauren Roth

**COUNCIL MINUTES – NOVEMBER 4, 2013**

to serve as Chairperson to the Keep Sherman Beautiful Commission for a term from November 5, 2013 to January 1, 2015. Second by Deputy Mayor Howeth.

VOTING AYE: Howeth, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

**COUNCIL COMMENTS**

**ANNUAL FRIGHT FEST**

Council Member Plyler thanked the Police Department for sponsoring Fright Fest and he thanked all City employees for their hard work. It was “a great evening” and he said their booth won a trophy.

**ANNUAL FRIGHT FEST**

**SHERMAN HIGH SCHOOL BAND**

Deputy Mayor Howeth said the Sherman High School Marching Band left this morning for the State Marching Contest in San Antonio. Sherman has been attending the State contest since about 1996 and has only missed going one time since that time. The Sherman Marching Band has one of the most outstanding reputations in Texas.

**SHS BAND**

She added that the band will be performing on November 5, 2013 at 2:15 p.m., with a live broadcast to Sherman High School.

**REGULAR MUNICIPAL ELECTION**

Council Member Sofey urged citizens to vote on Election Day, Tuesday, November 5, 2013.

**MUNICIPAL ELECTION**

**REGULAR MUNICIPAL ELECTION**

Mayor Wacker reminded citizens that the Regular Municipal Election tomorrow will be to elect two District City Council Members. The outgoing Council Members will be honored at the next City Council Meeting on November 18, 2013.

**MUNICIPAL ELECTION**

Polls will be open from 7 a.m. until 7 p.m. and citizens can vote at any Grayson County Vote Center. Council Members will be elected for District 1 and District 3.

**VETERAN'S DAY**

Mayor Wacker said next Monday is Veteran's Day. This is a very important holiday to the Nation and to our City. There are several celebrations throughout the week, and a ceremony will be held on Monday, November 11, 2013 at 11 a.m. at the Veteran's Memorial in Fairview Park. The public is invited and she encouraged citizens to attend.

**VETERAN'S DAY**

Mayor Wacker said those with family members who have served in the military are very proud of that heritage, and she encouraged everyone to honor those that have served our Country and given us the freedoms we have, such as voting in an Election. We should never take those freedoms for granted.

COUNCIL MINUTES – NOVEMBER 4, 2013

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:15 p.m.

ADJOURNMENT

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MAYOR

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CITY CLERK



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. B. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**CANVASS OF ELECTION RETURNS**

**Issue:**

A tally sheet has been prepared for the City Council to use in their canvass of the Regular Municipal Election of November 5, 2013.

**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 was prepared from the official printout obtained November 5, 2013 after the Election.

**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.

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**Attachments**

Table for Canvass

Tally by Precinct

Report from Grayson County

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CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2013      Registered Voters 19,858      City Ballots Cast 1,580      Percentage Voted 8 .0%

| PRECINCTS                                          | 101   | 102   | 103 | 104 | 106 | 108 | 301   | 302   | 303  | 304   | 305  | 405  | 408  | 409   | TOTAL  |
|----------------------------------------------------|-------|-------|-----|-----|-----|-----|-------|-------|------|-------|------|------|------|-------|--------|
| Early Ballots Cast                                 | 88    | 35    | 0   | 0   | 0   | 0   | 29    | 180   | 0    | 121   | 0    | 12   | 1    | 194   | 660    |
| Reg. Ballots Cast                                  | 138   | 52    | 0   | 0   | 0   | 0   | 58    | 182   | 0    | 191   | 2    | 19   | 0    | 277   | 919    |
| Total Ballots Cast                                 | 226   | 87    | 0   | 0   | 0   | 0   | 87    | 362   | 1    | 312   | 2    | 31   | 1    | 471   | 1,580  |
| Registered Voters                                  | 3,768 | 2,484 | 0   | 0   | 0   | 0   | 1,466 | 4,833 | 28   | 2,783 | 1    | 489  | 13   | 3,993 | 19,858 |
| % of registered voters casting ballots by precinct | 6.0%  | 3.5%  | 0   | 0   | 0   | 0   | 5.9%  | 7.5%  | 3.6% | 11.2% | 100% | 6.3% | 7.7% | 11.8% | 8.0%   |

Voter Statistics

| Races                      | EARLY VOTE TOTALS | ELECTION DAY TOTALS | GRAND TOTAL |
|----------------------------|-------------------|---------------------|-------------|
| Council Member, District 1 |                   |                     |             |
| Lawrence Davis             | 296               | 383                 | 679         |
| Steve Ingram               | 250               | 356                 | 606         |
| Council Member, District 3 |                   |                     |             |
| Tom Watt                   | 420               | 576                 | 996         |
| Jim Travis                 | 160               | 222                 | 382         |

Prepared by Linda Ashby, City Clerk, Sherman, Texas

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2013      Registered Voters 19,858      City Ballots Cast 1,580      Percentage Voted 8.0 %

| PRECINCTS                                          | 101   | 102   | 103 | 104 | 106 | 108 | 301   | 302   | 303  | 304   | 305  | 405  | 408  | 409   | TOTAL  |
|----------------------------------------------------|-------|-------|-----|-----|-----|-----|-------|-------|------|-------|------|------|------|-------|--------|
| Early Ballots Cast                                 | 88    | 35    | 0   | 0   | 0   | 0   | 29    | 180   | 0    | 121   | 0    | 12   | 1    | 194   | 660    |
| Reg. Ballots Cast                                  | 138   | 52    | 0   | 0   | 0   | 0   | 58    | 182   | 0    | 191   | 2    | 19   | 0    | 277   | 919    |
| Total Ballots Cast                                 | 226   | 87    | 0   | 0   | 0   | 0   | 87    | 362   | 1    | 312   | 2    | 31   | 1    | 471   | 1,580  |
| Registered Voters                                  | 3,768 | 2,484 | 0   | 0   | 0   | 0   | 1,466 | 4,833 | 28   | 2,783 | 1    | 489  | 13   | 3,993 | 19,858 |
| % of registered voters casting ballots by precinct | 6.0%  | 3.5%  | 0   | 0   | 0   | 0   | 5.9%  | 7.5%  | 3.6% | 11.2% | 100% | 6.3% | 7.7% | 11.8% | 8.0%   |

Voter Statistics by Polling Places

| PRECINCTS                  | 101 | 102 | 103 | 104 | 106 | 108 | 301 | 302 | 303 | 304 | 305 | 405 | 408 | 409 | EARLY VOTE TOTALS | ELECTION DAY TOTALS | GRAND TOTAL |
|----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------|---------------------|-------------|
| Council Member, District 1 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |                   |                     |             |
| Lawrence Davis             | 75  | 32  | 0   | 0   | 0   | 0   | 43  | 154 | 0   | 163 | 0   | 13  | 1   | 198 | 296               | 383                 | 679         |
| Steve Ingram               | 100 | 32  | 0   | 0   | 0   | 0   | 29  | 136 | 0   | 105 | 2   | 6   | 0   | 196 | 250               | 356                 | 606         |
| Council Member, District 3 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |                   |                     |             |
| Tom Watt                   | 144 | 56  | 0   | 0   | 0   | 0   | 56  | 224 | 0   | 210 | 1   | 17  | 1   | 287 | 420               | 576                 | 996         |
| Jim Travis                 | 51  | 18  | 0   | 0   | 0   | 0   | 19  | 86  | 0   | 72  | 1   | 6   | 0   | 129 | 160               | 222                 | 382         |

Prepared by Linda Ashby, City Clerk, Sherman, Texas

## SUMMARY REPT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

RUN DATE:11/13/13 10:35 AM

REPORT-EL45A PAGE 001

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 679         | 52.84 | 35      | 261    | 383    | 0       | 0       |
| Steve Ingram . . . . .                     | 606         | 47.16 | 41      | 209    | 356    | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 295         |       | 14      | 100    | 181    | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 996         | 72.28 | 64      | 356    | 576    | 0       | 0       |
| Jim Travis . . . . .                       | 382         | 27.72 | 16      | 144    | 222    | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 202         |       | 10      | 70     | 122    | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

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REPORT-EL30A PAGE 0001-01

## 0001 PRECINCT 101

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 75          | 42.86 | 3       | 25     | 47     | 0       | 0       |
| Steve Ingram . . . . .                     | 100         | 57.14 | 5       | 35     | 60     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 51          |       | 6       | 14     | 31     | 0       | 0       |

## Council Member, District 3 CITY OF SHERMAN

|                       |     |       |   |    |    |   |   |
|-----------------------|-----|-------|---|----|----|---|---|
| VOTE FOR 1            |     |       |   |    |    |   |   |
| Tom Watt. . . . .     | 144 | 73.85 | 9 | 47 | 88 | 0 | 0 |
| Jim Travis . . . . .  | 51  | 26.15 | 1 | 19 | 31 | 0 | 0 |
| Over Votes . . . . .  | 0   |       | 0 | 0  | 0  | 0 | 0 |
| Under Votes . . . . . | 31  |       | 4 | 8  | 19 | 0 | 0 |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

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## 0002 PRECINCT 102

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 32          | 50.00 | 3       | 9      | 20     | 0       | 0       |
| Steve Ingram . . . . .                     | 32          | 50.00 | 0       | 13     | 19     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 23          |       | 0       | 10     | 13     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 56          | 75.68 | 2       | 15     | 39     | 0       | 0       |
| Jim Travis . . . . .                       | 18          | 24.32 | 0       | 9      | 9      | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 13          |       | 1       | 8      | 4      | 0       | 0       |

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## 0019 PRECINCT 301

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 43          | 59.72 | 3       | 15     | 25     | 0       | 0       |
| Steve Ingram . . . . .                     | 29          | 40.28 | 6       | 2      | 21     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 15          |       | 1       | 2      | 12     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 56          | 74.67 | 5       | 14     | 37     | 0       | 0       |
| Jim Travis . . . . .                       | 19          | 25.33 | 3       | 4      | 12     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 12          |       | 2       | 1      | 9      | 0       | 0       |

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## 0020 PRECINCT 302

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 154         | 53.10 | 9       | 71     | 74     | 0       | 0       |
| Steve Ingram . . . . .                     | 136         | 46.90 | 11      | 55     | 70     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 72          |       | 1       | 33     | 38     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 224         | 72.26 | 13      | 99     | 112    | 0       | 0       |
| Jim Travis . . . . .                       | 86          | 27.74 | 8       | 37     | 41     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 52          |       | 0       | 23     | 29     | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
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0021 PRECINCT 303

|                                            | TOTAL VOTES | % | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|---|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |   |         |        |        |         |         |
| VOTE FOR 1                                 |             |   |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Steve Ingram . . . . .                     | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 1           |   | 0       | 0      | 1      | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |   |         |        |        |         |         |
| VOTE FOR 1                                 |             |   |         |        |        |         |         |
| Tom Watt. . . . .                          | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Jim Travis . . . . .                       | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 1           |   | 0       | 0      | 1      | 0       | 0       |

## PREC REPORT-GROUP DETAIL

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## 0022 PRECINCT 304

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 163         | 60.82 | 2       | 58     | 103    | 0       | 0       |
| Steve Ingram . . . . .                     | 105         | 39.18 | 4       | 38     | 63     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 44          |       | 5       | 14     | 25     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 210         | 74.47 | 9       | 73     | 128    | 0       | 0       |
| Jim Travis . . . . .                       | 72          | 25.53 | 0       | 31     | 41     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 30          |       | 2       | 6      | 22     | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
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NOVEMBER 5, 2013

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## 0023 PRECINCT 305

|                                            | TOTAL VOTES | %      | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|--------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Steve Ingram . . . . .                     | 2           | 100.00 | 0       | 0      | 2      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Tom Watt. . . . .                          | 1           | 50.00  | 0       | 0      | 1      | 0       | 0       |
| Jim Travis . . . . .                       | 1           | 50.00  | 0       | 0      | 1      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |

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## 0032 PRECINCT 405

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 13          | 68.42 | 0       | 6      | 7      | 0       | 0       |
| Steve Ingram . . . . .                     | 6           | 31.58 | 0       | 3      | 3      | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 12          |       | 0       | 3      | 9      | 0       | 0       |

## Council Member, District 3 CITY OF SHERMAN

|                       |    |       |   |   |    |   |   |
|-----------------------|----|-------|---|---|----|---|---|
| VOTE FOR 1            |    |       |   |   |    |   |   |
| Tom Watt. . . . .     | 17 | 73.91 | 0 | 6 | 11 | 0 | 0 |
| Jim Travis . . . . .  | 6  | 26.09 | 0 | 2 | 4  | 0 | 0 |
| Over Votes . . . . .  | 0  |       | 0 | 0 | 0  | 0 | 0 |
| Under Votes . . . . . | 8  |       | 0 | 4 | 4  | 0 | 0 |

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0035 PRECINCT 408

|                                            | TOTAL VOTES | %      | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|--------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 1           | 100.00 | 0       | 1      | 0      | 0       | 0       |
| Steve Ingram . . . . .                     | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Tom Watt. . . . .                          | 1           | 100.00 | 0       | 1      | 0      | 0       | 0       |
| Jim Travis . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

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## 0036 PRECINCT 409

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 198         | 50.25 | 15      | 76     | 107    | 0       | 0       |
| Steve Ingram . . . . .                     | 196         | 49.75 | 15      | 63     | 118    | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 77          |       | 1       | 24     | 52     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 287         | 68.99 | 26      | 101    | 160    | 0       | 0       |
| Jim Travis . . . . .                       | 129         | 31.01 | 4       | 42     | 83     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 55          |       | 1       | 20     | 34     | 0       | 0       |



## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. B. 2.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

---

**Caption:**

**RESOLUTION NO. 5827**

Declaring the Results of the November 5, 2013 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 8<sup>th</sup> day after the Election and no later than the 11<sup>th</sup> day after the Election. Since the 11<sup>th</sup> day falls on Saturday, the deadline is extended to Monday, November 18<sup>th</sup>. Therefore, the canvass must be held between November 13 and November 18, 2013. With the changes to the Voter ID law, voters will be allowed to vote a provisional ballot without a photo ID; but they must present an acceptable ID to the Voter Registrar no later than November 12, 2013. The Voter Registrar will then determine whether the provisional ballot will be counted. Because of this delay in getting the final voting numbers from Grayson County, the City of Sherman has scheduled the canvass for the Regular City Council Meeting on Monday, November 18, 2013.

**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. 5827.

**Staff Recommendation:**

It is recommended that the City Council canvass the Election of November 5, 2013 and adopt Resolution No. 5827.

**Alternatives:**

There is no viable alternative.

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**Attachments**

Resolution No. 5827

Tally by Precinct

Table for Canvass

Report from Grayson County

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## RESOLUTION NO. 5827

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 5, 2013 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 election held on the 5<sup>th</sup> day of November, 2013, 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 1,580 valid and legal votes; and that, upon counting the votes, the following results are indicated:

| <b>CANDIDATES/COUNCILMEMBER</b> | <b>TOTAL VOTES</b> |
|---------------------------------|--------------------|
| COUNCIL MEMBER, DISTRICT 1      |                    |
| Lawrence Davis                  | 679                |
| Steve Ingram                    | 606                |
| COUNCIL MEMBER, DISTRICT 3      |                    |
| Tom Watt                        | 996                |
| Jim Travis                      | 382                |

**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 Lawrence Davis was duly elected to the Council Member, District 1 position; and that Tom Watt was duly elected to the Council Member, District 3 position of said City at said election; 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 \_\_\_\_\_, 2013.

**CITY OF SHERMAN, TEXAS**

**BY:** \_\_\_\_\_  
**CAROLYN S. WACKER, MAYOR**

**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY  
CITY ATTORNEY**

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2013      Registered Voters 19,858      City Ballots Cast 1,580      Percentage Voted 8.0 %

| PRECINCTS                                          | 101   | 102   | 103 | 104 | 106 | 108 | 301   | 302   | 303  | 304   | 305  | 405  | 408  | 409   | TOTAL  |
|----------------------------------------------------|-------|-------|-----|-----|-----|-----|-------|-------|------|-------|------|------|------|-------|--------|
| Early Ballots Cast                                 | 88    | 35    | 0   | 0   | 0   | 0   | 29    | 180   | 0    | 121   | 0    | 12   | 1    | 194   | 660    |
| Reg. Ballots Cast                                  | 138   | 52    | 0   | 0   | 0   | 0   | 58    | 182   | 0    | 191   | 2    | 19   | 0    | 277   | 919    |
| Total Ballots Cast                                 | 226   | 87    | 0   | 0   | 0   | 0   | 87    | 362   | 1    | 312   | 2    | 31   | 1    | 471   | 1,580  |
| Registered Voters                                  | 3,768 | 2,484 | 0   | 0   | 0   | 0   | 1,466 | 4,833 | 28   | 2,783 | 1    | 489  | 13   | 3,993 | 19,858 |
| % of registered voters casting ballots by precinct | 6.0%  | 3.5%  | 0   | 0   | 0   | 0   | 5.9%  | 7.5%  | 3.6% | 11.2% | 100% | 6.3% | 7.7% | 11.8% | 8.0%   |

Voter Statistics by Polling Places

| PRECINCTS                  | 101 | 102 | 103 | 104 | 106 | 108 | 301 | 302 | 303 | 304 | 305 | 405 | 408 | 409 | EARLY VOTE TOTALS | ELECTION DAY TOTALS | GRAND TOTAL |
|----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------|---------------------|-------------|
| Council Member, District 1 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |                   |                     |             |
| Lawrence Davis             | 75  | 32  | 0   | 0   | 0   | 0   | 43  | 154 | 0   | 163 | 0   | 13  | 1   | 198 | 296               | 383                 | 679         |
| Steve Ingram               | 100 | 32  | 0   | 0   | 0   | 0   | 29  | 136 | 0   | 105 | 2   | 6   | 0   | 196 | 250               | 356                 | 606         |
| Council Member, District 3 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |                   |                     |             |
| Tom Watt                   | 144 | 56  | 0   | 0   | 0   | 0   | 56  | 224 | 0   | 210 | 1   | 17  | 1   | 287 | 420               | 576                 | 996         |
| Jim Travis                 | 51  | 18  | 0   | 0   | 0   | 0   | 19  | 86  | 0   | 72  | 1   | 6   | 0   | 129 | 160               | 222                 | 382         |

Prepared by Linda Ashby, City Clerk, Sherman, Texas

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2013      Registered Voters 19,858      City Ballots Cast 1,580      Percentage Voted 8 .0%

| PRECINCTS                                          | 101   | 102   | 103 | 104 | 106 | 108 | 301   | 302   | 303  | 304   | 305  | 405  | 408  | 409   | TOTAL  |
|----------------------------------------------------|-------|-------|-----|-----|-----|-----|-------|-------|------|-------|------|------|------|-------|--------|
| Early Ballots Cast                                 | 88    | 35    | 0   | 0   | 0   | 0   | 29    | 180   | 0    | 121   | 0    | 12   | 1    | 194   | 660    |
| Reg. Ballots Cast                                  | 138   | 52    | 0   | 0   | 0   | 0   | 58    | 182   | 0    | 191   | 2    | 19   | 0    | 277   | 919    |
| Total Ballots Cast                                 | 226   | 87    | 0   | 0   | 0   | 0   | 87    | 362   | 1    | 312   | 2    | 31   | 1    | 471   | 1,580  |
| Registered Voters                                  | 3,768 | 2,484 | 0   | 0   | 0   | 0   | 1,466 | 4,833 | 28   | 2,783 | 1    | 489  | 13   | 3,993 | 19,858 |
| % of registered voters casting ballots by precinct | 6.0%  | 3.5%  | 0   | 0   | 0   | 0   | 5.9%  | 7.5%  | 3.6% | 11.2% | 100% | 6.3% | 7.7% | 11.8% | 8.0%   |

Voter Statistics

| Races                      | EARLY VOTE TOTALS | ELECTION DAY TOTALS | GRAND TOTAL |
|----------------------------|-------------------|---------------------|-------------|
| Council Member, District 1 |                   |                     |             |
| Lawrence Davis             | 296               | 383                 | 679         |
| Steve Ingram               | 250               | 356                 | 606         |
| Council Member, District 3 |                   |                     |             |
| Tom Watt                   | 420               | 576                 | 996         |
| Jim Travis                 | 160               | 222                 | 382         |

Prepared by Linda Ashby, City Clerk, Sherman, Texas

## SUMMARY REPT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

RUN DATE:11/13/13 10:35 AM

REPORT-EL45A PAGE 001

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 679         | 52.84 | 35      | 261    | 383    | 0       | 0       |
| Steve Ingram . . . . .                     | 606         | 47.16 | 41      | 209    | 356    | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 295         |       | 14      | 100    | 181    | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 996         | 72.28 | 64      | 356    | 576    | 0       | 0       |
| Jim Travis . . . . .                       | 382         | 27.72 | 16      | 144    | 222    | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 202         |       | 10      | 70     | 122    | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

RUN DATE:11/12/13 04:37 PM

REPORT-EL30A PAGE 0001-01

## 0001 PRECINCT 101

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 75          | 42.86 | 3       | 25     | 47     | 0       | 0       |
| Steve Ingram . . . . .                     | 100         | 57.14 | 5       | 35     | 60     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 51          |       | 6       | 14     | 31     | 0       | 0       |

## Council Member, District 3 CITY OF SHERMAN

|                       |     |       |   |    |    |   |   |
|-----------------------|-----|-------|---|----|----|---|---|
| VOTE FOR 1            |     |       |   |    |    |   |   |
| Tom Watt. . . . .     | 144 | 73.85 | 9 | 47 | 88 | 0 | 0 |
| Jim Travis . . . . .  | 51  | 26.15 | 1 | 19 | 31 | 0 | 0 |
| Over Votes . . . . .  | 0   |       | 0 | 0  | 0  | 0 | 0 |
| Under Votes . . . . . | 31  |       | 4 | 8  | 19 | 0 | 0 |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

RUN DATE:11/12/13 04:37 PM

REPORT-EL30A PAGE 0002-01

## 0002 PRECINCT 102

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 32          | 50.00 | 3       | 9      | 20     | 0       | 0       |
| Steve Ingram . . . . .                     | 32          | 50.00 | 0       | 13     | 19     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 23          |       | 0       | 10     | 13     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 56          | 75.68 | 2       | 15     | 39     | 0       | 0       |
| Jim Travis . . . . .                       | 18          | 24.32 | 0       | 9      | 9      | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 13          |       | 1       | 8      | 4      | 0       | 0       |

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REPORT-EL30A PAGE 0019-01

## 0019 PRECINCT 301

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 43          | 59.72 | 3       | 15     | 25     | 0       | 0       |
| Steve Ingram . . . . .                     | 29          | 40.28 | 6       | 2      | 21     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 15          |       | 1       | 2      | 12     | 0       | 0       |

## Council Member, District 3 CITY OF SHERMAN

|                       |    |       |   |    |    |   |   |
|-----------------------|----|-------|---|----|----|---|---|
| VOTE FOR 1            |    |       |   |    |    |   |   |
| Tom Watt. . . . .     | 56 | 74.67 | 5 | 14 | 37 | 0 | 0 |
| Jim Travis . . . . .  | 19 | 25.33 | 3 | 4  | 12 | 0 | 0 |
| Over Votes . . . . .  | 0  |       | 0 | 0  | 0  | 0 | 0 |
| Under Votes . . . . . | 12 |       | 2 | 1  | 9  | 0 | 0 |

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REPORT-EL30A PAGE 0020-01

## 0020 PRECINCT 302

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 154         | 53.10 | 9       | 71     | 74     | 0       | 0       |
| Steve Ingram . . . . .                     | 136         | 46.90 | 11      | 55     | 70     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 72          |       | 1       | 33     | 38     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 224         | 72.26 | 13      | 99     | 112    | 0       | 0       |
| Jim Travis . . . . .                       | 86          | 27.74 | 8       | 37     | 41     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 52          |       | 0       | 23     | 29     | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

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0021 PRECINCT 303

|                                            | TOTAL VOTES | % | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|---|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |   |         |        |        |         |         |
| VOTE FOR 1                                 |             |   |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Steve Ingram . . . . .                     | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 1           |   | 0       | 0      | 1      | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |   |         |        |        |         |         |
| VOTE FOR 1                                 |             |   |         |        |        |         |         |
| Tom Watt. . . . .                          | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Jim Travis . . . . .                       | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |   | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 1           |   | 0       | 0      | 1      | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

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REPORT-EL30A PAGE 0022-01

## 0022 PRECINCT 304

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 163         | 60.82 | 2       | 58     | 103    | 0       | 0       |
| Steve Ingram . . . . .                     | 105         | 39.18 | 4       | 38     | 63     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 44          |       | 5       | 14     | 25     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 210         | 74.47 | 9       | 73     | 128    | 0       | 0       |
| Jim Travis . . . . .                       | 72          | 25.53 | 0       | 31     | 41     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 30          |       | 2       | 6      | 22     | 0       | 0       |

## PREC REPORT-GROUP DETAIL

CONST AMEND/CITY OF SHERMAN EL  
GRAYSON COUNTY, TEXAS  
NOVEMBER 5, 2013

OFFICIAL

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REPORT-EL30A PAGE 0023-01

0023 PRECINCT 305

|                                            | TOTAL VOTES | %      | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|--------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Steve Ingram . . . . .                     | 2           | 100.00 | 0       | 0      | 2      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Tom Watt. . . . .                          | 1           | 50.00  | 0       | 0      | 1      | 0       | 0       |
| Jim Travis . . . . .                       | 1           | 50.00  | 0       | 0      | 1      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |

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REPORT-EL30A PAGE 0032-01

## 0032 PRECINCT 405

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 13          | 68.42 | 0       | 6      | 7      | 0       | 0       |
| Steve Ingram . . . . .                     | 6           | 31.58 | 0       | 3      | 3      | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 12          |       | 0       | 3      | 9      | 0       | 0       |

## Council Member, District 3 CITY OF SHERMAN

|                       |    |       |   |   |    |   |   |
|-----------------------|----|-------|---|---|----|---|---|
| VOTE FOR 1            |    |       |   |   |    |   |   |
| Tom Watt. . . . .     | 17 | 73.91 | 0 | 6 | 11 | 0 | 0 |
| Jim Travis . . . . .  | 6  | 26.09 | 0 | 2 | 4  | 0 | 0 |
| Over Votes . . . . .  | 0  |       | 0 | 0 | 0  | 0 | 0 |
| Under Votes . . . . . | 8  |       | 0 | 4 | 4  | 0 | 0 |

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REPORT-EL30A PAGE 0035-01

0035 PRECINCT 408

|                                            | TOTAL VOTES | %      | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|--------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 1           | 100.00 | 0       | 1      | 0      | 0       | 0       |
| Steve Ingram . . . . .                     | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |        |         |        |        |         |         |
| VOTE FOR 1                                 |             |        |         |        |        |         |         |
| Tom Watt. . . . .                          | 1           | 100.00 | 0       | 1      | 0      | 0       | 0       |
| Jim Travis . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Over Votes . . . . .                       | 0           |        | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 0           |        | 0       | 0      | 0      | 0       | 0       |

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## 0036 PRECINCT 409

|                                            | TOTAL VOTES | %     | EV MAIL | EV IVO | ED IVO | PROV/EV | PROV/ED |
|--------------------------------------------|-------------|-------|---------|--------|--------|---------|---------|
| Council Member, District 1 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Lawrence Davis. . . . .                    | 198         | 50.25 | 15      | 76     | 107    | 0       | 0       |
| Steve Ingram . . . . .                     | 196         | 49.75 | 15      | 63     | 118    | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 77          |       | 1       | 24     | 52     | 0       | 0       |
| Council Member, District 3 CITY OF SHERMAN |             |       |         |        |        |         |         |
| VOTE FOR 1                                 |             |       |         |        |        |         |         |
| Tom Watt. . . . .                          | 287         | 68.99 | 26      | 101    | 160    | 0       | 0       |
| Jim Travis . . . . .                       | 129         | 31.01 | 4       | 42     | 83     | 0       | 0       |
| Over Votes . . . . .                       | 0           |       | 0       | 0      | 0      | 0       | 0       |
| Under Votes . . . . .                      | 55          |       | 1       | 20     | 34     | 0       | 0       |



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. B. 3.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

---

**Caption:**

**RECOGNITION OF OUTGOING COUNCIL MEMBERS**

---



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. C. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, 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 by the City Clerk.

**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 Your 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**

**Agenda Item No. D. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, 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.

**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.

---

**Attachments**

**Charter - Deputy Mayor**

---

**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. (Ordinance 3048, sec. 2(3), adopted 4/5/75; Ordinance 4745, sec. 2, adopted 3/8/99)



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. E. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Pamela Cloer, Assistant to the City Manager

**Approved by:** George Olson, City Manager

---

**Caption:**

**CONSENT AGENDA**

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

**List of Agenda Items:**

- F.1.      \* RESOLUTION NO. 5826**  
Abandoning a Portion of a Sanitary Sewer Easement Crossing Lot 1 in Block 2 of Independence Square Addition Section Three as Fully Described in Volume 865, Page 640 of the Deed Records of Grayson County, Texas
- F.2.      \* RESOLUTION NO. 5828**  
Authorizing Execution of a Professional Engineering Services Agreement with Freeman-Millican, Inc. for the Wastewater Treatment Plant Headworks Lift Station and Electrical Upgrade Improvements
- G.2.      \* OTHER BUSINESS**  
Consider Request of Next Media Radio Groups 93.1 Katy Country, 97.5 KLAK and 102.5 MADROCK to Temporarily Close Certain Streets for a 5K Radio Run on Saturday, March 29, 2014
- G.3.      \* OTHER BUSINESS**  
Replat Approval of Lots 6 & 7 of the Park Plaza Addition, containing 4.70 acres in the Elizabeth Jones Survey, Abstract No. 625; Walt DeRonde, Owner; Greg Edwards Engineering Services, Inc., Engineer; and Cox Land Surveying Company, Surveyors (1800-1900 Blocks of South FM 1417/Heritage Parkway)
-



## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. F. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Mark Gibson, Director of Utilities

**Approved By:** George Olson, City Manager

---

**Caption:**

**\* RESOLUTION NO. 5826**

Abandoning a Portion of a Sanitary Sewer Easement Crossing Lot 1 in Block 2 of Independence Square Addition Section Three as Fully Described in Volume 865, Page 640 of the Deed Records of Grayson County, Texas

**Issue:**

To consider abandoning a portion of a sanitary sewer easement crossing Lot 1, Block 2 of Independence Square Addition, Section Three

**Background:**

This portion of the existing sanitary sewer easement is not being utilized and is no longer deemed necessary. The abandonment does not apply to the remainder of the easement property described in Volume 865, Page 640 of the Deed Records of Grayson County.

**Origination:**

Department of Utilities

**Financial Consideration:**

None

**Staff Recommendation:**

Staff recommends approval of abandonment of a portion of the sanitary sewer easement.

**Alternatives:**

As may be directed by the City Council

---

**Attachments**

Resolution No. 5826

Easement

Exhibit

Sketch

Location Map

---

**RESOLUTION NO. 5826**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A PORTION OF A SANITARY SEWER EASEMENT CROSSING LOT 1 IN BLOCK 2 OF INDEPENDENCE SQUARE ADDITION SECTION THREE AS FULLY DESCRIBED IN VOLUME 865, PAGE 640 OF THE DEED RECORDS OF 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.**

**WHEREAS**, the City Council is of the opinion that the abandoning, vacating and closing of a portion of the said sewer easement as depicted on the attached map is in the public interest and is approved;

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

**SECTION 1.** That only that portion of a twenty foot (20') City sewer easement crossing Lot 1 in Block 2 of Independence Square Addition Section Three, as depicted in Exhibit "A" as attached hereto, is hereby extinguished, vacated, closed, and permanently abandoned as an easement for public use.

**SECTION 2.** That such abandonment described in Section 1 herein does not apply to the remainder of the easement property described in Volume 865, Page 640 of the Deed Records of Grayson County, Texas

**SECTION 3.** 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 \_\_\_\_\_, 2013.

**CITY OF SHERMAN, TEXAS**

**BY:** \_\_\_\_\_  
**CAROLYN S. WACKER, MAYOR**

**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY,**  
**CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,**  
**CITY ATTORNEY**

# 1389

THE STATE OF TEXAS }  
COUNTY OF GRAYSON }

KNOW ALL MEN BY THESE PRESENTS: That I or We \_\_\_\_\_

G.L.Burton by J.P.Smith, agent

In consideration of one dollar to us in hand paid by the City of Sherman and other valuable considerations to us moving have this day granted and do by these presents grant to the said City of Sherman the right and privilege of laying, constructing, repairing and maintaining a sanitary sewer line over across and along the tract of land described to-wit: Located in the City of Sherman, Grayson County, Texas: Being a 10 foot strip Each way from the center of a trunk line across a tract of land in the J.B.McAnair Survey Beginning at Arthur Ashmore's North line and continuing North, Northeast to Bradley Coleman's South line.

In exchange for the easement, the City of Sherman is to construct a 6 inch lateral line from a man-hole on the trunk line West up the proposed Burton Street to a man-hole 175 feet East of the center line of N.Travis Street. The sewer line described above is to be ready for use at the time the trunk line is completed and put into service.

By: J.P. Smith

THE STATE OF TEXAS }  
COUNTY OF GRAYSON }

Before me the undersigned authority, this day personally appeared J.P. Smith ~~and wife~~

\_\_\_\_\_ personally known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed:

~~My commission expires~~ \_\_\_\_\_ ~~the~~ ~~day of~~ ~~month~~ ~~year~~

~~Notary Public for the State of Texas~~  
~~My commission expires~~ \_\_\_\_\_ ~~the~~ ~~day of~~ ~~month~~ ~~year~~  
~~I have acknowledged such instrument to be her act and deed, and declared that she~~  
~~and he signed the same for the purposes and considerations therein~~  
~~expressed, and that she did not at any time ratify or~~

Given under my hand and seal of office this the 26 day of October A. D. 19 57.

T.B. Miller  
Notary Public, Grayson County, Texas

Me Wm

45

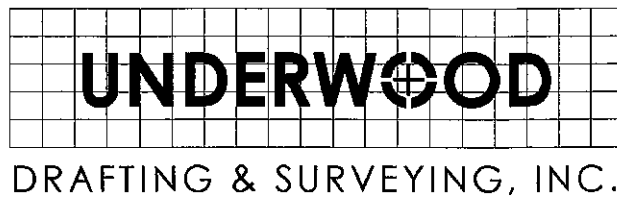
C. D. Gaudin

By J. D. Smith

1-15-38  
3-26-38  
640

Admiral  
1.00

THE STATE OF TEXAS  
COUNTY OF DALLAS  
I, J. D. Gaudin, Clerk of the County Court of  
said County, hereby certify that the foregoing instrument of writing, with its  
in, and duly recorded in the Book  
of said County, in Vol. 665, page 640, on the 15th day of  
JAN 1938  
Witness my hand and seal of said County at Sherman, Texas, this  
16th day of JAN 1938  
J. D. Gaudin  
Clerk of the County Court of  
said County



### **LEGAL DESCRIPTION**

#### **PROPOSED SEWER EASEMENT ABANDONMENT**

*Situated in the City of Sherman, Grayson County, Texas, and being a portion of a 20 foot wide sanitary sewer easement crossing Lot 1 in Block 2 of Independence Square Addition Section Three to said City of Sherman as shown by plat of record in Volume 10, Page 11, Plat Records, Grayson County, Texas, and being more particularly described as follows:*

**COMMENCING** at the most Westerly Southwest corner of said Lot 1 in the East line of Travis Street;

**Thence** North 74°38'02" East with the South line of said Lot 1 a distance of 482.27 feet to a point in the West line of the said sewer easement;

**Thence** North 06°47'49" East with the West line of said sewer easement a distance of 21.60 feet to a point for the Southwest corner of the herein described tract, being the **TRUE POINT-OF-BEGINNING**;

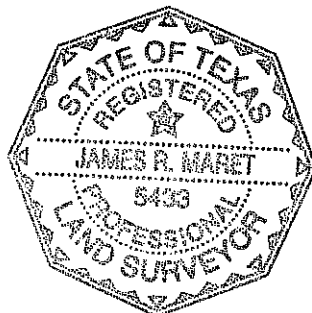
**Thence** North 06°47'49" East continuing with said West line of sewer easement a distance of 566.15 feet to a point in the South line of a channel easement shown on said plat of addition;

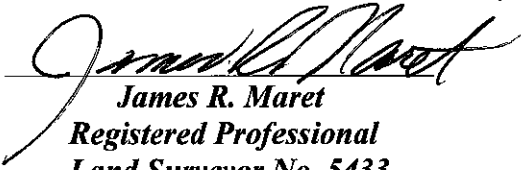
**Thence** South 44°20'39" East with said South line of channel easement a distance of 25.68 feet to a point in the East line of said sewer easement;

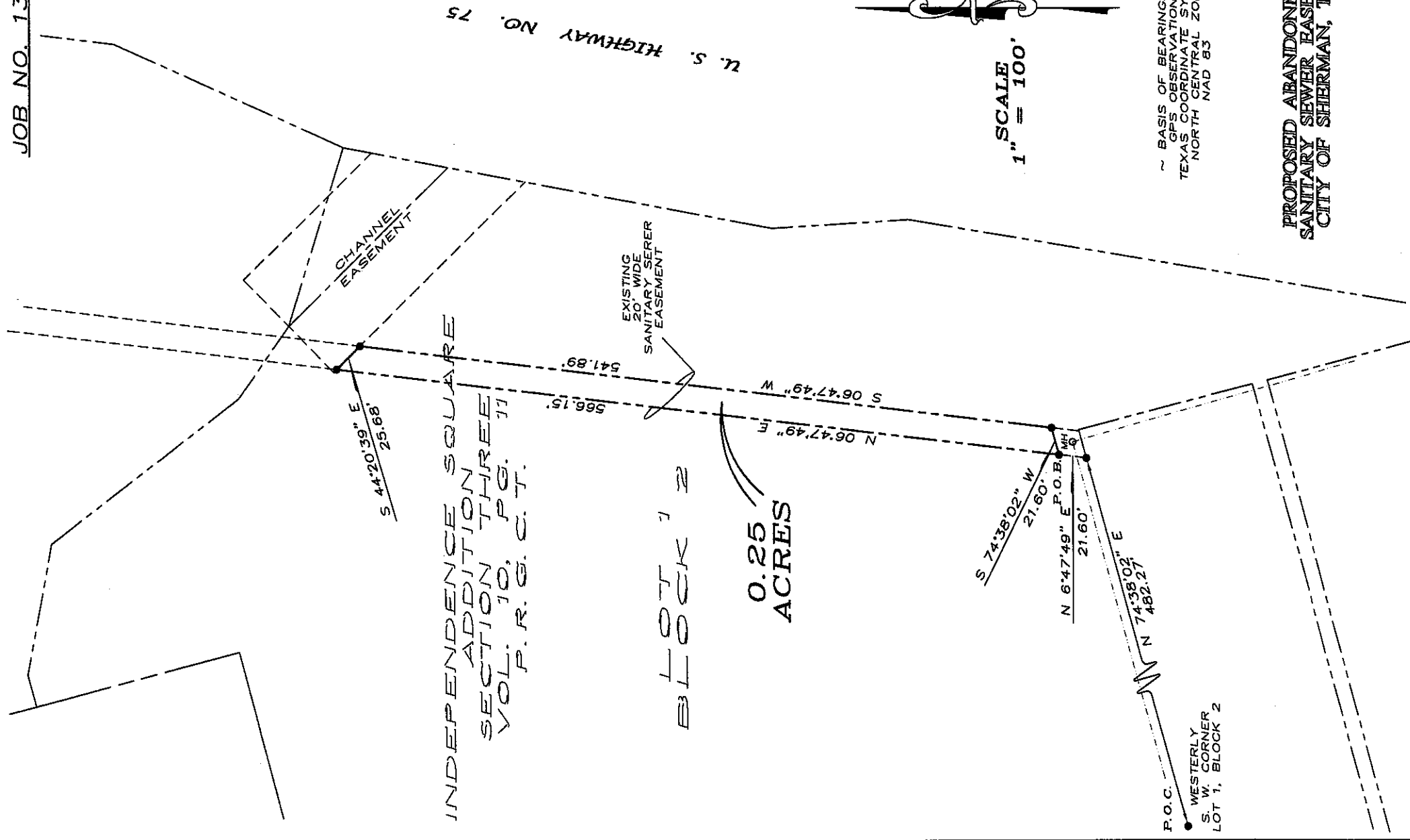
**Thence** South 06°47'49" West with said East line of sewer easement a distance of 541.89 feet to a point for the Southeast corner of the herein described tract;

**Thence** South 74°38'02" West across said sewer easement a distance of 31.60 feet to the Point-of-Beginning and containing 0.25 acres of land more or less.....

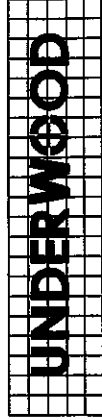
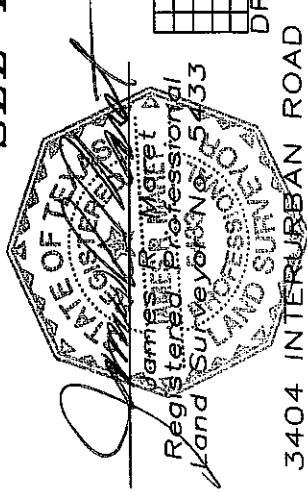
I, James R. Maret, Registered Professional Land Surveyor, hereby certify that the above legal description was prepared from an actual survey made on the ground and is true and correct to the best of my knowledge and belief.



10-29-13  
  
James R. Maret  
Registered Professional  
Land Surveyor No. 5433



SEE LEGAL DESCRIPTION  
ATTACHED



DRAFTING & SURVEYING

3404 INTERURBAN ROAD

DENISON, TEXAS 75021

(903)465-2151





## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. F. 2.**

**Meeting Date:** 11/18/2013

**Prepared By:** Mark Gibson, Director of Utilities

**Approved By:** George Olson, City Manager

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**Caption:**

**\* RESOLUTION NO. 5828**

Authorizing Execution of a Professional Engineering Services Agreement with Freeman-Millican, Inc. for the Wastewater Treatment Plant Headworks Lift Station and Electrical Upgrade Improvements

**Issue:**

To consider a contract for professional engineering services with Freeman-Millican, Inc. for the Headworks Lift Station and Electrical Upgrade Improvements at the City's Wastewater Treatment facility.

**Background:**

The current Capital Improvement Program contains a project to construct a new Headworks and Lift Station at the City's Wastewater Treatment facility. Freeman-Millican, Inc. is proposed to be the engineer for these improvements.

**Origination:**

Utilities Administration Department #710

**Financial Consideration:**

The fee for the design of the project will be a lump sum of \$339,300.00 plus \$10,000.00 for a soil investigation. This project is funded through the Greater Texoma Utility Authority.

**Staff Recommendation:**

It is recommended that the contract for professional engineering services with Freeman-Millican, Inc. for the Wastewater Treatment Plant Headworks and Lift Station construction be approved.

**Alternatives:**

As may be directed by the City Council

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**Attachments**

Resolution No. 5828

Engineering Services Agreement

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**RESOLUTION NO. 5828**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLCAN, INC. FOR THE WASTEWATER TREATMENT PLANT HEADWORKS LIFT STATION AND ELECTRICAL UPGRADE IMPROVEMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

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

**SECTION 1.** That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Professional Engineering Services Agreement with Freeman-Millican, Inc. for the Wastewater Treatment Plant Headworks Lift Station and electrical upgrade improvements in accordance with all contract documents attached hereto and made a part hereof for all purposes.

**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 \_\_\_\_\_, 2013.

**CITY OF SHERMAN, TEXAS**

**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY,**  
**CITY CLERK**

**BY:** \_\_\_\_\_  
**CAROLYN S. WACKER,**  
**MAYOR**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,**  
**CITY ATTORNEY**

## ENGINEERING SERVICES AGREEMENT

**THIS AGREEMENT** is made and entered by and between the CITY OF SHERMAN, a Home-Rule Municipality, organized and existing under the laws of the state of Texas, hereinafter referred to as "City", and, Freeman-Millican, Inc. hereinafter referred to as "Engineer", to be effective upon the date indicated below.

### WITNESSETH:

WHEREAS, the City desires to engage the services of the Engineer to prepare construction plans, specifications, details and special provisions and to perform other related engineering services in connection with the **Wastewater Treatment Plant (WWTP) Head Works Lift Station and Electrical Upgrade Improvements** in the City of Sherman, Texas, hereinafter referred to as the "Project"; and

WHEREAS, the Engineer desires to render such engineering services for the City subject to the terms and conditions provided herein.

NOW, THEREFORE, in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

1. **Employment of the Engineer.** The City hereby agrees to retain the Engineer to perform professional engineering services in connection with the Project. Engineer agrees to perform such services in accordance with the terms and conditions of this Agreement.
2. **Scope of Work.** The parties agree that Engineer shall perform such services as are set forth and described in Exhibit "1", which is attached hereto and made a part of this Agreement. The parties understand and agree that deviations or modifications in the form of written contract modifications may be authorized from time to time by the City. Engineer agrees to submit all final documents in a form acceptable to the City.
3. **Time of the Essence.** Time is of the essence. Engineer agrees to commence work immediately upon execution of this Agreement and to proceed diligently to completion except for delays beyond Engineer's reasonable control.
4. **Compensation and Method of Payment.** The parties agree that Engineer shall be compensated for all services provided pursuant to this Agreement in the amount described and set forth in Exhibit "1".
5. **Access To The Site.** City agrees to provide access to the Project area necessary or Engineer to complete his work.
6. **Insurance.** Engineer agrees to procure the following insurance:
  - a. Workers' Compensation as required by law.
  - b. Professional Liability Insurance in an amount not less than \$1,000,000 in the aggregate.

c. Comprehensive General Liability and Property Damage Insurance with minimum limits of \$1,000,000 for injury or death of any one person, \$1,000,000 for each occurrence, and \$1,000,000 for each occurrence of damage to or destruction of property.

d. Comprehensive Automobile and Truck Liability Insurance covering owned, hired, and non-owned vehicles, with minimum limits of \$1,000,000 for injury or death of any one person, \$1,000,000 for each occurrence, and \$1,000,000 for property damage.

e. The Engineer shall include the City as an additional Insured under the policies, with the exception of the Professional Liability Insurance and Workers' Compensation. Certificates of Insurance and endorsements shall be furnished to the City before work commences. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, and/or reduced in coverage or in limits ("Change in Coverage") except with prior written consent of the City and only after the City has been provided with written notice of such Change in Coverage, such notice to be sent to the City either by hand delivery to the City Manager or by certified mail, return receipt requested, and received by the City no fewer than thirty (30) days prior to the effective date of such Change in Coverage. Prior to commencing services under this Contract, Engineer shall furnish City with Certificates of Insurance, or formal endorsements as required by this Contract, issued by Engineer's insurer(s), as evidence that policies providing the required coverage, conditions, and limits required by this Contract are in full force and effect.

**7. Indemnity and Duty to Defend.**

a. Engineer shall release, defend, indemnify and hold city and its officers, agents and employees harmless from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of, related to, or resulting from the services provided by engineer and to the extent caused by the negligent act or omission or intentional wrongful act or omission of engineer, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom engineer is legally responsible. This agreement does not waive, nor shall it be deemed to waive, any immunity or defense, including, but not limited to Governmental immunity that would otherwise be available to the city against claims arising from the exercise of governmental powers and functions.

b. Engineer is expressly required to defend the City against all Claims for which the City becomes liable. In its sole discretion, City shall have the right to select or to approve defense counsel to be retained by Engineer in fulfilling its obligation hereunder to defend and indemnify City, unless such a right is expressly waived by City in writing by the City Manager, approved by the City Attorney, and properly authorized by the City's Council. City reserves the right to provide a portion or all of its own defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of Engineer's obligation to defend the City or as a waiver of Engineer's obligation to indemnify the City pursuant to this Contract. Engineer shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this Contract. If Engineer fails to retain Counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Engineer shall be liable for all costs incurred by City in defense of Claims for which Engineer is liable under this Paragraph.

c. This indemnification and duty to defend is subject to and does not waive any governmental immunity available to the City under Texas law, and any defenses of the parties

under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

8. **Independent Contractor.** Engineer is an independent contractor and not an officer, agent, servant or employee of City. Engineer shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing same, and shall be responsible for the acts and omissions of its officers, agents, employees, contractors, subcontractors and consultants; that the doctrine of respondent superior shall not apply as between City and Engineer, its officers, agents, employees, contractors, subcontractors and consultants, and nothing herein shall be construed as creating a partnership or joint enterprise between City and Engineer.

9. **Assignment and Subletting.** The Engineer agrees that neither this Agreement nor the work to be performed hereunder will be assigned or sublet without the prior written consent of the City. The Engineer further agrees that the assignment or subletting of any portion or feature of the work or materials required in the performance of this Agreement shall not relieve the Engineer from its full obligations to the City as provided by this Agreement.

10. **Contract Termination.** The parties agree that City shall have the right to terminate this Agreement with or without cause upon thirty (30) days written notice to Engineer. In the event of such termination, Engineer shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Engineer in connection with this Agreement. Engineer shall be entitled to compensation for any and all work completed to the satisfaction of City in accordance with the provisions of this Agreement prior to termination. In the event this Agreement is terminated, the City shall have the option of entering into an Agreement with another party for the completion of the work.

11. **Ownership of Documents.** Original drawings and specifications are the property of the Engineer; however, the Project is the property of the City and Engineer may not use the drawings and specifications therefore for any purpose not relating to the Project without City's consent. City shall be furnished with such reproductions of drawings and specifications as City may reasonably require. Upon completion of the work or any earlier termination of this Agreement under Paragraph 10, Engineer will revise drawings, if necessary, and he will promptly furnish the City with one (1) complete set of reproducible record prints. Prints shall be furnished, as an additional service, at any other time requested by City. All such reproductions shall be the property of the City who may use them without Engineer's permission for any proper purpose including, but not limited to, additions to or completion of the Project. Engineer also acknowledges that such information shall become subject to the Public Information Laws of this State and that Engineer agrees to waive any copyright claims to the information once the information is submitted to the City.

12. **Complete Contract.** This Agreement, including Exhibit "1", constitutes the entire agreement by and between the parties regarding the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings. To the extent that any of the provisions in Exhibit "1" conflicts with this Agreement, the provisions in the Agreement control over the provisions in the exhibit(s). This Agreement may only be amended, supplemented, modified or canceled by a duly executed written instrument.

13. **Mailing of Notices.** Unless instructed otherwise in writing, Engineer agrees that all notices or communications to City permitted or required under this Agreement shall be addressed to City at the following address:

Director of Utilities & Engineering  
City of Sherman  
P.O. Box 1106  
Sherman, TX. 75090

City agrees that all notices or communications to Engineer permitted or required under this Agreement shall be addressed to Engineer at the following address:

Richard Dormier  
Freeman-Millican, Inc.  
12160 N. Abrams Rd., Suite 508  
Dallas, Texas 75243

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date such notice or communication is posted by the sending party.

14. **Miscellaneous.**

a. **Paragraph Headings.** The paragraph headings contained herein are for convenience only and are not intended to define or limit the scope of any provision in this Agreement.

b. **Contract Interpretation.** Although this Agreement is drafted by the City, should any part be in dispute, the parties agree that the Agreement shall not be construed more favorably for either party.

c. **Venue/Governing Law.** The parties agree that the laws of the State of Texas shall govern this Agreement. Exclusive venue shall lie in Grayson County, Texas.

d. **Successors and Assigns.** City and Engineer, and their partners, successors, subcontractors, executors, legal representatives, and administrators are hereby bound to the terms and conditions of this Agreement.

e. **Severability.** In the event a term, condition, or provision of this Agreement is determined to be void, unenforceable, or unlawful by a court of competent jurisdiction, then that term, condition, or provision, shall be deleted and the remainder of the Agreement shall remain in full force and effect.

f. **Effective Date.** This Agreement shall be effective from and after execution by both parties hereto.

SIGNED on the date indicated below.

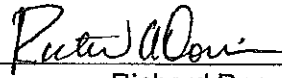
**CITY OF SHERMAN**

**ENGINEER:**  
**Freeman-Millican, Inc.**

BY

BY

\_\_\_\_\_  
George Olson  
City Manager

\_\_\_\_\_  
  
Richard Dormier, P.E.  
Vice President

DATE \_\_\_\_\_

DATE 10-4-13

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Brandon S. Shelby, City Attorney

EXHIBIT "1"  
ENGINEERING SERVICES AGREEMENT

**City of Sherman, Texas**  
**WWTP UV Equipment Replacement Improvements**  
Scope of Professional Services

OWNER and ENGINEER, in consideration of their mutual covenants herein, agree in respect of the performance of professional engineering services by ENGINEER and the payment for those services by OWNER as set forth below.

ENGINEER shall provide professional engineering services for OWNER in all phases of the Project to which this Agreement applies, serve as OWNER'S professional engineering representative for the Project as set forth below, and shall give professional engineering consultation and advice to OWNER during the performance of services hereunder.

OWNER intends to construct, through Prime Contractor(s) the **WWTP Head Works Lift Station and Electrical Upgrade** Improvements, hereinafter called the "Project".

**SECTION 1 - BASIC SERVICES OF ENGINEER**

**1.1 GENERAL**

1.1.1 ENGINEER shall perform professional services as hereinafter stated which include customary civil, structural, mechanical, and electrical engineering services and customary architectural services incidental thereto.

**1.2 PRELIMINARY DESIGN PHASE**

After authorization to proceed with the Preliminary Design Phase, ENGINEER shall:

- 1.2.1 In consultation with OWNER, determine the extent of the Project.
- 1.2.2 Advise OWNER as to the necessity of OWNER'S providing, or obtaining from others, data or services of the types described in paragraph 3.3, and act as OWNER'S representative in connection with any such services.
- 1.2.3 Prepare preliminary design documents consisting of final design criteria, preliminary drawings, and outline specifications.
- 1.2.4 Based on the information contained in the preliminary design documents, submit a revised opinion of probable Project Costs.
- 1.2.5 Furnish 3 copies of the above preliminary design documents and present and review them in person with OWNER.

**1.3 FINAL DESIGN PHASE**

After authorization to proceed with the Final Design Phase, ENGINEER shall:

- 1.3.1 On the basis of comments from the review of the preliminary design documents and the revised opinion of probable Project Cost, prepare for incorporation in the Contract

Documents final drawings to show the character and extent of the Project (hereinafter called "Drawings") and Specifications.

- 1.3.2 Furnish to OWNER such documents and design data as may be required for, and assist in the preparation of, the required documents so that OWNER may apply for approvals of such governmental authorities as have jurisdiction over design criteria applicable to the Project, and assist in obtaining such approvals by participating in submissions to and negotiations with appropriate authorities.
- 1.3.3 Advise OWNER of any adjustments to the latest opinion of probable Project Cost caused by changes in extent or design requirements of the Project or Construction Costs and furnish a revised opinion of probable Project Cost based on the Drawings and Specifications.
- 1.3.4 Prepare for review and approval by OWNER, his legal counsel, and other advisors, contract agreement forms, general conditions and supplementary conditions, and (where appropriate) bid forms, invitations to bid and instructions to bidders, and assist in the preparation of other related documents.
- 1.3.5 Submit plans, specifications, and contract documents to applicable regulatory agencies for approval.
- 1.3.6 Furnish 3 copies of the above documents and present and review them in person with OWNER. Make any needed final revisions.

#### 1.4 BIDDING PHASE

After authorization to proceed with the Bidding Phase, ENGINEER shall:

- 1.4.1 Assist OWNER in obtaining bids for each separate prime contract for construction, materials, equipment, and services.
- 1.4.2 Consult with and advise OWNER as to the acceptability of subcontractors and other persons and organizations proposed by the prime contractor(s) (hereinafter called "Contractor(s)") for those portions of the work as to which such acceptability is required by the bidding documents.
- 1.4.3 Prepare a tabulation of bids and assist OWNER in evaluating bids and in assembling and awarding contracts.

#### 1.5 CONSTRUCTION PHASE

During the Construction Phase ENGINEER shall:

- 1.5.1 Consult with and advise OWNER and act as his representative as provided in the General Conditions of the Construction Contract. All of OWNER'S instructions to Contractor(s) will be issued through ENGINEER who will have authority to act on behalf of OWNER to the extent provided in said General Conditions except as otherwise provided in writing.
- 1.5.2 Make visits to the site at intervals appropriate to the various stages of construction to observe as an experienced and qualified design professional the progress and quality of the executed work of Contractor(s) and to determine in general if such work is proceeding in accordance with the Contract Documents. ENGINEER shall not be

required to make exhaustive or continuous on-site inspections to check the quality or quantity of such work. ENGINEER shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s) or the safety precautions and programs incident to the work of Contractor(s). ENGINEER'S efforts will be directed toward providing a greater degree of confidence for OWNER that the completed work of Contractor(s) will conform to the Contract Documents, but ENGINEER shall not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During such visits and on the basis of on-site observations ENGINEER shall keep OWNER informed of the progress of the work and shall endeavor to guard OWNER against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.

- 1.5.3 Review Shop Drawings and samples, the results of tests and inspections and other data which each Contractor is required to submit, but only for conformance with the design concept of the Project and general compliance with the information given in the Contract Documents (but such review and approval or other action shall not extend to means, methods, sequences, techniques or procedures of construction or to safety precautions and programs incident thereto); determine the acceptability of substitute materials and equipment proposed by Contractor(s); and receive and review (for general content as required by the Specifications) maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection which are to be assembled by Contractor(s) in accordance with the Contract Documents.
- 1.5.4 Issue all instructions of OWNER to Contractor(s); issue necessary interpretations and clarifications of the Contract Documents and in connection therewith prepare change orders as required; have authority, as OWNER'S representative, to require special inspection or testing of the work; act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work thereunder and make decisions on all claims of OWNER and Contractor(s) relating to the acceptability of the work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the work; but ENGINEER shall not be liable for the results of any such interpretations or decisions rendered by him in good faith.
- 1.5.5 Based on ENGINEER'S on-site observations as an experienced and qualified design professional and on review of applications for payment and the accompanying data and schedules, determine the amounts owing to Contractor(s) and recommend in writing payments to Contractor(s) in such amounts: such recommendations of payment will constitute a representation to OWNER, based on such observations and review, that the work has progressed to the point indicated, that, to the best of ENGINEER'S knowledge, information and belief, the quality of such work is in accordance with the Contract Documents (subject to an evaluation of such work as a functioning Project upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents, and to any qualifications stated in his recommendation), and that payment of the amount recommended is due Contractor(s); but by recommending any payment ENGINEER will not thereby be deemed to have represented that continuous or exhaustive examinations have been made by ENGINEER to check the quality or quantity of the work or to review the means, methods, sequences, techniques or procedures of construction or safety precautions or programs incident thereto or that ENGINEER has made an examination to ascertain how or for what purposes any Contractor has used the moneys paid on account of the Contract Price, or that title to any of the work, materials or equipment has passed to OWNER free and clear of any

lien, claims, security interests or encumbrances, or that Contractor(s) have completed their work exactly in accordance with the Contract Documents.

- 1.5.6 Conduct in company with OWNER, an inspection to determine if the Project is substantially complete and a final inspection for compliance with the Contract Documents and if each Contractor has fulfilled all of his obligations thereunder so that ENGINEER may recommend, in writing, final payment to each Contractor and may give written notice to OWNER and the Contractor(s) that the work is acceptable (subject to any conditions therein expressed), but any such recommendation and notice shall be subject to the limitations expressed in paragraph 1.5.5.
- 1.5.7 ENGINEER shall not be responsible for the acts or omissions of any Contractor, or subcontractor, or any of the Contractor(s)' or subcontractors' agents or employees or any other persons (except ENGINEER'S own employees and agents) at the site or otherwise performing any of the Contractor(s)' work; however, nothing contained in paragraphs 1.5.1 through 1.5.7, inclusive, shall be construed to release ENGINEER from liability for failure to properly perform duties undertaken by him in the Contract Documents.
- 1.5.8 Revise contract drawings (unless redrawing is required), with the assistance of the OWNER and Contractor(s), and furnish two set in Adobe Acrobat Portable Document Format (pdf).

## SECTION 2 - ADDITIONAL SERVICES OF ENGINEER

### 2.1 GENERAL

If authorized in writing by OWNER, ENGINEER shall furnish or obtain from others Additional Services of the following types which are not considered normal or customary Basic Services

- 2.1.1 Preparation of applications and supporting documents for governmental grants, loans or advances in connection with the Project; preparation or review of environmental assessments and impact statements; review and evaluation of the effect on the design requirements of the Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.
- 2.1.2 Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by OWNER.
- 2.1.3 Services resulting from significant changes in extent of the Project or its design including, but not limited to, changes in size, complexity, OWNER'S schedule, or character of construction or method of financing; and revising previously accepted studies, reports, design documents or Contract Documents when such revisions are due to causes beyond ENGINEER'S control.
- 2.1.4 Providing renderings or models for OWNER'S use.
- 2.1.5 Furnishing the services of special consultants for other than the normal civil, structural, mechanical and electrical engineering and normal architectural design incidental

thereto, such as consultants for interior design, furniture, furnishings, communications, acoustics, kitchens, and landscaping; and providing data or services of the types described in paragraph 3.3 when OWNER authorizes ENGINEER to provide such data or services in lieu of furnishing the same in accordance with paragraph 3.3.

- 2.1.6 Services resulting from the arranging for performance by persons other than the principal prime contractors of services for the OWNER and administering OWNER'S contracts for such services.
- 2.1.7 Providing any type field surveys for design purposes and engineering surveys and staking to enable Contractor(s) to proceed with their work; and providing other special field surveys.
- 2.1.8 Services during out-of-town travel required of ENGINEER other than visits to the site and OWNER'S office as required by SECTION 1 and authorized by OWNER.
- 2.1.9 Additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction, (2) a significant amount of defective or neglected work of Contractor(s), (3) prolongation of the contract time of any prime contract by more than sixty days, (4) acceleration of the progress schedule involving services beyond normal working hours, and (5) default by Contractor(s).
- 2.1.10 Preparation of operating and maintenance manuals; protracted or extensive assistance in the utilization of any equipment or system (such as initial startup, testing, adjusting and balancing); and training personnel for operation and maintenance.
- 2.1.11 Services after completion of the Construction Phase, such as inspections during any guarantee period and reporting observed discrepancies under guarantees called for in any contract for the Project.
- 2.1.12 Preparing to serve or serving as a consultant or witness for OWNER in any litigation, public hearing or other legal or administrative proceeding involving the Project (except as agreed to under Basic Services).
- 2.1.13 Additional services in connection with the Project, including services normally furnished by OWNER and services not otherwise provided for in this Agreement.
- 2.1.14 Preparation of property or easement descriptions.
- 2.1.15 Additional copies of reports (over agreed number) and additional sets of Contract Documents (over agreed number).
- 2.1.16 Services of a resident Project representative, and other field personnel as required, for on-the-site observation of construction.
- 2.1.17 Any other special or miscellaneous assignments specifically authorized by OWNER.

### SECTION 3 - OWNER'S RESPONSIBILITIES

OWNER shall:

- 3.1 Provide all criteria and full information as to OWNER'S requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish

copies of all design and construction standards which OWNER will require to be included in the Drawings and Specifications.

- 3.2 Assist ENGINEER by placing at his disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.
- 3.3 Furnish to ENGINEER, as required for performance of ENGINEER'S Basic Services, data prepared by or services of others, including without limitation core borings, probings and subsurface explorations, hydrographic surveys, laboratory tests and inspections of samples, materials and equipment; appropriate professional interpretations of all of the foregoing; environmental assessment and impact statements; property, boundary, easement, right-of-way, topographic and utility surveys; property descriptions; zoning, deed and other land use restrictions; and other special data or consultations not covered in SECTION 2; all of which ENGINEER may rely upon in performing his services.
- 3.4 Provide field control surveys and establish reference points and base lines to enable Contractor(s) to proceed with the layout of the work.
- 3.5 Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform his services.
- 3.6 Examine all studies, reports, sketches, Drawings, Specifications, proposals and other documents presented by ENGINEER, obtain advice of an attorney, insurance counselor and other consultants as OWNER deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of ENGINEER.
- 3.7 Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- 3.8 Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as OWNER may require or ENGINEER may reasonably request with regard to legal issues pertaining to the Project including any that may be raised by Contractor(s), such auditing service as OWNER may require to ascertain how or for what purpose any Contractor has used the moneys paid to him under the construction contract and such inspection services as OWNER may require to ascertain that Contractor(s) are complying with any law, rule or regulation applicable to their performance of the work.
- 3.9 Designate in writing a person to act as OWNER'S representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define OWNER'S policies and decisions with respect to materials, equipment, elements and systems pertinent to ENGINEER'S services.
- 3.10 Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER'S services, or any defect in the work of Contractor(s).

- 3.11 Furnish, or direct ENGINEER to provide, necessary Additional Services as stipulated in Section 2 of this Agreement or other services as required.
- 3.12 Bear all costs incident to compliance with the requirements of this Section 3.

#### SECTION 4 - PERIOD OF SERVICE

- 4.1 The provisions of this Section 4 and the various rates of compensation for ENGINEER'S services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the Construction Phase. ENGINEER'S obligation to render services hereunder will extend for a period which may reasonably be required for the design, award of contracts and construction of the Project including extra work and required extensions thereto.
- 4.2 After acceptance by OWNER of the ENGINEER'S Drawings, Specifications and other Final Design Phase documentation including the most recent opinion of probable Project Cost and upon written authorization to proceed, ENGINEER shall proceed with performance of the services called for in the Bidding. This Phase shall terminate and the services to be rendered thereunder shall be considered complete upon commencement of the Construction Phase or upon cessation of the negotiations with prospective Contractor(s) (except as may be otherwise required to complete the services called for in paragraph 6.1.2.5).
- 4.3 The Construction Phase will commence with the execution of the first prime contract to be executed for the work of the Project or any part thereof, and will terminate upon written approval by ENGINEER of final payment on the last prime contract to be completed. Construction Phase services may be rendered at different times in respect of separate prime contracts if the Project involves more than one prime contract.
- 4.4 If OWNER has requested significant modifications or changes in the extent of the Project, the time of performance of ENGINEER'S services and his various rates of compensation shall be adjusted appropriately.
- 4.5 If OWNER fails to give prompt written authorization to proceed with any phase of services after completion of the immediately preceding phase, or if the Construction Phase has not commenced within 90 calendar days (plus such additional time as may be required to complete the services called for under paragraph 6.2.2.5) after completion of the Final Design Phase, ENGINEER may, after giving seven days' written notice to OWNER, suspend services under this Agreement.
- 4.6 If ENGINEER'S services for design or during construction of the Project are delayed or suspended in whole or in part by OWNER for more than three months for reasons beyond ENGINEER'S control, ENGINEER shall on written demand to OWNER (but without termination of this Agreement) be paid as provided in paragraph 5.3.2. If such delay or suspension extends for more than one year for reasons beyond ENGINEER'S control, or if ENGINEER for any reason is required to render services more than one year after Substantial Completion, the various rates of compensation provided for elsewhere in this Agreement shall be subject to renegotiation.

- 4.7 In the event that the work designed or specified by ENGINEER is to be performed under more than one prime contract, OWNER and ENGINEER shall, prior to commencement of the Final Design Phase, develop a schedule for performance of ENGINEER'S services during the Final Design, Bidding and Construction Phases in order to sequence and coordinate properly such services as applicable to the work under such separate contracts.

## SECTION 5 - PAYMENTS TO ENGINEER

### 5.1 METHODS OF PAYMENT FOR SERVICES AND EXPENSES OF ENGINEER

#### 5.1.1 For Basic Services

OWNER shall pay ENGINEER for Basic Services rendered under SECTION 1 and as further identified in Exhibit "A" a lump sum in the amount of \$399,300.00 plus \$10,000.00 for a soil investigation.

#### 5.1.2 For Additional Services

OWNER shall pay ENGINEER for Additional Services rendered under SECTION 2 as follows:

##### 5.1.2.1 General

For Additional Services rendered under paragraphs 2.1.1 through 2.1.17, inclusive (except services covered by paragraph 2.1.5 and services as a consultant or witness under paragraph 2.1.12), payment will be at the hourly rates in Exhibit "A".

##### 5.1.2.2 Special Consultants

For services and reimbursable expenses of special consultants employed by ENGINEER pursuant to paragraph 2.1.5 or 2.1.17, the amount billed to ENGINEER therefor times a factor of 1.10

##### 5.1.2.3 Serving as a Witness

For the services rendered by principals and employees as consultants or witnesses in any litigation, hearing or proceeding in accordance with paragraph 2.1.12, at the rate of \$ 2,500 per day or any portion thereof (but compensation for time spent in preparing to appear in any such litigation, hearing or proceeding will be on the basis provided in paragraph 5.1.2.1).

- 5.1.3 As used in this paragraph 5.1 the term "Reimbursable Expenses" will have the meaning assigned to it in paragraph 5.4.

## 5.2 TIMES OF PAYMENTS

5.2.1 ENGINEER shall submit monthly statements for Basic and Additional Services rendered and for reimbursable Expenses incurred. The statements will be based upon ENGINEER'S estimate of the proportion of the total services actually completed at the time of billing. OWNER shall make prompt monthly payments in response to ENGINEER'S monthly statements.

5.2.2 Upon conclusion of each phase of Basic Services, OWNER shall pay such additional amount, if any, as may be necessary to bring total compensation paid on account of such phase to the following percentages of total compensation payable for all phases of Basic Services:

| Phase                  | Percent of Basic Services |
|------------------------|---------------------------|
| Preliminary Design     | 15%                       |
| Final Design           | 60%                       |
| Bidding or Negotiating | 5%                        |
| Construction           | 20%                       |
| TOTAL                  | 100%                      |

## 5.3 OTHER PROVISIONS CONCERNING PAYMENTS

### 5.3.1 Changes in Project Scope

In the event the OWNER changes the scope of the project after the commencement of the Final Design Phase and such changes render the work unusable that has been performed to the date of the change in project scope, ENGINEER will be paid for services rendered during that phase to the date of notice of the change in project scope at the hourly rates in Exhibit "B" for services rendered by principals and employees assigned to the Project during that phase to date of notice of the change in project scope. In the event of any such change in scope, ENGINEER will be paid for all unpaid Additional Services and unpaid Reimbursable Expenses.

In the event the OWNER changes the scope of the project after the commencement of the Final Design Phase and such changes require the Engineer to modify, redesign or otherwise change engineering work that has been completed or partially completed at the date of the change in scope, ENGINEER will be paid for services required to modify, redesign or otherwise change completed engineering work to meet the requirements of the revised scope of services at the hourly rates in Exhibit "B" for principals and employees assigned to the Project. In the event of any such change in scope, ENGINEER will be paid for all Additional Services and Reimbursable Expenses required to make the above stated changes. Before making changes to the engineering work under this provision, the ENGINEER shall submit an estimate of the cost of making the changes under this paragraph. The ENGINEER shall not begin making changes to the engineering work until authorized by the OWNER.

5.3.2 If OWNER fails to make any payment due ENGINEER for services and expenses within sixty days after receipt of ENGINEER'S bill therefor, the amounts due ENGINEER shall include a charge at the rate of 1% per month from said sixtieth day, and in addition, ENGINEER may, after giving seven days' written notice to OWNER, suspend services under this Agreement until he has been paid in full all amounts due him for services and expenses.

5.3.3 In the event of termination by OWNER, upon the completion of any phase of the Basic Services, progress payments due ENGINEER for services rendered through such phase shall constitute total payment for such services. In the event of such termination by OWNER during any phase of the Basic Services, ENGINEER will be paid for services rendered during that phase at the hourly rates in Exhibit "B" for services rendered during that phase to date of termination by principals and employees assigned to the Project. In the event of any such termination, ENGINEER will be paid for all unpaid Additional Services and unpaid Reimbursable Expenses, plus all termination expenses. Termination expenses mean Reimbursable Expenses directly attributable to termination, which shall include an amount computed as a percentage of total compensation for Basic Services earned by ENGINEER to the date of termination, as follows:

20% if termination occurs after commencement of the Preliminary Design Phase but prior to commencement of the Final Design Phase; or

10% if termination occurs after commencement of the Final Design Phase.

#### 5.4 DEFINITIONS

5.4.1 Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto; obtaining bids or proposals from Contractor(s); furnishing and maintaining field office facilities; subsistence and transportation of Resident Project Representatives and their assistants; toll telephone calls and telegrams; reproduction of reports, Drawings, Specifications, and similar Project related items in addition to those required under Section 1; and, if authorized in advance by OWNER, overtime work requiring higher than regular rates.

### SECTION 6 - OPINIONS OF COST

#### 6.1 OPINIONS OF COST

6.1.1 Since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, his opinions of probable Project Cost and Construction Cost provided for herein are to be made on the basis of his experience and qualifications and represent his best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but ENGINEER cannot and does not guarantee that proposals, bids or actual Project or Construction Cost will not vary from opinions of probable cost prepared by him. If prior to the Bidding Phase OWNER wishes greater assurance as to Project or Construction Cost he shall employ an independent cost estimator as provided in paragraph 3.8. If a

Construction Cost limit is established by written agreement between OWNER and ENGINEER, the following will apply:

- 6.1.1.1 The acceptance by OWNER at any time during the Basic Services of a revised opinion of probable Project or Construction Cost in excess of the then established cost limit will constitute a corresponding revision in the Construction Cost limit to the extent indicated in such revised opinion.
- 6.1.1.2 Any Construction Cost limit so established will include a contingency of ten percent unless another amount is agreed upon in writing.
- 6.1.1.3 ENGINEER will be permitted to determine what materials, equipment, component systems and types of construction are to be included in the Drawings and Specifications and to make reasonable adjustments in the extent of the Project to bring it within the cost limit.
- 6.1.1.4 If the Bidding Phase has not commenced within six months after completion of the Final Design Phase, the established Construction Cost limit will not be binding on ENGINEER, and OWNER shall consent to an adjustment in such cost limit commensurate with any applicable change in the general level of prices in the construction industry between the date of completion of the Final Design Phase and the date on which proposals or bids are sought.
- 6.1.1.5 If the lowest bona fide proposal or bid exceeds the established Construction Cost limit, OWNER shall (1) give written approval to increase such cost limit, (2) authorize negotiating or rebidding the Project within a reasonable time, or (3) cooperate in revising the Project's extent or quality. In the case of (3), ENGINEER shall, without additional charge, modify the Contract Documents as necessary to bring the Construction Cost within the cost limit. The providing of such service will be the limit of ENGINEER'S responsibility in this regard and, having done so, ENGINEER shall be entitled to payment for his services in accordance with this Agreement.

## SECTION 7 - GENERAL CONSIDERATIONS

### 7.1 REUSE OF DOCUMENTS

All documents including Drawings and Specifications prepared by ENGINEER pursuant to this Agreement are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by OWNER or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER'S sole risk and without liability or legal exposure to ENGINEER; and OWNER shall indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to further compensation at rates to be agreed upon by OWNER and ENGINEER.

## SECTION 8 - SPECIAL PROVISIONS, EXHIBITS AND SCHEDULES

- 8.1 The following Exhibits are attached to and made a part of this Exhibit 1:  
Exhibit "A" Scope of Work and Exhibit "B" – Freeman-Millican, Inc. - Hourly Rate

## **Exhibit "A"**

### **SCOPE OF WORK**

#### **CIVIL, MECHANICAL & ARCHITECTURAL**

Soil Investigation and Report  
Design Memoranda  
Hydraulic modeling analysis of pumping and plant flows  
Design system curve  
Initial review with Sherman staff and collect drawings and data  
Pump design, sizing (existing pumps & VFD reuse), prequalify vendors and specifications  
Design pump bases, discharge pipes, valves, header and specifications  
Influent piping design, specifications and drawings  
Design force main, force main modifications, control valve and specifications  
Design meters vaults and size meters  
Size and design motor operated valves, slide gates, knife gates and fittings  
Surveying  
Reroute existing piping design, specifications and drawings  
Develop dewatering guidelines for wet well construction  
Wet-well foundation design, drawings and specifications  
We-well and discharge header support design, drawings and specifications  
Structural modeling analysis of wet well  
Design and size monorail crane hoist for wet well  
Wet-well grating & handrail design, drawings and specifications  
Existing wet well flow channel modification design, specification and drawings  
Develop TWDB engineering report  
Existing wet-well closure & demolition design specifications and drawings  
Site access design, specifications and drawings  
Site drainage design, specification and drawings  
Site lighting design, specifications and drawings  
Equalization basin junction box repairs design, specifications and drawings  
Motor operated slide gates design, specification and drawings  
Electrical & control building foundation design, specification and drawings  
Electrical & control building design, specifications and drawings  
Electrical building AC scrub design, specification and drawings  
Transformer support pad design, drawings and specifications  
2nd review with Sherman staff

#### **ELECTRICAL & CONTROLS**

Site high voltage electrical distribution planning and routing of HV power poles  
Application for new service, coordination with ONCOR

One line diagram and load distribution design and calculations  
Design for emergency rental generator power transfer & hook up  
Incoming duct calculation, design, specifications  
Main switchgear sizing (include future demand), design, specifications  
New electrical room el. design, conduit layout, switchgear placing  
Electrical room specifications (conduit, wires, distribution, lights)  
Retrofit of the existing VFDs into the new electrical room  
Switchgear to VFDs to Pumps conduit wiring calculation, design, specification  
Instrumentation and control  
On site operator control station  
Grounding and Lightning Protection  
Miscellaneous details design, drawings and specifications  
Identify and review control issues with Sherman staff

### **BIDDING**

Develop bid document for purchase of pumps and equipment  
Review purchase bid documents with TWDB and Sherman staff  
Revise bid documents and print for bidding  
Vendor request for information  
Bidding, addendums and award recommendation  
Revise and issue equipment purchase documents  
Review pump and equipment submittals

Develop bid documents for construction  
Review construction bid documents with Sherman staff and TWDB  
Revise bid document and print for bidding  
Contractor request for information  
Pre-bid conference  
Bidding, addendums and award recommendation  
Develop construction contracts

### **CONSTRUCTION**

Preconstruction conference at WWTP to include coordination for uninterrupted plant operations  
Review contractor submittals on all equipment, piping, electrical, rebar, valves, etc.  
Monthly site reviews and pay applications  
Construction meetings and site visits  
Respond to TWDB inspection and progress request  
Review and process any required changes  
Start up and training  
Final inspection & punch list  
Make record drawings per contractor as built mark ups  
Close out documentation per TWDB

EXHIBIT "B"  
FREEMAN-MILLICAN, INC.  
HOURLY RATES

| <u>Employee Category</u>    | <u>Hourly Rate</u> |
|-----------------------------|--------------------|
| Principal Engineer          | \$165              |
| Associate Engineer          | \$130              |
| Senior Project Engineer     | \$115              |
| Architect                   | \$110              |
| Project Engineer            | \$100              |
| EIT                         | \$ 85              |
| Designer                    | \$ 75              |
| CAD                         | \$ 60              |
| Clerical                    | \$ 50              |
| RPLS                        | \$150              |
| Survey Crew (Including GPS) | \$125              |
| Mileage                     | \$0.565/mile       |



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. G. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Robby Hefton, Assistant City Manager/CFO

**Approved By:** George Olson, City Manager

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**Caption:**

**OTHER BUSINESS**

Recognition of City of Sherman Award: "Certificate of Achievement for Excellence in Financial Reporting"

**Issue:**

The City of Sherman Finance Department has received the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended September 30, 2012.

**Background:**

The Certificate of Achievement for Excellence in Financial Reporting has been awarded for the 26<sup>th</sup> consecutive year to the City of Sherman by the Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report (CAFR). This award is the highest form of recognition in the area of governmental accounting and financial reporting; and its attainment represents a significant accomplishment by a government and its management. The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate the City's financial story and motivate potential users and user groups to read the CAFR. It speaks well of the City of Sherman, the Finance Department, and all operating departments that play a role in the financial reporting process. It also reflects favorably on the external audit firm that has been an important part of the financial reporting process.

**Origination:**

City Manager's Office

**Financial Consideration:**

None

**Staff Recommendation:**

The Council need take no action on this agenda item; provided for informational purposes only.

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**Attachments**

**CAFR Award Certificate**

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**The Government Finance Officers Association  
of the United States and Canada**

*presents this*

## **AWARD OF FINANCIAL REPORTING ACHIEVEMENT**

*to*

**Finance Department**  
City of Sherman, Texas



*The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.*

Executive Director

*Jeffrey R. Emen*

Date October 17, 2013



## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. G. 2.**

**Meeting Date:** 11/18/2013

**Prepared By:** Don Keene, Director of Community and Support Services

**Approved By:** George Olson, City Manager

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**Caption:**

**\* OTHER BUSINESS**

Consider Request of Next Media Radio Groups 93.1 Katy Country, 97.5 KLAK and 102.5 MADROCK to Temporarily Close Certain Streets for a 5K Radio Run on Saturday, March 29, 2014

**Issue:**

Next Media Radio Groups 93.1 Katy Country, 97.5 KLAK and 102.5 MADROCK will host a 5K Radio Run benefiting the Boys and Girls Clubs of Grayson and Collin Counties on Saturday, March 29, 2014, and is requesting assistance with street closures and traffic control.

**Background:**

The 5K Radio Run will begin at 6:30 a.m. and will follow the route displayed on the attached map. The event will require traffic control assistance, barricades, and cones from the City of Sherman. Next Media is requesting Council approval early in order to allow time for promotion of the event.

**Origination:**

Laura Villa, Promotions Director, 93.1 Katy Country, 97.5 KLAK and 102.5 MADROCK

**Financial Consideration:**

Barricade placement and removal and police support provided by the City

**Staff Recommendation:**

It is recommended that the City Council approve this request and authorize the necessary assistance to accommodate the event.

**Alternatives:**

As directed by the Council

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**Attachments**

5K Radio Run Request Letter

5K Radio Run Route

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October 31, 2013

Don Keene  
Director of Community and Support Services  
City of Sherman

Dear Don,

Next Media Radio Group's three radio stations will be putting on a 5k run on Saturday, March 29<sup>th</sup> 2014 to benefit the Boys & Girls Clubs of Grayson and Collin County.

This First Annual run is planning to have the Sherman Municipal Grounds as the site of the start and finish of the race. We would be on-site between the hours of 6:30-11:00 a.m. We are requesting city support on street closures and or directing traffic during race time – specifically:

- North Rusk Street and Mulberry for our start line.
- Stoplight at Pecan and Elm,
- Corner of Walnut and Brockett,
- Grand at the stop light.

Vendor booths will be set up on the concrete in front of the Municipal Building. We will not need to use the gazebo or the lawn area.

Our stations are partnering with Chip to Chip racing systems. They will be setting up the start/finish 'arch' for timing and organization and this will be the only structure specifically for the race. We are expecting the participation of between 300-400 runners.

I look forward to working with you on this event. Please let me know if you need me to clarify any points or have questions. I have attached the map of the proposed route.

Thank you for your help and I look forward to hearing from you.

Sincerely,

Promotions Director

972-542-9755

[illegible]

N. Rusk St.  
Turn left on W. Pecan  
Turn left on N. Elm  
Turn right on W.  
Mulberry  
Turn left on N. Walnut  
Turn right on E.  
Brockett  
Turn left on N. Grand  
\*Turn around 5K  
Marker  
Back to Start



## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. G. 3.**

**Meeting Date:** 11/18/2013

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** George Olson, City Manager

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**Caption:**

**\* OTHER BUSINESS**

Replat Approval of Lots 6 & 7 of the Park Plaza Addition, containing 4.70 acres in the Elizabeth Jones Survey, Abstract No. 625; Walt DeRonde, Owner; Greg Edwards Engineering Services, Inc., Engineer; and Cox Land Surveying Company, Surveyors (1800-1900 Blocks of South FM 1417/Heritage Parkway)

**Issue:**

To consider Replat approval of Lots 6 & 7 of the Park Plaza Addition

**Background:**

The property is located in the 1800-1900 blocks of South FM 1417 (Heritage Parkway); the northeast corner of South FM 1417 (Heritage Parkway) and Park Avenue. The owner would like to replat the property into three lots for commercial development.

**Origination:**

Walt DeRonde (Owner)  
Greg Edwards Engineering Services, Inc. (Engineers)  
Cox Land Surveying Company (Surveyor)

**Financial Consideration:**

None

**Staff Recommendation:**

At the October 22, 2013 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

**Alternatives:**

None

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**Attachments**

Location Map

Zoning Map

Narrative

Replat

P&Z Communication

Staff Review Letter

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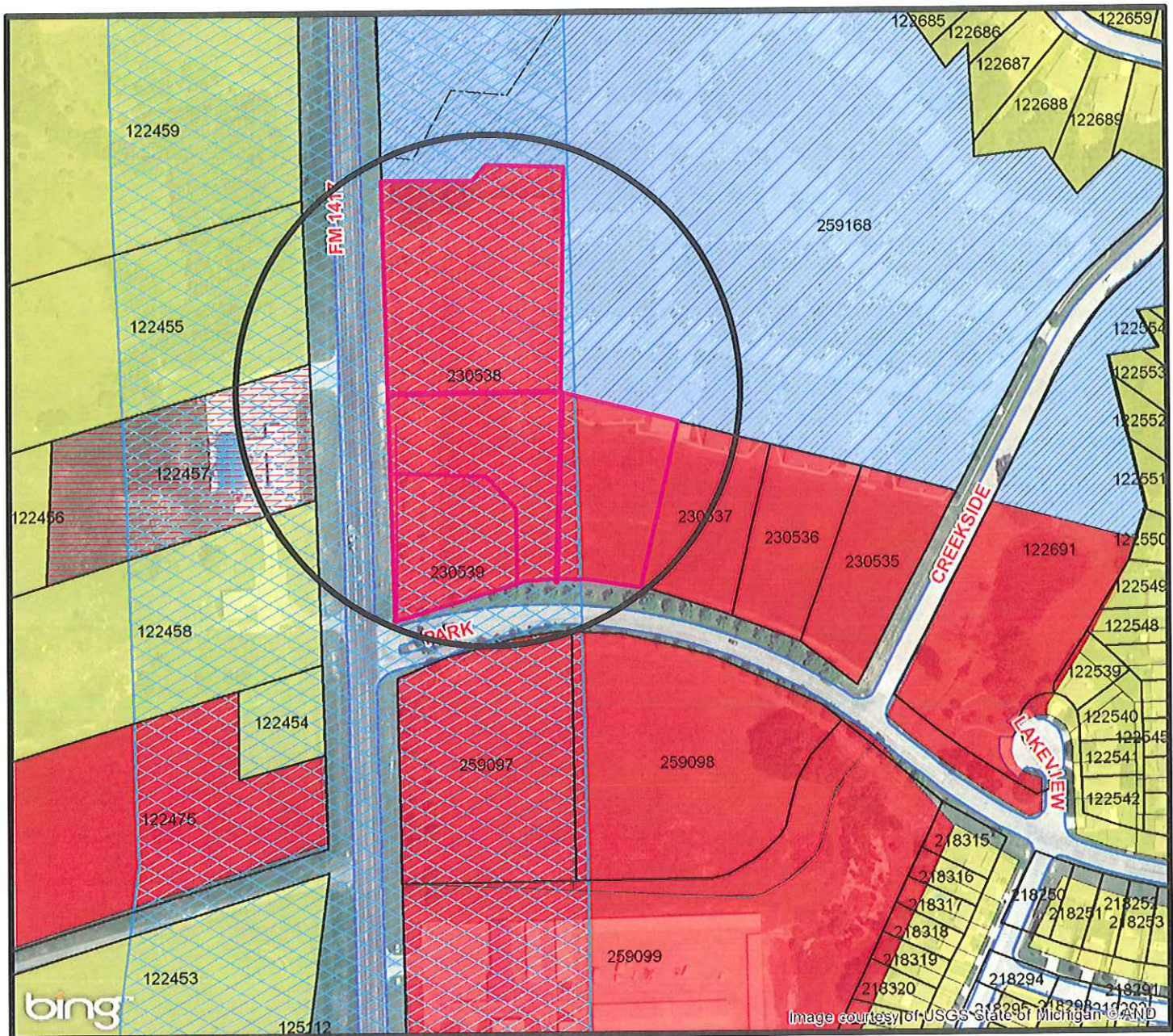
## 1800-1900 Blocks FM 1417 (Heritage Parkway) South



1 inch = 282 feet

City of Sherman, Texas  
Developmental Services Department

**Sherman**  
CLASSIC TOWN. BROAD HORIZON.



## Zoning - 1800-1900 Blks FM 1417 (Heritage Parkway)

### Legend

|  |                                            |  |                                         |
|--|--------------------------------------------|--|-----------------------------------------|
|  | O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT       |  | C-2 General Commercial District         |
|  | O 1.1 FM 1417 OVERLAY DISTRICT             |  | M-1 Light Manufacturing District        |
|  | O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT |  | R-A Single Family Agricultural District |
|  | C B D DOWNTOWN BUSINESS DISTRICT           |  | SF-1 Single Family Residential District |
|  | C P O COLLEGE PARK OVERLAY DISTRICT        |  | M-1.5 Medium Manufacturing District     |
|  | A & C ARTS & CULTURAL OVERLAY DISTRICT     |  | M-2 Heavy Manufacturing District        |
|  | CO Office District                         |  | MH Manufacturing Housing District       |
|  | R-1 One Family Residential District        |  | Blalock Commercial District             |
|  | R-2 Multi-Family Residential District      |  | BIP Blalock Industrial Park             |
|  | C-1 Retail Business District               |  |                                         |





GREG EDWARDS ENGINEERING SERVICES, INC.

1621 AMANDA COURT

PONDER, TX 76259

(940) 482-2907 PH

(940) 482-6214 FX

[www.GEES.us](http://www.GEES.us)

Tuesday, October 01, 2013

Scott Shadden  
City of Sherman  
Development Services  
220 W. Mulberry  
P. O. Box 1106  
Sherman, Texas 75091  
Phone: 903-892-7229  
Fax: 903-892-7274

RE: Dollar General Site Plan

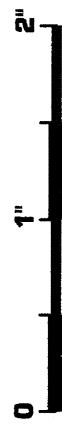
Dear Scott:

Attached are 25 copies of the required Final Replat, Site Plan and elevations for the proposed Dollar General Site. The replat of Lots 6 and 7 create a new 2 acres lot (lot 8R) for the Dollar General Site which will have access from F. M. 1417. It will also create two new lots along Park for future development.

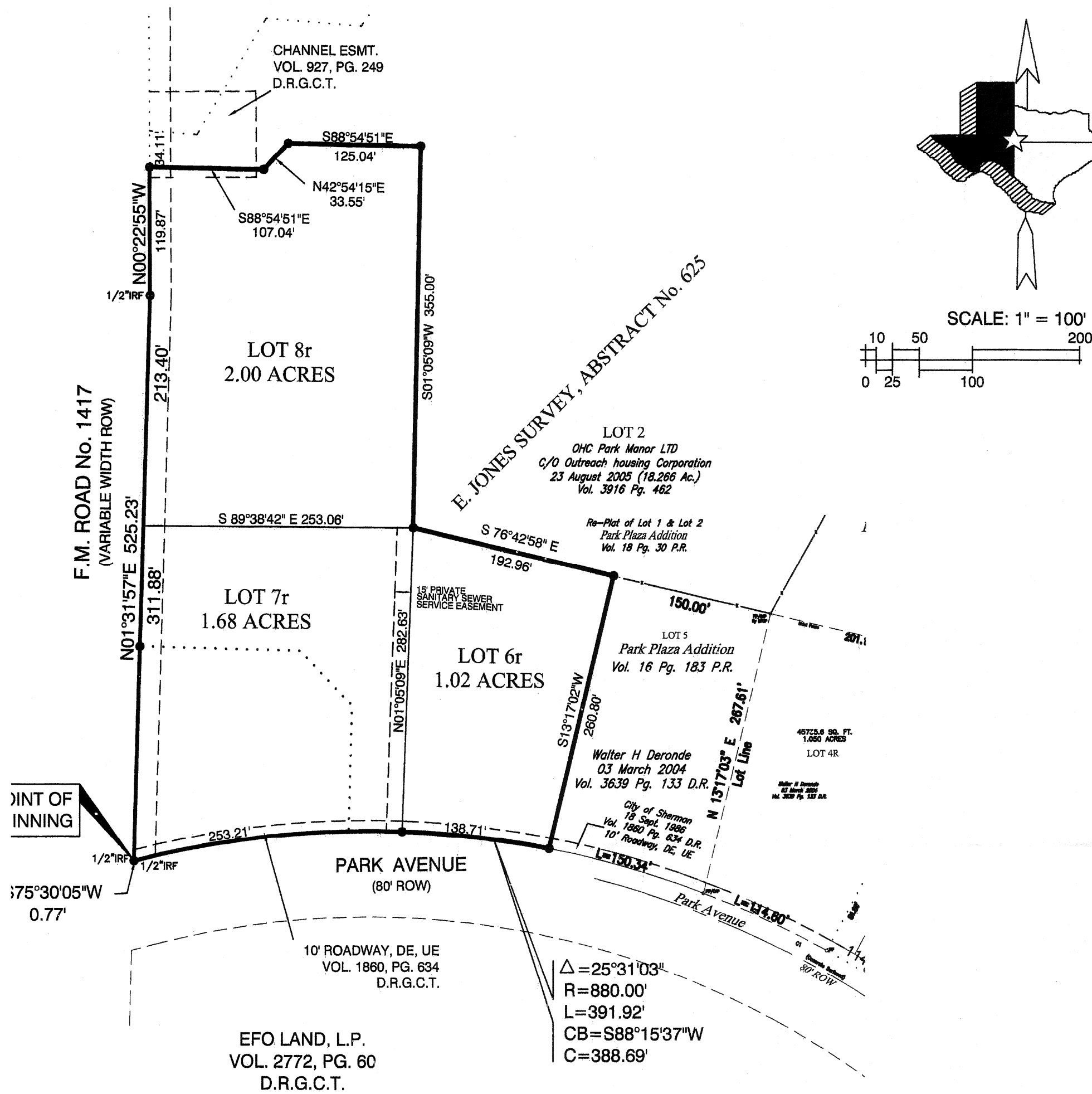
Dollar General is a retail facility and the propose site plan provides oversized parking spaces and drive isles to facilitate easier access to anticipated high turn over of customer parking on the site.

Sincerely

  
Greg Edwards, P. E.



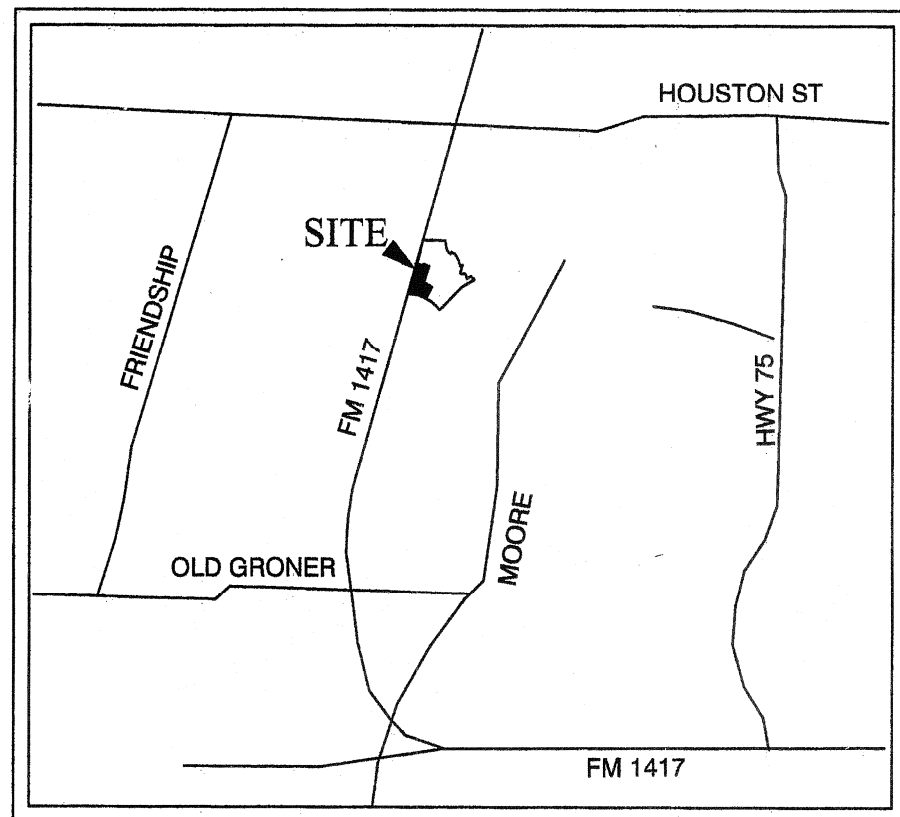
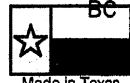
Path: Z:\SENT RECORDS\1400-1401\1437\replat.dwg  
LAYOUT: AMENDING PLAT PLOT 6 & 7



**OWNER:**  
Walter H. Deronde  
03 March 2004  
Vol. 3639 Pg. 133 D.R.  
1600 Shady Oaks Place  
Corinth, Texas 76205

#### LEGEND

S3R = Set 3/4" Rod  
FIP = Found Rebar  
SIP = Set 1/2" Sq. Tubing  
FST = Fd 1/2" Sq. Tubing  
FSR = Fd 3/4" Sq. Rod  
ROW = Right-of-Way  
-X- = Fence Line  
( ) = Deed Calls  
-E- = Electric Line  
-T- = Telephone Line  
-C- = TV Cable  
GM = Gas Meter  
PP = Power Pole  
WM = Water Meter  
AC = Air Cond.  
BL = Building Line  
UGT = Undergd phone  
FCP = Fence Corner Post  
UE = Utility Easement  
BC = Back of Curb



VICINITY MAP  
(NOT TO SCALE)

**APPLICANT**  
ARTISAN DEVELOPMENT  
1600 SHADY OAKS  
DENTON, TEXAS 76205  
CONTACT: WALT DeRONDE  
PH: 940-498-9702  
FAX: 940-498-9593

**ENGINEER / SURVEYOR**  
GREG EDWARDS  
ENGINEERING SERVICES, INC.  
1621 AMANDA COURT  
PONDER, TEXAS 76259  
PH: 940-482-2907  
FAX: 940-482-8128  
FIRM Registration #F-004550

**OWNER**  
WALTER H. DERONDE  
1600 SHADY OAKS  
DENTON, TEXAS 76205  
CONTACT: WALT DeRONDE  
PH: 940-498-9702  
FAX: 940-498-9593

**Basis of Bearing**  
Course along the  
North Line of Lot 3 of the  
Park Plaza Addition



## Re-Plat of Lot 6 & Lot 7 Park Plaza Addition

CITY OF SHERMAN COUNTY OF GRAYSON STATE OF TEXAS

### OWNERS DEDICATION

All that certain tract of land situated in the Elizabeth Jones survey Abstract Number 625, City of Sherman, county of Grayson, State of Texas, said tract as described in Deed to Walter H. Deronde, filed 03 March, 2004 and Recorded in Volume 3639 Page 133 of the Deed Records of the County Grayson, State of Texas, said tract being all of lots 6 and 7 of the Park Plaza Addition, and Recorded in Volume 16 Page 183 of the Plat Records of the County of Grayson, State of Texas, and being more fully described as follows:

Beginning for the southeast corner of the tract being described herein at a found 1/2 inch Steel Rebar, said rebar being the southeast corner of said lot 7, said rebar also being the northeast corner of the intersection of Park Avenue and Farm to Market Road Number 1417:

Thence North 01 degrees 31 minutes 57 seconds East with the west lines of said lots 7 and 6 and the east ROW of Farm to Market Road Number 1417 a distance of 525.23' to a found 1/2 inch Steel Rebar:

Thence North 00 degrees 22 minutes 55 seconds West, with the west line of said lot 6 and the east ROW of Farm to Market Road Number 1417, a distance of 119.87 feet to a 1" square tube set for the most westerly northwest corner of said lot 6, and also being the most westerly south west corner of lot 2 of the replat of Park Plaza Addition, and Recorded in Volume 18 Page 30 of the Plat Records of Grayson County, Texas:

Thence the following calls with the northerly and easterly lines of said lot 7, also being the southerly and easterly lines of said lot 2:

South 85 degrees 39 minutes 25 seconds East, a distance of 45.01 feet to a 1/2 inch square tube set:

North 42 degrees 54 minutes 15 second East, a distance of 33.55 feet to a 1/2 inch square tube set:

South 88 degree 54 minutes 51 second East, a distance of 125.04 feet to a 1/2 inch square tube set:

South 01 degrees 05 minutes 09 seconds West, a distance of 355.00 feet to a 1/2 inch square tube set:

South 78 degrees 42 minutes 58 seconds East, a distance of 192.96 feet to a 1/2 inch square tube set, said point being the northwest corner of lot 5 of the said Park Plaza Addition:

Thence South 13 degrees 17 minutes 02 seconds West with the west line of said lot 7 being the East line of said lot 5, a distance of 260.80 feet to a 1/2 inch square tube set, said point being in the north line of Park Avenue ROW; and the start of a curve to the left whose radius is 880 feet, chord bearing of South 88 degrees 15 minutes 37 seconds West, a distance of 388.69 feet:

Thence with said curve to the left, an Arc Length of 391.92 feet, a central angle of 25 degrees 31 minutes 03 seconds, to a found 1/2 inch Steel Rebar in the north ROW of Park Avenue:

Thence South 75 degrees 30 minutes 05 seconds West 0.77 feet to the Point of Beginning and containing 4.70 acres of land.

State of Texas  
County of Grayson

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, Walter H. Deronde does hereby adopt this plat designating the herein described property as Re-Plat of lots 6 and 7 Park Plaza Addition, City of Sherman, County of Grayson, Texas and does hereby dedicate to the public use forever the Streets and easements for the same purpose and consideration expressed hereon.

Walter H. Deronde

STATE OF TEXAS

Before me the undersigned Notary Public for the State of Texas, on this day personally appeared Walter H. Deronde known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity stated.

Given under my hand and seal of office this \_\_\_\_ day of 2013

Notary Public, State of Texas

### SURVEYORS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT, I Don K. Cox, Registered Professional Land Surveyor Number 4577, do hereby certify that this plat was prepared from an actual survey of the land described hereon, and that the corner monuments shown hereon were found or placed under my supervision in accordance with the ordinances of the City of Sherman, Texas.

\_\_\_\_ May, 2013

Don K Cox, Texas Registered  
Professional Land Surveyor  
Number 4577

### CERTIFICATE OF APPROVAL

Approved this \_\_\_\_ day of \_\_\_\_, 2013, by the  
City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman

Secretary

### ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

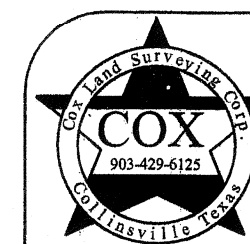
Mayor, City of Sherman, Texas

Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing re-plat of Lot 3, Park Plaza Addition, an Addition to the City of Sherman was submitted to the City Council on the \_\_\_\_ day of \_\_\_\_, 2013, and the City Council by formal action then and there accepted the dedication of street, alleys, easements and public places as shown and set forth in and upon said plat, and said City Council further authorizes the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this \_\_\_\_ day \_\_\_\_, AD, 2013.

City Clerk, City of Sherman, Texas



## COX LAND SURVEYING CO.

P.O. BOX 597 108 N. MAIN ST. COLLINSVILLE, TEXAS 76233  
COLLINSVILLE 903-429-6125 FAX 903-429-6971 E-mail: CLSC108@aol.com  
Gainesville 940-612-LAND Denton 940-381-5070 McKinney 469-952-5070

Re-Plat  
of Lots 6 & 7 of the  
Park Plaza Addition  
E. Jones Survey  
Abst. No. 625  
City of Sherman County of Grayson  
State of Texas

Registered Professional  
Land Surveyors Seal

Drawn by: RLB  
Check by: DKC

Job No.  
XX-XXXX-X

Date: 07 MAY 2013



**Planning & Zoning Commission and Board of  
Adjustments**

**Agenda Item No. 10.**

**Meeting Date:** 10/22/2013

**Prepared by:** Patsy Reeves, Developmental Services Admin Secretary

**Approved by:** Scott Shadden, Director of Development Services

**Commissioners:** Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Andrew Olmstead, Commissioner

---

**Requested Action/Proposed Use:**

**\* 1800-1900 BLOCKS S. FM 1417 (HERITAGE PARKWAY)**

The request of Walt DeRonde (Owner), Greg Edwards Engineering Services, Inc. (Engineers) and Cox Land Surveying Company (Surveyor) concerning the property located in the 1800-1900 Blocks S. FM 1417 (Heritage Parkway), being Lots 6 & 7, Park Plaza Addition containing 4.70 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows;

***Planning & Zoning Commission***

Replat approval of Lots 6 & 7 of the Park Plaza Addition

**Background:**

The property is located in the 1800-1900 Blocks S. FM 1417 (Heritage Parkway); the northeast corner of S. FM 1417 (Heritage Parkway) and Park Avenue. The owner would like to replat the property into three lots for commercial development.

**Adjacent Zoning:**

C-1 (Retail Business) District and R-2 (Multi-Family Residential) District

**Origination:**

Walt DeRonde (Owner)

Greg Edwards Engineering Services, Inc. (Engineers)

Cox Land Surveying Company (Surveyor)

**Master Plan Designation:**

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

**Number of notices mailed:**

Not required.

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Replat

Staff Review Letter

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**STAFF REVIEW LETTER**

October 16, 2013

Walt DeRonde  
1600 Shady Oaks Place  
Corinth, TX 76205

GEES, Inc.  
Greg Edwards  
1621 Amanda Ct.  
Ponder, TX 76259

Dear Applicants,

The request for approval of a Replat of Lots 6 and 7 of the Park Plaza Addition for the property located in the 1800-1900 Blocks of S. FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2013 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
4. Lot 7r will not be permitted to access FM 1417.
5. The right-of-way and pavement width for the streets shall be shown. Additional right-of-way of 8.5' along Park Street shall be dedicated and additional right-of-way along FM 1417 may be required.
6. Detention in accordance with City criteria is required.
7. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
8. Any other changes made to the final replat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,

A handwritten signature in dark ink, appearing to read "Clay Barnett", with a long horizontal flourish extending to the right.

Clay Barnett  
Dir. of Public Works and Engineering

cc:       George Olson, City Manager                               Scott Shadden, Director of Development Services  
          Brandon Shelby, City Attorney                         Mark Gibson, Director of Utilities  
          Jamie Baggs, Fire Marshal                             Don Keene, Dir. of Community and Support Services  
          Lisa Whitfield, Engineering & Development Coordinator  
          Cox Land Surveying Co., PO Box 597, Collinsville, TX 76233



## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. G. 4.**

**Meeting Date:** 11/18/2013

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** George Olson, City Manager

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**Caption:**

**OTHER BUSINESS**

Site Plan Approval and Exceptions for Sherman Economic Development Corporation, Owners; W.T. Brogdon, Southeastern Freight Lines, Inc., Applicant/Tenant; David Mollenkopf, Architect; Schwob Building Company, LTD, Contractor; Wier & Associates, Inc., Engineers/Land Planners; and Underwood Drafting & Surveying, Inc., Surveyors; under Ordinance No. 2252, Article IV, Sections 410(2)(j), 410(2)(m), 410(2)(i), 410(2)(l) and 410(2)(g)(1) to Allow Architectural Panels with the Condition the Metal Panels have a Stucco Finish in Lieu of Masonry or Factory Finished Metal Panels; Overhead Doors, Loading Docks and Tractor and Dolly Parking Facing Northgate Drive; a Chain Link Fence on the Property Line in Lieu of 100' Setback Required on the West Side; a Chain Link Fence on the Property Line in Lieu of 55.7' Setback Required on the North Side; and 74' Front Lawn, Landscape and Green Area in Lieu of 100' Required in the Blalock Industrial Park District for Southeastern Freight Lines, Inc. at 3209 Northgate Drive

**Issue:**

This item is to consider the request of Sherman Economic Development Corporation (Owners), W.T. Brogdon, Southeastern Freight Lines, Inc. (Applicant), David Mollenkopf (Architect), Schwob Building Company, LTD (Contractor), Wier & Associates, Inc. (Engineers/Land Planners) and Underwood Drafting & Surveying, Inc. (Surveyors) for site plan approval and exceptions to allow architectural panels for Southeastern Freight Lines in lieu of masonry or factory finished metal panels; overhead doors, loading docks, and tractor and dolly parking facing Northgate Drive; a chain link fence on the property line in lieu of 100' setback required on the west side and on the property line in lieu of 55.7' setback required on the north side; and a 74' front lawn, landscape and green area in lieu of the 100' required in the Blalock Industrial Park at 3209 Northgate Drive.

**Background:**

The property is located at 3209 Northgate Drive off of F.M. 1417 West (Heritage Parkway) in the Northgate Business Park. Southeastern Freight Lines operates as a commercial less-than-truckload (LTL) freight carrier. The facility will operate as a freight transfer facility where freight from inbound trucks is offloaded onto the dock area. It is then transferred and loaded into outbound trucks for delivery.

Southeastern Freight Lines would like to construct a 15,433 square foot freight carrier facility. The exterior will be brick masonry at the office portion of the terminal with factory finished PEMB reverse rolled R-panel walls along the dock portion. Due to the building's orientation, the "front" of the building does not face Northgate Drive. A landscape berm along Northgate Drive will be constructed to limit the

line-of-sight from the roadway; the side of the building facing the street is only partially visible. They will provide 193 parking spaces and will erect a chain link fence around the facility.

**Origination:**

Sherman Economic Development Corporation (Owners)  
WT Brogdon, Southeastern Freight Lines, Inc. (Tenant/Applicant)  
David Mollenkopf (Architect)  
Schwob Building Company, LTD (Contractor)  
Wier & Associates, Inc. (Engineers/Land Planners)  
Underwood Drafting & Surveying, Inc. (Surveyors)

**Financial Consideration:**

None

**Staff Recommendation:**

At the October 22, 2013 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the site plan and exceptions be approved subject to the Staff Review Letter and the condition the metal panels have a stucco finish.

**Alternatives:**

The City Council could deny the request.

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**Attachments**

Location Map

Zoning Map

Photo

Narrative

Survey

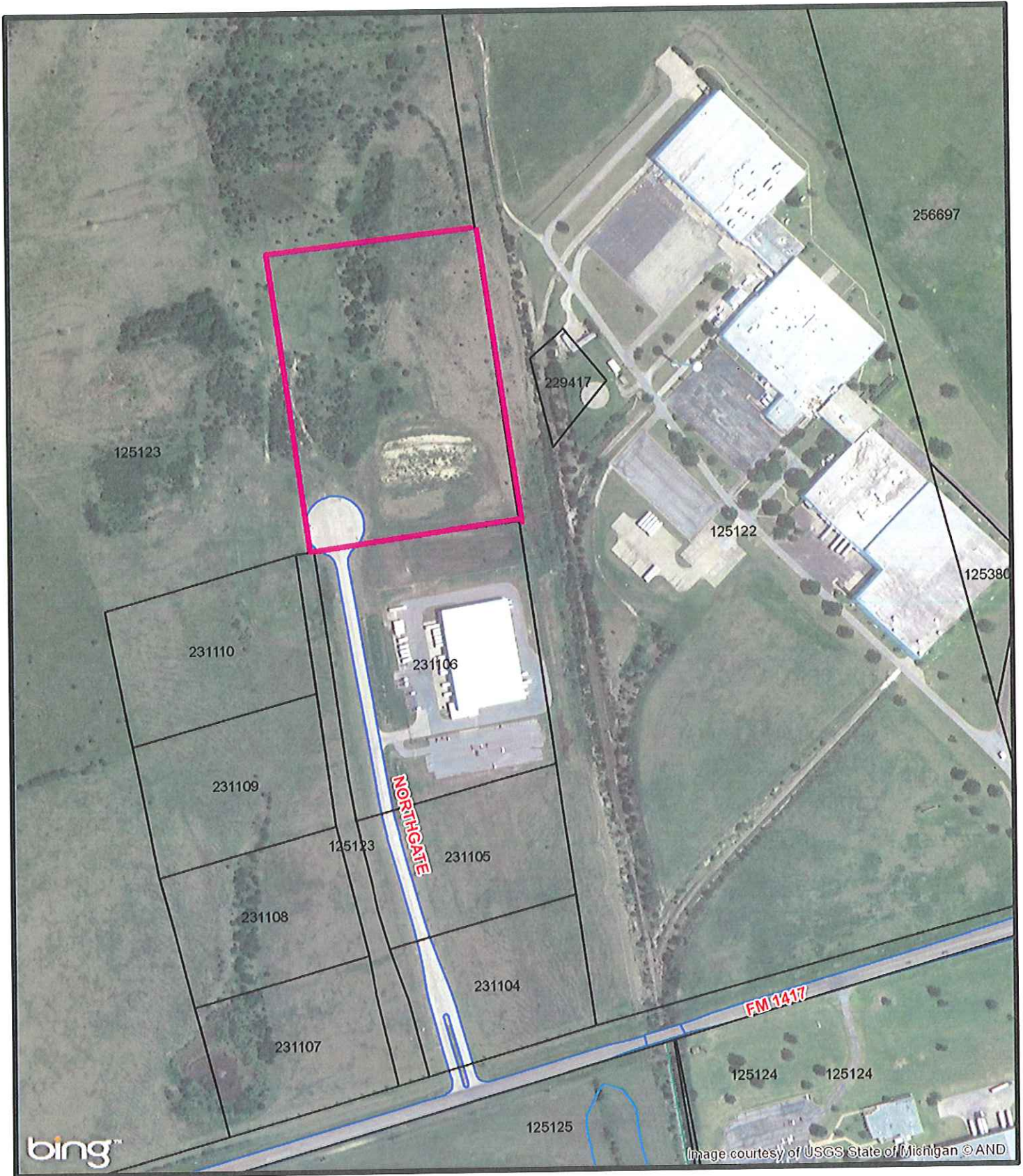
Site Plan

Elevations

P&Z Communication

Staff Review Letter

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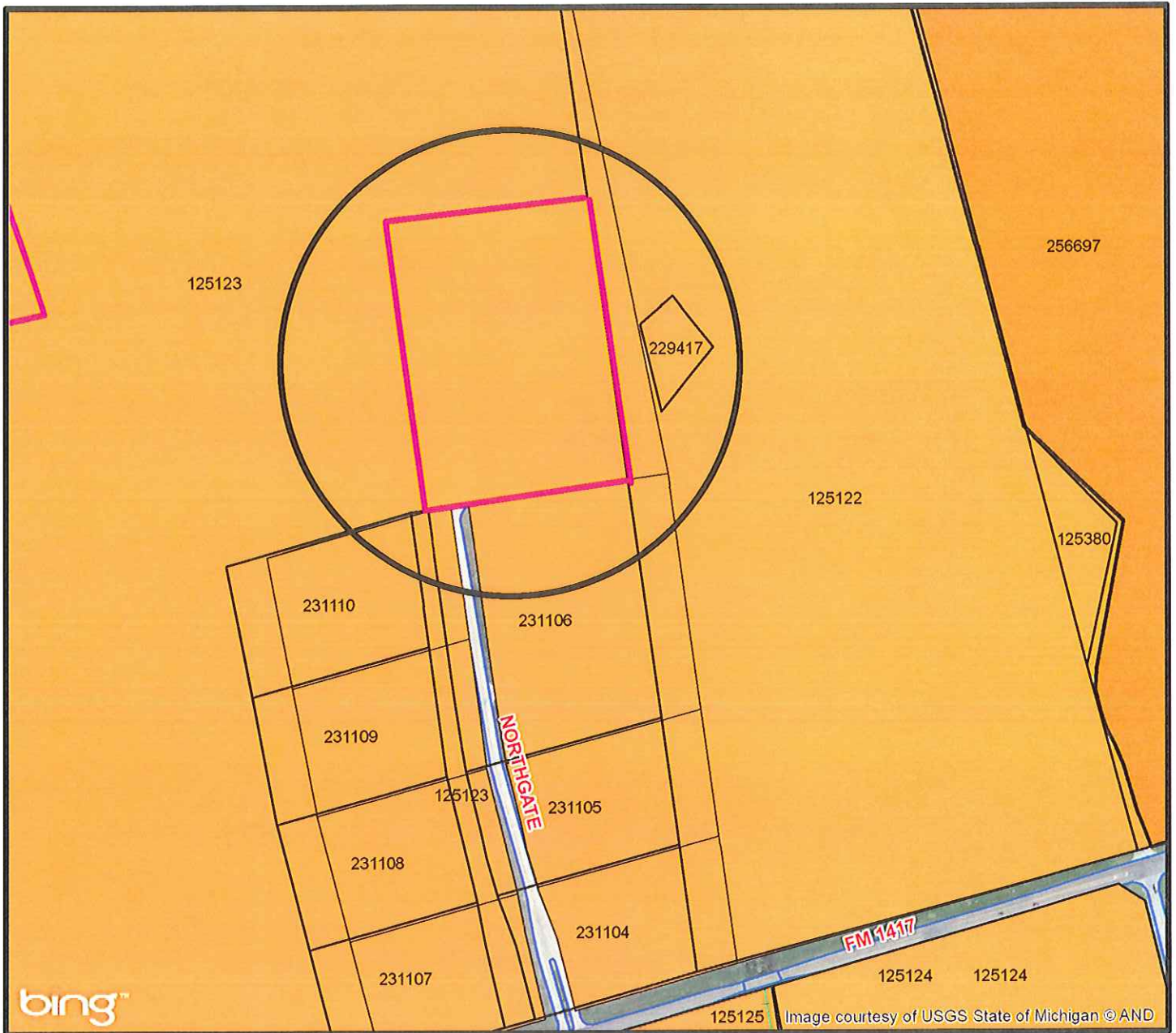
**3209 Northgate Drive**

City of Sherman, Texas  
Developmental Services Department

*Sherman*  
CLASSIC TOWN. BROAD HORIZON.



1 inch = 392 feet



## Zoning - 3209 Northgate Drive

### Legend

|                                            |                                         |
|--------------------------------------------|-----------------------------------------|
| O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT       | C-2 General Commercial District         |
| O 1.1 FM 1417 OVERLAY DISTRICT             | M-1 Light Manufacturing District        |
| O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT | R-A Single Family Agricultural District |
| C B D DOWNTOWN BUSINESS DISTRICT           | SF-1 Single Family Residential District |
| C P O COLLEGE PARK OVERLAY DISTRICT        | M-1.5 Medium Manufacturing District     |
| A & C ARTS & CULTURAL OVERLAY DISTRICT     | M-2 Heavy Manufacturing District        |
| CO Office District                         | MH Manufacturing Housing District       |
| R-1 One Family Residential District        | Blalock Commercial District             |
| R-2 Multi-Family Residential District      | BIP Blalock Industrial Park             |
| C-1 Retail Business District               |                                         |



# 3209 Northgate Drive



October 01, 2013

City of Sherman  
Planning and Zoning Department  
220 W. Mulberry St.  
Sherman, Texas 75090

RE: SOUTHEASTERN FREIGHT LINES INC. – NEW FACILITY  
Northgate Drive, Sherman, Texas

SUBJECT: Project Type and Use Narrative

To Whom It May Concern:

In accordance with the City of Sherman Zoning Application, we are submitting this brief narrative to satisfy the Required Documentation:

Southeastern Freight Lines operates as a commercial less-than-truckload (LTL) freight carrier. The facility will operate as a freight transfer facility where freight from inbound trucks is offloaded onto the dock area. It is then transferred and loaded into outbound trucks for delivery.

If there are any questions regarding this submittal, please contact me at 972-243-7674 or via email at [mdavenport@schwob.com](mailto:mdavenport@schwob.com).

Sincerely,  
Schwob Building Company, Ltd.



Micah Davenport, GA/C  
Chief Estimator

October 01, 2013

City of Sherman  
Planning and Zoning Department  
220 W. Mulberry St.  
Sherman, Texas 75090

RE: SOUTHEASTERN FREIGHT LINES INC. – NEW FACILITY  
Northgate Drive, Sherman, Texas

SUBJECT: Variance Request – Building Elevations

To Whom It May Concern:

This variance request is to allow factory finished PEMB reverse rolled R-panel walls along the Dock portion only of the terminal building.

Per the Blalock Industrial Park Ordinance SECTION 2 – Sec. 410 Part 2(m) “Building Facing and Construction,” painted corrugated or “R” type panels are specifically excluded.

We are basing our request on the following:

1. We will be providing a brick masonry exterior at the Office portion of the terminal. However, due to the orientation of our building, the “front” of the building does not face Northgate Drive.
2. The reverse rolled R-panels provide a vertical fluted architectural look that is much more attractive than standard R-panel wall sheets.
3. By constructing a landscape berm along Northgate Drive, we have limited the line-of-sight possible for an observer at the roadway. The side of the building facing the street is only partially visible.

If there are any questions regarding this submittal, please contact me at 972-243-7674 or via email at [mdavenport@schwob.com](mailto:mdavenport@schwob.com).

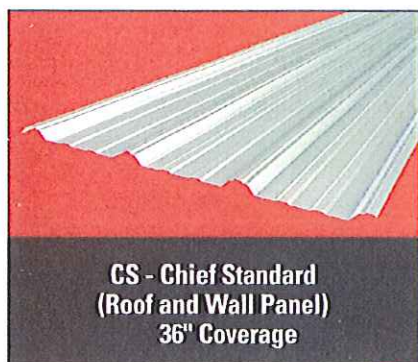
Sincerely,  
Schwob Building Company, Ltd.



Micah Davenport, GA/C  
Chief Estimator

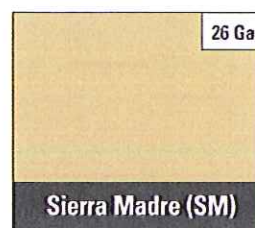
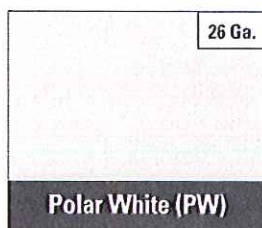
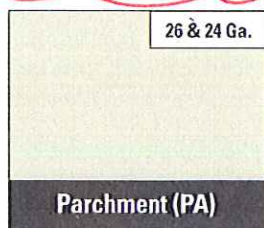
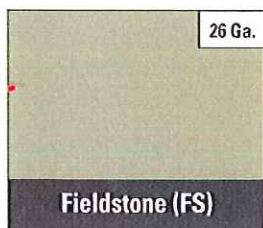
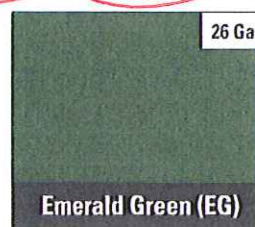
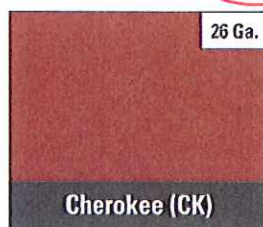
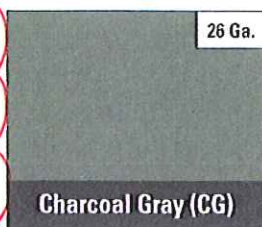
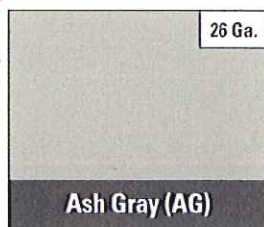
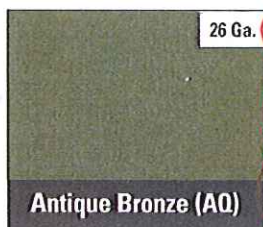
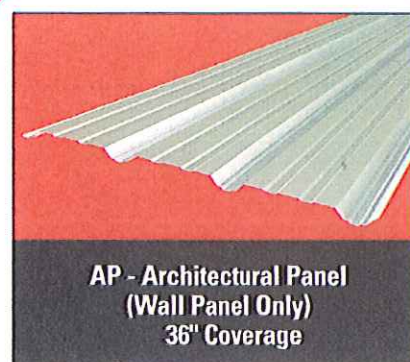
Enclosures: Chief Buildings – AP Panel Brochure  
Chief Buildings – AP Panel Sample (approx. 12” x 36” panel)

# CS/AP Panels



## Superior materials make the difference...

Premium finishes and design give Chief's Standard Panels (CS) and Chief's Architectural Panels (AP) the edge when it comes to quality steel roof and wall panels. They're ideal for a variety of other applications as well. Interior liners, fascias, canopies, and soffits are just some of the many uses for this versatile panel. With a 1 1/8" deep corrugation for added strength, 36" panel widths for quicker erection and availability in many different colors, Chief's CS and AP ribbed panels are the perfect choice for your construction project.

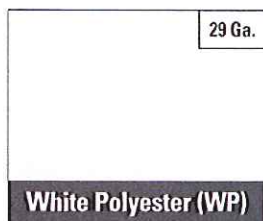


## Ultra-Kote Premium (UKP) Finish

Chief's Ultra-Kote Premium finish is made with polyvinylidene fluoride resin, where a minimum of 70% of the resin is PVDF (Kynar 500® or Hylar 5000®). This unique chemistry is combined with acrylic resin, as well as ceramic and select inorganic pigmentation. The result is Ultra-Kote Premium's proven ability to resist ultraviolet radiation in sunlight for maximum protection against general weathering effects, chalking and fading.

## Acrylic Coated Galvalume® (GM)

Chief's exterior roof, wall and trim material is available in an industry standard ASTM A792 Acrylic Coated Galvalume® finish. Galvalume® is a unique coating of 55% aluminum and 45% zinc that resists corrosion. The Galvalume® sheet is coated with a thin, clear acrylic coating applied to both sides.



## White Polyester (WP)

Chief's White Polyester is an economical polyester finish intended for interior applications only.

Since all color chips are affected by age, lighting conditions, heat and mechanical coating processes, the chips on this page may vary slightly in color or finish from the actual product. Oil canning in the flat areas of panels is inherent of coil steel products and shall not be a cause for product refusal. Chief reserves the right to change designs, prices and specifications at any time without notice.

## Chief's Finish Warranties:

- Galvalume® Panel Limited Warranty - 25 Year
- Ultra-Kote Premium Roof Panel Finish Limited Warranty - 30 Year
- Ultra-Kote Premium Wall Panel Finish Limited Warranty - 30 Year



October 01, 2013

City of Sherman  
Planning and Zoning Department  
220 W. Mulberry St.  
Sherman, Texas 75090

RE: SOUTHEASTERN FREIGHT LINES INC. – NEW FACILITY  
Northgate Drive, Sherman, Texas

SUBJECT: Variance Request – Loading Docks

To Whom It May Concern:

This variance request is to allow loading docks along the side of the building facing Northgate Drive.

Per the Blalock Industrial Park Ordinance SECTION 2 – Sec. 410 Part 2(i) “Loading Docks,” loading docks may not be located on the sides of any buildings which face the street.

We are basing our request on the following:

1. We are using the adjacent existing FedEx Ground facility as precedence. They have constructed loading docks along the side of the building facing Northgate Drive. (Reference the enclosed FedEx Ground Loading Dock Exhibit)
2. By constructing a landscape berm along Northgate Drive, we have limited the line-of-sight possible for an observer at the roadway. The side of the building facing the street is only partially visible.

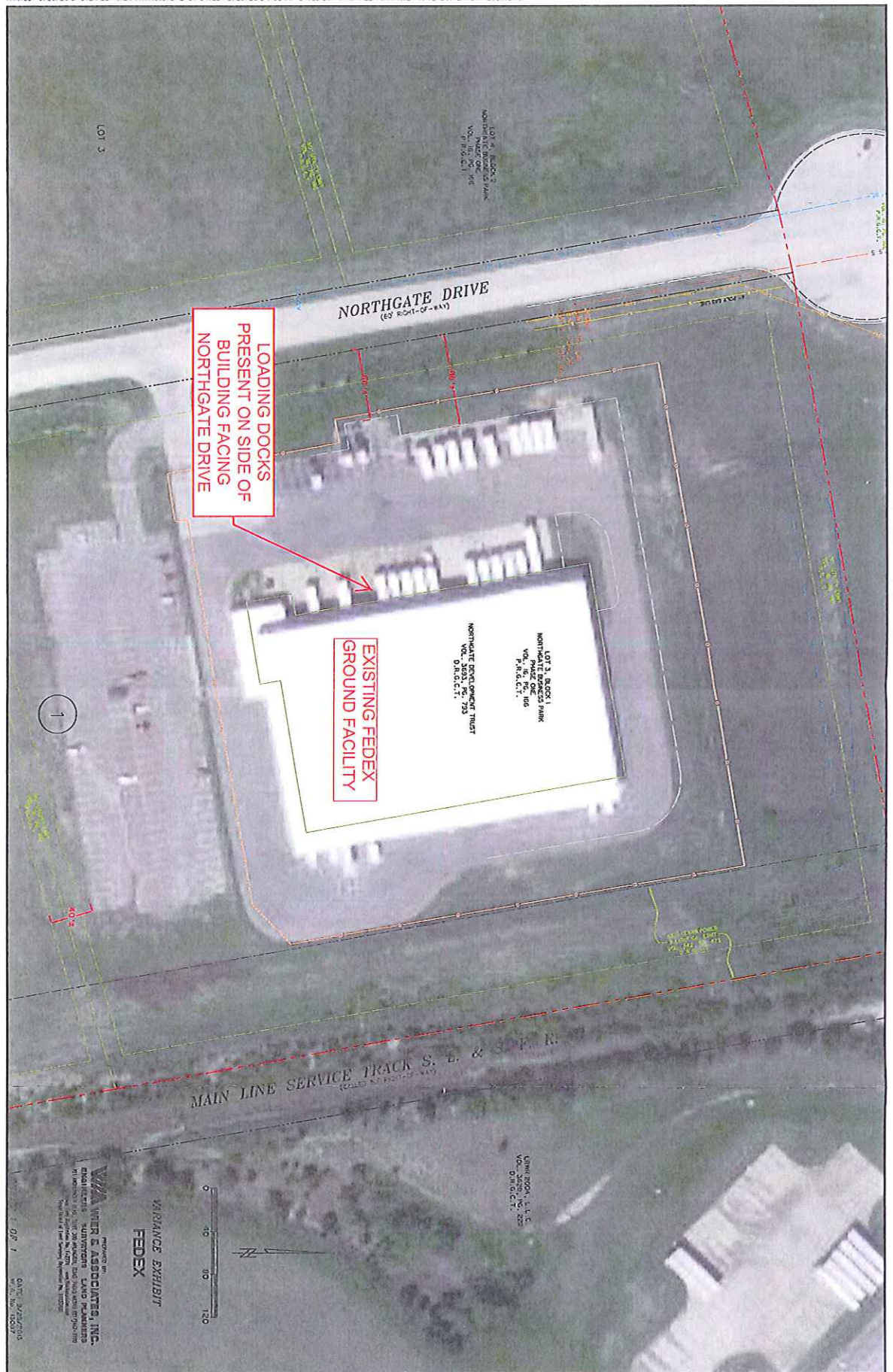
If there are any questions regarding this submittal, please contact me at 972-243-7674 or via email at [mdavenport@schwob.com](mailto:mdavenport@schwob.com).

Sincerely,  
Schwob Building Company, Ltd.



Micah Davenport, GA/C  
Chief Estimator

Enclosures: FedEx Ground – Loading Dock Exhibit



SOUTHEASTERN FREIGHT LINES - VARIANCE REQUEST  
FEDEX GROUND - LOADING DOCK EXHIBIT

October 01, 2013

City of Sherman  
Planning and Zoning Department  
220 W. Mulberry St.  
Sherman, Texas 75090

RE: SOUTHEASTERN FREIGHT LINES INC. – NEW FACILITY  
Northgate Drive, Sherman, Texas

SUBJECT: Variance Request – Front Yard Setback

To Whom It May Concern:

This variance request is to allow our edge of pavement to be closer to the property line that what is allowed by reducing the amount of landscaping along our front setback.

Per the Blalock Industrial Park Ordinance SECTION 2 – Sec. 410 Part 2 (g) “Yards and Setbacks Required,” the front setback shall be 100 feet from any road, street or arterial highway. Such setback areas between the building lines and the roads shall be used for lawns, landscaping and green areas.

We are basing our request on the following:

1. We are using the adjacent existing FedEx Ground facility as precedence. They have constructed their edge of pavement within a minimum of 66 feet and a maximum of 86 feet from the property line. They did not provide the required 100-foot front setback with landscaping between the building and road. (Reference the enclosed FedEx Ground Yard Setback Exhibit)
2. Due to the shape of our building and the geometry of the site, we rotated the “front” of our building 90-degrees from facing Northgate Drive. The “front setback” as written in the Blalock Ordinance now applies to the sidewall of our building.

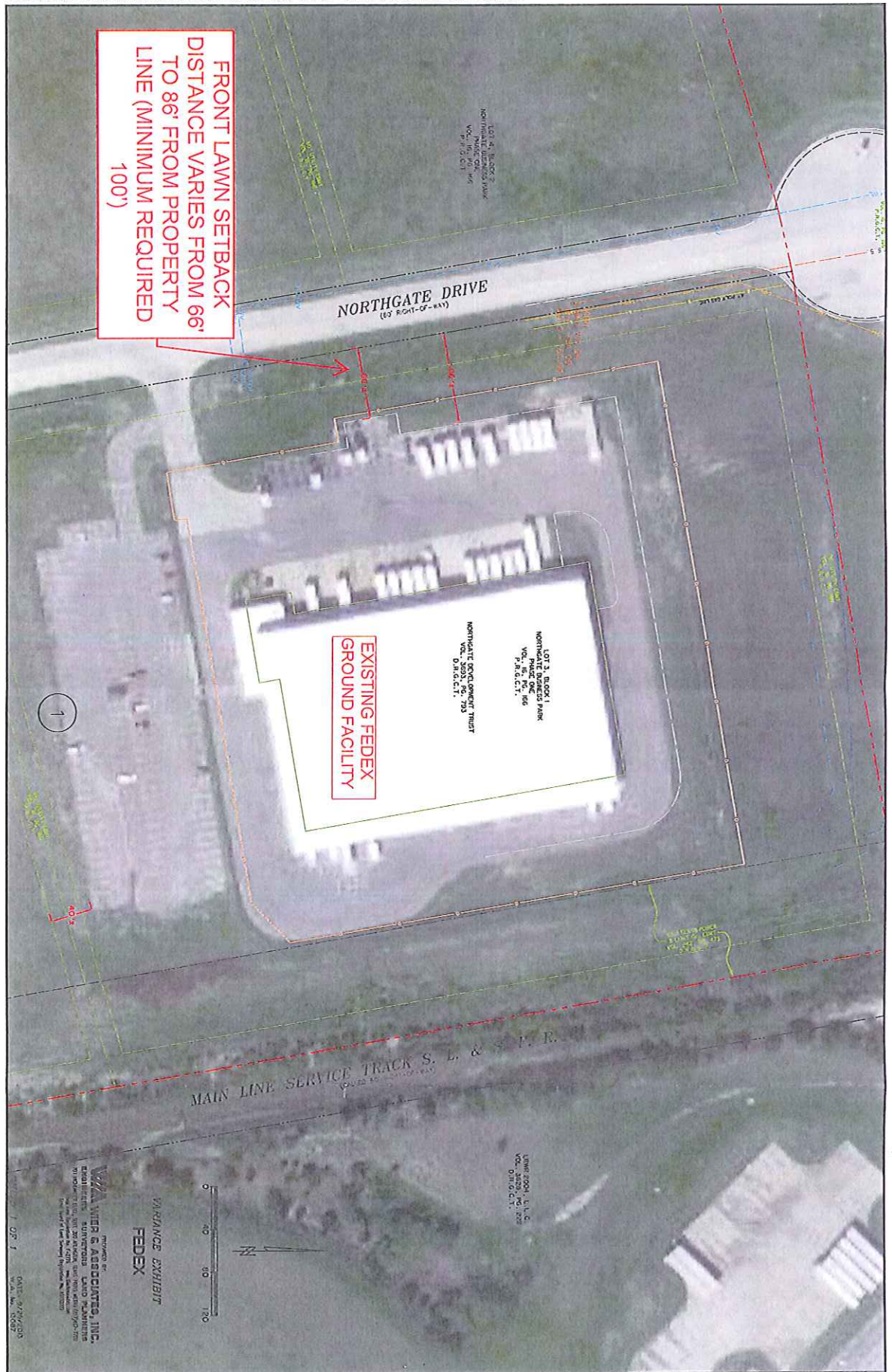
If there are any questions regarding this submittal, please contact me at 972-243-7674 or via email at [mdavenport@schwob.com](mailto:mdavenport@schwob.com).

Sincerely,  
Schwob Building Company, Ltd.



Micah Davenport, GA/C  
Chief Estimator

Enclosures: FedEx Ground – Yard Setback Exhibit



SOUTHEASTERN FREIGHT LINES - VARIANCE REQUEST  
FEDEX GROUND - YARD SETBACK EXHIBIT

October 01, 2013

City of Sherman  
Planning and Zoning Department  
220 W. Mulberry St.  
Sherman, Texas 75090

RE: SOUTHEASTERN FREIGHT LINES INC. – NEW FACILITY  
Northgate Drive, Sherman, Texas

SUBJECT: Variance Request – Fence Setback

To Whom It May Concern:

This variance request is to allow the chain link security fence to be closer to the property line than what is allowed. We are requesting the fence be allowed to be 59.16 feet off the front setback and be directly on the property line along the north side of the property. (See attached site plan with fence outlined in red for clarity.)

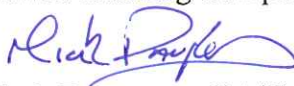
Per the Blalock Industrial Park Ordinance SECTION 2 – Sec. 410 Part 2 (I) “Fences,” no fences, masonry walls, or masked planting shall be permitted to extend beyond the building lines except as may be permitted under the supplementary provisions of this ordinance.

We are basing our request on the following:

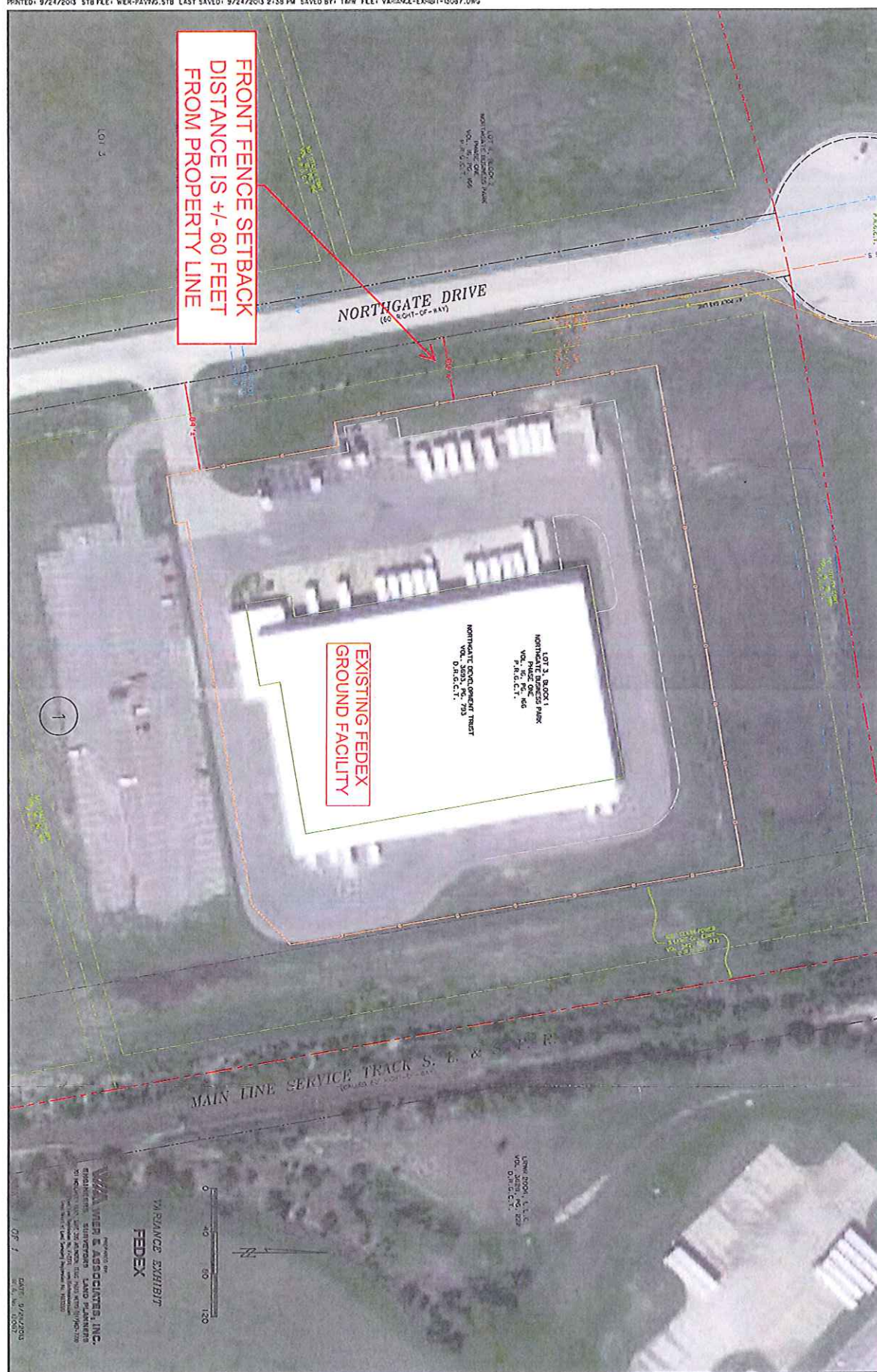
1. We are using the adjacent existing FedEx Ground facility as precedence. They constructed a security fence approximately 60-feet off the front property line. (Reference the enclosed FedEx Ground Fence Setback Exhibit)
2. Due to the shape of our building and the geometry of the site, we rotated the “front” of our building 90-degrees from facing Northgate Drive. Our front building line is actually facing the side property line.
3. Due to the 100'-wide easement granted to Texas Power & Light Co. on the east side of our property, we are recovering as much useable space within our fence line as possible.

If there are any questions regarding this submittal, please contact me at 972-243-7674 or via email at [mdavenport@schwob.com](mailto:mdavenport@schwob.com).

Sincerely,  
Schwob Building Company, Ltd.

  
Micah Davenport, GA/C  
Chief Estimator

Enclosures: FedEx Ground – Fence Setback Exhibit  
Site Plan with Fence Outlined in Red



SOUTHEASTERN FREIGHT LINES - VARIANCE REQUEST  
FEDEX GROUND - FENCE SETBACK EXHIBIT



BEING A TRACT OF LAND LOCATED IN THE ELIZABETH JONES SURVEY, ABSTRACT No. 625, GRAYSON COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO SHERMAN ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 2660, PAGE 656, DEED RECORDS, GRAYSON COUNTY, TEXAS (D.R.G.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC", BEING IN THE EAST LINE OF SAID SHERMAN ECONOMIC DEVELOPMENT TRACT AND THE WEST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO LRWR 2004, L.L.C., RECORDED IN VOLUME 3628, PAGE 222, D.R.G.C.T., FROM WHICH A 1/2" IRON ROD FOUND BEARS N 09°51'40" W, 1,127.29 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID SHERMAN ECONOMIC DEVELOPMENT TRACT AND THE WESTERNMOST NORTHWEST CORNER OF SAID LRWR TRACT;

THENCE S 09°51'40" E, ALONG THE EAST LINE OF SAID SHERMAN ECONOMIC DEVELOPMENT TRACT AND THE WEST LINE OF SAID LRWR TRACT, 938.50 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "MER & ASSOC INC", FROM WHICH A 1/2" IRON ROD FOUND BEARS N 81°51' E, 0.5 FEET, SAID IRON ROD SET WITH CAP BEING THE NORTHEAST CORNER OF LOT 3, BLOCK 1 OF NORTHGATE BUSINESS PARK, PHASE ONE, RECORDED IN VOLUME 16, PAGE 166, PLAT RECORDS, GRAYSON COUNTY, TEXAS (P.R.G.C.T.);

THENCE S 80°08'20" W, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 639.16 FEET TO A PUNCH HOLE IN CONCRETE FOUND, SAID PUNCH HOLE BEING THE NORTHWEST CORNER OF SAID LOT 3, FROM WHICH A 1/2" IRON ROD FOUND BEARS S 74°08'11" W, 663.09 FEET, SAID IRON ROD BEING THE NORTHWEST CORNER OF LOT 4, BLOCK 2 OF SAID NORTHGATE BUSINESS PARK, PHASE ONE;

THENCE N 09°51'40" W, DEPARTING THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 938.50 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC";

THENCE N 80°08'20" E, 639.16 FEET TO THE PLACE OF BEGINNING AND CONTAINING 13.771 ACRES (599,852 SQUARE FEET) OF LAND MORE OR LESS.

1. ACCORDING TO SURVEYOR'S INTERPRETATION OF INFORMATION SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)'S FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO. 4618IC0405F, MAP REVISED SEPTEMBER 29TH, 2010, NO PORTION OF THIS PROPERTY LIES WITHIN A "SPECIAL FLOOD HAZARD AREA (SFHA)" INUNDATED BY 100-YEAR FLOOD" ZONE AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

2. THE ABOVE REFERENCED "FIRM" MAP IS FOR USE IN ADMINISTERING THE "NFIP". IT DOES NOT NECESSARILY SHOW ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL SOURCES, WHICH COULD BE FLOODED BY SEVERE, CONCENTRATED RAINFALL COUPLED WITH INADEQUATE LOCAL DRAINAGE SYSTEMS. THERE MAY BE OTHER STREAMS, CREEKS, LOW AREAS, DRAINAGE SYSTEMS OR OTHER SURFACE OR SUBSURFACE CONDITIONS EXISTING ON OR NEAR THE SUBJECT PROPERTY WHICH ARE NOT STUDIED OR ADDRESSED AS PART OF THE "NFIP".

3. UNDERGROUND UTILITIES IF SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION MARKED BY UTILITY LOCATORS, VISIBLE IMPROVEMENTS AND EXISTING DRAWINGS. THIS SURVEYER MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HEREON ARE IN THE EXACT LOCATION INDICATED. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

4. SURVEYOR IS UNAWARE OF ANY ADDRESS FOR SUBJECT TRACT.

5. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983, AS DERIVED BY FIFD OBSERVATIONS UTILIZING THE RTK NETWORK ADMINISTERED BY WESTERN DATA SYSTEMS.

6. VERTICAL DATUM IS CORRELATED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AS DERIVED BY FIELD OBSERVATIONS UTILIZING THE RTK NETWORK ADMINSTRATED BY WESTERN DATA SYSTEMS. ORIGINATING BENCHMARK IS AN "X" CUT ON THE BACK OF CURB ON THE EAST SIDE OF THE CUL-DE-SAC OF NORTHGATE DRIVE AT LOCATION SHOWN HEREON. ELEVATION = 769.38'.

7. THIS SURVEY WAS PREPARED WITH BENEFIT OF A CURRENT COPY OF COMMITMENT FOR TITLE INSURANCE PREPARED BY FIDELITY NATIONAL TITLE INSURANCE

8. ALL 1/2" IRON RODS SET WITH A CAP STAMPED "WIER & ASSOC INC", UNLESS NOTED OTHERWISE

10. ALL 1/2" IRON RODS SET WITHIN

11. DURING THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS

10. AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

11. ACCORDING TO THE CITY OF SHERMAN ORDINANCE NO. 4697, THE ZONING OF THE SUBJECT PROPERTY WAS ESTABLISHED AS "BLALOCK INDUSTRIAL PARK". THE SUBJECT PROPERTY BEING PART OF THE LANDS DESCRIBED AS TRACT 4.1 SAID ORDINANCE. ACCORDING TO THE CITY OF SHERMAN ZONING INFORMATION WEBSITE, ACCESSED ON SEPTEMBER 5, 2013, THE SUBJECT PROPERTY IS CURRENTLY ZONED "BLALOCK INDUSTRIAL PARK", TRACT 4.1.

<https://www.ci.sherman.tx.us/index.aspx?NID=125> <http://z2codes.tranklinlegal.net/tranklin/Z2Browser2.html?showme=shermans>

12. AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS. THERE ARE FUTURE PLANS TO EXTEND NORTHCOTE DRIVE ALONG THE WEST LINE OF THE SUBJECT TRACT. LINE WORK IS NOT AVAILABLE AND NOT SHOWN HEREON.

THE FOLLOWING EXCEPTIONS TO TITLE ARE LISTED ON SCHEDULE B OF THAT CERTAIN COMMITMENT FOR TITLE INSURANCE (GF No. 240804) (THE "TITLE INSURANCE POLICY") DATED NOVEMBER 6, 2013, DATE EFFECTIVE AUGUST 30, 2013, ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY:

13. AT THE TIME OF THE SURVEY, A POSSIBLE ENCROACHMENT WAS OBSERVED OF CURBING LYING OUTSIDE OF THE TEMPORARY 87.5 FOOT RADIUS ROADWAY EASEMENT, RECORDED IN VOLUME 16, PAGE 166, PLAT RECORDS, GRAYSON COUNTY, TEXAS (P.R.G.C.T.), AS SHOWN HEREON. (ITEM 10J OF SCHEDULE B OF TITLE COMMITMENT)

14. THE EASEMENT TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 942, PAGE 473 (D.R.G.C.T.), IS LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON. THE EASEMENTS TO TEXAS POWER & LIGHT RECORDED IN VOLUME 961, PAGE 212, VOLUME 1077, PAGE 442 AND VOLUME 1098, PAGE 693, D.R.G.C.T. ARE NOT LOCATED ON THE SUBJECT TRACT. (ITEM 107 OF SCHEDULE B OF TITLE COMMITMENT)

15. THE EASEMENT TO LONE STAR GAS COMPANY DESCRIBED IN VOLUME 961, PAGE 168, D.R.G.C.T., IS NOT LOCATED ON THE SUBJECT TRACT. (ITEM 10g OF SCHEDULE B OF TITLE COMMITMENT)

16. THE EASEMENTS TO ST. LOUIS-SAN FRANCISCO AND TEXAS RAILWAY COMPANY DESCRIBED IN VOLUME 945, PAGE 495, VOLUME 1094, PAGE 602 AND VOLUME 1095, PAGE 641, P.P.C.T. ARE NOT LOCATED ON THE SUBJECT TRACT. (ITEM 10h OF SCHEDULE B OF TITLE COMMITMENT)

17. THE EASEMENTS TO TXU ELECTRIC COMPANY, RECORDED IN VOLUME 2970, PAGE 28 AND VOLUME 2980, PAGE 497, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS (O.P.R.G.C.T.), ARE NOT LOCATED ON THE SUBJECT TRACT. (ITEM 101 OF SCHEDULE B OF TITLE COMMITMENT)

18. THE EASEMENT USE AGREEMENT BETWEEN SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND JOHNSON & JOHNSON, RECORDED IN VOLUME 2660, PAGE 673, D.R.G.C.T., ALLOWING SHERMAN ECONOMIC DEVELOPMENT CORPORATION TO HAVE ACCESS TO THE ST. LOUIS, SAN FRANCISCO AND TEXAS RAILWAY COMPANY (IIO COUNTY, TEXAS (D.P.R.G.C.T.)), ARE NOT LOCATED ON THE PROPERTY.

19. THE EASEMENT TO ENTERPRISE TEXAS PIPELINE LLC, RECORDED IN VOLUME 4518, PAGE 731, O.P.R.G.C.T., IS NOT LOCATED ON THE SUBJECT TRACT. (ITEM 10K OF SCHEDULE B OF TITLE COMMITMENT)

20. THE EASEMENT TO ENTERPRISE TEXAS PIPELINE LLC, RECORDED IN VOLUME 4585, PAGE 559, O.P.R.G.C.T., IS NOT LOCATED ON THE SUBJECT TRACT.  
(ITEM 101 OF SCHEDULE B OF TITLE COMMITMENT)

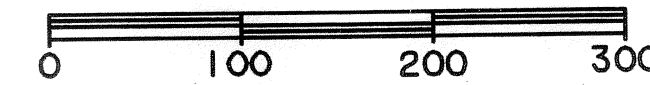
21. SURVEYOR UNABLE TO DETERMINE WHETHER THE MEMORANDUM OF AGREEMENT BETWEEN SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND PANDA SHERMAN POWER, L.L.C. RECORDED IN VOLUME 4719, PAGE 58, O.P.R.G.C.T., AFFECTS THE SUBJECT TRACT DUE TO DOCUMENT MISSING EXHIBITS A THROUGH E. (ITEM 10m OF SCHEDULE B OF TITLE COMMITMENT)

22. THE MEMORANDUM OF EASEMENT OPTION AGREEMENT TO PANDA SHERMAN POWER, LLC, RECORDED IN VOLUME 5121, PAGE 128, O.P.R.G.C.T., IS NOT LOCATED ON THE SUBJECT TRACT. (ITEM 10n OF SCHEDULE B OF TITLE COMMITMENT)

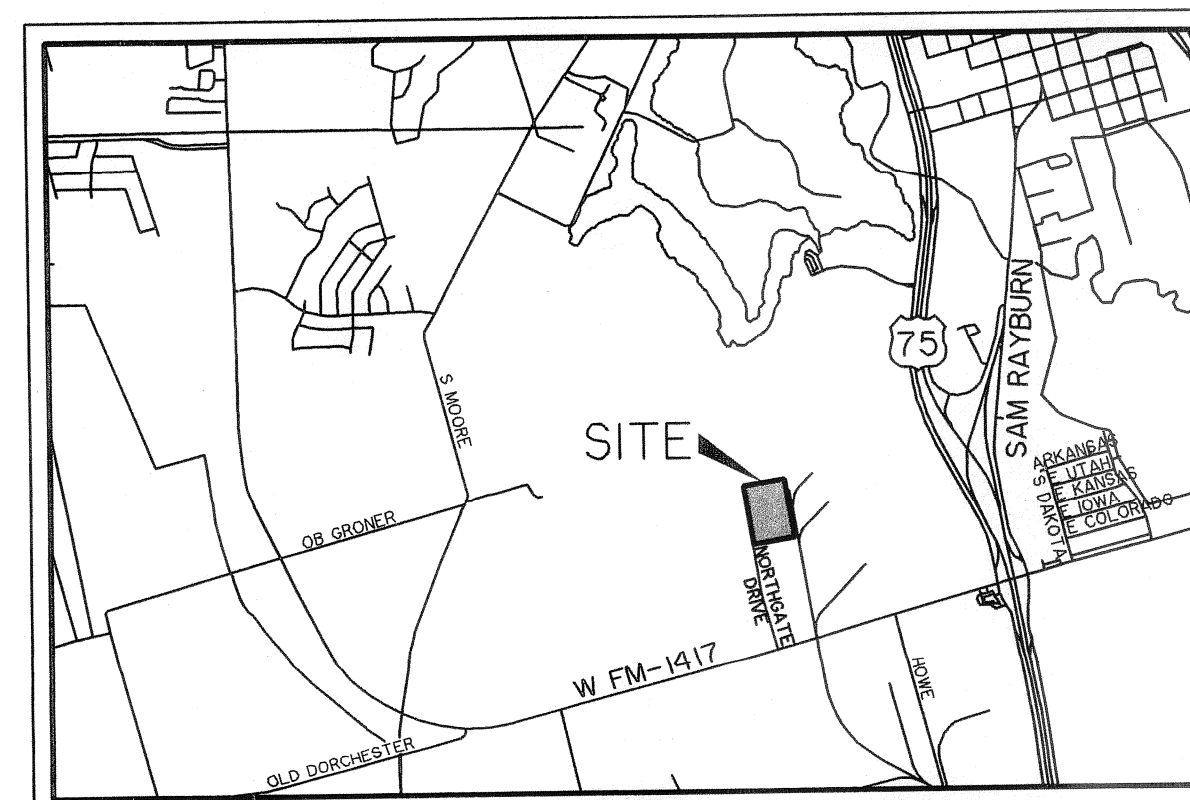
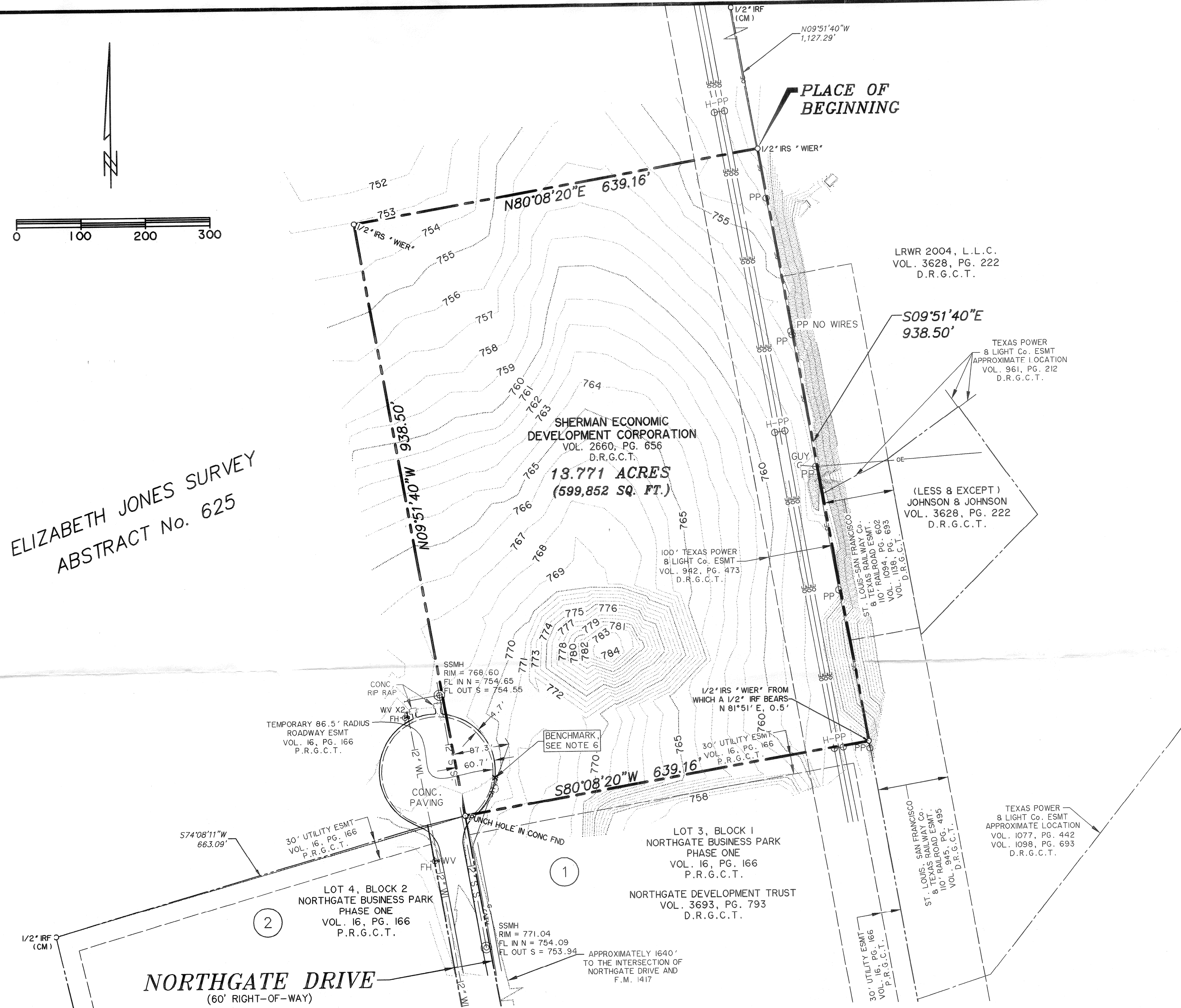
23. THE EASEMENT AGREEMENT TO PANDA SHERMAN POWER, LLC, RECORDED IN VOLUME 5173, PAGE 217, O.P.R.G.C.T., IS NOT LOCATED ON THE SUBJECT TRACT. (ITEM 10a OF SCHEDULE B OF TITLE COMMITMENT)

24. THE EASEMENT AND RIGHT-OF-WAY TO GULF CROSSING PIPELINE COMPANY LLC, RECORDED IN VOLUME 5329, PAGE 93, O.P.R.G.C.T., IS NOT LOCATED ON THE SUBJECT TRACT. (ITEM 10p OF SCHEDULE B OF TITLE COMMITMENT)

|                                                                                            |                              |
|--------------------------------------------------------------------------------------------|------------------------------|
| CM                                                                                         | CONTROLLING MONUMENT         |
| CONC.                                                                                      | CONCRETE                     |
| FH    | FIRE HYDRANT                 |
| FL                                                                                         | FLOW LINE                    |
| GUY   | GUY WIRE                     |
| IRF                                                                                        | IRON ROD FOUND               |
| IRS                                                                                        | IRON ROD SET                 |
| "WIER"                                                                                     | WIER & ASSOC INC             |
| PP                                                                                         | POWER POLE                   |
| H-PP                                                                                       | H-FRAME POWER POLE           |
| SN "                                                                                       | SIGN                         |
| SSMH  | SANITARY SEWER MANHOLE       |
| WV    | WATER VALVE                  |
| OE    | OVERHEAD ELECTRIC LINE       |
| WL                                                                                         | WATER LINE                   |
| SS                                                                                         | SANITARY SEWER LINE          |
| G                                                                                          | UNDERGROUND GAS              |
| CATV                                                                                       | UNDERGROUND CABLE TELEVISION |



ELIZABETH JONES SURVEY  
ABSTRACT No. 625



VICINITY MAP  
NOT TO SCALE

THIS IS TO CERTIFY TO THE FIDELITY NATIONAL TITLE INSURANCE COMPANY, SOUTHEASTERN FREIGHT LINES, INC. AND SHERMAN ECONOMIC DEVELOPMENT CORPORATION, THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH LAWS REGULATING SURVEYING IN THE STATE OF TEXAS, AND WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011 AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 IN TABLE A CONTAINED THEREIN. PURSUANT TO THE ACCURACY STANDARDS ADOPTED BY ALTA AND NSPS, I HAVE MADE THIS SURVEY IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED HEREIN.

RELATIVE POSITIONAL ACCURACY  
SURVEYED ON THE GROUND  
AUGUST 20TH, 2013

9/11  
John R. Anderson

JOHN R. ANDERSON, R.P.L.S.  
STATE OF TEXAS No. 6442  
E-MAIL: [JOHNA@WierAssociates.com](mailto:JOHNA@WierAssociates.com)



**ALTA/ACSM  
LAND TITLE SURVEY**

**WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817) 467-7700  
Texas Firm Registration No. E-2776 [www.wierassociates.com](http://www.wierassociates.com)  
Texas Board of Land Surveying Registration No. 10033900

[illegible]

ALTA/ACSM LAND TITLE SURVEY  
13.771 ACRE TRACT  
LOCATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625  
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

COPYRIGHT ©  
WIER & ASSOCIATES, INC  
LAST SHEET EDIT  
DATE 09-11-2013

WA# 13087  
SHEET NO.  
1 OF 1

- GENERAL NOTES:
1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE
  2. SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.
  3. REFER TO ELECTRICAL SITE LAYOUT FOR PARKING LOT LIGHTING CONDUIT LOCATIONS AND LANDSCAPE IRRIGATION PLANS FOR IRRIGATION SLEEVE LOCATIONS.
  4. ALL CURB RETURNS ARE 5' RADII UNLESS OTHERWISE SPECIFIED.
  5. SPEED BUMPS ARE NOT PERMITTED WITHIN A FIRELANE.
  6. TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
  7. THE EXTERIOR WALLS OF THE PROPOSED BUILDING ARE TO BE MADE OF BRICK AND METAL SIDING.

ELIZABETH JONES SURVEY  
ABSTRACT No. 625

ZONE: BIP (BLALOCK  
INDUSTRIAL  
PARK)

FENCE ON  
PROPERTY LINE

SHERMAN ECONOMIC  
DEVELOPMENT CORPORATION  
VOL. 2660, PG. 656  
D.R.G.C.T.

TEMPORARY 86.5' RADIUS  
ROADWAY ESMT  
(TO BE ABANDONED  
WITH PHASE TWO)  
VOL. 16, PG. 166  
P.R.G.C.T.

LOT 4, BLOCK 2  
NORTHGATE BUSINESS PARK  
PHASE ONE  
VOL. 16, PG. 166  
P.R.G.C.T.

NORTHGATE DRIVE

ZONE: BIP (BLALOCK  
INDUSTRIAL  
PARK)

NORTHGATE DEVELOPMENT TRUST  
VOL. 3693, PG. 793  
D.R.G.C.T.

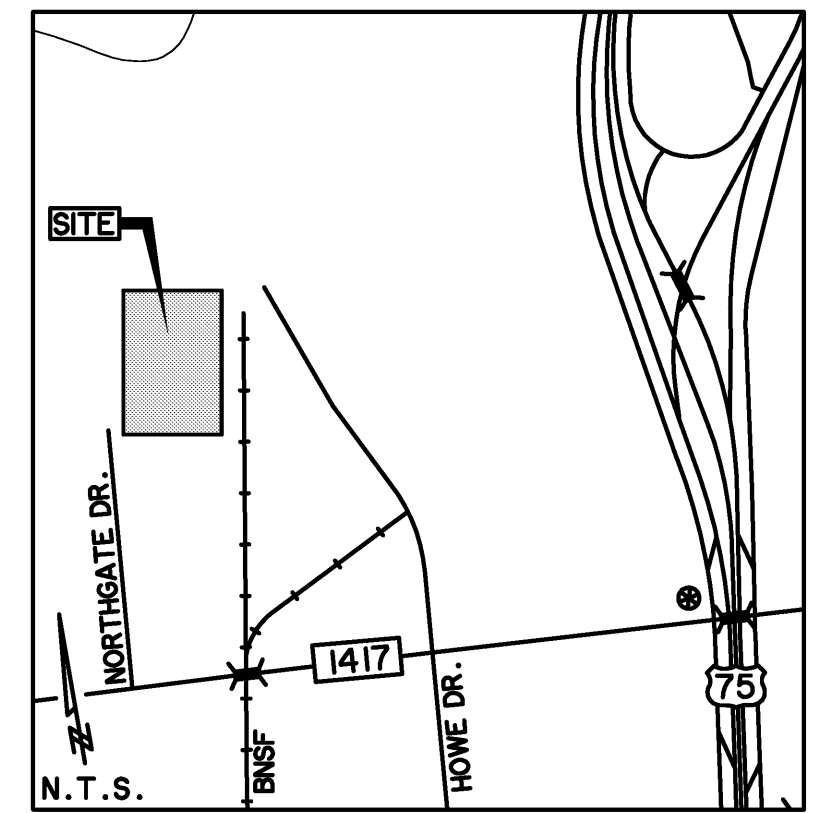
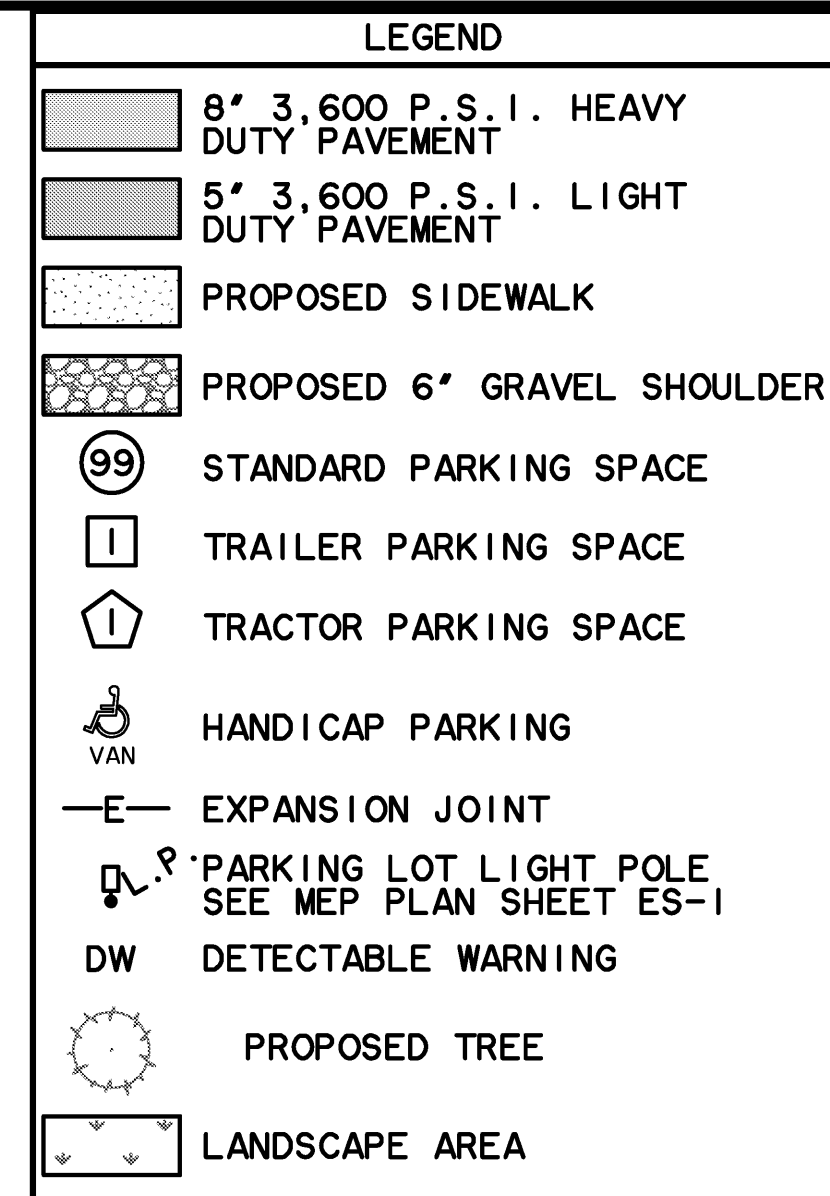
LOT 3, BLOCK  
NORTHGATE BUSINESS PARK  
PHASE ONE  
VOL. 16, PG. 166  
P.R.G.C.T.

LRWR 2004, L.L.C.  
VOL. 3628, PG. 222  
D.R.G.C.T.

(LESS & EXCEPT)  
JOHNSON & JOHNSON  
VOL. 3628, PG. 222  
D.R.G.C.T.

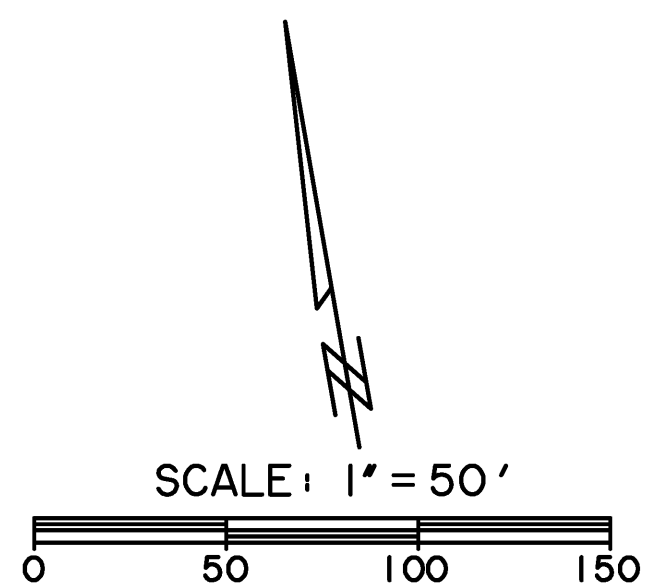
OWNER:  
SHERMAN ECONOMIC  
DEVELOPMENT CORPORATION  
307 W. WASHINGTON, SUITE 102  
SHERMAN, TX 75090  
(903) 868-2566

APPLICANT:  
SOUTHEASTERN FREIGHT LINES, INC.  
420 DAVEGA ROAD  
LEXINGTON, SC 29073  
(803) 794-7300



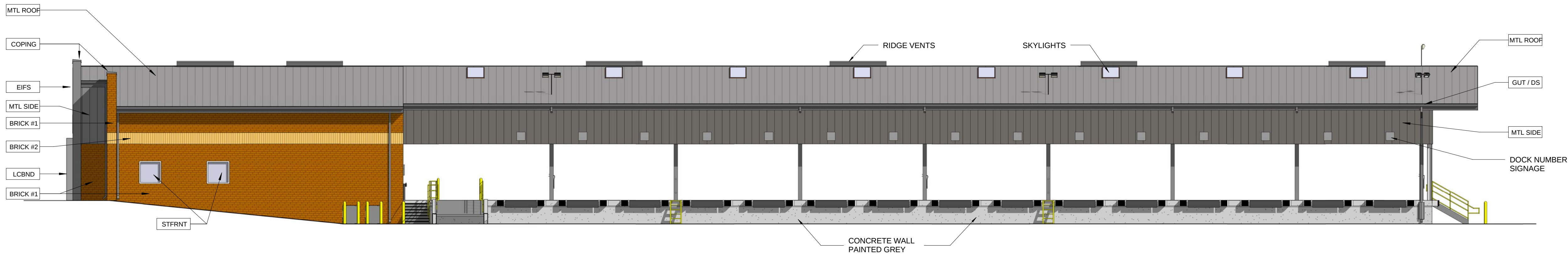
VICINITY MAP

| SITE TABULATION  |                 |
|------------------|-----------------|
| BUILDING AREA    | 15,433 SQ. FT.  |
| LOT AREA         | 599,820 SQ. FT. |
| PARKING REQUIRED | 21 SPACES       |
| PARKING PROVIDED | 193 SPACES      |
| IMPERVIOUS AREA  | 242,962 SQ. FT. |
| LANDSCAPE AREA   | 356,858 SQ. FT. |



SITE PLAN  
LOT 1, BLOCK A  
SOUTHEASTERN FREIGHT LINES  
AN ADDITION TO THE CITY OF SHERMAN,  
GRAYSON, TEXAS, BEING  
13.771 ACRES OF LAND  
LOCATED IN THE ELIZABETH JONES SURVEY,  
ABSTRACT No. 625, CITY OF SHERMAN,  
GRAYSON COUNTY, TEXAS

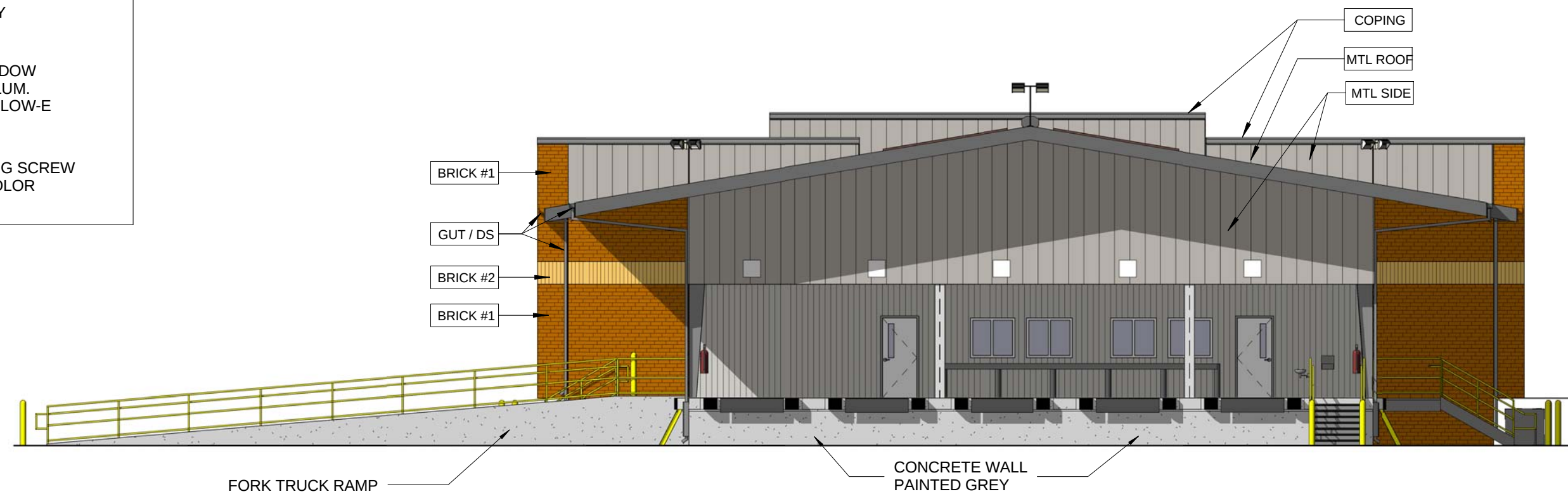
PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817) 467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
Texas Board of Land Surveying Registration No. 10033900



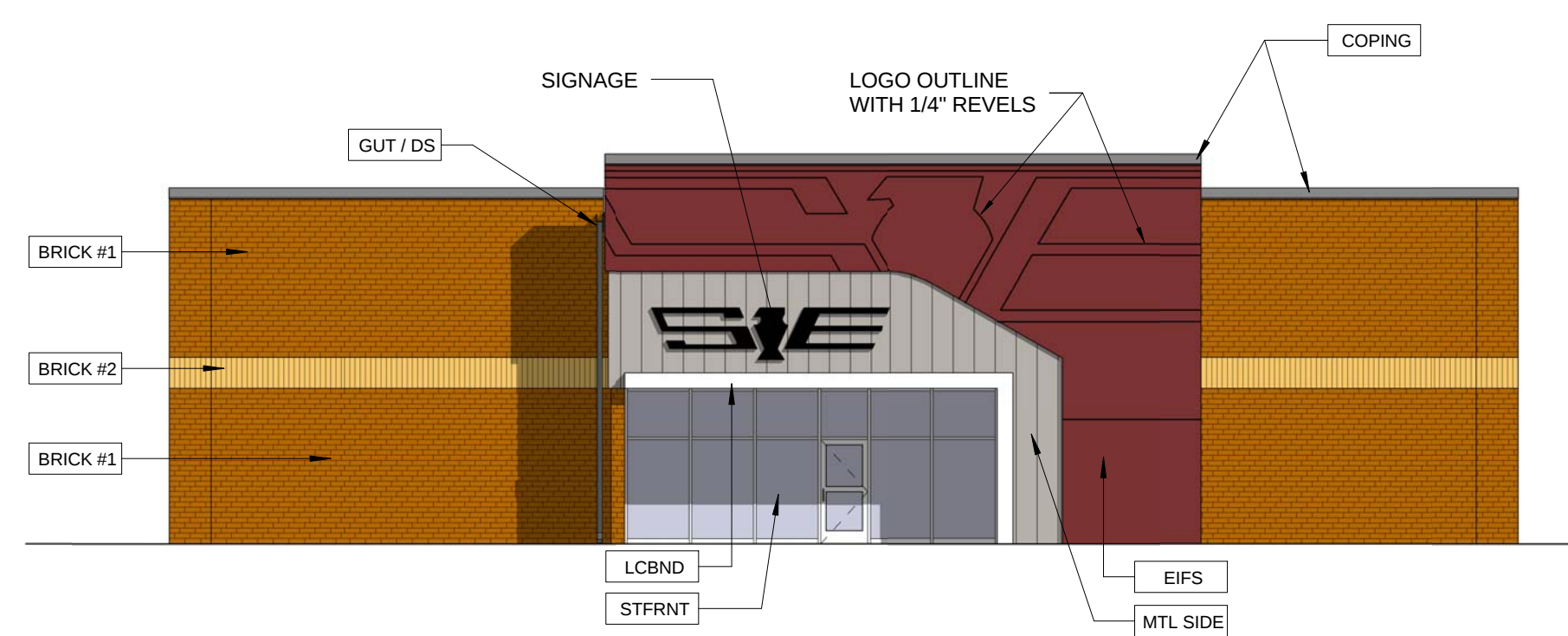
4 EAST ELEVATION  
3/32" = 1'-0"

#### EXTERIOR MATERIALS LEGEND

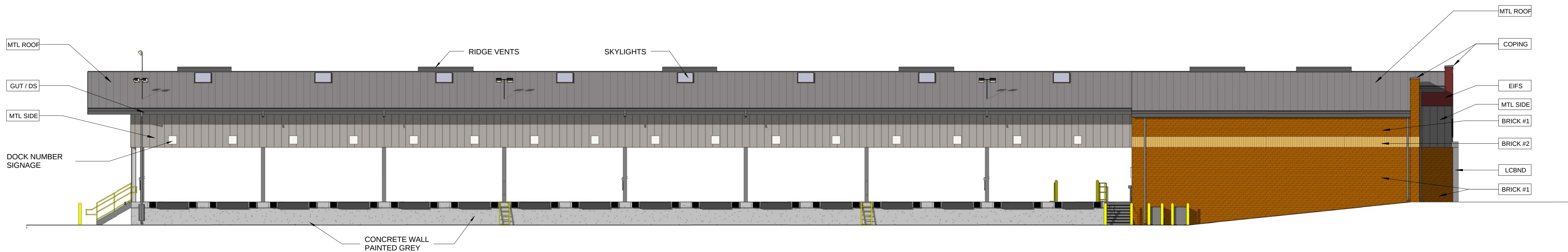
|          |                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------|
| BRICK 1  | MAIN BODY BRICK: COLOR #1                                                                       |
| BRICK 2  | ACCENT BODY BRICK: COLOR #2                                                                     |
| MTL SIDE | PRE-FINISHED METAL BUILDING SIDING: GREY COLOR                                                  |
| COPING   | PRE-FINISHED METAL PARAPET COPING: COLOR #1 SILVER ALUMINUM                                     |
| LCBND    | PRE-FINISHED METAL PANEL SYSTEM WITH WEATHER RESISTANT BACKING : COLOR - SILVER                 |
| E.I.F.S. | E.I.F.S. : COLOR #1                                                                             |
| GUT / DS | DOWNSPOUT / GUTTER : GREY                                                                       |
| STFRNT   | ALUMINUM STOREFRONT WINDOW SYSTEM: CLEAR ANODIZED ALUM. FINISH: ALL GLASS SHALL BE LOW-E CLEAR. |
| MTL ROOF | PRE-FINISHED METAL BUILDING SCREW DOWN ROOF PANEL: GREY COLOR                                   |



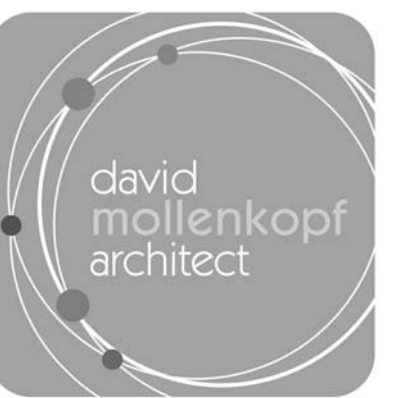
3 NORTH ELEVATION  
3/32" = 1'-0"



2 SOUTH ELEVATION  
3/32" = 1'-0"



1 WEST ELEVATION  
3/32" = 1'-0"



209 10th Ave South • Suite 414  
Nashville, Tennessee 37203  
v: 615.296.9146 • f: 615.733.0052

TX LICENSE 19620 - EXP 12-31-13  
Architect: David J. Mollenkopf



Contractor:  
**Schwob  
BUILDINGCOMPANY**  
2349 Glenda Lane  
Dallas, TX 75229



Project Description:  
**SOUTHEASTERN  
FREIGHT LINES**  
NORTHGATE DRIVE  
SHERMAN, TX

ELEVATIONS Sept 24 2013

Project No. 13039.00

The Architect hereby reserves its common law copyright and other property rights in these plans, ideas and designs which are not to be reproduced, changed or copied in any form or manner whatsoever, nor are they to be assigned to any third party without first obtaining the express written permission from the Architect. The drawing is not final or to be used for construction until signed by the Architect.

Sheet Name:  
Unnamed

Sheet Number:

A-1



**Planning & Zoning Commission and Board of  
Adjustments**

**Agenda Item No. 9.**

**Meeting Date:** 10/22/2013

**Prepared by:** Patsy Reeves, Developmental Services Admin Secretary

**Approved by:** Scott Shadden, Director of Development Services

**Commissioners:** Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Andrew Olmstead, Commissioner

---

**Requested Action/Proposed Use:**

**3209 NORTHGATE DRIVE**

The request of Sherman Economic Development Corporation (Owners), WT Brogdon, Southeastern Freight Lines, Inc. (Applicant), David Mollenkopf (Architect), Schwob Building Company, LTD (Contractor), Wier & Associates, Inc. (Engineers/Land Planners) and Underwood Drafting & Surveying, Inc. (Surveyors) concerning the property located at 3209 Northgate Drive, being 13.771 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

***Planning and Zoning Commission***

- Site plan approval to Ordinance No. 2252 Article IV, Section 410(2)(j) for Southeastern Freight Lines in the Blalock Industrial Park.
- Exception to Ordinance No. 2252, Article IV, Section 410(2)(m) to allow architectural panels for Southeastern Freight Lines in lieu of masonry or factory finished metal panels in the Blalock Industrial Park.
- Exception to Ordinance No. 2252, Article IV, Section 410(2)(i) to allow overhead doors, loading docks, and tractor and dolly parking facing Northgate Drive in the Blalock Industrial Park.
- Exception to Ordinance No. 2252, Article IV, Section 410(2)(l) to allow a chain link fence on the property line in lieu of 100' setback required on the west side and on the property line in lieu of 55.7' setback required on the north side in the Blalock Industrial Park.
- Exception to Ordinance No. 2252, Article IV, Section 410(2)(g)(1) to allow a 74' front lawn, landscape and green area in lieu of the 100' required in the Blalock Industrial Park.

**Background:**

The property is located at 3209 Northgate Drive off FM 1417 West in the Northgate Business Park. Southeastern Freight Lines operates as a commercial less-than-truckload (LTL) freight carrier. The facility will operate as a freight transfer facility where freight from inbound trucks is offloaded onto the dock area. It is then transferred and loaded into outbound trucks for delivery.

Southeastern Freight Lines would like to construct a 15,433 square foot freight carrier facility. The exterior will be brick masonry at the office portion of the terminal with factory finished PEMB reverse rolled R-panel walls along the dock portion. Due to the orientation of the building the "front" of the building does not face Northgate Drive. A landscape berm along Northgate Drive will be constructed to limit the line-of-sight from the roadway, the side of the building facing the street is only partially visible. They will provide 193 parking spaces and erect a chain link fence around the facility.

**Adjacent Zoning:**

Blalock Industrial Park

**Origination:**

Sherman Economic Development Corporation (Owners)  
WT Brogdon, Southeastern Freight Lines, Inc. (Applicant)  
David Mollenkopf (Architect)  
Schwob Building Company, LTD (Contractor)  
Wier & Associates, Inc. (Engineers/Land Planners)  
Underwood Drafting & Surveying, Inc. (Surveyors)

**Master Plan Designation:**

Business Park and Research – Business Park designation allows for compatibility with the use of the roadway and rail system for frequent truck and rail traffic. Industrial and office uses are the most appropriate and compatible land uses adjacent to a truck route and the state road and/or rail system. Typical tenants of a business park and research center include light industrial manufacturing, wholesaling, warehouse facilities, light assembly plants, research and development firms and distribution centers.

**Number of notices mailed:**

36

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Photo

Narratives & Examples

Survey

Site Plan

Elevations

Staff Review Letter

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**STAFF REVIEW LETTER**

October 16, 2013

Sherman Economic Development Corp.  
Scott Connell  
307 W. Washington, Ste. 102  
Sherman, TX 75090

Wier & Associates, Inc.  
701 Highlander Blvd., Ste. 300  
Arlington, TX 76015

Southeastern Freight Lines, Inc.  
WT Brogdon  
PO Box 1691  
Columbia, SC 29202

David Mollenkopf  
209 10<sup>th</sup> Ave., Ste. 414  
Nashville, TN 37203

Underwood Drafting & Surveying  
3404 Interurban Rd.  
Denison, TX 75021

Schwob Building Company, LTD  
2349 Glenda Lane  
Dallas, TX 75229

Dear Applicants,

The request for site plan approval for the Southeastern Freight Lines, Inc. in the Blalock Industrial Park for the property located at 3209 Northgate Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2013 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the Blalock Industrial Park Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
3. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20'.
4. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

5. The dumpster location shall be reviewed and approved by the Director of Public Works and Engineering.
6. Drive approaches shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
7. Detention in accordance with City criteria is required.
8. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
9. The Fire Marshal shall review for access.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission.

You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

10/22/13 P&Z Meeting – 3209 Northgate Dr. – Site Plan – Southeastern Freight Lines

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden  
Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager  
Mark Gibson, Director Utilities & Engineering Services  
Clay Barnett, City Engineer

Jamie Baggs, Fire Marshal  
Brandon Shelby, City Attorney  
Lisa Whitfield, Engineering & Development Coordinator



## SHERMAN CITY COUNCIL

### Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. G. 5.**

**Meeting Date:** 11/18/2013

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** George Olson, City Manager

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**Caption:**

**OTHER BUSINESS**

Final Plat Approval of Northgate Business Park, Phase Two, being 14.335 acres in the Elizabeth Jones Survey, Abstract No. 625; Sherman Economic Development Corporation, Owners; and Underwood Drafting & Surveying, Inc., Surveyors (3209 Northgate Drive)

**Issue:**

To consider Final Plat approval of Northgate Business Park, Phase Two

**Background:**

The property is located at 3209 Northgate Drive off of F.M. 1417 West (Heritage Parkway) in the Northgate Business Park. The owners would like to plat the property into one lot for industrial development.

**Origination:**

Sherman Economic Development Corporation (Owners)  
Underwood Drafting & Surveying, Inc. (Surveyors)

**Financial Consideration:**

None

**Staff Recommendation:**

At the October 22, 2013 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

**Alternatives:**

None

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### **Attachments**

Location Map

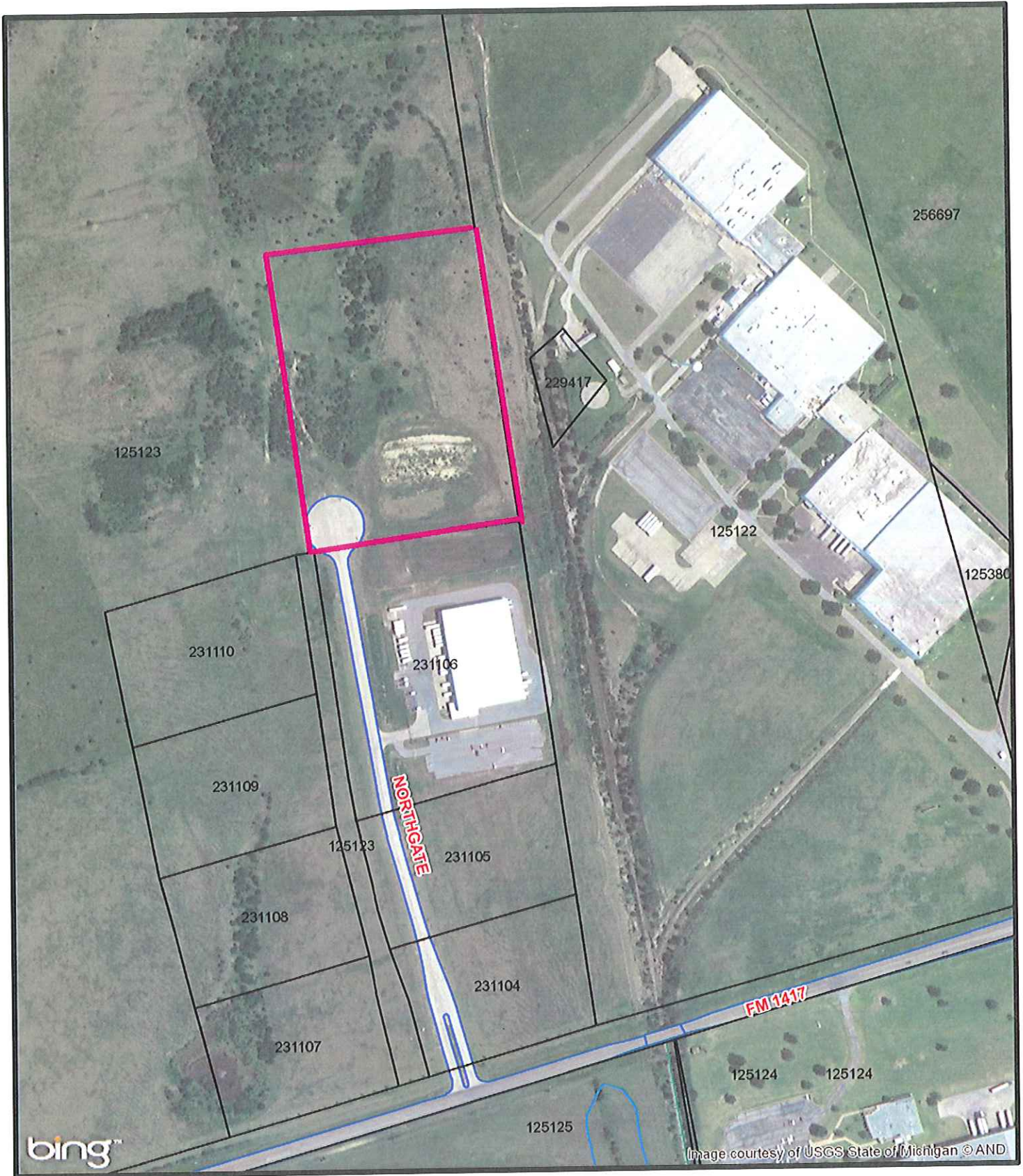
Zoning Map

Final Plat

P&Z Communication

Staff Review Letter

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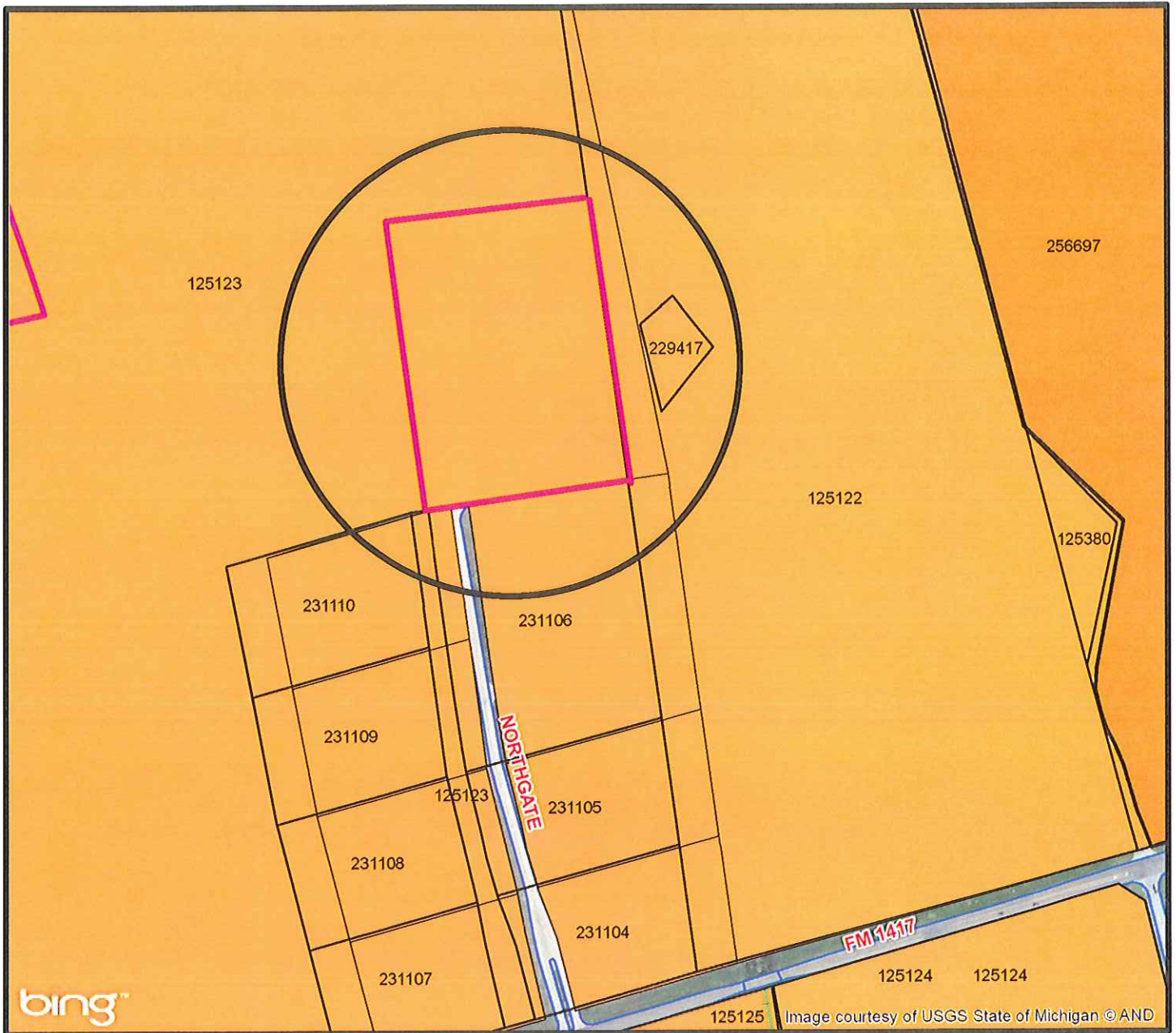
**3209 Northgate Drive**

City of Sherman, Texas  
Developmental Services Department

*Sherman*  
CLASSIC TOWN. BROAD HORIZON.



1 inch = 392 feet



## Zoning - 3209 Northgate Drive

### Legend

|                                            |                                         |
|--------------------------------------------|-----------------------------------------|
| O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT       | C-2 General Commercial District         |
| O 1.1 FM 1417 OVERLAY DISTRICT             | M-1 Light Manufacturing District        |
| O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT | R-A Single Family Agricultural District |
| C B D DOWNTOWN BUSINESS DISTRICT           | SF-1 Single Family Residential District |
| C P O COLLEGE PARK OVERLAY DISTRICT        | M-1.5 Medium Manufacturing District     |
| A & C ARTS & CULTURAL OVERLAY DISTRICT     | M-2 Heavy Manufacturing District        |
| CO Office District                         | MH Manufacturing Housing District       |
| R-1 One Family Residential District        | Blalock Commercial District             |
| R-2 Multi-Family Residential District      | BIP Blalock Industrial Park             |
| C-1 Retail Business District               |                                         |



## LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 314.444 acre tract of land conveyed by Sherman Industrial Districts, Inc., to Johnson & Johnson by deed dated November 29, 1960, recorded in Volume 924, Page 40, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" steel rod found maintaining the northeast corner of Lot 3, Block 1 of Northgate Business Park, Phase One, an addition to the City of Sherman as recorded in Volume 16, Page 166, Plat Records, Grayson County, Texas, said rod being in the west right-of-way line of the St. Louis & San Francisco Railway Company service track West of the main plant and facilities of said Johnson & Johnson;

Thence South 80°08'20" West with the north line of said Lot 3, a distance of 639.16 feet to a "X" cut in concrete found maintaining the northwest corner of said Lot 3;

Thence South 77°11'59" West, a distance of 60.08 feet to a 1/2" steel rod set for the northeast corner of Lot 4, of said Phase One;

Thence North 09°51'40" West, a distance of 411.50 feet to a set 1/2" steel rod;

Thence North 80°08'20" East, a distance of 60.00 feet to a set 1/2" steel rod;

Thence North 09°51'40" West, a distance of 530.08 feet to a set 1/2" steel rod;

Thence North 80°08'20" East, a distance of 639.16 feet to a 1/2" steel rod set;

Thence South 09°51'40" East, a distance of 938.50 feet to the POINT-OF-BEGINNING and containing 14.335 acres of land.

## KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood  
Registered Professional  
Land Surveyor, No. 4709

| LINE TABLE |        |               |
|------------|--------|---------------|
| LINE       | LENGTH | BEARING       |
| L1         | 30.00  | S 80°08'19" W |
| L2         | 60.00  | N 09°51'41" W |
| L3         | 30.00  | N 80°08'19" E |
| L4         | 30.00  | N 09°51'41" W |
| L5         | 60.00  | N 80°08'19" E |

| CURVE TABLE |        |        |               |          |
|-------------|--------|--------|---------------|----------|
| CURVE       | LENGTH | RADIUS | CHORD         | DISTANCE |
| C 1         | 18.85' | 12.00' | N 54°51'41" W | 16.97'   |
| C 2         | 18.85' | 12.00' | N 35°08'19" E | 16.97'   |

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman

Secretary

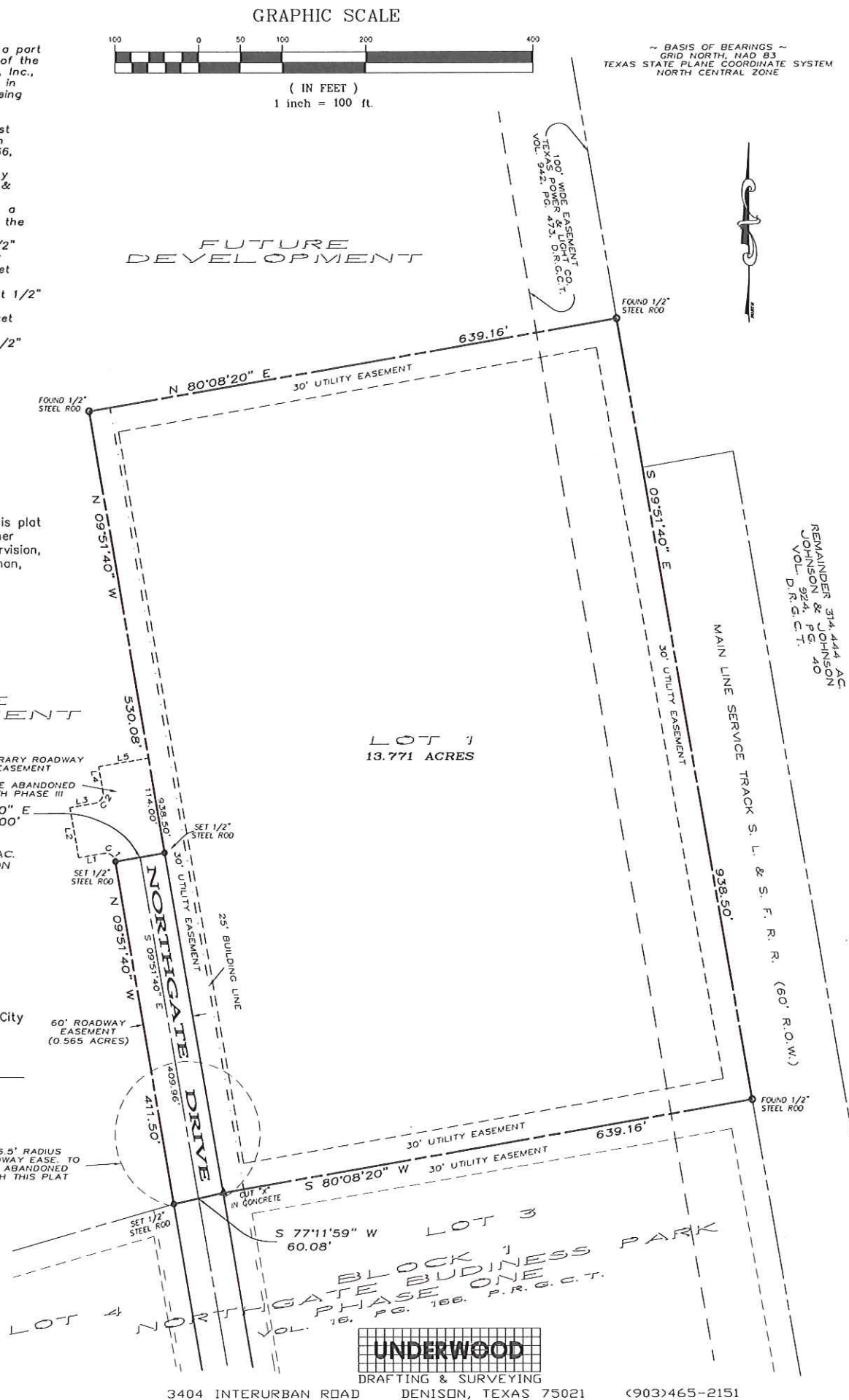
Accepted by the City Council of the City Sherman

Mayor, City of Sherman, Texas

Date

**SURVEYOR**  
DOUGLAS W. UNDERWOOD  
R.P.L.S. NO. 4709  
3404 INTERURBAN ROAD  
DENISON, TEXAS

**OWNER**  
SHERMAN ECONOMIC  
DEVELOPMENT CORPORATION



The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, Final Plat of Northgate Business Park, Phase Two, to the City of Sherman, Texas, was submitted to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Clerk, City of Sherman, Texas

## NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT We, Sherman Economic Development Corporation, being the owner of the hereinabove described property hereby adopt this plat designating said property as Final Plat of Northgate Business Park, Phase Two, an addition to the City of Sherman, Texas, and does hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times, have the right of ingress and egress to, from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Sherman Economic  
Development Corporation

## STATE OF TEXAS COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Notary Public in and for  
the State of Texas  
Commission Expires: \_\_\_\_\_

**FINAL PLAT  
OF  
NORTHGATE BUSINESS PARK  
PHASE TWO  
A 14.335 ACRE ADDITION TO THE  
CITY OF SHERMAN  
GRAYSON COUNTY, TEXAS**

09/12/13

JOB NO. 13090409

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



**Planning & Zoning Commission and Board of  
Adjustments**

**Agenda Item No. 8.**

**Meeting Date:** 10/22/2013

**Prepared by:** Patsy Reeves, Developmental Services Admin Secretary

**Approved by:** Scott Shadden, Director of Development Services

**Commissioners:** Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Andrew Olmstead, Commissioner

---

**Requested Action/Proposed Use:**

**\* 3209 NORTHGATE DRIVE**

The request of Sherman Economic Development Corporation (Owners) and Underwood Drafting & Surveying, Inc. (Surveyors) concerning the property located at 3209 Northgate Drive, being 14.335 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

***Planning and Zoning Commission***

Final plat approval of Northgate Business Park, Phase Two.

**Background:**

The property is located at 3209 Northgate Drive off FM 1417 West in the Northgate Business Park. The owners would like to plat the property into one lot for industrial development.

**Adjacent Zoning:**

Blalock Industrial Park

**Origination:**

Sherman Economic Development Corporation (Owners)

Underwood Drafting & Surveying, Inc. (Surveyors)

**Master Plan Designation:**

Business Park and Research – Business Park designation allows for compatibility with the use of the roadway and rail system for frequent truck and rail traffic. Industrial and office uses are the most appropriate and compatible land uses adjacent to a truck route and the state road and/or rail system. Typical tenants of a business park and research center include light industrial manufacturing, wholesaling, warehouse facilities, light assembly plants, research and development firms and distribution centers.

**Number of notices mailed:**

36

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Plat

Staff Review Letter

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**STAFF REVIEW LETTER**

October 16, 2013

Sherman Economic Development Corp.  
Scott Connell  
307 W. Washington, Ste. 102  
Sherman, TX 75090

Southeastern Freight Lines, Inc.  
WT Brogdon  
PO Box 1691  
Columbia, SC 29202

Dear Applicants,

The request for approval of a Final Plat of Northgate Business Park, Phase Two, for the property located at 3209 Northgate Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2013 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. A POB Notation shall be shown on the plat.
5. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
6. Detention in accordance with City criteria is required.
7. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
8. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Clay Barnett  
Dir. of Public Works and Engineering

CC: George Olson, City Manager  
Brandon Shelby, City Attorney  
Jamic Baggs, Fire Marshal  
Lisa Whitfield, Engineering & Development Coordinator  
Underwood Drafting & Surveying, 3404 Interurban Rd., Denison, TX 75021

Scott Shadden, Director of Development Services  
Mark Gibson, Director of Utilities  
Don Keene, Dir. of Community and Support Services



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. G. 6.**

**Meeting Date:** 11/18/2013

**Prepared By:** Mark Gibson, Director of Utilities

**Approved By:** George Olson, City Manager

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**Caption:**

**OTHER BUSINESS**

Continue the Repair and Reworking of Three City Water Wells Under an Emergency Designation

**Issue:**

To allow the reworking and repair of three City water wells under an emergency designation

**Background:**

The current Capital Improvement Program (CIP) contains a project to repair and upgrade three City water wells (Stephens T-1, Stephens W-2, and Old Settlers T-1). The contract for the evaluation and pump replacement in each of the three wells has been previously awarded. Following the evaluation of the wells, it was deemed necessary to repair and work over the wells in addition to replacing pumping components. Due to the time involved to repair the wells and the need to return the wells to service as soon as possible, it is requested that the Council authorize the staff to proceed on an emergency basis to rework and repair the wells. The existing contractor will be utilized to rework the wells.

**Origination:**

Utilities Administration, Department #710

**Financial Consideration:**

The Capital Improvement Program (CIP) contains \$625,000 for repair of the three wells. It is anticipated that the repairs can be accomplished within the CIP budget. Should additional funds be required, a change order will be issued to the contractor.

**Staff Recommendation:**

It is recommended that the request be approved by the City Council.

**Alternatives:**

As may be directed by the City Council

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### **Attachments**

Geologist's Report on Wells

Contractor Proposal for Repair of Wells

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**LBG-GUYTON ASSOCIATES**  
**PROFESSIONAL GROUNDWATER AND**  
**ENVIRONMENTAL ENGINEERING SERVICES**

11111 KATY FREEWAY  
SUITE 850  
HOUSTON, TX 77079  
713-468-8600  
FAX No.: 713-468-4956

M E M O R A N D U M

TO: Mr. Oscar Canales  
City of Sherman

FROM: W. John Seifert, Jr., P.E. 

SUBJECT: Review of Camera Surveys for City of Sherman Old Settlers #1 Trinity,  
Stephens #1 Trinity and Stephens #2 Woodbine Wells

DATE: October 18, 2013

Our comments regarding review of the video surveys and potential work that should be performed at the wells are provided below.

Old Settlers #1 Trinity Well

1. Video survey of the well was performed on October 7 by Weisinger Incorporated.
2. The survey shows a bulge at a weld at a depth of about 1,179 feet. This is in the 16-inch diameter casing that was set in 1956 and cemented in place. Recommend that the residue be brushed or removed from the wall of the casing and another video survey be performed.
3. At a depth of 1,262 feet there is a pile of sediment that is on top of part of a pump bowl assembly. The pump bowl assembly should be removed, but prior to that action, recommend that the sediment be removed either by jetting by the airlift method with the end of the jetting pipe at the depth of the sediment or by setting a high rate test pump in the well and pumping the well to have water from below the partial pump assembly flow upward and carry the sediment upward. We believe that jetting the fill from the well

could have a greater likelihood of success than setting a pump. The static water level in the well was measured at 640 feet.

4. We do not know the exact size of the pump bowl, but the pump bowl is resting on the top of the 8-5/8-inch liner that extends upward to a depth of 1,270 feet inside the 16-inch diameter casing. The screen section of the well could be viewed after the pump is removed.

#### Stephens #1 Trinity Well

1. Camera survey of the well was performed on September 23 by Weisinger Incorporated. The well is constructed with 16-inch diameter casing that extends to a depth of 1,502 feet. The screen and blank liner extends from the total depth of the well of about 2,231 feet back to a depth of 1,296 feet. The construction records show that the shutter screen is constructed of stainless steel. The records also show that the well was constructed in 1967.
2. The video shows that through a reasonable part of the depth interval of the shutter screen that the shutter screen openings are occluded with fill. Some of the fill appears to be black to gray in color and there could be less fill in the shutter screen below a depth of about 2,000 feet. The top of the shutter screen is at a depth of about 1,511 feet. At the bottom of the well at 2,070 feet there appears to be water movement with water somewhat boiling up from below as it was moving the sediment that has been deposited at the bottom of the well. Recommend that about 5 feet of bull rock, which is larger size rock, be deposited on top of the sediment to form a plug over the top of the sediment. Also recommend that the shutter screen be brushed or cleaned in another manner.
3. A sample of sediment from the pump bowl was provided and inspected. The sediment has somewhat of an iron/sulfur odor and is just very fine grain, sandy to silty material, brownish-red in color. It is possible that some of this type sediment would be removed in the brushing or cleaning of the well screen and the jetting or airlift pumping to remove the fill resulting from cleaning. Treating the well with a high dose of chlorine could help with the control of the development of more of this type material. Recommend that the contractor be consulted regarding any ideas they may have regarding the fine silty material.

## Stephens #2 Woodbine Well

1. The camera survey of the well was performed on September 23. The well is constructed with 20-inch diameter casing set and cemented to a depth of 560 feet. In the depth interval from 0 to 570 feet inside the 20-inch casing, 12-3/4-inch casing was installed. In the depth interval from 570 to 1,044 feet, alternating sections of screen and blank liner were installed. The screen sections were constructed of stainless steel shutter type screen. The video survey shows the well static water level at a depth of 339 feet.
2. Review of the video survey shows that the inside of the 12-inch liner is in reasonable condition. There is some type of white material that has accumulated on the inside of the 12-inch liner at a depth of about 621 feet. There continues to be a significant amount of sediment deeper in the liner section. At a depth of 789 feet there is a swedge where the liner reduces in diameter from 12-3/4 inches to 10-3/4 inches O.D.
3. At a depth of 772 feet there is part of the pump bowl assembly with about a 6-inch section of the pump bowl shaft sticking up. The pump should be removed by using a method that is acceptable to the Owner, as discussed with the contractor. One method may be to go in with an overshot and latch onto the pump shaft to remove the pump. There may be other methods that are proposed and used in this endeavor.
4. After the partial pump bowl assembly is removed, a video can be performed of the rest of the screen and blank liner with further evaluation of any rehabilitation work needed. It is likely that cleaning of the inside of the screen and blank liner would be advisable, based on what is observed in the depth interval from about 570 to 772 feet.

If you have questions concerning any of the information or recommendations for any of the wells, please do not hesitate to contact us.

# Weisinger Incorporated

Water Resource Professionals

November 8, 2013

Mr. Oscar Canales  
City of Sherman  
220 W Mulberry St  
Sherman, TX 75090

***Re: Well Repairs – Old Settlers No. 1 Trinity, Stephens No. 1 Trinity, and  
Stephens No. 2 Woodbine Well Videos***

Dear Mr. Canales:

We have performed video surveys of each of these wells. Following are our observations and recommendations.

## **Stephens No. 1 Trinity Well**

A video survey was performed on September 23rd. The static water level was observed at 651 feet. Very light scale was noted on the 16 inch casing.

The top of the 10 inch liner is at 1297 feet. A vertical weld seam was viewed at 1495 feet. The top of the shutter screen sections is at 1511 feet. The screens are heavily occluded to about 1680 feet, then less so to about 2000 feet. Below 2000 feet the shutters are lightly occluded. The well video was cloudy below about 1730 feet.

Fill was observed at 2170 feet. With the camera on side view at 2170.5 feet, it appears water is almost gushing into the well, indicating a possible failed section in the liner/screen. The reported depth of the well is 2231 feet, so there is about 60 feet of fill in the well.

To address the potential failed section at 2170 feet, we recommend placing about 10 feet of bull rock in the bottom of the well on top of the fill at 2170 feet. Then we recommend brushing the screens. Due to the residue from the well that we observed, we would also recommend superchlorinating the well, and then jetting the well after the superchlorination. A follow-up video is also recommended.

The cost for this work is:

| <u>Item</u>                 | <u>Unit</u> | <u>Qty.</u> | <u>Unit Price</u> | <u>Total Price</u> |
|-----------------------------|-------------|-------------|-------------------|--------------------|
| Mobilization and setup      | Hr.         | 30          | \$ 200.00         | \$ 6,000.00        |
| Hauling, workover equipment | Hr.         | 15          | \$ 375.00         | \$ 5,625.00        |
| Install rock in well        | Hr.         | 30          | \$ 375.00         | \$ 11,250.00       |
| Rock                        | L.S.        | 1           | \$ 200.00         | \$ 200.00          |
| Wirebrush well              | Hr.         | 30          | \$ 375.00         | \$ 11,250.00       |

*Regulated by the Texas Dept. of Licensing & Regulation: P.O. Box 12157 Austin, TX 78711 (800)803-929 or (512)463-7880*

**Weisinger Incorporated**  
2200 East Davis St.  
Conroe, TX 77301  
TDLR: 1992 AI

936-756-7721  
281-353-8484  
936-756-7723 fax  
[www.weisingerinc.com](http://www.weisingerinc.com)

|                      |      |    |             |              |
|----------------------|------|----|-------------|--------------|
| Superchlorinate Well | Hr.  | 40 | \$ 375.00   | \$ 15,000.00 |
| Chlorine             | L.S. | 1  | \$ 600.00   | \$ 600.00    |
| Video Well           | Ea.  | 1  | \$ 1,400.00 | \$ 1,400.00  |
|                      |      |    | Total       | \$ 51,325.00 |

Also, the following rate would be applicable:

| <u>Item</u>    | <u>Unit</u> | <u>Unit Price</u> |
|----------------|-------------|-------------------|
| Per Diem, crew | Day         | \$ 300.00         |

### Old Settlers No. 1 Trinity Well

A video survey was performed on October 7<sup>th</sup>. There was buildup observed on the 16 inch casing at 183 feet. The static water level was observed at 639 feet. Vertical pipe seams were observed at 876 to 879 feet, and 937-939 feet. Buildup was noted at 1052 feet. A heavy section of buildup is observed at 1178 feet.

At 1262 feet, material is built up on the top of the 8 inch liner (top of 8 inch liner reported depth is 1270 feet). Part of the pump bowl assembly is in this built up section.

We recommend brushing the residue on the well casing at 1179 feet, jetting the well at the fill, spotting acid where the pump is located to clear any remaining fill, jetting this acid, and performing another video prior to fishing. Also, the well will need to have a dummy run in past the obstruction at 1179 feet to insure the fishing tools can be run past this point. We would then attempt to fish the pump out, then video the well screens.

The cost for this work is:

| <u>Item</u>                                                                         | <u>Unit</u> | <u>Qty.</u> | <u>Unit Price</u> | <u>Total Price</u> |
|-------------------------------------------------------------------------------------|-------------|-------------|-------------------|--------------------|
| Mobilization and setup workover equipment                                           | Hr.         | 20          | \$ 200.00         | \$ 4,000.00        |
| Hauling, workover equipment                                                         | Hr.         | 10          | \$ 375.00         | \$ 3,750.00        |
| Wirebrush well                                                                      | Hr.         | 20          | \$ 375.00         | \$ 7,500.00        |
| Jet Well                                                                            | Hr.         | 38          | \$ 375.00         | \$ 14,250.00       |
| Spot acid in well                                                                   | Hr.         | 10          | \$ 375.00         | \$ 3,750.00        |
| Acid                                                                                | Gal.        | 30          | \$ 8.00           | \$ 240.00          |
| jet out acid                                                                        | Hr.         | 10          | \$ 375.00         | \$ 3,750.00        |
| Dummy Well                                                                          | Hr.         | 20          | \$ 375.00         | \$ 7,500.00        |
| Video Well                                                                          | Ea.         | 1           | \$ 1,400.00       | \$ 1,400.00        |
| Modify and fabricate fishing tool for fishing operation, mobilize fishing equipment |             |             |                   |                    |
| Machinist                                                                           | Hr.         | 30          | \$ 75.00          | \$ 2,250.00        |
| Welders                                                                             | Hr.         | 40          | \$ 110.00         | \$ 4,400.00        |
| Shop labor, build & load                                                            | Hr.         | 30          | \$ 90.00          | \$ 2,700.00        |

|                                    |           |      |    |             |              |
|------------------------------------|-----------|------|----|-------------|--------------|
|                                    | Materials | L.S. | 1  | \$ 1,800.00 | \$ 1,800.00  |
| Hauling, tools & fishing equipment |           | Hr.  | 20 | \$ 200.00   | \$ 4,000.00  |
| Video Well after fishing           |           | Ea.  | 1  | \$ 1,400.00 | \$ 1,400.00  |
|                                    |           |      |    | Total       | \$ 62,690.00 |

Also, the following rates would be applicable:

| <u>Item</u>    | <u>Unit</u> | <u>Unit Price</u> |
|----------------|-------------|-------------------|
| Fishing, crew  | Hr.         | \$ 600.00         |
| Per Diem, crew | Day         | \$ 300.00         |

### Stephens No. 2 Woodbine Well

A well video was performed on September 23<sup>rd</sup>. The reported 20 inch casing depth is 560 feet. Scale was observed on the 12 inch liner at 500 feet. The shutter screen sections between 567 feet and 655 feet are occluded. Buildup was observed on the liner at 621 feet and 656 feet. The liner is more heavily scaled with increasing depth.

Fill was observed at 772 feet. There appears to be a pump shaft sticking up from the fill. A 12 inch by 10 inch swage is at a reported depth of 790 feet. The reported well depth is 1044 feet.

We recommend spotting acid where the pump is located to clear the fill, jetting this acid, and performing another video prior to fishing. We would then attempt to fish the pump out, then video the remainder of the well.

The cost for this work is:

| <u>Item</u>                                                                         | <u>Unit</u> | <u>Qty.</u> | <u>Unit Price</u> | <u>Total Price</u> |
|-------------------------------------------------------------------------------------|-------------|-------------|-------------------|--------------------|
| Mobilization and setup workover equipment                                           | Hr.         | 30          | \$ 200.00         | \$ 6,000.00        |
| Hauling, workover equipment                                                         | Hr.         | 15          | \$ 375.00         | \$ 5,625.00        |
| Spot acid in well                                                                   | Hr.         | 10          | \$ 375.00         | \$ 3,750.00        |
| Acid                                                                                | Gal.        | 30          | \$ 8.00           | \$ 240.00          |
| Jet out acid                                                                        | Hr.         | 12          | \$ 375.00         | \$ 4,500.00        |
| Video Well                                                                          | Ea.         | 1           | \$ 1,400.00       | \$ 1,400.00        |
| Modify and fabricate fishing tool for fishing operation, mobilize fishing equipment |             |             |                   |                    |
| Machinist                                                                           | Hr.         | 30          | \$ 75.00          | \$ 2,250.00        |
| Welders                                                                             | Hr.         | 40          | \$ 110.00         | \$ 4,400.00        |
| Shop labor, build & load                                                            | Hr.         | 30          | \$ 90.00          | \$ 2,700.00        |
| Materials                                                                           | L.S.        | 1           | \$ 1,800.00       | \$ 1,800.00        |
| Hauling, tools & fishing equipment                                                  | Hr.         | 20          | \$ 200.00         | \$ 4,000.00        |
| Video Well after fishing                                                            | Ea.         | 1           | \$ 1,400.00       | \$ 1,400.00        |
| Total                                                                               |             |             |                   | \$ 38,065.00       |

Also, the following rate would be applicable:

| <u>Item</u>    | <u>Unit</u> | <u>Unit Price</u> |
|----------------|-------------|-------------------|
| Fishing, crew  | Hr.         | \$ 600.00         |
| Per Diem, crew | Day         | \$ 300.00         |

This proposal is based on Weisinger Incorporated constructing and using our own fishing tools. Please note in each case, if outside services are required, the price for this would be cost plus 30%. Also, any associated trucking would be at \$ 200.00 per hour.

Please let us know if you have any questions or require any additional information.

Best Regards,



Mark S. Harkness  
Weisinger Incorporated



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. J. 1.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

---

**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Parks and Recreation Advisory Board (3)

**Issue:**

Michael Gillum's term on the Parks and Recreation Advisory Board expired on October 4, 2013; John Murphy's term expired on October 6, 2013; and Trent Bass' term expired on November 8, 2013. All members are eligible for reappointment and would like to be reappointed. There are no other applications for service on the Board.

**Background:**

The Parks and Recreation Advisory Board advises the City Council on long-range planning and implementation of programs and activities conducted by the Parks and Recreation Department.

**Origination:**

The reappointments originated with the City Clerk's Office.

**Financial Consideration:**

There is no financial consideration.

**Staff Recommendation:**

It is recommended that the City Council consider reappointments to the Parks and Recreation Advisory Board.

**Alternatives:**

The Council could choose not to make reappointments to the Board.

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## **Attachments**

Roster

Fact Sheet

Applicant List

Michael Gillium Reappointment Letter

Trent Bass Reappointment Letter

John Murphy Reappointment Letter

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# MEMBERSHIP ROSTER

## PARKS & RECREATION BOARD

LENGTH OF TERMS: TWO YEARS

Ord. 4112 Consecutive Term Limit (3)\*effective 7/24/89

| MEMBER          | DISTRICT | TERM<br>BEGINS                            | TERM<br>EXPIRES                     | TERMS       | MEMBERSHIP<br>REQUIREMENTS |
|-----------------|----------|-------------------------------------------|-------------------------------------|-------------|----------------------------|
| Tracey Brown    | 4        | A 5/21/2013                               | 5/21/2015                           | 1           |                            |
| Rhonda McCollum | 1        | A 10/2/2012                               | 10/2/2014                           | 1           |                            |
| Lauren Roth     | 4        | A 5/17/2011<br>R 5/17/2013                | 5/17/2013<br>5/17/2015              | 1<br>2      |                            |
| Michael Gillum  | 2        | A 10/4/2011                               | 10/4/2013                           | 1           |                            |
| Jencie Bolin    | 1        | A 10/2/2012                               | 10/2/2014                           | 1           |                            |
| John Murphy     | 1        | A 10/6/2009<br>R 10/6/2011                | 10/6/2011<br>10/6/2013              | 1<br>2      |                            |
| Trent Bass      | 1        | U 3/17/2009<br>R 11/8/2009<br>R 11/8/2011 | 11/8/2009<br>11/8/2011<br>11/8/2013 | 0<br>1<br>2 |                            |

### NOTE:

Chair: Trent Bass  
Vice Chair:

Term: October 2009

# FACT SHEET

## PARKS AND RECREATION BOARD

Established by ORDINANCE 3181 – MARCH 28, 1977

1. Number of Members: SEVEN (7)
2. Term of Appointment: TWO (2) YEARS
3. Consecutive Term Rule: THREE (3) TERMS – ORDINANCE 4112 (7/24/89)
4. Qualifications for Membership: INTEREST IN PROGRAMS AND ACTIVITIES CONDUCTED BY PARKS AND RECREATION DEPARTMENT. A STUDENT OF SHERMAN HIGH SCHOOL DESIGNATED BY STUDENT COUNCIL, AND THE DIRECTOR OF PARKS AND RECREATION SHALL BE EX-OFFICIO, NON-VOTING MEMBERS
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization  
  
CHAIRPERSON E VICE CHAIRPERSON      SECRETARY A  
  
ELECTED      APPOINTED
7. Departmental Responsibility: PARKS AND RECREATION DEPARTMENT
8. Meeting Date: FIRST WEDNESDAY OF EACH MONTH
9. Attendance Requirements: WILL FORFEIT SEAT BY MISSING 3 CONSECUTIVE MEETING WITHOUT GOOD CAUSE

=====

### PURPOSE:

To assist in long-range planning and implementation of programs and activities conducted by the Parks and Recreation Department.

### RESPONSIBILITIES:

Advise concerning future development; to study and make recommendations concerning additional park land or sites; and to recommend means for maximum utilization of facilities.

## APPLICANT LIST

Parks and Recreation Advisory Board

Positions Vacant 3

| Applicant      | Address             | District | Qualifications                           |
|----------------|---------------------|----------|------------------------------------------|
| Michael Gillum | 5300 Bello Vista Dr | 2        | Current Member; Wishes to be Reappointed |
| Trent Bass     | 7 Vancouver Place   | 1        | Current Member; Wishes to be Reappointed |
| John Murphy    | 1707 Moreland Dr.   | 2        | Current Member; Wishes to be Reappointed |

COMMENTS:

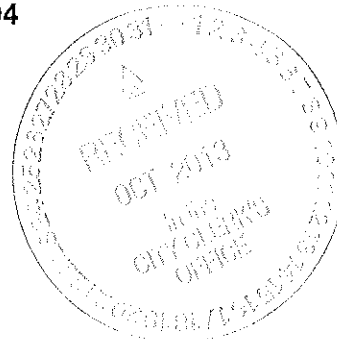


City Clerk's Office

PUBLIC RECORDS DEPARTMENT

Phone No. (903) 892-7204

Fax No. (903) 892-7394



October 4, 2013

Michael Gillum  
5300 Bello Vista Dr.  
Sherman, Texas 75090

RE: Parks and Recreation Advisory Board

Dear Mr. Gillum:

Your term on the Parks and Recreation Advisory Board expired on October 4, 2013. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

Linda Ashby  
City Clerk

cc: Kevin Winkler, Parks and Recreation Administrator

☒

I do wish to be considered for reappointment to this board

☐ I do not wish to be considered for reappointment to this board

Signature

10-14-13  
Date

Please return to: City of Sherman  
City Clerk's Office  
P.O. Box 1106  
Sherman, Texas 75091-1106

**PUBLIC RECORDS DEPARTMENT**

**Phone No. (903) 892-7204**

**Fax No. (903) 892-7394**

October 4, 2013

Trent Bass  
7 Vancouver Place  
Sherman, Texas 75092



RE: Parks and Recreation Advisory Board

Dear Mr. Bass:

Your term on the Parks and Recreation Advisory Board expires on November 8, 2013. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

*Linda Ashby*

Linda Ashby  
City Clerk

cc: Kevin Winkler, Parks and Recreation Administrator

  X  

I do wish to be considered for reappointment to this board

I do not wish to be considered for reappointment to this board

*[Signature]*  
Signature

10/15/13  
Date

Please return to: City of Sherman  
City Clerk's Office  
P.O. Box 1106  
Sherman, Texas 75091-1106



## City Clerk's Office

## PUBLIC RECORDS DEPARTMENT

Phone No. (903) 892-7204

Fax No. (903) 892-7394

November 4, 2013

John Murphy  
1707 Moreland Drive  
Sherman, Texas 75090



RE: Parks and Recreation Advisory Board

Dear Mr. Murphy:

Your term on the Parks and Recreation Advisory Board expires on October 6, 2013. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

Linda Ashby  
City Clerk

cc: Kevin Winkler, Parks and Recreation Administrator

I do wish to be considered for reappointment to this board

I do not wish to be considered for reappointment to this board

  
Signature11/12/13  
Date

Please return to: City of Sherman  
City Clerk's Office  
P.O. Box 1106  
Sherman, Texas 75091-1106



**City Council Regular Meeting**

**Agenda Item No. J. 2.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

---

**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Historical Preservation Board

**Issue:**

There are currently four vacancies on the Historical Preservation Board. Jim Jacobs and Ivert Mayhugh have completed applications for service on the Board.

**Background:**

The Historical Preservation Board promotes the educational, cultural, economic, and general welfare of Sherman by preserving and protecting the historic or architecturally worthy houses and other buildings located within the district. With Council approval, they regulate the alterations, demolition, construction, reconstruction, remodeling or modifications of buildings in the Historical Preservation District.

**Origination:**

The appointments originated with the Development Services Department.

**Financial Consideration:**

There is no financial consideration to the City.

**Staff Recommendation:**

It is recommended that the City Council consider appointments to the Historical Preservation Board.

**Alternatives:**

The alternative is to delay appointments to the Board.

---

### **Attachments**

Roster

Fact Sheet

Applicant List

Jim Jacobs Application

Ivert Mayhugh Application

---

# MEMBERSHIP ROSTER

## HISTORICAL PRESERVATION BOARD

LENGTH OF TERMS: 4 YEARS  
Consecutive Term Limit 3 Terms

| MEMBER                | DISTRICT | TERM<br>BEGINS | TERM<br>EXPIRES | TERMS | MEMBERSHIP<br>REQUIREMENTS |
|-----------------------|----------|----------------|-----------------|-------|----------------------------|
| Vacant                |          |                |                 |       | Historical Development     |
| Vacant                |          |                |                 |       | Interest in Architecture   |
| Vacant                |          |                |                 |       | Historical Development     |
| Vacant                |          |                | 4/29/2015       |       | P&Z Member                 |
| Walcott "Wally" Black | 4        | A 2/18/2003    | 2/18/2007       | 1     | Historical Development     |
|                       |          | R 2/18/2007    | 2/18/2011       | 2     |                            |
|                       |          | R 2/18/2011    | 2/18/2015       | 3     |                            |

### NOTE:

Chair:

Vice Chair: na

CITY STAFF: Code Enforcement  
Revised 2/3/2012

# FACT SHEET

## HISTORICAL PRESERVATION BOARD

Established by ORDINANCE 3229 – MARCH 20, 1978; UPDATED BY ORDINANCE 5207 – FEBRUARY 2, 2004

1. Number of Members: FIVE
2. Term of Appointment: FOUR YEARS
3. Consecutive Term Rule: THREE TERMS – ORDINANCE 4112 – (7/24/89)
4. Qualifications for Membership: (1) P&Z MEMBER; (1) ARCHITECT OR DESIGN PERSON OR WITH PRACTICAL EXPERIENCE, KNOWLEDGE, OR INTEREST IN THE ARCHITECTURE OF THE PERIOD; (1) WITH INTEREST IN HISTORY AND HERITAGE OF SHERMAN; (2) WITH INTEREST IN TOTAL DEVELOPMENT OF CITY
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization  
  
CHAIRPERSON E VICE CHAIRPERSON      SECRETARY       
  
ELECTED E APPOINTED
7. Departmental Responsibility: CODE ENFORCEMENT AND MANAGEMENT
8. Meeting Date: SET BY BOARD
9. Attendance Requirements: NO RULE

=====

### PURPOSE:

To promote the educational, cultural, economic, and general welfare of Sherman by preserving and protecting the historic or architecturally worthy houses and other buildings located within the district.

### RESPONSIBILITIES:

Regulates, with Council approval, the alterations, demolition, construction, reconstruction, remodeling, or modifications of buildings in historical preservation district.

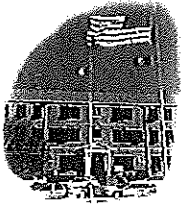
## APPLICANT LIST

HISTORICAL PRESERVATION BOARD

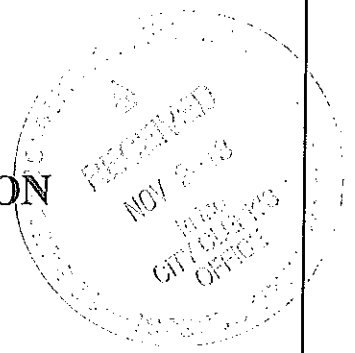
Positions Vacant 4

| APPLICANT     | ADDRESS          | DISTRICT | QUALIFICATIONS                     |
|---------------|------------------|----------|------------------------------------|
| Jim Jacobs    | 1918 Jamaica     | 1        | Investigator, TALCB                |
| Ivert Mayhugh | 1119 S. Crockett | 4        | Owner, Touch of Class Antique Mall |

**COMMENTS:**



# CITY OF SHERMAN APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP



Return completed application to:

City Clerk's Office  
220 W. Mulberry  
P.O. Box 1106  
Sherman, TX 75091  
Fax: (903) 892-7394

Please type or use black ink

Please complete one application for each board or commission membership

Please limit attachments to two pages

For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name:

JAMES E. JACOBS

(Please print legal name and your name as you wish it to appear, if different.)

Name of Board  
or Commission:

HISTORICAL PRESERVATION

☒ Yes, I would be interested in serving on subcommittees that may be formed.

## Personal Information

## Occupational Information

Home Address: 1912 JAMAICA

Business Name: TALCB

Mailing Address: 1912 JAMAICA

Occupation: Investigator

Telephone: 903-870-6011 Fax: \_\_\_\_\_

Address: 321 W. Houston

E-Mail: jjacobs10@gmail.com

Telephone: 903-893-2795 Fax: \_\_\_\_\_

Sherman Resident for 24 years County: \_\_\_\_\_

E-Mail: jim.jacobs@

Drivers License No.: 05841989

Talcb, Texas.gov

Voter Registration No.: ? 1024998565 ✓

Which Council District do you live in? (see attached map) District 1 ✓

Prior work experience: (please include dates)

12 yrs PSC - Sherman

Educational Achievement:

High School Graduate? ☒ Yes ☐ No

Year Graduated/Left School? 1968

Business College, Correspondence School, Adult Education, Other? \_\_\_\_\_

Name of College/University: West Tx State

☒ Bachelor's ☐ Master's ☐ PhD

Volunteer Work: (please include dates)

12 yrs PSC, Heart Association  
GTAC, FACT,

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Application held for 12 months from date received

Taxes - No

Are you presently serving on a City board or commission? ☐ Yes ☒ No

If so, which one? \_\_\_\_\_

Why do you want to become a member of this particular board or commission (how would you use this experience to benefit the City)?

Serve TX

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) Preservation Historical character of district

2) \_\_\_\_\_

3) \_\_\_\_\_

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:

Scott Shadden is a friend

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☐ Yes ☐ No  
Comments: \_\_\_\_\_

#### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

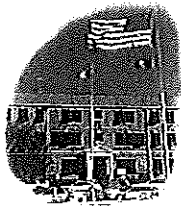
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

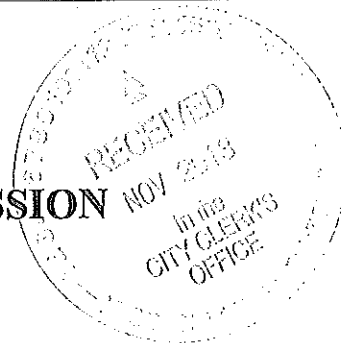
11/15/13

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

**Sherman**  
CLASSIC TOWN. BROAD HORIZON.



# CITY OF SHERMAN APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP



Return completed application to:

City Clerk's Office  
220 W. Mulberry  
P.O. Box 1106  
Sherman, TX 75091  
Fax: (903) 892-7394

Please type or use black ink

Please complete one application for each board or commission membership

Please limit attachments to two pages

For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name:

IVERT E. MAYHUGH

(Please print legal name and your name as you wish it to appear, if different.)

Name of Board

or Commission:

CROCKETT ST. HISTORIC PRESERVATION BOARD

☐ Yes, I would be interested in serving on subcommittees that may be formed.

## Personal Information

Home Address: 1119 S. CROCKETT ST

Mailing Address: " " "

Telephone: (903) 892-6366 Fax: —

E-Mail: toc@airmail.net

Sherman Resident for 13 years County: 13

Drivers License No.: 10257958

Voter Registration No.: 1025580259 ✓

## Occupational Information

Business Name: TOUCH OF CLASS ANTIQUE MALL

Occupation: OWNER

Address: 118 W. LAMAR ST

Telephone: 903 891-9379 Fax: 903 868-3153

E-Mail: toc@airmail.net

Which Council District do you live in? (see attached map) 4 ✓

Prior work experience: (please include dates) SAFEWAY FOOD STORES - 1956-1958

U.S. ARMY 1959-1961 SAFEWAY STORE MANAGER 1961-1964

1965-1997 FRITO-LAY CO. (PEPSICO FOODS INTERNATIONAL)

1974-1977 G.M. PRODUCTOS DE PEPISCO, BARCELONA, SPAIN 2 PART OF

1977-1979 PRESIDENT 9 G.M. FUJIA FRITO-LAY, TOKYO, JAPAN 3 PEPISCO

Educational Achievement: RETIRED FROM FRITO-LAY 1997.

High School Graduate? ☒ Yes ☐ No Year Graduated/Left School? 1954

Business College, Correspondence School, Adult Education, Other?

Name of College/University: WASH. STATE UNIVERSITY

☐ Bachelor's ☐ Master's ☐ PhD

1 YEAR 1954-1955

Volunteer Work: (please include dates)

SHERMAN PRESERVATION LEAGUE 1997-2002, DSP4R 2002-PRESENT

GRAYSON CO HIST. SOCIETY 1997-PRESENT CVCC-2000-2002

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Application held for 12 months from date received

Taxes - No

Are you presently serving on a City board or commission? ☐ Yes ☒ No

If so, which one? \_\_\_\_\_

Why do you want to become a member of this particular board or commission (how would you use this experience to benefit the City)?

TO HELP MAINTAIN THE INTEGRITY OF OUR CRICKET ST.  
HISTORIC DISTRICT

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

\_\_\_\_\_

\_\_\_\_\_

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:

NONE

\_\_\_\_\_

\_\_\_\_\_

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☒ Yes ☐ No

Comments: DAVID PLYLER

#### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

Signature: David E. Mayhew Date: 11-12-13

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

**Sherman**  
CLASSIC TOWN. BROAD HORIZON.



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. J. 3.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

---

**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Council Audit Committee (3)

**Issue:**

Deputy Mayor Pam Howeth and Council Members Joe Smith and Ryan Johnson currently serve on the Council Audit Committee. Their terms expire in November 2013.

**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**

Audit Committee Roster

Fact Sheet

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# MEMBERSHIP ROSTER

## COUNCIL AUDIT COMMITTEE

LENGTH OF TERMS: 1 YEAR

| MEMBER       | DISTRICT | TERM<br>BEGINS                                                                                       | TERM<br>EXPIRES                                                       | TERMS                            | MEMBERSHIP<br>REQUIREMENTS |
|--------------|----------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|----------------------------------|----------------------------|
| Pam Howeth   | 3        | A 11/20/2012                                                                                         | 11/2013                                                               | 1                                | Council Member             |
| Ryan Johnson | 1        | A 11/20/2012                                                                                         | 11/2013                                                               | 1                                | Council Member             |
| Joe Smith    | 1        | A 6/19/2007<br>R 5/20/2008<br>R 5/19/2009<br>R 5/18/2010<br>E 6/2011<br>R 11/22/2011<br>R 11/20/2012 | 6/2008<br>6/2009<br>6/2010<br>6/2011<br>11/2011<br>11/2012<br>11/2013 | 1<br>2<br>3<br>4<br>--<br>5<br>6 | Council Member             |

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

E – A Charter Amendment Election changed the date of the Municipal Election to November of each year. Terms on this board were extended to coincide with the new Election date. (May 16, 2011 Council Meeting)

## 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

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#### 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**

**Agenda Item No. J. 4.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Investment Committee (2)

**Issue:**

Council Members Jason Sofey and Robert Softly currently serve on the City's Investment Committee. Their terms expire in November 2013.

**Background:**

The Investment Committee provides guidance on investment matters for the City and annually approves the list of 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.

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**Attachments**

**Investment Committee Roster**

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# MEMBERSHIP ROSTER

CITY OF SHERMAN  
INVESTMENT COMMITTEE

LENGTH OF TERMS:  
Term of Elected Office

| MEMBER                                                              | DISTRICT | TERM<br>BEGINS                                                                        | TERM<br>EXPIRES                                             | TERMS                       | MEMBERSHIP<br>REQUIREMENTS    |
|---------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------|-------------------------------|
| Jason Sofey                                                         | 1        | A 11/20/2012                                                                          | 11/2013                                                     | 1                           | Council Member                |
| Robert Softly                                                       | 2        | A 5/20/2008<br>R 5/19/2009<br>R 5/18/2010<br>E 5/2011<br>R 11/22/2011<br>R 11/20/2012 | 5/2009<br>5/2010<br>5/2011<br>11/2011<br>11/2012<br>11/2013 | 1<br>2<br>3<br>--<br>4<br>5 | Council Member                |
| INVESTMENT COMMITTEE SHALL CONSIST OF THE FOLLOWING CITY OFFICIALS: |          |                                                                                       |                                                             |                             |                               |
| Robby Hefton                                                        |          |                                                                                       |                                                             | NA                          | Assistant City<br>Manager/CFO |

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

E – A Charter Amendment Election changed the date of the Municipal Election to November of each year. Terms on this board were extended to coincide with the new Election date. (May 16, 2011 Council Meeting)



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. J. 5.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Tax Reinvestment Committee (2)

**Issue:**

Council Members Ryan Johnson and David Plyler currently serve on the City's Tax Reinvestment Committee. Their terms expire in November 2013.

**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 appointment 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.

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**Attachments**

Tax Reinvestment Committee Roater

By-Laws

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# MEMBERSHIP ROSTER

## TAX REINVESTMENT COMMITTEE

LENGTH OF TERMS: One Year per By-Laws

| MEMBER       | DISTRICT | TERM<br>BEGINS               | TERM<br>EXPIRES    | TERMS  | MEMBERSHIP<br>REQUIREMENTS              |
|--------------|----------|------------------------------|--------------------|--------|-----------------------------------------|
| Ryan Johnson | 1        | A 11/20/2012                 | 11/2013            | 1      | Sherman Council Member<br>Voting Member |
| David Plyler | 4        | A 11/22/2011<br>R 11/20/2012 | 11/2012<br>11/2013 | 1<br>2 | Sherman Council Member<br>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

E – A Charter Amendment Election changed the date of the Municipal Election to November of each year.  
Terms on this board were extended to coincide with the new Election date. (May 16, 2011 Council Meeting)

**CITY STAFF:** City Manager George Olson  
Revised 11/20/2012

**BYLAWS FOR TAX REINVESTMENT COMMITTEE**  
**OCTOBER 1, 1995**

**Mission**

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 of the tax reinvestment process.

**Authority**

The Committee shall serve as a joint advisory committee to the taxing entities on the subject of tax reinvestment. To serve that purpose, the committee shall provide information on the abatement process, evaluate requests for abatements, and make recommendations on those requests to the governing bodies of each taxing entity. The committee shall not grant tax abatements. That responsibility is reserved by law to the governing bodies of each taxing entity.

**Organization**

The governing body of each taxing entity shall appoint two elected officials of that taxing entity to serve as representatives on the committee. Those entities which wish to consider and vote on all recommended abatements shall be *active entities* and their representatives shall be *active members*. Those entities which do not wish to consider and vote on all recommended abatements shall be *inactive entities* and their representatives shall be *inactive members*. The status of each taxing entity, in regards to active and inactive, is at the sole discretion of each governing body and such status may change from time to time. The committee may also appoint any number of *ex-officio members* to assist the committee in its work.

**Terms**

The term of appointment for all members shall be one calendar year. There shall be no limit on the number of terms which a member can serve.

### Office of Chairman

The *active and inactive members* shall select from among active members, one member to serve as chairman. The duties of the chairman shall be conducting the meetings of the committee and signing the minutes of the meeting. The chairman shall be allowed to vote on all issues coming before the committee.

### Quorum

The requirements for a quorum shall be met if at least four *active members* are present and if all *entities, both active and inactive*, are represented.

### Voting

A measure shall be considered passed if a majority of the *active members* present at the meeting vote in favor of the measure. For the purposes of selecting the Chairman, inactive members shall vote.

### Acceptance and Amendment of By-Laws

These bylaws shall be considered accepted if the governing bodies of all taxing entities, both *active and inactive*, approve them in open session. Amendments to these bylaws shall also require acceptance by the governing bodies of all taxing entities.



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**Agenda Item No. J. 6.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

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

**Issue:**

Mayor Cary Wacker and Council Members Joe Smith and David Plyler currently serve on the City's Tax Increment Financing Board #1. Their terms expire in November 2013.

**Background:**

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number One. TIF Zone Number One incorporates essentially all of the Sherman Town Center, on the west side of 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.

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**Attachments**

Tax Increment Financing Board #1

Fact Sheet

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# MEMBERSHIP ROSTER

## TAX INCREMENT FINANCING BOARD #1

LENGTH OF TERMS:

Term Limit: N/A

| MEMBER       | DISTRICT | TERM<br>BEGINS               | TERM<br>EXPIRES    | TERMS  | MEMBERSHIP<br>REQUIREMENTS |
|--------------|----------|------------------------------|--------------------|--------|----------------------------|
| Cary Wacker  | 1        | A 11/20/2012                 | 11/2013            | 1      | Council Member             |
| Joe Smith    | 1        | A 11/20/2012                 | 11/2013            | 1      | Council Member             |
| David Plyler | 4        | A 11/22/2011<br>R 11/20/2012 | 11/2012<br>11/2013 | 1<br>2 | Council Member             |
| George Olson | n/a      |                              |                    |        | City Manager               |
| Robby Hefton | n/a      |                              |                    |        | Assistant City Manager/CFO |

### NOTE:

E – A Charter Amendment Election changed the date of the Municipal Election to November of each year. Terms on this board were extended to coincide with the new Election date. (May 16, 2011 Council Meeting)

## 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

=====

#### 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**

**Agenda Item No. J. 7.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

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

**Issue:**

Mayor Cary Wacker and Council Members Joe Smith and David Plyler currently serve on the City's Tax Increment Financing Board #2. Their terms expire in November 2013.

**Background:**

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing 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.

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**Attachments**

**Tax Increment Financing Board #2**

**Fact Sheet**

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# MEMBERSHIP ROSTER

## TAX INCREMENT FINANCING BOARD #2

LENGTH OF TERMS:

Term Limit: N/A

| MEMBER       | DISTRICT | TERM<br>BEGINS               | TERM<br>EXPIRES    | TERMS  | MEMBERSHIP<br>REQUIREMENTS |
|--------------|----------|------------------------------|--------------------|--------|----------------------------|
| Cary Wacker  | 1        | A 11/20/2012                 | 11/2013            | 1      | Council Member             |
| Joe Smith    | 1        | A 11/20/2012                 | 11/2013            | 1      | Council Member             |
| David Plyler | 4        | A 11/22/2011<br>R 11/20/2012 | 11/2012<br>11/2013 | 1<br>2 | Council Member             |
| George Olson | n/a      |                              |                    |        | City Manager               |
| Robby Hefton | n/a      |                              |                    |        | Assistant City Manager/CFO |

### NOTE:

E – A Charter Amendment Election changed the date of the Municipal Election to November of each year. Terms on this board were extended to coincide with the new Election date. (May 16, 2011 Council Meeting)

## 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

=====

#### 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**

**Agenda Item No. J. 8.**

**Meeting Date:** 11/18/2013

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** George Olson, City Manager

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**Caption:**

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

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

**Issue:**

Mayor Cary Wacker and Council Members Joe Smith and David Plyler currently serve on the City's Tax Increment Financing Board #3. Their terms expire in November 2013.

**Background:**

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing 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.

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**Attachments**

**Tax Increment Financing Board #3**

**Fact Sheet**

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# MEMBERSHIP ROSTER

## TAX INCREMENT FINANCING BOARD #3

LENGTH OF TERMS:

Term Limit: N/A

| MEMBER       | DISTRICT | TERM<br>BEGINS               | TERM<br>EXPIRES    | TERMS  | MEMBERSHIP<br>REQUIREMENTS |
|--------------|----------|------------------------------|--------------------|--------|----------------------------|
| Cary Wacker  | 1        | A 11/20/2012                 | 11/2013            | 1      | Council Member             |
| Joe Smith    | 1        | A 11/20/2012                 | 11/2013            | 1      | Council Member             |
| David Plyler | 4        | A 11/22/2011<br>R 11/20/2012 | 11/2012<br>11/2013 | 1<br>2 | Council Member             |
| George Olson | n/a      |                              |                    |        | City Manager               |
| Robby Hefton | n/a      |                              |                    |        | Assistant City Manager/CFO |

### NOTE:

E – A Charter Amendment Election changed the date of the Municipal Election to November of each year. Terms on this board were extended to coincide with the new Election date. (May 16, 2011 Council Meeting)

## 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

=====

#### 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**

**Agenda Item No. M.**

**Meeting Date:** 11/18/2013

**Prepared By:** Pamela Cloer, Assistant to the City Manager

**Approved By:** George Olson, City Manager

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**Caption:**

**COUNCIL CALENDAR**

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**Attachments**

**2013 Council Calendar**

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# 2013

| 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  |
|       | 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 |    |    |    |    |
|       |    |    |    |    |    |    |

| MAY |    |    |    |    |    |    |
|-----|----|----|----|----|----|----|
| 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 |    |
|     |    |    |    |    |    |    |

| JUNE |    |    |    |    |    |    |
|------|----|----|----|----|----|----|
| 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   |    |    |    |    |    |    |

| JULY |    |    |    |    |    |    |
|------|----|----|----|----|----|----|
| 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 |    |    |    |
|      |    |    |    |    |    |    |

| AUGUST |    |    |    |    |    |    |
|--------|----|----|----|----|----|----|
| 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 |
|        |    |    |    |    |    |    |

| SEPTEMBER |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| 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 |    |    |    |    |    |
|           |    |    |    |    |    |    |

| OCTOBER |    |    |    |    |    |    |
|---------|----|----|----|----|----|----|
| 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 |    |    |
|         |    |    |    |    |    |    |

| 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 |    |    |    |    |
|          |    |    |    |    |    |    |

|            |                                                                                                       |
|------------|-------------------------------------------------------------------------------------------------------|
| 03/13/2013 | 12 noon Called Council Meeting for General Services, Financial, and Comprehensive Master Plan Updates |
| 04/26/2013 | Called Budget Planning Meeting in Council Chambers                                                    |
| 06/19/2013 | Called Budget Workshop in Council Chambers                                                            |
| 06/20/2013 | Second Day of Budget Workshop Cancelled                                                               |
| 07/01/2013 | Council Meeting Cancelled                                                                             |

|            |                                                                                                                                                                  |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/02/2013 | Labor Day/Called Council Meeting on 09/03/2013                                                                                                                   |
| 09/09/2013 | 12 noon Called Joint Meeting with SEDCO Board (also Intro & Adoption of Annexation Ordinance for 63.757 acres at SW Corner of FM 1417/Heritage Parkway & FM 691) |
| 11/05/2013 | Regular Municipal Election (Council Member Districts 1 and 3)                                                                                                    |
|            |                                                                                                                                                                  |
|            |                                                                                                                                                                  |