CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, NOVEMBER 17, 2014
5:00 P.M.

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

A. 2. PLEDGE OF ALLEGIANCE LED BY MAYOR CAROLYN S. WACKER

A. 3. INVOCATION BY MAYOR CAROLYN S. WACKER

A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 3, 2014

November 4, 2014 Regular Municipal Election

B. 1. RECOGNITION OF OUTGOING COUNCIL MEMBERS

B. 2. OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

B. 3. COUNCIL ELECTION OF DEPUTY MAYOR

Proclamations

C. 1. PROCLAMATION
Recognizing Cindy Carr as "9-1-1 Supervisor of the Year"

Public Hearing

D. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5861
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Feed Store in a C-2 (General Commercial) District at 1916 Gallagher Drive, being all of Block 18 and a Part of Block 17 of the Replat of Lots 20-27, Block 11 and all of Blocks 12, 13, 14, 15 and 16, Town North Addition (Peanut Processors of Sherman, Inc., Owner; Kevin L. Finnerty, Prospective Buyer; and Helvey & Associates, Inc., Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

D. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5862**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Patio Homes in an R-1 (One Family Residential) District/College Park Overlay District in the 600 Block of East Carter Street, also known as 802 North Throckmorton Street, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763 (Lazy L Enterprises, Owners; and Helvey and Associates, Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Close Public Hearing and Consider Adoption of Ordinances

D. 3. **ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5861 and 5862

D. 4. **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

E. 1. **** RESOLUTION NO. 5918***
Authorizing the Purchase of a 2015 International 7400 Rear Load Chassis for the Solid Waste Services Department from Southwest International Trucks through the Texas Local Government Purchasing Cooperative (BuyBoard)

E. 2. **** RESOLUTION NO. 5919***
Authorizing the Purchase of a Heil Rear Load Body for the Solid Waste Services Department from Heil of Texas through the Texas Local Government Purchasing Cooperative (BuyBoard)

Requests to Advertise

F. 1. **** REQUEST TO ADVERTISE***
Annual Supply of Chemicals

Other Business

G. 1. **OTHER BUSINESS**
Replat Approval of Austin Park Addition, Phase II, being a Replat of Lots 1-4, Block 4, W.P. Carter Addition, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763; Lazy L Enterprises, Owner; and Helvey and Associates, Surveyors (600 Block of East Carter Street also known as 802 North Throckmorton Street)

G. 2. **** OTHER BUSINESS***
Final Plat Approval of West Canyon Creek Estates, Section 3, being 2.342 acres in the James H. Vaden Survey, Abstract No. 1288; Westfield Estates, a Limited Partnership, Owners; and Underwood Drafting and Surveying, Surveyors (2700 Block of Shady Oaks Lane)

G. 3. **** OTHER BUSINESS***
Replat Approval of C&M Addition, a Replat of Part of Lot 5, Block 1, Midway Industrial Park, being 2.0 acres in the J.B. Shannon Survey, Abstract No. 1085 and Part of Lot 5, Block 1, Midway Industrial Park; C&M Villareal FLP, Owner; and Sartin and Associates, Surveyors (2931 Fallon Drive)

H. CITIZEN REQUESTS

I. MEDIA QUESTIONS

Consider Board/Commission Appointments

J. 1. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Council Audit Committee (3)

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

J. 3. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Reinvestment Committee (2)

J. 4. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #1 (3)

J. 5. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #2 (3)

J. 6. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #3 (3)

K. COUNCIL COMMENTS

Executive Session

L. 1. **EXECUTIVE SESSION**

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections:

Section 551.074 Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:

(a) Planning and Zoning Commission (2)

The Council reconvenes into General Session

M. 1. **OPEN MEETING**

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

N. **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 12, 2014 at 5:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 12th day of November, 2014
City of Sherman, Texas

____
City Clerk

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

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

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

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

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

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

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

Mayor	Deputy Mayor	Council Members	
Carolyn S. Wacker	Robert G. Softly	Ryan Johnson, Council-At-Large, PL #1	Robert G. Softly, Council – District #2
		Jason Sofey, Council-At-Large, PL #2	Tom Watt, Council – District #3
		Lawrence Davis, Council – District #1	David Plyler, Council – District #4

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No.** **A. 4.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 3, 2014

Attachments

November 3, 2014

STATE OF TEXAS §

November 3, 2014

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on November 3, 2014.

MEMBERS PRESENT: **MAYOR CARY WACKER; DEPUTY MAYOR ROBERT SOFTLY.**
COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, SOFEY, WATT.

MEMBERS ABSENT: **NONE.**

<u>CALL TO ORDER</u> — **CALL TO ORDER**

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Tom Watt. Council Member Sofey was not at the meeting at this time.

<u>APPROVE MINUTES</u> — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of October 20, 2014. Deputy Mayor Softly moved to approve the Minutes as presented; Second by Council Member Plyler. All present voted AYE.
MOTION CARRIED.

<u>CONSENT AGENDA</u> — **CONSENT AGENDA**

The Council reviewed the Consent Agenda. Deputy Mayor Softly moved to approve the Consent Agenda, as presented.

Council Member Johnson asked to remove Item C-8 entitled "Resolution No. 5915 – Authorizing Execution of an Attorney-Client Agreement with Shelby Law, PLLC" from the Consent Agenda for discussion in Executive Session.

Deputy Mayor Softly amended his motion to approve the Consent Agenda, with the exception of Item C-8, Resolution No. 5915, which will be discussed in Executive Session. Second by Council Member Watt. All present voted AYE.

<u>RESOLUTIONS</u>

<u>RESOLUTION NO. 5908 – AUTHORIZING EXECUTION OF AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE RECONSTRUCTION OF THE NORTHBOUND FRONTAGE ROAD OF US 75 AT LOY LAKE</u> — **RES 5908 NORTHBOUND FRONTAGE ROAD OF US HWY 75 AT LOY LAKE**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS

DEPARTMENT OF TRANSPORTATION, FOR THE RECONSTRUCTION OF THE NORTHBOUND FRONTAGE ROAD OF US 75 AT LOY LAKE.
CONSENT AGENDA.

RES 5909
PURCHASING AGREEMENT WITH CITY OF DENTON

RESOLUTION NO. 5909 – AUTHORIZING EXECUTION OF A COOPERATIVE PURCHASING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF DENTON
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A COOPERATIVE PURCHASING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF DENTON.
CONSENT AGENDA.

RES 5910
ACTUARIAL SHARED SERVICES FOR ANNUAL AUDIT

RESOLUTION NO. 5910 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) FOR ACTUARIAL SHARED SERVICES RELATED TO THE CITY'S ANNUAL AUDIT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) FOR ACTUARIAL SHARED SERVICES RELATED TO THE CITY'S ANNUAL AUDIT.
CONSENT AGENDA.

RES 5911
ACTUARIAL SHARED SERVICES FOR ANNUAL AUDIT

RESOLUTION NO. 5911 – AUTHORIZING EXECUTION OF A MASTER AGREEMENT AND ENGAGEMENT LETTER BETWEEN THE CITY OF SHERMAN AND GABRIEL ROEDER SMITH AND COMPANY (GRS) TO PERFORM ACTUARIAL CONSULTING SERVICES UNDER THE SHARED SERVICES ARRANGEMENT BETWEEN GRS AND THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG)
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A MASTER AGREEMENT AND ENGAGEMENT LETTER BETWEEN THE CITY OF SHERMAN AND GABRIEL ROEDER SMITH AND COMPANY (GRS) TO PERFORM ACTUARIAL CONSULTING SERVICES UNDER THE SHARED SERVICES ARRANGEMENT BETWEEN GRS AND THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG).
CONSENT AGENDA.

RES 5912
GALLAGHER ELEVATED STORAGE TANK REPAIR

RESOLUTION NO. 5912 – APPROVING A CONTRACT WITH AMERICAN SUNCRAFT CONSTRUCTION CO. FOR THE REPAIR AND REPAINTING OF THE GALLAGHER ELEVATED STORAGE TANK
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A CONTRACT WITH AMERICAN SUNCRAFT CONSTRUCTION CO. FOR THE REPAIR AND REPAINTING OF THE GALLAGHER ELEVATED STORAGE TANK.

Mark Gibson, Director of Utilities, said Sherman has five elevated storage tanks in the water system, and the

Gallagher Storage Tank is the biggest and tallest tank in the City and holds two million gallons of water. It was built in 1967 and was last repainted in approximately 1998 or 1999.

Besides painting, the proposed project includes repair of the tank. When the tank was painted in the past, the internal center column, a 36 inch riser pipe that carries water up and down the tank, was never painted. In past inspections, a couple of leaks in the riser were found.

The staff plans to take the tank completely out of service and replace the riser with a stainless steel riser. This adds to the cost and intricacy of the project. There are also several State requirements that were enacted since the tank was built, such as larger "manways," hatches to get into and out of the tank, safety climbs, and the vents must be larger now. These additional safety requirements will be completed in conjunction with the painting project.

Mr. Gibson said the project will also include structural repair inside the tank around the mid-ring of the tank. These projects add an additional cost, but are easier to address while the tank is out of service for painting.

There are communication antennas on top of the tanks for the Police Department, Fire Department, Sherman Independent School District, and local ham radio operators. A communications ring will be added to the top of the tank to make installation, removal, and repair of these antennas easier.

Mr. Gibson said eight companies received plans for the proposed project and four bidders responded to the request for bids. The bids range from $1.23 million to $1.66 million. The low bidder was American Suncraft Construction Company with a bid of $1,228,533.

Council Member Plyler asked if the tank would be draped during the painting process and if an updated graphic would be painted on the surface of the tank. Mr. Gibson said the tank would be shrouded during the painting process. The tank background will be painted sky blue with the new "Sherman" logo on the surface.

Council Member Watt confirmed that the paint job should last about 15 years, depending on the weather. Mr. Gibson added that since the Gallagher Tank is one of the City's primary tanks, there is a contract stipulation that the project must be completed by May 3, 2015. This will allow for putting the tank back into service prior to hot weather when the additional water will be needed.

ACTION TAKEN.

> **Motion by Council Member Watt to approve Resolution No. 5912, as presented. Second by Council Member Plyler.**

VOTING AYE: Davis, Johnson, Plyler, Softly, Watt.
VOTING NAY: None.
MOTION CARRIED.

RES 5913
RESIDENTIAL TAX ABATEMENT
(815 W. LAMAR)

RESOLUTION NO. 5913 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 815 WEST LAMAR STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 815 WEST LAMAR STREET.
CONSENT AGENDA.

RES 5914
RESIDENTIAL TAX ABATEMENT
(817 W. LAMAR)

RESOLUTION NO. 5914 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 817 WEST LAMAR STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 817 WEST LAMAR STREET.
CONSENT AGENDA.

RES 5915
ATTORNEY-CLIENT AGREEMENT WITH SHELBY LAW, PLLC

RESOLUTION NO. 5915 – AUTHORIZING EXECUTION OF AN ATTORNEY-CLIENT AGREEMENT WITH SHELBY LAW, PLLC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ATTORNEY-CLIENT AGREEMENT WITH SHELBY LAW, PLLC.

Council Member Johnson asked to remove Item C-8 from the Consent Agenda for discussion in Executive Session.

Mayor Wacker said Council Members will discuss Resolution No. 5915 in Executive Session and address the issue after that discussion.

RES 5916
PURCHASE SOLID WASTE VEHICLE

RESOLUTION NO. 5916 – AUTHORIZING THE PURCHASE OF A 2015 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 2015 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 5917 PURCHASE SOLID WASTE VEHICLE

RESOLUTION NO. 5917 – 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.

OTHER BUSINESS

AD VALOREM TAX ROLL & TAX LEVY

APPROVAL OF THE 2014 AD VALOREM TAX ROLL VALUE AND TAX LEVY

The City Council approved the 2014 Ad Valorem Tax Roll Value and Tax Levy for Fiscal Year 2014-2015.

The Grayson County Tax Assessor/Collector's Office has provided the taxable value as $2,385,008,371, which equates to a levy of $8,789,491.64 based on the City's total tax rate of $0.37200 per $100 valuation.

CONSENT AGENDA.

CITIZENS REQUESTS

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

FRIGHT FEST

THANKS TO STAFF FOR FRIGHT FEST

Council Member Plyler thanked the City staff and the Police Department for organizing the recent Fright Fest event. It was a great event and a lot of fun. He added that there was a huge turn-out.

VOTE ON ELECTION DAY

VOTE ON ELECTION DAY

Deputy Mayor Softly urged all citizens to vote on Election Day tomorrow.

VOTE ON ELECTION DAY

VOTE ON ELECTION DAY

Council Member Watt also urged citizens to vote and reminded everyone what an important civic duty voting actually is.

EXECUTIVE SESSION

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

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

Mayor Wacker read a statement saying "any item on this posted agenda may be discussed in Executive Session provided it is in one of the permitted categories under Chapter 551 of the Texas Government Code."

The City Council will now hold a closed Executive Session pursuant to Texas Government Code, Section 551.074, to discuss agenda item number C-8, "Resolution No. 5915 – Authorizing Execution of an Attorney-Client Agreement with Shelby Law, PLLC."

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:11 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:36 p.m. and reconvened in Open Meeting.

OPEN MEETING

<u>OPEN MEETING</u>
Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session. Council Member Sofey was in attendance after the Executive Session.

RES 5915 ATTORNEY-CLIENT AGREEMENT WITH SHELBY LAW, PLLC

<u>RESOLUTION NO. 5915 – AUTHORIZING EXECUTION OF AN ATTORNEY-CLIENT AGREEMENT WITH SHELBY LAW, PLLC</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ATTORNEY-CLIENT AGREEMENT WITH SHELBY LAW, PLLC.

ACTION TAKEN.
> **Motion by Council Member Johnson to approve Resolution No. 5915, as presented. Second by Council Member Plyler.**

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly, Watt.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

<u>ADJOURNMENT</u>
On Motion duly made and carried, the meeting adjourned at 5:37 p.m.

____
MAYOR

____
CITY CLERK

SHERMAN CITY COUNCIL
Agenda Communication Form

Sherman
CLASSIC TOWN. BROAD HORIZON.

City Council Regular Meeting **Agenda Item No. B. 1.**

Meeting Date: 11/17/2014

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. B. 2.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Issue:

Due to unopposed candidates, the City of Sherman was able to cancel its Election this year. The official Statements of Elected Officer have been filed with the Sherman City Clerk; and Council Members 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 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 THE OFFICE 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. B. 3.**

Meeting Date: 11/17/2014
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

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. C. 1.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

PROCLAMATION

Recognizing Cindy Carr as "9-1-1 Supervisor of the Year"

Issue:

Each year, the Texoma Council of Governments selects a "9-1-1 Supervisor of the Year." This year, they selected Cindy Carr, Sherman Police Department Communications Supervisor, for the honor.

Background:

Ms. Carr was hired by the Police Department in 1996 and was promoted to the position of Communications Supervisor on January 21, 2007. She supervised a staff of ten (10) dispatchers and was responsible for all scheduling, directing, and training associated with communications.

Origination:

The request originated with Police Chief Otis Henry.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

The staff recommendation is to present a proclamation posthumously recognizing Cindy Carr for her outstanding work as the 9-1-1 Communications Supervisor and for being named "9-1-1 Supervisor of the Year" by the Texoma Council of Governments.

Alternatives:

The City Council could choose not to present the proclamation.

Attachments

Cindy Carr Proclamation

SHERMAN

Proclamation

WHEREAS, across the nation, dedicated Telecommunicators serve citizens by answering their request for law enforcement, fire, and emergency medical services by dispatching the appropriate assistance as quickly and accurately as possible, and

WHEREAS, the City of Sherman is fortunate to have a dedicated, highly trained staff of Telecommunicators that provide this critical first contact with those in need of emergency service, and

WHEREAS, Cindy Carr, Communications Supervisor, led a staff of ten dispatchers, and was responsible for training, scheduling, and directing the Communications Center, and assuring that the police officers, firefighters, paramedics, and the citizens of Sherman all receive the fastest, most accurate information and assistance during this most critical time, and

WHEREAS, because of her selfless dedication to provide the best service possible and to bring a high level of professionalism and compassion to the position, the Texoma Council of Governments has honored Ms. Carr as "9-1-1 Supervisor of the Year", and

WHEREAS, the City of Sherman acknowledges Ms. Carr on being named "9-1-1 Supervisor of the Year" and posthumously recognizes her dedication and service to all emergency personnel as well as the citizens of our community.

NOW THEREFORE, I, Cary Wacker, Mayor of the City of Sherman, Texas, by the authority vested in me, do hereby recognize

CINDY CARR

on her selection as "9-1-1 Supervisor of the Year" by the Texoma Council of Governments, and for her selfless dedication and commitment to Sherman's emergency services and to the citizens of Sherman.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Sherman to be affixed, this the 17th day of November, 2014.

____

Mayor

ATTEST:

Linda Ashby

City Clerk

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. D. 1.**

Meeting Date: 11/17/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5861

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Feed Store in a C-2 (General Commercial) District at 1916 Gallagher Drive, being all of Block 18 and a Part of Block 17 of the Replat of Lots 20-27, Block 11 and all of Blocks 12, 13, 14, 15 and 16, Town North Addition (Peanut Processors of Sherman, Inc., Owner; Kevin L. Finnerty, Prospective Buyer; and Helvey & Associates, Inc., Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue:

To consider the request of Peanut Processors of Sherman, Inc. (Owner), Kevin L. Finnerty (Prospective Buyer), and Helvey & Associates, Inc. (Surveyors) concerning the property located at 1916 Gallagher Drive, being all of Block 18 and a part of Block 17 of the Replat of Lots 20-27, Block 11 and all of Blocks 12, 13, 14, 15 and 16, Town North Addition, to allow a feed store in a C-2 (General Commercial) District

Background:

The property is located at 1916 Gallagher Drive, between Texoma Parkway and Versaille Drive; Peanut Processors was the former tenant. At the August 13, 1991 meeting, the Planning and Zoning Commission granted an exception to allow a 6' chain link security fence topped with three strands of barbed wire to be placed on the front and side property lines. The building has been vacant for a number of years; and the prospective buyer would like to open a feed store at this location.

Origination:

Peanut Processors of Sherman, Inc. (Owners)
Kevin L. Finnerty (Prospective Buyer)
Helvey & Associates, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:
At the October 21, 2014 regular meeting, the Planning and Zoning Board voted 8/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:
The City Council could deny the request.

Attachments

Ordinance No. 5861
Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
P&Z Communication
Staff Review Letter

ORDINANCE NO. 5861

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A FEED STORE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1916 GALLAGHER DRIVE, BEING ALL OF BLOCK 18 AND A PART OF BLOCK 17 OF THE REPLAT OF LOTS 20-27, BLOCK 11 AND ALL OF BLOCKS 12, 13, 14, 15 AND 16, TOWN NORTH ADDITION (PEANUT PROCESSORS OF SHERMAN, INC., OWNER; KEVIN L. FINNERTY, PROSPECTIVE BUYER; AND HELVEY & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Peanut Processors of Sherman, Inc. (Owners), Kevin L. Finnerty (Prospective Buyer) and Helvey & Associates Surveying, Inc. (Surveyors) are granted a Specific Use Permit to allow a feed store in a C-2 (General Commercial) District at 1916 Gallagher Drive, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the Rueben Hendrix Survey, Abstract No. 504 and being all of Block 18 of the Replat of Lots 20-27 of Block 11 and all of Blocks12, 13, 14, 15 and 16, Town North Addition to the City of Sherman, Texas as per plat of record in Volume 3, Page 91, Plat Records, Grayson County, Texas and also being part of Block 17 of said Replat of Town North Addition being described as a 0.9983 acre tract of land conveyed by Warranty Deed from Thomas A. Russell to Peanut Processors, Inc. on August 9, 1990 in Volume 2114, Page 128, Real Property Records, Grayson County, Texas and being more particularly described as one tract by metes and bounds as follows to-wit:

BEGINNING at a 1/2 inch rebar found in the South line of Gallagher Drive, a public street, in the West line of the M.K.&T. Railroad right-of-way, at the Northeast corner of both said Block 18 and the herein described tract;

THENCE South 37 deg. 40 min. 00 sec. West, with the West line of said railroad right-of-way, passing the Southeast corner of said Block 18 and the Northeast corner of both said Block 17 and Peanut Processors 0.9983 ac. at 596.72 ft. and continuing and passing 0.3 ft. West of a 1/2 inch rebar found at 750.77 ft. and continuing for a TOTAL distance of 770.79 ft. to a 1 inch pipe found at the Southeast corner of both said Peanut Processors 0.9983 ac. and the herein described tract;

THENCE North 52 deg. 17 min. 43 sec. West, over and across said Block 17, a distance of 250.00 ft. to a 1/2 inch capped rebar set in the East line of Versaille Drive, a public street, and the Southwest corner of both said Peanut Processors 0.9983 ac. and the herein described tract;

THENCE North 37 deg. 40 min. 00 sec. East, with the East line of said Versaille Drive, passing the Northwest corner of both said Block 17 and Peanut Processors 0.9983 ac. and the Southwest corner of said Block 18 at 173.90 ft. and continuing for a TOTAL distance of 361.91 ft. to a 1/2 inch capped rebar set at the beginning of a curve;

THENCE Northeasterly, continuing with the East line of said Versaille Drive and with a curve to the left, having a radius of 300.00 ft., a central angle of 36 deg. 37 min. 00 sec. *(Chord bears: North 19 deg. 21 min. 30 sec. East, 188.48 ft.),* and an arc length of 191.72 ft. to a 1/2 inch capped rebar set at the intersection of the South line of said Gallagher Drive with the East line of said Versaille Drive, at the Northwest corner of both said Block 18 and the herein described tract;

THENCE North 88 deg. 57 min. 00 sec. West, with the South line of said Gallagher Drive, a distance of 385.24 ft. to the **PLACE OF BEGINNING and containing 3.9976 ACRES** of land.

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking is permitted on paved surfaces only; concrete or asphalt.
4. All parking and loading shall be on private property and shall not encroach into Gallagher or

Versaille Drive right-of-way.

5. All precautions shall be taken to maintain rodent and pest control.
6. Any outdoor storage shall be screened from the view of any adjacent street or residentially zoned property by a solid fence, not less than six (6) feet in height.
7. Review the zoning and development ordinance for additional requirements.
8. 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.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____________ day of _________________, 2014.

ADOPTED on this the ________________ day of _________________, 2014.

EFFECTIVE DATE on this the _________ day of _________________, 2014.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ______________________________

LINDA ASHBY,
CITY CLERK

BY: ______________________________

CAROLYN S. WACKER,
MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: ______________________________

BRANDON S. SHELBY,
CITY ATTORNEY

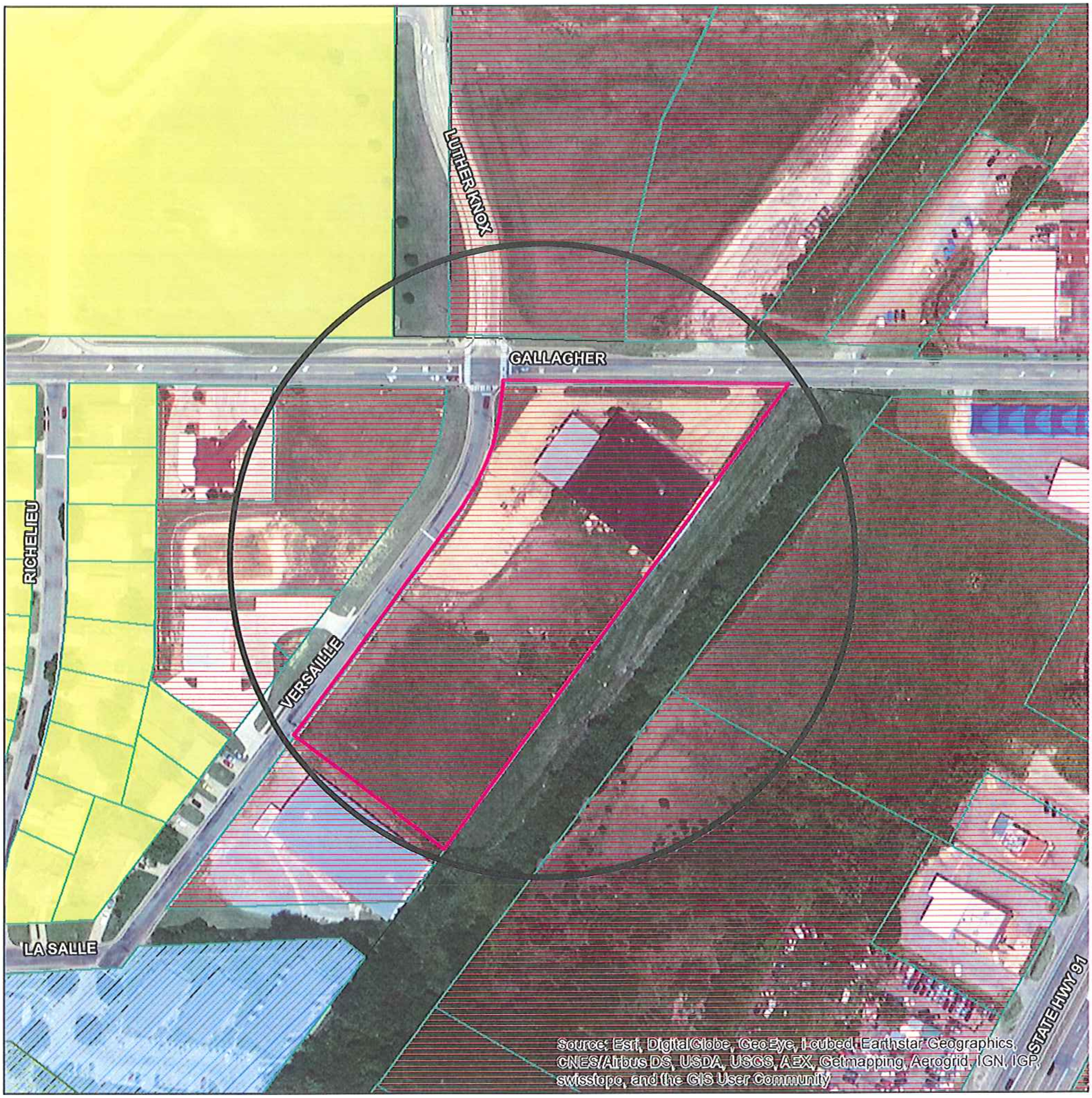
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1916 Gallagher Drive

NOT TO SCALE

1 inch = 230 feet



Zoning - 1916 Gallagher Drive

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

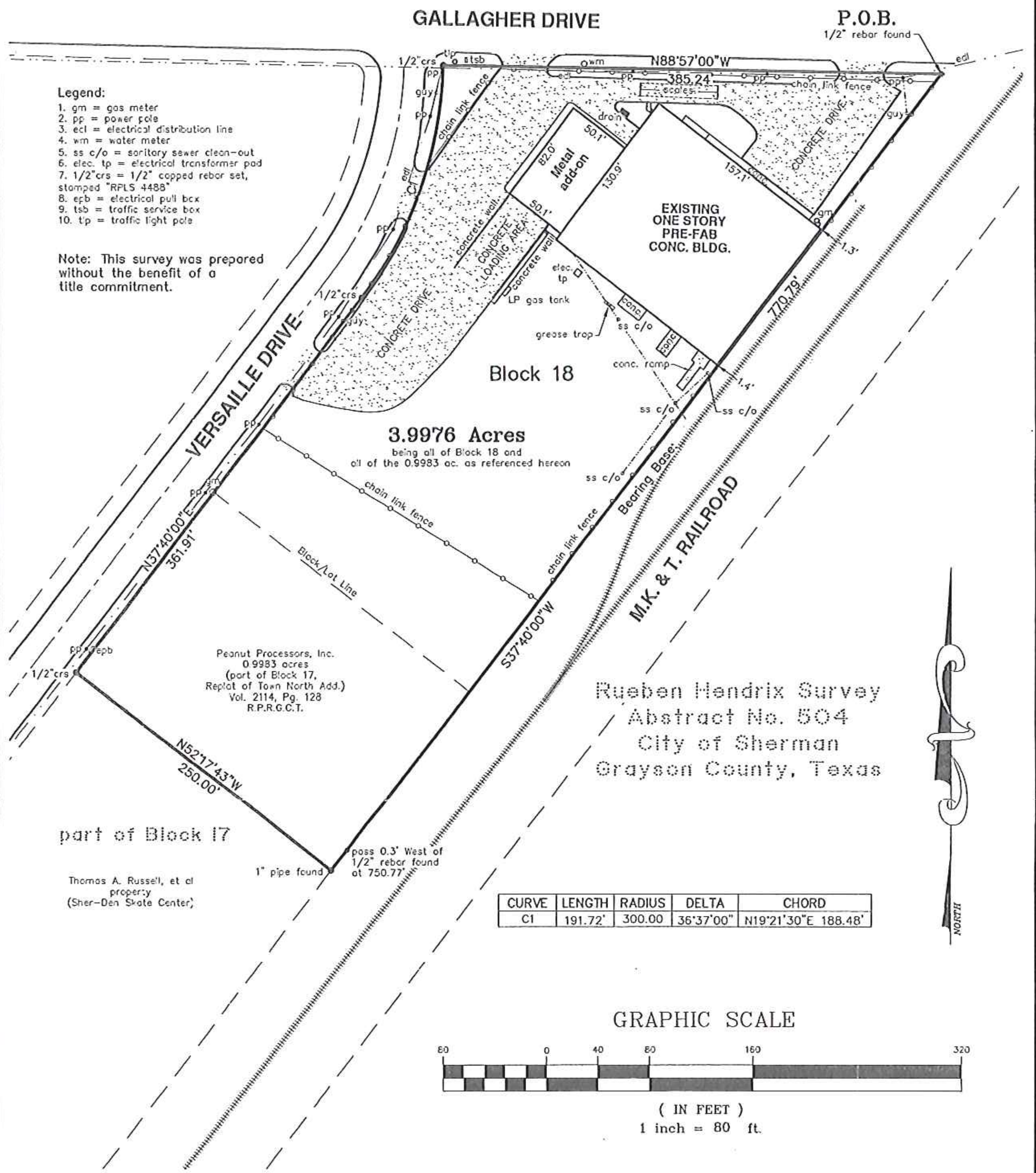
Sherman
CLASSIC TOWN, BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 inch = 184 feet

1916 Gallagher Dr.



CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	191.72'	300.00	36°37'00"	N19°21'30"E 188.48'

Owner: Peanut Processors

Address: 1916 Gallagher Drive
Sherman, Texas

I, Billy F. Helvey, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon.
Legal Description is as follows: All of Block 18 and a part of Block 17 of the Replat of Lots 20-27 of Block 11 and all of Blocks 12, 13, 14, 15 and 16, Town North Addition to the City of Sherman, Texas, as per plat of record in Volume 3, Page 91, Plat Records, Grayson County, Texas. Field Notes attached hereto.

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

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Firm Registration No. 10088100
Texas Board of Professional Land Surveying

Billy F. Helvey, R. P. L. S. No. 4488
Copyright Date: September 23, 2014

C:\Land Projects P2\Peanut_Topo\dwg\Peanut_9-22-2014-r2000.dwg 9/23/2014 4:26:50 PM CDT


1916 Gallagher Dr. ~ Sherman, TX

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 10/21/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Dr. Alan Scheibmeir, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner

Requested Action/Proposed Use:

1916 GALLAGHER DRIVE

The request of Peanut Processors of Sherman, Inc. (Owners), Kevin L. Finnerty (Prospective Buyer) and Helvey & Associates Surveying, Inc. (Surveyors) concerning the property located at 1916 Gallagher Drive, being all of Block 18 and a part of Block 17 of the Replat of Lots 20-27, Block 11 and all of Blocks 12, 13, 14, 15 and 16, Town North Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a feed store in a C-2 (General Commercial) District.

Background:

The property is located at 1916 Gallagher Drive between Texoma Parkway and Versaille Drive; Peanut Processors was the former tenant. At the August 13, 1991 meeting, the Planning and Zoning Commission granted an exception to allow a 6' chain link security fence topped with three strands of barbed wire to be placed on the front and side property lines. The building has been vacant for a number of years and the prospective buyer would like to open a feed store at this location.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Peanut Processors (Owners)
(Representatives)

Master Plan Designation:

Industrial – This character type typically has very large lot sizes with large buildings that are used for industrial purposes. A lot may have any number of buildings or storage facilities. Parking lots are necessary for employees and rail access may be necessary to ship/receive materials.

Number of notices mailed:

10

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
Staff Review Letter

Sherman

CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

October 15, 2014

Peanut Processors of Sherman, Inc.
PO Box 160
Dublin, NC 28332-0160

Kevin L. Finnerty
13712 Spring Wagon Dr.
Frisco, TX 75035

Dear Applicants,

The request for approval of a Specific Use Permit and site plan approval to allow a feed store in a C-2 (General Commercial) District for the property located at 1916 Gallagher Drive, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 21, 2014 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 C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking is permitted on paved surfaces only; concrete or asphalt.
4. All parking and loading shall be on private property and shall not encroach into Gallagher or Versaille Drive right-of-way.
5. All precautions shall be taken to maintain rodent and pest control.
6. Any outdoor storage shall be screened from the view of any adjacent street or residentially zoned property by a solid fence, not less than six (6) feet in height.
7. Review the zoning and development ordinance for additional requirements.
8. 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.

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 & Zoning Commission.

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

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

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

cc: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering
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. D. 2.**

Meeting Date: 11/17/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5862

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Patio Homes in an R-1 (One Family Residential) District/College Park Overlay District in the 600 Block of East Carter Street, also known as 802 North Throckmorton Street, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763 (Lazy L Enterprises, Owners; and Helvey and Associates, Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue:

To consider the request of Lazy L Enterprises (Owners) and Helvey and Associates (Surveyor) concerning the property located in the 600 block of East Carter Street and 802 North Throckmorton Street, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763, to allow patio homes in an R-1 (One Family Residential) District/College Park Overlay District

Background:

The property is located in the 600 block of East Carter Street, also addressed as 802 North Throckmorton Street, at the northwest corner. The owners would like to replat the property into three lots to construct patio garden homes on the lots.

Origination:

Lazy L Enterprises (Owners)
Helvey and Associates (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the October 21, 2014 regular meeting, the Planning and Zoning Board voted 8/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:
The City Council could deny the request.

Attachments

Ordinance No. 5862
Location Map
Zoning Map
Zoning Photo
Site Plan
Elevation
P&Z Communication
Staff Review Letter
Letter from Austin College

ORDINANCE NO. 5862

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT IN THE 600 BLOCK OF EAST CARTER STREET, ALSO KNOWN AS 802 NORTH THROCKMORTON STREET, BEING LOTS 1-4, BLOCK 4, W.P. CARTER'S ADDITION, CONTAINING 0.3215 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (LAZY L ENTERPRISES, OWNERS; AND HELVEY AND ASSOCIATES, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Lazy L Enterprises (Owners) and Helvey and Associates (Surveyor) are granted a Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District/College Park Overlay District in the 600 block of East Carter Street, also known as 802 North Throckmorton Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the J. B. McAnair Survey, Abstract No. 763, and being a replat of Lots 1, 2, 3 and 4, Block 4, W. P. Carter's Addition to the City of Sherman, Texas, as per plat of record in Volume 25, Page 196, Plat Records, Grayson County, Texas and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar found stamped "RPLS 5433" at the intersection of the North line of Carter Street (platted as Brockett St. in said Vol. 25, Pg. 196) with the West line of Throckmorton Street, at the Southeast corner of both said Lot 1 and the herein described tract;

THENCE South 76 deg. 17 min. 10 sec. West, with the North line of said Carter Street and the South line of said Lot 1, a distance of 140.13 ft. to a 1/2 inch capped rebar found stamped "RPLS 5433" at the Southeast corner of Lot 4, Austin Park Addition to the City of Sherman, Texas, as per plat of record in Volume 20, Pages 133 and 134, said Plat Records, at the Southwest corner of both said Lot 1 and the herein described tract;

THENCE North 14 deg. 34 min. 02 sec. West, with the East line of said Lot 4, Austin Park Addition and the West lines of Lots 1, 2, 3 and 4, said Block 4, a distance of 99.98 ft. to a 1/2 inch rebar found at the Southwest corner of Lot 5, said Block 4, at the Northwest corner of both said Lot 4, Block 4 and the herein described tract;

THENCE North 76 deg. 15 min. 17 sec. East, with the South line of said Lot 5 and the North line of said Lot 4, a distance of 139.98 ft. to a 1/2 inch capped rebar found stamped "RPLS 5433" in the West line of said Throckmorton Street, at the Southeast corner of said Lot 5, at the Northeast corner of both said Lot 4 and the herein described tract;

THENCE South 14 deg. 39 min. 06 sec. East, with the West line of said Throckmorton Street and the East line of said Lots 4, 3, 2 and 1, said Block 4, a distance of 100.06 ft. to the **PLACE OF BEGINNING and containing 0.3215 ACRES of land……………...……………………….**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the College Park Overlay District, the Patio Homes Ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Review the zoning and development ordinance for additional requirements.
3. 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:

4. Drive approaches and sidewalks are contingent upon and shall conform to the City of Sherman standards.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____________ day of _________________, 2014.

ADOPTED on this the ________________ day of _________________, 2014.

EFFECTIVE DATE on this the _________ day of _________________, 2014.

CITY OF SHERMAN, TEXAS

BY: ____________________________________
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: ______________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: ______________________________
BRANDON S. SHELBY,
CITY ATTORNEY

Sherman
CLASSIC TOWN. BROAD HORIZON.

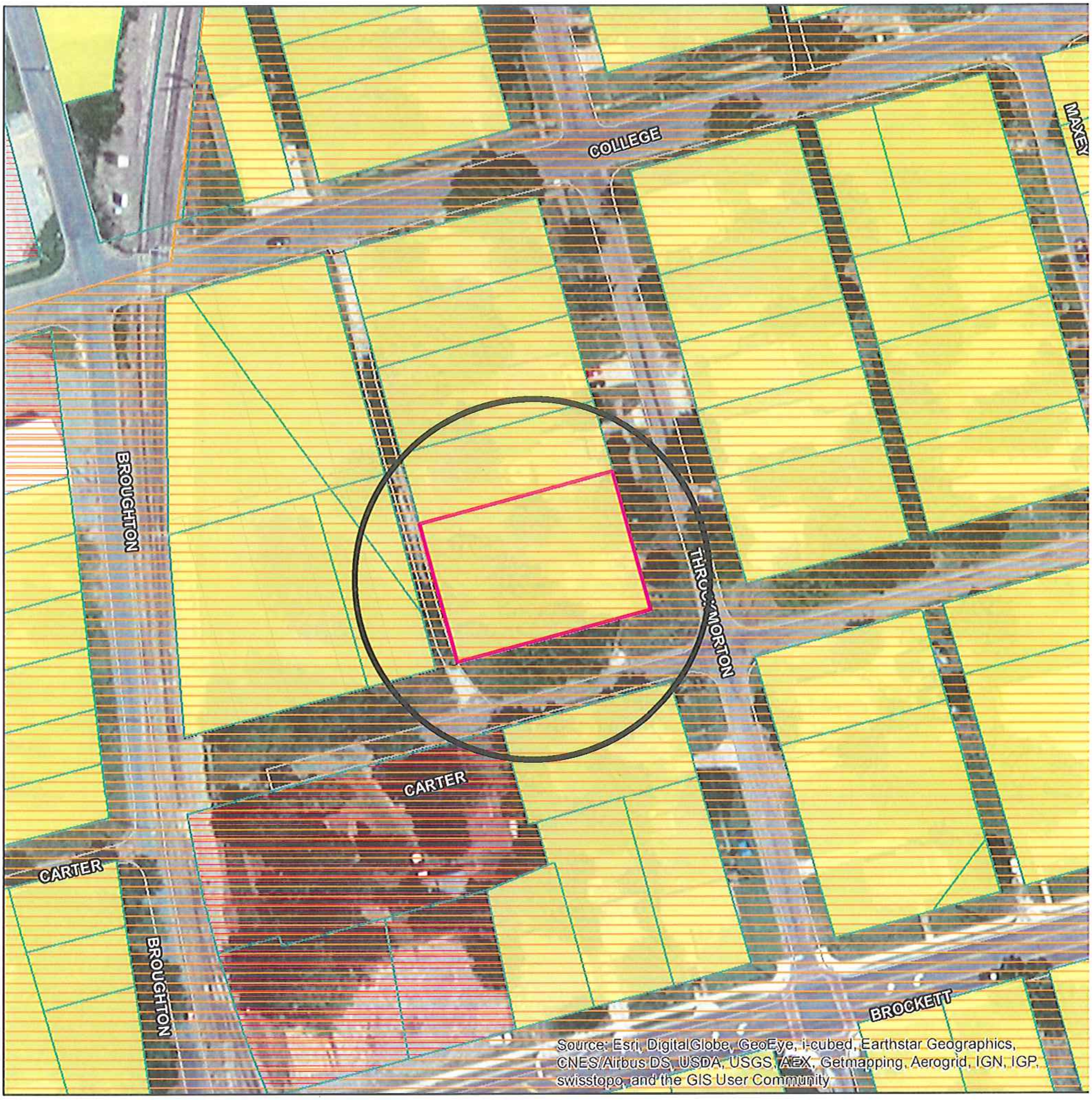
600 Block E. Carter St. & 802 N. Throckmorton St

N

NOT TO SCALE

City of Sherman, Texas
Developmental Services Department

1 inch = 77 feet



Zoning - 600 Block E. Carter Street/802 N. Throckmorton Street

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME
- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

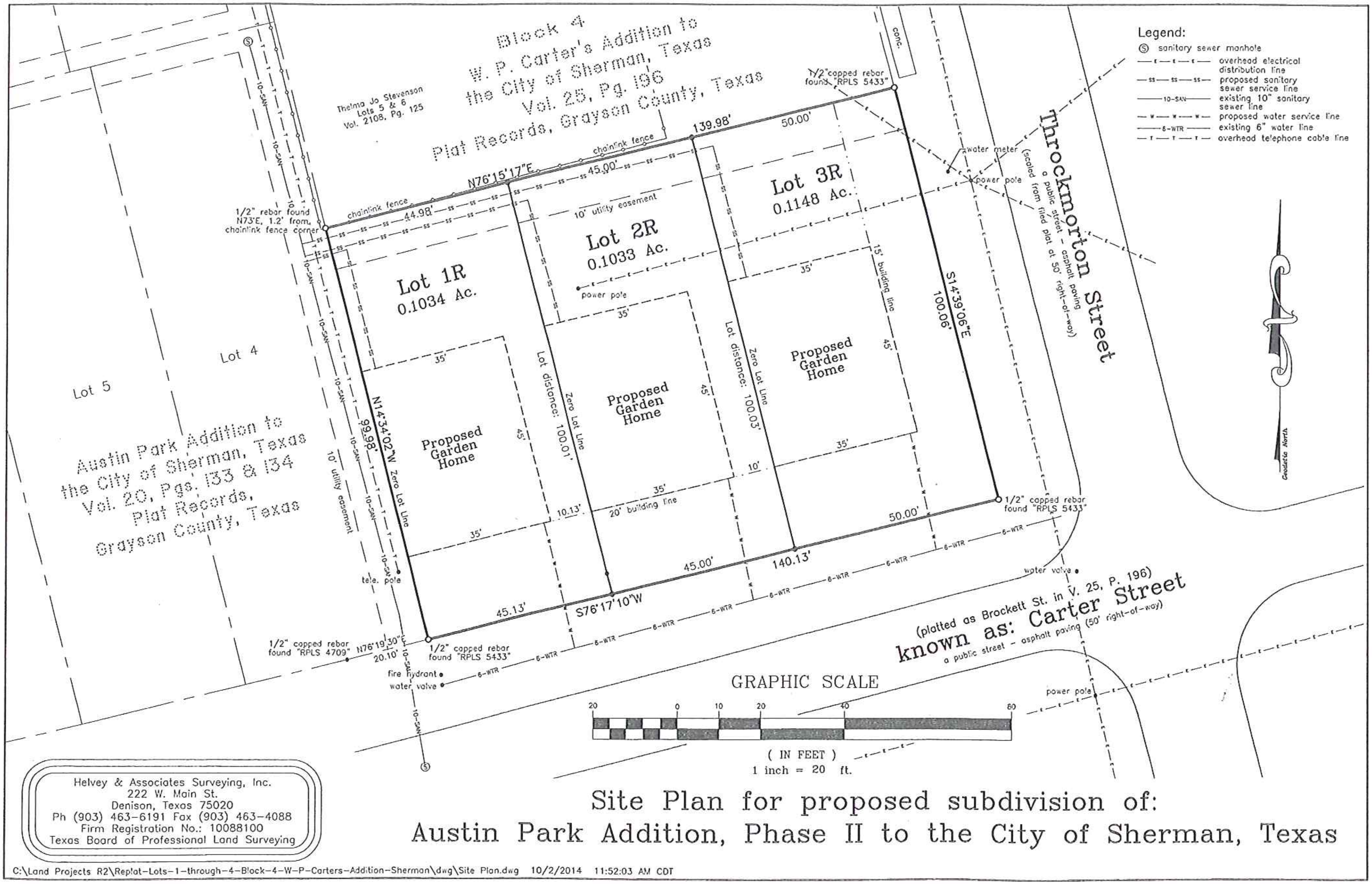
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 inch = 96 feet

600 Blk. E. Carter/802 N. Throckmorton


Block 4
W. P. Carter's Addition to
the City of Sherman, Texas
Vol. 25, Pg. 196
Plat Records, Grayson County, Texas
Thelma Jo Stevenson
Lots 5 & 6
Vol. 2108, Pg. 125
Legend:
sanitary sewer manhole
overhead electrical distribution line
proposed sanitary sewer service line
existing 10" sanitary sewer line
proposed water service line
existing 6" water line
overhead telephone cable line
Lot 1R
0.1034 Ac.
Lot 2R
0.1033 Ac.
Lot 3R
0.1148 Ac.
Proposed Garden Home
Proposed Garden Home
Proposed Garden Home
N76°15'17"E
S76°17'10"W
N14°34'02"W
S14°39'06"E
100.06'
99.98'
139.98'
140.13'
Zero Lot Line
Lot distance: 100.01'
Lot distance: 100.03'
10' utility easement
15' building line
20' building line
power pole
water meter
water valve
fire hydrant
tele. pole
chainlink fence
1/2" rebar found N73'E, 1.2' from chainlink fence corner
1/2" capped rebar found "RPLS 5433"
1/2" capped rebar found "RPLS 4709"
N76°19'30"E
20.10'
Throckmorton Street
a public street - asphalt paving
(scaled from filed plat at 50' right-of-way)
(platted as Brockett St. in V. 25, P. 196)
known as: Carter Street
a public street - asphalt paving (50' right-of-way)
Lot 4
Lot 5
Austin Park Addition to
the City of Sherman, Texas
Vol. 20, Pgs. 133 & 134
Plat Records,
Grayson County, Texas
conc.
Geodetic North
GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.
Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Firm Registration No.: 10088100
Texas Board of Professional Land Surveying
Site Plan for proposed subdivision of:
Austin Park Addition, Phase II to the City of Sherman, Texas
C:\Land Projects R2\Replat-Lots-1-through-4-Block-4-W-P-Carters-Addition-Sherman\dwg\Site Plan.dwg 10/2/2014 11:52:03 AM CDT

Sherman
CLASSIC TOWN. BROAD HORIZON.

Planning & Zoning Commission and Board of Adjustments **Agenda Item No. 7.**

Meeting Date: 10/21/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman	Dr. Alan Scheibmeir, Commissioner
Ron Barton, Commissioner	Eric Elliott, Commissioner
Sam Thorpe, Commissioner	Chris Vellotti, Commissioner
Ronnie Dutton, Commissioner	Sean Vanderveer, Commissioner

Requested Action/Proposed Use:

600 BLOCK E. CARTER STREET & 802 N. THROCKMORTON STREET

The request of Lazy L Enterprises (Owners) and Helvey and Associates (Surveyor) concerning the property located in the 600 Block of E. Carter Street and 802 N. Throckmorton, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes in an R-1 (One Family Residential) District/College Park Overlay District.

Background:

The property is located in the 600 block of East Carter Street also addressed as 802 North Throckmorton Street; the northwest corner. The owner would like to replat the property into three lots to construct patio garden homes on the lots.

Adjacent Zoning:

R-1 (One Family Residential) District
College Park Overlay District

Origination:

Lazy L Enterprises (Owners)
Helvey and Associates (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

15

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
Staff Review Letter

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

October 15, 2014

William Magers
4 Timber Creek Rd
Sherman, TX 75092

Helvey & Associates
222 W. Main
Denison, Texas 75020

Dear Applicants,

The request for approval of a Specific Use Permit and site plan approval to allow patio homes in an R-1 (One Family Residential) District/College Park Overlay District for the property located in the 600 block E. Carter Street also addressed at 802 N. Throckmorton Street, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 21, 2014 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 R-1 (One Family Residential) District, the College Park Overlay District, the Patio Homes Ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Review the zoning and development ordinance for additional requirements.
3. 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:

4. Drive approaches and sidewalks are contingent upon and shall conform to the City of Sherman standards.

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 & Zoning Commission.

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

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

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

cc: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering
Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

AUSTIN COLLEGE
Office of the President

Marjorie Hass, Ph.D.
President

RECEIVED
OCT 17 2014

October 16, 2014

Mr. Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment
City of Sherman
PO Box 1106
Sherman, TX 75091-1106

Re: Austin College support of the SUP to allow patio homes and re-plat of Austin Park Addition, Phase II

Dear Mr. Shadden,

I am writing to express Austin College's support of the request for the development of garden homes in the College Park Overlay District. The developer has previously re-platted eight lots for garden home development in the same block. The College has a longstanding relationship with the developer and is confident that the re-development of this area will benefit the neighborhood and support our own efforts to improve the quality of housing surrounding the campus.

Thank you.

Sincerely,

Marjorie Hass

Dr. Marjorie Hass
President

900 North Grand Avenue, Suite 6P | Sherman, Texas 75090-4400
Phone (903) 813-3001 | Fax (903) 813-3008 | austincollege.edu

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No.** **D. 3.**

Meeting Date: 11/17/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5861 and 5862

List of Agenda Items:

D.1. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5861**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Feed Store in a C-2 (General Commercial) District at 1916 Gallagher Drive, being all of Block 18 and a Part of Block 17 of the Replat of Lots 20-27, Block 11 and all of Blocks 12, 13, 14, 15 and 16, Town North Addition (Peanut Processors of Sherman, Inc., Owner; Kevin L. Finnerty, Prospective Buyer; and Helvey & Associates, Inc., Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

D.2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5862**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Patio Homes in an R-1 (One Family Residential) District/College Park Overlay District in the 600 Block of East Carter Street, also known as 802 North Throckmorton Street, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763 (Lazy L Enterprises, Owners; and Helvey and Associates, Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No.** D. 4.

Meeting Date: 11/17/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

CONSENT AGENDA

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

List of Agenda Items:

E.1. **** RESOLUTION NO. 5918***
Authorizing the Purchase of a 2015 International 7400 Rear Load Chassis for the Solid Waste Services Department from Southwest International Trucks through the Texas Local Government Purchasing Cooperative (BuyBoard)

E.2. **** RESOLUTION NO. 5919***
Authorizing the Purchase of a Heil Rear Load Body for the Solid Waste Services Department from Heil of Texas through the Texas Local Government Purchasing Cooperative (BuyBoard)

F.1. **** REQUEST TO ADVERTISE***
Annual Supply of Chemicals

G.2. **** OTHER BUSINESS***
Final Plat Approval of West Canyon Creek Estates, Section 3, being 2.342 acres in the James H. Vaden Survey, Abstract No. 1288; Westfield Estates, a Limited Partnership, Owners; and Underwood Drafting and Surveying, Surveyors (2700 Block of Shady Oaks Lane)

G.3. **** OTHER BUSINESS***
Replat Approval of C&M Addition, a Replat of Part of Lot 5, Block 1, Midway Industrial Park, being 2.0 acres in the J.B. Shannon Survey, Abstract No. 1085 and Part of Lot 5, Block 1, Midway Industrial Park; C&M Villareal FLP, Owner; and Sartin and Associates, Surveyors (2931 Fallon Drive)

SHERMAN CITY COUNCIL
Agenda Communication Form

Sherman CLASSIC TOWN. BROAD HORIZON.

City Council Regular Meeting **Agenda Item No. E. 1.**

Meeting Date: 11/17/2014

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

Approved By: George Olson, City Manager

Caption:

**** RESOLUTION NO. 5918***

Authorizing the Purchase of a 2015 International 7400 Rear Load Chassis for the Solid Waste Services Department from Southwest International Trucks through the Texas Local Government Purchasing Cooperative (BuyBoard)

Issue:

To consider approval of a resolution to purchase a new commercial solid waste rear load truck chassis through the BuyBoard for use within the Solid Waste Services Department

Background:

The requested purchase is to replace Unit 613, a 1989 year model rear load commercial solid waste truck. This is the oldest rear load truck in the Solid Waste Services Department's fleet.

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

Origination:

Department of Public Works

Financial Consideration:

The International chassis will be purchased from Southwest International Trucks for $77,862.85 through the BuyBoard. Funding for this purchase was appropriated in the fiscal year 2014-2015 Solid Waste Services budget.

Staff Recommendation:

It is recommended that staff be authorized to purchase the new International chassis through the BuyBoard.

Alternatives:

As may be recommended by the City Council

Attachments

Resolution No. 5918

International Quote

BuyBoard Agreement

RESOLUTION NO. 5918

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2015 INTERNATIONAL 7400 REAR LOAD CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM SOUTHWEST INTERNATIONAL TRUCKS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed to purchase from Southwest International Trucks, through the Texas Local Government Purchasing Cooperative (BuyBoard), a 2015 International 7400 Rear Load Chassis, at a total price of Seventy-Seven Thousand, Eight Hundred Sixty-Two Dollars and Eighty-Five Cents ($77,862.85), in accordance with the provisions of the BuyBoard proposal and terms and conditions of the Interlocal Participation Agreement, both attached hereto and made a part hereof for all purposes. Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2014-2015 budget.

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

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ______________________________
LINDA ASHBY,
CITY CLERK

BY: ______________________________
CAROLYN S. WACKER,
MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: ______________________________
BRANDON S. SHELBY,
CITY ATTORNEY

Texas Local Government Purchasing Cooperative

PRICING WORKSHEET			
Buying Agency: City of Sherman Texas		Date Prepared	09/22/2014
Southwest International Trucks		Contract 430-13	
Product Description: 2015 International 7400 Garbage truck chassis			
		7400 4x2 is base chassis	
Contact Person: Michael Springer		Item: Base Chassis Bid	$ 60,254.46
B: Options	Option cost is 80% of MSRP		
front tow hooks	58.40	synthetic trans oil	162.40
wheelbase	351.20	Dana 23K rear axle	635.20
Meritor 14K front axle and springs	468.80	31K rear springs w/4500 aux spg	244.00
Meritor air dryer	360.00	80 gal fuel tank	187.20
16.5 x 5 HD front brakes	212.00	yellow interior grab handles	26.40
Tilt steering wheel	100.00	engine temp/aircleaner gages	67.20
Horizontal/vertical exhaust	536.80	air ride driver seat/fixed pass seat	323.20
cig liter/power source	38.40	L&R heated mirrors	100.80
body builder wiring	80.00	L&R hood mirrors	109.60
2 way radio wiring	54.40	air conditioner	658.40
Panasonic AM FM radio	244.00	cab sound insulation	72.00
back up alarm	96.00	22.5 x 8.25 x 0.472" HD F&R wheels	402.40
air horn	75.20	power remote module 6 switches	460.00
circuit breakers	79.20	body indicator lights- gate open etc	66.40
Maxxforce 9 300hp/860 torq	988.00	Goodyear G751 16 ply 11R22.5 rear	727.20
horton Drivemaster fan drive	402.40	Goodyear G751 16 ply 12R 22.5 front 3 tires	1,335.20
remote engine control	36.00	block heater/orange seat belts	86.40
auto neutral	27.20	G751 16 ply rear spare tire from Wingfoot	638.39
Allison 5 spd 3500 RDS auto trans	5,533.60	2 spare wheels	374.80
Modine trans oil cooler	533.60		
Subtotal Column 1:	$ 10,275.20	Subtotal Column 2:	$6,677.19
Total Options			$ 16,952.39
CHASSIS WITH FACTORY OPTIONS			$ 77,206.85
TOTAL BODY PRICE	See attached body spec sheet		
Additional Options:			
Buy Board Fee		Buy Board fee is $400 per purchase order	400.00
Transportation			
DOT Inspection with Fire Extinguisher and Road Flare Kit			256.00
THIS PRICE IS GOOD FOR TRUCKS ORDERED BEFORE 11-30-2014			
		TOTAL BUY BOARD PRICE	$77,862.85
Tom Claiborne			
Southwest International Trucks-Arlington.			
Arlington, Texas, 76010			
Fax# 817-861-7084			
Office# 817-461-2931			
E-mail Address: tom.claiborne@swit-tx.com			
To purchase this unit, please issue a purchase order to Southwest International Trucks, Inc. and send it to the Buy Board.			
We will order your truck when we receive notification from the Buy Board of your purchase order.			
Thank you,			
Tom Claiborne			

RECEIVED JUL 1 5 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT
for the
Texas Local Government Purchasing Cooperative

RECEIVED JUL 1 5 '02

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

WITNESSETH:

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

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

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

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

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

TERMS AND CONDITIONS

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

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

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

GENERAL PROVISIONS

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

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

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

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

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

TO BE COMPLETED BY COOPERATIVE MEMBER:

CITY OF SHERMAN, TEXAS

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

Coordinator for the Cooperative Member is:

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

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No.** **E. 2.**

Meeting Date: 11/17/2014

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

Approved By: George Olson, City Manager

Caption:

**** RESOLUTION NO. 5919***

Authorizing the Purchase of a Heil Rear Load Body for the Solid Waste Services Department from Heil of Texas through the Texas Local Government Purchasing Cooperative (BuyBoard)

Issue:

To consider approval of a resolution to purchase a new commercial solid waste rear load truck body from the BuyBoard for use within the Solid Waste Services Department

Background:

The requested purchase is to replace Unit 613, a 1989 year model rear load commercial solid waste truck. This is the oldest rear load truck in the Solid Waste Services Department's fleet.

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

Origination:

Department of Public Works

Financial Consideration:

The Heil truck body will be purchased from Heil of Texas for $67,781.00 through the BuyBoard. Funding for this purchase was appropriated in the fiscal year 2014-2015 Solid Waste Services budget.

Staff Recommendation:

It is recommended that staff be authorized to purchase the new Heil truck body through the BuyBoard.

Alternatives:

As may be recommended by the City Council

Attachments

Resolution No. 5919
Quote
BuyBoard Agreement

RESOLUTION NO. 5919

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A HEIL REAR LOAD BODY FOR THE SOLID WASTE SERVICES DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed to purchase from Heil of Texas, through the Texas Local Government Purchasing Cooperative (BuyBoard), a Heil PT1000-13 Rear Load Body, at a total price of Sixty-Seven Thousand, Seven Hundred Eighty-One Dollars and Zero Cents ($67,781.00), in accordance with the provisions of the BuyBoard proposal and terms and conditions of the Interlocal Participation Agreement, both attached hereto and made a part hereof for all purposes. Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2014-2015 budget.

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

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ________________________________
LINDA ASHBY,
CITY CLERK

BY: ________________________________
CAROLYN S. WACKER,
MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: ________________________________
BRANDON S. SHELBY,
CITY ATTORNEY

TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE

BUYBOARD

PRODUCT PRICING BASED ON CONTRACT

09/19/2014

Customer:	**CITY OF**	**SHERMAN, TEXAS**
Product Description:	**HEIL**	**PT1000-13 YD. REAR LOAD BODY**

A: **Base Price in Bid/Proposal Number 425-13** **Series 11 =>** **$ 44,640.50**

B: Published Options [Itemize each item below]

Upgrade: Heil PT1000 --20yd	$ 6,763	**AWT-3rd EYE Rear Vision Camera**	$ 1,695
HOT-shift PTO w/ EOS	$ 2,765	**Bayne GRL 1110 Cart Grabber**	$ 7,545
Mud Guards -Steel/ahead rear wheels	$ 305	**L.H. Access Door w/ step & Ladder**	$ 665
LED Body/ SMART Light package	$ 570	**Factory Mount**	$ 2,105
Mudflaps -behind rear wheels	$ 290	**Tool Box Frame Mounted 18x18x36**	$ 760
Remote Mount Gear Pump	INCL	**20 lb. Fire Extinguisher w/ Bracket**	$ 465
		Hopper floor kit -1/4(150,000 psi)	$ 855
Subtotal Column 1:	**$ 10,693**	Subtotal Column 2:	**$ 14,090**

Published Options added to Base Price (Subtotal of "Col 1" + "Col 2") **$ 24,783.00**

C: Subtotal of A + B => **$ 69,423.50**

D: Unpublished Options {Itemize each item below, Not to exceed ± 25% of (Unpublished = **0.03** %

UpCharge: HEIL Price Increase	**$ 2,097.50**		
	$ -		$ -
	$ -		$ -
Subtotal Column 1:	**$ 2,097.50**	Subtotal Column 2:	**$ -**

Unpublished Options added to Base Price (Subtotal of "Col 1" + "Col 2") **$ 2,097.50**

E: Contract Pride Adjustment {If any, explain here} **Good Customer Discount** $ - **($2,000.00)**

F: Total of C + D ± E => **$ 69,521.00**

G: Quantity Ordered {Units x F} => # of Units **1** **$ 69,521.00**

H: BUYBOARD FEE: **$ 400.00**

I: Non-Equipment Charges & Credits {ie: Ext. Warranty, Trade-In, Cost of Factory trips, etc.}

ADDITIONAL DISCOUNT: If Invoice	**($2,140.00)**
is paid within 15 Days of Delivery	$ -

Subtotal of Non-Equipment Charges **($2,140.00)**

J: **TOTAL PURCHASE PRICE INCLUDING {G + H +I} =>** **$ 67,781.00**

1440 S. Loop 12
Irving, TX 75060
www.heiloftexas.com

Tom Hafer
Heil of Texas
972-438-6488

09/17/2014

RECEIVED JUL 1 5 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT
RECEIVED JUL 1 5

for the
Texas Local Government Purchasing Cooperative

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

WITNESSETH:

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

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

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

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

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

TERMS AND CONDITIONS

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

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

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

GENERAL PROVISIONS

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

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

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

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

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

TO BE COMPLETED BY COOPERATIVE MEMBER:

CITY OF SHERMAN, TEXAS

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

Coordinator for the Cooperative Member is:

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

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. F. 1.**

Meeting Date: 11/17/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:
**** REQUEST TO ADVERTISE***
Annual Supply of Chemicals

Issue:
Approval of a request to advertise for the annual supply of chemicals for the calendar year 2015

Background:
Annually, the City requests bids for the supply of our industrial chemical purchases, primarily for use at the Water Treatment Plant and the Wastewater Treatment Plant.

Origination:
Department 7710, Utilities Administration

Financial Consideration:
Funds for the purchase of chemicals were appropriated in the recently approved budget for fiscal year 2014-2015. Advertising costs are estimated to be about $200.00.

Staff Recommendation:
It is recommended that the City Council approve the advertising related to the purchase of the annual supply of chemicals.

Alternatives:
As may be directed by the City Council

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. G. 1.**

Meeting Date: 11/17/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

OTHER BUSINESS

Replat Approval of Austin Park Addition, Phase II, being a Replat of Lots 1-4, Block 4, W.P. Carter Addition, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763; Lazy L Enterprises, Owner; and Helvey and Associates, Surveyors (600 Block of East Carter Street also known as 802 North Throckmorton Street)

Issue:

To consider Replat approval of Austin Park Addition, Phase II, being a Replat of Lots 1-4, Block 4, W.P. Carter Addition, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763

Background:

The property is located in the 600 block of East Carter Street, also known as 802 North Throckmorton Street, at the northeast corner. The owner would like to replat the property into three lots for residential development.

Origination:

Lazy L Enterprises (Owner)
Helvey and Associates (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the October 21, 2014 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

Attachments

Location Map

Zoning Map

Zoning Photo

Replat

P&Z Communication

Staff Review Letter

Sherman
CLASSIC TOWN. BROAD HORIZON.

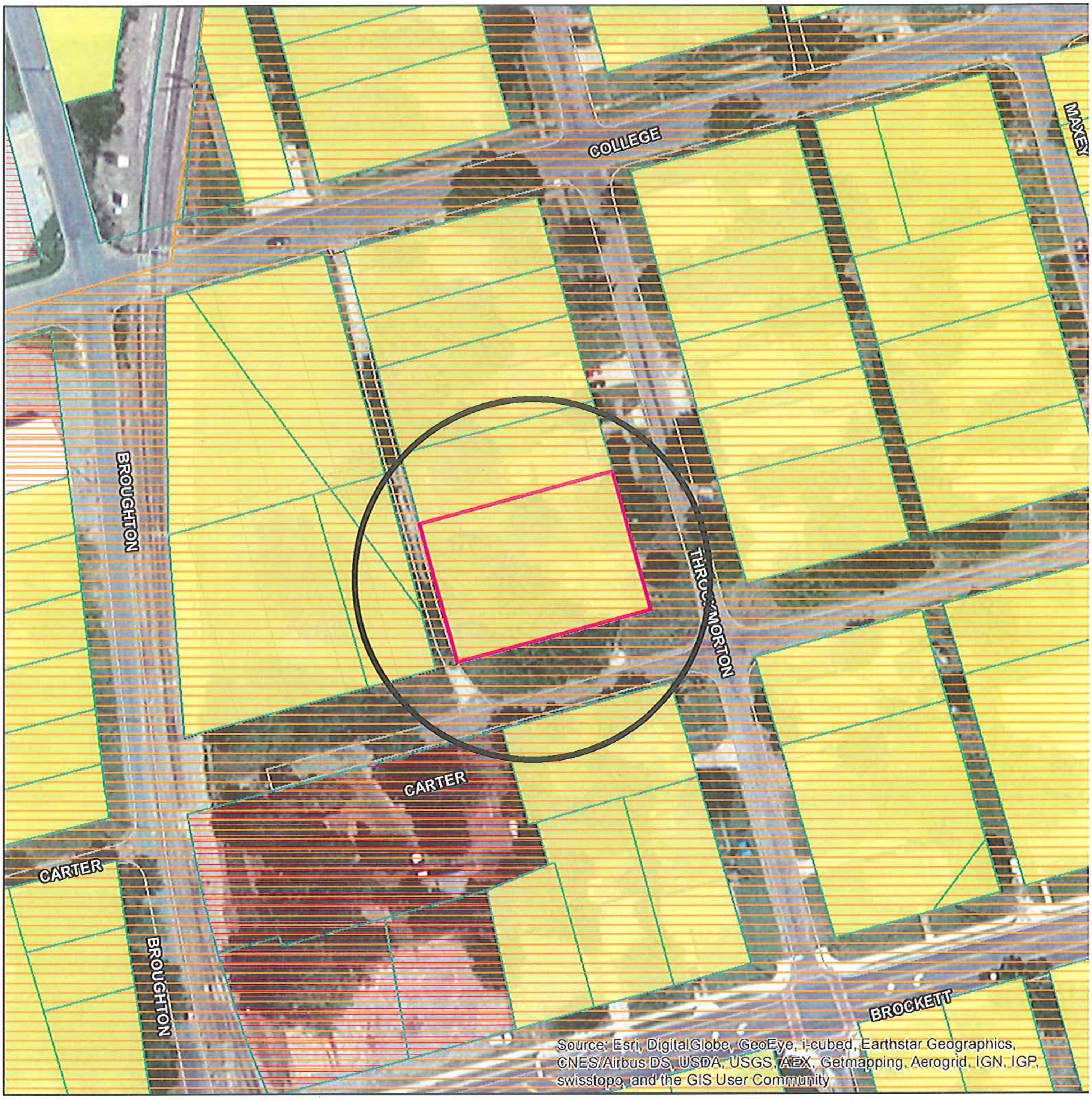
600 Block E. Carter St. & 802 N. Throckmorton St

N

NOT TO SCALE

City of Sherman, Texas
Developmental Services Department

1 inch = 77 feet



Zoning - 600 Block E. Carter Street/802 N. Throckmorton Street

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

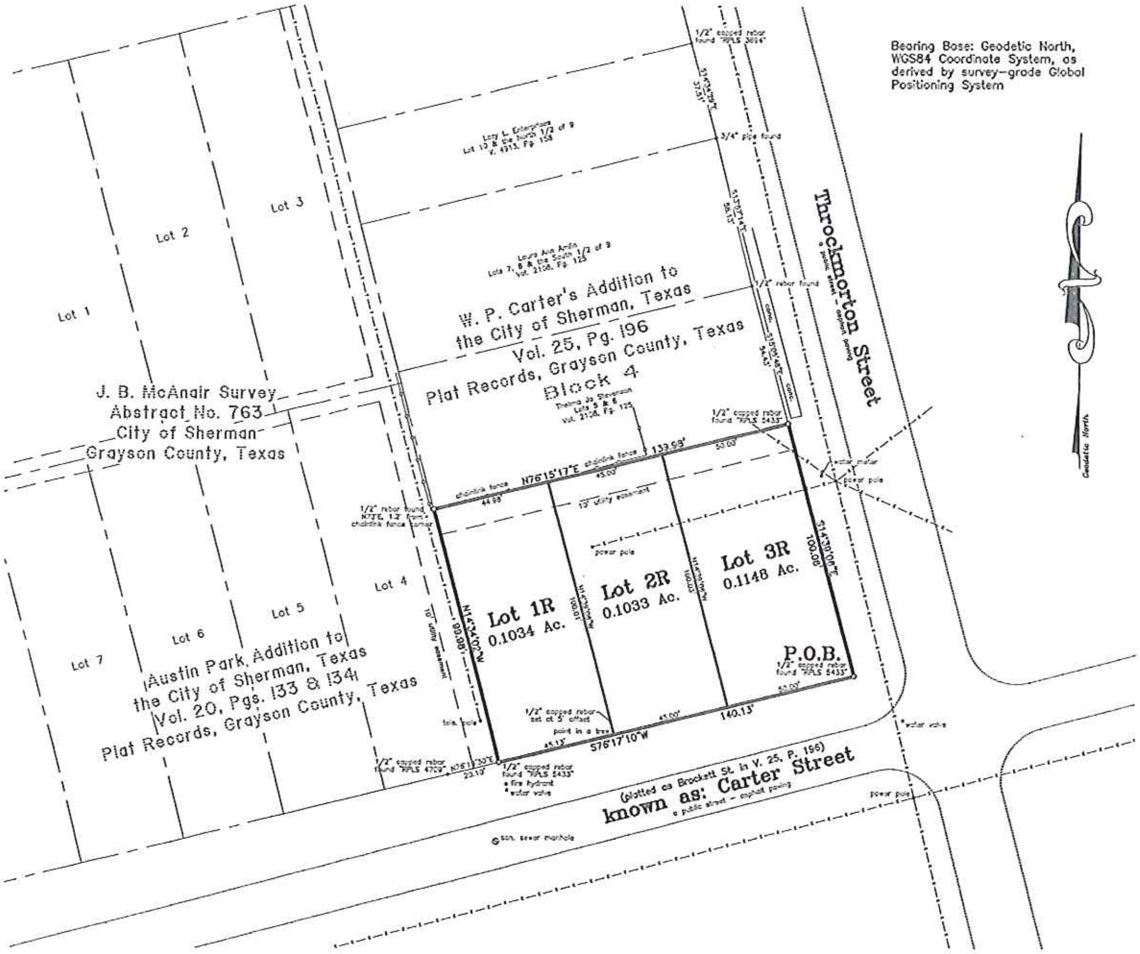
N

NOT TO SCALE

1 inch = 96 feet

600 Blk. E. Carter/802 N. Throckmorton

Bearing Base: Geodetic North, WGS84 Coordinate System, as derived by survey-grade Global Positioning System

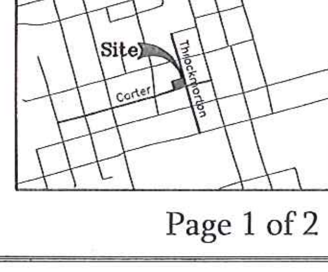


Austin Park Addition, Phase II
being a Replat of Lots 1, 2, 3 & 4, Block 4
W. P. Carter's Addition
to
the City of Sherman, Texas
0.3215 Acres
in the
J. B. McAnair Survey
Abstract No. 763

Lazy L Enterprises
Owner

General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co.
4. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 F, Revised Date: September 29, 2010.
5. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.



GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Firm Registration No.: 10088100
Texas Board of Professional Land Surveying

D:\Land Projects 2005\Replat-Lots-1-through-4-Block-4-W-P-Carters-Addition-Sherman\dwg\Replat.dwg 9/25/2014 6:33:59 PM CDT

Sherman
CLASSIC TOWN. BROAD HORIZON.

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 6.

Meeting Date: 10/21/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman	Dr. Alan Scheibmeir, Commissioner
Ron Barton, Commissioner	Eric Elliott, Commissioner
Sam Thorpe, Commissioner	Chris Vellotti, Commissioner
Ronnie Dutton, Commissioner	Sean Vanderveer, Commissioner

Requested Action/Proposed Use:

* **600 BLOCK E. CARTER STREET & 802 N. THROCKMORTON STREET**

The request of Lazy L Enterprises (Owners) and Helvey and Associates (Surveyor) concerning the property located in the 600 Block of E. Carter Street and 802 N. Throckmorton, being Lots 1-4, Block 4, W.P. Carter's Addition, containing 0.3215 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Replat approval of Austin Park Addition, Phase II, being a Replat of Lots 1-4, Block 4, W.P. Carter Addition.

Background:

The property is located in the 600 block of East Carter Street, also addressed as 802 North Throckmorton Street; the northwest corner of Throckmorton and Carter Streets. The owner would like to replat the property into three lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District
College Park Overlay District

Origination:

Lazy L Enterprises (Owners)
Helvey and Associates (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

65

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Photo
Replat
Staff Review Letter

STAFF REVIEW LETTER

October 15, 2014

William Magers
4 Timber Creek Rd
Sherman, TX 75092

Helvey & Associates
222 W. Main
Denison, Texas 75020

Dear Applicants,

The request for approval of the Replat of Austin Park Addition, Phase II, being a Replat of Lots 1-4, Block 4, W.P. Carter Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 21, 2014 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. Platting of the property is required.
2. Drive approaches and sidewalks shall conform to the City of Sherman standards.
3. Original tax certificates shall be furnished for the purpose of recording the plat.
4. The width of right-of-way for N Throckmorton Street and Carter Street shall be shown.
5. A 10' Utility Easement is required along the south and east property lines.
6. The 10' easement along the north property line shall be labeled as a private sewer easement.
7. Utilities shall be removed and the field notes shall be replaced with a dedication statement prior to recording.
8. Any other changes made to the 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 and 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

Clay Barnett,
Dir. of Public Works and Engineering

cc: George Olson, City Manager
Brandon Shelby, City Attorney
Jamie Baggs, Fire Marshal
Lisa Whitfield, Engineering & Development Coordinator
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. 2.**

Meeting Date: 11/17/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat Approval of West Canyon Creek Estates, Section 3, being 2.342 acres in the James H. Vaden Survey, Abstract No. 1288; Westfield Estates, a Limited Partnership, Owners; and Underwood Drafting and Surveying, Surveyors (2700 Block of Shady Oaks Lane)

Issue:

To consider Final Plat approval of West Canyon Creek Estates, Section 3, being 2.342 acres in the James H. Vaden Survey, Abstract No. 1288

Background:

The property is located in the 2700 block of Shady Oaks Lane, off of West Lamberth Road; the property was formerly the County Farm, which was annexed into the City in 2003. West Canyon Creek Estates, Section 1 (consisting of five lots) and Section 2 (consisting of eight lots) were filed May 16, 2014. The owners would like to plat this phase, West Canyon Creek Estates, Section 3 into six lots for residential development.

Origination:

Westfield Estates, a Limited Partnership (Owners)
Underwood Drafting and Surveying (Surveyors)

Financial Consideration:

None

Staff Recommendation:

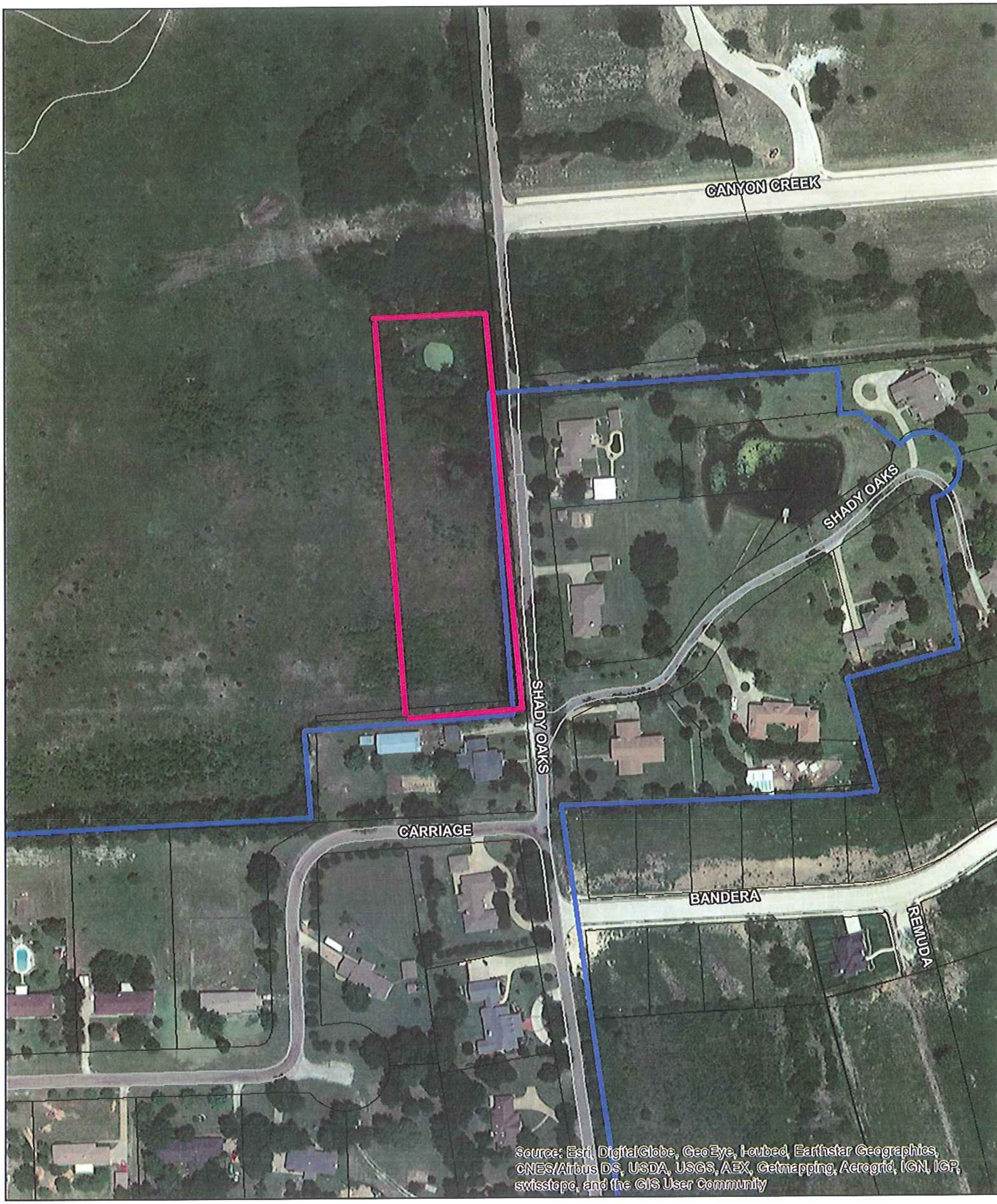
At the October 21, 2014 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat
P&Z Communication
Staff Review Letter

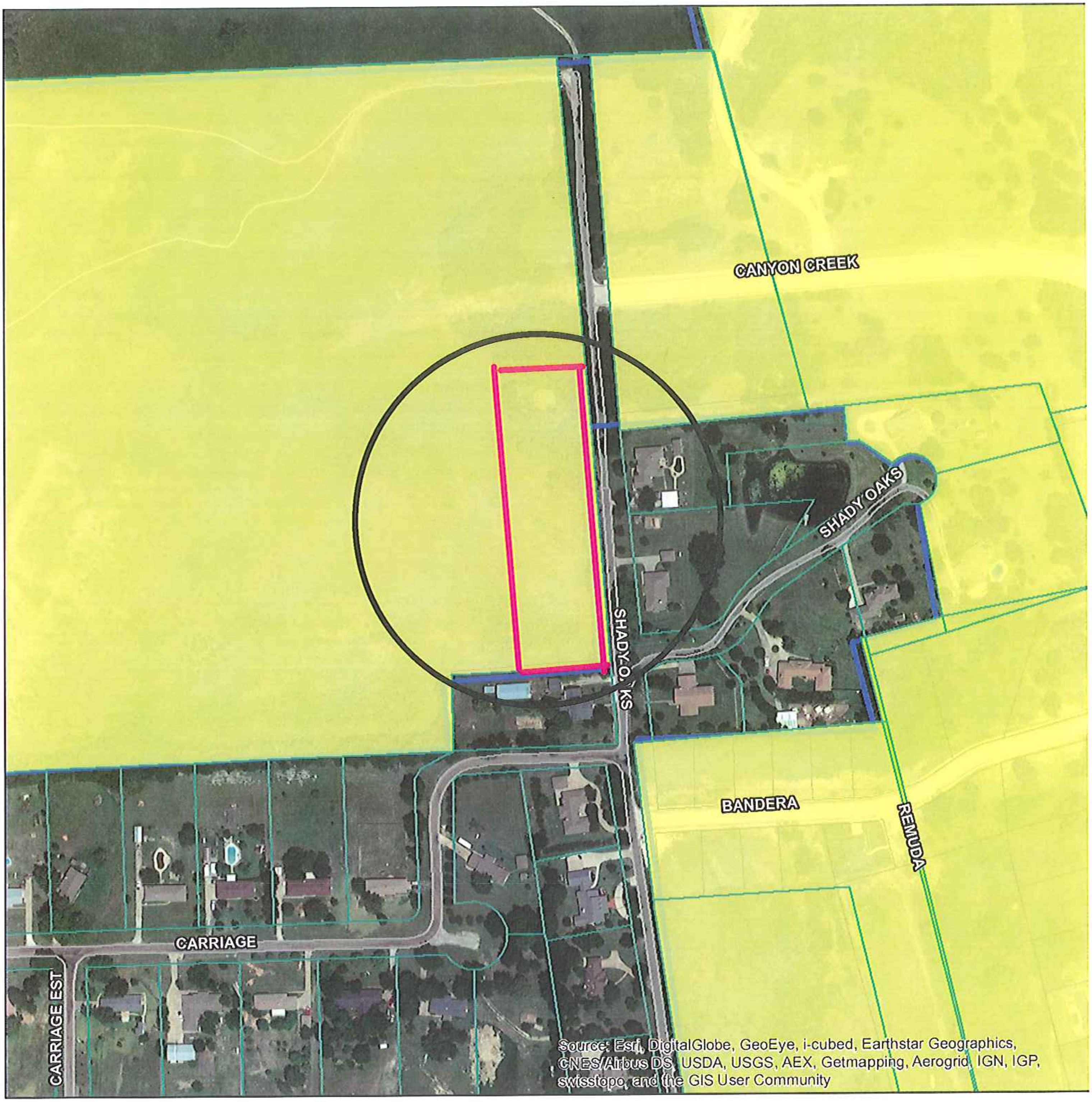


Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2700 Block Shady Oaks Lane
West Canyon Creek Estates, Section 3

N
NOT TO SCALE
1 inch = 191 feet



Zoning - 2700 Block Shady Oaks Lane
West Canyon Creek Estates, Section 3

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

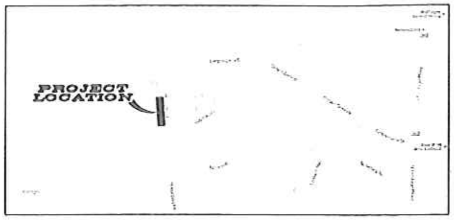
City of Sherman, Texas
Developmental Services Department

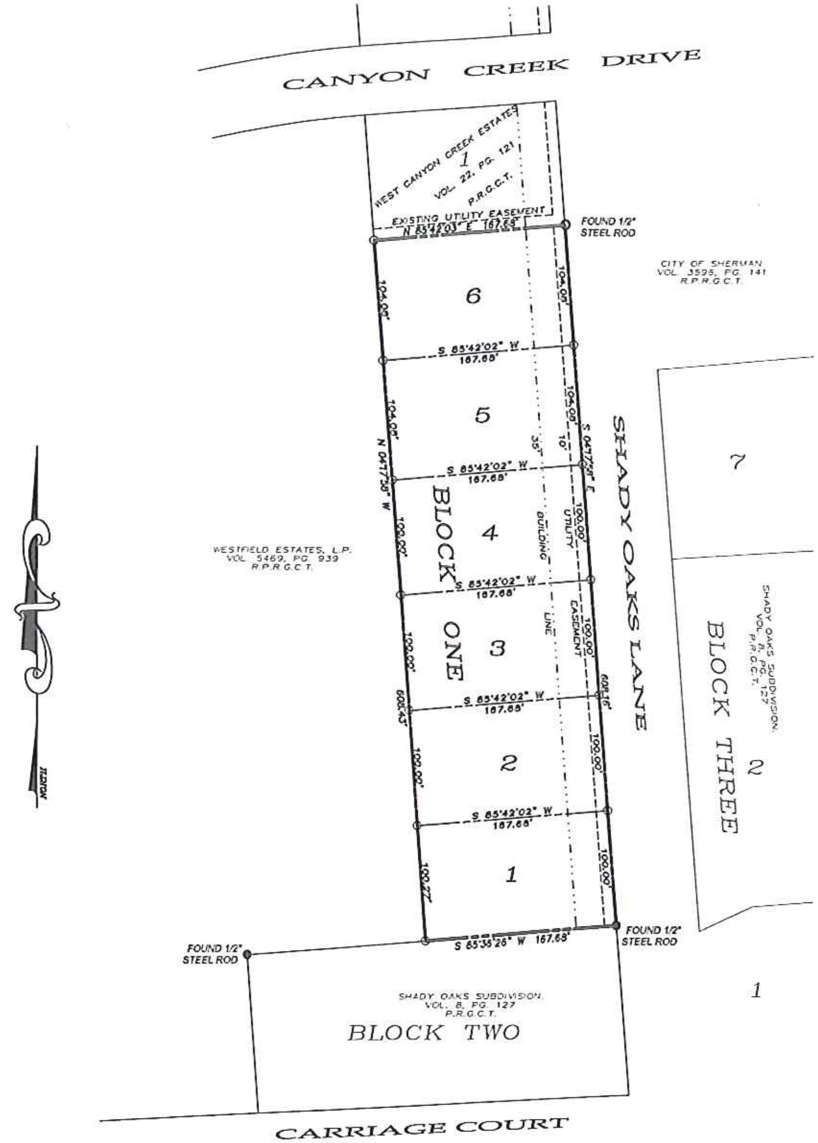
NOT TO SCALE

1 inch = 275 feet

JOB NO. 14080501

LOCATION MAP





Approved this______ day of____________,2014, 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

Legal Description

Situated in the County of Grayson, State of Texas, being a part of the James H. Vaden Survey, Abstract No. 1288 and being a part of the 111.56 acre tract of land conveyed to Westfield Estates, L. P. as recorded in Volume 5469, Page 939, Deed Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a ½" steel rod found at the southeast corner of said 111.56 acre tract;

Thence South 85°35'26" West with the south line of said 11.56 acre tract, a distance of 167.68 feet to set 1/2" steel rod;

Thence North 04°17'58" West, a distance of 608.43 feet to a set 1/2" steel rod at the south west corner of Lot 1, Block 2, West Canyon Creek Estates, Section One as recorded in Volume 22, Page 121, Plat records, Grayson County, Texas;

Thence North 85°42'03" E with the south line of said Lot 1, a distance of 167.68 feet to a found 1/2" steel rod at the southeast corner of said Lot 1, the west line of Shady Oaks Lane;

Thence South 04°17'58" East with said west line a distance of 608.16 feet to the Point-of-Beginning and containing 2.342 acres of land.

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, final plat of WEST CANYON CREEK ESTATES, SECTION 3, an addition to the City of Sherman, Texas, was submitted to the City Council on the____ day of ______________, 2014, 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_____________, 2014.

Clerk, City of Sherman, Texas

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 where 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

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:
THAT, Westfield Estates, a Limited Partnership, do hereby adopt this plat designating the hereinabove property as WEST CANYON CREEK ESTATES, SECTION 3, an addition to the City of Sherman, Texas, and do 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 or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and 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 is approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

Witness my hand this_____ day of____________, 2014.

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 Douglas W. Underwood 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ___________, 2014.

Westfield Estates, a Limited Partnership
By: John Szobunlewicz

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 John Szobunlewicz, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this____ day of____________, 2014.

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

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

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

OWNER
WESTFIELD ESTATES, A LIMITED PARTNERSHIP
1951 FORT WORTH HIGHWAY, SUITE 105
WEATHERFORD, TEXAS

SURVEYOR
UNDERWOOD DRAFTING & SURVEYING
3404 INTERURBAN ROAD
DENISON, TEXAS
903-465-2151

UNDERWOOD
DRAFTING & SURVEYING, INC.
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

FINAL PLAT OF WEST CANYON CREEK ESTATES, SECTION 3, AN ADDITION TO THE CITY OF SHERMAN, TEXAS JAMES VADEN SURVEY, ABSTRACT NO. 1288 GRAYSON COUNTY, TEXAS

CLASSIC TOWN. BROAD HORIZON.

Planning & Zoning Commission and Board of Adjustments **Agenda Item No. 9.**

Meeting Date: 10/21/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Dr. Alan Scheibmeir, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner

Requested Action/Proposed Use:

* **2700 BLOCK SHADY OAKS LANE**

The request of Westfield Estates, a Limited Partnership (Owners) and Underwood Drafting and Surveying (Surveyors) concerning the property located in the 2700 Block Shady Oaks Lane, being 2.342 aces in the James H. Vaden Survey, Abstract No. 1288, as follows:

Planning and Zoning Commission

Preliminary and Final Plat approval of West Canyon Creek Estates, Section 3

Background:

The property is located in the 2700 Block of Shady Oaks Lane off West Lamberth Road; the property was formerly the County Farm, which was annexed into the City in 2003. West Canyon Creek Estates, Section 1 consisting of five lots and Section 2, consisting of eight lots were filed May 16, 2014. The owners would like to plat this phase, West Canyon Creek Estates, Section 3 into six lots for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Westfield Estates, a Limited Partnership (Owners)
Underwood Drafting and Surveying (Surveyors)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Preliminary Plat

Final Plat

Staff Review Letter

SHERMAN

STAFF REVIEW LETTER

October 15, 2014

Westfield Estates, A Limited Partnership
1951 Ft. Worth Hwy., Ste. 105
Weatherford, TX 76086

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, Texas 75020

John Szabuniewicz
1951 Ft. Worth Hwy., Ste. 105
Weatherford, TX 76086

Dear Applicants,

The request for approval of the Preliminary and Final Plat of West Canyon Creek Estates, Section 3, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 21, 2014 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:

Preliminary Plat

1. Platting of the property is required.
2. The width of right-of-way for Shady Oaks Lane shall be shown.
3. Engineering plans for utility, grading and storm drain design in accordance with City Ordinances shall be submitted to the City Engineer for approval.
4. Existing utilities shall be verified by the developer to insure adequate capacity for the development.
5. A 20' drainage easement shall be shown between Lot 4 and Lot 5.
6. Privately owned and maintained 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. Drive approaches and sidewalks shall conform to the City of Sherman standards.
9. The water and sewer shall be extended to the south line of Lot 1, Block 1.
10. The easement that the sewer line is located in shall be labeled as a sewer easement. An additional 10' utility easement shall be shown along Shady Oaks Lane in addition to the sewer easement. The water main and sewer main shall be separated by a minimum of 10' at all times.
11. All site plan and preliminary plat requirements are to be met prior to filing the final plat.
12. Any other changes made to the preliminary 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 and Zoning Commission.

Final Plat

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. The width of right-of-way for Shady Oaks Lane shall be shown.
4. The POINT OF BEGINNING shall be identified on the plat.

5. Building lines shall be removed from the final plat.
6. Engineering plans for utility, grading and storm drain design in accordance with City Ordinances shall be submitted to the City Engineer for approval.
7. Existing utilities shall be verified by the developer to insure adequate capacity for the development.
8. A 20' drainage easement shall be shown between Lot 4 and Lot 5.
9. Privately owned and maintained detention in accordance with City criteria is required.
10. 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.
11. Drive approaches and sidewalks shall conform to the City of Sherman standards.
12. The water and sewer shall be extended to the south line of Lot 1, Block 1.
13. The easement that the sewer line is located in shall be labeled as a sewer easement. An additional 10' utility easement shall be shown along Shady Oaks Lane in addition to the sewer easement. The water main and sewer main shall be separated by a minimum of 10' at all times.
14. All site plan and preliminary plat requirements are to be met prior to filing the final plat.
15. 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 and 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
Jamie Baggs, Fire Marshal
Lisa Whitfield, Engineering & Development Coordinator
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. 3.**

Meeting Date: 11/17/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

**** OTHER BUSINESS***

Replat Approval of C&M Addition, a Replat of Part of Lot 5, Block 1, Midway Industrial Park, being 2.0 acres in the J.B. Shannon Survey, Abstract No. 1085 and Part of Lot 5, Block 1, Midway Industrial Park; C&M Villareal FLP, Owner; and Sartin and Associates, Surveyors (2931 Fallon Drive)

Issue:

To consider Replat approval of C&M Addition, a Replat of part of Lot 5, Block 1, Midway Industrial Park, being 2.0 acres in the J.B. Shannon Survey, Abstract No. 1085 and part of Lot 5, Block 1, Midway Industrial Park

Background:

The property is located at 2931 Fallon Drive, across from Cooper B Line in northeast Sherman. The owners would like to plat the property into two (2) lots for development.

Origination:

C&M Villareal FLP (Owners)
Sartin and Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the October 21, 2014 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

Attachments

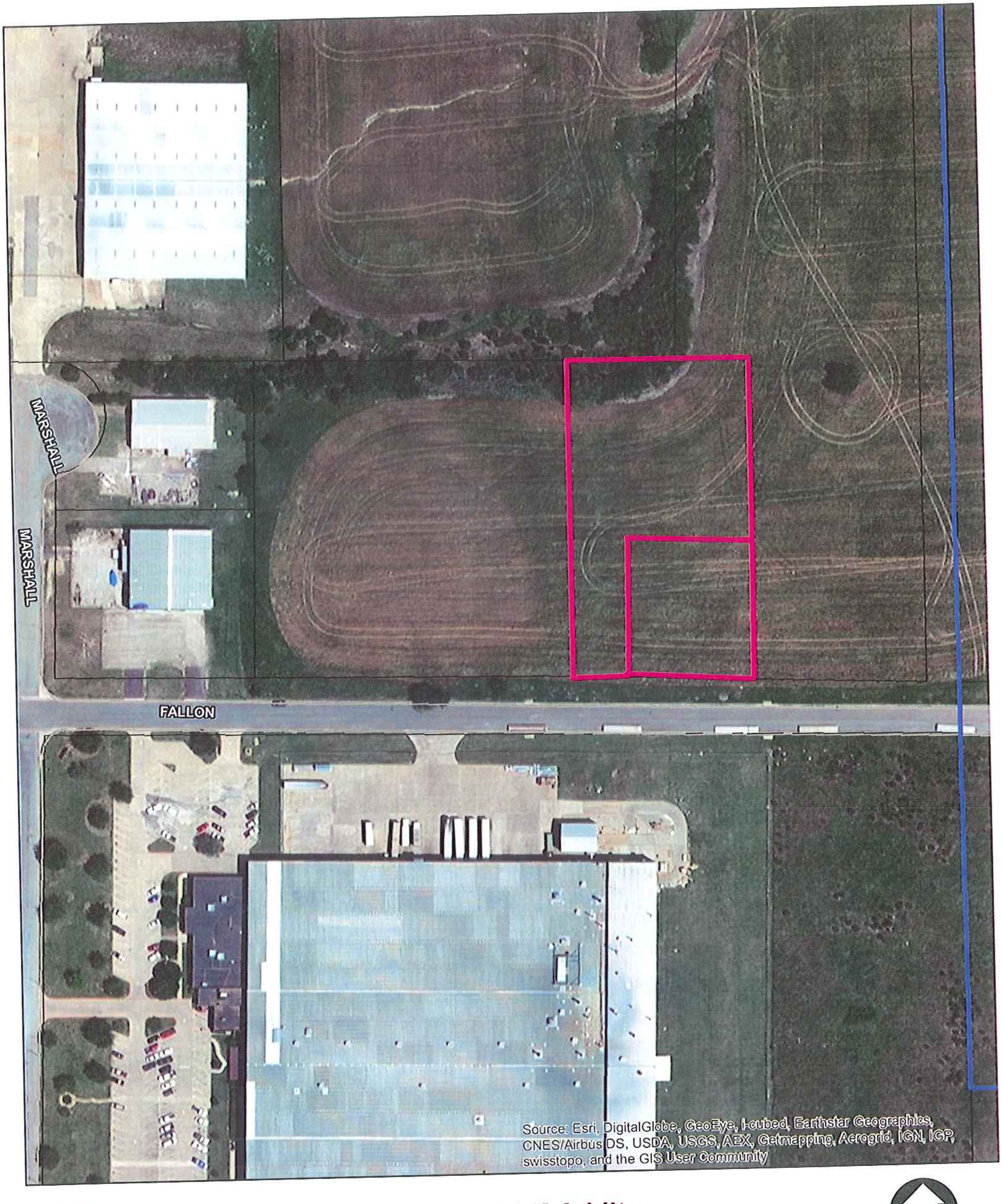
Location Map

Zoning Map

Replat

P&Z Communication

Staff Review Letter



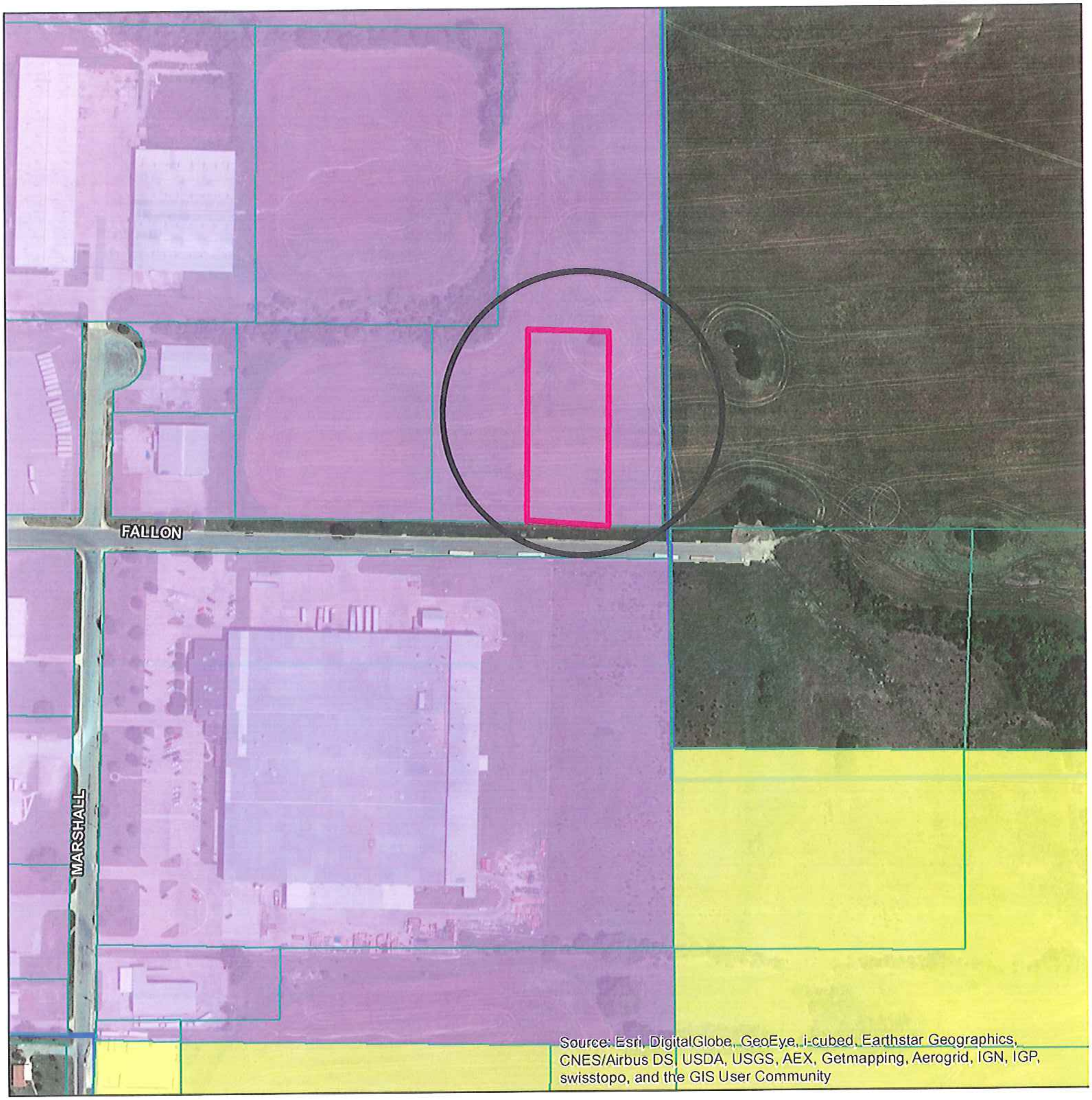
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

C&M Additon
2931 Fallon Drive

N
NOT TO SCALE

1 inch = 153 feet



Zoning - 2931 Fallon Drive

Legend

ZONING PARCELS
Transportation Corridors Overlay
HWY_NAME
FM 1417
Sam Rayburn Freeway
US Hwy 82 and 75
Special Districts Overlay

DISTRICT_NAME
Arts and Cultural District
Blalock Commercial Overlay District
Central Business District
College Park District
Downtown Overlay District
Historic Preservation District
ZONING PARCELS
Zoning Classification
Unknown
BIP Blalock Industrial Park
C-1 Retail Business District

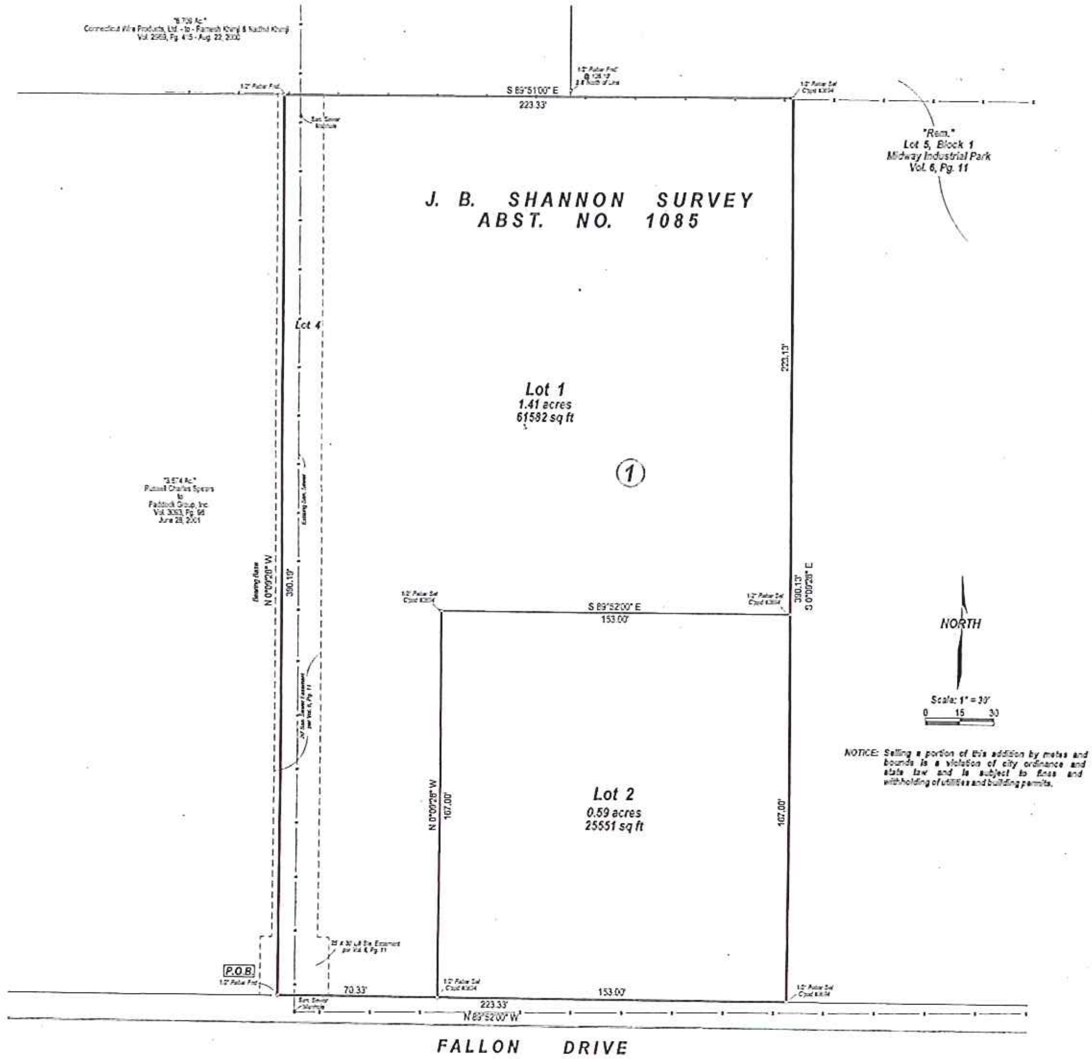
C-2 General Commercial District
CO Office District
Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing Distgrict
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 inch = 275 feet



Final Plat
of

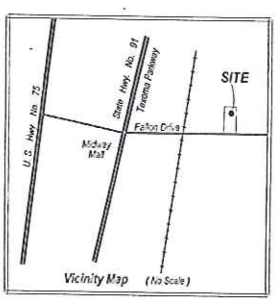
C & M ADDITION

to the

CITY of SHERMAN, TEXAS

A Replat of a Part of Lot 5, Block 1
Midway Industrial Park, Volume 6, Page 11, G.C.P.R.

being 2.00 Acres
out of
J. B. SHANNON SURVEY ABST. NO. 1085



Owner & Developer

Carlos Villareal
(210) 885-1959

SARTIN & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS

SHEET 1 OF 2

C&M-F1.pcs

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 12.

Meeting Date: 10/21/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Dr. Alan Scheibmeir, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner

Requested Action/Proposed Use:

* **2931 FALLON DRIVE**

The request of C&M Villareal FLP (Owners) and Sartin and Associates, Inc. (Surveyor) concerning the property located at 2931 Fallon Drive, being 2.0 acres in the J.B. Shannon Survey, Abstract No. 1085 and part of Lot 5, Block 1, Midway Industrial Park, as follows:

Planning and Zoning Commission

Replat Approval of C&M Addition, a Replat of part of Lot 5, Block 1, Midway Industrial Park.

Background:

The property is located at 2931 Fallon Drive across from Cooper B Line in northeast Sherman. The owners would like to plat the property into (2) two lots for development.

Adjacent Zoning:

M-1 (Light Industrial) District

Origination:

C&M Villareal FLP (Owners)
Sartin and Associates, Inc. (Surveyor)

Master Plan Designation:

Agricultural and Rural – Typically are large parcels that are primarily used for crops or pasture land. These low density regions surrounding the City do not have significant demands on the transportation or utilities network.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map
Zoning Map
Plat
Staff Review Letter

STAFF REVIEW LETTER

October 15, 2014

C&M Villareal FLP
216 Market Ave., Ste. 115
Boerne, TX 75006

Sartin & Associates Survey Company
P.O. Box 1843
Sherman, Texas 75091

Dear Applicants,

The request for approval of the Replat of C&M Addition, a Replat of part of Lot 5, Block 1, Midway Industrial Park, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 21, 2014 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:

REPLAT

1. Drive approaches and sidewalks shall conform to the City of Sherman standards.
2. Letters from the various utility providers are required verifying availability of service and when service will be available.
3. Original tax certificates shall be furnished for the purpose of recording the plat.
4. Engineering plans for utility, grading and storm drain design in accordance with City Ordinances shall be submitted to the City Engineer for approval.
5. Privately owned and maintained detention in accordance with City criteria is required.
6. 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.
7. The width of right-of-way for Fallon Drive shall be shown. Fallon Drive is designated as a principal arterial in the Transportation Plan and requires a 110' right-of-way. This replat is required to dedicate half of the total width required.
8. A 10' Utility Easement is required along Fallon Drive.
9. Utilities shall be removed prior to recording.
10. The existing sewer system downstream of the development shall be verified for adequate capacity.
11. The water shall be extended to the east line of Lot 2, Block 1.
12. Any other changes made to the 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 and 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
Jamie Baggs, Fire Marshal
Lisa Whitfield, Engineering & Development Coordinator
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. J. 1.**

Meeting Date: 11/17/2014

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 Robert Softly and Council Members Ryan Johnson and Lawrence Davis currently serve on the Council Audit Committee. Their terms expire in November 2014.

Background:

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

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

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

Alternatives:

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

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

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

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Robert Softly	2	A 11/19/2013	11/2014	1	Council Member
Ryan Johnson	1	A 11/20/2012 R 11/19/2013	11/2013 11/2014	1 2	Council Member
Lawrence Davis	1	A 11/19/2013	11/2014	1	Council Member

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

CITY STAFF: City Manager and Assistant City Manager/CFO
Revised 11/19/2013

FACT SHEET

<u>COUNCIL AUDIT COMMITTEE</u>

Established by <u>RESOLUTION 2790 – DECEMBER 23, 1991</u>

1. **Number of Members: <u>THREE (3)</u>**

2. **Term of Appointment: <u>ONE YEAR</u>**

3. **Consecutive Term Rule: <u>NO RULE</u>**

4. **Qualifications for Membership: <u>COUNCIL MEMBER WITH KNOWLEDGE OF ACCOUNTING AND/OR BUSINESS MANAGEMENT</u>**

5. **Appointed by: <u>MAYOR AND CITY COUNCIL MEMBERS</u>**

6. **Board Organization**

CHAIRPERSON ____ VICE CHAIRPERSON ____ SECRETARY ___

ELECTED ___ APPOINTED ____

7. **Departmental Responsibility: <u>CITY MANAGER & DIRECTOR OF FINANCE</u>**

8. **Meeting Date: <u>AS CALLED</u>**

9. **Attendance Requirements: <u>NONE</u>**

==

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. 2.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Investment Committee (2)

Issue:

Council Members Jason Sofey and Tom Watt currently serve on the City's Investment Committee. Their terms expire in November 2014.

Background:

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

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

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

Alternatives:

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

Attachments

Roster

Investment Policy

MEMBERSHIP ROSTER

CITY OF SHERMAN
INVESTMENT COMMITTEE

LENGTH OF TERMS:
Term of Elected Office

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Jason Sofey	1	A 11/20/2012 R 11/19/2013	11/2013 11/2014	1 2	Council Member
Tom Watt	3	A 11/19/2013	11/2014	1	Council Member
INVESTMENT COMMITTEE SHALL CONSIST OF THE FOLLOWING CITY OFFICIALS:					
Robby Hefton				NA	Assistant City Manager/CFO

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

CITY STAFF: Robby Hefton, Assistant City Manager/CFO
Revised 11/19/2013

CITY OF SHERMAN
INVESTMENT POLICY
September 2, 2014

1.0 Policy:

It is the policy of the City of Sherman, Texas to invest public funds in a manner which will provide the safest and most liquid opportunity with the highest investment return while meeting the daily cash flow demands of the City and conforming to the statutes governing the investment of public funds. This policy serves to satisfy the statutory requirements of defining and adopting a formal investment policy. The policy and strategy shall be reviewed by the Investment Committee and the City Council annually. Any modifications will be formally approved by the City Council. This investment policy, as approved, is in compliance with the provisions of the Public Funds Investment Act of the Texas Government Code Chapter 2256 (PFIA).

2.0 Scope:

This policy applies to all aspects of investing the financial assets of the City. These funds are accounted for in the City's Comprehensive Annual Financial Report and include: General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, Enterprise Funds, Trust and Agency Funds, and any new fund created by legislative body, unless specifically exempted or excluded. To maximize investment earnings, funds will be pooled and earnings allocated to the various funds based on their balances and in accordance with generally accepted accounting principles.

This policy shall not govern funds which are managed under separate investment programs in accordance with Section 2256.004 of the Public ~~Fund investment act~~ *Funds Investment Act.* Such funds currently include the Perpetual Care Cemetery and Mausoleum Fund, Deferred Compensation Fund and Bond Proceeds.

2.1 Perpetual Care Cemetery and Mausoleum Fund: This fund is governed by a trustee agreement and the provisions of Sections 712.021 - 712.029 of the Health and Safety Code. The investment decisions are the responsibility of the trustee. Therefore, this fund is excluded from this investment policy.

2.2 Deferred Compensation: The City's deferred compensation plan qualifies under Internal Revenue Service Section 457 and, therefore, is exempt from the Public Funds Investment Act and this policy.

2.3 Bond Proceeds: Funds received from the sale of general obligation bonds or certificates of obligation will be segregated and will be invested under a separate strategy.

3.0 Objectives:

The following are the primary investment objectives of the City of Sherman, in order of priority:

3.1 Safety: Safety of principal is the foremost objective of the City of Sherman's investment policy. Safety is defined as the undiminished return of the principal of the City's investments and deposits. Investment officers must have an adequate understanding of the suitability of individual investment instruments in light of the City's financial needs. This understanding is gained through experience of the investment officers and through training designed to increase the expertise of the investment officers.

3.2 Liquidity: Liquidity is important to insure sufficient cash to meet all operating requirements. A liquid investment is one that can be easily and quickly converted into cash without a substantial loss of value.

3.3 Public Trust: All participants in the City's investment process shall perform their duties at the highest level of public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

3.4 Yield: For the City of Sherman, the yield objective is secondary to those of safety and liquidity. Yield is defined as the rate of annual income return on an investment, expressed as a percentage. The one-year Constant Maturity Treasury rate or other Treasury-based rate which corresponds to the approximate weighted average of the portfolio will be a benchmark to promote a better understanding of portfolio performance.

4.0 Standards of Care:

Persons who act in good faith and in compliance with this policy shall be relieved of any personal liability arising from the investment activities of the City of Sherman.

4.1 Prudence: Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the persons' own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration: (1) the investment of all funds under the City's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; (2) whether the investment decision was consistent with this written investment policy of the City of Sherman; and (3) whether the decision might have impaired public confidence in the City's ability to govern effectively.

4.2 Ethics: Investment officers shall refrain from any activity that conflicts, or appears to conflict, with the officer's proper execution of the investment program or which could impair the officer's ability to make impartial investment decisions.

4.3 Conflicts of Interest: Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of investment programs, or which could impair their ability to make impartial investment decisions. Employees and investment officers shall disclose to the Texas Ethics Commission and the City Manager, and the City Manager discloses to the City Council if:

a) The officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City; or
b) The officer is related within the second degree by affinity ~~of~~ *or* consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the City.

4.4 Delegation of Authority: As originally granted by Resolution 3230, dated September 11, 1995, and modified by Resolution *5065* on August 20, 2007, the daily operation and management of the City of Sherman's investments are the responsibility of the following persons:

a) Investment Officers: The City Manager shall name two investment officers from among the employees with the following job titles: City Manager, Assistant City Manager/Chief Financial Officer (CFO), and Controller. The investment officers are authorized to deposit, withdraw, invest, transfer, or manage in any other manner funds of the City of Sherman. Investments officers must disclose any business or personal relationships with business organizations offering to engage in an investment transaction with the City according to ~~section~~ *Section* 2256.005.

b) Investment Committee: The Investment Committee shall consist of the City Manager and two members of the City Council as appointed by the Council. ~~The committee shall provide guidance on investment matters. Also,~~ *The committee shall annually approve the list of approved brokers, dealers and financial institutions, review and approve revisions to this policy, recommend investment strategies within this policy, and monitor investment results, controls, and compliance with this policy.* The approved list *of broker, dealers and financial institutions* is in Appendix B.

c) Other Investment Authorizations: The Accounting Assistant, Accountant and Chief Accountant are also authorized to deposit funds into the bank depository.

4.5 Quality and Capability of Investment Management: Recognizing that the investment officers of the City have many other duties and that they may lack formal education in investing, this policy allows the City to use only the more basic and easily understood types of investments available to local governments.

4.6 Training of Investment Officers: All investment officers of the City shall attend an investment training session not less than once in a two-year period beginning on October 1st and consisting of the next two consecutive years, and receive not less than ten hours of instruction from an independent source approved by the City Council or the Investment Committee. Approved sources include the Government Finance Officers Association (GFOA), the Governmental Finance Officers Association of Texas (GFOAT), the Government Treasurers' Organization of Texas (GTOT), the University of North Texas Center for Public Management, and the Texas Municipal League.

5.0 Strategies:

The investment strategy is the logical product of the investment objectives. As such, it emphasizes low credit risk, diversification, and the management of maturities. The strategy also takes into account the expertise and time constraints of the investment officers. The allowable investments listed in Section 7 of this policy reflect the avoidance of credit risk. Diversification refers to dividing investments among a variety of securities offering independent returns. The management of maturities refers to structuring the maturity dates of the direct investments so that, while funds are initially invested for a longer period of time, some investments mature at regularly-recurring intervals.

A basic strategy governs the investment of all funds under this policy. A separate strategy applies to the investment of bond proceeds.

5.1 Depository Bank: Funds at the depository bank are to be managed to a level that minimizes the cost of the relationship to the City. In instances where the depository contract allows for the payment of fees by maintaining balances at the depository, every effort is to be made to minimize the amount of money held at the depository in excess of that needed to compensate the bank for its services. Concerns about safety are to be addressed by the pledging requirements of the depository, in accordance with state law. This strategy specifies that sufficient funds to support daily operations are maintained in the depository bank, but that any funds in excess of that are held to a minimum. In accordance with the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), the City will require that the bank's board of directors or a designated committee approve the depository agreement, including the pledge of collateral to secure with bank's obligations with respect to the deposits maintained at the bank by the City.

5.2 Other Financial Institutions: The City may invest in certificates of deposit with maturities of five years or less with a bank other than the Depository Bank. A laddered maturity strategy is used for these instruments and only funds whose expenditure is not anticipated during the term of the certificate are invested.

5.3 Investment Pools: An investment pool is an entity created to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are safety, liquidity, and yield. Funds are usually available from investment pools on a next day basis, meaning the pools have a high degree of liquidity. Because of the size and expertise of their staffs, investment pools are able to prudently invest in a variety of the investment types allowed by state law. In this manner, investment pools achieve diversification. Funds that may be needed on a short-term basis but that are in excess of the amount maintained at the depository bank are available for deposit in investment pools.

5.4 Direct Investments: The City of Sherman purchases securities of the U.S. Treasury, U.S. Agencies, and direct obligations of this state, its agencies, Counties, Cities and other political subdivisions in the secondary market and in the primary market in the case of new issue offerings. For purposes of this policy, the term "U. S. Agencies" shall include obligations, including letters of credit, of the United States or its agencies and instrumentalities. The City employs a laddered maturity strategy for these instruments. With that method, some investments reach maturity at regularly-recurring intervals, enhancing liquidity. The investment officers must give consideration to the over-all liquidity of the portfolio before making a direct investment. Additionally, the City occasionally purchases a U. S. Treasury or Agency security with maturities as long as five years. See Section 5.5 below.

5.5 Hold until Maturity: The strategy of the City is to maintain enough liquidity in its portfolio that it never needs to sell a security. This will protect the principal of the investment against market risk. Should it become necessary to sell a security prior to maturity, the prior written consent of the City Manager must be obtained.

5.6 Investment of Reserve Funds: Up to one-third of the funds held in reserve are available for investment in Treasury or Agency securities with remaining maturities up to five years.

~~5.6~~ *5.7* Separate Strategy for Bond Proceeds: Proceeds from the sale of general obligation bonds or certificates of obligation will be segregated from the other investments of the City. The basic intent is to match the availability of funds to the cash requirements of the capital projects. Therefore, the maturity limits of Section ~~9.0~~ *7.7* do not apply. The following investments are available for this strategy: treasury securities, demand deposits, certificates of deposit, and investment pools. Ten percent of anticipated costs of the projects must be kept in demand deposits or pooled investments to cover unanticipated cash demands. The remaining proceeds are to be invested so as to match anticipated demands for cash. Except for the requirement for demand deposits or investment pools above, there is no restriction on the percentage of the bond proceeds that may be invested in any authorized investment vehicle.

6.0 Authorized Financial Dealers and Institutions:

6.1 Approved List of Investment Service Providers: All banking services will be governed by the depository contract. In addition, the Assistant City Manager/Chief Financial Officer shall maintain a list of security brokers, dealers, financial institutions, and investment pools that are authorized by the Investment Committee and the City Council. To be eligible to be approved to do business with the City of Sherman, a seller of securities or financial institution must be a primary dealer, a regional dealer that qualifies under SEC Rule 15C3-1, ~~or~~ be regulated by Federal banking authorities~~. To be eligible to be approved to do business with the City of Sherman~~, or an investment pool ~~must~~ that meets all the requirements of State law. More details on investment pool qualifications are listed in Section ~~7.5~~ *7.4*. Annually, the Investment Committee must review, revise and adopt a list of qualified brokers and financial institutions that are authorized to engage in investment transactions with the City. The approved list of financial institutions and broker/dealers can be found in Appendix B.

6.2 Acknowledgment of Investment Policy: A written copy of this investment policy shall be presented to any person or firm seeking to sell to the City any investment. A qualified representative of the business organization seeking to sell an investment shall execute a written instrument substantially to the effect that the registered principal has: (1) received and thoroughly reviewed the City's investment policy; and (2) acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization. The City's investment officers are expressly prohibited from buying any security from a person or firm which has not delivered a document that complies with the requirements of this section of the investment policy to the City.

7.0 Authorized Investments, Including Diversification Limits and Maximum Maturities:

Following is a list of investments that are authorized by this policy for inclusion in the City of Sherman's portfolio of investments. Also shown are the target and maximum percentages (portfolio cap) of that type of security and the maximum maturity that is allowable.

7.1 Certificates of Deposit: These investments are permitted if invested through a broker or depository institution that has its main office or a branch office in this state and is eligible under Section 2256.010 of the Public Funds Investment Act.

7.2 Obligations of the United States Treasury: United States Treasury Bills, Notes and Bonds are authorized investments of the City of Sherman. For purposes of collateral against the City's investments, the maximum length of remaining maturity may be fifteen years, as long as the total market value of the securities pledged against the City's investments always exceeds those investments.

7.3 Obligations of Agencies or Instrumentalities of the United States: United States Agency securities, or other obligations, are authorized investments of the City provided that they are unconditionally guaranteed or insured by, or backed by the full faith and credit of the United States or its respective agencies and instrumentalities. For purposes of collateral against the City's investments, the maximum length of remaining maturity may be fifteen years, as long as the total market value of the securities pledged against the City's investments always exceeds those investments.

7.4 Investment Pools: Public funds investment pools which have been created to function as a money market mutual fund are authorized investments of the City provided that they meet the following criteria: (1) they are continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service; (2) they mark their portfolio to market daily; (3) they maintain a stable net asset value of no less than .995 and no more than 1.005; (4) they limit their investments to those allowable to local governments by state law; and, (5) they meet or exceed the initial and monthly disclosure requirements of applicable state law. Deposits in investment pools that contain commercial paper are not authorized.

7.5 Repurchase Agreements; Bankers' Acceptances: These investment options are authorized for the City of Sherman only to the extent that they are contained in the portfolios of approved public funds investment pools in which the City invests. The direct investment in repurchase agreements and bankers' acceptances by the City of Sherman is not authorized. However, indirect investment in repurchase agreements by the City's depository under a sweep arrangement is allowable for purposes of this policy.

7.6 Direct Obligations of this State, its agencies, Counties, Cities and other political subdivisions: State agency means an office, department, commission, board or other agency that is part of any branch of state government, an institution of higher education, and any nonprofit corporation acting on behalf of any of those entities rated no lower than A or at an equivalent rating by at least one nationally recognized rating service.

7.7 Diversification Limits and Maximum Maturities: *The City will diversify the portfolio at all times to ensure the reduction of risk while still maintaining reasonable rates of return and ensuring an adequate amount of liquidity. With the exception of authorized pools, no more than 50% of the total investment portfolio will be invested in a single security type, such as U.S. Agencies, U.S. Treasuries, obligations of the State of Texas and its subdivisions, Certificates of Deposits, etc.*

The City will not invest in securities maturing more than five years from the date of purchase. The maximum average dollar-weighted maturity shall be 500 days.

	Target Investment Level	Portfolio Cap	Maximum Maturity
Demand Deposits		100%	
Certificates of Deposit	25%	30%	5 years
U.S. Treasury Obligations	80%	85%	5 years
U.S. Agency Obligations	45%	50%	5 years
Investment Pools	45%	50%	
State of Texas Obligations	45%	50%	5 years

8.0 Prohibited Securities:

8.1 Allowed by State Law but Prohibited by This Policy: The following instruments are eligible for investment by local governments according to state law, but have been intentionally prohibited for the City by this policy: collateralized mortgage obligations; obligations of other states and their agencies, counties, cities, and other political subdivisions; bonds issued by the State of Israel; securities lending programs; guaranteed investment contracts; mutual funds; commercial paper; and investment pools except those pools which are created to function as money market mutual funds. This prohibition is in view of the time constraints on and the expertise level of the investment officers.

8.2 Expressly Prohibited by State Law and This Policy: The following securities are expressly prohibited by state law and this policy: (1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal; (2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest; (3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and (4) collateralized mortgage obligations the interest rate of which is determined by an index that adjust opposite to the changes in a market index (inverse floaters).

~~9.0 Limits on Maturity of Entire Portfolio:~~

~~The following limits on the maturities of investments apply to the City's entire investment portfolio, except for the bond proceeds. The funds on deposit at the bank depository are excluded in the calculation of these percentages:~~

~~Available within 1 year — At least 50% of the portfolio~~
~~Available within 5 years — 100% of the portfolio~~

~~For the City portfolio, excluding any bond proceeds, the maximum average dollar weighted maturity shall be 500 days.~~

~~10.0~~ *9.0* Collateralization:

In accordance with Chapter 2257 of the Texas Government Code and the depository contract, all demand deposits and all time deposits will be collateralized by the pledging of investment securities or by letters of credit from Federal Home Loan Bank. If securities are used as collateral, the CFO or his designee must approve the security prior to its pledging. Pledged securities shall always be held by a third party and evidenced by a current safekeeping receipt.

~~11.0~~ *10.0* Safekeeping:

All investment transactions, other than those with investment pools, shall be conducted on a delivery-versus-payment basis. Securities shall be held by a third party custodian and evidenced by current safekeeping receipts.

~~12.0~~ *11.0* Internal Control:

The CFO shall establish a system of internal controls designed to prevent the loss of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions. The system shall contain, but is not limited to, the following items:

~~12.1~~ *11.1* **Competitive Bids:** Generally, securities will be purchased using competitive offerings. The CFO or his designee shall make their best effort to obtain at least three offers from firms listed on the approved list of brokers and dealers. Offers shall be in writing and may be delivered to the City in person, or by fax or email. The award shall be on the basis of the best value to the City. Records of the offers and award shall be maintained by the CFO's office, or the office of his designee.

The City recognizes that a competitive offering process is not always necessary or is not always in the best interest of the City. Accordingly, new issue offerings may be purchased directly from an approved broker/dealer in the primary market.

~~12.2~~ *11.2* **Delivery-Versus-Payment:** The safekeeping agent must receive all investments, other than investment pool funds, before funds are released for their purchase.

~~12.3~~ *11.3* **Compliance Audit:** In conjunction with its annual financial audit, the City shall require a compliance audit of management controls on investments and adherence to this policy.

~~12.4~~ *11.4* **Collateral:** Evidence of pledged collateral shall be maintained by the Chief Financial Officer or his designee. Collateral shall be reviewed weekly to assure that the market value of the pledged securities is adequate.

~~12.5~~ *11.5* **Other Components:** Internal control shall address separation of transaction authority from accounting and recordkeeping, clear delegation of authority to subordinate staff members, and written confirmation of transaction for investments and wire transfers.

Other sections of this policy contain aspects of internal control procedures. These include holding securities until maturity, providing adequate training for all investment officers, requiring vendors to meet minimum qualifications before selling securities to the City, disclosing personal or business relationships between investment officers and vendors, and regular reporting of investments to the City Council.

~~13.0~~ *12.0* Valuation:

The market value of each investment in the City's portfolio will be calculated quarterly, on the following basis:

~~13.1~~ *12.1* **Investment Pools:** Monthly statements are received from the investment pools which show the amount on deposit and the market value of the pool as a percentage of the book value. The market value of the investment pools will be the product of these two figures.

~~13.2~~ *12.2* **Treasury Notes:** The market value of Treasury Notes will be obtained from the City's third-party securities custodian.

~~13.3~~ *12.3* **Treasury Bills:** The market value of Treasury Bills will be obtained from the City's third-party securities custodian.

~~13.4~~ *12.4* **Agencies of the United States and the State of Texas:** The market value of Agency securities will be obtained from the City's third-party securities custodian.

~~14.0~~ *13.0* Credit Ratings:

The credit rating of each investment in the City's portfolio will be determined quarterly from Standard and Poor's. All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

~~15.0~~ *14.0* Performance Standards:

For each of the City's investment objectives, following are the performance standards:

~~15.1~~ *14.1* **Safety:** All investment principal is maintained.

~~15.2~~ *14.2* **Liquidity:** Sufficient cash is maintained or can be generated to pay all current obligations without selling direct securities or incurring loss of principal.

~~15.3~~ *14.3* **Yield:** Yield on the portfolio of City funds, excluding demand deposits at the bank depository, should approximate the Treasury-based yield having similar weighted-average maturities.

~~16.0~~ *15.0* Reporting:

No less than quarterly, the investment officers shall prepare, sign, and present to the City Council a report of the City's investments in compliance with section 2256.023 of the Public Funds Investment Act.

~~17.0~~ *16.0* Investment Policy Adoption and Revision:

The City Council shall adopt the written investment policy by resolution. Annually the City Council shall review the investment policy and strategy. Revisions to the policy shall be made by City Council resolution.

APPENDIX A

GLOSSARY OF COMMON TREASURY TERMINOLOGY

Agencies: Federal agency securities.

Amortized cost: Cost of investments adjusted for amortized premiums and discounts.

Asked: The price offered for securities.

Bid: The price offered by a buyer of securities.

Book value: A term synonymous with amortized cost.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateral: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Commercial Paper (CP): An unsecured short-term promissory note issued by corporations, with maturities ranging from 2-270 days.

Coupon: (a) the annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

Credit Risk: The risk of loss of principal and interest due to a failure of the security or broker.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

Discount: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to $100,000 per deposit.

Federal Funds Rate: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

Federal Home Loan Banks (FHLB): The institutions that regulate and lend savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.

Federal National Mortgage Association (FNMA): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal reserve guidelines regarding purchases and sales of Government Securities in the open-market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C. 12 regional banks and about 5,700 commercial banks that are members of the system.

Government National Mortgage Association (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government, Ginnie Mae securities are backed by FHA, VA or FMHM mortgages. The term pass-through is often used to describe Ginnie Maes.

Laddered Portfolio: Investment portfolio with securities in each maturity range (e.g. monthly) over a specified period of time.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

Local Government Investment Pool (LGIP): The aggregate of all funds from political subdivisions that are placed in custody for investment and reinvestment.

Market Risk: The risk that the market value and interest earnings of an investment or a portfolio will fall due to changes in general interest rates.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Master Repurchase Agreement: To protect investors, many public investors will request that repurchase agreements be preceded by a master repurchase agreement between the investor and the financial institution or dealer. The master agreement should define the nature of the transaction, identify the relationship between the parties, establish normal practices regarding ownership and custody of the collateral securities during the term of the investment, provide remedies in the case of default by either party and clarify issues of ownership. The master repurchase agreement protects the investor by eliminating the uncertainty of ownership and hence, allowing investors to liquidate collateral if a bank or dealer defaults during the term of the agreement.

Maturity: The date upon which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Offer: The price asked by a seller of securities.

Open Market Operations: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks and a few unregulated firms.

Prudent Person Rule: An investment standard. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Qualified Public Depositories: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Repurchase Agreement (RP or REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Treasury Bills: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

Treasury Bonds: Long-term U.S. Treasury securities having initial maturities of more than ten years.

Treasury Notes: Intermediate term coupon bearing U.S. Treasury securities having initial maturities from one to ten years.

Unrealized Gains (Losses): Increases (decreases) in the value of investments representing the difference between the amortized cost of the investments and their current market value. Increases (decreases) in value are caused primarily by changes in market interest rates subsequent to purchasing investments.

Weighted Average Rate of Return: Rate of return calculated based on interest earnings and the length of actual holding for each individual security.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price of the security. (b) **Net Yield or Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

Yield: The rate of annual income return on investment, expressed as a percentage.

APPENDIX B

APPROVED LIST OF BROKER/DEALERS AND FINANCIAL INSTITUTIONS

BOSC, Inc.
Sherman, TX

First Southwest Company
Dallas, TX

First Public, LLC
Austin, TX

Vining Sparks
Frisco, TX

SAMCO Capital Markets
Dallas, TX

Coastal Securities, Inc.
Houston, TX

First Empire Securities
Hauppauge, NY

TexPool Participant Services
Dallas, TX

TexStar Participant Services
Dallas, TX

Landmark Bank
Sherman, TX

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. J. 3.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

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 2014.

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.

Attachments

Roster

By-Laws

MEMBERSHIP ROSTER

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

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Ryan Johnson	1	A 11/20/2012 R 11/19/2013	11/2013 11/2014	1 2	Sherman Council Member Voting Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013	11/2012 11/2013 11/2014	1 2 3	Sherman Council Member Voting Member

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

CITY STAFF: City Manager George Olson
Revised 11/19/2013

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. 4.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

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

Issue:

Mayor Cary Wacker and Council Members David Plyler and Lawrence Davis currently serve on the City's Tax Increment Financing Board #1. Their terms expire in November 2014.

Background:

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

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

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

Alternatives:

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

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #1

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	1	A 11/20/2012 R 11/19/2013	11/2013 11/2014	1 2	Council Member
Lawrence Davis	1	A 11/19/2013	11/2014	1	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013	11/2012 11/2013 11/2014	1 2 3	Council Member
George Olson	n/a				City Manager
Robby Hefton	n/a				Assistant City Manager/CFO

NOTE:

CITY STAFF: George Olson, City Manager
Revised 11/19/2013

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. 5.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

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

Issue:

Mayor Cary Wacker and Council Members David Plyler and Lawrence Davis currently serve on the City's Tax Increment Financing Board #2. Their terms expire in November 2014.

Background:

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

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

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

Alternatives:

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

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #2

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	1	A 11/20/2012 R 11/19/2013	11/2013 11/2014	1 2	Council Member
Lawrence Davis	1	A 11/19/2013	11/2014	1	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013	11/2012 11/2013 11/2014	1 2 3	Council Member
George Olson	n/a				City Manager
Robby Hefton	n/a				Assistant City Manager/CFO

NOTE:

CITY STAFF: George Olson, City Manager
Revised 11/19/2013

FACT SHEET

TAX INCREMENT FINANCING BOARD #2

Established by ORDINANCE 5347 – NOVEMBER 7, 2005

1. **Number of Members: FIVE**

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

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

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

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

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

7. **Departmental Responsibility: CITY MANAGER**

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

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

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PURPOSE:

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

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. J. 6.**

Meeting Date: 11/17/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

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

Issue:

Mayor Cary Wacker and Council Members David Plyler and Lawrence Davis currently serve on the City's Tax Increment Financing Board #3. Their terms expire in November 2014.

Background:

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

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

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

Alternatives:

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

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #3

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	1	A 11/20/2012 R 11/19/2013	11/2013 11/2014	1 2	Council Member
Lawrence Davis	1	A 11/19/2013	11/2014	1	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013	11/2012 11/2013 11/2014	1 2 3	Council Member
George Olson	n/a				City Manager
Robby Hefton	n/a				Assistant City Manager/CFO

NOTE:

CITY STAFF: George Olson, City Manager
Revised 11/19/2013

FACT SHEET

TAX INCREMENT FINANCING BOARD #3

Established by ORDINANCE 5424 – NOVEMBER 6 , 2006

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

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PURPOSE:

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

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. O.**

Meeting Date: 11/17/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: George Olson, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2014 Council Calendar

2014

JANUARY

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

FEBRUARY

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MARCH

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30	31					

APRIL

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MAY

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25	26	27	28	29	30	31

JUNE

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29	30					

JULY

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AUGUST

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31						

SEPTEMBER

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28	29	30				

OCTOBER

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NOVEMBER

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DECEMBER

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21	22	23	24	25	26	27
28	29	30	31			

~~1/17/2014~~	Joint Meeting w/SEDCO Board - Panda Tour - Cancelle
~~2/3/2014~~	Regular City Council Meeting - Cancelled
2/12/2014	Called Meeting for Informational Presentation
2/26/2014	Called Meeting for Informational Presentation
3/12/2014	Called Meeting for Informational Presentation
3/21/2014	Joint Meeting w/SEDCO Board - Panda Tour

3/26/2014	Called Meeting for Informational Presentation
4/18/2014	Called Budget Planning Meeting in Council Chambers
4/21/2014	Regular City Council Meeting - Cancelled
06/18-19/2014	Called Budget Workshop in Council Chambers - Second Day Cancelled
9/1/2014	Labor Day/Called Council Meeting on 09/02/2014
9/16/2014	12 noon Called Joint Meeting with SEDCO Board