

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, FEBRUARY 5, 2024
5:00 PM**

- A.1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A.2. PLEDGE OF ALLEGIANCE AND INVOCATION LED BY DEPUTY MAYOR SHAWN TEAMANN**
- A.3. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 16, 2024. .**

Citizen Comments

B.1. CITIZEN COMMENTS

During this meeting, the City Council welcomes public comment only on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours, or with the Mayor or any Council member by contacting them at times other than at City Council meetings.

Consent Agenda

C.1. CONSENT AGENDA

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

Proclamations

D.1. PROCLAMATIONS

"United Acts of Kindness Day" - February 16, 2024

Special Presentations

E.1. SPECIAL PRESENTATION

Receive Presentation from the Leadership Sherman's Class of 2024

Public Hearing

F.1. PUBLIC HEARING

Public Hearing on the Reauthorization for the Industrial and Commercial Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City

F.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6689

Extending the Corporate Limits of Said City so as to Annex an Area of Land Consisting of Approximately 220.18 acres of Land Located West of F.M. 1417 (Heritage Parkway) and North of O.B. Groner Road Adjacent to the Sherman City Limits and in the City of Sherman's Extraterritorial Jurisdiction, on Application of the Landowner; Providing that the Owners and Inhabitants of the Subject Area of Land shall be Entitled to the

Rights and Privileges of Other Citizens of the City of Sherman and Shall be Bound by the Acts and Ordinances now in Effect and hereinafter Adopted; Authorizing Execution of the Annexation Service Plan Agreement; Providing for a Penalty for a Violation of this Ordinance and Sherman's General Zoning Ordinance, Ordinance No. 2280; Providing a Savings/Repealing Clause, Severability Clause and an Effective Date; and Providing for the Publication of the Caption hereof

F.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6690 - (UNDER APPEAL FROM P&Z)

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 220.18 acres being a part of the Elizabeth Jones Survey, Abstract No. 625 and the Jason Stamps Survey, Abstract No. 1115, City of Sherman, Grayson County, Texas, Located in the 3000 Block West OB Groner Road and the 4500 Block West Park Avenue, Heretofore Zoned R-A (Residential Agriculture) District; Rezoning and Placing the Tract in the PD (Planned Development) Zoning Classification, Shakir Rehmatullah, Flato Development, Inc. (Owner), Rick Leisner, Norris Design (Representative) and Atwell-Group (Surveyor); Providing for a Penalty not to Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date; Finding And Determining That The Meeting At Which This Ordinance Is Passed Was Noticed And Is Open To The Public As Required By Law

F.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6691

Amending the Code of Ordinances of the City of Sherman, Texas, Chapter 3 (Building Regulations) and Appendix C (Comprehensive Fee Schedule); Modifying Certain Existing Regulations and Establishing Certain New Regulations Relating to Buildings, Contractor Registration, Building Permits and Inspections, Substandard Structures, Backflow Devices, Manufactured Housing, Mobile Homes and Travel Trailers, Streets and Sidewalks, Residential Rental Property License and Standards, Flood Damage Prevention, Stormwater Discharges Resulting from Construction Activities and Administrative Provisions; Adopting Technical Building Codes and the International Property Maintenance Code, 2021 Edition, and Amendments Thereto; Providing for Rights of Appeal; Modifying Certain Existing Fees and Charges and Establishing Certain Fees and Charges; Providing a Penalty Clause with a Maximum Fine of \$2,000, Savings/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

F.5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6692

Amending the Code of Ordinances of the City of Sherman, Texas, Chapter 14 (Zoning Ordinance), Section 14.04.006 (Residential and Non-Residential Landscaping Requirements); Modifying Certain Existing Regulations Relating to Residential and Non-Residential Landscaping Requirements and the Preservation and Addition of Plants and Trees; Providing a Penalty Clause with a Maximum Fine of \$2,000, Savings/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

F.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6693

Amending the Composition and Powers of the Board of Directors for the Sherman, Texas, Tax Increment Reinvestment Zone Number Seven, City of Sherman, Texas, Established Pursuant to Chapter 311 of the Texas Tax Code, Extending the Term of the Zone, and Modifying Certain Provisions related to the Tax Increment Base and the Tax Increment Fund for the Zone; Amending Ordinance No. 6081, Previously Approved by the City Council on December 4, 2017, as Amended by Ordinance No. 6262, Approved by the City Council on November 8, 2019; Providing a Repealer Clause, Severability Clause and an Effective Date.

F.7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6694

Closing and Abandoning the Platted Alley West of Lots 7-10, Block 1, Post Oak Addition and East of Austin Street Cemetery, in the City of Sherman, Grayson County, Texas, as Shown in Volume 35, Page 58, Deed Records, Grayson County, Texas, and Being more Particularly Described in the Exhibits "A" and "B" Attached Hereto and Made a Part hereof for all Purposes

Close Public Hearing and Consider Adoption of Ordinances

G.1. CLOSING OF PUBLIC HEARING

Consider Adoption of Ordinance Numbers 6689, 6690, 6691, 6692, 6693 & 6694.

Resolutions

H.1. RESOLUTION NO. 7247

Awarding a Bid to Alterrain Capital, LLC for the Conveyance of approximately 0.5508 Acres of Land in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Generally Located at 1400 West Taylor Street; Authorizing Execution of Necessary Transaction Documents Related Thereto

H.2. RESOLUTION NO. 7248

Authorizing Execution of a Development Agreement Between the City of Sherman and Alterrian Capital, LLC for Certain Trail Improvements, Conveyance of a 1.9-acre Tract of Land from Alterrian Capital, LLC to the City of Sherman and Other Matters Involving Property Generally Located at 1400 West Taylor Street

H.3. RESOLUTION NO. 7249

Awarding a Bid to and Authorizing Execution of a Contract with W. Brown Enterprises, Inc. Based on an Invitation to Bid for the Westside Sanitary Sewer Replacement

H.4. RESOLUTION NO. 7250

Authorizing Execution of a Discretionary Service Agreement with Oncor Electric Delivery Company, LLC for the Relocation of Overhead Electric Supply along Shepherd Drive in the City of Sherman

H.5. RESOLUTION NO. 7251

Authorizing Execution of a Professional Services Agreement with Mead & Hunt, Inc. for the Post Oak Wastewater Treatment Facility TPDES Permitting Assistance

H.6. RESOLUTION NO. 7252

Approving the Greater Texoma Utility Authority's Intention to Award Bid Package 08-001 to Kiewit Water Facilities South for the Process Mechanical at the South Wastewater Treatment Plant.

H.7. RESOLUTION NO. 7253

Approving the Greater Texoma Utility Authority's Intention to Award Bid Package 05-002 to Kiewit Water Facilities South for the Underground Piping and Appurtenances at the South Wastewater Treatment Plant.

H.8. RESOLUTION NO. 7254

Reauthorizing Guidelines and Criteria for the City of Sherman's Industrial and Commercial Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City

H.9. RESOLUTION NO. 7255

Appointing and Authorizing the City Manager to Negotiate an Agreement with Pattillo, Brown & Hill, LLP to Perform the Fiscal Year 2023 Audit and Authorizing the City Manager to Negotiate a Termination Agreement with FORVIS

H.10. RESOLUTION NO. 7256

Authorizing Execution of an Amended and Restated Collateral Assignment of the Master Development Agreement by RCICD Heritage Ranch LLC, for the Benefit of First United Bank and Trust Company

Request to Advertise

I.1. * REQUEST TO ADVERTISE

Requesting Authorization to Advertise for the Annual Supply of Water Chemicals

I.2. * REQUEST TO ADVERTISE

Requesting Authorization to Advertise for Public Bids to Redesign the City of Sherman website.

Other Business

J.1. OTHER BUSINESS

Discuss and Consider Approval of the Budget Calendar for Fiscal Year (FY) 2024-2025

J.2. * OTHER BUSINESS

Receive 2023 Racial Profiling Report

COUNCIL COMMENTS

EXECUTIVE SESSION

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may hold an Executive Session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

L.1. TEX. GOV'T CODE § 551.071

Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

L.2. TEX. GOV.'T CODE § 551.072

Deliberating the purchase, exchange, lease or value of real property if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.

L.3. TEX. GOV'T CODE § 551.073

Deliberating a negotiated contract for a prospective gift or donation to the City if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.

L.4. TEX. GOV'T CODE § 551.074

Deliberating the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing

L.5. TEX. GOV'T CODE § 551.076

Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.

L.6. TEX. GOV'T CODE § 551.087

Discussing or deliberating commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay or expand in or near the City and with which the City is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect.

L.7. TEX. GOV'T CODE § 551.089

Deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices.

The Council reconvenes into General Session

COUNCIL CALENDAR

N.1. COUNCIL CALENDAR

2024 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 Friday, February 2, 2024 at 5:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 2nd day of February 2024. City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council.

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

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

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

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

Mayor

David Plyler

Deputy Mayor

Shawn C. Teamann

Council Members

Henry Marroquin, Council-At-Large, PL #1
Juston Dobbs, Council-At-Large, PL #2
Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2
Pamela L. Howeth, Council – District #3
Daron Holland, Council – District #4

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