

**CITY OF SHERMAN
CITY COUNCIL CALLED MEETING AGENDA
MEETING ROOM OF THE SHERMAN PUBLIC LIBRARY
421 N. TRAVIS
SHERMAN, TEXAS
MONDAY, SEPTEMBER 23, 2024
12:00 PM**

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

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.

Declare Results of the September 14, 2024 Special Municipal Election

CANVASS OF ELECTION RETURNS

D.1. RESOLUTION NO. 7366

Declaring the Results of the September 14, 2024 Special Municipal Election Held in the City of Sherman, Grayson County, Texas, to Fill a Vacancy in the Council Member, District 1 Position

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:

F.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.

F.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.

F.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.

F.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

F.5. TEX. GOV'T CODE § 551.076

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

F.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.

F.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

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Called 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 (317 S. Travis) of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on Friday, September 20, 2024 at 11:59 a.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 20th day of September 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.

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

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



City Council Called Meeting

Agenda Item No. D.1.

Meeting Date: 9/23/2024

Prepared By: Linda Ashby, City Clerk

Approved By:

Caption:

Resolution No. 7366

Declaring the Results of the September 14, 2024 Special Municipal Election Held in the City of Sherman, Grayson County, Texas, to Fill a Vacancy in the Council Member, District 1 Position

Issue:

In order to comply with the Texas Election Code, the City Council must canvass no earlier than the 3rd day after the Election and no later than the 11th day after the Election. Therefore, the canvass must be held between September 17 and September 25, 2024. The date for the canvass will be Monday, September 23, 2024, at 12 p.m., at the Sherman Public Library Meeting Room. Following the canvass of the Election returns, the official results will be declared by reading Resolution No. 7366.

Background:

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

Origination:

City Clerk's Office

Financial Consideration:

There is no specific cost associated with canvassing the Election and adopting Resolution No. 7366.

Staff Recommendation:

It is recommended that the City Council canvass the Election of September 14, 2024 and adopt Resolution No. 7366.

Alternatives:

There is no viable alternative.

Attachments:

1. Resolution No. 7366

RESOLUTION NO. 7366

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE SEPTEMBER 14, 2024 SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That there came on to be considered the results of the special elections held on the 14th day of September, 2024, for the purpose of electing the hereinafter named official; and, it appearing from said results, duly and legally made, that there were cast at said election **???** valid and legal votes; and that, upon counting the votes, the following results are indicated:

CANDIDATES/COUNCILMEMBER	TOTAL VOTES
COUNCIL MEMBER, DISTRICT 1	
Sandra Melton	??
Casie Rivas	??
Clay Barnett	??

SECTION 2. That said election was duly called; that notice of said election was given in accordance with law; that said election was held in accordance with law; and that Clay Barnett was duly elected to the Council Member, District 1 position of said City at said election; that said above named individual is hereby declared to be duly elected to said respective office, subject to filing of the Statement of Officers and the taking of the oaths provided by the laws of the State of Texas.

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

SECTION 4. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS on this the 23rd day of September 2024.**

CITY OF SHERMAN, TEXAS

**BY: _____
DAVID PLYLER, MAYOR**

ATTEST:

**BY: _____
LINDA ASHBY, CITY CLERK**

**APPROVED AS TO FORM:
ABERNATHY, ROEDER, BOYD &
HULLETT, P.C.**

**BY: _____
RYAN D. PITTMAN, CITY ATTORNEY**