

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, OCTOBER 16, 2017
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER TERRENCE R. STEELE**
- A. 3. INVOCATION BY COUNCIL MEMBER TERRENCE R. STEELE**
- A. 4. APPROVE MINUTES OF THE CALLED CITY COUNCIL MEETING (HELD JOINTLY WITH THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS) OF SEPTEMBER 25, 2017 AND THE REGULAR CITY COUNCIL MEETING OF OCTOBER 2, 2017**

Public Hearing

- B. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6064**
Amending Ordinance No. 6051 to Appoint Election Officials and Add Early Voting Locations for an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Electing Two (2) District City Council Members for Said City
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6065**
Amending Ordinance No. 6056 to Appoint Election Officials and Add Early Voting Locations for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Electing One (1) At-Large, Place 1 City Council Member to Fill an Unexpired Term until November 2018 for Said City
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6066**
Amending Ordinance No. 6052 to Appoint Election Officials, Add Early Voting Locations, and Rename Amendments for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Amending the City Charter of the City of Sherman, Texas
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6067**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two Hotels and an Event Center in a C-1 (Retail Business) District at 811 Graham Drive, being Lot 3, Block 1, Sherman Town Center, Section Two (Moe Hospitality, LLC, Owners; and Anil Ram, ADR-Designs, LLC, Representative/Architect); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6068**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the C-1 (Retail Business) District at 19325 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 (Jobaby, LLC, Derek Irvin, Owner; Madelyn Greenwood, Representative; and Underwood Drafting & Surveying, Surveyors)

- B. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6069**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Tattoo Studio (Permanent Makeup) in a C-1 (Retail Business) District at 19311 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 (Jobaby, LLC, Derek Irvin, Owner; Madelyn Greenwood, Representative; and Underwood Drafting & Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- B. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6070**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the SF-1 (Single Family Residential) District at 112 West Staples Street, being a part of Block B, Staples Addition, containing 6,292 square feet of land (Young Enterprises, Owner; Todd Young, Representative; and Helvey-Wagner Surveying, Inc., Surveyors)
- B. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6071**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the R-1 (One Family Residential) District at 1714 North Woods Street, being the North 15' of Lot 17 and the South 45' of Lot 15, Block B, Maxey Addition (Barton Capital, LTD, Owner; and Sartin & Associates, Inc., Surveyors)

Close Public Hearing and Consider Adoption of Ordinances

- B. 9. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 6064, 6065, 6066, 6067, 6068, 6069, 6070 and 6071
- B. 10. 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

- C. 1. RESOLUTION NO. 6280**
Authorizing the City Manager to Execute a Contract with The Sherman Museum for Expenditure of a Portion of the Funds Collected by the City of the Hotel/Motel Occupancy Tax
- C. 2. RESOLUTION NO. 6281**
Authorizing the Execution of a Contract with Halff Associates, Inc. for Floodplain Mapping Updates and Regional Detention Analysis
- C. 3. RESOLUTION NO. 6282**
Authorizing the Execution of a Contract and Acceptance of a Conveyance Document from The Applied Psychology Group of Texoma, P.A. for the Conveyance and Acquisition of Property located at 1721 West Lamar Street, being 0.761 acres in the J.B. McAnair Survey, Abstract No. 763 in the City of Sherman, County of Grayson, State of Texas

C. 4. RESOLUTION NO. 6283

Authorizing the Acceptance of a Conveyance Document from Ralph Courtney and Jacqueline Courtney for the Conveyance and Acquisition of Properties located at 621-623, 625-627 and 633-635 Regency Circle and at 1134-1136 and 1138-1140 West Washington Street, being Lots 4,5,7 and 9 of the Replat of Belaire Third Addition to the City of Sherman, Texas, as shown by Plat of Record in Volume 3, Page 2 of the Plat Records of Grayson County, Texas, and approximately 0.22 acres in the J.B. McAnair Survey, Abstract No. 763, all properties being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes

C. 5. RESOLUTION NO. 6284

Authorizing the Acceptance of a Conveyance Document from Ralph Courtney and Jacqueline Courtney for the Conveyance and Acquisition of Properties located at 629-631 and 638-640 Regency Circle, being Lots 6 and 8 of the Replat of Belaire Third Addition to the City of Sherman, Texas, as shown by Plat of Record in Volume 3, Page 2 of the Plat Records of Grayson County, Texas, said properties being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes

C. 6. * RESOLUTION NO. 6285

Authorizing Execution of a Contract with Parsons Commercial Roofing for Roof Repairs to the Equipment Services Center through the TIPS Purchasing Cooperative

Requests to Advertise

D. 1. REQUEST TO ADVERTISE

Construction of Northgate Drive Extension north to the intersection of the future West Travis Street

Change Orders

E. 1. * CHANGE ORDER NO. 1

Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 1; Sherman Industrial Park Replacement Sewer; Lynn Vessels Construction, LLC; \$5,376.51 Increase

Other Business

F. 1. OTHER BUSINESS

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

F. 2. * OTHER BUSINESS

Approve the Quarterly Investment Reports for Quarter Ended September 30, 2017

F. 3. * OTHER BUSINESS

Replat Approval of Part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition; Sofey Construction & Design, LLC, Owners; and Underwood Drafting & Surveying, Inc., Surveyor (520 West Birge Street and the 900 Block of North Sam Rayburn Freeway)

F. 4. * OTHER BUSINESS

Final Plat Approval of Sweetwater Springs Subdivision, being 17.112 acres in the John Hendrix Survey, Abstract No. 503 and the E. Canton Survey, Abstract No. 221; Barton Capital, LTD, Owner; KJE Environmental & Civil Engineering, Civil Engineer; and Sartin & Associates, Inc., Surveyor (4700 Block of Marshall Street and 3800-3900 Blocks of Dripping Springs Road)

F. 5. * OTHER BUSINESS

Final Plat Approval of RMT Visions Addition, being a Replat of Lot 59, Western Acres Installment Four and a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115, being a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115 and all of Lot 59 of Western Acres Installment Four, containing 39.030 acres; RMT Visions, Inc. and the William O'Donnell Trust, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (2700-2800 Blocks of South Friendship Road and 5200 West Meadowridge Road)

F. 6. * OTHER BUSINESS

Final Plat Approval of Epstein at Hazelwood Addition, being 0.37 acres in the G.B. Pilant Survey, Abstract No. 963; Cupid Investments, Inc., Owner; and Sartin & Associates, Inc., Surveyor (1004 East Epstein Street)

F. 7. * OTHER BUSINESS

Final Plat Approval of Trails End Subdivision in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 7.671 acres in the Aaron Burleson Survey, Abstract No. 61; Jack Gurley, Owner; 44-40 Builders, LLC, Developer; and Helvey-Wagner Surveying, Inc., Surveyor (10409 East Highway 56 and the 100 Block of Mitchell Road)

G. CITIZEN REQUESTS

H. MEDIA QUESTIONS

I. COUNCIL COMMENTS

Executive Session

J. 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 551.071	Consultation with City Attorney concerning Pending or Contemplated Litigation
Section 551.087	Deliberation Regarding Economic Development Negotiations:
(a)	Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

The Council reconvenes into General Session

K. 1. OPEN MEETING

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

L. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on October 12, 2017 at 4:45 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 12th day of October, 2017
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

Jason Sofey

Council Members

Willie Steele, Council-At-Large, PL #1

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

Shawn C. Teamann, Council – District #1

Terrence R. Steele, Council – District #2

Pamela L. Howeth, Council – District #3

Charles H. Brown, Sr., Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

A.4.

Meeting Date: 10/16/2017

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE CALLED CITY COUNCIL MEETING (HELD JOINTLY WITH THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS) OF SEPTEMBER 25, 2017 AND THE REGULAR CITY COUNCIL MEETING OF OCTOBER 2, 2017

Attachments

September 25, 2017 - Called Meeting - Joint with SEDCO

SEDCO Program of Work

SEDCO Return on Investment

SEDCO Proposed Budget

October 2, 2017

SISD Bond Video

Neighborhood Refresh Program

STATE OF TEXAS

§

September 25, 2017

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Joint Meeting of the Sherman City Council and the Sherman Economic Development Corporation was begun and held in the City Council Chambers on September 25, 2017.

COUNCIL MEMBERS PRESENT: Mayor David Plyler; Deputy Mayor Jason Sofey.
Council Members Brown, Howeth, T. Steele, W. Steele, Teamann.

COUNCIL MEMBERS ABSENT: None.

SEDCO MEMBERS PRESENT: Greg Kirkpatrick, John Sild, Tom Shields, David Plyler (Ex-Officio), Robby Hefton (Ex-Officio), Dr. David Hicks (Ex-Officio), Jason Sofey (Ex-Officio), Terrence Steele (Ex-Officio).

SEDCO MEMBERS ABSENT: Brad Douglass.

CITY STAFF PRESENT: Robby Hefton, City Manager; Steve Ayers, Assistant City Manager; Brandon Shelby, City Attorney; Zach Flores, Police Chief; Danny Jones, Fire Chief; Mark Gibson, Director of Utilities; Clint Philpott, Director of Engineering; Mary Lawrence, Director of Finance; Bob Fair, Assistant Police Chief; Jason Jeffcoat, Assistant Police Chief; Bruce Dawsey, Assistant Police Chief; Chris Olson, Fire Division Chief; Tom Brown, Fire Division Chief; Tammy Davis, Controller; Nate Strauch, Community & Support Services Manager; Moises Duran, Community Planning Coordinator; Pam Cloer, Assistant to the City Manager; Junior Jaimes, Computer Support Technician; Linda Ashby, City Clerk.

SEDCO STAFF PRESENT: John Plotnik, President; Frank Gadek, Executive Vice President; Stacey Jones, Vice President of Business Retention & Expansion; Ashton Ghaemi, Director of Research & Marketing.

PURPOSE: Call to Order, Quorum Determined, Meeting Declared Open, Recognition of Guests and Visitors

Invocation by Council Member Charles Brown, Sr.

SEDCO WORK PROGRAM 2016-2017

SEDCO's Presentation of the 2016-2017 Work Program Results

SEDCO WORK PROGRAM 2016-2017

SEDCO's Presentation of the 2008-2017 Return on Investment Report

SEDCO WORK PROGRAM 2017-2018

SEDCO's Presentation of the 2017-2018 Work Program

COUNCIL MINUTES -- SEPTEMBER 23, 2010

SEDCO WORK PROGRAM 2017-2018

City Council to Discuss and Consider Approval of the SEDCO Work Program 2017-2018

SEDCO BUDGET 2017-2018

SEDCO's Presentation of the SEDCO Budget 2017-2018

SEDCO BUDGET 2017-2018

City Council to Discuss and Consider Approval of the 2017-2018 SEDCO Budget

OTHER BUSINESS

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 551.087 – Deliberation Regarding Economic Development Negotiations:

Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate Any Offers or Incentives to the Business Prospect

ADJOURNMENT

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN, RECOGNITION OF GUESTS AND VISITORS

Mayor Plyler called the meeting to order at 12:12 p.m., declared a quorum present, and opened the City Council Meeting.

He recognized several special guests, Craig Estes, State Senator; Diane Helms, District Director for Senator Estes; Jason Ross, District Director for Congressman John Ratcliffe; Dr. Jeremy McMillen, Grayson College President; and Dr. David Hicks, Superintendent of the Sherman Independent School District.

Greg Kirkpatrick, Chairman of the Sherman Economic Development Corporation, declared a quorum present at 12:13 p.m., and opened the SEDCO Meeting. He introduced the members of SEDCO, adding that they are one member short since Willie Steele was appointed to fill an unexpired term on the City Council.

INVOCATION BY COUNCIL MEMBER CHARLES BROWN, SR.

Council Member Charles Brown, Sr. gave the invocation.

SEDCO WORK PROGRAM 2016-2017

SEDCO'S PRESENTATION OF THE 2016-2017 WORK PROGRAM RESULTS

John Plotnik, President of SEDCO, introduced his staff, Frank Gadek, Executive Vice President; Stacey Jones, Vice President of Business Retention & Expansion; and Ashton Ghaemi, Director of Research & Marketing.

COUNCIL MINUTES -- SEPTEMBER 25, 2017

He introduced SEDCO's Program of Work and asked Ms. Jones to discuss results from the 2016-2017 fiscal year. She said SEDCO completed six retention/expansion projects with Kaiser Aluminum, GlobiTech, 903 Brewers, Christmas Designers, Nature Source, and Washington Iron Works. The projects amounted to \$44.1 million in capital investment; 97 new, primary jobs; and \$2.1 million in incentives. The board also approved six new retention/expansion projects with a total capital investment of \$11.3 million; 70 primary jobs; and \$785,000 in incentives. These projects included Cellarman's, Emerson, Eaton, Certainteed, Synergy Windows & Doors, and GlobiTech.

An important part of SEDCO's mission is to have an ongoing dialogue with the current companies, in order to focus efforts on providing assistance in areas where they need it the most. To help promote that communication, SEDCO held 80 industry visits; four plant manager's forums; four Sherman Safety Leaders Forums; and five human resources group meetings. They also sponsored lunch for Mueller employees in gratitude for them storing the big shovel used in ribbon cuttings.

As part of Economic Development Week, they honored local industry employees and thanked them for choosing to work in Sherman. Twenty-five companies were visited and supplied with a banner to display, a letter of appreciation, and a professionally shot photograph of their entire workforce.

Mr. Plotnik reiterated that a primary job is a job in manufacturing, distribution, call centers, and data centers. It's a primary job that will typically create an additional four secondary jobs. Secondary jobs include the police force, lawyers, doctors, and other service-type jobs.

The next goal is to recruit targeted regional, state, national and international primary employers. Mr. Plotnik referenced J.P. Hart Lumber Company that is located in Progress Park. They are developing a facility that will be up to \$6 million, with 47 to 50 new jobs. He introduced Duane Sanders, Dallas Division President of J.P. Hart Lumber Company, as Sherman's newest corporate citizen.

Ms. Ghaemi discussed SEDCO's public relations activities during the past year. During that time, 10 advertisements have been placed in the Dallas Business Journal, an advertising campaign ran in the Texas Real Estates Business Magazine, and several videos are displayed on the website highlighting local industrial plants such as Presco and Tyson. The newest venture is with CBS Dallas and KRLD AM 1080 and targets real estate professionals in the Dallas-Fort Worth Metroplex.

Mr. Plotnik said another reason they work with existing industries is that many of these local companies compete within their own corporations for expansion projects and SEDCO works to grow the expansion projects in Sherman.

For example, Kaiser did a \$25 million expansion in Sherman. They received their last incentive check this past fiscal year. Sherman competed with sites in Kalamazoo, Michigan and in Canada for the project. When Sherman helps with incentive grants for these expansions, it helps lower their capital expense and operating costs.

Another goal is to continue workforce development programs, and Ms. Jones outlined SEDCO's continued efforts with the Texoma Regional Consortium. The Consortium is a partnership between Workforce Solutions Texoma, Denison Development Alliance, SEDCO, area school districts, and the industries, to develop middle skills workers for advanced manufacturing.

These efforts include a Spring Manufacturing Tour where over 300 Piner Middle School students toured six local industries. SEDCO also provided a \$50,000 match to the Texas Workforce Commission's \$100,000 High Demand Job Training Grant, which goes toward advance manufacturing program equipment for the new lab that is being built at Grayson College.

COUNCIL MINUTES -- SEPTEMBER 25, 2017

SEDCO also awarded Industrial Maintenance Technology Program scholarships to seven Sherman High School juniors, and each student has a community leader as a mentor. The students will be taking 10 college courses this year, their senior year, along with their high school requirements. When completed, they will graduate with an IMT Certificate. SEDCO also helped organize a mentoring program for the Advanced Manufacturing Program.

SEDCO also partners with the Denison Development Alliance and Grayson College supporting programs at the Center for Workplace Learning. They sponsor 10 Sherman Independent School District teachers and counselors for Business Education for Teachers, to help educate them about manufacturing career opportunities so they can help their students. SEDCO has held career fairs to help bring in job seekers and build the local workforce. Mr. Plotnik said the programs are aimed at giving students another option to college. He thanked Dr. Jeremy McMillen, President of Grayson College, for their partnership.

Another SEDCO goal is to target regional, state, national, and international allies to help attract business investments. SEDCO works with many regional and national partners, including Texas Governor Greg Abbott's Office, and the State Economic Development and Tourism Offices.

Important relationships include those with site selectors, consultants, and facilities managers because most companies outsource their location needs to a consultant or a broker. During the last fiscal year, SEDCO had over 300 site visits to Sherman. Three years ago, they were likely to have only one site visit from a broker or site selector during a three to four month period.

Mr. Gadek discussed SEDCO's management of their real estate to attract commercial real estate investments. He said they manage approximately 600 acres of land on the south end of Sherman, near US Hwy 75 and FM 1417. Their marketing approach is to have "shovel ready" sites, with infrastructure already in place. He discussed specific properties available through SEDCO, including sites in Progress Park, along Northgate Drive, and a "spec building" that they don't own but are helping to market, known as the Midway Facility.

Mr. Plotnik said another goal is to invest in projects that enhance Sherman's quality of place. Through a partnership with Grayson County and the Denison Development Alliance, SEDCO was able to help bring in Texas Aviation Partners to the North Texas Regional Airport at Perrin Field. The airport has an 8,000 foot and a 9,000 foot runway, and free airspace. He added that is "golden" for the communities.

While he didn't feel a commercial airline would land at the airport, he did reference an industry called airframe powerplant mechanics. The runways at the airport are long enough to bring in huge jets for engine repair and maintenance. Plans are to market the airport to similar types of industry.

In an effort to raise Sherman's profile in local, regional, state, national, and international markets, Ms. Ghaemi said they have published a monthly President's Report, which reaches over 1,000 people, and includes a "Company Spotlight." So far, nine companies have been highlighted, which gives them exposure while providing a community inside look.

SEDCO has hosted four Leadership Breakfasts and two Mentor Breakfasts and has launched a new website. She said their staff have attended several conferences and forums and co-hosted a private dinner for Texas site selectors, and Ms. Jones has met with the Office of Economic Development & Tourism in Governor Abbott's Office. This past year, SEDCO hosted the first Economic Development Week and visited 25 local industries for presentations.

SEDCO WORK PROGRAM 2016-2017

SEDCO'S PRESENTATION OF THE 2008-2017 RETURN ON INVESTMENT REPORT

COUNCIL MINUTES -- SEPTEMBER 25, 2017

Mr. Plotnik presented a return on investment for SEDCO which encompasses data from 2008 through the present. Over the past nine years, the community invested around \$26 million and received about \$33 million in return on investment. That's a 125% return on investment.

SEDCO WORK PROGRAM 2017-2018

SEDCO'S PRESENTATION OF THE 2017-2018 WORK PROGRAM

Mr. Plotnik said during the next fiscal year, they plan to mirror last year's Work Program. There will also be some additions to the program for FY 2017-2018. These include:

- Execute a national advertising campaign on job availability in Sherman
- Host a "Your Hometown" event with KRLD – CBS Dallas
- Produce new marketing videos
- Increase marketing efforts for the AMP
- Increase IMT Program scholarships from 7 to 10
- \$50,000 match to TWC's High Demand Job Training Grant for the Grayson College AMP Lab equipment
- Progress Park improvements and potential land acquisitions

According to the Governor's Office, statistically 1,500 people per day are moving into Texas. They are coming to Texas for jobs and because of the quality of life. Currently they are going to the major cities, because those are the ones of which they are aware. Sherman wants to capture some of those jobs. To do so, SEDCO will be meeting with the Human Resources Department of local companies to determine the types of skill-sets they plan to hire over the next two years, and to whom the resumes should be sent.

They are also in the process of determining the top 10 cities in the United States that have the highest unemployment rate. They will then advertise in those local papers, saying Sherman is north of Dallas and has these specific types of jobs available. Mr. Plotnik said this would be a key strategy and would be added to SEDCO's budget.

Ms. Ghaemi said on October 20, 2017, from 11:00 a.m. until 7:00 p.m., CBS Radio will host the "Your Hometown" event, live from the Old Iron Post Restaurant. There will be live updates, a live interview with the Mayor, interviews with community leaders, and seven pre-recorded stories about Sherman. Also for the new fiscal year, pre-focused, short videos will also target available sites, workforce development programs, and incentives.

Ms. Jones said they also plan to increase marketing efforts for AMP by partnering with the Denison Development Alliance and hosting regional commercials. They also plan to increase IMT scholarships from seven to ten, and have budgeted another \$50,000 if the Texas Workforce Commission's High Demand Job Training Grant become available.

Mr. Gadek said they plan to continue maintaining what they have and expand the utilities and properties that SEDCO owns.

SEDCO WORK PROGRAM 2017-2018

CITY COUNCIL TO DISCUSS AND CONSIDER APPROVAL OF THE SEDCO WORK PROGRAM 2017-2018

Mr. Plotnik asked for a vote from SEDCO Board Members on the Work Program for 2017-2018.

ACTION TAKEN.

Motion by John Sild to approve the SEDCO Work Program for FY 2017-2018, as presented.
Second by Tom Shields.

COUNCIL MINUTES – SEPTEMBER 25, 2017

VOTING AYE: Sild, Shields.

VOTING NAY: None.

MOTION CARRIED BY SEDCO.

ACTION TAKEN.

Motion by Deputy Mayor Sofey to approve the SEDCO Work Program for FY 2017-2018, as presented. Second by Council Member Terrence Steele.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

SEDCO BUDGET 2017-2018

SEDCO'S PRESENTATION OF THE SEDCO BUDGET 2017-2018

Ms. Jones said the beginning balance for the next fiscal year will be \$8.6 million. The administrative costs will increase due to salary increases and an estimated increase in insurance costs. She outlined several line items that increased including communications, land maintenance, luncheons/meetings, retention/expansion, and marketing/attraction. The total administrative, operating, and programming expenses are \$1.1 million.

The incentive payouts are scheduled for 2017-2018 at \$1.5 million. That could change with additional incentives. Infrastructure projects at Progress Park will continue and SEDCO might possibly purchase additional land. Debt Service increased to \$393,803 because the Blalock Sewer Project was added.

Ms. Jones said total expenses, overall are \$5.3 million, with a net income loss of under \$1.6 million. This will culminate in a projected ending balance of \$7 million.

SEDCO BUDGET 2017-2018

CITY COUNCIL TO DISCUSS AND CONSIDER APPROVAL OF THE 2017-2018 SEDCO BUDGET

Mr. Plotnik asked for a vote from SEDCO Board Members on the Budget for 2017-2018.

ACTION TAKEN.

Motion by Tom Shields to approve the SEDCO Budget for FY 2017-2018, as presented.

Second by John Sild.

VOTING AYE: Sild, Shields.

VOTING NAY: None.

MOTION CARRIED BY SEDCO.

ACTION TAKEN.

Motion by Deputy Mayor Sofey to approve the SEDCO Budget for FY 2017-2018, as presented. Second by Council Member Howeth.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Mr. Plotnik thanked Deputy Mayor Jason Sofey and Council Member Terrence Steele for the time they have spent attending SEDCO Board Meetings. Mr. Kirkpatrick also thanked the SEDCO staff for their hard work and for the quick turn-around time they give on the many projects. Mayor Plyler thanked the SEDCO Board and staff for their hard work to enhance the quality of life in the community and to elevate Sherman both nationally and internationally.

COUNCIL MINUTES – SEPTEMBER 25, 2017

OTHER BUSINESS

There was no other business to come before the City Council or SEDCO.

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 551.087 – Deliberation Regarding Economic Development Negotiations:
Deliberate Regarding Commercial or Financial Information that the
City has Received from a Business Prospect and Deliberate Any Offers
or Incentives to the Business Prospect**

The Executive Session was not needed.

ADJOURNMENT

There being no further business to come before the City Council or the Sherman Economic Development Corporation, motion was duly made and approved to adjourn the Joint Meeting at 12:57 p.m.

MAYOR

ATTEST

CITY CLERK



**ANNUAL
JOINT MEETING**
September 25, 2017





SHERMAN
ECONOMIC DEVELOPMENT CORPORATION

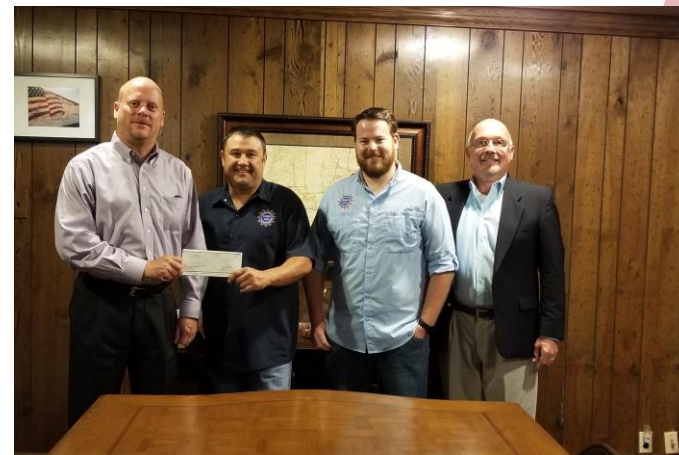
Program of Work 2016-2017 Results

Goals to promote capital investment and jobs:

A. Retain and expand existing primary employers

- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments

- Completed 6 retention/expansion projects with a total capital investment of \$44,108,300, 97 primary jobs, and \$2,129,205 in incentives.



- Approved 6 new retention/expansion projects with a total capital investment of \$11,273,500, 70 primary jobs, and \$785,175 in incentives.

Cellarman's



Synergy Windows & Doors



- 80 Business Retention & Expansion (BRE) visits
- 4 Plant Manager's Forums, 4 Sherman Safety Leaders Forums and 5 Manufacturing – HR Focus Group meetings
- Lunch for Mueller Employees



➤ Industry Appreciation Presentations



ASSETCARE



MODULAR POWER SOLUTIONS



TALUS PAYMENTS



MBA LAW



EATON B-LINE



WEST CORPORATION



PRESCO PRODUCTS



CAPIO PARTNERS



WASHINGTON IRON WORKS



KAISER ALUMINUM

➤ Industry Appreciation Presentations



EMERSON PROCESS MANAGEMENT - FISHER CONTROLS



PROGRESS RAIL SERVICES



PANDA SHERMAN POWER



CONSOLIDATED CONTAINER COMPANY



BALL DPF / NATURE'S SOURCE



CERTAINTEED



CRITICAL ACCESS BILLING, INC



CHRISTMAS DESIGNERS



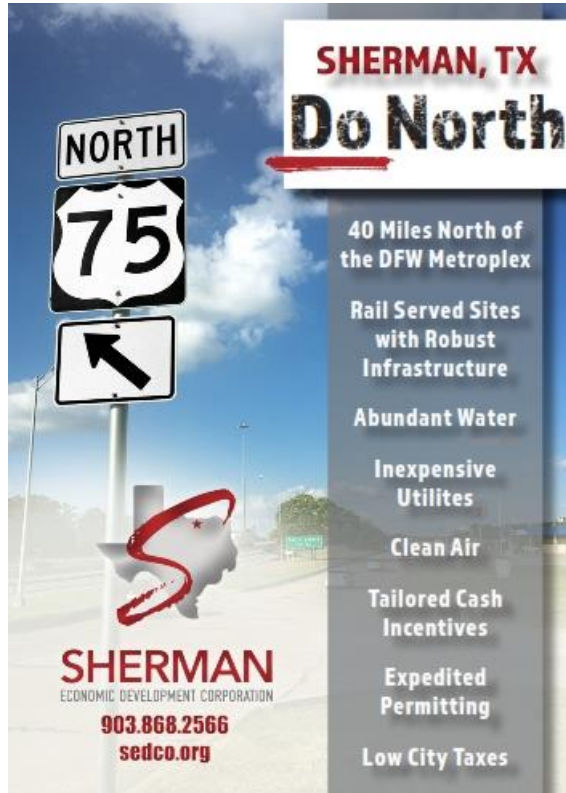
Goals to promote capital investment and jobs:

- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers**
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments

- Hosted over 50 site visits from new companies
- J.P. Hart Lumber Company Groundbreaking Ceremony



- Dallas Business Journal
- Texas Real Estate Business
- Filmed Presco & Tyson marketing videos
- KRLD AM 1080 – CBS Dallas 🔊



SHERMAN, TX
Do North

40 Miles North of the DFW Metroplex

Rail Served Sites with Robust Infrastructure

Abundant Water

Inexpensive Utilities

Clean Air

Tailored Cash Incentives

Expedited Permitting

Low City Taxes

SHERMAN
ECONOMIC DEVELOPMENT CORPORATION
903.868.2566
sedco.org

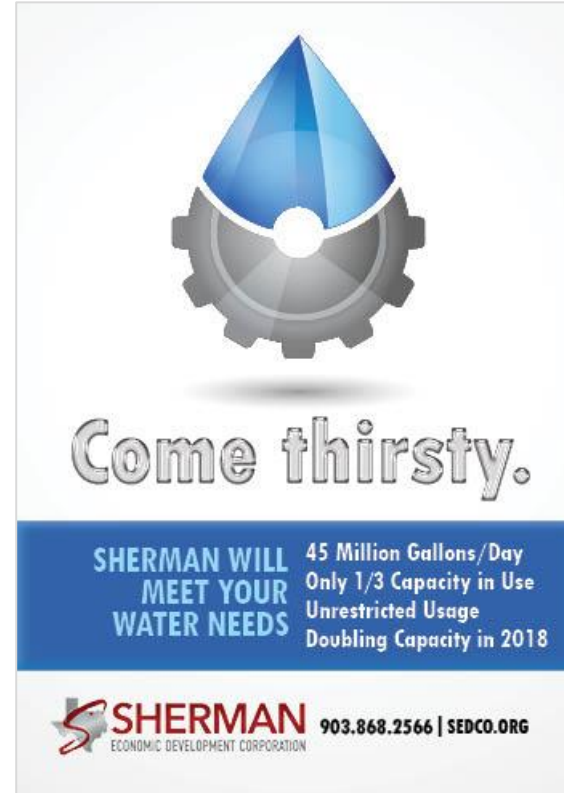


SHINE YOUR SHOVEL

Sherman, Texas has shovel ready sites with robust infrastructure just 40 miles north of the DFW Metroplex.

With abundant water, low cost utilities, clean air & incentives, Sherman is the best choice for your project's next location.

SHERMAN
ECONOMIC DEVELOPMENT CORPORATION
903.868.2566
sedco.org



Come thirsty.

SHERMAN WILL MEET YOUR WATER NEEDS

45 Million Gallons/Day
Only 1/3 Capacity in Use
Unrestricted Usage
Doubling Capacity in 2018

SHERMAN
ECONOMIC DEVELOPMENT CORPORATION
903.868.2566 | SEDCO.ORG



NEW 60,000 SF INDUSTRIAL FACILITY

- 30 ft Clear Height Ceiling
- Build-to-Suit Office Space
- Can be Sub-Divided for Multiple Tenants
- Up to 150 Acres Available for Future Expansion
- Located in Midway Industrial Park, 2945 Fallon Drive in Sherman, TX
- 40 Miles North of the DFW Metroplex

SHERMAN
ECONOMIC DEVELOPMENT CORPORATION
903.868.2566 | SEDCO.ORG

Goals to promote capital investment and jobs:

- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs**
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments

- Texoma Regional Consortium
- Spring Manufacturing Tours
- \$50,000 match to TWC's High Demand Job Training Grant
- Awarded 7 IMT Program scholarships SHS juniors



- AMP & IMT Student-Mentor Groups
- Texoma Business Operations & Customer Service Career Fair
- Career Connection Job Fair
- Sponsored 10 SISD teachers & counselors for Business Education for Teachers
- Supported the Director of Career Pathways & Initiative position at the Center for Workplace Learning (CWL)



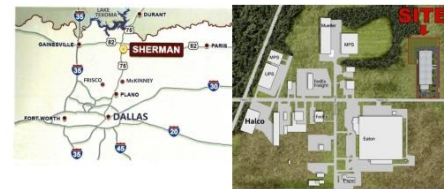
Advanced Manufacturing
Lab at Grayson College



Goals to promote capital investment and jobs:

- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments**
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments

- Visited with over 300 site selectors & real estate professionals
- Hosted a booth at the NTCAR Expo
- Mailed flyers advertising the 60,000 SF industrial facility in Midway Industrial Park
- Continued marketing mailers with promotional items to site selectors & real estate professionals



2945 Fallon Dr.
Midway Industrial Park
Sherman, TX 75090
www.MidwayPark.com

PROJECT INFORMATION

Name of Building:
Street Address:
City, State, Zip:
Former Occupant:
Zoning:

Building Information
Total Building Size:
Manufacturing Space:
Office Space:
Dimensions (Warehouse):
Year Constructed:
Type of Construction:
Clear Span:
Clear Span (width):
Column Spacing:
Eave Height:
Center Height:
Floor Type / Thickness:
Sustainability:
Rack High Doors (size):
Other Doors:
Air Conditioning (Plant):
Expandable:

Site
Site Size:
Additional Land Available:
Subject to Easement:
Access Road:
Parking Spaces:
35 Miles North of Metrolinks

Utilities
Natural Gas:
Electric Power:
Sewer / In Service:
Water:
Size of Main:
Size of Main:
Telecommunications:
Fiber Optics:

Transportation
Distance to State Highway:
Distance to Interstate:
Distance to Regional Airport:
Distance to Int. Airport:

Contact
John Pletnik, SDR, CEO, President
Sherman Economic Development Corporation
(973) 468-2566, (C) 903-821-1000
jpletnik@sedco.org
www.sedco.org



Goals to promote capital investment and jobs:

- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments**
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments

**Approved contract
to purchase 64.29
acres**



Improved Culvert on Progress Dr.



**Cleared property at
Progress Park V**



**Cleared property
at 220 E. FM 1417**



60,000 SF Midway Facility



**Plans completed for
Northgate Drive Extension**



Goals to promote capital investment and jobs:

- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place**
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments

- Partnered with Grayson County and DDA to support the marketing efforts of the North Texas Regional Airport



Goals to promote capital investment and jobs:

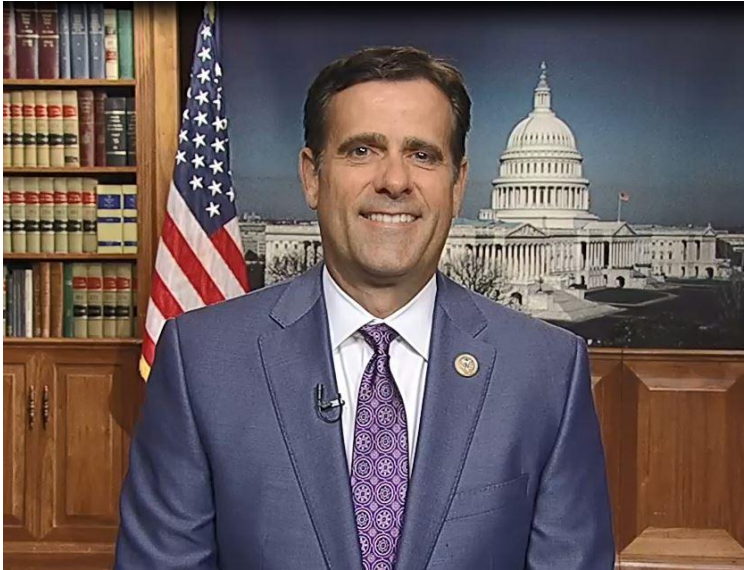
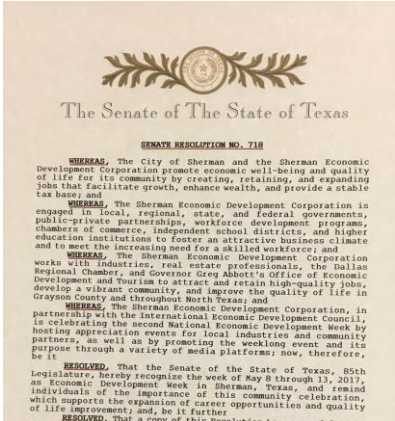
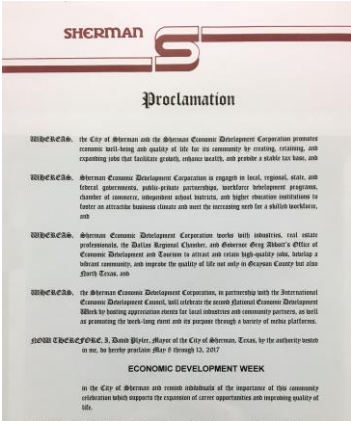
- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets**
- H. Continue economic impact reports on projects and return on investments



- Hosted 4 Leadership Breakfasts & 2 Mentor Breakfasts
- Launched the new sedco.org website
- Attended the SIOR 2016 Fall World Conference, TEDC Mid-Year Conference, IAMC Fall 2016 & Spring 2017 Forums and TAWB's Workforce Day
- Co-hosted a private dinner for Texas site selectors at the IAMC forums
- Promoted SEDCO & community news, events, President's Report's and more through Facebook & Twitter
- Visited Governor Greg Abbott's Office of Economic Development & Tourism
- Panelist at the North TX-Sherman: Economic Development Secrets and Best Practices Summit



➤ Hosted Sherman's first Economic Development Week with proclamations from the City of Sherman, Grayson County, Texas Senate & Governor Greg Abbott; video from Congressman John Ratcliffe; Industry Appreciation Presentations, and an EDW Celebration



Goals to promote capital investment and jobs:

- A. Retain and expand existing primary employers
- B. Recruit targeted regional, state, national and international primary employers
- C. Continue workforce development programs
- D. Target regional, state, national and international allies to help attract business investments
- E. Manage SEDCO real estate to attract commercial real estate investments
- F. Invest in projects that enhance Sherman's quality of place
- G. Raise Sherman's profile in local, regional, state, national and international markets
- H. Continue economic impact reports on projects and return on investments**

- Continued Impact Data Analysis' for each active project
- Produced an annual Return on Investments (ROI) report comparing actual budget and expenditure of grant dollars with new investments and job growth

The Impact of SEDCO's Activities during 2008-2017 to Grow Sherman's Economy

Impact of SEDCO 2008-2017 Activities						
Year	SEDCO Incentive Payouts	SEDCO's Costs of Operations	Direct Jobs Created/ Retained	Indirect Jobs Created/ Retained	Committed Investment by Firms	Annual Rate of Return on Investment
2008	\$1,189,519	\$628,959	7	5	\$301,200,000	175%
2009	\$1,479,318	\$659,803	42	32	\$2,300,000	44%
2010	\$1,216,726	\$682,447	151	113	\$72,000,000	97%
2011	\$3,587,723	\$787,555	340	255	\$49,816,000	48%
2012	\$1,738,000	\$637,754	426	320	\$15,299,477	94%
2013	\$1,431,500	\$731,722	361	271	\$43,489,345	138%
2014	\$2,933,330	\$780,722	333	250	\$44,775,186	95%
2015	\$2,717,280	\$843,104	50	38	\$325,949,000	192%
2016	\$1,419,110	\$832,812	48	36	\$6,959,300	198%
2017	\$923,620	\$977,661	70	53	\$11,273,500	236%
Total	\$18,636,126	\$7,562,539	1,828	1,373	\$873,061,808	125%

Return on investment over 10 years:

The community's investment in grant dollars given out to firms recruited over nine years and the cost of SEDCO's operations during those years	\$26,198,665
Total tax and other revenues generated for the City of Sherman and SEDCO over 10 years	\$32,628,197
Total rate of return on community's investment in economic development over 10 years	125%

- Produced an annual Return on Investments (ROI) report comparing actual budget and expenditure of grant dollars with new investments and job growth

The community's investment in grant dollars given out to firms recruited over nine years and the cost of SEDCO's operations during those years	\$26,198,665
Total tax and other revenues generated for the City of Sherman	\$32,628,197
Total rate of return on community's investment in economic development	125%



SHERMAN
ECONOMIC DEVELOPMENT CORPORATION

Program of Work 2017-2018

New Actions for 2017-2018

- Execute a national advertising campaign on job availability in Sherman
- Host a “Your Hometown” event with KRLD - CBS Dallas
- Produce new marketing videos
- Increase marketing efforts for the AMP
- Increase IMT Program scholarships from 7 to 10
- \$50,000 match to TWC’s High Demand Job Training Grant for the Grayson College AMP Lab equipment
- Progress Park improvements and potential land acquisitions

City Council & SEDCO
Board to Consider
Approval of SEDCO's
2017-2018
Program of Work



SHERMAN
ECONOMIC DEVELOPMENT CORPORATION

Proposed Budget FY 2017-2018

Sherman Economic Development Corporation
Proposed Budget for FY 2017-2018 (Updated 9/20/17)

	Fiscal Year 2016-2017	Fiscal Year 2017-2018
Beginning Fund Balance	\$ 6,797,472	\$ 8,647,147
REVENUES		
Sales tax revenue	3,656,000	3,691,000
Other revenue		
Interest	29,000	64,000
Total Revenue	<u>\$ 3,685,000</u>	<u>\$ 3,755,000</u>
EXPENSES		
Administrative		
Salaries	322,778	335,394
Taxes	24,693	26,945
Retirement/Insurance	108,928	142,242
Total Administrative Expenses	<u>\$ 456,399</u>	<u>\$ 504,581</u>
Operations		
Training	14,000	11,600
Dues/Fees	10,683	9,222
Auto	18,400	18,700
Office Supplies	9,100	8,000
Rent	36,005	38,402
Communications	8,800	11,400
Commercial Insurance	11,600	8,400
Maintenance & Repairs	15,000	15,000
Utilities	-	
Land Maintenance	24,213	38,540
Office Equipment	9,500	7,000
Taxes		
Total Operating Expenses	<u>\$ 157,301</u>	<u>\$ 166,264</u>

Sherman Economic Development Corporation
Proposed Budget for FY 2017-2018 (Updated 9/20/17)

	Fiscal Year 2016-2017	Fiscal Year 2017-2018
Programs		
Luncheons/Meetings	17,100	23,700
Conferences	34,000	34,000
Retention/Expansion	66,650	134,600
Marketing/Attraction (8465,8466)	159,943	173,080
Contract Services	68,180	68,242
Total Program Expenses	\$ 345,873	\$ 433,622
Total Expenses (Admin-Oper-Prog)	\$ 959,573	\$ 1,104,467
Net Revenue/Loss	\$ 2,725,427	\$ 2,650,533
Incentive Payouts (scheduled)	1,565,000	1,535,175
Land & Infrastructure	2,063,425	2,292,900
Debt Service (P&I)	288,915	393,803
Total Incentives/Investment	\$ 3,917,340	\$ 4,221,878
Total Expenses	\$ 4,876,913	\$ 5,326,345
Net Income (loss)	\$ (1,191,913)	\$ (1,571,345)
Ending Fund Balance	\$ 5,605,559	\$ 7,075,802

City Council & SEDCO
Board to Consider
Approval of the SEDCO
Budget 2017-2018

A Report of the Economic Benefits to Sherman Generated by the Sherman Economic Development Corporation, 2008-2017

9/12/2017

Description of the SEDCO's Fiscal Year 2008-17 Activities

The Sherman Economic Development Corporation's mission is to grow Sherman's economy.

To carry out this mission during FY 2008-17, SEDCO generated commitments from 71 companies that retained, expanded or located new businesses in Sherman. These companies invested or committed to invest \$873 million in the community and created or retained 1,828 direct jobs which generated another 1,373 indirect jobs. SEDCO provided \$18.6 million in grants to these firms and used \$7.5 million million to pay its operating costs during this period. In turn, these companies generated estimated sales and property taxes and other revenues for the City of Sherman and SEDCO of \$32.6 million over ten years.

The Impact of SEDCO's Activities during 2008-2017 to Grow Sherman's Economy

Impact of SEDCO 2008-2017 Activities						
Year	SEDCO Incentive Payouts	SEDCO's Costs of Operations	Direct Jobs Created/ Retained	Indirect Jobs Created/ Retained	Committed Investment by Firms	Annual Rate of Return on Investment
2008	\$1,189,519	\$628,959	7	5	\$301,200,000	175%
2009	\$1,479,318	\$659,803	42	32	\$2,300,000	44%
2010	\$1,216,726	\$682,447	151	113	\$72,000,000	97%
2011	\$3,587,723	\$787,555	340	255	\$49,816,000	48%
2012	\$1,738,000	\$637,754	426	320	\$15,299,477	94%
2013	\$1,431,500	\$731,722	361	271	\$43,489,345	138%
2014	\$2,933,330	\$780,722	333	250	\$44,775,186	95%
2015	\$2,717,280	\$843,104	50	38	\$325,949,000	192%
2016	\$1,419,110	\$832,812	48	36	\$6,959,300	198%
2017	\$923,620	\$977,661	70	53	\$11,273,500	236%
Total	\$18,636,126	\$7,562,539	1,828	1,373	\$873,061,808	125%

Return on investment over 10 years:

The community's investment in grant dollars given out to firms recruited over nine years and the cost of SEDCO's operations during those years	\$26,198,665
Total tax and other revenues generated for the City of Sherman and SEDCO over 10 years	\$32,628,197
Total rate of return on community's investment in economic development over 10 years	125%



Sherman Economic Development Corporation
Proposed Budget for FY 2017-2018 (Updated 9/20/17)

	Fiscal Year 2016-2017	Fiscal Year 2017-2018
Beginning Fund Balance	\$ 6,797,472	\$ 8,647,147
REVENUES		
Sales tax revenue	3,656,000	3,691,000
Other revenue		
Interest	29,000	64,000
Total Revenue	\$ 3,685,000	\$ 3,755,000
EXPENSES		
Administrative		
Salaries	322,778	335,394
Taxes	24,693	26,945
Retirement/Insurance	108,928	142,242
Total Administrative Expenses	\$ 456,399	\$ 504,581
Operations		
Training	14,000	11,600
Dues/Fees	10,683	9,222
Auto	18,400	18,700
Office Supplies	9,100	8,000
Rent	36,005	38,402
Communications	8,800	11,400
Commercial Insurance	11,600	8,400
Maintenance & Repairs	15,000	15,000
Utilities	-	
Land Maintenance	24,213	38,540
Office Equipment	9,500	7,000
Taxes		
Total Operating Expenses	\$ 157,301	\$ 166,264
Programs		
Luncheons/Meetings	17,100	23,700
Conferences	34,000	34,000
Retention/Expansion	66,650	134,600
Marketing/Attraction (8465,8466)	159,943	173,080
Contract Services	68,180	68,242
Total Program Expenses	\$ 345,873	\$ 433,622
Total Expenses (Admin-Oper-Prog)	\$ 959,573	\$ 1,104,467
Net Revenue/Loss	\$ 2,725,427	\$ 2,650,533
Incentive Payouts (scheduled)	1,565,000	1,535,175
Land & Infrastructure	2,063,425	2,292,900
Debt Service (P&I)	288,915	393,803
Total Incentives/Investment	\$ 3,917,340	\$ 4,221,878
Total Expenses	\$ 4,876,913	\$ 5,326,345
Net Income (loss)	\$ (1,191,913)	\$ (1,571,345)
Ending Fund Balance	\$ 5,605,559	\$ 7,075,802

October 2, 2017

**MEMBERS PRESENT: MAYOR DAVID PLYLER.
COUNCIL MEMBERS BROWN, HOWETH, T. STEELE,
W. STEELE, TEAMANN.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

PROCLAMATION

**DOMESTIC VIOLENCE
AWARENESS MONTH
(OCT. 2017)**

Mr. Stewart thanked the City Council and said in Grayson County, the Crisis Center offers shelter to approximately 150 to 200 victims annually. The Center serves between 500 and 600 victims with residential and nonresidential services, and are committed to ending domestic violence. He said they offer a 24 hour, 7 day a week hotline and there is always someone at the Shelter and on the phone to answer the calls.

**LIONS WHITE
CANE DAY
(OCT. 14, 2017)**

Dr. Gundersheimer thanked the City Council for backing the Lions Club for their “White Cane Day” event each year. Most of their endeavors are in sight conservation. The majority of the money collected stays in Grayson County to provide eye

exams and glasses for needy children. A portion does go to the international organization for their sight conservation programs.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6274 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH STEVE PALMER FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN SKYLINE RETAIL CENTER, A 1.0-ACRE DEVELOPMENT EAST OF F.M. 1417 (HERITAGE PARKWAY) AND NORTH OF SKYLINE DRIVE IN THE CITY OF SHERMAN

**RES 6274
DEVELOPMENT
AGREEMENT FOR
SKYLINE RETAIL
CENTER**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH STEVE PALMER FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN SKYLINE RETAIL CENTER, A 1.0-ACRE DEVELOPMENT EAST OF F.M. 1417 (HERITAGE PARKWAY) AND NORTH OF SKYLINE DRIVE IN THE CITY OF SHERMAN.

CONSENT AGENDA.

RESOLUTION NO. 6275 – AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED UNDER THE OFFICE OF THE GOVERNOR – CRIMINAL JUSTICE DIVISION TO FUND THE PURCHASE OF TWELVE (12) RIFLE-RESISTANT BODY ARMOR VESTS FOR LAW ENFORCEMENT USE WITHIN THE CITY OF SHERMAN POLICE DEPARTMENT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY

**RES 6275
GRANT FOR POLICE
BODY ARMOR VESTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED UNDER THE OFFICE OF THE GOVERNOR – CRIMINAL JUSTICE DIVISION TO FUND THE PURCHASE OF TWELVE (12) RIFLE-RESISTANT BODY ARMOR VESTS FOR LAW ENFORCEMENT USE WITHIN THE CITY OF SHERMAN POLICE DEPARTMENT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY.

CONSENT AGENDA.

REQUEST TO ADVERTISE

LEASE-PURCHASE FINANCING OF VARIOUS PIECES OF CAPITAL EQUIPMENT

The City Council approved the request to advertise for the lease-purchase financing of various pieces of capital equipment. The City has saved money on several projects by performing the work in-house instead of using outside contractors.

**REQUEST TO ADV
VARIOUS PIECES
OF EQUIPMENT**

With this in mind, the staff has identified additional projects that could be completed in-house resulting in substantial savings. However, additional equipment will be needed including two dump trucks, a mechanical sweeper, micro-planer, roller, wheel excavator, wheel loader, hydraulic zipper machine, slip-form paver, and a trailer.

The City has also budgeted for a fire rescue truck for \$600,000. Because the purchase of this equipment is expected to total about \$2.6 million, the lease-purchase financing allows the City to spread out the purchase costs over several years. Lease payments were budgeted in the FY 2018 Budget in the Fleet Replacement Fund.
CONSENT AGENDA.

OTHER BUSINESS

RECEIVE PRESENTATION FROM THE SHERMAN INDEPENDENT SCHOOL DISTRICT

SISD PRESENTATION

Dr. David Hicks, Sherman Independent School District Superintendent, thanked the City Council for their leadership in the City and for working so closely with the School District. He spoke to the Council about the upcoming Bond Election that is scheduled for November 7, 2017.

The process started in 2015 with a Citizen's Committee that was convened to make recommendations on a strategic plan and things that were needed in the School District. They looked at the facilities, in relation to enrollment growth and projections for the future and made recommendations on the needs.

The Building Bearcats 2030 Committee was convened in 2017 to look into the future, and was based on the year that last year's Pre-K kids would graduate from high school. They wanted to plan for longer than just five or ten years.

A Bond Election was held in May 2017, based on their recommendations. The measure fell short by 144 votes. They regrouped and focused on the future to see what modifications could be made. A new proposal was made to the Trustees and a Bond Election has been called for November 7, 2017.

He said the process has been "citizen driven" and they have listened to what the community members have said. Dr. Hicks said the needs remain the same, because they are a growing School District and a growing City. The facilities have not kept up with the needs, especially in science, career and technology education, and giving the teachers what they need to teach.

He presented a video that was compiled to inform citizens about the Bond Election.

Dr. Hicks said they still have their long range plan, but the bond proposal takes off one piece of the plan. It still includes

an upgrade of the technology infrastructure and construction of a new high school. The last major improvement in technology infrastructure was a result of the 2005 bond, and technology has changed a lot in the last 12 years. This is a critical need across the entire district.

Construction of a new high school would not only serve the growth needs at the high school level, but would also allow the old high school to be converted into a middle school and Piner into grades 6, 7, and 8, for increased capacity at the middle school level. This would also “free up” space at the elementary level for grades K through 5.

Dr. Hicks said the proposal is a significant change that would address growth at all three levels.

He said they would be talking to many organizational groups over the next several weeks and invited citizens to the SISD Administration Building for community presentations October 9 through 13, 2017, at 8:30 a.m. and 6:30 p.m., and on Friday at 8:30 a.m. and 12 noon. Information is also available on the Internet at sisdbond.com.

Mayor Plyler expressed his concern about the use of portable buildings and their loss of security. He said the City Council backs the efforts of the SISD.

RECEIVE PRESENTATION FROM POLICE SERGEANT D.M. HAMPTON ON THE POLICE DEPARTMENT'S ANNUAL HALLOWEEN EVENT, “FRIGHT FEST”

FRIGHT FEST

Police Sergeant D.M. Hampton, briefed the City Council on the annual Fright Fest Halloween event which will be held on October 31, 2017, from 6:00 p.m. until 8:30 p.m. in Lucy Kidd-Key Park on the Municipal Building Grounds. In case of rain, the event will be moved to Midway Mall.

The free event was started by Assistant Police Chief Bruce Dawsey in 2001 after the September 11 attacks, as a safe trick-or-treating event.

Each year, different groups, churches, businesses, and organizations, set up a booth at the event to distribute candy and information to trick-or-treaters. He estimated that between 3,000 and 6,000 people attend the event.

Sgt. Hampton said they do give out a “Spooky Booth” award for the best booth at the event. The award is given in honor of Cindy Carr, a former Police Dispatch Supervisor, who passed away several years ago, from cancer.

RECEIVE PRESENTATION FROM COMMUNITY AND SUPPORT SERVICES MANAGER NATE STRAUCH REGARDING THE “NEIGHBORHOOD REFRESH INITIATIVE”

NEIGHBORHOOD
REFRESH INITIATIVE

Nate Strauch, Community and Support Services Manager, introduced a new initiative that the staff has been working on “behind the scenes.” One item that came from the budget

discussions this year was to focus efforts on cleaning up the City and finding some of the really blighted areas before complaints are made.

A committee was formed between several departments that would normally address junk and trash, junked vehicles, and substandard structures. One of the things discussed was moving from a reactive approach to a proactive approach and responding before complaints are received.

Because the program is a locally focused effort, it was named the “Neighborhood Refresh” initiative and would focus on one quarter of the City each quarter of the year, beginning with the southwest quarter of the community.

Mr. Strauch emphasized that this would be a “light-handed” approach to seek voluntary compliance from property owners. This would be the stage prior to any formal complaint being filed. The ultimate goal would be quality of life. No one wants to live in a neighborhood that is “trashy.”

Mr. Strauch addressed internal challenges that the program will face including the fact that it involves five to eight different City departments all with separate software or databases for information.

He discussed the need to pull all the information into one location that is easily accessible between departments and the importance of fostering cross-department communication. Departments involved in the project include Code Enforcement, Police, Solid Waste, Animal Control, Substandard Structures, and possibly Streets, Utilities, and Planning and Zoning.

As a solution, Mr. Strauch said the citizens don’t see the various departments involved, they see the City of Sherman, as a whole. So the question was how to “break down the wall” between departments and allow the information to flow more easily among departments.

They needed an information clearinghouse that would be accessible by all participating employees. Options were to expand the internal GIS system or to use an outside source.

The committee decided to use an outside vendor, Tolemi, which has a software system that takes all the data from the various departments and automates the process of bringing it all together in one location. The database pulls information from the City departments, from the County, and from the Federal Government. This allows all information to be gathered and accessed at one time so a focused look can be taken on a specific property. It also supplies a timeline of activity for the project and allows a tracking system.

Mr. Strauch reiterated that the end goal is a quality of life issue. No additional staff will be added, but it will be a

refocus of efforts. Mr. Hefton added that these efforts will be in addition to the program that the City already has in place and will be an enhancement to the current program, with a few more tools to track the data.

Council Member Teamann asked if the software would allow citizens to submit requests to the departments. Mr. Strauch said there was already a complaint system in place for citizens to use. The software is an internally focused tool to track what is being done.

Council Member Steele asked where the data was coming from. Is the staff feeding it into the system? Mr. Strauch said it is automated as much as possible and will draw from databases. Some departments will enter data periodically into the system.

Council Member Brown asked once the area has been cleaned, what program will be in place to assure that it stays that way. Mr. Strauch said this is not a one-time thing and will be the standard operating procedure going forward.

Mr. Hefton said the process the staff has to monitor will still be in place, it will just be a concentrated effort in these quarterly areas of the community. He reiterated that it will be an enhancement to the current program.

Mayor Plyler asked if the database would be cloud based. Mr. Strauch said it will be cloud based, and the City will retain access to the data. Council Member Steele verified that it is a one-year commitment on the software and will be revisited each year.

CONSIDER REJECTION OF BIDS FOR CONSTRUCTION OF THE SHERMAN STREETSCAPE PHASE II PROJECT

Mr. Hefton said bids were sent out for the Streetscape Project, which included sidewalks, eastward from the downtown area as far as the money would go. The funding was from a Texas Department of Transportation grant.

**REJECT BIDS
SHERMAN
STREETSCAPE
PHASE II**

The City received two responses, one of which was incomplete, and the other response could not be qualified as a “qualifying vendor.” The staff is requesting to reject these bids and rebid the project in the next few weeks.

Council Member Howeth asked why the City didn’t receive more bids. She expressed her disappointment because the project would enhance Sherman. Mr. Hefton said this is a small job and the larger contractors are busy and not interested in such a small job. The job lends itself to a smaller construction firm, which are also all busy at this time.

Clint Philpott, Director of Engineering, added that if contractors are busy, they generally don’t want to do a rehabilitation job.

COUNCIL MINUTES – OCTOBER 2, 2017

Council Member Willie Steele asked if the dollar amounts were within reason on the two bids that were received. Mr. Philpott said they were within reason.

Council Member Teamann verified the methods of advertisement for bidding on the project. Mr. Philpott said they sent out about 30 letters to providers and five contractors attended the pre-bid conference.

ACTION TAKEN.

Motion by Council Member Howeth to reject the bids for construction of the Sherman Streetscape Phase II Project, as presented, and rebid the project at a later date.
Second by Council Member Terrence Steele.

VOTING AYE: Brown, Howeth, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “STROLL ON THE SQUARE & TEXOMA’S BEST BITE” ON SATURDAY, OCTOBER 7, 2017

The City Council approved the request of Downtown Sherman NOW to temporarily close certain streets for the “Stroll on the Square & Texoma’s Best Bite” on Saturday, October 7, 2017.

The event will include wineries located inside participating businesses, musicians playing for the event, and downtown stores open for shopping. Restaurants and caterers will be inside businesses and outside around the square, offering samples of their food and competing in “Texoma’s Best Bite.”

They have asked to temporarily close Crockett Street, between Lamar and Houston Streets; Travis Street, between Lamar and Houston Streets; and Travis Street, between Houston and Wall Streets.

The event will need barricades, cones, and solid waste receptacles. They will also work with the Police Department to arrange for security officers. The City has notified them that emergency vehicle accessibility must be maintained throughout the closed streets at all times.

CONSENT AGENDA.

CITIZENS REQUESTS CLOSING OF LAKE STREET

DeAnn Davis, 831 Lake Street, said Lake Street has been closed since 2015 due to the flood. Originally they were told that the City was waiting on Federal Emergency Management Agency funding for the project. That money was then reallocated to another project. They were then told the project was waiting on the railroad.

She asked that the City intervene and help the residents of the Lake Street area. She understood that the Master Plan called for the closing of Lake Street, however they need easy

CLOSE STREETS
STROLL ON THE
SQUARE & TEXOMA’S
BEST BITE

CLOSING OF
LAKE STREET

access to US Hwy 75. She asked when the City plans on starting the project and what the estimated completion date would be.

The item was not on the agenda, but Mr. Hefton was advised that he could give factual information relating to the discussion.

He said the status of the project is that the engineering is complete. There are about “four buckets of money” that are being used for the project and one “went away.” It was about \$150,000 Federal dollars through TxDOT. Other money has been appropriated for the project. Most of the right-of-way acquisition has been completed, but there may be a little more as well. The money has been appropriated and it is expected to be a FY 2018 project. Mr. Philpott estimated that construction time would be approximately six months, however there are two railroad crossings that are involved.

CLOSING OF LAKE STREET

Latasha Babb, 2004 Kay Court, said her grandmother lives at 601 E. Lake Street. Ms. Babb asked what would happen to Lake Street itself, and if a cul-de-sac will be constructed so people can turn around.

Currently barricades block the road, but people go around the barricades and down by the railroad tracks. People also turn around in her grandmother’s yard.

Mr. Hefton said there will be a way for her grandmother to access her property, however a portion of Lake Street would be closed. The portion westward from the railroad tracks that winds around is the portion that will be closed. He said the actual railroad crossing will be closed, but there would be some “turn around mechanism” installed.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

NEIGHBORHOOD REFRESH INITIATIVE

Council Member Brown recognized Mr. Strauch and the committee that developed the Neighborhood Refresh Initiative. He said when he was first appointed to the City Council, one of the things he wanted to do was to clean up Sherman. He said it’s good to see that it’s happening

ANIMAL SHELTER REMODEL

Council Member Howeth recently visited the newly renovated Animal Shelter and said she was very impressed with the facility. She also recognized the volunteers that visit on the weekend to walk the dogs.

CLOSING OF LAKE STREET

MEDIA QUESTIONS

NEIGHBORHOOD REFRESH INITIATIVE

ANIMAL SHELTER REMODEL

NEW DOWNTOWN BUSINESS OPEN

Council Member Howeth said a new business opened today in downtown Sherman. laurel e., owned by Emmi Wilson, is a women's ready-to-wear fashion boutique. Ms. Wilson received a downtown grant earlier this year.

**NEW DOWNTOWN
BUSINESS OPEN**

ANNUAL FRIGHT FEST

Council Member Teamann recognized the Police Department and everyone involved with the Fright Fest event. He said it is one of the most fun events in which he has participated. He said there are thousands of kids enjoying themselves, in a safe environment.

**ANNUAL FRIGHT
FEST**

**SHERMAN INDEPENDENT SCHOOL DISTRICT BOND
ELECTION**

Council Member Willie Steele thanked Dr. Hicks and Dr. Tyson Bennett, Assistant Superintendent of Finance & Operations, for the time and effort they have put into the bond proposal.

SISD BOND ELECTION

He said it is very important for the SISD, and also for the City of Sherman. He urged all citizens to vote in the November 7, 2017 Election.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Coffee With the Mayor will be held Friday, October 6, 2017, at Painting With a Twist. Mayor Plyler will be out of town, but Mr. Strauch and Sgt. Hampton will be featured.
- There are a few tickets left for Downtown NOW Stroll on the Square, on Saturday, October 7, 2017, starting at 6 p.m.
- The Sherman Main Street Committee will sponsor Trick-or-Treat on Travis, on Thursday, October 26, 2017.

ANNOUNCEMENTS

**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.

EXECUTIVE SESSION

SECTION 551.071 –

CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION

COUNCIL MINUTES – OCTOBER 2, 2017

SECTION 551.074 -- PERSONNEL MATTERS:
CONSIDER THE QUALIFICATIONS,
APPOINTMENT AND REMOVAL OF
MEMBERS TO BOARDS AND
COMMISSIONS
SHERMAN ECONOMIC
DEVELOPMENT CORPORATION
BOARD OF DIRECTORS (3)

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:57 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:14 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

CONSIDER THE QUALIFICATIONS, APPOINTMENT AND
REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS
SHERMAN ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS (3)

SEDCO

ACTION TAKEN.

Motion by Council Member Terrence Steele to reappoint Brad Douglass and Tom Shields to the Sherman Economic Development Corporation Board of Directors for a term from October 1, 2017 to October 1, 2019 and to appoint Janie Bates for a term from October 3, 2017 to October 1, 2019. Second by Council Member Howeth.

VOTING AYE: Brown, Howeth, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6276 – AUTHORIZING EXECUTION OF A
DEVELOPMENT AGREEMENT WITH 58 AGGIE
DEVELOPMENT, LLC FOR THE CONSTRUCTION OF PUBLIC
FACILITIES IN PROPOSED SHERMAN TAX INCREMENT
REINVESTMENT ZONE #7 IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH 58 AGGIE

RES 6276
DEVELOPMENT
AGREEMENT
58 AGGIE
DEVELOPMENT
TIRZ #7

DEVELOPMENT, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN PROPOSED SHERMAN TAX INCREMENT REINVESTMENT ZONE #7 IN THE CITY OF SHERMAN.

Mr. Hefton said each of the next four items relate to the same issue, which is a development agreement for retail development on the south end of Sherman.

Resolution 6276 is a development agreement for the infrastructure for the proposed Reinvestment Zone, which would be created over the next couple of months.

Resolution 6277 is an incentive agreement for the same retail development in the same area, under Chapter 380.

Resolution 6278 and Resolution 6279 relate to the conveyance of property to SEDCO, as it also relates to this development.

Mr. Hefton said the job tonight is to authorize these agreements and know that there will be more coming in the future.

RESOLUTION NO. 6277 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH 58 AGGIE DEVELOPMENT, LLC FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH 58 AGGIE DEVELOPMENT, LLC FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE.

RES 6277
380 AGREEMENT
58 AGGIE
DEVELOPMENT

RESOLUTION NO. 6278 – AUTHORIZING EXECUTION OF A PURCHASE AND SALE AGREEMENT WITH THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION FOR THE CONVEYANCE OF 8.899 ACRES OF CITY-OWNED REAL PROPERTY AT THE SOUTHEAST CORNER OF U.S. HIGHWAY 75 AND F.M. 1417 (HERITAGE PARKWAY)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PURCHASE AND SALE AGREEMENT WITH THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION FOR THE CONVEYANCE OF 8.899 ACRES OF CITY-OWNED REAL PROPERTY AT THE SOUTHEAST CORNER OF U.S. HIGHWAY 75 AND F.M. 1417 (HERITAGE PARKWAY).

RES 6278
SEDCO PURCHASE/
SALE AGREEMENT
(US HWY 75 &
FM 1417)

RESOLUTION NO. 6279 – AUTHORIZING EXECUTION OF SPECIAL WARRANTY DEEDS TO THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION FOR THE SALE CITY-OWNED SURPLUS REAL PROPERTY AT THE SOUTHEAST CORNER OF U.S. HIGHWAY 75 AND F.M. 1417 (HERITAGE PARKWAY)

RES 6279
SALE OF CITY
PROPERTY
(US HWY 75 &
FM 1417)

COUNCIL MINUTES – OCTOBER 2, 2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF SPECIAL WARRANTY DEEDS TO THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION FOR THE SALE OF CITY-OWNED SURPLUS REAL PROPERTY AT THE SOUTHEAST CORNER OF U.S. HIGHWAY 75 AND F.M. 1417 (HERITAGE PARKWAY).

ACTION TAKEN.

Motion by Council Member Teamann to adopt Resolution Nos. 6276, 6277, 6278, and 6279, as presented. Second by Council Member Brown.

VOTING AYE: Brown, Howeth, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:20 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



Neighborhood Refresh

Sherman, Texas



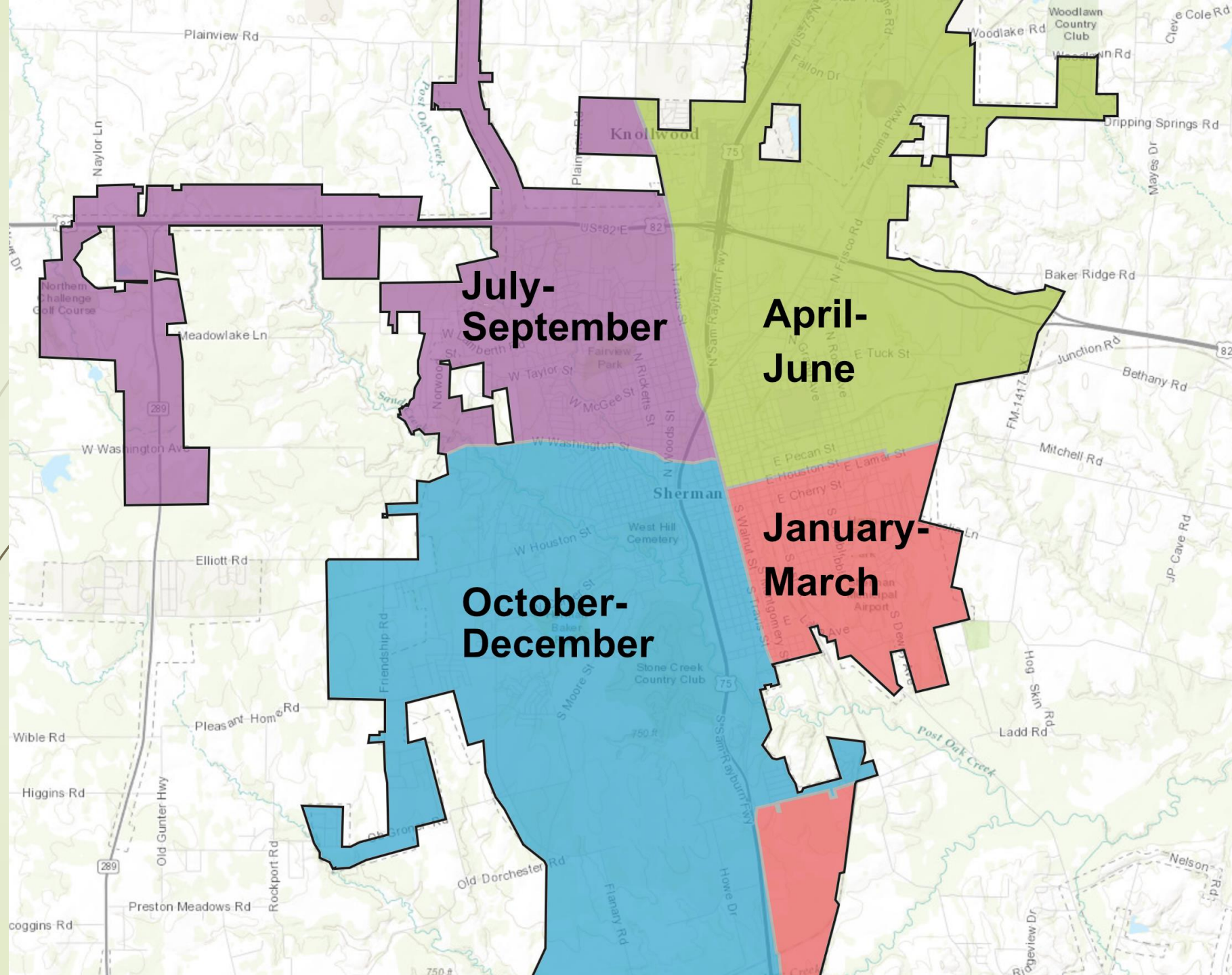
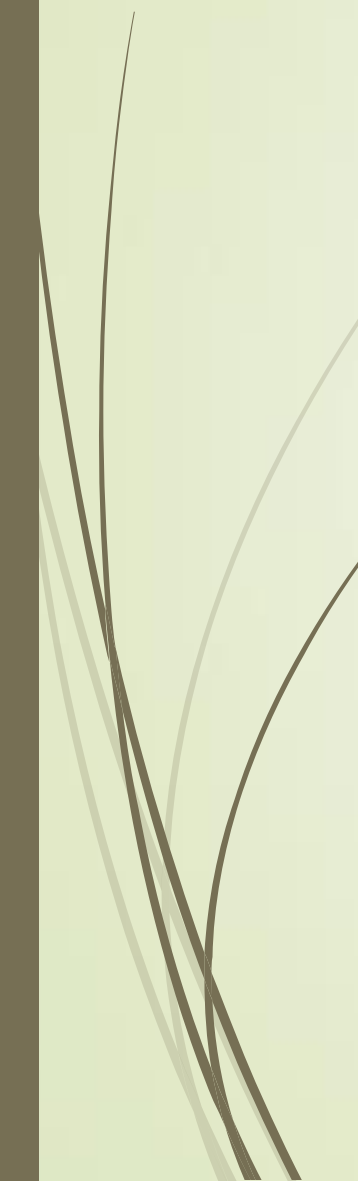
Cleaning up the city

- One of the Council's priorities during the budget process was the creation of an initiative to help clean up blighted properties around Sherman.
- Areas of highest concern included:
 - Trash and junk in yards
 - Decrepit vehicles in yards and on the street
 - Substandard structures.
- Moving from reactive to proactive in some of our efforts



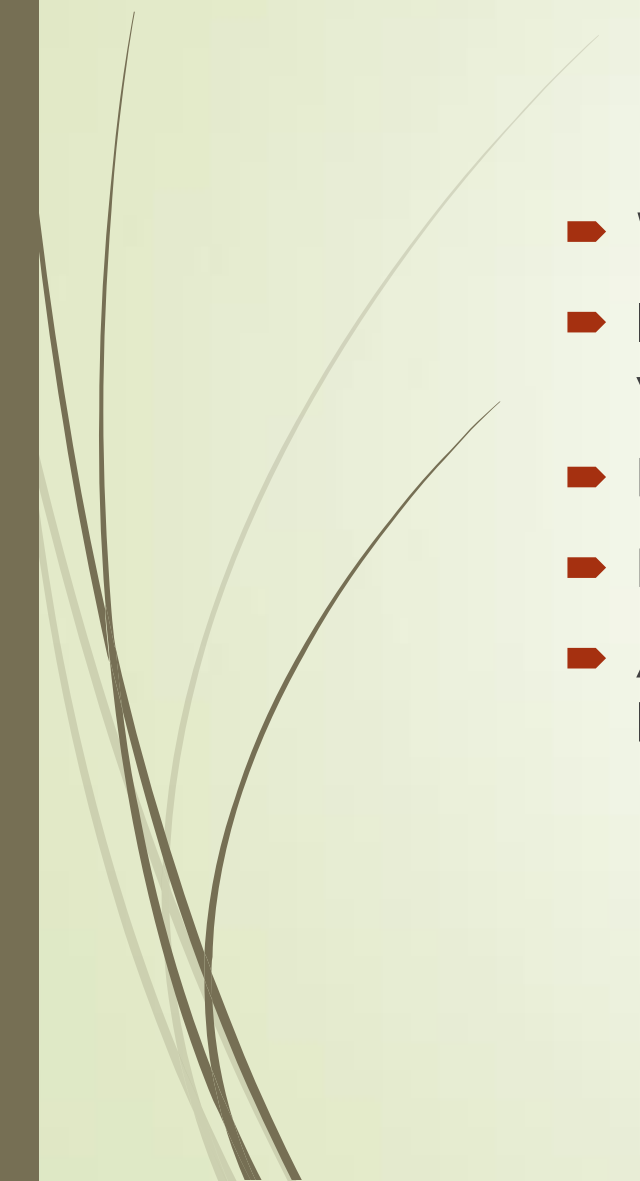
“Neighborhood Refresh” Initiative

- The program envisioned by city staff would focus the proactive efforts of city departments
- Focus would be on one quarter of the city, each quarter of the year
 - Beginning with the southwest quarter and continuing clockwise
- Nicknamed the "Neighborhood Refresh Initiative"
 - “Neighborhood” to emphasize the street-by-street nature of the efforts
 - “Refresh” to emphasize the light-handed approach
- Voluntary compliance is the aim
- Improved quality of life is the goal





Internal Challenges



- Wide scale clean up involves no fewer than five city departments
- Information is spread through a variety of databases and stored in a variety of different – and often incompatible - formats
- Departmental silos often impede communication
- No central clearing house for data
- All of the above means the right hand can rarely see what the left hand is doing.
 - Untied loose ends
 - Redundant work



Departments involved

- Code enforcement (junk trash and debris)
- Police (junk vehicles, compliance)
- Solid waste (illegal dumping, trash pile pick-up)
- Animal control (loose animals)
- Substandard structures
- Other possibilities:
 - Streets (potholes, sign replacement)
 - Utilities (water shut-off)
 - P&Z (permitting)



Solutions



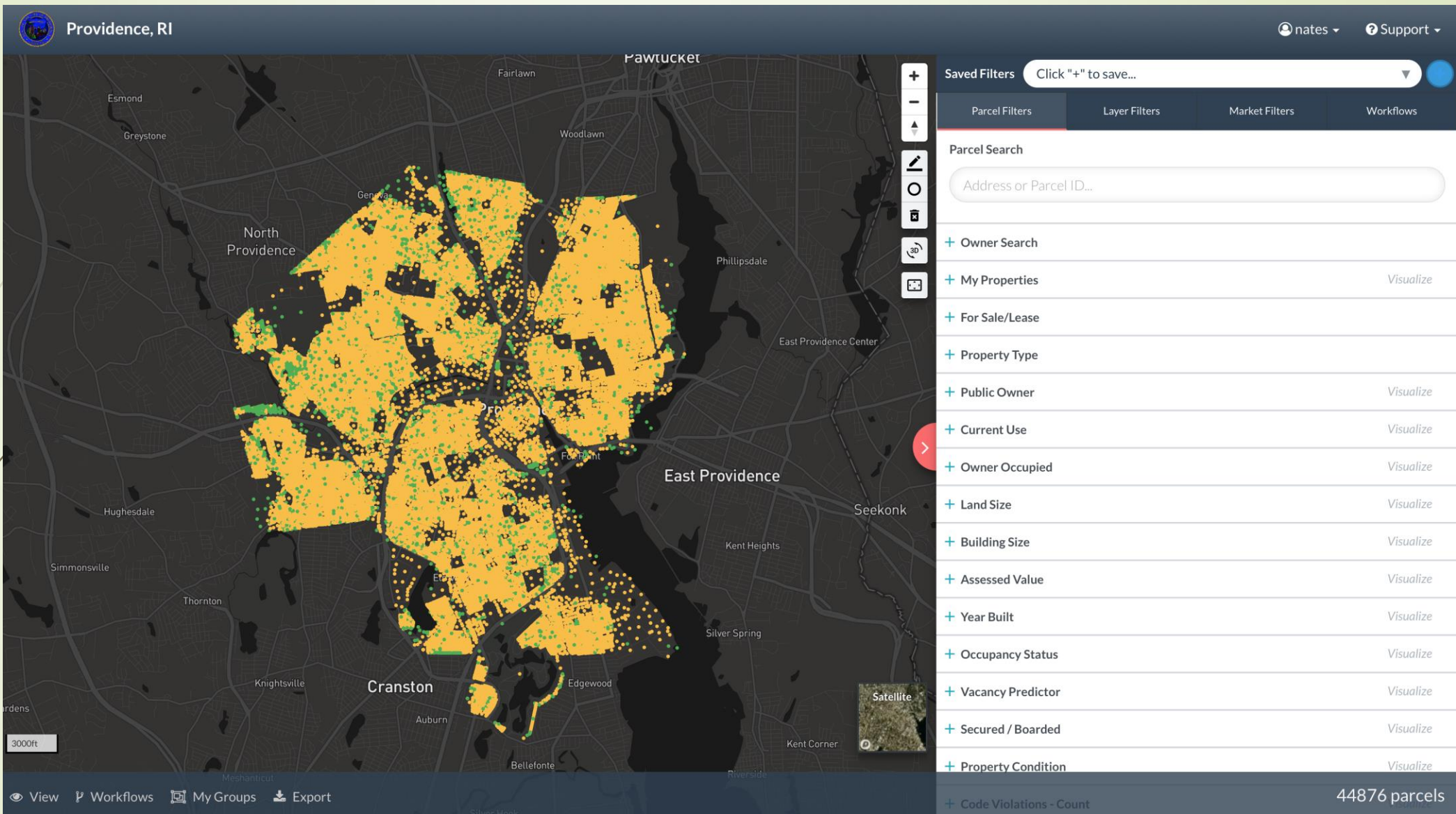
- Citizens don't see departments; they see "The City of Sherman"
- They don't care which department is responsible; they just want the problem fixed
- So how do we break down those walls and allow information to flow more easily among departments?
 - How does a police officer answer a question about a code complaint?
- Committee of department heads and involved staff was established
- Short term answers included establishing co-working documents to allow for quick responses when issues arise
- But a long-term solution requires something more robust

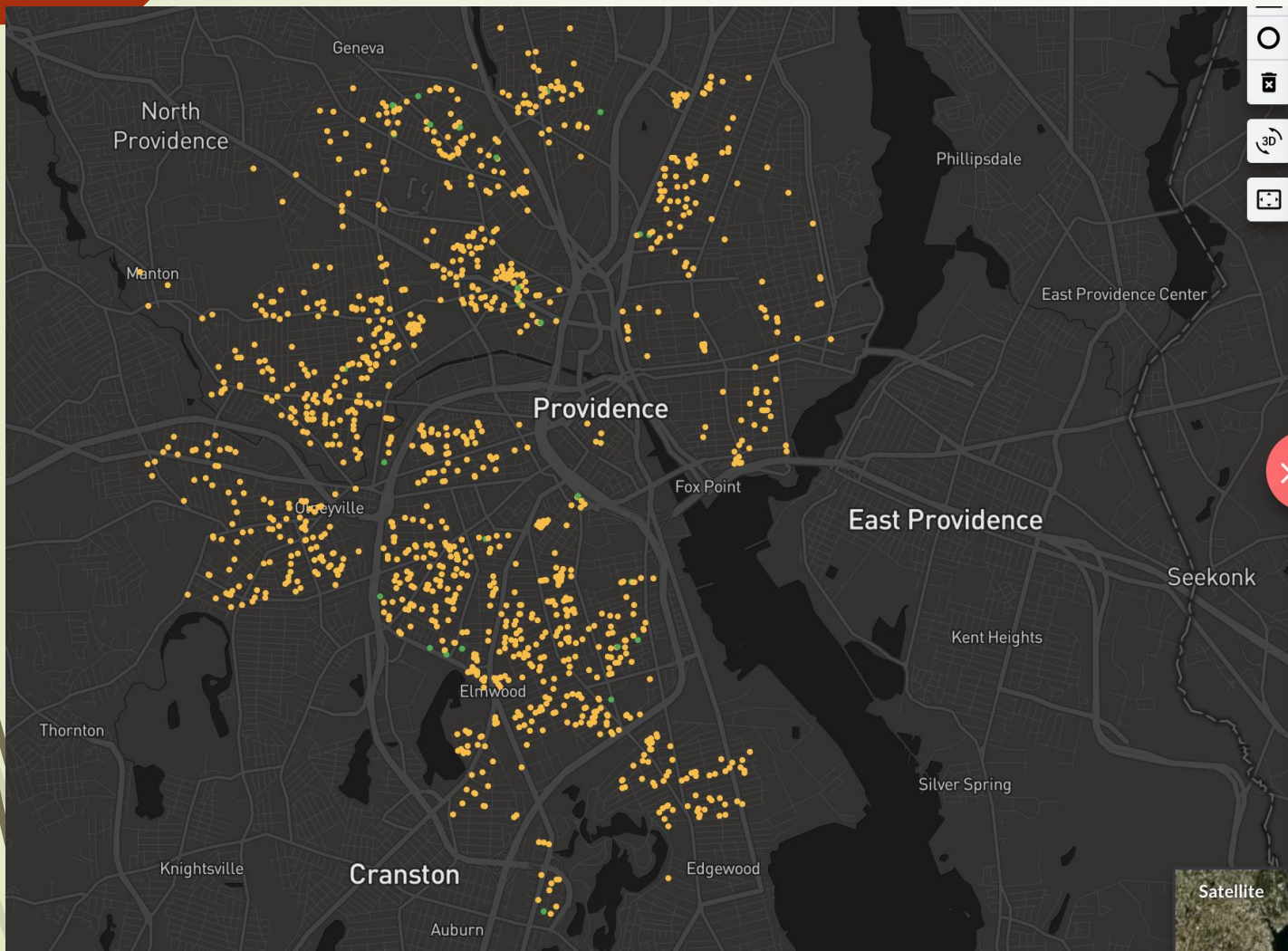


City-wide analytics

- We need an information clearinghouse, accessible by all applicable employees
- Options included expanding our internal GIS system or looking for outside help
- After weighing both options, committee members decided on an outside vendor:

TOLEMI





vacancy Predictor

Visualize

+ Secured / Boarded

Visualize

+ Property Condition

Visualize

+ Code Violations - Count

Visualize

- Code Violations - Open

For 1 day(s) or more X

FOR

SINCE

1

to

To

Day

+ Tax - Delinquent

- Foreclosures

Visualize

From 01/01/2005 To 12/31/2014

0 10 count

0 1 2 3 10

+ 311 Calls - Count

Visualize

+ Police Cases - Count

Visualize

+ Water Utility Shut-off

Street View

15 Almy St

15 Almy St, Providence, RI

Print



This property is not actively being offered for sale or lease.

Owner

Global Corp LLC



Vacancy Prediction

This property has a 69.6% vacancy likelihood based on existing property data and block group census statistics.



Call for Service
Substandard Housing/Code Violations
2016-01-27

2016



Code Violation
2015-12-17

2015



Code Violation
2014-07-09

2014



Code Violation
2012-02-15

2012



Tax Deed Sold
2009-01-01

2009



Tax Deed Sold
2008-01-01

2008



Tax Deed Sold
2007-01-01

2007

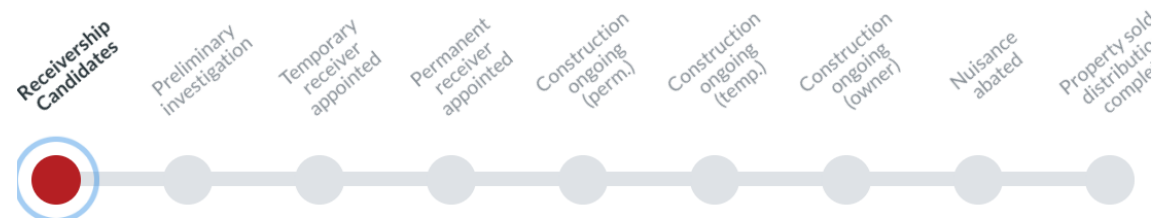
Parcel Data

Current Use	Two Family	
Owner Occupied		
Land Size	0.07 acres	
Building Size	3912.00 sqft	
Assessed Value	\$180,200	
Year Built	1886	
Occupancy Status	Vacant	
Vacancy Predictor	69.60%	
Secured / Boarded	No	
Property Condition	Average	
Code Violations - Open	07/09/2014	
Tax - Delinquent	08/01/2015	
Parcel ID	032-0136-0000	
Zoning	R-3	
Historical Status	No	

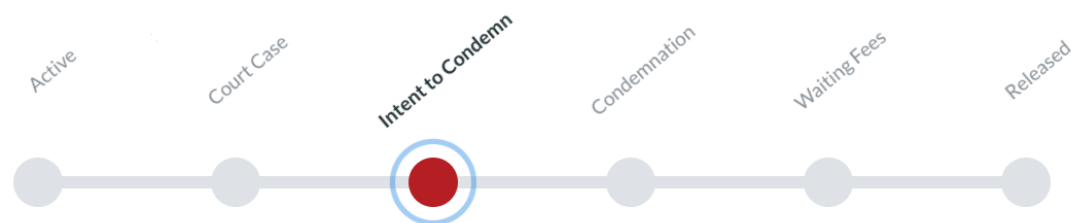
Location

Block Group Data

Receivership



Code Violations





Neighborhood Refresh Initiative

- Focused, proactive enforcement starting today in southwest Sherman
- Sherman employees will be looking for low-hanging fruit and particularly bad actors
- When possible, voluntary compliance will be sought before formal steps to remediate
- Mapping software will allow departments to see and understand the actions of other employees within city government, as well as allow city management to assess and evaluate the initiative as it progresses
- Quality of Life is the goal



Questions?



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.1.

Meeting Date: 10/16/2017

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6064

Amending Ordinance No. 6051 to Appoint Election Officials and Add Early Voting Locations for an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Electing Two (2) District City Council Members for Said City

Issue:

To amend Ordinance No. 6051, which called the Regular Municipal Election for November 7, 2017

Background:

At the time the City called the Election, the Grayson County Commissioners had not named the Election Judges and Alternate Judges for the Vote Centers, nor had they finalized Early Voting locations, dates, and times or Election Day Vote Centers. This Ordinance approves the appointment of these judges and the final dates, locations, and times for Early Voting and Election Day voting for the upcoming election for the District 2 and District 4 Council seats.

Origination:

The ordinance originated with the City Clerk's Office.

Financial Consideration:

Cost of the Election in 2016 was \$15,115.70.

Staff Recommendation:

It is recommended that the City Council amend the ordinance to name the Presiding and Alternate Judges for the Election and to designate voting locations, dates, and times.

Alternatives:

There is no viable alternative.

Attachments

Ordinance No. 6064

ORDINANCE NO. 6064

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6051 TO APPOINT ELECTION OFFICIALS AND ADD EARLY VOTING LOCATIONS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, in compliance with the Charter of the City of Sherman, Texas, and in accordance with the laws and the Constitution of the State of Texas, an election may be and the same is hereby called and ordered for the first Tuesday after the first Monday in November, 2017, the same being the 7th day of said month, at which election all qualified voters may vote for the purpose of electing a District 2 and a District 4 City Council Member for full terms, as defined in the Charter of the City of Sherman, Texas.

SECTION 2. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 6251, passed and approved on the 21st day of August, 2017.

SECTION 3. That the County Elections Administrator shall prepare electronic ballots for early and election day voting and paper ballots for mail ballots and provisional ballots to be used in said election and shall label same "*Official Ballot*", on which ballot shall be printed the names of the candidates and the positions of District Council Member. The designation of each position on the official ballot shall be Council Member, District 2; and Council Member, District 4, respectively.

SECTION 4. That no person's name shall be placed upon the official ballot as a candidate for the position of Council Member unless such person has filed his/her sworn application, as provided by the laws of the State, with the City Clerk at least seventy-eight (78) days prior to the election date, and it must also appear on the face of said application the position the candidate is seeking.

SECTION 5. That it shall further appear to the said City Clerk, before said candidate's name is entered on said ballot, that he has filed an affidavit of loyalty with the City Clerk as required by the Election Code of the State of Texas.

SECTION 6. That, in the event there are two or more candidates for the same position, the position of such candidates' names on the ballot shall be determined by lot conducted by the City Clerk in the presence of each candidate or candidate's designated representative.

SECTION 7. That any Council Member candidate receiving the greatest number of the qualified votes cast for the position for which he is a candidate shall be elected to such position. In the event a tie vote occurs, the City Council of said City, immediately after canvass, shall issue a call for Special Election, as required by law, to be held not less than twenty (20) nor more than forty-five (45) days after the results of the Regular Election shall have been declared, at which election the candidates receiving a tie vote for any such position or positions in the regular election shall again be voted. If needed, a run-off election will be held in accordance with State law.

SECTION 8. That the polls shall be kept open from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. on Election Day, and that due return shall be made to the City Council showing the number of votes cast for each candidate for each position of District Council Member, respectively.

SECTION 9. That notice of said election shall be given by the Mayor of the City of Sherman by causing an election notice to be posted at City Hall not later than the twenty-first day before election day, and by publishing this ordinance at least one time not more than thirty days nor less than ten days prior to the election date, in at least one daily newspaper published in the City of Sherman in accordance with the provisions of the Election Code of the State of Texas, as amended.

SECTION 10. That the vote centers for this election shall be as follows:

<u>LOCATION</u>	<u>JUDGES</u>
Bells City Hall 203 S. Broadway Bells, Texas	TBD Carolyn Dexheimer Presiding Judge TBD Louise Sanford Alternate Judge
Collinsville Community Building 117 N. Main Collinsville, Texas	TBD Gary Davidson Presiding Judge TBD Zona Harmon Alternate Judge
Grayson College – Denison Campus 6101 Grayson Dr. Denison, Texas	TBD Tana Ross Presiding Judge TBD Cordelia Dow Alternate Judge

Grayson County Sub-Courthouse 101 W. Woodard Denison, Texas	TBD <i>Liz Stieben</i> Presiding Judge TBD <i>Theresa Jones</i> Alternate Judge
Parkside Baptist Church 301 N. Lillis Lane Denison, Texas	TBD <i>Roger Stieben</i> Presiding Judge TBD <i>Nancy Knapp</i> Alternate Judge
Southside Baptist Church 3500 S. Park Denison, Texas	TBD <i>Dee Keating</i> Presiding Judge TBD <i>Sue Fowler</i> Alternate Judge
First Baptist Church 187 Gordonville Rd. Gordonville, Texas	TBD <i>Helen Hawkins</i> Presiding Judge TBD <i>Debby Eastland</i> Alternate Judge
First Baptist Church 99 Gentle Creek Lane Gunter, Texas	TBD <i>Brenda Webb</i> Presiding Judge TBD <i>Ashley Logan</i> Alternate Judge
Howe Community Center 700 W. Haning Howe, Texas	TBD <i>Freddy Holcomb</i> Presiding Judge TBD <i>Georgia Richardson</i> Alternate Judge

Pottsboro ISD Administration Building
105 Cardinal Lane
Pottsboro, Texas

~~TBD~~ Johanna Sandline
Presiding Judge

~~TBD~~ Cheryl Lovett
Alternate Judge

Sadler Community Building Baptist Church
~~105 N 419 S. Main~~
Sadler, Texas

~~TBD~~ James Webb
Presiding Judge

~~TBD~~ Larry Williams
Alternate Judge

East Sherman Baptist Church
910 E. King
Sherman, Texas

~~TBD~~ Martha Neyman
Presiding Judge

~~TBD~~ Shari Duncan
Alternate Judge

Election Administration Building
115 W. Houston
Sherman, Texas

~~TBD~~ Marie Ward
Presiding Judge

~~TBD~~ Dana Speed
Alternate Judge

Faith Church
1800 N. FM 1417
Sherman, Texas

~~TBD~~ Renee Wade
Presiding Judge

~~TBD~~ Larry Owens
Alternate Judge

Luella First Baptist Church
3162 Hwy 11
Sherman, Texas

~~TBD~~ George Ann Boggs
Presiding Judge

~~TBD~~ Debbie Lowery
Alternate Judge

Municipal Building
405 N. Rusk
Sherman, Texas

~~TBD~~ Ann Keeling
Presiding Judge

~~TBD~~ Nana Rylander
Alternate Judge

*SISD Service Center
2701 Loy Lake Rd.
Sherman, Texas*

~~TBD~~ Sue Caylor
Presiding Judge

~~TBD~~ Lee Salinas
Alternate Judge

*Texoma Council of Governments
1117 Gallagher Drive
Sherman, Texas*

~~TBD~~ Al Germann
Presiding Judge

~~TBD~~ Cheryl Self
Alternate Judge

*United Way of Grayson County
713 E. Brockett
Sherman, Texas 75090*

~~TBD~~ Dickie Gerig
Presiding Judge

~~TBD~~ Judy Baker
Alternate Judge

*Southmayd City Hall
4525 Elementary Dr.
Southmayd, Texas*

~~TBD~~ Laura Joice
Presiding Judge

~~TBD~~ Shirley Covington
Alternate Judge

*Tioga Fire Dept. Meeting Room
601 E. Main
Tioga, Texas*

~~TBD~~ Gretchen Coyle
Presiding Judge

~~TBD~~ Michelle Boykin
Alternate Judge

*First National Bank – Tom Bean
109 S. Britton
Tom Bean, Texas*

~~TBD~~ Janet Schaab
Presiding Judge

~~TBD~~ Brenda Luper
Alternate Judge

*Grayson College – Van Alstyne Campus
1455 W. Van Alstyne Pkwy
Van Alstyne, Texas*

~~TBD~~ Bob Towers
Presiding Judge

~~TBD~~ Yolanda Gomez
Alternate Judge

Whitesboro City Hall
111 W. Main
Whitesboro, Texas

~~TBD~~ Jo Stow
Presiding Judge

~~TBD~~ Barbara Stanford
Alternate Judge

Whitewright City Hall
206 W. Grand
Whitewright, Texas

~~TBD~~ Leslie Coker
Presiding Judge

~~TBD~~ Jeannie Santogrossi
Alternate Judge

SECTION 11. That Direct Recording Electronic Equipment shall be used for voting at the foregoing election precincts.

SECTION 12. That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to so cast their vote at the Grayson County Election Administration Building, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, 101 W. Woodard, Denison, Texas; at the Pottsboro ISD Administration Building, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, 111 W. Main, Whitesboro, Texas; ~~and~~ at Grayson College – Van Alstyne Campus, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; *Sherman ISD Service Center, 2701 Loy Lake Road, Sherman, Texas; Howe Community Center, 700 W. Haning, Howe; Southmayd City Hall, 4525 Elementary Drive, Southmayd, Texas; and Sadler Baptist Church, 419 S. Main Street, Sadler, Texas (Sadler site only – will close at 4:00 on Oct. 25 and Oct. 31; will open at 1:00 on Oct. 29);* from October 23 through October 27, 2017, from 8:00 a.m. to 5:00 p.m.; October 28, 2017, from 7:00 a.m. to 7:00 p.m.; October 29, 2017, from 12:00 p.m. to 5:00 p.m.; October 30 through November 1, 2017, from 8:00 a.m. to 5:00 p.m.; and November 2 through November 3, 2017, from 7:00 a.m. to 7:00 p.m.

SECTION 13. That the Presiding Judge for Early Voting shall be Deana Patterson, the Alternate Judge shall be Arlene Joice and additional Voting Clerks shall be appointed.

SECTION 14. That an Early Voting Ballot Board for verifying Early Voting ballots shall be appointed, by the Early Voting Judge, consisting of a Presiding Judge and additional Clerks.

SECTION 15. That the rate of pay set by Subchapter E, Sections 32.091 and 32.092 of Title 3 of the Election Code for Election Judges and Clerks shall be at an amount fixed by the appropriate authority, which is at least the federal minimum hourly wage. The judge who delivers the election returns may be paid an amount not to exceed \$25.00 for that service. No judge may be paid for more than one hour of work before the polls open.

SECTION 16. That Deana Patterson, County Elections Administrator, is hereby appointed Counting Station Presiding Manager.

SECTION 17. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 20, 2017.

SECTION 18. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.2.

Meeting Date: 10/16/2017

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6065

Amending Ordinance No. 6056 to Appoint Election Officials and Add Early Voting Locations for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Electing One (1) At-Large, Place 1 City Council Member to Fill an Unexpired Term until November 2018 for Said City

Issue:

To amend Ordinance No. 6056, which called a Special Municipal Election for November 7, 2017

Background:

At the time the City called the Election, the Grayson County Commissioners had not named the Election Judges and Alternate Judges for the Vote Centers, nor had they finalized Early Voting locations, dates, and times or Election Day Vote Centers. This Ordinance approves the appointment of these judges and the final dates, locations, and times for Early Voting and Election Day voting for the upcoming election for the At-Large, Place 1 unexpired term.

Origination:

The ordinance originated with the City Clerk's Office.

Financial Consideration:

Cost of the Election in 2016 was \$15,115.70.

Staff Recommendation:

It is recommended that the City Council amend the ordinance to name the Presiding and Alternate Judges for the Election and to designate voting locations, dates, and times.

Alternatives:

There is no viable alternative.

Attachments

Ordinance No. 6065

ORDINANCE NO. 6065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6056 TO APPOINT ELECTION OFFICIALS AND ADD EARLY VOTING LOCATIONS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF ELECTING ONE (1) AT-LARGE, PLACE 1 CITY COUNCIL MEMBER TO FILL AN UNEXPIRED TERM UNTIL NOVEMBER 2018 FOR SAID CITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, in compliance with the Charter of the City of Sherman, Texas, and in accordance with the laws and the Constitution of the State of Texas, there is hereby ordered a special election to be participated in by the qualified voters of the City of Sherman, Texas, to be held on the first Tuesday in November, 2017, the same being the 7th day of said month, at which election all qualified voters may vote for the purpose of electing an At-Large, Place 1 City Council Member to fill an unexpired term, until November 2018.

SECTION 2. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 6251, passed and approved on the 21st day of August, 2017.

SECTION 3. That the County Clerk of Grayson County shall prepare electronic ballots for early and election day voting and paper ballots for mail ballots and provisional ballots to be used in said election and shall label same "*Official Ballot*", on which ballot shall be printed the names of the candidates and the position of At-Large Council Member. The designation of the position on the official ballot shall be Council Member, At-Large, Place 1.

SECTION 4. That no person's name shall be placed upon the official ballot as a candidate for the position of Council Member, At-Large, Place 1, unless such person has filed his/her sworn application, as provided by the laws of the State, with the City Clerk, beginning the day the special election is ordered, and continuing through the fortieth (40) day prior to the election date, and it must also appear on the face of said application the position the candidate is seeking.

SECTION 5. That it shall further appear to the said City Clerk, before said candidate's name is entered on said ballot, that he has filed an affidavit of loyalty with the City Clerk as required by the Election Code of the State of Texas.

SECTION 6. That, in the event there are two or more candidates for the same position, the position of such candidates' names on the ballot shall be determined by lot conducted by the City Clerk in the presence of each candidate or candidate's designated representative.

SECTION 7. That any Council Member candidate receiving the greatest number of the qualified votes cast for the position for which he is a candidate shall be elected to such position. In the event a tie vote occurs, the City Council of said City, immediately after canvass, shall issue a call for Special Election, as required by law, to be held not less than twenty (20) nor more than forty-five (45) days after the results of the ~~Regular~~ *Special* Election shall have been declared, at which election the candidates receiving a tie vote for any such position or positions in the ~~regular~~ *special* election shall again be voted. If needed, a run-off election will be held in accordance with State law.

SECTION 8. That the polls shall be kept open from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. on Election Day, and that due return shall be made to the City Council showing the number of votes cast for each candidate for Council Member, At-Large, Place 1.

SECTION 9. That notice of said election shall be given by the Mayor of the City of Sherman by causing an election notice to be posted at City Hall not later than the twenty-first day before election day, and by publishing this ordinance at least one time not more than thirty days nor less than ten days prior to the election date, in at least one daily newspaper published in the City of Sherman in accordance with the provisions of the Election Code of the State of Texas, as amended.

SECTION 10. That the vote centers for this election shall be as follows:

<u>LOCATION</u>	<u>JUDGES</u>
Bells City Hall 203 S. Broadway Bells, Texas	TBD <i>Carolyn Dexheimer</i> Presiding Judge TBD <i>Louise Sanford</i> Alternate Judge
Collinsville Community Building 117 N. Main Collinsville, Texas	TBD <i>Gary Davidson</i> Presiding Judge TBD <i>Zona Harmon</i> Alternate Judge
Grayson College – Denison Campus 6101 Grayson Dr. Denison, Texas	TBD <i>Tana Ross</i> Presiding Judge TBD <i>Cordelia Dow</i> Alternate Judge
Grayson County Sub-Courthouse 101 W. Woodard Denison, Texas	TBD <i>Liz Stieben</i> Presiding Judge TBD <i>Theresa Jones</i>

Parkside Baptist Church 301 N. Lillis Lane Denison, Texas	Alternate Judge TBD Roger Stieben Presiding Judge TBD Nancy Knapp Alternate Judge
Southside Baptist Church 3500 S. Park Denison, Texas	TBD Dee Keating Presiding Judge TBD Sue Fowler Alternate Judge
First Baptist Church 187 Gordonville Rd. Gordonville, Texas	TBD Helen Hawkins Presiding Judge TBD Debby Eastland Alternate Judge
First Baptist Church 99 Gentle Creek Lane Gunter, Texas	TBD Brenda Webb Presiding Judge TBD Ashley Logan Alternate Judge
Howe Community Center 700 W. Haning Howe, Texas	TBD Freddy Holcomb Presiding Judge TBD Georgia Richardson Alternate Judge
Pottsboro ISD Administration Building 105 Cardinal Lane Pottsboro, Texas	TBD Johanna Sandline Presiding Judge TBD Cheryl Lovett Alternate Judge
Sadler Community Building Baptist Church 105 N 419 S. Main Sadler, Texas	TBD James Webb Presiding Judge TBD Larry Williams Alternate Judge

East Sherman Baptist Church
910 E. King
Sherman, Texas

~~TBD~~ *Martha Neyman*
Presiding Judge

~~TBD~~ *Shari Duncan*
Alternate Judge

Election Administration Building
115 W. Houston
Sherman, Texas

~~TBD~~ *Marie Ward*
Presiding Judge

~~TBD~~ *Dana Speed*
Alternate Judge

Faith Church
1800 N. FM 1417
Sherman, Texas

~~TBD~~ *Renee Wade*
Presiding Judge

~~TBD~~ *Larry Owens*
Alternate Judge

Luella First Baptist Church
3162 Hwy 11
Sherman, Texas

~~TBD~~ *George Ann Boggs*
Presiding Judge

~~TBD~~ *Debbie Lowery*
Alternate Judge

Municipal Building
405 N. Rusk
Sherman, Texas

~~TBD~~ *Ann Keeling*
Presiding Judge

~~TBD~~ *Nana Rylander*
Alternate Judge

SISD Service Center
2701 Loy Lake Rd.
Sherman, Texas

~~TBD~~ *Sue Caylor*
Presiding Judge

~~TBD~~ *Lee Salinas*
Alternate Judge

Texoma Council of Governments
1117 Gallagher Drive
Sherman, Texas

~~TBD~~ *Al Germann*
Presiding Judge

~~TBD~~ *Cheryl Self*
Alternate Judge

United Way of Grayson County
713 E. Brockett
Sherman, Texas 75090

~~TBD~~ *Dickie Gerig*
Presiding Judge

~~TBD~~ *Judy Baker*
Alternate Judge

Southmayd City Hall
4525 Elementary Dr.
Southmayd, Texas

~~TBD~~ *Laura Joice*
Presiding Judge

~~TBD~~ *Shirley Covington*
Alternate Judge

Tioga Fire Dept. Meeting Room
601 E. Main
Tioga, Texas

~~TBD~~ *Gretchen Coyle*
Presiding Judge

~~TBD~~ *Michelle Boykin*
Alternate Judge

First National Bank – Tom Bean
109 S. Britton
Tom Bean, Texas

~~TBD~~ *Janet Schaab*
Presiding Judge

~~TBD~~ *Brenda Luper*
Alternate Judge

Grayson College – Van Alstyne Campus
1455 W. Van Alstyne Pkwy
Van Alstyne, Texas

~~TBD~~ *Bob Towers*
Presiding Judge

~~TBD~~ *Yolanda Gomez*
Alternate Judge

Whitesboro City Hall
111 W. Main
Whitesboro, Texas

~~TBD~~ *Jo Stow*
Presiding Judge

~~TBD~~ *Barbara Stanford*
Alternate Judge

Whitewright City Hall
206 W. Grand
Whitewright, Texas

~~TBD~~ *Leslie Coker*
Presiding Judge

~~TBD~~ *Jeannie Santogrossi*
Alternate Judge

SECTION 11. That Direct Recording Electronic Equipment shall be used for voting at the foregoing election precincts.

SECTION 12. That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to so cast their vote at the Grayson County Election Administration Building, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, 101 W. Woodard, Denison, Texas; at the Pottsboro ISD Administration Building, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, 111 W. Main, Whitesboro, Texas; ~~and~~ at Grayson College – Van Alstyne Campus, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; *Sherman ISD Service Center, 2701 Loy Lake Road, Sherman, Texas; Howe Community Center, 700 W. Haning, Howe; Southmayd City Hall, 4525 Elementary Drive, Southmayd, Texas; and Sadler Baptist Church, 419 S. Main Street, Sadler, Texas (Sadler site only – will close at 4:00 on Oct. 25 and Oct. 31; will open at 1:00 on Oct. 29);* from October 23 through October 27, 2017, from 8:00 a.m. to 5:00 p.m.; October 28, 2017, from 7:00 a.m. to 7:00 p.m.; October 29, 2017, from 12:00 p.m. to 5:00 p.m.; October 30 through November 1, 2017, from 8:00 a.m. to 5:00 p.m.; and November 2 through November 3, 2017, from 7:00 a.m. to 7:00 p.m.

SECTION 13. That the Presiding Judge for Early Voting shall be Deana Patterson, the Alternate Judge shall be Arlene Joice and additional Voting Clerks shall be appointed.

SECTION 14. That an Early Voting Ballot Board for verifying Early Voting ballots shall be appointed, by the Early Voting Judge, consisting of a Presiding Judge and additional Clerks.

SECTION 15. That the rate of pay set by Subchapter E, Sections 32.091 and 32.092 of Title 3 of the Election Code for Election Judges and Clerks shall be at an amount fixed by the appropriate authority, which is at least the federal minimum hourly wage. The judge who delivers the election returns may be paid an amount not to exceed \$25.00 for that service. No judge may be paid for more than one hour of work before the polls open.

SECTION 16. That Deana Patterson, County Elections Administrator, is hereby appointed Counting Station Presiding Manager.

SECTION 17. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 20, 2017.

SECTION 18. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.3.

Meeting Date: 10/16/2017

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6066

Amending Ordinance No. 6052 to Appoint Election Officials, Add Early Voting Locations, and Rename Amendments for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Amending the City Charter of the City of Sherman, Texas

Issue:

To amend Ordinance No. 6052, which called a Special Municipal Election for November 7, 2017

Background:

At the time the City called the Election, the Grayson County Commissioners had not named the Election Judges and Alternate Judges for the Vote Centers, nor had they finalized Early Voting locations, dates, and times or Election Day Vote Centers. This Ordinance approves the appointment of these judges and the final dates, locations, and times for Early Voting and Election Day voting for the upcoming election for Charter Amendments. The Ordinance also renames the Charter Amendments.

Origination:

The ordinance originated with the City Clerk's Office.

Financial Consideration:

Cost of the Election in 2016 was \$15,115.70.

Staff Recommendation:

It is recommended that the City Council amend the ordinance to name the Presiding and Alternate Judges for the Election, to designate voting locations, dates, and times, and to rename the Charter Amendments.

Alternatives:

There is no viable alternative.

Attachments

Ordinance No. 6066

ORDINANCE NO. 6066

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6052 TO APPOINT ELECTION OFFICIALS, ADD EARLY VOTING LOCATIONS, AND RENAME AMENDMENTS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, in compliance with the Charter of the City of Sherman, Texas, and in accordance with the laws and the Constitution of the State of Texas, there is hereby ordered a special election to be participated in by the qualified voters of the City of Sherman, Texas, to be held on the first Tuesday in November, 2017, the same being the 7th day of said month, for the purpose of holding an election for the submission of amendments to the existing City Charter of the City of Sherman, Texas, which City Charter was adopted by the people, pursuant to Article X, Section 15 of the Home Rule Charter for the City of Sherman, Texas, and V.T.C.A., Local Government Code § 9.004.

SECTION 2. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 6251, passed and approved on the 21st day of August, 2017.

SECTION 3. That the County Clerk of Grayson County shall prepare electronic ballots for early and election day voting and paper ballots for mail ballots and provisional ballots to be used in said election and shall label same "*Official Ballot*", on which ballot shall be printed the text of the proposed amendments to the City Charter.

SECTION 4. That the following are the proposed amendments to the Home Rule Charter for the City of Sherman, Texas, to be voted upon:

Amendment No. 1 A

To amend Article II, "City Council", Section 6, "Vacancies, forfeitures, filling of vacancies" to allow the City Council, with a vote of the supermajority, to cause a member to forfeit office for an act of misconduct, malfeasance or incompetence as follows:

(a) Vacancies. The office of the mayor or councilmember shall become vacant upon their death, resignation, removal from office in any manner authorized by law, or forfeiture of the office. If an elected official changes their primary residence to outside the corporate limits of the City of Sherman or the district to which they were elected, their office shall immediately become forfeit and vacant.

(b) Forfeiture of office. The mayor or a councilmember shall forfeit their office if, during the term of office, they:

- (1) Lack any qualification for the office prescribed by this charter or by law;
- (2) Violate any express prohibition of this charter;
- (3) Have been given probation, deferred adjudication, or are convicted of a crime involving a felony or a crime involving dishonesty or deceit; ~~or~~
- (4) Fail to attend three (3) consecutive regular meetings of the council or a total of six (6) such meetings in any one year without being excused by the council; *or,*
- (5) *Commits an act of malfeasance, incompetence, or misconduct as determined by a super-majority vote of a quorum of the remaining members of the City Council.*

(c) Filling of vacancies. If only one seat on the council becomes vacant at a time, it shall be filled by a majority vote of the remaining members present and voting until the next regular city election. If two (2) or three (3) seats on the council become vacant at the same time, a special election shall be ordered to fill such vacancies unless the next regular city election is to be held within a ninety (90) day period and, in that event, the seats shall remain vacant until filled at such regular election. If four (4) or more vacancies exist at the same time, the mayor, or the deputy mayor in the mayor's absence, shall have the power and shall immediately order a special election to fill all such vacancies. In the event a special election is not ordered as provided herein, then it shall be ordered as provided in Section 1 of Article III of this charter.

Amendment No. 2 B

To amend Article V, "Finance Administration", Section 11, "Bonds and warrants", (c), "Other debt instruments" to replace dated language regarding specific borrowing limits with a general statement that the City shall have the power to borrow money for any lawful public purpose and clarify borrowing limits by echoing language from Section 13 stating that bonds and other debt instruments security by property taxes shall not exceed ten percent (10%) of property value as follows:

(c) Other debt instruments. ~~The city shall have the right to issue such other debt instruments as are allowed under state law, such as time warrants and certificates of obligation. The total amount of the principal of such instruments must not exceed one percent (1%) of the value of the property within the city that is subject to ad valorem taxes at the time of issuance. The maximum maturity of such instruments shall be thirty (30) years.~~ *power to borrow money on the credit of the City for any public purpose not prohibited and as provided by the Constitution and Laws of the State of Texas.*

The aggregate amount of bonds and other debt instruments secured by the value of property within the city that is subject to ad valorem taxes at the time of issuance shall at no time exceed ten percent (10%) of the value of the property within said city subject to ad valorem tax.

All bonds of the city having been issued and sold in accordance with the terms of this section, and having been delivered to the purchasers thereof, shall thereafter be incontestable, and all bonds issued to refund and in exchange for outstanding bonds previously issued shall, after said exchange, be incontestable.

No bonds of the City of Sherman shall be sold until after they have been advertised once a week for two (2) consecutive weeks, the first publication to be at least fourteen (14) days prior to the time set for the sale, and shall be sold at public sale for the best bid, upon sealed bids, and upon such other terms and conditions not inconsistent with express provisions of law and of this charter, as the city council may order. The city council shall have the right to reject any or all bids. The provisions of this section shall not apply to the sale of refunding bonds unless the council so elects.

The ordinance authorizing any bonds to be issued shall provide for the creation of a sinking fund sufficient to pay the bonds at maturity, and shall make provision for the payment of the interest thereon as it matures, and any surplus in any sinking fund or any general fund may be invested in bonds of the State of Texas or in securities of the United States, or such funds may be used for the purchase of the bonds of the City of Sherman which are not yet due; provided, however, that the price paid for said bonds or securities shall not exceed the market value at the time of purchase and the accrued interest on said bonds; and provided further that no such bonds shall be purchased which, according to their terms, mature at a date subsequent to the time of maturity of the bonds for the payment of which such sinking fund was created. Neither interest nor sinking fund shall be devoted to any other purpose whatsoever.

Amendment No. 3 C

To delete in its entirety, Article VI, "Taxation", Section 1, "Powers of taxation", (c), "Occupation taxes" to eliminate the City's ability to collect Occupation Taxes as defined by Charter as follows:

~~(c) — Occupation taxes. The council shall have the right to assess and collect such occupation taxes, licenses, and franchise taxes upon trades, professions, occupations, and any business transaction carried on in said city as may be authorized by the general laws of the State of Texas, but the amount so levied and collected shall not exceed one-half (1/2) of the amount levied by the State of Texas for the same trade, profession, occupation, vocation, or business.~~

Amendment No. 4 D

To amend Article VII, "Planning and Engineering", Section 1, "City planning and zoning board" to reduce the number of Planning and Zoning Commissioners from nine (9) to seven (7) as follows:

There shall be a city planning and zoning board consisting of ~~nine (9)~~ seven (7) members, each of whom must reside within the city and each of whom must be a qualified voter of the City of Sherman. The members of the board may be appointed by the city council for a partial term or for one (1) or two (2) terms of three (3) years each. Upon completion of the second term, such

members will be ineligible for reappointment to the board for four (4) years. Members of the board shall hold no other city office during their term on said board.

The city planning and zoning board shall have the following powers and duties:

- (a) To recommend approval or disapproval to any property changes in the zoning plans and requirements of the City of Sherman and of all specific use permits with reference thereto, and to grant any exceptions and make any and all decisions with reference to the zoning laws of the City of Sherman, subject only to the ordinances of the City of Sherman and building codes.
- (b) To adhere to and follow the recommendations contained in any comprehensive plan for the physical development of the city.
- (c) To recommend to the city council the adoption of any comprehensive plan or deviation therefrom and make recommendations to the city manager and the city council on all matters affecting the physical development of the city, and this board shall be consulted on all comprehensive plans and implementation thereof as may be adopted or otherwise provided for herein.
- (d) To formulate any additions to or implementations of any comprehensive plan, which said recommendation, when adopted by the city council, shall become a part of the comprehensive plan.
- (e) To exercise control over all platting or subdividing on any surface, subsurface or air space and area within the corporate limits of the City of Sherman and outside said corporate limits to the extent authorized by law.
- (f) Any other powers and duties which may be prescribed by ordinance.

Amendment No. 5 E

To amend Article X, "General Provisions", Section 10, "Nepotism" to eliminate the nepotism restriction as it relates to seasonal or part-time work as follows:

No person related within the second degree by affinity, or the third degree by consanguinity to the mayor, or any member of the city council, or the city manager shall be appointed to any paid office, position, clerkship, or other position of service of the city. *This prohibition shall not apply to part-time or seasonal employment.* This prohibition shall not apply to any person who shall have been employed by the city prior to and at the time of the election of the mayor, members of the city council, or the appointment of the city manager so related to him or her.

Amendment No. 6 F

To delete in its entirety, Article X, "General Provisions", Section 18, "Apportionment of costs of street improvements" to eliminate the City's ability to assess adjacent property owners for street improvements as follows:

~~The cost of making improvements to existing streets may be wholly paid by the city or partly by the city and partly by the owner or owners of the property abutting thereon; provided, that in no event shall more than two thirds (2/3) of the cost of an improvement, except sidewalks and curbs, be assessed against such property owner, but the whole cost of construction of sidewalks and curbs in front of any property may be assessed against the owner thereof or his or her property.~~

~~Street improvements within and bounding new subdivisions shall be in accordance with the City of Sherman Developer's Ordinance in effect at the time improvements are made.~~

SECTION 5. That the amendments described in Section 4 above shall be submitted separately and in such manner that the voter may vote "FOR" or "AGAINST" said amendments.

SECTION 6. That the polls shall be kept open from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. on Election Day, and that due return shall be made to the City Council showing the number of votes cast "FOR" or "AGAINST" the amendments.

SECTION 7. That notice of said election shall be given by the Mayor of the City of Sherman by causing an election notice to be posted at City Hall not later than the twenty-first day before election day, and by publishing this ordinance at least one time not more than thirty days nor less than ten days prior to the election date, in at least one daily newspaper published in the City of Sherman in accordance with the provisions of the Election Code of the State of Texas, as amended.

SECTION 8. That the vote centers for this election shall be as follows:

<u>LOCATION</u>	<u>JUDGES</u>
Bells City Hall 203 S. Broadway Bells, Texas	TBD Carolyn Dexheimer Presiding Judge TBD Louise Sanford Alternate Judge
Collinsville Community Building 117 N. Main Collinsville, Texas	TBD Gary Davidson Presiding Judge TBD Zona Harmon Alternate Judge
Grayson College – Denison Campus 6101 Grayson Dr. Denison, Texas	TBD Tana Ross Presiding Judge TBD Cordelia Dow Alternate Judge

Grayson County Sub-Courthouse 101 W. Woodard Denison, Texas	TBD <i>Liz Stieben</i> Presiding Judge TBD <i>Theresa Jones</i> Alternate Judge
Parkside Baptist Church 301 N. Lillis Lane Denison, Texas	TBD <i>Roger Stieben</i> Presiding Judge TBD <i>Nancy Knapp</i> Alternate Judge
Southside Baptist Church 3500 S. Park Denison, Texas	TBD <i>Dee Keating</i> Presiding Judge TBD <i>Sue Fowler</i> Alternate Judge
First Baptist Church 187 Gordonville Rd. Gordonville, Texas	TBD <i>Helen Hawkins</i> Presiding Judge TBD <i>Debby Eastland</i> Alternate Judge
First Baptist Church 99 Gentle Creek Lane Gunter, Texas	TBD <i>Brenda Webb</i> Presiding Judge TBD <i>Ashley Logan</i> Alternate Judge
Howe Community Center 700 W. Haning Howe, Texas	TBD <i>Freddy Holcomb</i> Presiding Judge TBD <i>Georgia Richardson</i> Alternate Judge

Pottsboro ISD Administration Building 105 Cardinal Lane Pottsboro, Texas	TBD Johanna Sandline Presiding Judge TBD Cheryl Lovett Alternate Judge
Sadler Community Building Baptist Church 105 N 419 S. Main Sadler, Texas	TBD James Webb Presiding Judge TBD Larry Williams Alternate Judge
East Sherman Baptist Church 910 E. King Sherman, Texas	TBD Martha Neyman Presiding Judge TBD Shari Duncan Alternate Judge
Election Administration Building 115 W. Houston Sherman, Texas	TBD Marie Ward Presiding Judge TBD Dana Speed Alternate Judge
Faith Church 1800 N. FM 1417 Sherman, Texas	TBD Renee Wade Presiding Judge TBD Larry Owens Alternate Judge
Luella First Baptist Church 3162 Hwy 11 Sherman, Texas	TBD George Ann Boggs Presiding Judge TBD Debbie Lowery Alternate Judge
Municipal Building 405 N. Rusk Sherman, Texas	TBD Ann Keeling Presiding Judge TBD Nana Rylander Alternate Judge

*SISD Service Center
2701 Loy Lake Rd.
Sherman, Texas*

~~TBD~~ Sue Caylor
Presiding Judge

~~TBD~~ Lee Salinas
Alternate Judge

*Texoma Council of Governments
1117 Gallagher Drive
Sherman, Texas*

~~TBD~~ Al Germann
Presiding Judge

~~TBD~~ Cheryl Self
Alternate Judge

*United Way of Grayson County
713 E. Brockett
Sherman, Texas 75090*

~~TBD~~ Dickie Gerig
Presiding Judge

~~TBD~~ Judy Baker
Alternate Judge

*Southmayd City Hall
4525 Elementary Dr.
Southmayd, Texas*

~~TBD~~ Laura Joice
Presiding Judge

~~TBD~~ Shirley Covington
Alternate Judge

*Tioga Fire Dept. Meeting Room
601 E. Main
Tioga, Texas*

~~TBD~~ Gretchen Coyle
Presiding Judge

~~TBD~~ Michelle Boykin
Alternate Judge

*First National Bank – Tom Bean
109 S. Britton
Tom Bean, Texas*

~~TBD~~ Janet Schaab
Presiding Judge

~~TBD~~ Brenda Luper
Alternate Judge

*Grayson College – Van Alstyne Campus
1455 W. Van Alstyne Pkwy
Van Alstyne, Texas*

~~TBD~~ Bob Towers
Presiding Judge

~~TBD~~ Yolanda Gomez
Alternate Judge

Whitesboro City Hall
111 W. Main
Whitesboro, Texas

~~TBD~~ Jo Stow
Presiding Judge

~~TBD~~ Barbara Stanford
Alternate Judge

Whitewright City Hall
206 W. Grand
Whitewright, Texas

~~TBD~~ Leslie Coker
Presiding Judge

~~TBD~~ Jeannie Santogrossi
Alternate Judge

SECTION 9. That Direct Recording Electronic Voting Equipment shall be used for voting at the foregoing election precincts.

SECTION 10. That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to so cast their vote at the Grayson County Election Administration Building, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, 101 W. Woodard, Denison, Texas; at the Pottsboro ISD Administration Building, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, 111 W. Main, Whitesboro, Texas; ~~and~~ at Grayson College – Van Alstyne Campus, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; *Sherman ISD Service Center, 2701 Loy Lake Road, Sherman, Texas; Howe Community Center, 700 W. Haning, Howe; Southmayd City Hall, 4525 Elementary Drive, Southmayd, Texas; and Sadler Baptist Church, 419 S. Main Street, Sadler, Texas (Sadler site only – will close at 4:00 on Oct. 25 and Oct. 31; will open at 1:00 on Oct. 29);* from October 23 through October 27, 2017, from 8:00 a.m. to 5:00 p.m.; October 28, 2017, from 7:00 a.m. to 7:00 p.m.; October 29, 2017, from 12:00 p.m. to 5:00 p.m.; October 30 through November 1, 2017, from 8:00 a.m. to 5:00 p.m.; and November 2 through November 3, 2017, from 7:00 a.m. to 7:00 p.m.

SECTION 11. That the Presiding Judge for Early Voting shall be Deana Patterson, the Alternate Judge shall be Arlene Joice and additional Voting Clerks shall be appointed.

SECTION 12. That an Early Voting Ballot Board for verifying Early Voting ballots shall be appointed, by the Early Voting Judge, consisting of a Presiding Judge and additional Clerks.

SECTION 13. That the rate of pay set by Subchapter E, Sections 32.091 and 32.092 of Title 3 of the Election Code for Election Judges and Clerks shall be at an amount fixed by the appropriate authority, which is at least the federal minimum hourly wage. The judge who delivers the election returns may be paid an amount not to exceed \$25.00 for that service. No judge may be paid for more than one hour of work before the polls open.

SECTION 14. That Deana Patterson, County Elections Administrator, is hereby appointed Counting Station Presiding Manager.

SECTION 15. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 20, 2017.

SECTION 16. That the proposed amendments, if approved by a majority of the qualified voters voting at said election, shall become a part of the Charter of the City of Sherman, Texas.

SECTION 17. That no amendment shall be considered adopted until an official order has been entered upon the records of the City of Sherman, Texas, by the City Council of such City declaring the same adopted.

SECTION 18. That, by approving and signing this ordinance, the Mayor officially confirms as his action all matters recited in the ordinance which, by law, come within his jurisdiction.

SECTION 19. That it is hereby officially found and determined that the meeting at which this ordinance was introduced and passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.4.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6067

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two Hotels and an Event Center in a C-1 (Retail Business) District at 811 Graham Drive, being Lot 3, Block 1, Sherman Town Center, Section Two (Moe Hospitality, LLC, Owners; and Anil Ram, ADR-Designs, LLC, Representative/Architect); 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 Moe Hospitality, LLC (Owners) and Anil Ram, ADR-Designs, LLC (Representative/Architect) concerning the property at 811 Graham Drive, being Lot 3, Block 1, Sherman Town Center, Section Two for a Specific Use Permit to allow two hotels and an event center in a C-1 (Retail Business) District

Background:

The property is located at 811 Graham Drive in the Sherman Town Center Addition, Section Two, behind Central Freight. The property is zoned a C-1 (Retail Business) District. The owners would like to construct two hotels and an event center at this location.

The event center will be a one-story, 6,220 square foot building with state of the art audio/visual and meeting facilities. It will feature a ballroom that can be divided into three separate spaces or can be utilized as one venue with pre-event space and full kitchen facilities. The capacity will be up to 400 people banquet-style and 600 theater-style.

The Residence Inn by Marriott will be a five-story, 81,618 square foot building with 120 extended stay luxury apartment-like accommodations. The second hotel will be built in the second phase and will be a four-story, 47,075 square foot building with 77 rooms. The exterior finish on all the buildings will be brick with stone accents. Parking will be provided for 284 spaces.

Origination:

Moe Hospitality, LLC (Owners)

Anil Ram, ADR-Designs, LLC (Representative/Architect)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 regular meeting, the Planning and Zoning Board voted 9/0 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. 6067

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6067

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 TWO HOTELS AND AN EVENT CENTER IN A C-1 (RETAIL BUSINESS) DISTRICT AT 811 GRAHAM DRIVE, BEING LOT 3, BLOCK 1, SHERMAN TOWN CENTER, SECTION TWO (MOE HOSPITALITY, LLC, OWNERS; ANIL RAM, ADR-DESIGNS, LLC, REPRESENTATIVE/ ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; 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, Moe Hospitality, LLC (Owners) and Anil Ram, ADR-Designs, LLC (Representative/Architect) are granted a Specific Use Permit to allow two hotels and an event center in a C-1 (Retail Business) District at 811 Graham Drive, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 3, Block 1, Sherman Town Center, Section Two

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. The exterior finish on all buildings must meet the masonry requirements.
3. The trash dumpster will need to be located inside the main building area.
4. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
5. All parking shall be on private property and shall not encroach into Graham Drive right-of-way.
6. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
7. A parking space is considered to be 9'x20'.
8. Screening shall be provided and maintained abutting any residential zoned property.
9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Review the zoning and development ordinance for additional requirements.
11. 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:

12. Water and Sewer Pro-Rata will be due at the time of development.
13. Verify fire lane requirements with Fire Marshall.
14. The location of the trash receptors must be approved by the Public Works Department.
15. Internal water and sewer lines will be privately owned and maintained.
16. New drive approaches shall conform to City of Sherman standards and a permit is required.
17. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
18. A utility, drainage, and grading plan shall be provided and approved by the City Engineering Department. A site development meeting is recommended.

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 _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

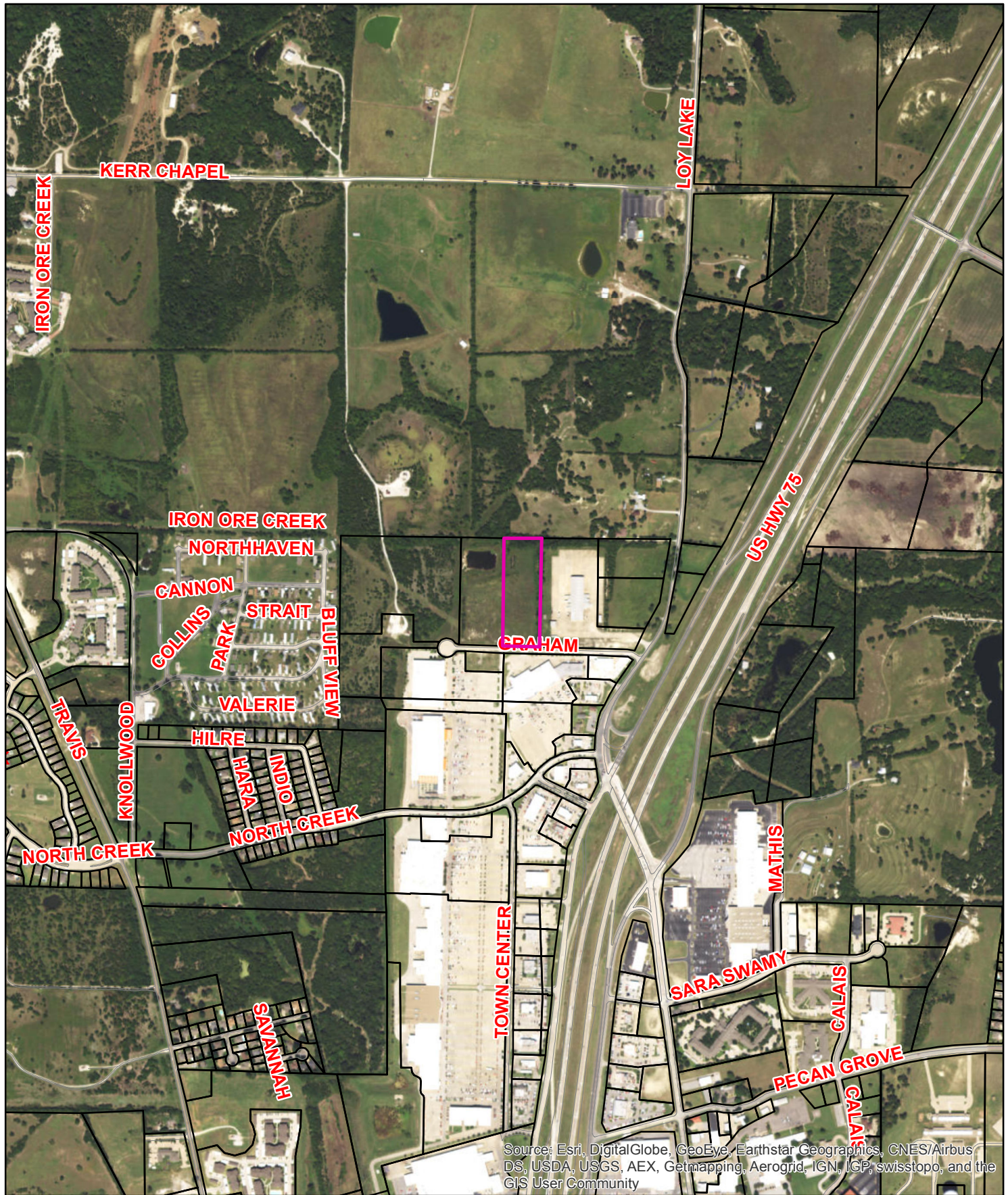
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

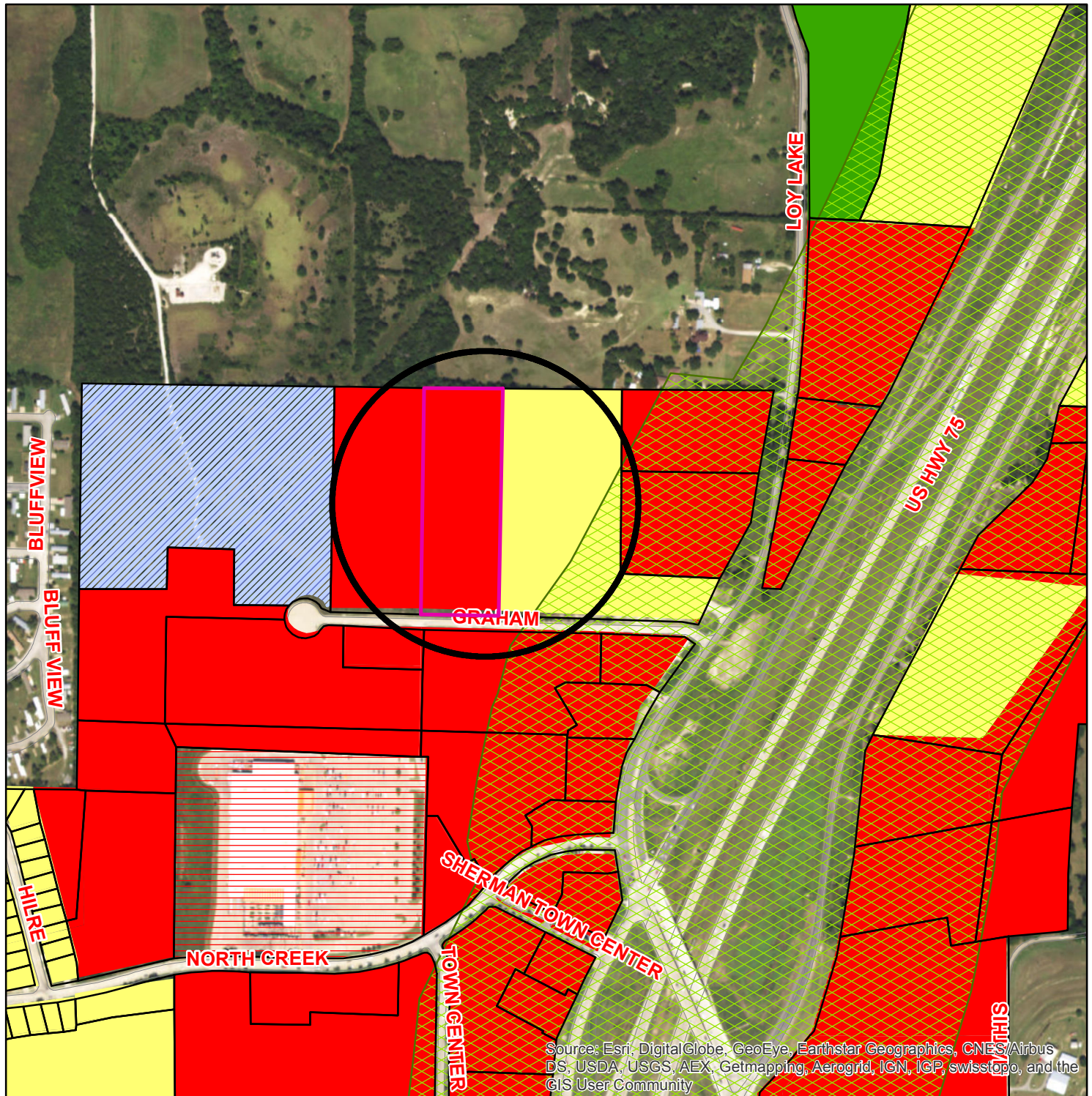
BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



811 Graham Drive



1 in = 968 ft



Zoning - 811 Graham Drive

Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels.selection

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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 District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

Unknown



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 500 ft

811 Graham Drive



PROJECT STATUS:
PRELIMINARY
PROJECT MANAGER:
DAYNE RAM
DESIGN MANAGER:
RCM
PROJECT DATE:
03/01/14
REVISION DATE:
08/21/17

Moe Hospitality
418 CAVERN DRIVE
SHERMAN, TEXAS 75075
PHONE: 903-535-6400
manny@moehospitality.com

PROPOSED DEVELOPMENT
SHERMAN TOWN CENTER
GRAHAM DRIVE
SHERMAN, TEXAS

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS
601 SADDLE HILL DRIVE, GRAND PRINCE, TX 75050
PHONE: 903-572-2887
FAX: 903-572-2887
FOR: JOHN C. SARGENT

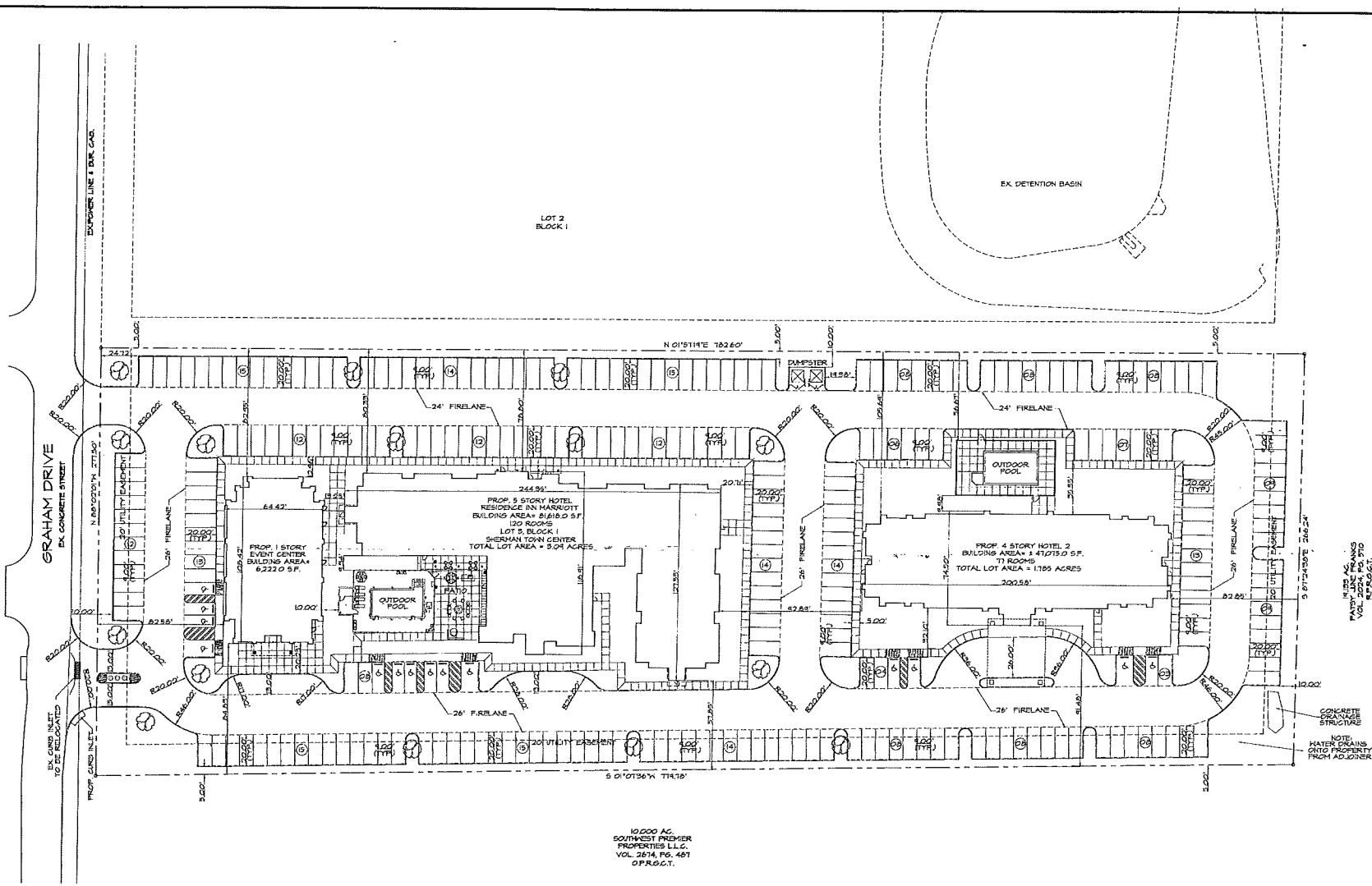
JOB NUMBER:

SHEET NUMBER
ASP

ARCHITECTURAL SITE PLAN
SCALE: 1" = 50'-0"
GRAPHIC SCALE
0 15 30 60

10,000 AC.
SOUTHWEST PREMIER
PROPERTIES L.L.C.
VOL. 2674, PG. 481
O.P.R. 02.01.17

	PROP. 5 STORY HOTEL RESIDENCE IN HARRIOTT	PROP. 1 STORY EVENT CENTER	PROP. 4 STORY HOTEL 2	TOTAL
TOTAL BUILDING AREA	81,618.0 SF.	6,222.0 SF.	1,410,715.0 SF.	1,498,555.0 SF.
PARKINGS REQUIRED	1 SPACE/ROOM UNIT = 120 SPACES	1,000 SF = 63 SPACES	1 SPACE/ROOM UNIT = 77 SPACES	260 SPACES
PARKINGS PROVIDED				284 SPACES
HC PARKINGS REQUIRED	5 SPACES (1 VAN)	5 SPACES (1 VAN)	4 SPACES (1 VAN)	12 SPACES (3 VANS)
HC PARKINGS PROVIDED	6 SPACES (1 VAN)	4 SPACES (1 VAN)	4 SPACES (1 VAN)	14 SPACES (3 VANS)
TOTAL LOT AREA				4.875 ACRES





PROJECT STATUS: PRELIMINARY
PROJECT MANAGER: DBR
DESIGN MANAGER: RCM
PROJECT DATE: 032317
REVISION DATE: 081417

436 CAVE RIVER DR.
MURPHY, TEXAS 75094
PHONE: 903-535-6400
anny@moehospitality.com

LOT 3, BLOCK 1
SHERMAN TOWN CENTER
GRAHAM DRIVE
SHERMAN, TEXAS

01 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
 PH: 972-262-1333 FAX: 214-272-2907
 E-Mail: adrdesigns@indrdesigns.com
 PO: JOHN C. SARGENT

SHEET NUMBER

A210



02 LEFT ELEVATION
SCALE: 3/32"=1'-0"

FINISH LEGEND		
COLOR SCHEME		
BRN	BROWN VANDESBILT BY AGIE BRICK	
GLD	GOLDEN BARRETT BY AGIE BRICK	
SLV	SILVERADO BY AGIE BRICK	
DRD	DIO RED BY AGIE BRICK	
CTY	COUNTRY LIMESTONE-APEN BY DOWAL	
MATERIAL TABULATION		
FRONT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	1200 SQ.FT.	61 %
STONE	1206 SQ.FT.	61 %
TOTAL	2406 SQ.FT.	100 %
RIGHT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	5402 SQ.FT.	78 %
STONE	1004 SQ.FT.	22 %
TOTAL	6406 SQ.FT.	100 %



01 REAR ELEVATION
SCALE: 3/32"=1'-0"

PROJECT STATUS:
PRELIMINARY
PROJECT MANAGER:
DBR
DESIGN MANAGER:
RCM
PROJECT DATE:
03/23/17
REVISION DATE:
08/14/17

Moe Hospitality

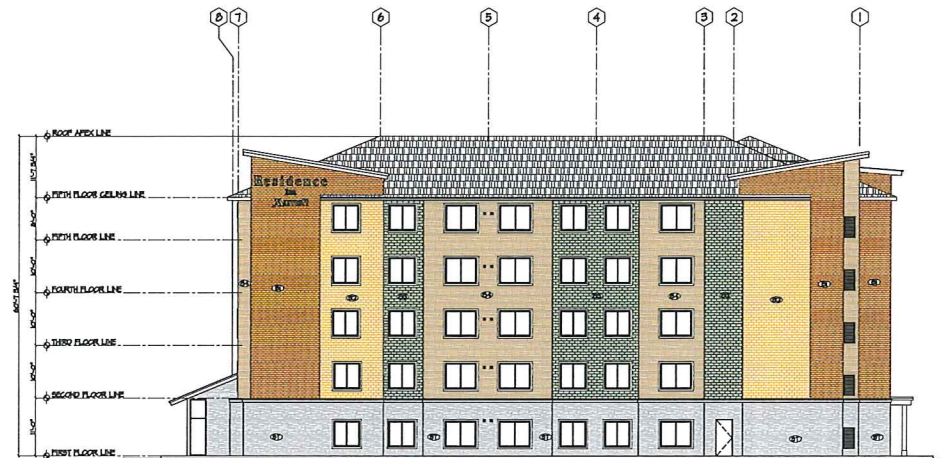
435 CAVE RIVER DR.
MURPHY, TEXAS 75054
PHONE: 903-505-0400
moe@moehospitality.com

RESIDENCE INN MARRIOTT
LOT 3, BLOCK 1
SHERMAN TOWN CENTER
SHERMAN, TEXAS

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS
801 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
PH: 972-300-1333 FAX: 972-472-2887
CAD: 972-300-1333
FOR JOHN C. SARGENT

JOB NUMBER:

SHEET NUMBER
A311



02 RIGHT ELEVATION
SCALE: 3/32"=1'-0"



01 FRONT ELEVATION
SCALE: 3/32"=1'-0"

FINISH LEGEND		
COLOR SCHEME		
	BROWN VANDERBILT BY AGHE BRICK	
	GOLDEN BLAZET BY AGHE BRICK	
	SILVERADO BY AGHE BRICK	
	DIA BEND BY AGHE BRICK	
	COUNTRY LEADSTONE-APEN (BY BOWAL)	
MATERIAL TABULATION		
FRONT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	1200 SQ.FT.	61 %
STONE	1206 SQ.FT.	61 %
TOTAL	2406 SQ.FT.	100 %
RIGHT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	8402 SQ.FT.	79 %
STONE	1068 SQ.FT.	22 %
TOTAL	9470 SQ.FT.	100 %

PROJECT STATUS:
PRELIMINARY
PROJECT MANAGER:
DER
DESIGN MANAGER:
RCM
PROJECT DATE:
03/23/17
REVISION DATE:
08/14/17

Moe Hospitality

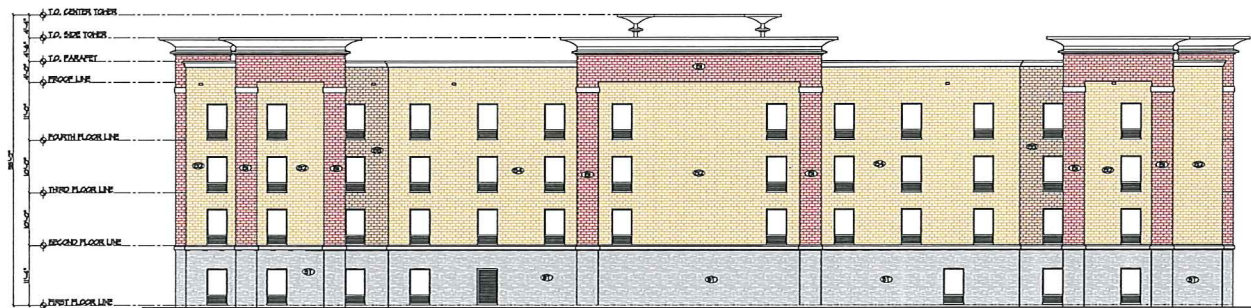
438 CAVE RIVER DR.
MURPHY, TEXAS 75084
PHONE 903-353-6400
moe@moehospitality.com

RESIDENCE INN MARRIOTT
LOT 3, BLOCK 1
SHERMAN TOWN CENTER
SHERMAN, TEXAS

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS
801 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
PH: 972-309-1333 FAX: 214-472-2887
C:\Users\johnc\Documents\ADR-DESIGNS-LLC\PROJECTS\RESIDENCE INN MARRIOTT\RESIDENCE INN MARRIOTT.dwg
FOR JOHN C. SARGENT

JOB NUMBER:

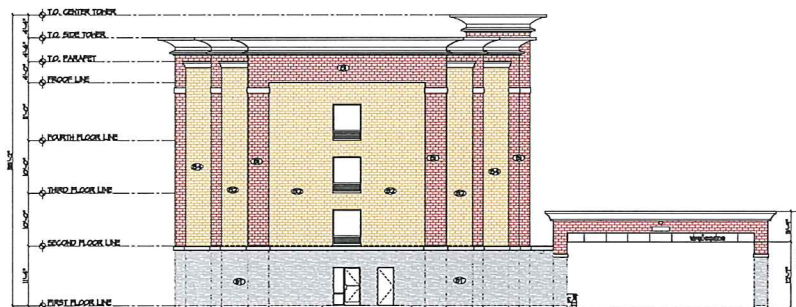
SHEET NUMBER
A310



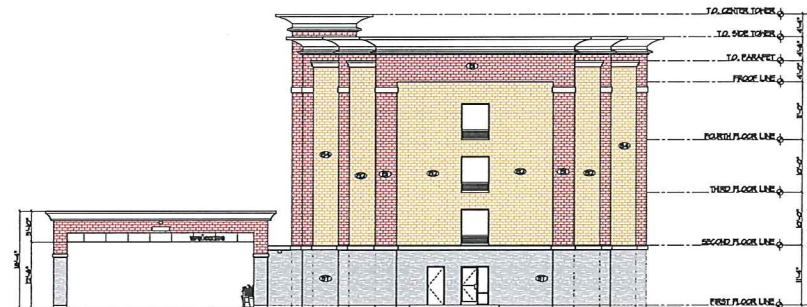
04 REAR ELEVATION
SCALE: 5/32"=1'-0"

FINISH LEGEND		
COLOR SCHEME		
(101)	BROWN VAN DYKE BY AGRI BRICK	
(102)	GOLDEN SAND BY AGRI BRICK	
(103)	SILVERADO BY AGRI BRICK	
(104)	SEA BED BY AGRI BRICK	
(105)	COUNTRY LEADERSTONE-AMEN (BY BOKAL)	

MATERIAL TABULATION		
FRONT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	6,023 SQ.FT.	38 %
STONE	1,665 SQ.FT.	23 %
TOTAL	7,688 SQ.FT.	100 %
LEFT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	2,448 SQ.FT.	77 %
STONE	726 SQ.FT.	23 %
TOTAL	3,174 SQ.FT.	100 %
RIGHT ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	2,448 SQ.FT.	77 %
STONE	726 SQ.FT.	23 %
TOTAL	3,174 SQ.FT.	100 %
REAR ELEVATION		
MATERIAL	AREA	PERCENTAGE
BRICK	5,101 SQ.FT.	66 %
STONE	1,665 SQ.FT.	21 %
TOTAL	6,766 SQ.FT.	100 %



02 LEFT ELEVATION
SCALE: 5/32"=1'-0"



03 RIGHT ELEVATION
SCALE: 5/32"=1'-0"



01 FRONT ELEVATION
SCALE: 5/32"=1'-0"

PROJECT STATUS:
PRELIMINARY
PROJECT MANAGER:
DBR
DESIGN MANAGER:
RCM
PROJECT DATE:
03/21/17
REVISION DATE:
08/23/17

Moe Hospitality

438 CAVE RIVER DR.
MURPHY, TEXAS 75054
PHONE: 903-558-5400
moe@moehospitality.com

HOTEL 2

SHERMAN TOWN CENTER
GRAHAM DRIVE
SHERMAN, TEXAS

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS

801 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
PH: 972-250-1333 FAX: 214-772-2887
CAD: aadr@adr-designs.com
FOR: JOHN C. SARGENT

JOB NUMBER:

SHEET NUMBER

A310

STAFF REVIEW LETTER

September 13, 2017

Moe Hospitality
438 Cave River Dr.
Murphy, TX 75094

ADR Designs, LLC
Anil Ram
601 Saddle Hill Dr.
Grand Prairie, TX 75050

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow two hotels and an event center in a C-1 (Retail Business) District for the property located at 811 Graham Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 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-1 (Retail Business) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. The exterior finish on all buildings must meet the masonry requirements.
3. The trash dumpster will need to be located inside the main building area.
4. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
5. All parking shall be on private property and shall not encroach into Graham Drive right-of-way.
6. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
7. A parking space is considered to be 9'x20'.
8. Screening shall be provided and maintained abutting any residential zoned property.
9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Review the zoning and development ordinance for additional requirements.
11. 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:

12. Water and Sewer Pro-Rata will be due at the time of development.
13. Verify fire lane requirements with Fire Marshall.
14. The location of the trash receptors must be approved by the Public Works Department.
15. Internal water and sewer lines will be privately owned and maintained.
16. New drive approaches shall conform to City of Sherman standards and a permit is required.
17. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
18. A utility, drainage, and grading plan shall be provided and approved by the City Engineering Department. A site development meeting is recommended.

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,

A handwritten signature in blue ink, reading "Scott Shadden", with a long horizontal flourish extending to the right.

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

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



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

Agenda Item No. 11.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

811 GRAHAM DRIVE

The request of Moe Hospitality, LLC (Owners) and Anil Ram, ADR-Designs, LLC (Representative/Architect) concerning the property at 811 Graham Drive, being Lot 3, Block 1, Sherman Town Center, Section Two, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.4, Subsection (5)(c) to allow a five (5) story, 61' tall Residence Inn Marriott Hotel and a four (4) story, 56' tall "Hotel 2" in lieu of the 45 foot, three (3) story permitted in a C-1 (Retail Business) District.

Planning and Zoning Board

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow two hotels and an event center in a C-1 (Retail Business) District.

Background:

The property is located at 811 Graham Drive in the Sherman Town Center Addition, Section Two behind Central Freight and is zoned a C-1 (Retail Business) District. The owners would like to construct two hotels and an event center at this location. The event center will be one-story, 6,220 square foot, the Residence Inn Marriott will be a five-story, 81,618 square foot building with 120 rooms and the second hotel (Hotel #2) will be a four-story, 47,075 square foot building with 77 rooms. The exterior finish on all the buildings will be brick with stone accents. Parking will be provided for 284 spaces.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Moe Hospitality, LLC (Owners)

Anil Ram, ADR-Designs, LLC (Representative/Architect)

Master Plan Designation:

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

Number of notices mailed:

3

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.5.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6068

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the C-1 (Retail Business) District at 19325 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 (Jobaby, LLC, Derek Irvin, Owner; Madelyn Greenwood, Representative; and Underwood Drafting & Surveying, Surveyors)

Issue:

To consider the request of Jobaby, LLC, Derek Irvin (Owner), Madelyn Greenwood (Representative), and Underwood Drafting & Surveying (Surveyors) concerning the property located at 19325 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538, for a zone change from an R-A (Single Family Agricultural) District to a C-1 (Retail Business) District

Background:

The property is located at 19325 West U.S. Highway 82, the northeast corner of Reynolds Lane and West U.S. Highway 82. The property has been used as commercial since 1975; it began as a gas station and a western wear store and is now used for retail lease spaces. The property was annexed into the City on October 24, 2011 as an R-A (Single Family Agricultural) District. The owner would like to change the zoning on the property to a C-1 (Retail Business) District to get into compliance. There are four existing buildings on the property; and the exterior finish on three of the buildings is concrete block; the other building has half brick with cedar siding on the top. The Planning and Zoning Board approved an exception to allow the existing building finishes at the September 19, 2017 meeting.

Origination:

Jobaby, LLC, Derek Irvin (Owner)
Madelyn Greenwood (Representative)
Underwood Drafting & Surveying (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 regular meeting, the Planning and Zoning Board voted 9/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6068

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 19325 WEST U.S. HIGHWAY 82, BEING 2.893 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538 (JOBABY, LLC, DEREK IRVIN, OWNER; MADELYN GREENWOOD, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District at 19325 West U.S. Highway 82, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the J.M. Hambright Survey, Abstract No. 538, and being the same 2.8937 acre tract of land conveyed to JoBaby, LLC by deed of record in Volume 5249, Page 611, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a P.K nail set at the intersection of the north right-of-way line of U.S. Highway No. 82 and the centerline of Reynolds Lane (a public road) said nail being the southwest corner of said 2.8937 acre tract;

THENCE North 01° 22' 36" West, along the center of said Reynolds Lane, a distance of 299.42 feet to a point maintaining the northwest corner of said 2.8937 acre tract;

THENCE North 88° 55' 45" East, along the north line of said 2.8937 acre tract, a distance of 374.35 feet to a point in the west line of a 4.002 acre tract of land conveyed to Harold L. Finney and Janie Belle Finney by deed of record in Volume 5229, Page 95, of said Official Public Records;

THENCE South 01° 27' 31" East, along the west line of said 4.002 acre tract, a distance of 350.00 feet to a 1/2" steel rod set with a cap marked RPLS 4709 in the north line of said highway;

THENCE westerly along the north line of said highway the following calls and distances:

South 89° 00' 29" West, a distance of 199.79 feet to a found concrete monument;

North 72° 36' 31" West a distance of 158.50 feet to a 1/2" steel rod set with a cap marked RPLS 4709;

South 89° 10' 54" West a distance of 24.99 feet to the **POINT-OF-BEGINNING AND CONTAINING 2.893 ACRES OF LAND.....**

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

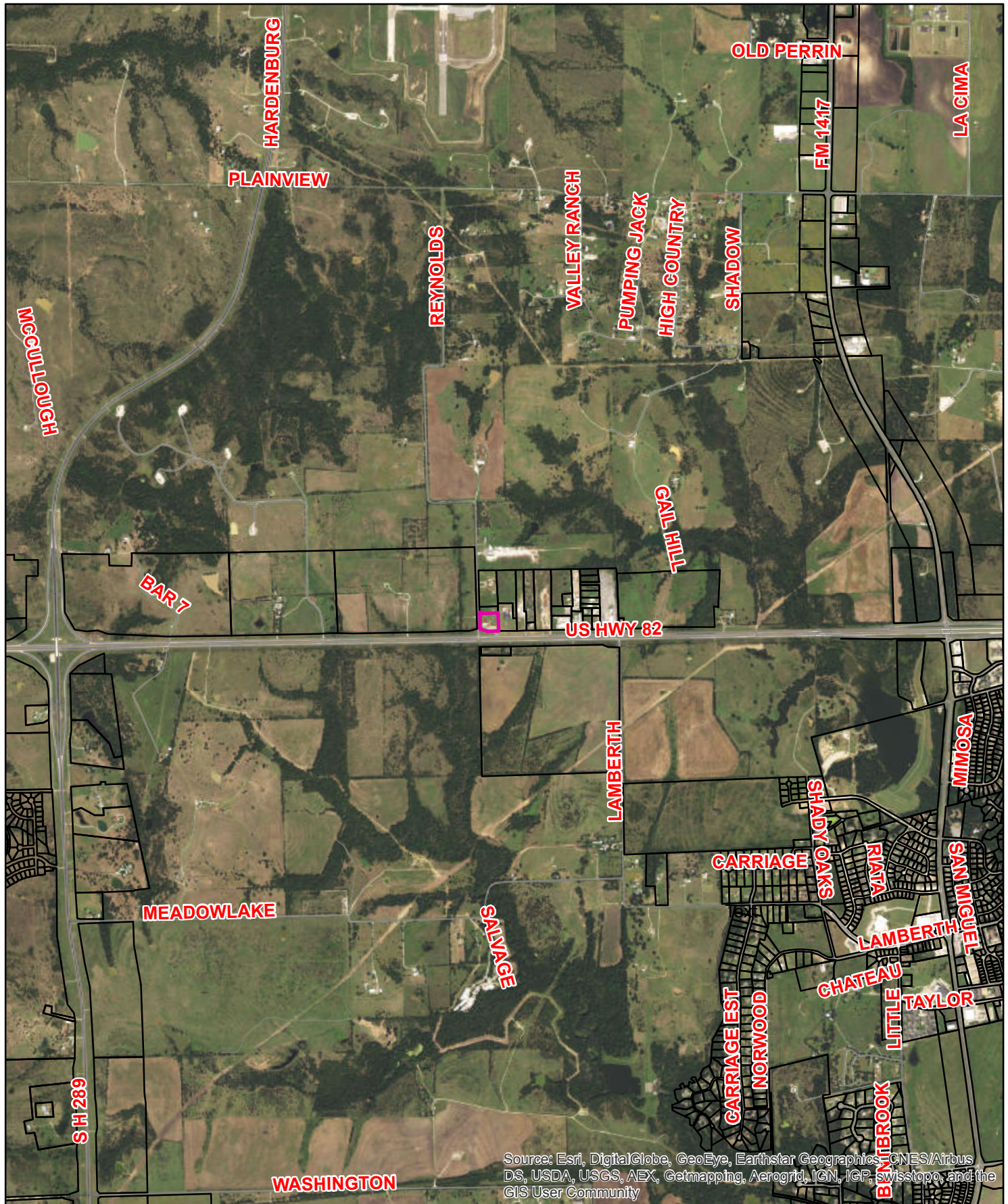
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

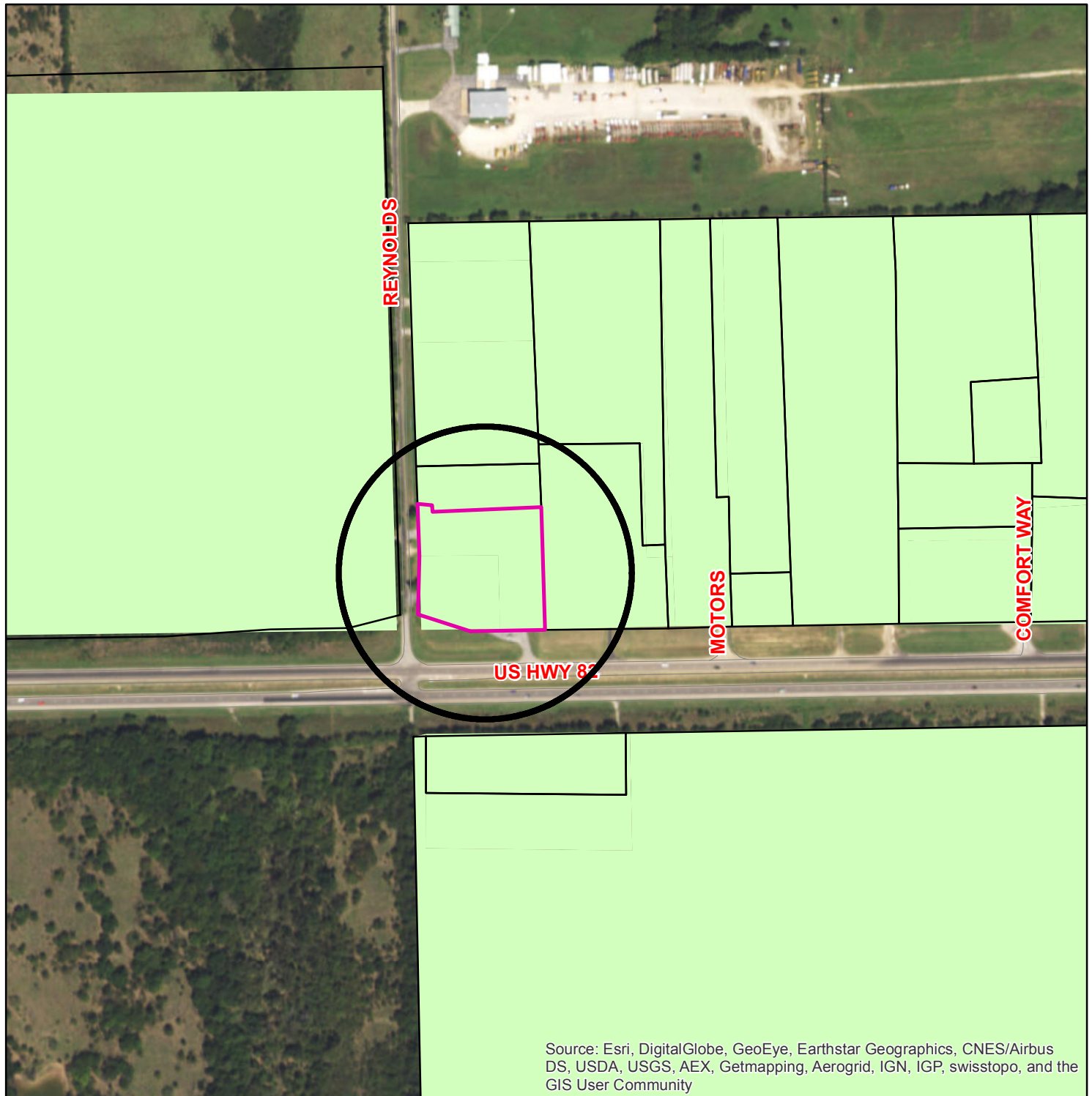


19325 W. U.S. Highway 82



1 in = 2,500 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 19325 W. U.S. Highway 82

Legend

- CountyParcels_Buffer
- SpermGIS.DBO.CountyParcels selection
- Special Districts Overlay**
 - Arts and Cultural District
 - Blalock Commercial Overlay District
 - Central Business District
 - College Park District
 - Downtown Overlay District
 - Historic Preservation District

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691
- 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 District
 - R-1 One Family Residential District
 - R-2 Multi-Family Residential District
 - R-A Single Family Agricultural District
 - SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department



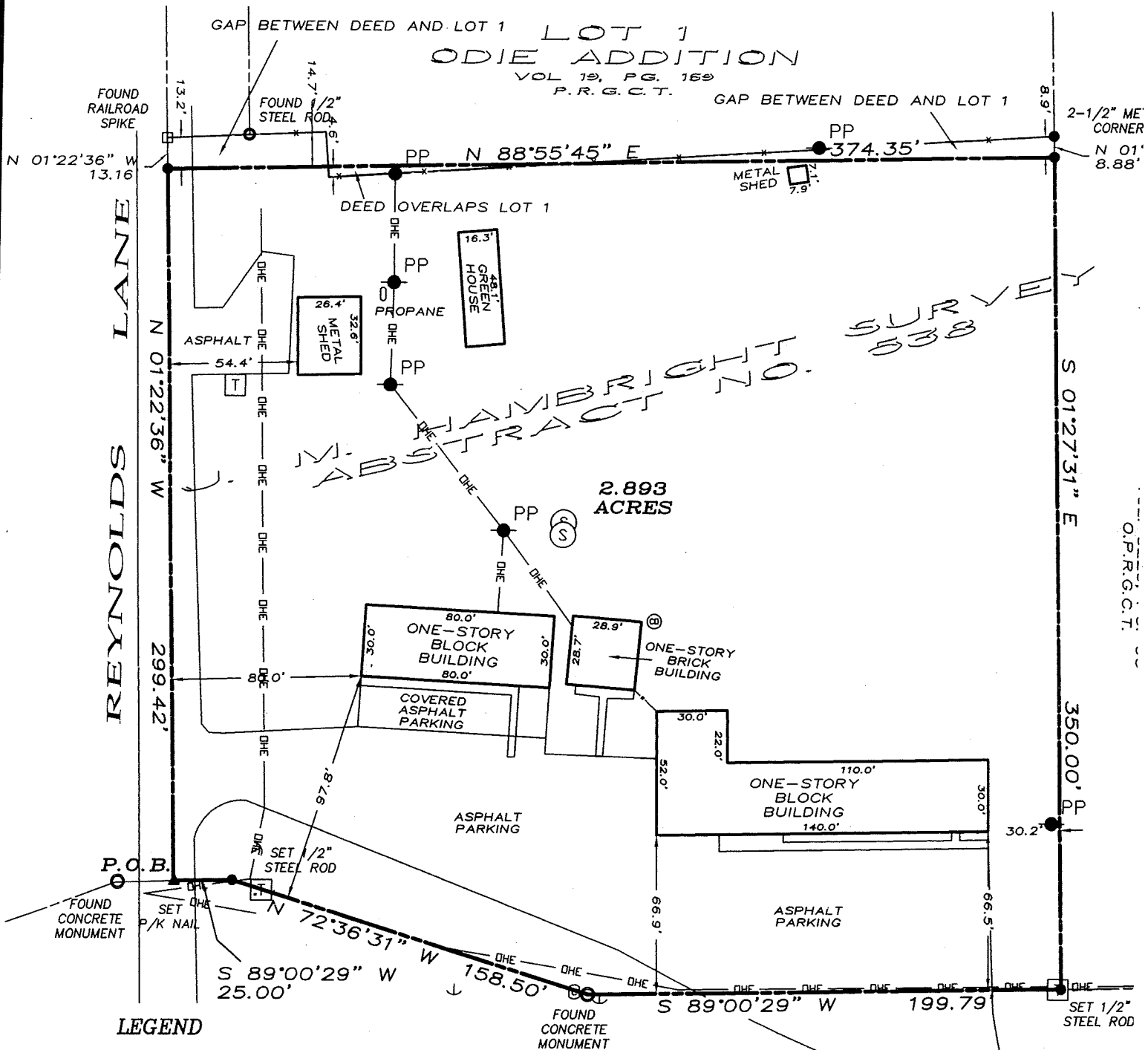
NOT TO SCALE

1 in = 403 ft

19325 W. Highway 82



LOT 1
ODIE ADDITION
VOL 19, PG. 169
P.R.G.C.T.



LEGEND

- PP POWER POLE
- T TELEPHONE PEDESTAL
- CD SEWER CLEANOUT
- MH SEWER MANHOLE
- C CABLE MARKER
- ↓ GUY WIRE
- BOUNDARY LINE
- PROPERTY LINE
- x BARB WIRE FENCE
- DHE — DHE — OVERHEAD ELECTRIC LINE
- □ — STOCKADE FENCE

U.S. HIGHWAY NO. 82

UNDERWOOD

DRAFTING & SUR

3404 INTERURBAN ROAD

DENISON, T



STAFF REVIEW LETTER

September 13, 2017

Derek Irvin
19295 W. U.S. Highway 82
Sherman, TX 75092

Madelyn Greenwood
2912 W. Day St.
Denison, TX 75020

Dear Applicants,

The request for a zone change from an R-A (Single Family Agricultural) District to a C-1 (Retail Business) District for the property located at 19325 West U.S. Highway 82 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 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-1 (Retail Business) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
3. All parking shall be on private property and shall not encroach into U.S. Highway 82 or Reynolds Lane right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. A parking space is considered to be 9'x20'.
6. Screening shall be provided and maintained abutting any residential zoned property.
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Review the zoning and development ordinance for additional requirements.
9. 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
Secretary, Planning and Zoning Board and Board of Adjustment

CC:	Robby Hefton, City Manager	Danny Fuller, Fire Marshal
	Mark Gibson, Director of Utilities	Brandon Shelby, City Attorney
	Clint Philpott, P.E., Director of Engineering	Steve Ayers, Asst. City Manager
	Amber Doan, Engineering Coordinator	



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 6.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

19325 W. U.S. HIGHWAY 82

The request of Jobaby, LLC, Derek Irvin (Owner), Madelyn Greenwood (Representative) and Underwood Drafting & Surveying (Surveyor) concerning the property at 19325 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.8, Subsection (4)(b) to allow existing building finishes in lieu of the required masonry in a C-1 (Retail Business) District.

Planning and Zoning Commission

Zone change and site plan approval under Ordinance No. 2280, Section 12, from an R-A (Single Family Agricultural) District to a C-1 (Retail Business) District.

Background:

The property is located at 19325 West U.S. Highway 82, the northeast corner of Reynolds Lane and West U.S. Highway 82. The property was annexed into the City on October 24, 2011 as an R-A (Single Family Agricultural) District and was used as a commercial use before it was annexed into the City. There are four existing buildings on the property, the exterior finish on three of the buildings is concrete block, the other building has brick and wood siding, which requires the exception. The owner would like to change the zoning on the property to a C-1 (Retail Business) District to get in compliance.

Adjacent Zoning:

R-A (Single Family Agricultural) District

Origination:

Jobaby, LLC, Derek Irvin (Owner)
Madelyn Greenwood (Prospective Tenant)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Was not included in Master Plan

Number of notices mailed:

5

Objections Received:

0

Attachments

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



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.6.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6069

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Tattoo Studio (Permanent Makeup) in a C-1 (Retail Business) District at 19311 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 (Jobaby, LLC, Derek Irvin, Owner; Madelyn Greenwood, Representative; and Underwood Drafting & Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

Jobaby, LLC, Derek Irvin (Owner), Madelyn Greenwood (Prospective Tenant), and Underwood Drafting & Surveying (Surveyors) concerning the property at 19311 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 for a Specific Use Permit to allow a tattoo studio for permanent makeup in a C-1 (Retail Business) District

Background:

The property is located at 19311 West U.S. Highway 82, the northeast corner of Reynolds Lane and West U.S. Highway 82. The property was annexed into the City on October 24, 2011 as an R-A (Single Family Agricultural) District and has been used as a commercial use. The applicant is requesting a Specific Use Permit to allow a tattoo studio for permanent makeup for her business in one of the buildings at this location. There are four existing buildings on the property, three are painted concrete block and one of the buildings is half brick with cedar at the top. The Planning and Zoning Commission granted an exception to allow the existing building finishes at the September 19, 2017 Meeting.

Origination:

Jobaby, LLC, Derek Irvin (Owner)
Madelyn Greenwood (Prospective Tenant)
Underwood Drafting & Surveying (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 regular meeting, the Planning and Zoning Board voted 9/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and limiting the Specific Use Permit to Madelyn Greenwood (Salon Thairapy).

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6069

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6069

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 TATTOO STUDIO (PERMANENT MAKEUP) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 19311 WEST U.S. HIGHWAY 82, BEING 2.893 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538 (JOBABY, LLC, DEREK IRVIN, OWNER; MADELYN GREENWOOD, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; 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, Jobaby, LLC, Derek Irvin (Owner), Madelyn Greenwood (Prospective Tenant) and Underwood Drafting & Surveying (Surveyor) are granted a Specific Use Permit to allow a tattoo studio (permanent make-up) in a C-1 (Retail Business) District at 19311 West U.S. Highway 82, 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 County of Grayson, State of Texas, being a part of the J.M. Hambright Survey, Abstract No. 538, and being the same 2.8937 acre tract of land conveyed to JoBaby, LLC by deed of record in Volume 5249, Page 611, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a P.K nail set at the intersection of the north right-of-way line of U.S. Highway No. 82 and the centerline of Reynolds Lane (a public road) said nail being the southwest corner of said 2.8937 acre tract;

THENCE North 01° 22' 36" West, along the center of said Reynolds Lane, a distance of 299.42 feet to a point maintaining the northwest corner of said 2.8937 acre tract;

THENCE North 88° 55' 45" East, along the north line of said 2.8937 acre tract, a distance of 374.35 feet to a point in the west line of a 4.002 acre tract of land conveyed to Harold L. Finney and Janie Belle Finney by deed of record in Volume 5229, Page 95, of said Official Public Records;

THENCE South 01° 27' 31" East, along the west line of said 4.002 acre tract, a distance of 350.00 feet to a 1/2" steel rod set with a cap marked RPLS 4709 in the north line of said highway;

THENCE westerly along the north line of said highway the following calls and distances:

South 89° 00' 29" West, a distance of 199.79 feet to a found concrete monument;

North 72° 36' 31" West a distance of 158.50 feet to a 1/2" steel rod set with a cap marked RPLS 4709;

South 89° 10' 54" West a distance of 24.99 feet to the **POINT-OF-BEGINNING AND CONTAINING 2.893 ACRES OF LAND.....**

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
3. All parking shall be on private property and shall not encroach into U.S. Highway 82 or Reynolds Lane right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. A parking space is considered to be 9'x20'.
6. Screening shall be provided and maintained abutting any residential zoned property.

7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. 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.

Planning & Zoning:

11. Limited to Madelyn Greenwood (Salon Thairapy).

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 _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

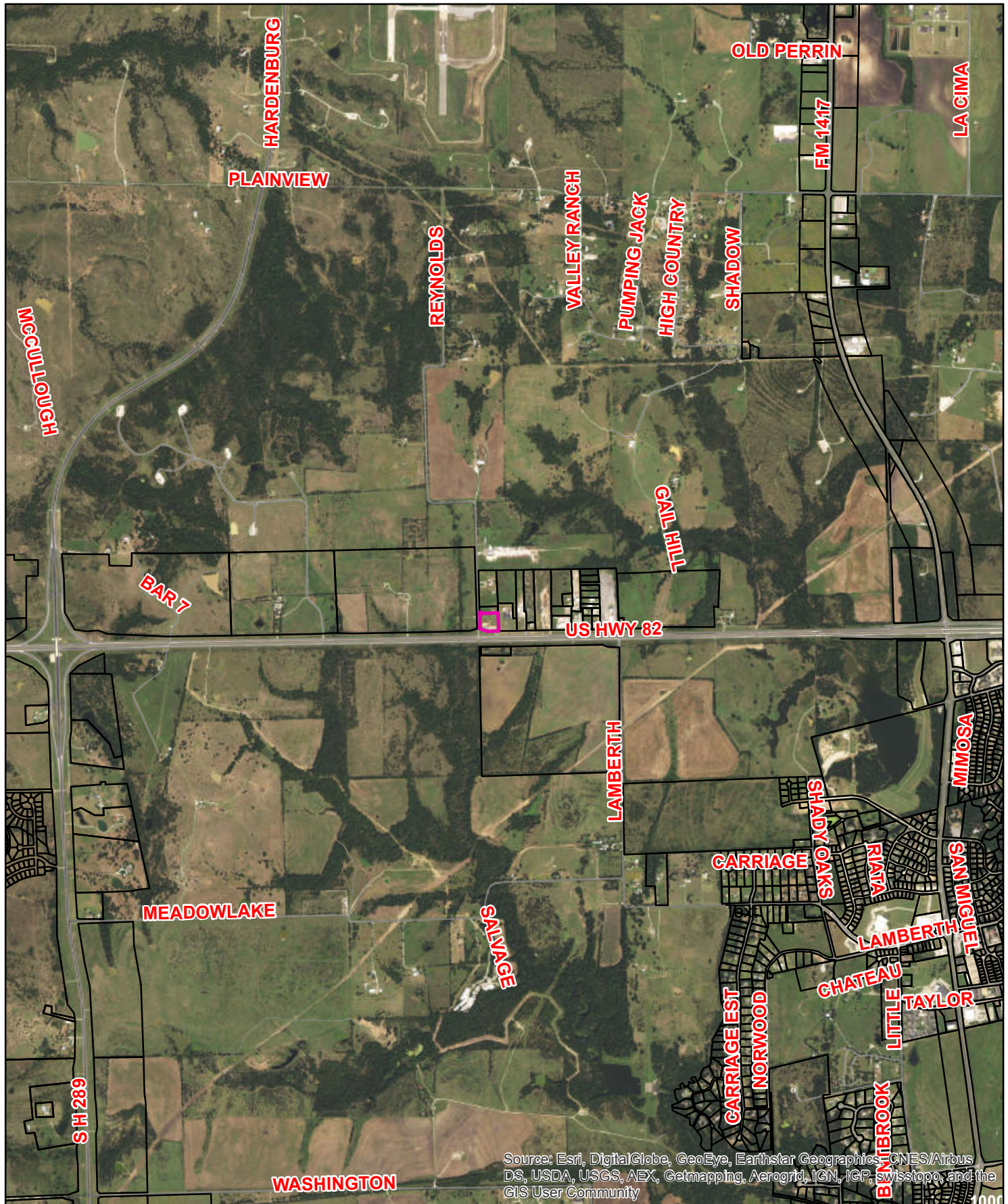
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

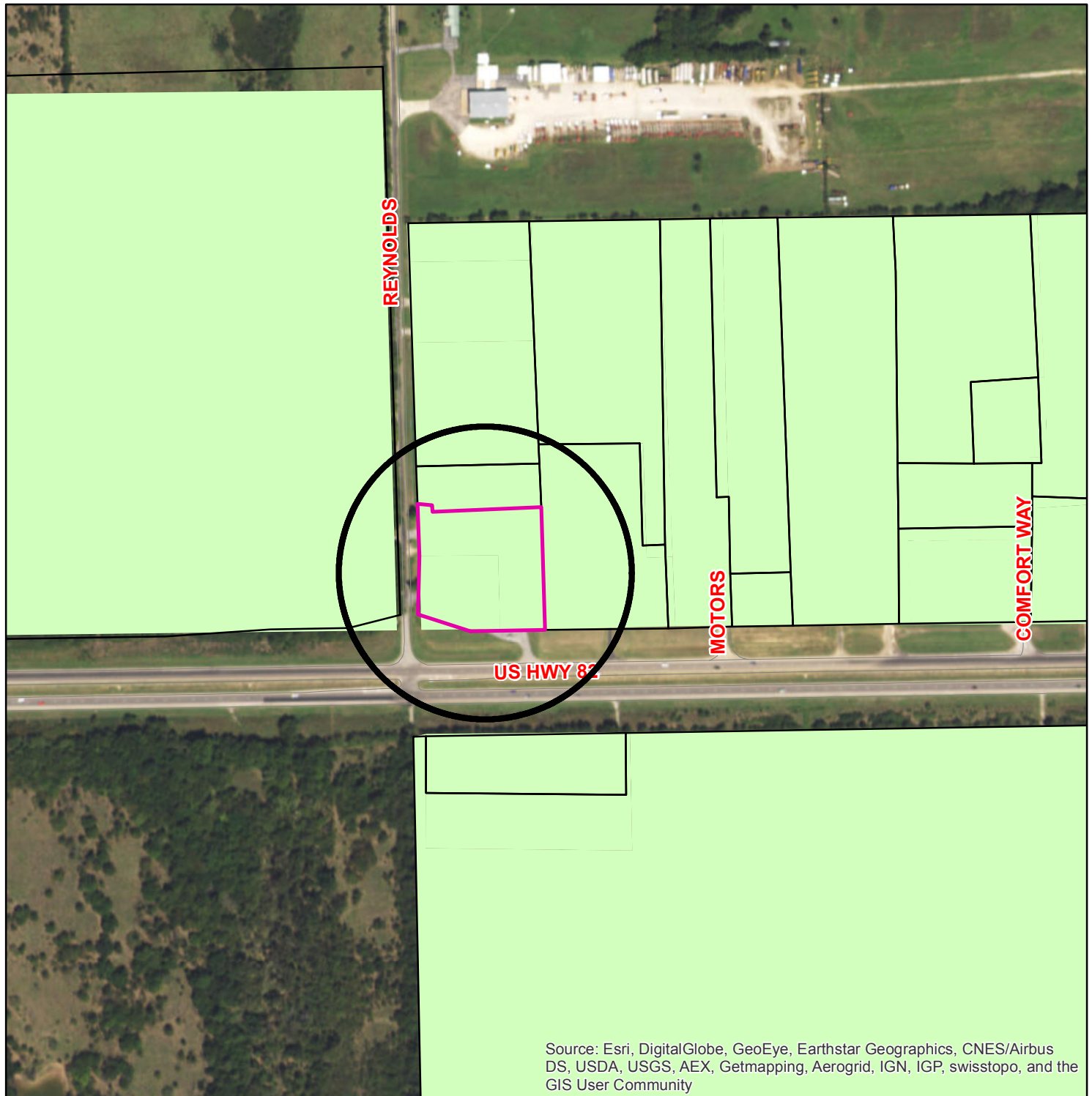
BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



19311 W. U.S. Highway 82



1 in = 2,500 ft



Zoning - 19311 W. U.S. Highway 82

Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels selection
- Special Districts Overlay**
 - Arts and Cultural District
 - Blalock Commercial Overlay District
 - Central Business District
 - College Park District
 - Downtown Overlay District
 - Historic Preservation District

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691
- 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 District
 - R-1 One Family Residential District
 - R-2 Multi-Family Residential District
 - R-A Single Family Agricultural District
 - SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 403 ft

19311 W. U.S. Highway 82





STAFF REVIEW LETTER

September 13, 2017

Derek Irvin
19295 W. U.S. Highway 82
Sherman, TX 75092

Madelyn Greenwood
2912 W. Day St.
Denison, TX 75020

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a tattoo studio (permanent makeup) for the property located at 19311 West U.S. Highway 82 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 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-1 (Retail Business) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
3. All parking shall be on private property and shall not encroach into U.S. Highway 82 or Reynolds Lane right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. A parking space is considered to be 9'x20'.
6. Screening shall be provided and maintained abutting any residential zoned property.
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. 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

Secretary, Planning and Zoning Board and Board of Adjustment

CC:	Robby Hefton, City Manager	Danny Fuller, Fire Marshal
	Mark Gibson, Director of Utilities	Brandon Shelby, City Attorney
	Clint Philpott, P.E., Director of Engineering	Steve Ayers, Asst. City Manager
	Amber Doan, Engineering Coordinator	



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

Agenda Item No. 7.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

19311 W. U.S. HIGHWAY 82

The request of Jobaby, LLC, Derek Irvin (Owner), Madelyn Greenwood (Prospective Tenant) and Underwood Drafting & Surveying (Surveyor) concerning the property at 19311 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538, 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 tattoo studio (permanent make-up) in a C-1 (Retail Business) District.

Background:

The property is located at 19311 West U.S. Highway 82, the northeast corner of Reynolds Lane and West U.S. Highway 82. The property was annexed into the City on October 24, 2011 as an R-A (Single Family Agricultural) District and has been used as a commercial use. There are four existing buildings on the property and the applicant is requesting a Specific Use Permit to allow a tattoo studio for permanent makeup for her business in one of the buildings at this location.

Adjacent Zoning:

R-A (Single Family Agricultural) District

Origination:

Jobaby, LLC, Derek Irvin (Owner)

Madelyn Greenwood (Prospective Tenant)

Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Was not included in Master Plan

Number of notices mailed:

5

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey/Site Plan

Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.7.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6070

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the SF-1 (Single Family Residential) District at 112 West Staples Street, being a part of Block B, Staples Addition, containing 6,292 square feet of land (Young Enterprises, Owner; Todd Young, Representative; and Helvey-Wagner Surveying, Inc., Surveyors)

Issue:

To consider the request of Young Enterprises (Owners), Todd Young (Representative), and Helvey-Wagner Surveying, Inc. (Surveyors) concerning the property located at 112 West Staples Street, being a part of Block B, Staples Addition, containing 6,292 square feet of land, for a zone change from a C-1 (Retail Business) District to an SF-1 (Single Family Residential) District

Background:

The property is located at 112 West Staples Street between Travis and Crockett Streets. The owner is requesting a zone change on the property to an SF-1 (Single Family Residential) District for the construction of a 1,200 square foot home.

Origination:

Young Enterprises (Owner)
Todd Young (Representative)
Helvey-Wagner Surveying, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 regular meeting, the Planning and Zoning Board voted 9/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6070

Location Map

Zoning Map

Zoning Sign Photo

Survey

Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6070

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AT 112 WEST STAPLES STREET, BEING A PART OF BLOCK B, STAPLES ADDITION, CONTAINING 6,292 SQUARE FEET OF LAND (YOUNG ENTERPRISES, OWNER; TODD YOUNG, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the SF-1 (Single Family Residential) District at 112 West Staples Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, and being a part of Block "B", Staples Addition to the City of Sherman, Texas, as per plat of record in Volume 170, Page 256, Deed Records, Grayson County, Texas, and being all of the 6,300 square foot tract of land conveyed to Heriberto Munoz-Garcia by Center Church of Denison, Inc. by Warranty Deed dated October 20, 2014 and recorded in Volume 5534, Page 162, Official Public 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 set stamped "RPLS 6578" at the intersection of the South line of Staples Street, a public street with the East line of a 20 foot alley, at the Northwest corner of both said Block "B" and said Munoz-Garcia tract;

THENCE North 74 deg. 00 min. 00 sec. East, with the South line of said Staples Street and the North line of both said Block "B" and said Munoz-Garcia tract, a distance of 59.80 feet to a 1/2 inch capped rebar set stamped "RPLS 6578" at the most Northerly Northwest corner of the 0.940 ac. tract of land conveyed to David Ashley in Volume 3753, Page 425, said Official Public Records, at the Northeast corner of said Munoz-Garcia tract, said rebar being South 74 deg. 00 min. 00 sec. West, 150.00 foot from a railroad spike found at the Northeast corner of both said Block "B" and said Ashley 0.940 ac.;

THENCE South 16 deg. 00 min. 00 sec. East, over and across said Block "B", with a West line of said Ashley 0.940 acre, a distance of 105.22 feet to a 1/2 inch rebar found at an Ell corner of said Ashley 0.940 acre at the Southeast corner of said Munoz-Garcia tract;

THENCE South 74 deg. 00 min. 00 sec. West, continuing over and across said Block "B", with a North line of said Ashley 0.940 acre and the South line of said Munoz-Garcia tract, a distance of 59.80 feet to a ½ inch capped rebar set stamped "RPLS 6578" in the East line of said Alley, in the West line of said Block "B", at the most Westerly Northwest corner of said Ashley 0.940 acre, at the Southwest corner of said Munoz-Garcia tract;

THENCE North 16 deg. 00 min. 00 sec. West, with the East line of said alley and the West line of both said Block "B" and said Munoz-Garcia tract, a distance of 105.22 feet to the **PLACE OF BEGINNING and containing 6,292 SQUARE FEET of land.....**

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



112 W. Staples Street

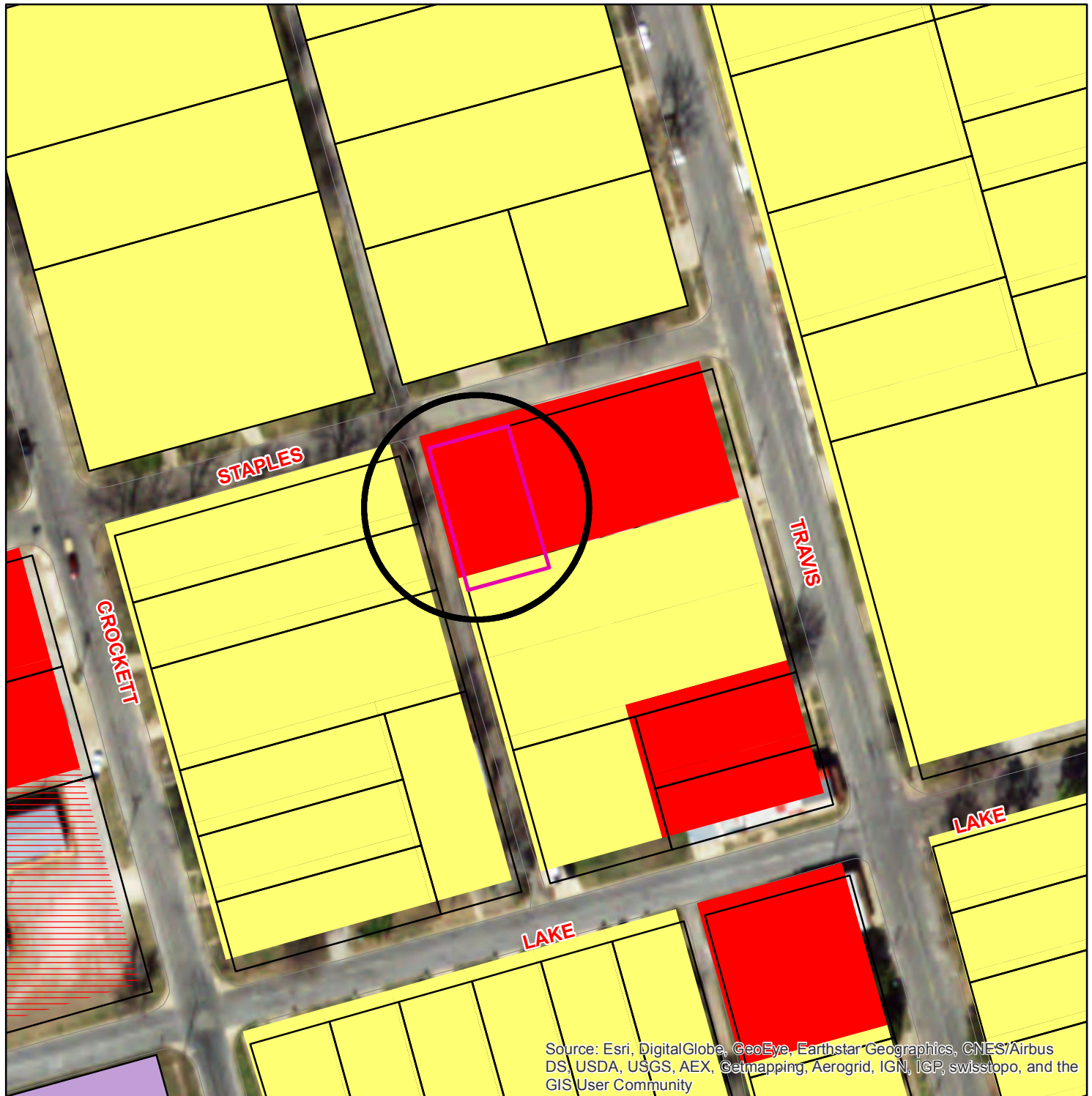


Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels selection

1 in = 581 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 112 W. Staples

Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels.selection

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Unknown

- BIP Bialock 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 District
- 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

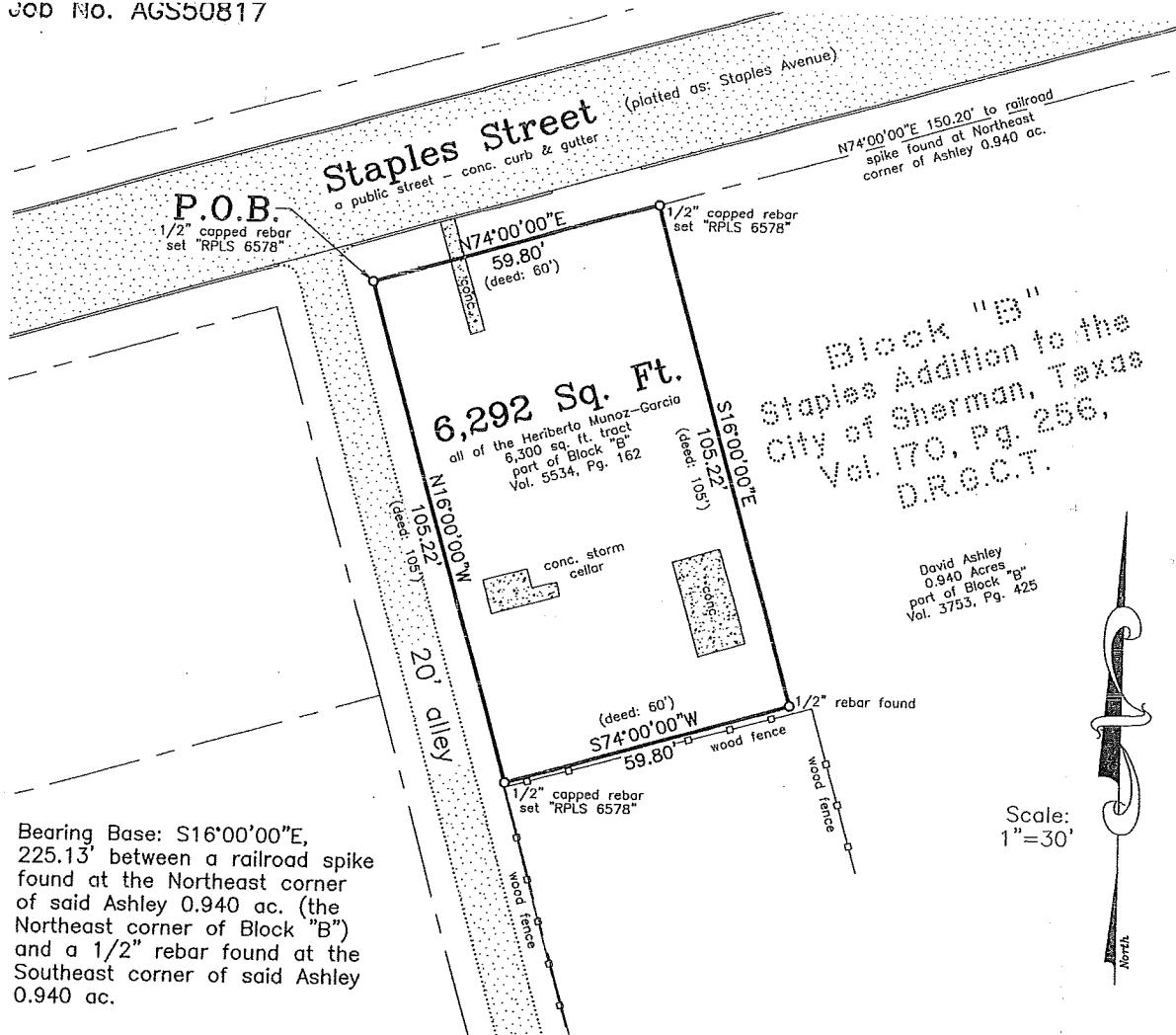


NOT TO SCALE

1 in = 100 ft

112 W. Staples Street





Owner: Heriberto Munoz-Garcia

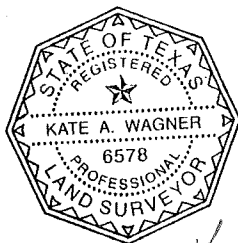
Buyer: Young Enterprises, LP

Address: 112 W. Staples Street
Sherman, Texas

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, the buyer's Mortgage Co./Lender and Abstract/Title Co. and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that the above plat was prepared from a survey made on the ground of part of Block B, Staples Addition to the City of Sherman, Texas, as per plat of record in Volume 170, Page 256, Deed Records, Grayson County, Texas and being more particularly described in field notes attached herewith.

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. 48181C0405 F, Revised Date: September 29, 2010.



Kate A. Wagner
Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: August 18, 2017

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: helveysurvey@cableone.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100



STAFF REVIEW LETTER

September 13, 2017

Young Enterprises
PO Box 517
Sherman, TX 75091

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Todd Young
PO Box 517
Sherman, TX 75091

Dear Applicants,

The request for a zone change and site plan approval from a C-1 (Retail Business) District to an SF-1 (Single Family Residential) District for the property located at 112 West Staples Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 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 SF-1 (Single Family Residential) District 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 must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
5. The City of Sherman does not maintain alleys.
6. Water shall be extended to serve the development.

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,

A handwritten signature in blue ink, reading "Scott Shadden", with a long horizontal flourish extending to the right.

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

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



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

Agenda Item No. 16.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

112 W. STAPLES STREET

The request of Young Enterprises (Owners), Todd Young (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 112 West Staples Street, being a part of Block B, Staples Addition, containing 6,292 square feet of land, as follows:

Planning and Zoning Board

Zone change and site plan approval under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an SF-1 (Single Family Residential) District.

Background:

The property is located at 112 West Staples Street between Travis and Crockett Streets. The property is zoned a C-1 (Retail Business) District and the owners are requesting a zone change on the property to an SF-1 (Single Family Residential) District for the construction of a new home.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Young Enterprises (Owners)

Todd Young (Representative)

Helvey-Wagner Surveying, Inc. (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:

13

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.8.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6071

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the R-1 (One Family Residential) District at 1714 North Woods Street, being the North 15' of Lot 17 and the South 45' of Lot 15, Block B, Maxey Addition (Barton Capital, LTD, Owner; and Sartin & Associates, Inc., Surveyors)

Issue:

To consider the request of Barton Capital, LTD (Owner) and Sartin & Associates, Inc. (Surveyors) concerning the property located at 1714 North Woods Street, being the north 15' of Lot 17 and the south 45' of Lot 15, Block B, Maxey Addition, for a zone change from a C-1 (Retail Business) District to an R-1 (One Family Residential) District

Background:

The property is located at 1714 North Woods Street between Texas and Fairview Streets. The property was zoned a C-1 (Retail Business) District at the May 20, 1966, City Council Meeting. The owner would like to change the zoning to an R-1 (One Family Residential) District to construct a new home on the lot.

Origination:

Barton Capital, LTD (Owner)
Sartin & Associates, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 regular meeting, the Planning and Zoning Board voted 9/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6071

Location Map

Zoning Map

Zoning Sign Photo

Survey

Site Plan

Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6071

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1714 NORTH WOODS STREET, BEING THE NORTH 15' OF LOT 17 AND THE SOUTH 45' OF LOT 15, BLOCK B, MAXEY ADDITION (BARTON CAPITAL, LTD, OWNER; AND SARTIN & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the R-1 (One Family Residential) District at 1714 North Woods Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING the north 15' of Lot 17 and the south 45' of Lot 15, Block B, Maxey Addition

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY:

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

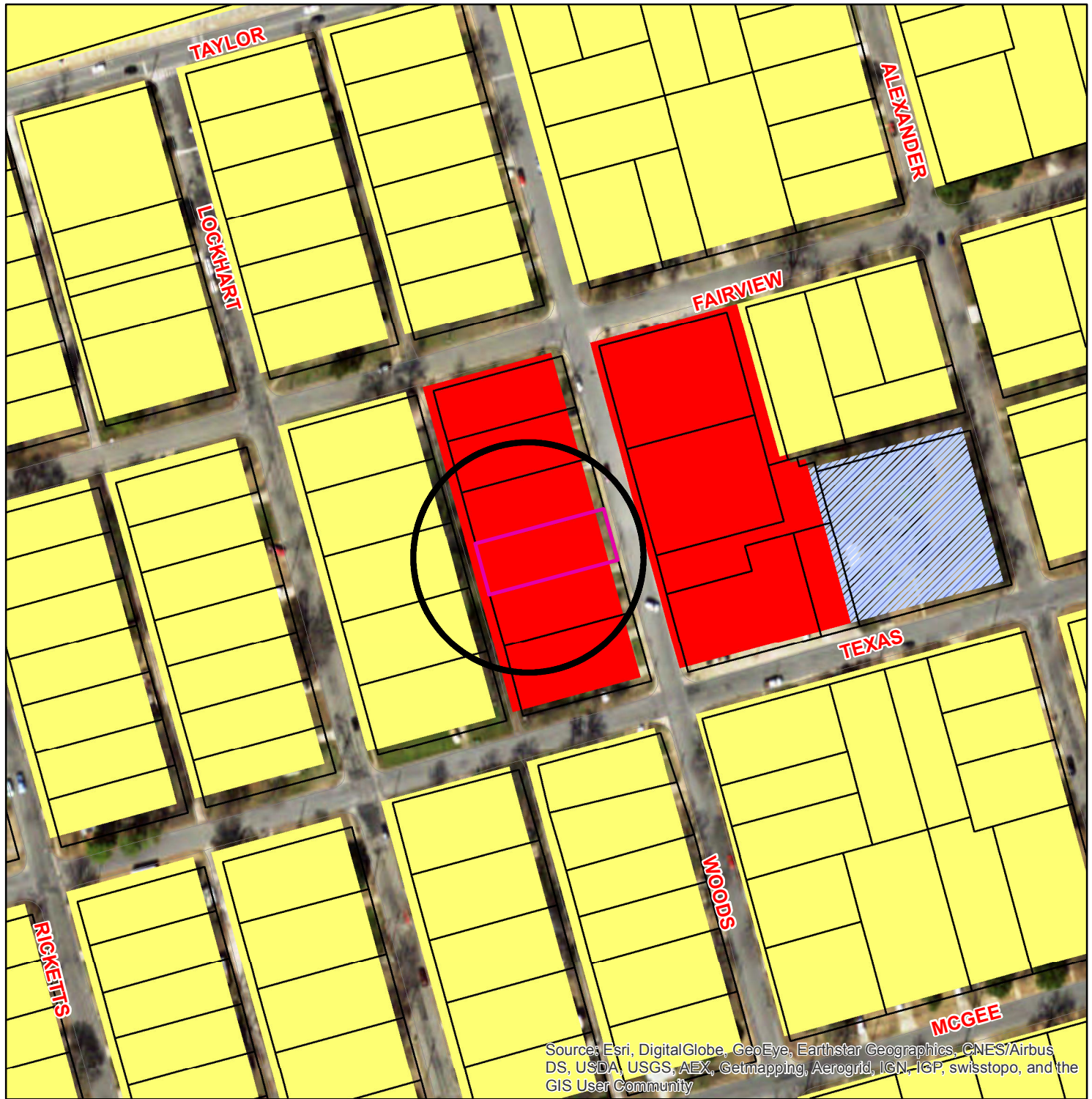


1714 N. Woods



1 in = 323 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1714 N. Woods Street

Legend

- Parcels_Buffer131
- CountyParcels_Buffer
- SpermGIS.DBO.CountyParcels selection

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

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 District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department



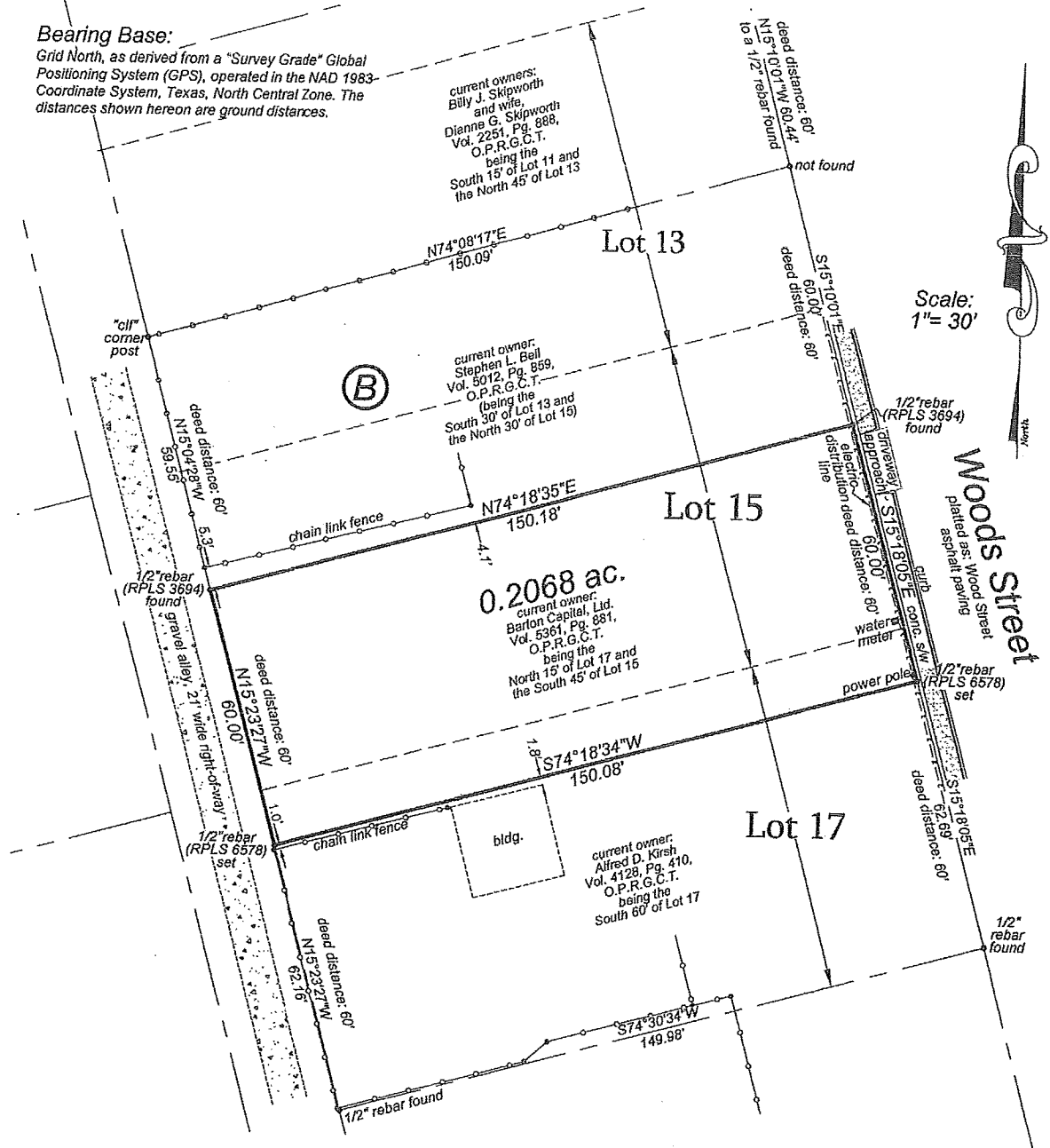
NOT TO SCALE

1 in = 158 ft

1714 N. Woods



Grid North, as derived from a "Survey Grade" Global Positioning System (GPS), operated in the NAD 1983-Coordinate System, Texas, North Central Zone. The distances shown hereon are ground distances.



REGISTERED PROFESSIONAL LAND SURVEYORS

FIRM Headquarters - #10081100

109 S. Travis • Sherman, TX 75090

Phone: (903)892-8003 • Fax: (903)463-4088 • Email: sartinsurveying@gmail.com

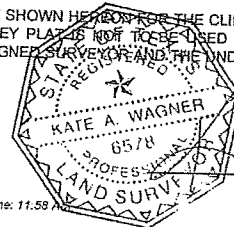
SURVEY FOR: BARTON CAPITAL, LTD.

I, Kate A. Wagner, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 17th day of August, 2017 of the following described property:

North 15 ft. of Lot 17 and the South 45 ft. of Lot 15, Block B, Maxey Addition (AKA: Maxey's Addition, AKA: Maxey's First Addition) to the City of Sherman, Texas, as per plat of record in Volume 406, Pages 281 & 282, Deed Records, Grayson County, Texas.

That the improvements on said property are known as **1714 N. WOODS STREET, SHERMAN, TEXAS** that the survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.

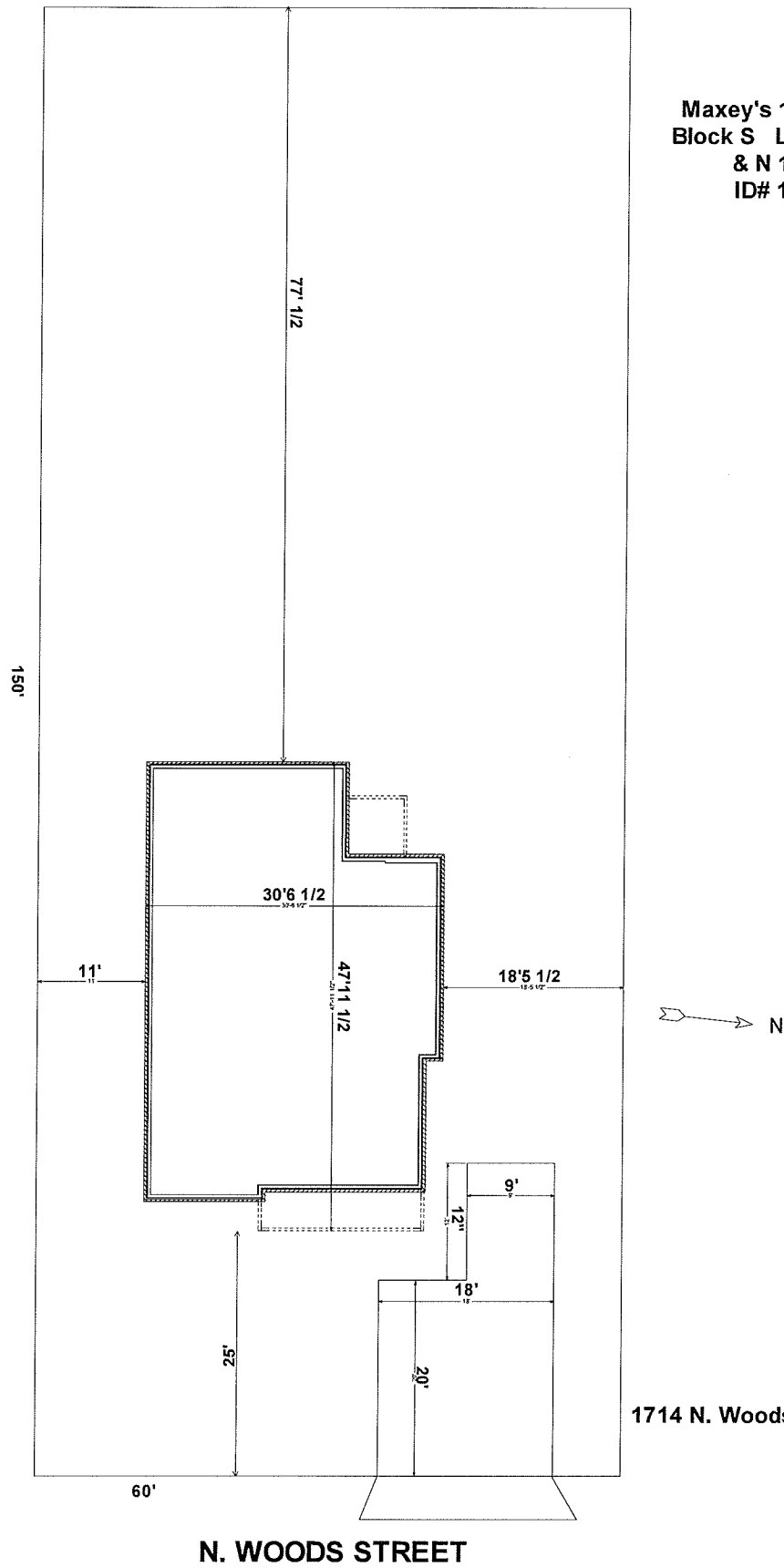


Kate A. Wagner, R.P.L/S 6578

PROJECT # 17SA1608

\\land-projects\R21714-N-Woods-St-Sherman\dwg\1714-N-Woods.dwg Layout: Legal-Portrait Plot Date Aug 23 17 Time: 11:58

Maxey's 1st Addition
Block S Lot S 45 ft 15
& N 15 ft 17
ID# 157634





Front Elevation

STAFF REVIEW LETTER

September 13, 2017

Cupid Investments Inc.
715 S. Sam Rayburn Freeway
Sherman, TX 75090

Sartin & Associates, Inc.
109 S. Travis
Sherman, TX 75090

Dear Applicants,

The request for a zone change and site plan approval from a C-1 (Retail Business) District to an R-1 (One Family Residential) District for the property located at 1714 North Woods Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 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 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 must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
5. Parking will be permitted on improved surfaces only.
6. Water and Sewer Pro-Rata will be due at the time of development.
7. The City of Sherman does not maintain alleys.

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
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



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

Agenda Item No. 15.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

1714 N. WOODS STREET

The request of Barton Capital, LTD (Owners) and Sartin & Associates, Inc. (Surveyor) concerning the property located at 1714 North Woods Street, being the north 15' of Lot 17 and the south 45' of Lot 15, Block B, Maxey Addition, as follows:

Planning and Zoning Board

Zone change and site plan approval under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One Family Residential) District.

Background:

The property is located at 1714 North Woods Street between Texas and Fairview Street. The property was zoned a C-1 (Retail Business) District at the May 20, 1966, City Council Meeting. The owner would like to change the zoning to an R-1 (One Family Residential) District to construct a new home on the lot.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Barton Capital, LTD (Owners)

Sartin & Associates, Inc. (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:

11

Objections Received:

0

Attachments

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



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.9.

Meeting Date: 10/16/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 6064, 6065, 6066, 6067, 6068, 6069, 6070 and 6071

Issue:

- B. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6064**
Amending Ordinance No. 6051 to Appoint Election Officials and Add Early Voting Locations for an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Electing Two (2) District City Council Members for Said City
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6065**
Amending Ordinance No. 6056 to Appoint Election Officials and Add Early Voting Locations for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Electing One (1) At-Large, Place 1 City Council Member to Fill an Unexpired Term until November 2018 for Said City
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6066**
Amending Ordinance No. 6052 to Appoint Election Officials, Add Early Voting Locations, and Rename Amendments for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2017, for the Purpose of Amending the City Charter of the City of Sherman, Texas
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6067**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two Hotels and an Event Center in a C-1 (Retail Business) District at 811 Graham Drive, being Lot 3, Block 1, Sherman Town Center, Section Two (Moe Hospitality, LLC, Owners; and Anil Ram, ADR-Designs, LLC, Representative/Architect); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

- B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6068**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the C-1 (Retail Business) District at 19325 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 (Jobaby, LLC, Derek Irvin, Owner; Madelyn Greenwood, Representative; and Underwood Drafting & Surveying, Surveyors)
- B. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6069**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Tattoo Studio (Permanent Makeup) in a C-1 (Retail Business) District at 19311 West U.S. Highway 82, being 2.893 acres in the J.M. Hambright Survey, Abstract No. 538 (Jobaby, LLC, Derek Irvin, Owner; Madelyn Greenwood, Representative; and Underwood Drafting & Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- B. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6070**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the SF-1 (Single Family Residential) District at 112 West Staples Street, being a part of Block B, Staples Addition, containing 6,292 square feet of land (Young Enterprises, Owner; Todd Young, Representative; and Helvey-Wagner Surveying, Inc., Surveyors)
- B. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6071**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the R-1 (One Family Residential) District at 1714 North Woods Street, being the North 15' of Lot 17 and the South 45' of Lot 15, Block B, Maxey Addition (Barton Capital, LTD, Owner; and Sartin & Associates, Inc., Surveyors)
-



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.10.

Meeting Date: 10/16/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

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

Issue:

C. 6. * *RESOLUTION NO. 6285*

Authorizing Execution of a Contract with Parsons Commercial Roofing for Roof Repairs to the Equipment Services Center through the TIPS Purchasing Cooperative

E. 1. * *CHANGE ORDER NO. 1*

Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 1; Sherman Industrial Park Replacement Sewer; Lynn Vessels Construction, LLC; \$5,376.51 Increase

F. 2. * *OTHER BUSINESS*

Approve the Quarterly Investment Reports for Quarter Ended September 30, 2017

F. 3. * *OTHER BUSINESS*

Replat Approval of Part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition; Sofey Construction & Design, LLC, Owners; and Underwood Drafting & Surveying, Inc., Surveyor (520 West Birge Street and the 900 Block of North Sam Rayburn Freeway)

F. 4. * *OTHER BUSINESS*

Final Plat Approval of Sweetwater Springs Subdivision, being 17.112 acres in the John Hendrix Survey, Abstract No. 503 and the E. Canton Survey, Abstract No. 221; Barton Capital, LTD, Owner; KJE Environmental & Civil Engineering, Civil Engineer; and Sartin & Associates, Inc., Surveyor (4700 Block of Marshall Street and 3800-3900 Blocks of Dripping Springs Road)

F. 5. * OTHER BUSINESS

Final Plat Approval of RMT Visions Addition, being a Replat of Lot 59, Western Acres Installment Four and a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115, being a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115 and all of Lot 59 of Western Acres Installment Four, containing 39.030 acres; RMT Visions, Inc. and the William O'Donnell Trust, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (2700-2800 Blocks of South Friendship Road and 5200 West Meadowridge Road)

F. 6. * OTHER BUSINESS

Final Plat Approval of Epstein at Hazelwood Addition, being 0.37 acres in the G.B. Pilant Survey, Abstract No. 963; Cupid Investments, Inc., Owner; and Sartin & Associates, Inc., Surveyor (1004 East Epstein Street)

F. 7. * OTHER BUSINESS

Final Plat Approval of Trails End Subdivision in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 7.671 acres in the Aaron Burleson Survey, Abstract No. 61; Jack Gurley, Owner; 44-40 Builders, LLC, Developer; and Helvey-Wagner Surveying, Inc., Surveyor (10409 East Highway 56 and the 100 Block of Mitchell Road)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.1.

Meeting Date: 10/16/2017

Prepared By: Steve Ayers, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6280

Authorizing the City Manager to Execute a Contract with The Sherman Museum for Expenditure of a Portion of the Funds Collected by the City of the Hotel/Motel Occupancy Tax

Issue:

To distribute a portion of the Hotel/Motel Occupancy Tax funds received by the City of Sherman to The Sherman Museum (Museum)

Background:

Staff recommends that the City enter into a twelve (12) month contract with the Museum to cover the period from October 1, 2017 through September 30, 2018. The proposed funding level keeps the quarterly support for the Museum at the current level of \$17,500.00 per quarter.

Origination:

City Manager's Office

Financial Consideration:

The proposed contract provides for payment of \$17,500.00 per quarter for the fiscal year 2017-2018 budget, a total allocation of \$70,000.00 from the Hotel/Motel Occupancy Tax Fund revenues.

Staff Recommendation:

The staff recommends granting the City Manager authority to execute a contract with the Museum in the funding amount established by the Council.

Alternatives:

As directed by the City Council

Attachments

Resolution No. 6280

Contract between City of Sherman and The Sherman Museum

Exhibit "A" - Tax Code Section 351.101

Aerial Location Map

RESOLUTION NO. 6280

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SHERMAN MUSEUM FOR EXPENDITURE OF A PORTION OF THE FUNDS COLLECTED BY THE CITY OF THE HOTEL-MOTEL OCCUPANCY TAX; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 351 of the Texas Tax Code authorizes the City to collect and levy an occupancy tax on hotels and motels; and

WHEREAS, said Chapter specifies the purposes for which such tax receipts may be utilized; and

WHEREAS, such stated purposes include the promotion of tourism, the advertisement of the City and its vicinity, and the promotion and improvement of the arts and humanities within the community;

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney and subject to budget approval, to execute a contract with The Sherman Museum, with Exhibit "A" attached, in accordance with the terms and provisions of all contract documents attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED on this the ____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

**CONTRACT BETWEEN
CITY OF SHERMAN AND THE SHERMAN MUSEUM**

THIS CONTRACT is made and entered by and between the **CITY OF SHERMAN**, a municipal corporation of the State of Texas (hereinafter called 'CITY'), and **THE SHERMAN MUSEUM**, a non-profit corporation of the State of Texas (hereinafter called 'MUSEUM'), for the limited purpose of providing funds to the MUSEUM for a twelve (12) month period.

WHEREAS, Chapter 351 of the Texas Tax Code authorizes a city to levy and collect an occupancy tax on hotels and motels; and

WHEREAS, CITY levies and collects a tax equal to seven percent (7%) of the consideration paid by occupants of hotels and motels; and

WHEREAS, CITY desires to promote tourism, advertise the city and its vicinity, and promote and improve the arts within the community by participating and assisting in the operation of the Museum; and

WHEREAS, MUSEUM shall consist of the property located at 301 and 303 South Walnut Street in the City of Sherman, Grayson County, Texas;

NOW, THEREFORE, in consideration of the mutual covenants and the payments herein, the CITY and MUSEUM agree as follows:

I.

During the period of October 1, 2017, through September 30, 2018, the CITY agrees to pay to MUSEUM Seventy Thousand Dollars and No Cents (\$70,000.00) collected under the Hotel/Motel Occupancy Tax of the CITY; and MUSEUM agrees that all funds are to be used entirely for the operation and maintenance of the MUSEUM. The Seventy Thousand Dollars and No Cents (\$70,000.00) paid to the MUSEUM for the time period of October 1, 2017, through September 30, 2018, represents the entire amount budgeted for this purpose by the

CITY for the fiscal year 2017-2018. The Seventy Thousand Dollars and No Cents (\$70,000.00) shall be paid in four (4) installments on the final execution of this Contract: November 15, 2017, January 15, and April 15, and June 15, 2018. Payments will be based on actual operation and maintenance expenditures and made strictly on a reimbursement basis. Reimbursement will be based on copies of actual invoices or other proof of payment as requested by the CITY. At that time, the MUSEUM shall also provide an explanation of how the expenditure of such monies complied with Section 351.101 of the Texas Tax Code.

Operations of the MUSEUM are to include the administration of all personnel associated with the MUSEUM, the management of all fund-raising activities in connection with the MUSEUM, the selection, preparation, and display of exhibits of artifacts, the interface with members of the general public concerning all matters related to the MUSEUM, and any other duties that could reasonably be construed as the operation of the MUSEUM.

II.

MUSEUM agrees that any money received under this Contract will only be used for purposes specified in Chapter 351 of the Texas Tax Code and MUSEUM will not use any money received in this Contract in any manner that does not strictly comply with the requirements, intent, and purposes as set forth in the Texas Tax Code, Chapter 351, Section 351.101(a)(1)-(7), as amended, and such statutorily authorized administrative expenses, together with the Texas Attorney General opinions interpreting Section 351.101 of the Texas Tax Code. A copy of Section 351.101 of the Texas Tax Code is attached as Exhibit "A" and incorporated into this Contract for all purposes. Specifically, MUSEUM agrees to use such hotel tax revenues solely for the purposes of promoting tourism and the convention and hotel industry and will use the revenues solely for the permissible uses listed in Section 351.101(a) of the Texas Tax Code.

III.

MUSEUM represents that it has prepared a proposed budget to be administered under this Contract to the Sherman City Council for the fiscal year of 2017-2018. The MUSEUM shall furnish CITY quarterly financial reports which show all actual expenditures whether those expenditures are budgeted or not from records maintained pursuant to Section 351.108(a) of the Texas Tax Code. The report shall compare actual expenditures to budgeted expenditures and to actual expenditures from the prior year. The report shall also provide an explanation of how the expenditure of such monies complied with Section 351.101 of the Texas Tax Code.

The MUSEUM shall also provide a quarterly report of activities promoting tourism and the convention and hotel industry to CITY. Each quarterly financial report and each quarterly report of activities shall be presented to the office of the City Manager no later than the end of the month immediately following each calendar quarter. Further, the MUSEUM shall provide to CITY a copy of Form 990 submitted to the Internal Revenue Service.

IV.

It is understood and agreed that this Contract is intended for the purpose of providing an agency for the administration of funds collected by the CITY under the provisions of the Hotel-Motel Occupancy Tax Ordinance of said CITY, and that CITY retains its legislative prerogative to alter, repeal, or otherwise amend such ordinance at any time.

V.

MUSEUM agrees and covenants that, in the event of a breach by MUSEUM of any of the covenants contained herein as determined by CITY in its sole discretion, CITY may, at its option, declare this Contract immediately forfeited and terminated as to the balance of the terms thereof.

VI.

The parties agree that the term of this Contract is for October 1, 2017 through September 30, 2018.

VII.

Notwithstanding the above, CITY and MUSEUM retain the right to cancel this Contract at any time, with or without cause and without liability or expense, by the giving of twenty (20) days notice of such intention to cancel. Notice to cancel by CITY shall be in writing, signed by the City Manager with prior City Council approval. Notice to cancel by MUSEUM shall be in writing, signed by the MUSEUM President with prior MUSEUM Board of Directors approval. CITY and MUSEUM shall consider renewal of this Contract in subsequent years. MUSEUM agrees to provide a plan of work in conjunction with any request to renew this Contract.

VIII.

This is a negotiated Contract. If any part of this Contract is in dispute, the parties stipulate that the Contract shall not be construed more favorably for either party.

This Contract may not be changed, varied, or altered except by an instrument in writing and duly executed on behalf of CITY and by MUSEUM. Every obligation arising from this Contract shall be performable in Grayson County, Texas. Venue for any legal disputes arising from this Contract shall be Grayson County, Texas and governed by the laws of the State of Texas.

IN TESTIMONY WHEREOF, this instrument, in duplicate originals of equal force, has been executed on behalf of THE SHERMAN MUSEUM and on behalf of the CITY OF SHERMAN by its City Manager and attested by its City Clerk, effective on the 1st day

of October, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON
CITY MANAGER

DATE: _____

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

**THE SHERMAN MUSEUM,
A NON-PROFIT CORPORATION**

BY: _____
**PRESIDENT OF THE BOARD
OF TRUSTEES**

DATE: _____

Exhibit "A"

TAX CODE

TITLE 3. LOCAL TAXATION

SUBTITLE D. LOCAL HOTEL OCCUPANCY TAXES

CHAPTER 351. MUNICIPAL HOTEL OCCUPANCY TAXES

SUBCHAPTER B. USE AND ALLOCATION OF REVENUE

This section was amended by the 85th Legislature. Pending publication of the current statutes, see H.B. [2445](#), S.B. [942](#), S.B. [2166](#), H.B. [1896](#), S.B. [1365](#) and S.B. [1488](#), 85th Legislature, Regular Session, for amendments affecting this section.

Sec. 351.101. USE OF TAX REVENUE.

Text of subsection as amended by Acts 2015, 84th Leg., R.S., Ch. 666 (H.B. [3772](#)), Sec. 1

(a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

- (1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;
- (2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- (3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
- (4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;
- (5) historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:
 - (A) at or in the immediate vicinity of convention center facilities or visitor information centers; or
 - (B) located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;
- (6) for a municipality located in a county with a population of one million or less, expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity;

- (7) subject to Section [351.1076](#), the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields, including facilities or fields for baseball, softball, soccer, and flag football, if:
- (A) the municipality owns the facilities or fields;
 - (B) the municipality:
 - (i) has a population of 80,000 or more and is located in a county that has a population of 350,000 or less;
 - (ii) has a population of at least 75,000 but not more than 95,000 and is located in a county that has a population of less than 200,000 but more than 160,000;
 - (iii) has a population of at least 36,000 but not more than 39,000 and is located in a county that has a population of 100,000 or less that is not adjacent to a county with a population of more than two million;
 - (iv) has a population of at least 13,000 but less than 39,000 and is located in a county that has a population of at least 200,000;
 - (v) has a population of at least 70,000 but less than 90,000 and no part of which is located in a county with a population greater than 150,000;
 - (vi) is located in a county that:
 - (a) is adjacent to the Texas-Mexico border;
 - (b) has a population of at least 500,000; and
 - (c) does not have a municipality with a population greater than 500,000;
 - (vii) has a population of at least 25,000 but not more than 26,000 and is located in a county that has a population of 90,000 or less; or
 - (viii) is located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located; and
 - (C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments;
- (8) for a municipality with a population of at least 70,000 but less than 90,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility;

- (9) signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality;
- (10) the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility, if the municipality:
 - (A) has a population of at least 90,000 but less than 120,000; and
 - (B) is located in two counties, at least one of which contains the headwaters of the San Gabriel River; and
- (11) for a municipality with a population of more than 175,000 but less than 225,000 that is located in two counties, each of which has a population of less than 200,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section [334.001](#)(4), Local Government Code, that is related to the promotion of tourism.

Text of subsection as amended by Acts 2015, 84th Leg., R.S., Ch. 979 (H.B. [3615](#)), Sec. 1

- (a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:
 - (1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;
 - (2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
 - (3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
 - (4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;
 - (5) historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:
 - (A) at or in the immediate vicinity of convention center facilities or visitor information centers; or
 - (B) located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;
 - (6) for a municipality located in a county with a population of one million or less, expenses, including promotion expenses, directly related to a sporting event in which the majority

of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity;

- (7) subject to Section [351.1076](#), the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields, including facilities or fields for baseball, softball, soccer, flag football, and rodeos, if:
- (A) the municipality owns the facilities or fields;
 - (B) the municipality:
 - (i) has a population of 80,000 or more and is located in a county that has a population of 350,000 or less;
 - (ii) has a population of at least 75,000 but not more than 95,000 and is located in a county that has a population of less than 200,000 but more than 160,000;
 - (iii) has a population of at least 36,000 but not more than 39,000 and is located in a county that has a population of 100,000 or less that is not adjacent to a county with a population of more than two million;
 - (iv) has a population of at least 13,000 but less than 39,000 and is located in a county that has a population of at least 200,000;
 - (v) has a population of at least 70,000 but less than 90,000 and no part of which is located in a county with a population greater than 150,000;
 - (vi) is located in a county that:
 - (a) is adjacent to the Texas-Mexico border;
 - (b) has a population of at least 500,000; and
 - (c) does not have a municipality with a population greater than 500,000;
 - (vii) has a population of at least 25,000 but not more than 26,000 and is located in a county that has a population of 90,000 or less;
 - (viii) has a population of at least 7,500 and is located in a county that borders the Pecos River and that has a population of not more than 15,000;
 - (ix) is located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located; or
 - (x) has a population of at least 40,000 and the San Marcos River flows through the municipality; and

- (C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments;
 - (8) for a municipality with a population of at least 70,000 but less than 90,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility;
 - (9) signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality;
 - (10) the construction of a recreational venue in the immediate vicinity of area hotels, if:
 - (A) the municipality:
 - (i) is a general-law municipality;
 - (ii) has a population of not more than 900; and
 - (iii) does not impose an ad valorem tax;
 - (B) not more than \$100,000 of municipal hotel occupancy tax revenue is used for the construction of the recreational venue;
 - (C) a majority of the hotels in the municipality request the municipality to construct the recreational venue;
 - (D) the recreational venue will be used primarily by hotel guests; and
 - (E) the municipality will pay for maintenance of the recreational venue from the municipality's general fund;
 - (11) the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility, if the municipality:
 - (A) has a population of at least 90,000 but less than 120,000; and
 - (B) is located in two counties, at least one of which contains the headwaters of the San Gabriel River; and
 - (12) for a municipality with a population of more than 175,000 but less than 225,000 that is located in two counties, each of which has a population of less than 200,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section [334.001](#)(4), Local Government Code, that is related to the promotion of tourism.
- (b) Revenue derived from the tax authorized by this chapter shall be expended in a manner directly enhancing and promoting tourism and the convention and hotel industry as permitted by Subsection (a).

That revenue may not be used for the general revenue purposes or general governmental operations of a municipality.

(c) The governing body of a municipality by contract may delegate to a person, including another governmental entity or a private organization, the management or supervision of programs and activities funded with revenue from the tax authorized by this chapter. The governing body in writing shall approve in advance the annual budget of the person to which it delegates those functions and shall require the person to make periodic reports to the governing body at least quarterly listing the expenditures made by the person with revenue from the tax authorized by this chapter. The person must maintain revenue provided from the tax authorized by this chapter in a separate account established for that purpose and may not commingle that revenue with any other money. The municipality may not delegate to any person the management or supervision of its convention and visitors programs and activities funded with revenue from the tax authorized by this chapter other than by contract as provided by this subsection. The approval by the governing body of the municipality of the annual budget of the person to whom the governing body delegates those functions creates a fiduciary duty in the person with respect to the revenue provided by the tax authorized by this chapter.

(d) A person with whom a municipality contracts under this section to conduct an activity authorized by this section shall maintain complete and accurate financial records of each expenditure of hotel occupancy tax revenue made by the person and, on request of the governing body of the municipality or other person, shall make the records available for inspection and review to the governing body or other person.

(e) Hotel occupancy tax revenue spent for a purpose authorized by this section may be spent for day-to-day operations, supplies, salaries, office rental, travel expenses, and other administrative costs only if those administrative costs are incurred directly in the promotion and servicing expenditures authorized under Section [351.101](#)(a). If a municipal or other public or private entity that conducts an activity authorized under this section conducts other activities that are not authorized under this section, the portion of the total administrative costs of the entity for which hotel occupancy tax revenue may be used may not exceed the portion of those administrative costs actually incurred in conducting the authorized activities.

(f) Municipal hotel occupancy tax revenue may not be spent for travel for a person to attend an event or conduct an activity the primary purpose of which is not directly related to the promotion of tourism and the convention and hotel industry or the performance of the person's job in an efficient and professional manner.

(g) Nothing in this section shall prohibit any private entity, person, or organization from making subgrants by contract to any other person, entity, or private organization for expenditures under Section [351.101](#)(a)(4). A subgrantee shall:

- (1) at least annually make periodic reports to the governing body of its expenditures from the tax authorized by this chapter; and
- (2) make records of these expenditures available for review to the governing body or other person.

(h) In addition to the uses authorized by Subsection (a), a municipality described by Subsection (a)(7)(B)(viii), as added by Chapter 546 (S.B. 585), Acts of the 83rd Legislature, Regular Session, 2013, may use revenue derived from the tax authorized by this chapter to promote tourism and the convention and hotel industry by constructing, maintaining, or expanding a sporting-related facility owned by the municipality if:

- (1) the majority of the events at the facility involve participants staying at hotels in the municipality; and
- (2) for a fiscal year, the municipality does not reduce the amount of that revenue that it uses for a purpose described by Subsection (a)(3) to an amount that is less than the lesser of:
 - (A) the amount of that revenue used by the municipality for that purpose during the municipality's 2015 fiscal year; or
 - (B) the total amount of that revenue received in the fiscal year.

(i) In addition to the purposes provided by Subsection (a), a municipality that has a population of at least 75,000 but not more than 95,000 and that is located in a county that has a population of more than 160,000 but less than 200,000 may use revenue from the municipal hotel tax to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the municipality, if the majority of the events at the facility or field are directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels in the municipality.

(j) In addition to the purposes provided by Subsection (a), a municipality that has a population of not more than 5,000 and at least part of which is located less than one-eighth of one mile from a space center operated by an agency of the federal government may use revenue from the municipal hotel occupancy tax for expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity.

(k) In addition to other authorized uses, a municipality that is intersected by both State Highways 71 and 95 may use revenue from the municipal hotel occupancy tax for the promotion of tourism by the enhancement and upgrading of an existing sports facility or field as specified by Subsection (a)(7), provided that the requirements of Subsections (a)(7)(A) and (C) are met.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.24(a), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 1110, Sec. 4, eff. Oct. 1, 1989; Acts 1993, 73rd Leg., ch. 680, Sec. 3, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 1027, Sec. 1, eff. Aug. 28, 1995; Acts 2001, 77th Leg., ch. 755, Sec. 1, eff. June 13, 2001; Acts 2001, 77th Leg., ch. 1308, Sec. 3, eff. June 16, 2001; Acts 2003, 78th Leg., ch. 209, Sec. 90, eff. Oct. 1, 2003; Acts 2003, 78th Leg., ch. 303, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 1247 (H.B. [1734](#)), Sec. 1, eff. June 18, 2005.

Acts 2007, 80th Leg., R.S., Ch. 1144 (S.B. [765](#)), Sec. 1, eff. June 15, 2007.

Acts 2009, 81st Leg., R.S., Ch. 402 (H.B. [1789](#)), Sec. 1, eff. June 19, 2009.
Acts 2009, 81st Leg., R.S., Ch. 1220 (S.B. [1247](#)), Sec. 3(a), eff. June 19, 2009.
Acts 2009, 81st Leg., R.S., Ch. 1322 (H.B. [3098](#)), Sec. 1, eff. June 19, 2009.
Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 23.004, eff. September 1, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 247 (H.B. [970](#)), Sec. 1, eff. June 17, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 764 (H.B. [1690](#)), Sec. 1, eff. June 17, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 1163 (H.B. [2702](#)), Sec. 120, eff. September 1, 2011.
Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. 19.012, eff. September 1, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 541 (S.B. [551](#)), Sec. 1, eff. June 14, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 546 (S.B. [585](#)), Sec. 1, eff. June 14, 2013.
Acts 2015, 84th Leg., R.S., Ch. 663 (H.B. [3595](#)), Sec. 1, eff. June 17, 2015.
Acts 2015, 84th Leg., R.S., Ch. 665 (H.B. [3629](#)), Sec. 1, eff. June 17, 2015.
Acts 2015, 84th Leg., R.S., Ch. 666 (H.B. [3772](#)), Sec. 1, eff. June 17, 2015.
Acts 2015, 84th Leg., R.S., Ch. 970 (H.B. [1585](#)), Sec. 1, eff. September 1, 2015.
Acts 2015, 84th Leg., R.S., Ch. 979 (H.B. [3615](#)), Sec. 1, eff. June 19, 2015.
Acts 2015, 84th Leg., R.S., Ch. 979 (H.B. [3615](#)), Sec. 2, eff. June 19, 2015.

This section was amended by the 85th Legislature. Pending publication of the current statutes, see H.B. [2445](#), 85th Legislature, Regular Session, for amendments affecting this section.





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.2.

Meeting Date: 10/16/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6281

Authorizing the Execution of a Contract with Halff Associates, Inc. for Floodplain Mapping Updates and Regional Detention Analysis

Issue:

To authorize the execution of a contract with Halff Associates, Inc. for Floodplain Mapping Updates and Regional Detention Analysis

Background:

The City of Sherman would like to enter into a contract with Halff Associates, Inc. to update the City's floodplain mapping in support of a FEMA Letter of Map Revision for the entire Post Oak Creek Watershed within the City of Sherman. Updating these maps and submitting them to FEMA will benefit both the City and individual property owners. Having an updated floodplain map will ensure the limits of the current floodplain to ensure that building permits are being approved on properties that are outside of the floodplain limits. This update will also affect the Flood Insurance Rate Maps which will ensure the accuracy of flood insurance premiums on flood prone properties. This contract will also allow Halff Associates, Inc. to evaluate regional detention solutions that promote flood control enhancements to the Post Oak Creek basin. This evaluation will indicate whether or not a regional detention pond in these locations will reduce the level of flooding downstream.

Origination:

Engineering Department

Financial Consideration:

The total cost for this project is estimated at \$342,000.00. Funding is available through the 2017A Certificates of Obligation.

Staff Recommendation:

Staff recommends execution of the contract with Halff Associates, Inc.

Alternatives:

As directed by City Council

Attachments

Resolution No. 6281

Agreement for Professional Engineering Services

Exhibit "A" Scope of Services

Location Map

RESOLUTION NO. 6281

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH HALFF ASSOCIATES, INC. FOR FLOODPLAIN MAPPING UPDATES AND REGIONAL DETENTION ANALYSIS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract with Halff Associates, Inc. for Floodplain Mapping Updates and Regional Detention Analysis, in the same or substantially same form as the contract documents attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A DEFINED SCOPE OF SERVICES BASIS

This Agreement for Professional Engineering Services, hereinafter called "Agreement," is entered into by the City of Sherman, Texas, a Home Rule City, duly authorized to act by the City Council of said Client, hereinafter called "Client," and **Halff Associates, Inc.**, a Texas corporation, acting through a duly authorized officer, herein called "Engineer," relative to Engineer providing professional engineering services to the Client. Client and Engineer when mentioned collectively shall be referred to as the "Parties".

W I T N E S S E T H:

For the mutual promises and benefits herein described, the Client and Engineer agree as follows:

I. Term of Agreement. This Agreement shall become effective on the date of its execution by both Parties, and shall continue in effect thereafter until terminated as provided herein.

II. Services to be Performed by Engineer. Engineer shall provide to the Client basic engineering services as described in the scope of services attachment and fully incorporated herein as "**Exhibit A**" which services may include, but will not be limited to, those services normally rendered by an engineer to a Home Rule City. Engineer shall perform its obligations under this agreement as an independent contractor and not as an agent or fiduciary of any other party.

III. Compensation - Client agrees to pay monthly invoices or their undisputed portions within 30 days of receipt. Payment later than 30 days shall include interest at 1 percent (1%) per month or lesser maximum enforceable interest rate, from the date the Client received the invoice until the date Engineer receives payment. Such interest is due and payable when the overdue payment is made.

It is understood and agreed by the Parties that Engineer's receipt of payment(s) from Client is not contingent upon Client's receipt of payment, funding, reimbursement or any other remuneration from others.

Time-related charges will be billed as specified in this Agreement. Unless stated otherwise in this Agreement, direct expenses, subcontracted services and direct costs will be billed at actual cost plus a service charge of 10 percent. Mileage will be billed at current IRS rates.

IV. Client's Obligations. The Client agrees that it will (i) designate a specific person to act as the Client's representative, (ii) provide Engineer with any previous studies, reports, data, budget constraints, special Client requirements, or other pertinent information known to the Client, when necessitated by a project, (iii) Client agrees to provide site access, and to provide those services described in the attached Scope of Services assist Engineer in obtaining access to property necessary for performance of Engineer's work for the Client, (iv) make prompt payments in response to Engineer's statements and (v) respond in a timely fashion to requests from Engineer. Engineer is entitled to rely upon and use, without independent verification and without liability, all information and services provided by the Client or the Client's representatives.

V. Termination of Work - Either the Client or the Engineer may terminate this Agreement at any time with or without cause upon giving the other Party ten (10) calendar days' prior written notice. Client agrees that termination of Engineer for Client's convenience shall only be utilized in good faith, and shall not be utilized if either the purpose or the result of such termination is the performance of all or part of Engineer's services under this Agreement by Client or by another service provider. Following Engineer's receipt of such termination notice the Client shall, within ten (10) calendar days of Client's receipt of Engineer's final invoice, pay the Engineer for all services rendered and all costs incurred up to the date of Engineer's receipt of such notice of termination.

VI. Ownership of Documents - Upon Engineer's completion of services and receipt of payment in full, Engineer shall grant to Client a non-exclusive license to possess the final drawings and instruments produced in connection with Engineer's performance of the work under this Agreement, if any. Said drawings and instruments may be copied, duplicated, reproduced and used by Client for the purpose of constructing, operating and maintaining the improvements. Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement. Notwithstanding the foregoing, Client understands and agrees that any and all computer programs, GIS applications, proprietary data or processes, and certain other items related to the services performable

under this Agreement are and shall remain the sole and exclusive property of Engineer and may not be used or reused, in any form, by Client without the express written authorization of Engineer. Client agrees that any reuse by Client, or by those who obtain said information from or through Client, without written verification or adaptation by Engineer, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's employees, agents, representatives, officers, directors, affiliates, shareholders, owners, members, managers, attorneys, subsidiary entities, advisors, subconsultants or independent contractors or associates. Engineer may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Engineer's other activities.

VII. Notices. Any notices to be given hereunder by either party to the other may be affected either by personal delivery, in writing, or by registered or certified mail.

VII. Sole Parties and Entire Agreement. This Agreement shall not create any rights or benefits to anyone except the Client and Engineer, and contains the entire agreement between the parties. Oral modifications to this Agreement shall have no force or effect.

IX. Insurance. Engineer shall, at its own expense, purchase, maintain and keep in force throughout the duration of this Agreement and for a period of three years thereafter, professional liability insurance. The limits of liability shall be \$1,000,000 per claim and in the aggregate. For coverage provided on a claims-made basis, Engineer agrees to use its best efforts to maintain this policy for a period of four (4) years after the cessation of any work for the Client or shall purchase the extended reporting period or "tail" coverage insurance providing equivalent coverage for the same period of time. Engineer shall submit to the Client a certificate of insurance prior to commencing any work for the Client.

X. Prompt Performance by Engineer. All services provided by Engineer hereunder shall be performed in accordance with the degree of care and skill ordinarily exercised under similar circumstances by competent members of the engineering profession in the State of Texas applicable to such engineering services contemplated by this Agreement.

XI. Client Objection to Personnel. If at any time after entering into this Agreement, the Client has any reasonable objection to any of Engineer's personnel, or any personnel, professionals and/or consultants retained by Engineer, Engineer shall promptly propose substitutes to whom the Client has no reasonable objection, and Engineer's compensation shall be equitably adjusted to reflect any difference in Engineer's costs occasioned by such substitution.

XII. Assignment and Delegation. Neither the Client nor Engineer may assign their rights or delegate their duties without the written consent of the other party. This Agreement is binding on the Client and Engineer to the fullest extent permitted by law. Nothing herein is to be construed as creating any personal liability on the part of any Client officer, employee or agent.

XIII. Jurisdiction and Venue - This Agreement shall be administered under the substantive laws of the State Texas (and not its conflicts of law principles) which shall be used to govern all matters arising out of, or relating to, this Agreement and all of the transactions it contemplates, including without limitation, its validity, interpretation, construction, performance and enforcement. Exclusive venue shall lie in Grayson County, Texas.

INTENTIONALLY LEFT BLANK

XIV. Integration, Merger and Severability – This Agreement and the Scope of Services, including fee and schedule are fully incorporated herein and represent the entire understanding of Client and Engineer. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both Parties. This Agreement constitutes, represents and is intended by the Parties to be the complete and final statement and expression of all of the terms and arrangements between the Parties to this Agreement with respect to the matters provided for in this Agreement. This Agreement supersedes any and all prior or contemporaneous agreements, understandings, negotiations, and discussions between the Parties and all such matters are merged into this Agreement. Should any one or more of the provisions contained in this Agreement be determined by a court of competent jurisdiction or by legislative pronouncement to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

XV. Exclusivity of Remedies – The Parties acknowledge and agree that the remedies set forth in this Agreement, including those set forth in Article XIX. Agreed Remedies are and shall remain the Parties' sole and exclusive remedy with respect to any claim arising from, or out of, or related to, the subject matter of this Agreement. The Parties agree that Engineer is to have no liability or responsibility whatsoever to Client for any claim(s) or loss(es) of any nature, except as set forth in this Agreement. No Party shall be able to avoid the limitations expressly set forth in this Agreement by electing to pursue some other remedy.

XVI. Timeliness of Performance - Engineer shall perform its professional services with due and reasonable diligence consistent with sound professional practices.

XVII. Dispute Resolution. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to schedule a series of no less than two meetings of senior personnel of Client and Engineer in which the disagreement or conflict will be discussed. The first of such meetings will be scheduled as soon as possible following identification of such disagreement or conflict and the second meeting must occur within thirty (30) days following the initial meeting. Subsequent meetings, if any may be scheduled upon mutual agreement of the parties. The parties agree that these two meetings are conditions precedent to the institution of legal proceedings unless such meetings will adversely affect the rights of one or more of the parties as such rights relate to statutes of limitation or repose.

XVIII. Signatories. The Client and Engineer mutually warrant and represent that the representation of each who is executing this Agreement on behalf of the Client or Engineer, respectively, has full authority to execute this Agreement and bind the entity so represented.

XIX. AGREED REMEDIES - IN RECOGNITION OF THE RELATIVE RISKS AND BENEFITS OF THE PROJECT TO BOTH THE CLIENT AND THE ENGINEER, AND ACKNOWLEDGING THAT THE ALLOCATION OF RISKS AND LIMITATIONS OF REMEDIES ARE BUSINESS UNDERSTANDINGS BETWEEN THE PARTIES AND THESE RISKS AND REMEDIES SHALL APPLY TO ALL POSSIBLE LEGAL THEORIES OF RECOVERY. CLIENT FURTHER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS AGREEMENT OR ANY REFERENCE TO INSURANCE OR THE EXISTENCE OF APPLICABLE INSURANCE COVERAGE, THAT THE TOTAL LIABILITY, IN THE AGGREGATE, OF THE ENGINEER AND ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS TO THE CLIENT OR TO ANYONE CLAIMING BY, THROUGH OR UNDER THE CLIENT, FOR ANY AND ALL CLAIMS, LOSSES, COSTS OR DAMAGES WHATSOEVER ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO, THE SERVICES UNDER THIS AGREEMENT FROM ANY CAUSE OR CAUSES OF THE ENGINEER OR THE ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS, SHALL NOT EXCEED THE ENGINEER'S FEE FOR THE SERVICES PERFORMED UNDER THIS AGREEMENT OR \$50,000, WHICHEVER IS GREATER. INCREASED LIMITS MAY BE NEGOTIATED FOR ADDITIONAL FEE.

Further, it is the intent of the Parties to this Agreement that Engineer's services under this Agreement shall not subject Engineer's individual employees, officers or directors to any personal legal exposure for claims and risks associated with the services performed or performable under this Agreement.

XX. WAIVER - Any failure by Engineer to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Engineer may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS WHEREOF, the parties, having read and understood this Agreement, have executed such in duplicate copies, each of which shall have full dignity and force as an original, on the ____ day of _____, 20__.

HALFF ASSOCIATES, INC.

By:


Signature

Jeffrey J. Alvarez, P.E., CFM
Printed Name

Water Resources Team Leader
Title

10/11/17
Date

CITY OF SHERMAN , TEXAS

By:

Signature

Robby Hefton
Printed Name

City Manager
Title

Date

CITY OF SHERMAN , TEXAS

By:

Signature

Clint Philpot, P.E.
Printed Name

Director of Engineering
Title

Date



EXHIBIT A

October 11, 2017
AVO P33342

SENT VIA EMAIL: clintp@ci.sherman.tx.us

Clint Philpott, P.E.
Director of Engineering
City of Sherman
220 W. Mulberry Street
Sherman, TX 75090

Re: Floodplain Mapping Updates and Regional Detention Analysis

Dear Mr. Philpott:

Thank you for the selection of Halff Associates, Inc. to assist the City of Sherman with the updating of the City's floodplain mapping in support of a FEMA Letter of Map Revision (LOMR) for the entire Post Oak Creek Watershed within the City of Sherman. After meeting with you to discuss the scope and nature of the project, we have prepared the following phased fee proposal. Included in the proposal is a detailed discussion of the scope of work tasks, an estimated project budget, and attached Figure 1 that shows the project study limits.

We propose to provide these services for a maximum, not-to-exceed fee of **\$342,000** on a lump sum basis expended for this project effort in accordance with the attached scope of services and project budget estimate. The project consists of three phases and is as follows:

Phase I: Updated Hydrology and Hydraulics for the Grayson County DFIRM	<u>\$287,000</u>
Task 1: Field Surveys and Reconnaissance	
Task 2: Topographic Data Development	
Task 3: Hydrologic Analysis	
Task 4: Hydraulic Analysis	
Task 5: Floodplain Mapping	
Phase II: Regional Detention Analysis - Hwy 82, Taylor Street, and Payton Street	<u>\$ 20,000</u>
Task 1: Regional Detention Analysis	
Phase III: Documentation and Coordination	<u>\$ 35,000</u>
Task 1: FEMA Letter of Map Revision	
Task 2: Project Management and Coordination	

Schedule

The overall project duration will be approximately thirteen (13) months from the date Halff receives the executed contract from the City of Sherman. The schedule breakdown is as follows:

Tasks	Time From N.T.P (weeks)	Date
Notice-To-Proceed	-	10/23/2017
Phase I: Updated H&H and Mapping	25	4/16/2018
Phase II: Regional Detention Analysis	30	05/21/2018
Phase III: Documentation and Coordination	58	12/03/2018

Following your review and after all comments have been addressed, we are prepared to execute the necessary agreement documentation consistent with City of Sherman contracting requirements.

Thank you again for this opportunity to serve the City of Sherman.

Sincerely,

HALFF ASSOCIATES, INC.


Jeffrey J. Alvarez, P.E., CFM
Water Resources Team Leader

Scope of Services

Phase I: Updated Hydrology and Hydraulics for Detailed Study of the Grayson County DFIRM

Introduction

The purpose of this project is to develop updated hydrologic (2018 and Fully Developed Landuse) and hydraulic data for the detailed study FIRM mapping of Post Oak Creek and tributaries through the City of Sherman in Grayson County, Texas. In addition, “enhanced approximate” studies will be developed for existing Zone A mapped streams. This data will be incorporated into the Grayson County-wide Flood Insurance Rate Maps (FIRM’s) by way of a FEMA Letter of Map Revision (LOMR). The technical data will be developed in accordance with FEMA’s Guidelines and Specifications and the Data Capture Standards.

This contract includes developing new or updated flood data, the project is summarized by study type in Tables 1 and 2.

Table 1. Incorporate Existing Study for Detailed Study

Flooding Source	Reach Limits (miles)	Hydrology	Hydraulics	Floodplain Mapping	Refine/Establish Zone A's
Post Oak Creek Watershed					
Post Oak Creek ¹	9.0	☒	☒	☒	☒
East Fork Post Oak Creek ¹	4.2	☒	☒	☒	☒
Sand Creek ¹	5.7	☒	☒	☒	☒
Sand Creek Unnamed Trib	0.6	☒	☒	☒	☐
Stream E ¹	0.7	☒	☒	☒	☒
Total	20.2				

¹See Table 2 for Approximate Study mileage

Table 2. Incorporate Existing Study for “Enhanced Approximate Study”

Flooding Source	Reach Limits (miles)	Hydrology	Hydraulics	Floodplain Mapping	Refine/Establish Zone A's
Post Oak Creek Watershed					
Post Oak Creek	4.3	☒	☒	☒	☒
Post Oak Creek Unnamed Tribs	5.8	☒	☒	☒	☒
East Fork Post Oak Creek Unnamed Tribs	1.9	☒	☒	☒	☒
Sand Creek	3.0	☒	☒	☒	☒
Stream A	1.8	☒	☒	☒	☒
Stream B	3.7	☒	☒	☒	☒
Stream C	1.3	☒	☒	☒	☒
Stream E	0.8	☒	☒	☒	☒
Stream F	2.6	☒	☒	☒	☒
Stream G and Tribs	4.0	☒	☒	☒	☒
Total	29.2				

Task 1: Field Surveys and Reconnaissance

Conduct a limited field reconnaissance of the specific study area to determine conditions along the floodplain(s), types and numbers of hydraulic and/or flood control structures, apparent maintenance or lack thereof of existing hydraulic structures, locations of cross sections to be surveyed, and other parameters needed for the hydrologic and hydraulic analyses.

In addition to the initial field reconnaissance, this task includes conducting field surveys, obtaining channel and floodplain cross-sections, and obtaining the physical dimensions of hydraulic and flood control structures. Survey control will be set according to established elevation references per Technical Report “The City of Sherman Geodetic Control Survey”, dated 2008 by Underwood Drafting and Surveying, Inc.. This task specifically includes the field survey of approximately:

Table 3. Summary of Field Surveys

Flooding Source	Reach Limits (miles)	No. of Bridges to be Surveyed	No. of Stream Cross Section Surveys ^{1,2}
Post Oak Creek Watershed			
Post Oak Creek	9.0	4	2
Post Oak Creek Unnamed Tribs	5.8	1	
East Fork Post Oak Creek and Tribs	6.1	15	
Sand Creek and Unnamed Trib	9.0	3	
Stream A	1.8	2	
Stream B	3.7	3	1
Stream C	1.3		1
Stream F	2.6	1	1
Stream G and Tribs	4.0	1	1
Total	36.8	30	6

¹ Includes 2 cross sections at each bridge

² Does not include LDS structures

Deliverables: Halff Associates shall submit the following products to the City of Sherman:

- Maps and field notes that provide the detailed survey results.
- Survey notebook containing cross sections and structural data.
- Survey Database consistent with the FEMA Data Capture Standards and Guidelines.

Task 2: Topographic Data Development

TNRIS is providing the “base” topographic data of the stream corridors in Grayson County. Corridor data delivered by TNRIS will include 2010 bare earth LIDAR mass points, and 2010 2-foot contours.

Halff Associates will obtain the deliverables listed above from TNRIS to be used as the City-wide base dataset. In addition, Halff Associates will also obtain other sources of topography that may be available from TXDOT and the City of Sherman. When the additional topographic data is in digital 3D format and is of a higher quality than the base dataset, it will be “quilted” into the TNRIS topographic dataset.

Deliverables: Upon completion of the topographic data development, the results shall be submitted to the City of Sherman.

Halff Associates shall make the following products available to the City of Sherman:

- Digital copies of all areas where additional topographic data has been incorporated into the TNIRIS City-wide base dataset.
- When possible, this data will be placed in the FEMA Data Capture Standards.

Task 3: Hydrologic Analyses

The 2013 RPS Espey Post Oak Creek Flood Protection Plan Study (Espey Study) existing hydrologic analysis shall be obtained from the City of Sherman. The hydrologic methods used for this analysis shall include conversion to the current version of HEC-HMS and some updates. Updates will include modifications such as incorporating new routing data, determining existing (2017) and fully developed landuse for the hydrology model. The previous existing Espey Study data will be utilized for “Enhanced Approximate Studies” as well.

Upon completion of the hydrologic analyses, the results shall be submitted to the City of Sherman for review and approval. Halff Associates shall make the following products available to the City of Sherman:

- Digital copies of all hydrologic modeling (input and output) files for specified recurrence intervals.
- “Summary of Discharge” Table(s) for each flooding source.
- All backup or supplemental information used in the analysis.
- If GIS-based modeling is used, deliverables include all input and output data, intermediate data processing products, and GIS data layers.
- A QA/QC report that includes a description and the results of all automated or manual QA/QC steps taken during the detail Hydrologic Analyses for detailed and Enhance Approximate studies.
- Hydrology Database consistent with the FEMA Data Capture Standards and Guidelines.

Task4: Hydraulic Analyses

Hydraulic analyses shall be completed for an approximate reach of flooding sources identified. The modeling shall include the annual chance events based on peak discharges computed for the 10-, 25-, 50-, 100-, and 500- year recurrence intervals. The hydraulic methods used for this analysis shall include the compilation of the “best available” hydraulic information.

A detailed hydraulic model will be developed for the streams listed in Table 1 through the City of Sherman. The data source for this task is the 2013 RPS Espey Post Oak Creek Flood Protection Plan Study. Current available hydraulic methodologies include HEC-RAS. Halff Associates shall develop HEC-RAS models for the streams listed in Table 1, compiled and/or converted from the Espey Study. Channel geometry will be determined from existing cross sectional data (in Espey Study model), topographic sources, and limited field surveys collected for this study. Channel overbank geometry will be supplemented from the topography sources noted. Bridge data will be obtained from current Espey Study hydraulic models, field reconnaissance conducted for this study,

and limited bridge surveys performed for this study. The hydraulic methods used for this analysis shall include HEC-GeoRAS and HEC-RAS. The hydraulic analysis shall be used to establish flood elevations for the streams listed in Table 1 through the City of Sherman. Note: these studies are not a complete “new detailed” hydraulic study; therefore, “existing data” utilized will not be 100% compliant with the Draft Data Capture Standards.

In addition, the available Espey Study data developed for the streams listed in Table 2 will be utilized for “Approximate Studies” with updates per the current 2010 TNRIS topography, field reconnaissance performed for this study, and limited surveys performed for this study.

When GIS-based modeling procedures are used, automated data processing and modeling algorithms shall be documented and provided to the City to ensure consistency with the FEMA Data Capture Standards.

Upon completion of hydraulic modeling for flooding sources, the results shall be submitted to the City for review. Halff Associates shall address and document all concerns or questions regarding this task raised during the City review. Halff Associates shall submit the following products to the City, for new detail studies:

- Digital profiles of the 10-, 2-, 1- and 0.2-percent-annual-chance water-surface elevations representing existing conditions (note, for “enhanced approximate” studies only the 1- and 0.2 percent –annual-chance water-surface profile);
- Digital profiles of the 1-percent-annual-chance water-surface elevations representing hypothetical fully developed land use conditions
- Digital copies of all hydraulic modeling (input and output) files;
- All backup or supplemental information used in the analysis shall be provided.
- For GIS-based modeling, deliverables include all input and output data, intermediate data processing products, GIS data layers, and final products in the format of the DFIRM database structure.
- A QA/QC report that includes a description and the results of all automated or manual QA/QC steps taken during the detail Hydraulic Analyses.
- Hydraulic Database consistent with the NSP Data Capture Standards and Guidelines.

Task 5: Floodplain Mapping (Detailed Riverine)

Digital floodplain boundaries and floodway boundaries (if required) shall be delineated for the flooding sources listed in Table 1. The mapping shall incorporate all revised modeling and acquired topographic information. The floodplain boundaries for the recurrence intervals and a floodway (if required) shall be delineated on a digital work map based on topographic data developed under this contract.

Deliverables: Upon completion of floodplain mapping for flooding sources, the results shall be submitted to the City of Sherman review. Halff Associates shall address and document all concerns

or questions regarding this task raised during the review. Halff Associates shall submit the following products to the City:

- Digital work maps with the 1- and 0.2-percent-annual chance floodplain boundaries delineated. The fully developed 100-year flood profiles will be also be mapped separately. These maps should also include cross sections, and flood insurance risk zone designation labels.
- A QA/QC report that includes a description and the results of all automated or manual QA/QC steps taken during the preparation of the work maps.
- Any backup or supplemental information used in the mapping shall be included.
- Intermediate Format Mapping Database consistent with FEMA Data Capture Standards and Guidelines.

Task 5a: Floodplain Mapping (Approximate Riverine)

Digital floodplain boundaries and floodway boundaries (if required) shall be delineated for the flooding sources listed in Table 2. The mapping shall incorporate all revised modeling and acquired topographic information. The floodplain boundaries for the 1-percent-annual chance recurrence interval shall be delineated on a digital work map based on topographic data developed under this contract.

Deliverables: Upon completion of floodplain mapping for flooding sources, the results shall be submitted to the City of Sherman review. Halff Associates shall address and document all concerns or questions regarding this task raised during the review. Halff Associates shall submit the following products to the City:

- Digital work maps with the 1- -percent-annual chance floodplain boundaries delineated. These maps should flood insurance risk zone designation labels.
- A QA/QC report that includes a description and the results of all automated or manual QA/QC steps taken during the preparation of the work maps.
- Any backup or supplemental information used in the mapping shall be included.
- Intermediate Format Mapping Database consistent with FEMA Data Capture Standards and Guidelines.

Phase II: Regional Detention Analysis

Task 1: Regional Detention Evaluation

The focus of this project is to evaluate regional detention solutions along Highway 82, at Taylor Street, and Payton Streets that promote flood control enhancements to the Post Oak Creek basin. This task will determine if regional detention is a viable option that will accomplish this focus by determining the level of flood reduction that will occur downstream. To determine this, the following criteria will be evaluated:

- A. Evaluate regional detention sites along Post Oak Creek and East Fork of Post Oak Creek
 - Determine potential cost effectiveness (cost/Benefit)
 - Determine impacts to private/public land
 - Evaluate against integrating with City Parks Master Plan
- B. Address flood control restraints.
 - Determine properties and structures impacted by the current FEMA floodplain mapping along Post Oak Creek and East Fork of Post Oak Creek.
 - Using current flood elevations and best available topography, evaluate potential property and structure risk reduction by implementing regional detention.
 - Based on the findings of this evaluation, recommend the viability of implementing these regional detention locations as part of the City's stormwater Services plan.
- C. Perform a Regional Detention Analysis
 - Size the proposed regional detention areas at Highway 82, Taylor Street, and Payton Streets, outfall structures, berms, etc. to provide the maximum benefits on flood reductions downstream based upon fully developed land use discharges.
 - Provide conceptual grading plans along the subject streams for the possible regional detention scenarios (Maximum of 2 scenarios).
 - Test each recommended detention scenario using HEC-HMS model to determine flow reduction benefits and limitations. The model will be executed for the 2-, 5-, 10-, 50-, 100-, and 500-year 24-hour storm events. Compare model discharges to detention target discharges.
 - Prepare preliminary schematic cost estimates for feasible detention sites.
 - Update HEC-RAS Models with proposed regional detention flows based upon fully developed land use and map proposed floodplain limits.
 - Update the benefits of those items developed in feasibility study, such as flood control constraints and potential improvements to water quality and supply, based on the recommended regional detention option developed in this task.

- Meet with City to review findings, grading plans, outlet control structures, and strategy to proceed. Provide City with the results of existing conditions analysis, individual regional detention site results as well as expected costs.
- D. Prepare technical memorandum documenting the evaluation results and meeting with City Staff to discuss and present results.

Phase III: Documentation and Project Management

Task 1: FEMA Letter of Map Revision

- A. Prepare a FEMA Letter of Map Revision (LOMR) to update the floodplain mapping for the Post Oak Creek watershed based upon the deliverables developed as part of Phase I. The LOMR application will consist of the following:
1. LOMR application summary report discussing the basis for the updated H&H and mapping from this project.
 2. Prepare FEMA MT-2 Forms
 3. Prepare floodplain workmap and hydrologic figures.
 4. Digital compilation of GIS files and H&H modeling associated with the updated floodplain mapping.
 5. Online submittal of the LOMR.
 6. Prepare two hard copies of the LOMR application, one for the City's files and one for Halff Files.
 7. FEMA Online submittal fee of \$8,000.
 8. Coordination with FEMA throughout the LOMR review process.

Task 2: Project Management and Coordination

- B. Prepare monthly updates for City identifying what work was accomplished, what items are pending and what outstanding issues need immediate attention. Internal project management and coordination. Meetings with the City at the various stages for Phase I, Phase II, and Phase III are included.

FEE SUMMARY

	<u>Budget</u>	
I. Updated Hydrology and Hydraulics		
Task 1 – Field Reconnaissance and Surveys	\$68,000	
Task 2 – Topographic Data Development	\$10,000	
Task 3 – Hydrologic Analysis	\$73,000	
Task 4 – Hydraulic Analysis	\$96,000	
Task 5 – Floodplain Mapping	\$40,000	
Subtotal Updated Hydrology and Hydraulics		\$287,000
II. Regional Detention Analysis		
Task 1 – Regional Detention Evaluation	\$20,000	
Subtotal Regional Detention Analysis		\$20,000
III. Documentation and Project Management		
Task 1 – Prepare FEMA Letter of Map Revision	\$20,000	
Task 2 – Periodic Project Updates, Meetings, Internal PM	\$15,000	
Subtotal Documentation and Project Management		\$35,000
TOTAL (Items I thru III)		\$342,000

ADDITIONAL SERVICES

The following services are not anticipated, but Halff Associates can provide these services, if required, on Time and Materials basis. Halff will notify the City when said additional services are required and obtain approval for the additional scope and fee prior to proceeding.

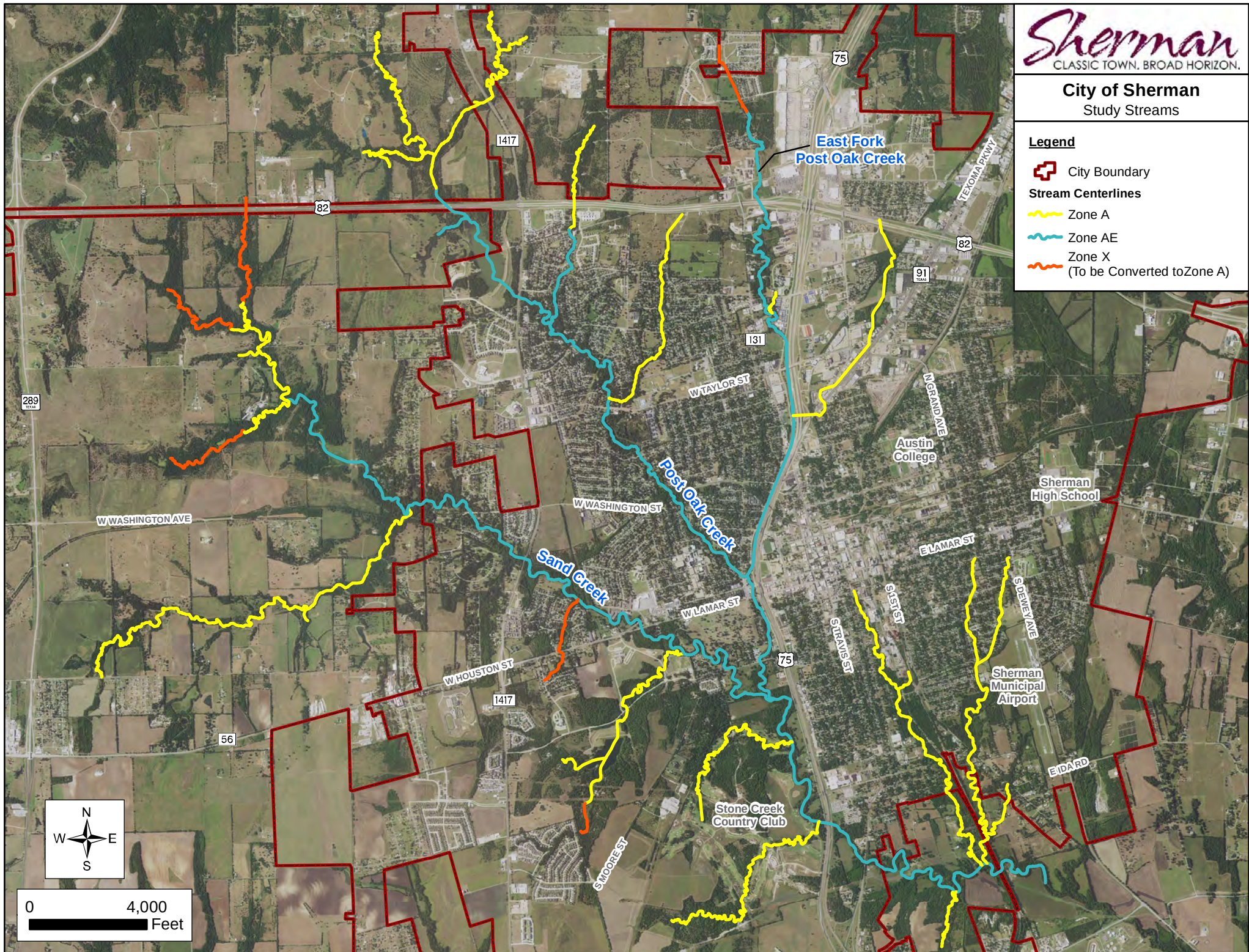
- a. Construction Administration or Inspection;
- b. Landscape and Tree Mitigation Plan;
- c. Environmental Permitting.
- d. Environmental impact statements and assessments.
- e. Traffic engineering report or studies.
- f. Construction staking.
- g. Construction administration.
- h. Civil Design Services.
- i. Design for relocation, adjustment and/or demolition of existing improvements or infrastructure.
- j. Permit fees, filing fees, pro-rated fees, impact fees and taxes;
- k. Revisions to plans requested by the Owner/City after the plans are approved;
- l. Printing of drawings, specifications and contract documents except as noted herein;
- m. Certification that the work is built in accordance with plans and specifications;
- n. Graphic products except as noted in herein;
- o. Design of utilities or other improvements outside of the project boundary;
- p. Attendance or preparation for meetings and public hearings except as noted;
- q. Quality control and material testing services during construction;
- r. Design of off-site facilities;
- s. Negotiations/agreements with adjacent property owners;
- t. Project Storm Water Pollution Prevention Plan (SWPPP). The Contractor will be responsible for the preparation, implementing, and maintaining the SWPPP.
- u. Special investigations involving detailed consideration of operations, maintenance, and overhead expenses; preparation of rate schedule, earning, and expense statements; special feasibility studies; appraisals, valuations; and material audits or inventories required for certification of force account construction performed by the Owner.
- v. Hydrology and hydraulic analysis other than as stated in scope of services.
- w. Floodplain mapping other than as stated in the scope of services.
- x. Reporting other than as stated in the scope of services.



City of Sherman
Study Streams

Legend

-  City Boundary
- Stream Centerlines**
-  Zone A
-  Zone AE
-  Zone X
(To be Converted to Zone A)



AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A DEFINED SCOPE OF SERVICES BASIS

This Agreement for Professional Engineering Services, hereinafter called "Agreement," is entered into by the City of Sherman, Texas, a Home Rule City, duly authorized to act by the City Council of said Client, hereinafter called "Client," and **Halff Associates, Inc.**, a Texas corporation, acting through a duly authorized officer, herein called "Engineer," relative to Engineer providing professional engineering services to the Client. Client and Engineer when mentioned collectively shall be referred to as the "Parties".

W I T N E S S E T H:

For the mutual promises and benefits herein described, the Client and Engineer agree as follows:

I. Term of Agreement. This Agreement shall become effective on the date of its execution by both Parties, and shall continue in effect thereafter until terminated as provided herein.

II. Services to be Performed by Engineer. Engineer shall provide to the Client basic engineering services as described in the scope of services attachment and fully incorporated herein as "**Exhibit A**" which services may include, but will not be limited to, those services normally rendered by an engineer to a Home Rule City. Engineer shall perform its obligations under this agreement as an independent contractor and not as an agent or fiduciary of any other party.

III. Compensation - Client agrees to pay monthly invoices or their undisputed portions within 30 days of receipt. Payment later than 30 days shall include interest at 1 percent (1%) per month or lesser maximum enforceable interest rate, from the date the Client received the invoice until the date Engineer receives payment. Such interest is due and payable when the overdue payment is made.

It is understood and agreed by the Parties that Engineer's receipt of payment(s) from Client is not contingent upon Client's receipt of payment, funding, reimbursement or any other remuneration from others.

Time-related charges will be billed as specified in this Agreement. Unless stated otherwise in this Agreement, direct expenses, subcontracted services and direct costs will be billed at actual cost plus a service charge of 10 percent. Mileage will be billed at current IRS rates.

IV. Client's Obligations. The Client agrees that it will (i) designate a specific person to act as the Client's representative, (ii) provide Engineer with any previous studies, reports, data, budget constraints, special Client requirements, or other pertinent information known to the Client, when necessitated by a project, (iii) Client agrees to provide site access, and to provide those services described in the attached Scope of Services assist Engineer in obtaining access to property necessary for performance of Engineer's work for the Client, (iv) make prompt payments in response to Engineer's statements and (v) respond in a timely fashion to requests from Engineer. Engineer is entitled to rely upon and use, without independent verification and without liability, all information and services provided by the Client or the Client's representatives.

V. Termination of Work - Either the Client or the Engineer may terminate this Agreement at any time with or without cause upon giving the other Party ten (10) calendar days' prior written notice. Client agrees that termination of Engineer for Client's convenience shall only be utilized in good faith, and shall not be utilized if either the purpose or the result of such termination is the performance of all or part of Engineer's services under this Agreement by Client or by another service provider. Following Engineer's receipt of such termination notice the Client shall, within ten (10) calendar days of Client's receipt of Engineer's final invoice, pay the Engineer for all services rendered and all costs incurred up to the date of Engineer's receipt of such notice of termination.

VI. Ownership of Documents - Upon Engineer's completion of services and receipt of payment in full, Engineer shall grant to Client a non-exclusive license to possess the final drawings and instruments produced in connection with Engineer's performance of the work under this Agreement, if any. Said drawings and instruments may be copied, duplicated, reproduced and used by Client for the purpose of constructing, operating and maintaining the improvements. Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement. Notwithstanding the foregoing, Client understands and agrees that any and all computer programs, GIS applications, proprietary data or processes, and certain other items related to the services performable

under this Agreement are and shall remain the sole and exclusive property of Engineer and may not be used or reused, in any form, by Client without the express written authorization of Engineer. Client agrees that any reuse by Client, or by those who obtain said information from or through Client, without written verification or adaptation by Engineer, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's employees, agents, representatives, officers, directors, affiliates, shareholders, owners, members, managers, attorneys, subsidiary entities, advisors, subconsultants or independent contractors or associates. Engineer may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Engineer's other activities.

VII. Notices. Any notices to be given hereunder by either party to the other may be affected either by personal delivery, in writing, or by registered or certified mail.

VII. Sole Parties and Entire Agreement. This Agreement shall not create any rights or benefits to anyone except the Client and Engineer, and contains the entire agreement between the parties. Oral modifications to this Agreement shall have no force or effect.

IX. Insurance. Engineer shall, at its own expense, purchase, maintain and keep in force throughout the duration of this Agreement and for a period of three years thereafter, professional liability insurance. The limits of liability shall be \$1,000,000 per claim and in the aggregate. For coverage provided on a claims-made basis, Engineer agrees to use its best efforts to maintain this policy for a period of four (4) years after the cessation of any work for the Client or shall purchase the extended reporting period or "tail" coverage insurance providing equivalent coverage for the same period of time. Engineer shall submit to the Client a certificate of insurance prior to commencing any work for the Client.

X. Prompt Performance by Engineer. All services provided by Engineer hereunder shall be performed in accordance with the degree of care and skill ordinarily exercised under similar circumstances by competent members of the engineering profession in the State of Texas applicable to such engineering services contemplated by this Agreement.

XI. Client Objection to Personnel. If at any time after entering into this Agreement, the Client has any reasonable objection to any of Engineer's personnel, or any personnel, professionals and/or consultants retained by Engineer, Engineer shall promptly propose substitutes to whom the Client has no reasonable objection, and Engineer's compensation shall be equitably adjusted to reflect any difference in Engineer's costs occasioned by such substitution.

XII. Assignment and Delegation. Neither the Client nor Engineer may assign their rights or delegate their duties without the written consent of the other party. This Agreement is binding on the Client and Engineer to the fullest extent permitted by law. Nothing herein is to be construed as creating any personal liability on the part of any Client officer, employee or agent.

XIII. Jurisdiction and Venue - This Agreement shall be administered under the substantive laws of the State Texas (and not its conflicts of law principles) which shall be used to govern all matters arising out of, or relating to, this Agreement and all of the transactions it contemplates, including without limitation, its validity, interpretation, construction, performance and enforcement. Exclusive venue shall lie in Grayson County, Texas.

INTENTIONALLY LEFT BLANK

XIV. Integration, Merger and Severability – This Agreement and the Scope of Services, including fee and schedule are fully incorporated herein and represent the entire understanding of Client and Engineer. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both Parties. This Agreement constitutes, represents and is intended by the Parties to be the complete and final statement and expression of all of the terms and arrangements between the Parties to this Agreement with respect to the matters provided for in this Agreement. This Agreement supersedes any and all prior or contemporaneous agreements, understandings, negotiations, and discussions between the Parties and all such matters are merged into this Agreement. Should any one or more of the provisions contained in this Agreement be determined by a court of competent jurisdiction or by legislative pronouncement to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

XV. Exclusivity of Remedies – The Parties acknowledge and agree that the remedies set forth in this Agreement, including those set forth in Article XIX. Agreed Remedies are and shall remain the Parties' sole and exclusive remedy with respect to any claim arising from, or out of, or related to, the subject matter of this Agreement. The Parties agree that Engineer is to have no liability or responsibility whatsoever to Client for any claim(s) or loss(es) of any nature, except as set forth in this Agreement. No Party shall be able to avoid the limitations expressly set forth in this Agreement by electing to pursue some other remedy.

XVI. Timeliness of Performance - Engineer shall perform its professional services with due and reasonable diligence consistent with sound professional practices.

XVII. Dispute Resolution. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to schedule a series of no less than two meetings of senior personnel of Client and Engineer in which the disagreement or conflict will be discussed. The first of such meetings will be scheduled as soon as possible following identification of such disagreement or conflict and the second meeting must occur within thirty (30) days following the initial meeting. Subsequent meetings, if any may be scheduled upon mutual agreement of the parties. The parties agree that these two meetings are conditions precedent to the institution of legal proceedings unless such meetings will adversely affect the rights of one or more of the parties as such rights relate to statutes of limitation or repose.

XVIII. Signatories. The Client and Engineer mutually warrant and represent that the representation of each who is executing this Agreement on behalf of the Client or Engineer, respectively, has full authority to execute this Agreement and bind the entity so represented.

XIX. AGREED REMEDIES - IN RECOGNITION OF THE RELATIVE RISKS AND BENEFITS OF THE PROJECT TO BOTH THE CLIENT AND THE ENGINEER, AND ACKNOWLEDGING THAT THE ALLOCATION OF RISKS AND LIMITATIONS OF REMEDIES ARE BUSINESS UNDERSTANDINGS BETWEEN THE PARTIES AND THESE RISKS AND REMEDIES SHALL APPLY TO ALL POSSIBLE LEGAL THEORIES OF RECOVERY. CLIENT FURTHER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS AGREEMENT OR ANY REFERENCE TO INSURANCE OR THE EXISTENCE OF APPLICABLE INSURANCE COVERAGE, THAT THE TOTAL LIABILITY, IN THE AGGREGATE, OF THE ENGINEER AND ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS TO THE CLIENT OR TO ANYONE CLAIMING BY, THROUGH OR UNDER THE CLIENT, FOR ANY AND ALL CLAIMS, LOSSES, COSTS OR DAMAGES WHATSOEVER ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO, THE SERVICES UNDER THIS AGREEMENT FROM ANY CAUSE OR CAUSES OF THE ENGINEER OR THE ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS, SHALL NOT EXCEED THE ENGINEER'S FEE FOR THE SERVICES PERFORMED UNDER THIS AGREEMENT OR \$50,000, WHICHEVER IS GREATER. INCREASED LIMITS MAY BE NEGOTIATED FOR ADDITIONAL FEE.

Further, it is the intent of the Parties to this Agreement that Engineer's services under this Agreement shall not subject Engineer's individual employees, officers or directors to any personal legal exposure for claims and risks associated with the services performed or performable under this Agreement.

XX. WAIVER - Any failure by Engineer to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Engineer may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS WHEREOF, the parties, having read and understood this Agreement, have executed such in duplicate copies, each of which shall have full dignity and force as an original, on the ____ day of _____, 20__.

HALFF ASSOCIATES, INC.

By:


Signature

Jeffrey J. Alvarez, P.E., CFM
Printed Name

Water Resources Team Leader
Title

10/11/17
Date

CITY OF SHERMAN , TEXAS

By:

Signature

Robby Hefton
Printed Name

City Manager
Title

Date

CITY OF SHERMAN , TEXAS

By:

Signature

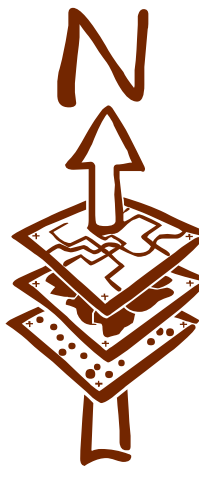
Clint Philpot, P.E.
Printed Name

Director of Engineering
Title

Date

CITY OF SHERMAN
100 Year Flood Plain

Source: City of Sherman
Date: April 2016



Scale in Feet:
1"= 2300'

2,300 1,150 0 2,300
Feet

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.3.

Meeting Date: 10/16/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6282

Authorizing the Execution of a Contract and Acceptance of a Conveyance Document from The Applied Psychology Group of Texoma, P.A. for the Conveyance and Acquisition of Property located at 1721 West Lamar Street, being 0.761 acres in the J.B. McAnair Survey, Abstract No. 763 in the City of Sherman, County of Grayson, State of Texas

Issue:

Authorizing the acquisition of property located at 1721 West Lamar Street in the City of Sherman

Background:

Damage to the property was caused by the August 13th rain event. The owner of the property is willing to voluntarily sell said property to the City in order to minimize or negate the risk of flood damage again to said property. The proposed property is within the limits of the flood plain and floodway. The City also owns the lot adjacent to this property.

Origination:

Engineering Department

Financial Consideration:

The sales price of \$170,000.00, along with closing costs, will be paid through funding made available through the 2017A Certificates of Obligation.

Staff Recommendation:

Staff recommends that the City Council approve the resolution to authorize the acquisition of the subject property.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6282

Contract of Sale of Commercial Property

Location Map

RESOLUTION NO. 6282

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT AND ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM THE APPLIED PSYCHOLOGY GROUP OF TEXOMA, P.A. FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 1721 WEST LAMAR STREET, BEING 0.761 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF 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 the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to accept execute a contract and accept a conveyance document from The Applied Psychology Group of Texoma, P.A. for the conveyance and acquisition of a tract of land located at 1721 West Lamar Street in the City of Sherman, Texas, being 0.761 acres in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, County of Grayson, State of Texas, in the same or substantially same form as the conveyance document to be prepared by Red River Title Company, attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the ____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

CONTRACT OF SALE OF COMMERCIAL PROPERTY

It is agreed that **THE APPLIED PSYCHOLOGY GROUP OF TEXOMA, P.A.** (Grantor) agrees to sell the commercial property located at **1721 W. LAMAR STREET, Sherman, Texas**, being 0.761 acres more or less in the J.B. McAnair Survey, Abstract No. 763, being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, to **THE CITY OF SHERMAN** (Grantee) for the total amount of **\$170,000.00**. Property is being purchased As-Is. Title Insurance will be obtained with Red River Title Company, at Grantee's expense, to ensure the proper payment of all liens, taxes, etc. affecting the property at closing. Grantor has 10 days to provide Red River Title with a survey of the above said property. If a survey is not received from Grantor, a new survey will be provided at Grantee's expense.

The Closing Date is set for 10-30, 2017.

The above information has been agreed upon and signed by all parties with the Execution Date of 10-6, 2017.

Signed:

Grantee: THE CITY OF SHERMAN


Robby Hefton, City Manager

10-06-2017
Date

Grantor: THE APPLIED PSYCHOLOGY GROUP OF TEXOMA, P.A.


Purvi Patel, Owner

10-06-2017
Date

EXHIBIT A
LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, being all of the 33,565 sq. ft. tract of land conveyed to Charles C. White by deed of record in Volume 1673, Page 620, of the Deed Records, Grayson County, Texas, less that 0.010 acre tract of land conveyed to the City of Sherman, Texas by deed recorded in Volume 2737, Page 382, of the Official Public Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a 1/2" steel rod in the north right-of-way line of Lamar Street at the southwest corner of the 0.766 acre tract of land conveyed to Jean J. Dowling by deed of record in Volume 2422, Page 450, of the Real Property Records, Grayson County, Texas, the southeast corner of said 33,565 sq. ft. tract;

Thence South 74° 48' 53" West with said north right-of-way line, a distance of 122.75 feet to a 1/2" steel rod set at the southeast corner of said 0.010 acre tract;

Thence North 15° 11' 07" West with the east line of said 0.010 acre tract, a distance of 9.84 feet to a 1/2" steel rod set at the northeast corner of said 0.010 acre tract;

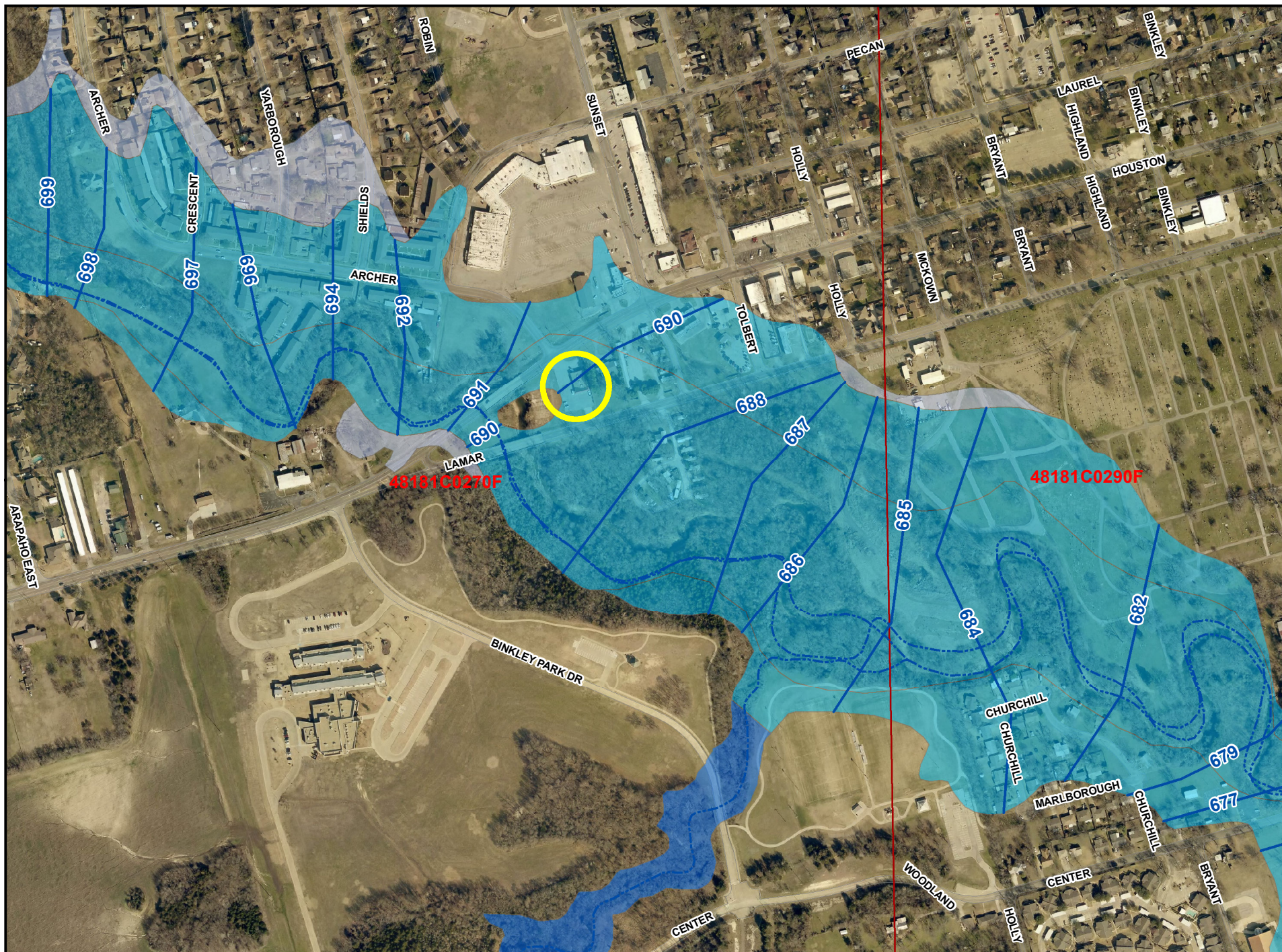
Thence South 74° 48' 53" West with the north line of said 0.010 acre tract, a distance of 45.55 feet to a 1/2" steel rod set at the southeast corner of the 0.535 acre tract of land conveyed to the City of Sherman, Texas by deed of record in Volume 2846, Page 791, of said Official Public Records, said rod being the northwest corner of said 0.010 acre tract;

Thence North 07° 35' 51" West with the east line of said 0.535 acre tract, a distance of 180.21 feet to a 1/2" steel rod set in the south right-of-way line of State Highway No. 56 at the northeast corner of said 0.535 acre tract, said rod being the northwest corner of said 33,565 sq. ft. tract;

Thence North 54° 53' 21" East with said south right-of-way line, a distance of 60.99 feet to a 1/2" steel rod at the beginning of a curve to the right;

Thence with said south right-of-way line and curve to the right having a radius of 1859.70 feet, a central angle of 02° 54' 52", and an arc length of 94.60 feet (chord bears North 56° 20' 47" East 94.59 feet) to the Point-of-Beginning and containing 0.761 acres of land.

1721 W. Lamar St.



1 inch = 500 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.4.

Meeting Date: 10/16/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6283

Authorizing the Acceptance of a Conveyance Document from Ralph Courtney and Jacqueline Courtney for the Conveyance and Acquisition of Properties located at 621-623, 625-627 and 633-635 Regency Circle and at 1134-1136 and 1138-1140 West Washington Street, being Lots 4,5,7 and 9 of the Replat of Belaire Third Addition to the City of Sherman, Texas, as shown by Plat of Record in Volume 3, Page 2 of the Plat Records of Grayson County, Texas, and approximately 0.22 acres in the J.B. McAnair Survey, Abstract No. 763, all properties being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes

Issue:

To consider the acceptance of a conveyance document for the acquisition of properties located at 621-623, 625-627 and 633-635 Regency Circle and at 1134-1136 and 1138-1140 West Washington Street in the City of Sherman

Background:

The Flood Mitigation Assistance (FMA) Program through the Federal Emergency Management Agency (FEMA) assists with funding for specific properties to be purchased voluntarily with each respective owner's consent. As this property is within the floodplain, it is a candidate for use under this program.

After purchase, the property will be cleared of all structures and maintained as an open space consistent with natural floodplain functions for the City of Sherman. This property will have special deed restrictions preventing any type of structure that would be consistently occupied. This purchase and restrictive covenant reduces the risk of any future property damage in addition to reducing any citizen risks when floodwaters rise. Said purchase will be handled by Kennedy & Minshew, P.C., with the conveyance document being prepared by Robert Minshew.

Origination:

Engineering Department

Financial Consideration:

The sales price of \$610,000.00, along with closing fees, will be funded and reimbursed through the 2015 Flood Mitigation Assistance Project Grant by FEMA at 90%.

Staff Recommendation:

Staff recommends that the City Council approve the resolution to authorize the acquisition of the subject property.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6283

Location Map

RESOLUTION NO. 6283

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM RALPH COURTNEY AND JACQUELINE COURTNEY FOR THE CONVEYANCE AND ACQUISITION OF PROPERTIES LOCATED AT 621-623, 625-627 AND 633-635 REGENCY CIRCLE AND AT 1134-1136 AND 1138-1140 WEST WASHINGTON STREET, BEING LOTS 4, 5, 7, AND 9 OF THE REPLAT OF BELAIRE THIRD ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 3, PAGE 2 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, AND APPROXIMATELY 0.22 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, ALL PROPERTIES BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; 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, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to accept a conveyance document from Ralph Courtney and Jacqueline Courtney for the conveyance and acquisition of tracts of land located at 621-623, 625-627 and 633-635 Regency Circle and at 1134-1136 and 1138-1140 West Washington Street in Sherman, Texas, being Lots 4, 5, 7, and 9 of the Replat of Belaire Addition to the City of Sherman, Texas, and approximately 0.22 acres in the J.B. McAnair Survey, Abstract No. 763, all properties being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes. Said conveyance document will be prepared by Robert Minshew as a part of the closing documents being contracted through Kennedy & Minshew, P.C.

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 _____, 2017.

CITY OF SHERMAN, TEXAS

**BY: _____
DAVID PLYLER, MAYOR**

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

621-623, 625-627, and 633-635 Regency Circle and 1134-1136 and 1138-1140 W. Washington Street



1 inch = 100 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.5.

Meeting Date: 10/16/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6284

Authorizing the Acceptance of a Conveyance Document from Ralph Courtney and Jacqueline Courtney for the Conveyance and Acquisition of Properties located at 629-631 and 638-640 Regency Circle, being Lots 6 and 8 of the Replat of Belaire Third Addition to the City of Sherman, Texas, as shown by Plat of Record in Volume 3, Page 2 of the Plat Records of Grayson County, Texas, said properties being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes

Issue:

Approval to acquire properties located at 629-631 and 638-640 Regency Circle in the City of Sherman, Texas

Background:

The proposed properties are well within the limits of the floodplain and floodway. The owner of the property is willing to voluntarily sell said properties to the City in order to minimize or negate the risk of flood damage to residential and non-residential properties.

Origination:

Engineering Department

Financial Consideration:

The sales price of \$248,000.00, less any payments from FEMA for the flood damage due to the storm on August 13, 2017, and including closing costs, will be funded through the 2017A Certificates of Obligation.

Staff Recommendation:

Staff recommends that the City Council approve the acquisition of the subject properties.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6284

Location Map

RESOLUTION NO. 6284

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM RALPH COURTNEY AND JACQUELINE COURTNEY FOR THE CONVEYANCE AND ACQUISITION OF PROPERTIES LOCATED AT 629-631 AND 638-640 REGENCY CIRLE, BEING LOTS 6 AND 8 OF THE REPLAT OF BELAIRE THIRD ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 3, PAGE 2 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, SAID PROPERTIES BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; 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, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to accept a conveyance document from Ralph Courtney and Jacqueline Courtney for the conveyance and acquisition of tracts of land located at 629-631 and 638-640 Regency Circle in the City of Sherman, Texas, being Lots 6 and 8 of the Replat of Belaire Third Addition to the City of Sherman, Texas, said properties being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes. Said conveyance document will be prepared by Robert Minshew as a part of the closing documents being contracted through Kennedy & Minshew, P.C.

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 _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

629-631 and 638-640 Regency Circle



1 inch = 100 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.6.

Meeting Date: 10/16/2017

Prepared By: Steve Ayers, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6285**

Authorizing Execution of a Contract with Parsons Commercial Roofing for Roof Repairs to the Equipment Services Center through the TIPS Purchasing Cooperative

Issue:

To obtain authorization to execute a contract with Parsons Commercial Roofing of Lorena, Texas, for roof repairs to the Equipment Services Center

Background:

The contract with Parsons Commercial Roofing is through the TIPS Purchasing Cooperative. The City Council authorized an Interlocal Agreement (ILA) between the City and the TIPS Purchasing Cooperative at the June 5, 2017 meeting. Contracts awarded under the TIPS Purchasing Cooperative fully satisfy statutory competitive bidding requirements.

Origination:

Building Maintenance Department

Financial Consideration:

Total projected costs for this project are \$81,268.00. Funding was approved in the fiscal year (FY) 2018 Capital Improvement Program (CIP) budget for this purchase.

Staff Recommendation:

Staff recommends the City Council authorize execution of the contract with Parsons Commercial Roofing for roofing repairs at the Equipment Services Center.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6285

Standard Form of Agreement

Resolution No. 6230 and TIPS Interlocal Agreement

RESOLUTION NO. 6285

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH PARSONS COMMERCIAL ROOFING FOR ROOF REPAIRS TO THE EQUIPMENT SERVICES CENTER THROUGH THE TIPS PURCHASING COOPERATIVE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved by the City Attorney, to execute a contract with Parsons Commercial Roofing of Lorena, Texas, through the TIPS Purchasing Cooperative for roof repairs to the Equipment Services Center at a total purchase price of Eighty-One Thousand Two Hundred Sixty-Eight Dollars and No Cents (\$81,268.00), in accordance with the terms and provisions of the contract documents and the TIPS Purchasing Cooperative Interlocal Agreement attached hereto and made a part hereof for all purposes. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2017-2018 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 _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



AIA[®] Document A101[™] – 2007

Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the September day of 26th
in the year 2017
(In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status, address and other information)

City of Sherman
PO Box 1106
Sherman, TX 75091

and the Contractor:
(Name, legal status, address and other information)

Parsons Commercial Roofing
605 E. Central
Lorena

for the following Project:
(Name, location and detailed description)

Fleet Maintenance
100 S. Rusk Sherman, TX

The Architect:
(Name, legal status, address and other information)

not applicable
not applicable
not applicable

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201[™]–2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

The Owner and Contractor agree as follows.

Init.

AIA Document A101[™] – 2007. Copyright © 1915, 1918, 1925, 1937, 1951, 1958, 1961, 1963, 1967, 1974, 1977, 1987, 1991, 1997 and 2007 by The American Institute of Architects. All rights reserved. **WARNING: This AIA[®] Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA[®] Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law.** This document was created on 09/26/2017 11:32:53 under the terms of AIA Documents-on-Demand[™] order no. 2009740018, and is not for resale. This document is licensed by the American Institute of Architects for one-time use only, and may not be reproduced prior to its completion.

TABLE OF ARTICLES

1	THE CONTRACT DOCUMENTS
2	THE WORK OF THIS CONTRACT
3	DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
4	CONTRACT SUM
5	PAYMENTS
6	DISPUTE RESOLUTION
7	TERMINATION OR SUSPENSION
8	MISCELLANEOUS PROVISIONS
9	ENUMERATION OF CONTRACT DOCUMENTS
10	INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below or provision is made for the date to be fixed in a notice to proceed issued by the Owner.

(Insert the date of commencement if it differs from the date of this Agreement or, if applicable, state that the date will be fixed in a notice to proceed.)

20 Days from Notice to Proceed

If, prior to the commencement of the Work, the Owner requires time to file mortgages and other security interests, the Owner's time requirement shall be as follows:

§ 3.2 The Contract Time shall be measured from the date of commencement.

Init.

§ 3.3 The Contractor shall achieve Substantial Completion of the entire Work not later than
 Thirty (30) days from the date of commencement, or as follows:
(Insert number of calendar days. Alternatively, a calendar date may be used when coordinated with the date of commencement. If appropriate, insert requirements for earlier Substantial Completion of certain portions of the Work.)

Portion of the Work

Substantial Completion Date

, subject to adjustments of this Contract Time as provided in the Contract Documents.
(Insert provisions, if any, for liquidated damages relating to failure to achieve Substantial Completion on time or for bonus payments for early completion of the Work.)

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be
 Eighty-One Thousand Two-Hundred Sixty-Eight Dollars Dollars
 (\$ 81,268.00), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 The Contract Sum is based upon the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:

(State the numbers or other identification of accepted alternates. If the bidding or proposal documents permit the Owner to accept other alternates subsequent to the execution of this Agreement, attach a schedule of such other alternates showing the amount for each and the date when that amount expires.)

Encapsulate existing wall transition with TAN Duro-Last membrane.

§ 4.3 Unit prices, if any:
(Identify and state the unit price; state quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit (\$0.00)
Rotten Gyp Deck	Per Square Feet	17.50

Init.

§ 4.4 Allowances included in the Contract Sum, if any:
(Identify allowance and state exclusions, if any, from the allowance price.)

Item

Price (\$0.00)

ARTICLE 5 PAYMENTS

§ 5.1 PROGRESS PAYMENTS

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

50% of contract due upon delivery of materials to job site

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the _____ day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the _____ day of the (same) (following) month. If an Application for Payment is received by the Architect after the application date fixed above, payment shall be made by the Owner not later than () days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form and supported by such data to substantiate its accuracy as the Architect may require. This schedule, unless objected to by the Architect, shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 Subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

- .1 Take that portion of the Contract Sum properly allocable to completed Work as determined by multiplying the percentage completion of each portion of the Work by the share of the Contract Sum allocated to that portion of the Work in the schedule of values, less retainage of _____ percent (_____ %). Pending final determination of cost to the Owner of changes in the Work, amounts not in dispute shall be included as provided in Section 7.3.9 of AIA Document A201™-2007, General Conditions of the Contract for Construction;
- .2 Add that portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction (or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing), less retainage of _____ percent (_____ %);
- .3 Subtract the aggregate of previous payments made by the Owner; and
- .4 Subtract amounts, if any, for which the Architect has withheld or nullified a Certificate for Payment as provided in Section 9.5 of AIA Document A201-2007.

Init.

§ 5.1.7 The progress payment amount determined in accordance with Section 5.1.6 shall be further modified under the following circumstances:

- .1 Add, upon Substantial Completion of the Work, a sum sufficient to increase the total payments to the full amount of the Contract Sum, less such amounts as the Architect shall determine for incomplete Work, retainage applicable to such work and unsettled claims; and
(Section 9.8.5 of AIA Document A201–2007 requires release of applicable retainage upon Substantial Completion of Work with consent of surety, if any.)
- .2 Add, if final completion of the Work is thereafter materially delayed through no fault of the Contractor, any additional amounts payable in accordance with Section 9.10.3 of AIA Document A201–2007.

§ 5.1.8 Reduction or limitation of retainage, if any, shall be as follows:

(If it is intended, prior to Substantial Completion of the entire Work, to reduce or limit the retainage resulting from the percentages inserted in Sections 5.1.6.1 and 5.1.6.2 above, and this is not explained elsewhere in the Contract Documents, insert here provisions for such reduction or limitation.)

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 FINAL PAYMENT

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Section 12.2.2 of AIA Document A201–2007, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

Remaining 50% due upon satisfactory completion of work.

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 INITIAL DECISION MAKER

The Architect will serve as Initial Decision Maker pursuant to Section 15.2 of AIA Document A201–2007, unless the parties appoint below another individual, not a party to this Agreement, to serve as Initial Decision Maker.

(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

§ 6.2 BINDING DISPUTE RESOLUTION

For any Claim subject to, but not resolved by, mediation pursuant to Section 15.3 of AIA Document A201–2007, the method of binding dispute resolution shall be as follows:

(Check the appropriate box. If the Owner and Contractor do not select a method of binding dispute resolution below, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.)

- ☐ Arbitration pursuant to Section 15.4 of AIA Document A201–2007
- ☐ Litigation in a court of competent jurisdiction
- ☐ Other: *(Specify)*

ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2007.

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2007.

ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2007 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located. *(Insert rate of interest agreed upon, if any.)*

§ 8.3 The Owner's representative:
(Name, address and other information)

Mike Grant
PO Box 1106
Sherman, TX 75091
903-815-1580

§ 8.4 The Contractor's representative:
(Name, address and other information)

Stuart Parsons
605 E. Central
Lorena, TX 76655
254-881-1733

§ 8.5 Neither the Owner's nor the Contractor's representative shall be changed without ten days written notice to the other party.

Init.

§ 8.6 Other provisions:

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§ 9.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated in the sections below.

§ 9.1.1 The Agreement is this executed AIA Document A101–2007, Standard Form of Agreement Between Owner and Contractor.

§ 9.1.2 The General Conditions are AIA Document A201–2007, General Conditions of the Contract for Construction.

§ 9.1.3 The Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
----------	-------	------	-------

§ 9.1.4 The Specifications:

(Either list the Specifications here or refer to an exhibit attached to this Agreement.)

Exhibit A-Attached scope of work.

Note: Owner understands and has been explained to that the mechanically fastened roof system will show the new roof fasteners through the underside of existing gyp deck. Spawling of existing deck may occur.

Section	Title	Date	Pages
---------	-------	------	-------

Init.

§ 9.1.5 The Drawings:

(Either list the Drawings here or refer to an exhibit attached to this Agreement.)

Number	Title	Date
--------	-------	------

§ 9.1.6 The Addenda, if any:

Number	Date	Pages
--------	------	-------

Portions of Addenda relating to bidding requirements are not part of the Contract Documents unless the bidding requirements are also enumerated in this Article 9.

§ 9.1.7 Additional documents, if any, forming part of the Contract Documents:

.1 AIA Document E201™–2007, Digital Data Protocol Exhibit, if completed by the parties, or the following:

.2 Other documents, if any, listed below:

(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201–2007 provides that bidding requirements such as advertisement or invitation to bid, Instructions to Bidders, sample forms and the Contractor's bid are not part of the Contract Documents unless enumerated in this Agreement. They should be listed here only if intended to be part of the Contract Documents.)

Init.

ARTICLE 10 INSURANCE AND BONDS

The Contractor shall purchase and maintain insurance and provide bonds as set forth in Article 11 of AIA Document A201-2007.

(State bonding requirements, if any, and limits of liability for insurance required in Article 11 of AIA Document A201-2007.)

Type of Insurance or Bond

N/A

Limit of Liability or Bond Amount (\$0.00)

N/A

This Agreement entered into as of the day and year first written above.

OWNER *(Signature)*

CONTRACTOR *(Signature)*

(Printed name and title)

Stuart Parsons Owner/President
(Printed name and title)

Init.

RESOLUTION NO. 6230

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 TIPS PURCHASING COOPERATIVE; 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 of Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Interlocal Agreement with the TIPS Purchasing Cooperative for the purchase of roofing services for repairs needed on multiple City facilities, in accordance with the terms and provisions of all contract documents attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED on this the 5th day of June, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

BY: David Plyer
DAVID PLYER, MAYOR

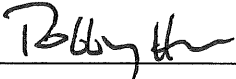
**APPROVED AS TO FORM
AND CONTENT:**

BY: Brandon S. Shelby
**BRANDON S. SHELBY,
CITY ATTORNEY**

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Public Member Entity:

City of Sherman
Entity Name

By: 
Authorized Signature

Title: Robby Hefton – City Manager

June 7, 2017
Date

Purchasing Cooperative Lead Agency:

Region VIII Education Service Center

By: _____
Authorized Signature

Title: Executive Director Region VIII ESC

Date

Public Entity Contact Information

Craig Long
Primary Purchasing Person Name

405 N. Rusk
Street Address

Sherman, Texas 75091
City, State Zip

903-892-7215
Telephone Number

903-891-0255
Fax Number

craigl@ci.sherman.tx.us
Primary Person Email Address

Tammy Davis
Secondary Person Name

tammyd@ci.sherman.tx.us
Secondary Person Email Address

If your entity does not require you to have an Interlocal Agreement, please go to the TIPS website under Membership and take advantage of online registration. The states of Texas and Arizona **do** require all entities to have an Interlocal Agreement. Other States or governmental jurisdictions may require an Interlocal agreement as well and you are advised to consult your legal counsel to determine the requirements for your entity. Email completed Interlocal Agreement to tips@tips-usa.com.

INTERLOCAL AGREEMENT
Region VIII Education Service Center
TEXAS PUBLIC ENTITY OR LOCAL GOVERNMENT
(School, College, University, State, City, County, or Other Political Subdivision)

City of Sherman

TEXAS PUBLIC ENTITY

Control Number (TIPS will Assign)

Region VIII Education Service Center
Pittsburg, Texas

225 - 950
County-District Number

Texas Education Code §8.002 permits regional education service centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university operations. In addition, authority is granted under Texas Government Code §§ 791.001 *et seq* as amended to enter into Interlocal agreements with said educational entities, as well as, other governmental entities and political subdivisions of Texas and other States. As authorized by applicable statutes and regulations, Cooperative Purchasing Services under this agreement are extended to all Texas State, City or County Government Agencies, or any other Government Entity as defined in the Texas Government Code § 791.003.

This Interlocal Agreement (hereinafter the "Agreement") is effective _____ and shall be automatically renewed unless either party gives sixty (60) days prior written notice of non-renewal. This Agreement may be terminated without cause by either party upon (60) days prior written notice, or may also be determined for cause at anytime upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:

Region VIII Education Service Center, by this Agreement, agrees to provide cooperative purchasing services to the above-named public entity through a Program known as the The Interlocal Purchasing System (TIPS) Program.

The purpose of the TIPS Program shall be to obtain substantial savings for participating School District, University, College, Community College, City, County or Other Public Agencies through cooperative purchasing.

Roles of the TIPS Purchasing Cooperative:

1. Provide for the organizational structure of the program.
2. Provide staff for efficient operation of the program.
3. Promote marketing of the TIPS Program.
4. Coordinate the Competitively Bid Process for all Vendor Awarded Contracts.
5. Provide members with procedures for placing orders through TIPS PO System.
6. Maintain filing system for Due Diligence Documentation.

Role of the Public Entity:

1. Commit to participate in the program by an authorized signature on membership forms.
2. Designate a Primary Contact and Secondary Contact for entity.
3. Commit to purchase products and services from TIPS Vendors when in the best interest of the entity.

4. Submit Purchase Orders and/or Vendor Contracts through the TIPS PO System by emailing the pdf document to tipspo@tips-usa.com.
5. Accept shipments of products ordered from Awarded Vendors.
6. Process Payments to Awarded Vendors in a timely manner.

General Provisions:

The Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

This Agreement shall be governed by the law of the State of Texas and venue shall be in the county in which the administrative offices of RESC VIII are located which is Camp County, Texas.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect.

The Parties to this Agreement expressly acknowledge and agree that all monies paid pursuant to this Agreement shall be paid from budgeted available funds for the current fiscal year of each such entity.

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation.

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

This Agreement may be negotiated and transmitted between the Parties by means of a facsimile machine and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region VIII Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide cooperative purchasing opportunities to public agencies.

This Agreement was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the Texas Open Meetings Act, Texas Government Code ch. 551. (If required by the entity.)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D.1.

Meeting Date: 10/16/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

REQUEST TO ADVERTISE

Construction of Northgate Drive Extension north to the intersection of the future West Travis Street

Issue:

Requesting permission to advertise for bids the construction of Northgate Drive Extension

Background:

The Northgate Drive extension is part of the West Travis Street extension design. This extension will open up the land west of Northgate Drive for further industrial development to the north. Also, the pending relocation of Fire Station No. 4 to Northgate Drive just north of Southeastern Freight Lines will require this road extension to occur. Staff is seeking permission to advertise for bids on construction of the Extension of Northgate Drive. This phase includes construction of water, drainage, and a 37-foot wide street.

Origination:

Engineering Department

Financial Consideration:

The project is funded by SEDCO; and the cost of advertising is expected to be less than \$200.00.

Staff Recommendation:

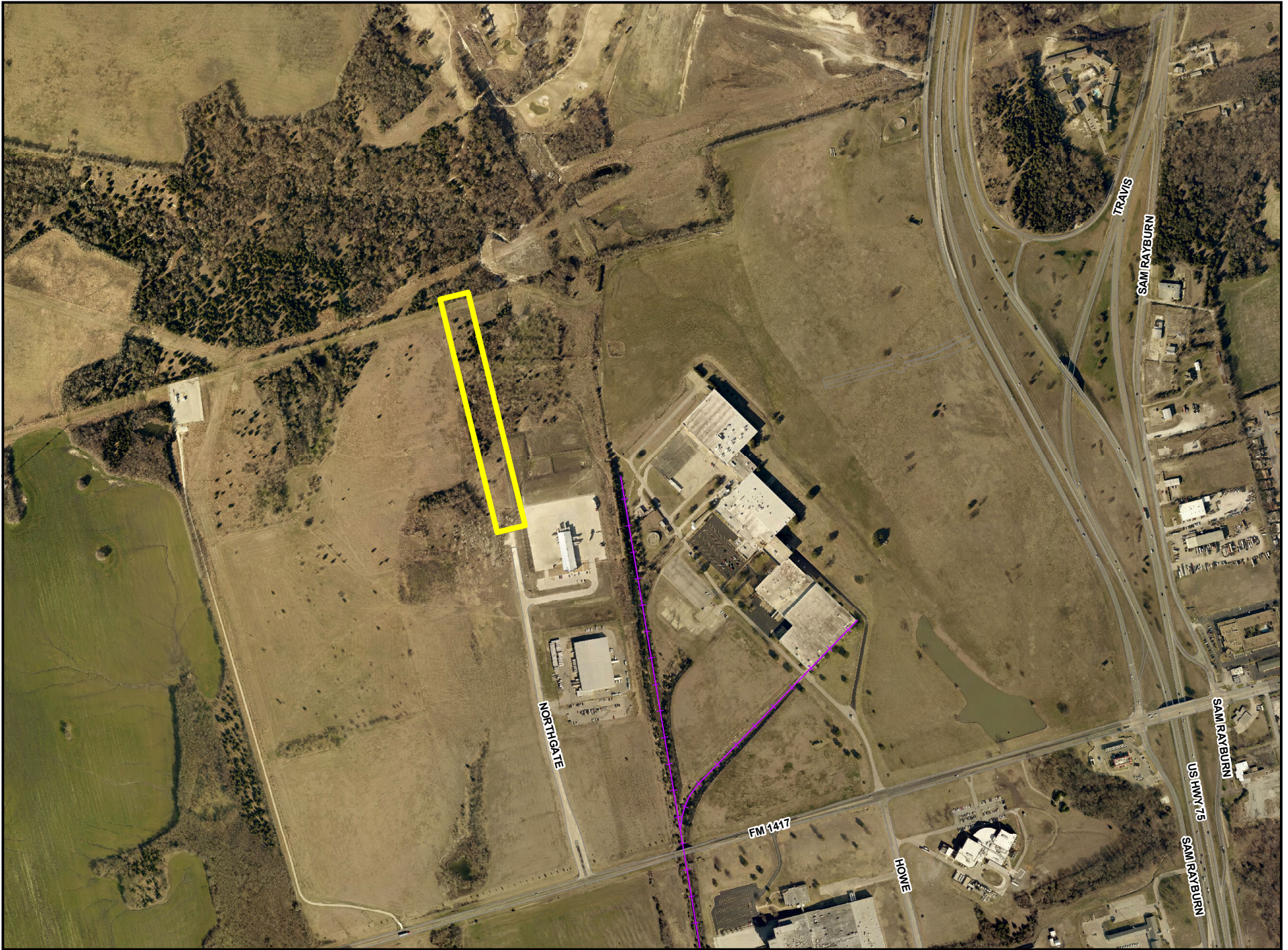
It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Location Map



1 inch = 800 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.1.

Meeting Date: 10/16/2017

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** CHANGE ORDER NO. 1**

Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 1; Sherman Industrial Park Replacement Sewer; Lynn Vessels Construction, LLC; \$5,376.51 Increase

Issue:

To consider approval of Change Order No. 1 for the Sherman Industrial Park Replacement Sewer

Background:

Change Order No. 1 provides additional compensation to the contractor to purchase an alternate pipe at pipe prices that were in effect prior to Hurricane Harvey.

Due to the impact of Hurricane Harvey on the gulf coast, Petro Chemical Industries, the manufacturers of pipe resins and pipe itself, have not been able to produce PVC pipe since the hurricane. Existing supplies of PVC pipe have been exhausted resulting in disruption of material supply chains. Manufacturers have enacted Force Majeure provisions in supply agreements with some manufacturers cancelling existing orders or only shipping product at increased prices.

The contractor for the Industrial Sewer project has been able to obtain the ribbed PVC pipe bid as an alternate pipe product at the pre-hurricane price from a supplier. The cost of this pipe alternate was \$5,376.51 more expensive than solid wall PVC pipe bid for this portion of the project.

It is proposed to utilize the alternate pipe for the initial portion of the project. The nominal price increase for the ribbed PVC pipe (\$5,376.51) more than offsets the \$39,142.80 increase in price for the solid wall pipe originally bid.

In addition, the contractor can start work on the initial phase of the project instead of waiting months for pipe. It is hoped that, by the time the remaining pipe is needed, the PVC pipe supply problem will have abated and the remainder of the pipe for the project can be obtained at reduced prices.

Origination:

Utility Administration

Financial Consideration:

The change order results in a \$5,376.51 increase in the contract amount, yielding a revised contract price of \$1,541,143.15.

Staff Recommendation:

It is recommended that the Greater Texoma Utility Authority's intent to approve Change Order No. 1 be approved.

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 1
Engineer's Recommendation
Pipe Suppliers Correspondence
Aerial Location Map

CHANGE ORDER NO. 1

PROJECT: City of Sherman – Industrial Sewer Replacement
OWNER: Greater Texoma Utility Authority
CONTRACTOR: Lynn Vessels Construction, LLC.
ENGINEER: Freeman - Millican, Inc.
Dallas, Texas
DATE: October 9, 2017

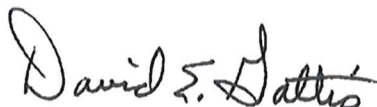
TO THE CONTRACTOR: You are hereby authorized, subject to the Contract provisions, make the following changes:

Because of the gulf coast hurricane interruption of supplies and plant floodings, PVC pipe suppliers are not holding bid prices. Prices have increased about 30%. Suppliers are claiming "Force Majeure". The contractor is authorized to proceed with the alternate 21" vylon pipe bid for the first part of the sewer. Refer to the attached SUPPORTING COST INFORMATION.

Original Contract Amount:	\$ 1,535,766.6
Net Addition/(Reduction) - Previous Change Orders	0.0
Addition/(Reduction) - This Change Order	\$5,376.5
Revised Contract Amount:	\$ 1,541,143.1

Original Contract Time:	240	Days
Time Extension/(Reduction) - Previous Change Orders	0	Days
Time Extension/(Reduction) - This Change Order	0	Days
Revised Contract Time	240	Days

RECOMMENDED:



Freeman - Millican, Inc.

10.9.2017

Date

APPROVED:



Contractor

10/10/2017

Date



TERRY MILLICAN, R.P.L.S.
VICTOR ACUY, P.E.
RICHARD A. DORMIER, P.E.
JOHN D. GATTIS, A.I.A.
DAMIR LULO, P.E.
MICHAEL K. STACEY, P.E.
LARRY J. FREEMAN, P.E.

October 10, 2017

Mr. Drew Satterwhite, P.E.
General Manager
Greater Texoma Utility Authority
5100 Airport Drive
Denison, Texas 75020

**Re: Sherman Industrial Sewer Replacement Project
Construction Change Order #1**

Dear Mr. Satterwhite:

The attached proposed change order #1 authorizes the contractor to use vylon pipe per alternate bid item AB.1 & AB.2 for the 21" part of the sewer project.

The proposed change order increases the contract price \$5,376.51. This is much less than the \$39,142.80 required by the price increase because of the gulf coast hurricane. Please refer to the attachments to the charge order.

We recommend that the GTUA approve the proposed change order #1 increasing the contract with Lynn Vessels Construction, LLC to \$1,541,143.15.

Sincerely,

FREEMAN - MILLICAN, INC.

David E. Gattis, P.E

Copy: Mark Gibson, Director of Utilities
City of Sherman, Texas

SUPPORTING COST INFORMATION FOR CHANGE ORDER #1

AB1	21" Vylon pipe by open cut, 0'-10'	3128 LF	\$58.50/ft	+\$0.89/ft
AB2	21" Vylon pipe by open cut, 10'-15'	1929 LF	\$68.45/ft	+\$0.92/ft

P.2	21" DR 35 PVC 0-10' deep by open cut	3128 LF	\$57.61/ft	
P.3	21" DR 35 PVC 10'-15' by open cut	1929 LF	\$67.53/ft	

P.8 & P.17 Bore and Aerial Crossings 919 LF

$3128 \text{ LF} + 919 \text{ LF} = 4047 \text{ LF} \times \$0.89 = \$3601.83$

$1929 \text{ LF} \times \$0.92 = \$1774.68 + 3601.83 = \textbf{+\$5376.51 for alternate 21" Vylon}$

Base bid 21" DR 35 PVC Pipe price today = \$27.10

Price at bid date = \$20.45

Increase = + \$6.55/ft x 5976 ft = **\$39,142.80**

Reference attached:

10-4-17 Morrison Supply price increase letter

Three Vendor Force Majeure letters

Bid Tabulation



Project: City of Sherman Industrial Sewer Replacement

Owner: City of Sherman / GTUA

Engineer: Freeman-Millican, Inc.

Date: October 4, 2017

To whom it may concern,

Lynn Vessels Construction (LVC, LLC.) has asked me to update pricing for the City of Sherman Council regarding the Sherman Industrial Project. The PVC market has been marred with heavy increases in the PVC Pipe and Fitting lines. With two major hurricanes hitting both the Texas Gulf Coast and Florida, PVC pipe has increase dramatically.

Below is a cost comparison from when the project bid (8-5-17) and current to today (10-4-17)

	8-5-17	10-4-17
6006' – 21" F679 PVC SEWER PIPE PS46	\$20.45/LF	\$27.10/LF
2912' – 18" SDR35 SEWER PVC PIPE	\$14.96/LF	\$19.45/LF
882' – 15" SDR35 SEWER PVC PIPE	\$9.95/LF	\$13.51/LF
56' – 12" SDR35 SEWER PVC PIPE	\$6.80/LF	\$9.29/LF

Hopefully, this will help regarding future projects and options that may need to be decided. Vylon has agreed to help LVC, LLC. on the above project by securing pricing for the duration of this project.

Please contact me back if you have any questions, concerns or issues. We appreciate the opportunity to serve our community and help our local contractors develop projects.

Thank you again for the time and consideration,

Chris Cornett

Morrison Supply Company

1119 Frisco Road
Sherman, TX 75090
903-893-6541 office



August 30, 2017

Dear Valued MORSCO Customer,

As you know, Hurricane Harvey has produced significant flooding and damage in the Gulf Coast of the U.S., particularly in the Houston, Texas area. Many of our vendors and raw material suppliers operate facilities directly impacted by this storm, creating a multitude of shipping, production, and raw supply issues.

We anticipate the greatest impact to be felt in our PVC and HDPE product lines, with a handful of manufacturers already instituting a declaration of "force majeure." This French phrase literally means "greater force" and is defined as "unforeseeable circumstances that prevent someone from fulfilling a contract." We have not yet seen every manufacturer of PVC, HDPE, and the like declare, but anticipate that this announcement is potentially coming.

Currently a majority of Texas Gulf Coast based ethylene and PE or PP plants are down, pending evaluation of services, and rail lines are being evaluated for their safety to carry materials. This will be an ongoing process for the next week or so.

These circumstances will lead to significant price increases on HDPE and PVC. There may also be potential shortages of materials, given the anticipated down time that plants and rail lines may experience. With this in mind, anything quoted must be ordered and shipped within 7 days or the terms on quotations may be altered. Please refer to any specific quotations you receive from Fortiline sales reps.

MORSCO is sending you this information to make you aware of the current situation, and assure you that we are taking all measures possible to limit the impact these circumstances may have to your business.

As always, we will strive to give you the materials and service in the professional manner you expect from us. We thank you in advance for your patience and understanding.

Sincerely,

Mike Swedick
President, MORSCO Plumbing



12500 Jefferson Avenue
Newport News, VA 23602
Phone: (757) 874-7795
Fax: (757) 989-2501

September 13, 2017

www.ferguson.com

To Our Valued Customers:

Recent hurricane activity has resulted in a disruption of materials supply chains necessary for the manufacture of PVC and HDPE pipe and fittings. This has in turn led to in disruption of the supply chain from manufacturers and distributors. The scope of damage to the supply chain and duration of impact is still unknown and we will continue to update you as we obtain more information.

Manufacturers have enacted Force Majeure provisions in supply agreements, with some manufacturers cancelling existing orders or shipping product only at increased pricing. These Acts of God are beyond our control and will have an impact on pricing and delivery times until the market stabilizes but we will continue to communicate information as we receive it and are committed to working with all of our customers to the best of our ability.

Thank you for your understanding as we work through these challenges together.

Sincerely,

Ferguson Enterprises, Inc.

A handwritten signature in black ink, appearing to read 'Bill Thees'.

By: Bill Thees
Senior Vice President - Waterworks



North American Pipe Corporation

North American Pipe Corporation, a Westlake Chemical company
2801 Post Oak Blvd., Suite 600 ■ Houston, Texas 77056
Tel 713.840.7473 ■ Fax 713.552.0087

Date: September 11, 2017
To: All Municipal and Plumbing Customers
From: John Stott, Vice President - Sales
Subject: PVC Pipe Orders

Due to the continuing challenges in the PVC industry, including raw material and transportation constraints, we are increasing our prices and implementing the following policies, effective immediately.

- A two truck max on stock orders, per month, to each distributor location, subject to our ability to ship.
- Orders that have been accepted and for which we have begun shipping to jobsites will be honored. They must be released for shipment and are subject to our ability to ship.
- Orders that have not yet been accepted will be priced at the price in effect at the time of shipment. If you choose to keep an outstanding order active, we will require a revised purchase order with the new pricing parameters. All orders must be released for shipment and are subject to our ability to ship.
- If we are unable to ship, orders will be re-priced at the time of shipment.
- Scheduling information can't be provided until information is entered into Salesforce.

If you have any questions regarding product availability or this price increase, please contact your Regional Sales Manager or local North American Pipe sales representative.

We appreciate your business and look forward to continuing to serve your PVC pipe needs.

DIAMOND PLASTICS®

C O R P O R A T I O N

Corporate Headquarters: 1212 Johnstown Rd. • P.O. Box 1608 • Grand Island, NE 68802-1608
800-PVC-PIPE • 800/782-7473 • www.dpcpipe.com

August 28, 2017

TO: Diamond Plastics Customers

FROM: D. Bauer, J. Parkinson, and S. Yentes

SUBJECT: Hurricane Harvey Market Impacts

Copy: Utility & Ag Sales Representatives

We are issuing this update in an effort to provide you with information you can pass along to your customers. At this time we do not know the full impact Harvey will have on our ability to supply pipe. Until such time that we have that information, we will operate day to day. Due to this lack of solid information we are forced to be somewhat selective in the types of orders we are willing to accept. Immediate release orders will be easiest to evaluate as they are based on current inventory and schedules.

It is possible that over the next week or two we will be given a force majeure from our resin supplier and be forced to proceed accordingly. At that time we will evaluate and modify pricing on all in-house orders and quotes based upon the severity of the situation.

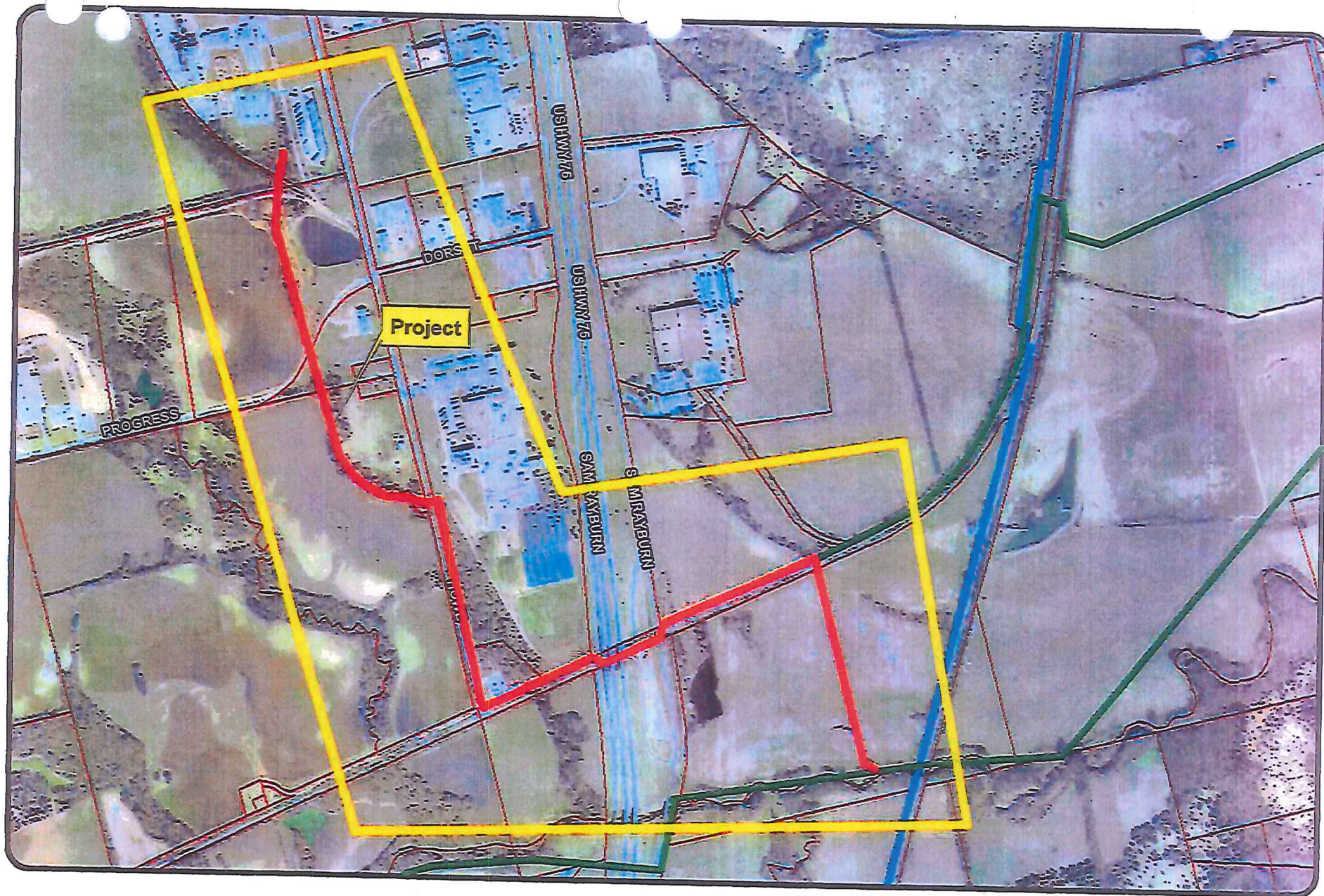
However, at this time we do not know what the actual situation is for the PVC resin industry. The vast majority of resin supply is produced along the Texas & Louisiana coasts. Both states are facing severe flooding and damage due to winds and our thoughts and prayers are with our fellow Americans who are dealing with the life altering impacts of this storm.

As we learn more we will pass it on to you.

Celebrating Over 30 Years of Excellence

Manufacturing Locations:

Grand Island, Nebraska - Lubbock, Texas - Macon, Georgia - Muncie, Indiana
Golconda, Nevada - Plaquemine, Louisiana - Casa Grande, Arizona



Sherman
CLASSIC TOWN, BROAD HORIZON.
ENGINEERING DEPARTMENT

Location Map:
Industrial Sewer



1 inch = 1,000 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.1.

Meeting Date: 10/16/2017

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

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

Issue:

The City of Sherman Finance Department has received the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended September 30, 2016.

Background:

The Certificate of Achievement for Excellence in Financial Reporting has been awarded for the 30th consecutive year to the City of Sherman by the Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report (CAFR). This award is the highest form of recognition in the area of governmental accounting and financial reporting; and its attainment represents a significant accomplishment by a government and its management. The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate the City's financial story and motivate potential users and user groups to read the CAFR. It speaks well of the City of Sherman, the Finance Department, and all operating departments that play a role in the financial reporting process. It also reflects favorably on the external audit firm that has been an important part of the financial reporting process.

Origination:

City Manager's Office

Financial Consideration:

None

Staff Recommendation:

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

Attachments

2016 CAFR Award Certificate



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

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Finance Department
City of Sherman, Texas



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

Executive Director

Christopher P. Morill

Date September 11, 2017



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.2.

Meeting Date: 10/16/2017

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Approve the Quarterly Investment Reports for Quarter Ended September 30, 2017

Issue:

To approve the Investment Reports for the quarterly period ending September 30, 2017

Background:

These reports are being presented in accordance with the state law that requires at least quarterly presentation to the Council. A separate report is included for the Debt Proceeds portfolio that includes the Tax Note and 2016 and 2017 Certificates of Obligation proceeds, as required by the Investment Policy. The reports were given to the Investment Committee prior to submittal to the Council.

As of September 30, 2017, the portfolios were in compliance with applicable state laws but not in compliance with the City's internal Investment Policy. The weighted-average maturity for the operating portfolio was at 510 days; but the investment policy maximum is set at 500 days. This situation was identified on October 6th; and the portfolio was brought back into compliance at that time. There was no additional risk of loss associated with this instance of non-compliance; the portfolio limits were simply outside the target set by the policy.

The Operating investment portfolio had a book value of about \$14 million, a decrease of about \$3.1 million from prior quarter of \$17.1 million, due to the maturity of a U.S. Agency Security, maturities of several State of Texas Obligations, and withdrawals from Local Government Investment Pools. The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid; and its weighted-average maturity was about 510 days, an increase of twelve (12) days from last quarter. The portfolio yield of 1.29% for the quarter is two (2) basis points below the benchmark yield of 1.31%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

The Debt Proceeds portfolio balance of \$21.4 million was invested in a Local Government Investment Pool, an FDIC Insured Investment Account, and a U.S. Agency security. Current period transactions included the addition of interest income and approximately \$2.1 million for project payments. The yield of 1.05% was above the benchmark yield of .96% for this portfolio. Book value and market value were about the same.

Origination:

Finance

Financial Consideration:

None

Staff Recommendation:

It is recommended that the Council accept the Investment Reports as presented.

Alternatives:

The Council could offer suggestions for improvement or could request more frequent reporting.

Attachments

Investment Committee Memo and Reports for QE September 30, 2017



memorandum

DATE: Tuesday, October 10, 2017

TO: The City of Sherman Investment Committee
Councilman Jason Sofey
Councilwoman Pam Howeth
Robby Hefton, City Manager

CC: Steve Ayers, Assistant City Manager

FROM: Mary Lawrence, Director of Finance *ml*

SUBJECT: Investment Reports for the Quarter Ended September 30, 2017

Enclosed is a copy of the quarterly investment reports for September 30, 2017. As of that date, the City was in compliance with all applicable state laws but was not in compliance with the City's investment policy for the portfolio. The weighted-average maturity was at 510 days but the investment policy maximum is set at 500 days. This situation was identified on October 6 and the portfolio was brought back into compliance at that time.

The total operating portfolio balance of about \$14 million decreased by about \$3.1 million from the previous quarter due to the maturity of a U.S. Agency, State of Texas political subdivision issues, and withdrawals from a Local Government Investment Pool. No purchases were made. The underlying investments were adequately diversified among four different types of securities. The portfolio's weighted-average maturity of about 510 days increased from last quarter due to withdrawals from the Local Government Investment Pool. The portfolio yield of 1.29% was 2 basis point below our benchmark 1-year Constant Maturity Treasury Index of 1.31%. Book value closely approximated market value.

The debt proceeds portfolio balance of \$21.4 million had decreased by about \$2.1 million due to payments for capital projects. The underlying investments were invested in a Local Government Investment Pool, a U.S. Agency security, and an FDIC insured money market account.

The investment reports will be on the October 16, 2017 City Council agenda for their review and approval. Please call me if you have any questions about this item.

attachment (as stated above)

CITY OF SHERMAN, TEXAS
INVESTMENT PORTFOLIO SUMMARY
For the Quarter Ending September 30, 2017

	Total Portfolio Summary		
	Current Quarter 9/30/2017	Prior Quarter 6/30/2017	Change From Prior Quarter
Book Value	\$ 14,027,014	\$ 17,118,774	\$ (3,091,760)
Market Value	\$ 13,990,342	\$ 17,076,128	\$ (3,085,786)
Weighted Average Maturity - Days	510	498	12
Weighted Average Yield	1.289%	1.213%	0.076%
Earned Income	\$ 24,652	\$ 35,357	\$ (10,705)
Earned Income - Year-to-Date	\$ 137,055	\$ 112,403	\$ 24,652

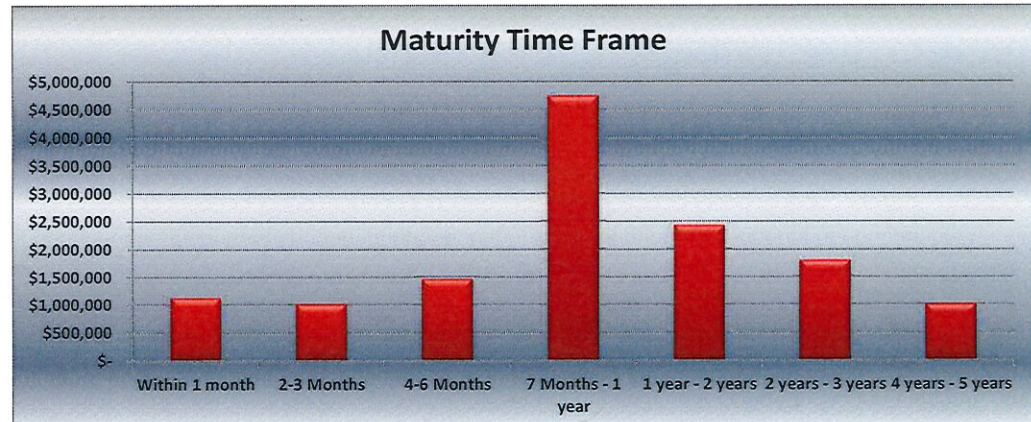
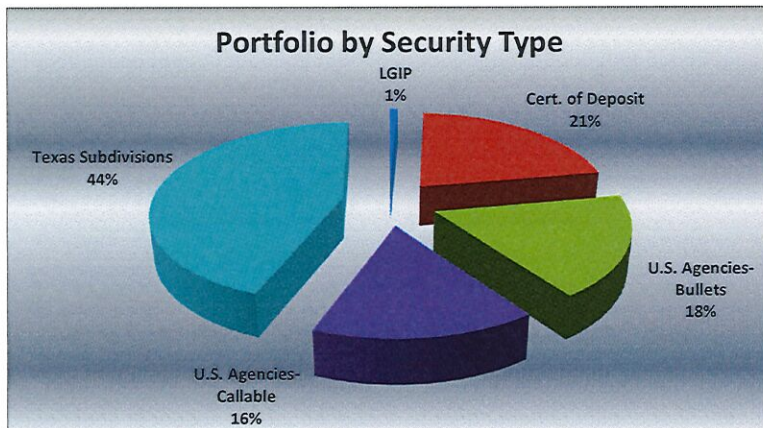
This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law.

As of September 30, 2017, the City's portfolio had a book value of about \$14 million, which approximates market value. Of this amount, approximately \$0.1 million was held in Local Government Investment Pools (LGIP), \$3.0 million was held in Certificates of Deposit (CD), \$4.7 million was held in U.S. Agency Securities and \$6.2 million was held in State of Texas political subdivision obligations.

The portfolio value decreased by \$3.1 million from the previous quarter due to maturity of a \$1.0 million U.S. Agency security and \$0.9 million State of Texas political subdivision obligations, with \$1.2 million withdrawn from Local Government Investment Pools (LGIP).

The weighted average yield on the portfolio was 1.29%, 2 basis points below the 1-year Constant Maturity Treasury Index of 1.31% and .08 basis points above the previous quarter.

The weighted average maturity of the portfolio increased from 498 days at June 30, 2017 to 510 days at September 30, 2017. This exceeds the maximum weighted average maturity allowed by policy by 10 days. The situation was identified and corrected on October 6, 2017 bringing it into compliance at 494 days.



Mary Lawrence

Mary Lawrence, Finance Director and City of Sherman Investment Officer

Tammy Davis

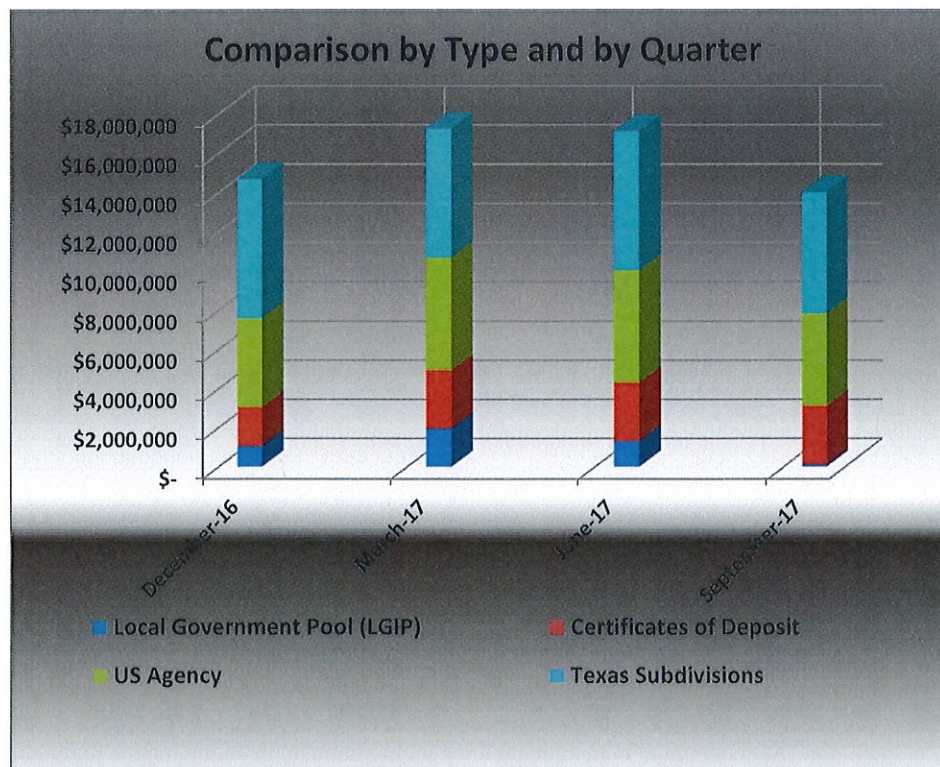
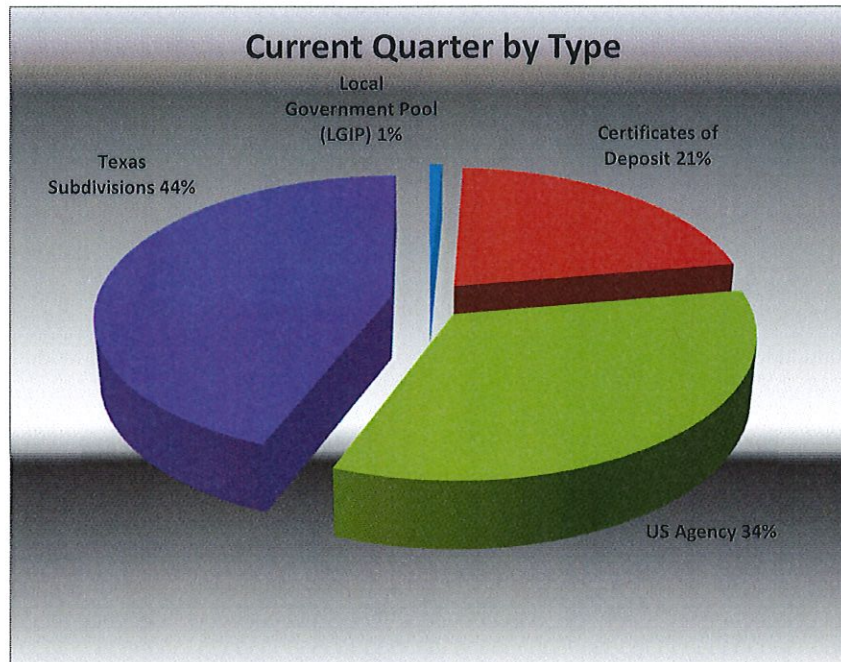
Tammy Davis, Controller and City of Sherman Investment Officer

CUSIP	Settlement Date	Security Type	Security Description	CPN Rate	Maturity Date	Credit Rating	Par Value	Purchase Price	Original Cost	Book Value	Market Price	Market Value	Days to Maturity	YTM
Tex-Pool		LGIP	TexPool			AAAm	\$ 13,076	100.00	\$ 13,076	\$ 13,076	100.00	\$ 13,076	1	1.00%
TexStar		LGIP	TexSTAR			AAAm	93,316	100.00	93,316	93,316	100.00	93,316	1	1.02%
CD 4176805655	4/8/2016	CD	Landmark Bank	0.74%	10/8/2017		1,000,000	100.00	1,000,000	1,009,203	100.00	1,009,203	8	0.74%
CD 4176806562	2/22/2017	CD	Landmark Bank	1.15%	8/22/2018		1,000,000	100.00	1,000,000	1,005,711	100.00	1,005,711	326	1.15%
CD 4176806687	3/27/2017	CD	Landmark Bank	1.13%	3/27/2018		1,000,000	100.00	1,000,000	1,005,705	100.00	1,005,705	178	1.13%
31315PZ28	2/17/2016	Agency Bullet	Farmer Mac	1.20%	12/22/2017	AA+	1,000,000	100.70	1,006,987	1,000,860	100.06	1,000,574	83	0.82%
67381PKE1	12/17/2014	Texas Subdivision	Oakmont TX PUD	2.00%	3/1/2018	A3	225,000	102.09	229,712	225,492	100.35	225,797	152	1.33%
232425NB0	2/24/2016	Texas Subdivision	CY-Champ TX PUD	2.00%	3/1/2018	AA	225,000	102.20	229,941	226,021	100.19	225,428	152	0.90%
667489FV5	2/24/2015	Texas Subdivision	NW Harris Co TX MUD #6	2.00%	4/1/2018	A2	210,000	102.74	215,748	210,944	100.43	210,895	183	1.10%
643161HB1	5/21/2015	Texas Subdivision	New Caney TX MUD	2.00%	4/1/2018	Aa3	270,000	101.36	273,672	270,642	100.20	270,551	183	1.51%
414911JL2	2/25/2015	Texas Subdivision	Harris Co TX MUD #119	2.00%	5/1/2018	A3	135,000	102.81	138,789	135,705	100.50	135,671	213	1.10%
313379DT3	3/1/2016	Agency Bullet	FHLB	1.25%	6/8/2018	AA+	1,000,000	100.71	1,007,060	1,002,135	99.97	999,745	251	0.94%
41421GFW4	2/27/2015	Texas Subdivision	Harris Co TX MUD # 468	2.00%	9/1/2018	A3	740,000	102.47	758,248	744,783	100.80	745,890	336	1.28%
82620YFZ1	6/19/2015	Texas Subdivision	Sienna Plantation MUD	2.00%	9/1/2018	A3	230,000	100.86	231,978	230,571	100.61	231,412	336	1.73%
34680CDA4	6/23/2015	Texas Subdivision	Ft Bend Co TX MUD #128	2.00%	9/1/2018	A3	650,000	102.02	663,130	653,774	100.39	652,522	336	1.35%
955496GC2	8/6/2015	Texas Subdivision	W Ranch TX Mgmt Dist	1.65%	9/1/2018	A3	340,000	100.60	342,030	340,608	99.65	338,817	336	1.45%
41421DRU2	3/24/2016	Texas Subdivision	Harris Co TX MUD #419	3.00%	9/1/2018	AA	140,000	104.43	146,203	142,339	101.59	142,225	336	1.15%
31331KB74	9/30/2015	Agency Bullet	FFCB	1.88%	3/29/2019	AA+	500,000	102.46	512,290	505,249	100.53	502,669	545	1.12%
88213ACF0	7/23/2015	Texas Subdivision	TX St A&M Sys Brd	4.00%	5/15/2019	AA+	500,000	108.07	540,330	517,152	103.66	518,285	592	1.80%
207435MH8	6/1/2016	Texas Subdivision	Conally TX Consol ISD	3.00%	8/15/2019	AAA	150,000	106.42	159,635	155,633	103.13	154,697	684	0.96%
34683CJU1	5/5/2016	Texas Subdivision	Ft Bend Co TX MUD #133	2.00%	9/1/2019	A3	100,000	102.76	102,762	101,602	101.23	101,226	701	1.15%
8827235D7	12/7/2016	Texas Subdivision	TXBL Ref TX Pub Fin Auth Military	4.00%	10/1/2019	AAA	250,000	106.48	266,205	261,507	104.46	261,143	731	1.64%
3134GA2P8	3/2/2017	Agency Callable	FHLMC	1.55%	11/27/2019	AA+	1,200,000	99.99	1,199,880	1,199,902	99.79	1,197,505	788	1.55%
414229FG8	5/5/2016	Texas Subdivision	Harris Co TX MUD #500	4.00%	12/1/2019	AA	315,000	107.76	339,435	329,985	103.68	326,605	792	1.75%
414935LK0	5/3/2016	Texas Subdivision	Harris Co MUD #120	2.00%	9/1/2019	AA	395,000	102.09	403,252	400,561	100.76	398,002	701	1.49%
41456PHW0	8/11/2016	Texas Subdivision	Harris-Montgomery TX MUD # 386	2.00%	9/1/2019	Aa3	350,000	103.16	361,050	358,162	100.73	352,552	701	1.20%
038395EP0	9/6/2016	Texas Subdivision	Aquilla TX Water SUD Series A	3.25%	9/1/2019	A	200,000	107.96	215,910	211,648	104.80	209,602	701	1.20%
038395FD6	9/6/2016	Texas Subdivision	Aquilla TX Water SUD Series B	3.25%	9/1/2019	A	160,000	106.95	171,114	168,137	102.72	164,357	701	1.45%
34679RNB1	6/6/2017	Texas Subdivision	Fort Bend Co TX MUD #23-A	2.00%	9/1/2021	A3	500,000	101.43	507,125	506,591	101.45	507,235	1,432	1.65%
3134GBRT1	6/29/2017	Agency Callable	FHLMC	2.00%	6/29/2022	Aaa	1,000,000	100.00	1,000,000	1,000,000	98.99	989,926	1,733	2.00%
Total							\$ 13,891,392	\$	14,128,876	\$ 14,027,014	\$	13,990,342		

CUSIP	Settle Date	Security Description	Maturity Date	Market Value 6/30/2017	Change in Market Value	Market Value 9/30/2017
Tex-Pool		TexPool		\$ 413,066	\$ (399,990)	\$ 13,076
TexStar		TexSTAR		892,903	(799,587)	93,316
CD 4176805655	4/8/2016	Landmark Bank	10/8/2017	1,007,345	1,858	1,009,203
CD 4176806562	2/22/2017	Landmark Bank	8/22/2018	1,002,804	2,907	1,005,711
CD 4176806687	3/27/2017	Landmark Bank	3/27/2018	1,002,848	2,857	1,005,705
887127TM0	2/24/2015	Timberline TX UD	8/1/2017	475,309	(475,309)	-
97000PHG8	4/19/2016	William Co TX MUD #10	8/1/2017	105,078	(105,078)	-
3130AOWJ5	3/6/2014	FHLB	8/7/2017	999,827	(999,827)	-
3468PAW6	3/17/2016	Ft Bend Co TX MUD #137	9/1/2017	300,894	(300,894)	-
31315PZ28	3/17/2016	Farmer Mac	12/22/2017	1,000,752	(178)	1,000,574
67381PKE1	12/17/2014	Oakmont TX PUD	3/1/2018	225,722	75	225,797
23242NBO	2/24/2016	CY-Champ TX PUD	3/1/2018	226,307	(879)	225,428
667489FV5	2/24/2015	NW Harris Co TX MUD #6	4/1/2018	211,373	(478)	210,895
643161HB1	5/21/2015	New Caney TX MUD	4/1/2018	270,875	(324)	270,551
414911JL2	2/25/2015	Harris Co TX MUD #119	5/1/2018	135,980	(309)	135,671
313379DT3	2/29/2016	FHLB	6/8/2018	999,633	112	999,745
41421GFW4	2/27/2015	Harris Co TX MUD # 468	9/1/2018	747,311	(1,421)	745,890
8260YFZ1	6/19/2015	Sienna Plantation MUD	9/1/2018	231,743	(331)	231,412
34680CDA4	6/23/2015	Ft Bend Co TX MUD #128	9/1/2018	653,068	(546)	652,522
955496GC2	8/6/2015	W Ranch TX Mgmt Dist	9/1/2018	338,654	163	338,817
41421DRU2	3/24/2016	Harris Co TX MUD #419	9/1/2018	142,794	(569)	142,225
31331KB74	9/30/2015	FFCB	3/29/2019	503,865	(1,196)	502,669
88213ACFO	7/23/2015	TX St A&M Sys Brd	5/15/2019	520,850	(2,565)	518,285
207435MH8	6/1/2016	Conally TX Consol ISD	8/15/2019	155,037	(340)	154,697
34683CJU1	5/5/2016	Ft Bend CO TX MUD #133	9/1/2019	101,192	34	101,226
8827235D7	12/7/2016	TXBL Ref TX Pub Fin Auth Military	10/1/2019	262,373	(1,230)	261,143
3134GA2P8	3/2/2017	FHLMC	11/27/2019	1,199,226	(1,721)	1,197,505
414229FG8	5/5/2016	Harris Co TX MUD #500	12/19/2019	328,337	(1,732)	326,605
414935LK0	5/3/2016	Harris Co TX MUD #120	9/1/2019	397,259	743	398,002
4146PHWO	9/6/2016	Harris-Montgomery TX MUD #386	9/1/2019	351,855	697	352,552
038395EPO	9/6/2016	Aquilla TX Water SUD Series A	9/1/2019	210,054	(452)	209,602
038395FD6	9/6/2016	Aquilla TX Water SUD Series B	9/1/2019	164,851	(494)	164,357
34679RNB1	6/6/2017	Fort Bend Co TX MUD #23-A	9/1/2021	505,760	1,475	507,235
3134GBRT18	6/29/2017	FHLMC	6/29/2022	991,183	(1,257)	989,926
Total				\$ 17,076,128	\$ (3,085,786)	\$ 13,990,342

Trade Date	Settle Date	CUSIP	Security Description	Coupon	Maturity Date	Call Date	Par Value	Principal Amount	Interest Purchased/Received	Total Amount	YTM
<u>Maturities</u>											
	7/3/2017	TexPool	LGIP	0.97%			\$ 400,000	\$ 400,000	\$ -	\$ 400,000	0.97%
	7/13/2017	TexStar	LGIP	0.98%			800,000	800,000	-	800,000	0.98%
	8/1/2017	887127TMO	Timberline TX Utility Dist	2.00%	8/1/2017		475,000	475,000	4,750	479,750	0.90%
	8/1/2017	97000PHG8	William Cnty TX MUD 310	2.00%	8/1/2017		105,000	105,000	1,050	106,050	0.90%
	8/7/2017	3130A0WJ5	FHLB	1.02%	8/7/2017		1,000,000	1,000,000	5,100	1,005,100	0.95%
	9/1/2017	3468PAW6	Fort Bend Co TX MUD #137	3.00%	9/1/2017		300,000	300,000	4,500	304,500	0.96%
<u>Purchases</u>											
<u>Income Payments</u>											
	9/30/2017	TexPool	LGIP	1.00%			13,076		54	54	1.00%
	9/30/2017	TexStar	LGIP	1.02%			93,316		493	493	1.02%
	9/27/2017	CD 4176806687	Landmark Bank	1.13%	3/27/2018		1,000,000		2,856	2,856	1.13%
	7/13/2017	CD 4176805655	Landmark Bank	0.74%	10/13/2017		1,000,000		1,858	1,858	0.74%
	8/22/2017	CD 4176806562	Landmark Bank	1.15%	8/22/2018		1,000,000		2,907	2,907	1.15%
	8/1/2017	414935LKO	Harris CO MUD	1.49%	8/1/2020		395,000		3,950	3,950	1.49%
	8/15/2017	207435MH8	Conally TX Consol ISD	3.00%	8/15/2019		150,000		2,250	2,250	0.96%
	9/1/2017	67381PKE1	Oakmont PUB Utility Dist	2.00%	3/1/2018		225,000		2,250	2,250	1.33%
	9/1/2017	232425NBO	CYCUTL	2.00%	3/1/2018		225,000		2,250	2,250	0.90%
	9/1/2017	82620YFZ1	Sienna Plantation TX MUD	2.00%	9/1/2018		230,000		2,300	2,300	1.73%
	9/1/2017	41421DRU2	Harris Co TX MUD	3.00%	9/1/2018		140,000		2,100	2,100	1.15%
	9/1/2017	34680CDA4	FT Bend Cnty TX MUD#128	2.00%	9/1/2018		650,000		6,500	6,500	1.35%
	9/1/2017	955496GC2	W Ranch TX Mgmt Dist	1.65%	9/1/2018		340,000		2,805	2,805	1.45%
	9/1/2017	41421GFW4	Harris Cnty MUD #468	2.00%	9/1/2018		740,000		7,400	7,400	1.28%
	9/1/2017	34683CJU1	FT Bend Cnty TX MUD#133	2.00%	9/1/2019		100,000		1,000	1,000	1.15%
	9/1/2017	038395FD6	Aquilla TX Water SUD Series B	3.25%	9/1/2020		160,000		2,600	2,600	1.45%
	9/1/2017	038395EP0	Aquilla TX Water SUD	3.25%	9/1/2020		200,000		3,250	3,250	1.20%
	9/1/2017	41456PHWO	Harris Co TX MUD #386	2.00%	9/1/2020		350,000		3,500	3,500	1.20%
	9/1/2017	34679RNB1	Ft. Bend Cnty TX MUD # 23	2.00%	9/1/2021		500,000		2,500	2,500	1.65%
	9/29/2017	31331KB74	FFCB	1.88%	3/29/2019		500,000		4,688	4,688	1.12%
Total									\$ 72,910		

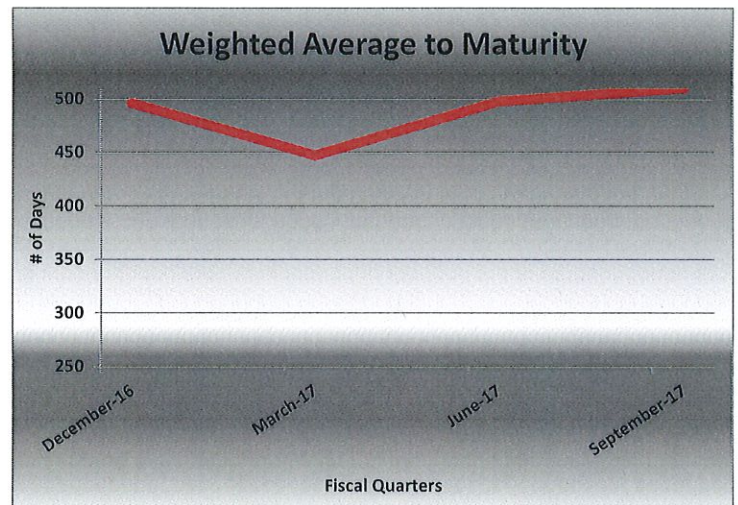
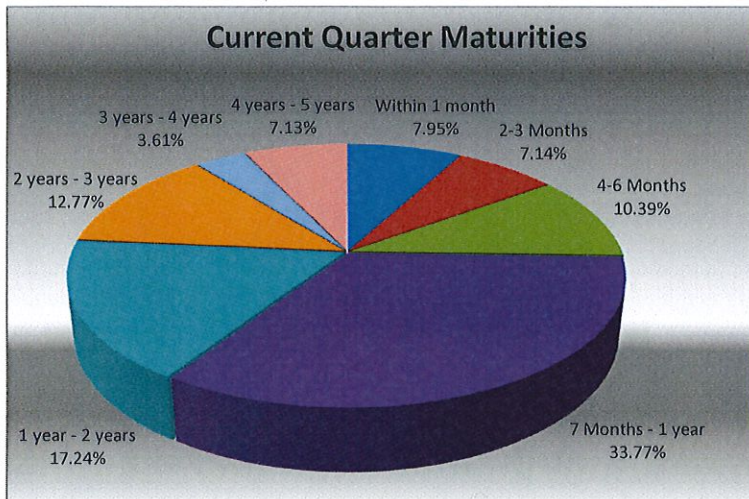
Cash/Investment Type	Balance 12/31/2016	Balance 3/31/2017	Balance 6/30/2017	Balance 9/30/2017	Percent of Portfolio	Portfolio Cap
Local Government Pool (LGIP)	\$1,049,973	\$ 1,952,609	\$ 1,305,936	\$ 106,392	0.76%	50.00%
Certificates of Deposit	2,009,611	3,005,509	3,012,997	3,020,619	21.53%	50.00%
US Agency	4,517,238	5,713,963	5,710,831	4,708,146	33.56%	50.00%
Texas Subdivisions	7,119,379	6,599,972	7,089,010	6,191,857	44.14%	50.00%
Total	\$ 14,696,201	\$ 17,272,053	\$ 17,118,774	\$ 14,027,014	100.00%	



Maturity Time Frame	Balance 12/31/2016	Balance 3/31/2017	Balance 6/30/2017	Balance 9/30/2017	Percent of Portfolio
Within 1 month	\$ 1,049,973	\$ 1,952,609	\$ 1,305,936	\$ 1,115,595	7.95%
2-3 Months	1,507,519	1,000,374	1,881,737	1,000,860	7.14%
4-6 Months	1,000,794	1,884,986	1,007,345	1,457,218	10.39%
7 Months - 1 year	3,895,512	3,461,764	4,078,468	4,737,212	33.77%
1 year - 2 years	4,201,392	5,248,828	4,144,152	2,418,144	17.24%
2 years - 3 years	1,893,944	2,579,277	3,194,121	1,791,394	12.77%
3 years - 4 years	1,147,067	1,144,215	-	506,591	3.61%
4 years - 5 years	-	-	1,507,015	1,000,000	7.13%
	\$ 14,696,201	\$ 17,272,053	\$ 17,118,774	\$ 14,027,014	100.00%

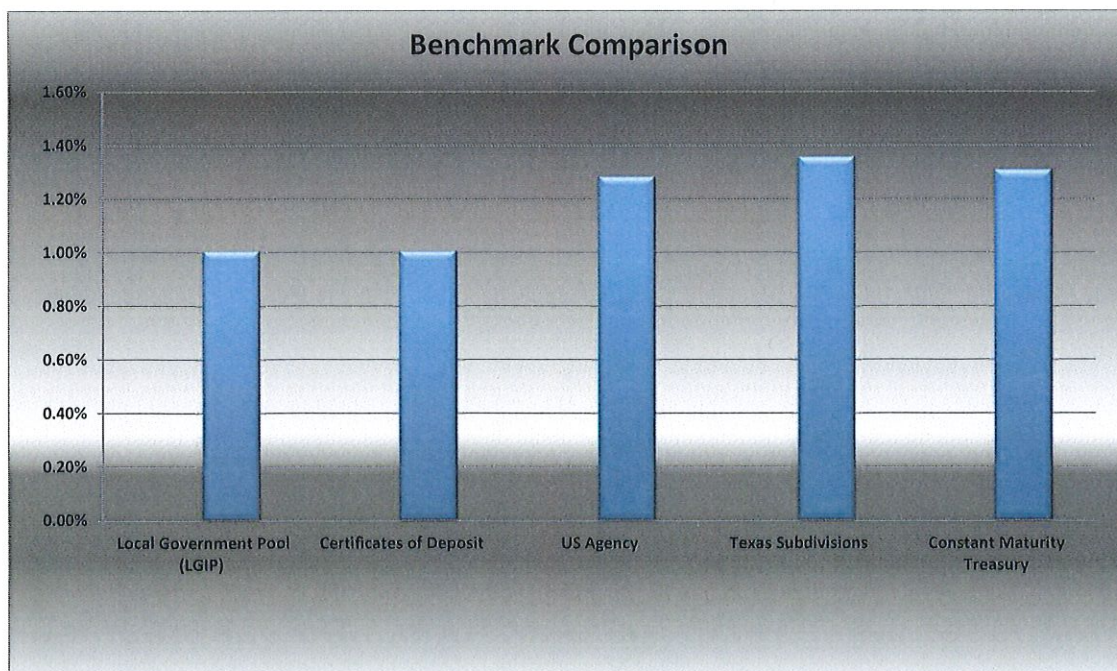
Liquidity Indicator					Maximum Allowable
Weighted Average Maturity	496.17	447.31	498.00	510.35 ***	500.00

*** As of 9/30/2017, the Weighted Average Maturity exceeded the maximum allowed by policy by 10 days. The situation was identified and corrected on October 6, 2017 bringing it into compliance at 494 days.



Date	Received/ Purchased	CUSIP	Security Description	Coupon	YTM	Interest Purchased/ Received	Accrued Interest/ Amortization	Income Earned
9/30/2017	Tex-Pool		TexPool		1.00%	54	-	54
9/30/2017	TexStar		TexSTAR		1.02%	493	-	493
7/13/2017	CD 4176805655		Landmark Bank	0.74%	0.74%	1,858	24	1,882
8/22/2017	CD 4176806562		Landmark Bank	1.15%	1.15%	2,907	3	2,910
9/27/2017	CD 4176806687		Landmark Bank	1.13%	1.13%	2,856	-	2,856
8/1/2017	88712TMO		Timberline TX UD	2.00%	0.90%	4,750	(4,378)	372
8/1/2017	97000PHG8		William Cnty TX MUD 310	2.00%	0.90%	1,050	(981)	69
8/7/2017	3130A0WJ5		FHLB	1.02%	0.95%	5,100	(4,379)	721
8/15/2017	207435MH8		Conally TX Consol ISD	3.00%	0.96%	2,250	(1,883)	367
9/1/2017	3468PAW6		Fort Bend Co TX MUD #137	3.00%	0.96%	4,500	(4,043)	457
9/1/2017	34679RNB1		Fort Bend Co TX MUD #23-A	2.00%	1.65%	2,500	(396)	2,104
9/1/2017	82620YFZ1		Sienna Plantation MUD	2.00%	1.73%	2,300	(1,307)	993
9/1/2017	3468CDA4		Ft. Bend Co TX MUD #128	2.00%	1.35%	6,500	(4,298)	2,202
9/1/2017	954496GC2		W Ranch TX Mgmt Dist	1.65%	1.45%	2,805	(1,569)	1,236
9/1/2017	41421DRU2		Harris Co TX MUD #419	3.00%	1.15%	2,100	(1,691)	409
9/1/2017	038395EP0		Aquilla TX Water SUD Series A	3.25%	1.20%	3,250	(2,619)	631
9/1/2017	038395FD6		Aquilla TX Water SUD Series B	3.25%	1.45%	2,600	(1,995)	605
9/1/2017	232425NBO		CY-Champ TX PUD	2.00%	0.90%	2,250	(1,736)	514
9/1/2017	41456PHW0		Harris Cnty TX MUD#386	2.00%	1.20%	3,500	(2,428)	1,072
9/1/2017	67381PKE1		Oakmont TX PUD	2.00%	1.33%	2,250	(1,507)	743
9/1/2017	41421GFW4		Harris Co TX MUD # 468	2.00%	1.28%	7,400	(5,010)	2,390
8/1/2017	414935LKO		Harris Co MUD #120	2.00%	1.49%	3,950	(2,377)	1,573
9/1/2017	34683CJU1		Ft Bend Co TX MUD #133	2.00%	1.15%	1,000	(707)	293
9/29/2017	31331KB74		FFCB	1.88%	1.12%	4,688	(3,275)	1,413
9/30/2017	667489FV5		NW Harris Co TX MUD #6	2.00%	1.10%	-	583	583
9/30/2017	31346BRT1		Freddie Mac	2.00%	2.00%	-	5,000	5,000
9/30/2017	667489FV5		NW Harris Co TX MUD #6	2.00%	1.10%	-	583	583
9/30/2017	643161HB1		New Caney TX MUD	2.00%	1.51%	-	1,026	1,026
9/30/2017	8827235D7		TXBL Ref TX Pub Fin Auth Milit	4.00%	1.64%	-	1,050	1,050
9/30/2017	414911JL2		Harris Co TX MUD #119	2.00%	1.10%	-	374	374
9/30/2017	88213ACF0		TX St A&M Sys Brd	4.00%	1.80%	-	2,335	2,335
9/30/2017	3134GA2P8		Freddie Mac	1.55%	1.55%	-	4,661	4,661
9/30/2017	414229FG8		Harris Co TX MUD #500	4.00%	1.75%	-	1,427	1,427
9/30/2017	313379DT3		FHLB	1.25%	0.94%	-	2,342	2,342
9/30/2017	31315PZ28		Farmer Mac	1.20%	0.82%	-	2,046	2,046

\$ 72,910 \$ (42,570) \$ 24,652



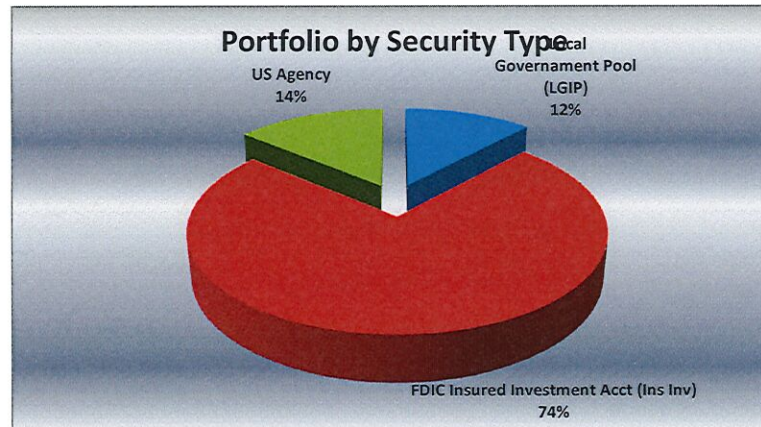
CITY OF SHERMAN, TEXAS
DEBT PROCEEDS PORTFOLIO SUMMARY
For the Quarter Ending Sept 30, 2017

Total Portfolio Summary			
	Current Quarter 9/30/17	Prior Quarter 6/30/2017	Change From Prior Qtr
Book Value	\$ 21,436,625	\$ 23,549,701	\$ (2,113,076)
Market Value	\$ 21,386,335	\$ 23,544,468	\$ (2,158,133)
Weighted Average Maturity - Days	62	68	(6)
Weighted Average Yield	1.05%	0.86%	0.19%
Earned Income	\$ 59,172	\$ 51,526	\$ 7,646
Earned Income - Year-to-Date	\$ 132,774	\$ 73,602	\$ 59,172

This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law.

As of September 30, 2017, the City of Sherman's debt proceeds portfolio had a book value of about \$21.4 million, which approximates the market value. During the current quarter interest income of \$59 thousand was added and approximately \$2.16 million was drawn down for project payments.

The weighted average yield on the portfolio was 1.05%, 9 basis points above the 4-week Constant Maturity Treasury Index of 0.96% and 19 basis points above the previous quarter.



Mary Lawrence

Mary Lawrence, Finance Director and City of Sherman Investment Officer

Tammy Davis

Tammy Davis, Controller and City of Sherman Investment Officer

Name/CUSIP	Debt Issuance	Settlement Date	Security Type	Security Description	Maturity Date	Credit Rating	Par Value	Purchase Price	Original Cost	Book Value	Market Price	Market Value	Days to Maturity	YTM
TexPool	2016 CO's		LGIP	Texpool	10/1/2017	AAAm	2,572,202	100.00	2,572,202	2,572,202	100.00	2,572,202	1	1.00%
Anova	2017 CO's		Ins Inv	Anova	10/1/2017		15,865,598	100.00	15,865,598	15,865,598	100.00	15,825,077	1	1.03%
3133EGW84	2017 CO's	4/21/17	US Agency Bullet	FFCB	12/19/2018	Aaa	3,000,000	99.95	2,998,397	2,998,825	99.67	2,989,056	445	1.20%
Total							\$ 21,437,800	\$	21,436,197	\$	21,436,625	\$	21,386,335	



CITY OF SHERMAN, TX
Market Value Summary
AS of 9/30/2017

CUSIP	Security Type / Description	Maturity Date	Market Value 06/30/2017	Change in Market Value	Market Value 9/30/2017
TexPool Tax Notes	Texpool		\$ 681,804	\$ (681,804)	\$ -
TexPool Cert of Obligation	Texpool		4,044,617	(1,472,415)	2,572,202
Anova	Anova		15,825,077	-	15,825,077
3133EGW84	FFCB	12/19/2018	2,992,971	(3,915)	2,989,056
Total			\$ 23,544,469	\$ (2,158,134)	\$ 21,386,335

Settle Date	Name	Security Description	Coupon	Maturity Date	Par Value	Price	Principal Amount	Interest Purchased / Received	Total Amount	YTM
<u>Project Payments</u>										
7/14/2017	TexPool Tax & Rev CO	LGIP			\$ 479,785		\$ 479,785	\$ -	\$ 479,785	
7/14/2017	TexPool Tax Notes	LGIP			189,912		189,912		189,912	
7/28/2017	TexPool Tax Notes	LGIP			3,971		3,971		3,971	
7/28/2017	TexPool Tax & Rev CO	LGIP			68,604		68,604		68,604	
8/31/2017	TexPool Tax Notes	LGIP			488,337		488,337		488,337	
8/31/2017	TexPool Tax & Rev CO	LGIP			325,603		325,603		325,603	
9/23/2017	TexPool Tax & Rev CO	LGIP			606,635		606,635		606,635	
<u>Purchases</u>										
<u>Withdrawals</u>										
<u>Income Payments</u>										
7/31/2017	TexPool Tax Notes	LGIP	0.97%		681,749		681,749	470	470	0.97%
7/31/2017	TexPool Tax & Rev CO	LGIP	0.97%		4,044,293		4,044,293	3,097	3,097	0.97%
7/31/2017	2017 CO-Anova	Ins Inv	1.03%		15,825,077		15,825,077	13,440	13,440	1.03%
8/31/2017	TexPool Tax & Rev CO	LGIP	1.00%		3,499,001		3,499,001	2,960	2,960	1.00%
8/31/2017	TexPool Tax Notes	LGIP	1.00%		488,337		488,337	401	401	1.00%
8/31/2017	2017 CO-Anova	Ins Inv	1.03%		15,838,518		15,825,077	13,855	13,855	1.03%
9/30/2017	TexPool Tax & Rev CO	LGIP	1.02%		3,176,357		3,176,357	2,481	2,481	1.02%
9/30/2017	2017 CO-Anova	Ins Inv	1.05%		15,852,373		15,852,373	13,225	13,225	1.05%
Total							\$	49,930		



CITY OF SHERMAN, TX
Comparison by Type
AS of 9/30/2017

Cash / Investment Type	Balance 12/31/2016	Balance 3/31/2017	Balance 6/30/2017	Balance 9/30/2017	Percent of Portfolio	Portfolio Cap
Local Government Pool (LGIP)	\$ 8,069,370	\$ 6,437,047	\$ 4,726,042	\$ 2,572,202	12.00%	100.00%
FDIC Insured Investment (Ins Inv)	-	18,801,921	15,825,077	15,865,598	74.01%	100.00%
US Agency Bullet	-	-	2,998,582	2,998,825	13.99%	100.00%
Total	\$ 8,069,370	\$ 25,238,968	\$ 23,549,701	\$ 21,436,625	100.00%	



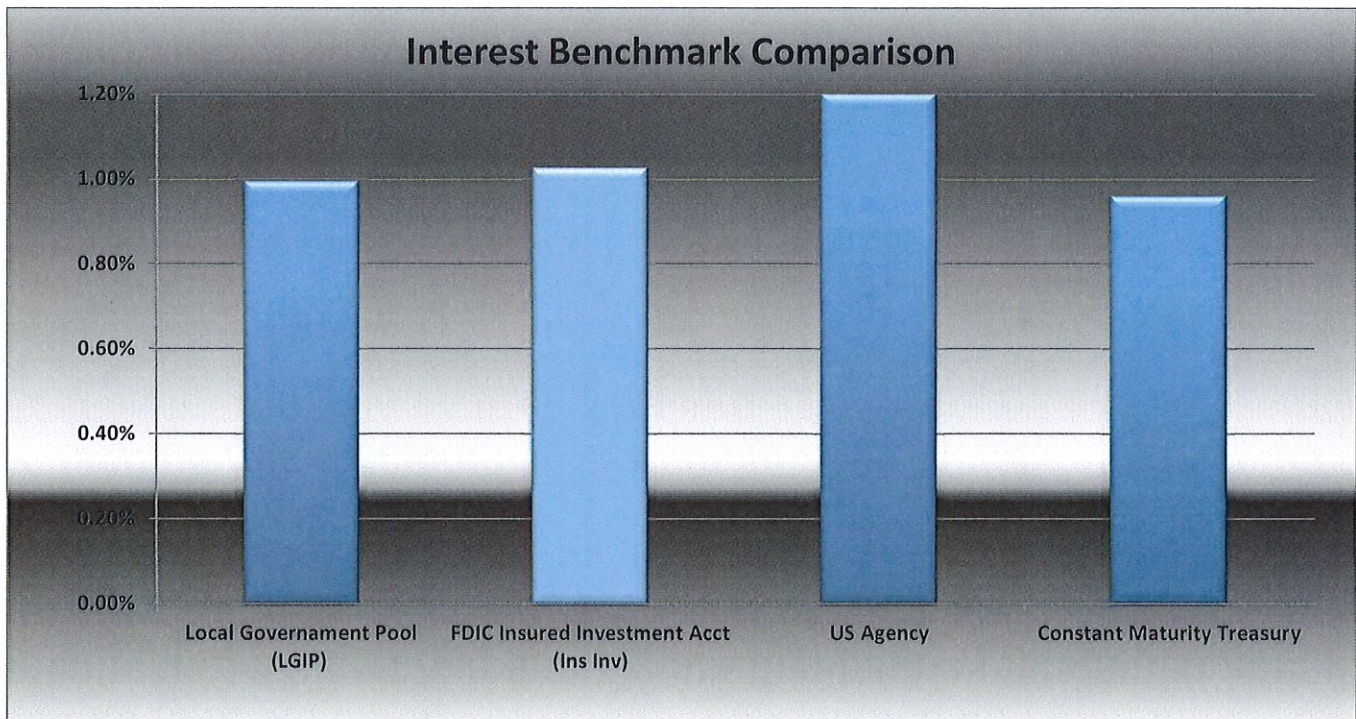
CITY OF SHERMAN, TX
Portfolio by Maturity
AS of 6/30/2017

Maturity Time Frame	Balance 12/31/2016	Balance 3/31/2017	Balance 6/30/2017	Balance 9/30/2017	Percent of Portfolio	Minimum Allowable
Within 1 month	\$ 8,069,370	\$ 25,238,968	\$ 20,551,119	\$18,437,800	86.01%	100.00%
1 year - 2 years	-	-	2,998,582	2,998,825	13.99%	100.00%
	\$ 8,069,370	\$ 25,238,968	\$ 23,549,701	\$ 21,436,625		

Liquidity Indicator

Weighted Average Maturity	1.00	1.00	68.38	62.25
---------------------------	------	------	-------	-------

Date Received/ Purchased	Name	Security Description	Coupon	YTM	Interest Purchased/ Received	Accrued Interest/ Amortization	Income Earned
7/31/2017	TexPool Tax Notes	LGIP		0.97%	470	-	470
7/31/2017	TexPool Tax & Rev CO	LGIP		0.97%	3,097	-	3,097
7/31/2017	2017 CO-Anova	Insured Investment		1.00%	13,440	-	11,275
8/31/2017	TexPool Tax Notes	LGIP		1.00%	401	-	656
8/31/2017	TexPool Tax & Rev CO	LGIP		1.00%	2,960	-	2,960
8/31/2017	2017 CO-Anova	Insured Investment		1.03%	13,855	-	11,430
9/30/2017	TexPool Tax & Rev CO	LGIP		1.02%	2,481	-	2,481
9/30/2017	2017 CO-Anova	Insured Investment		1.05%	13,225	-	11,048
9/30/2017	3133EGW84	FFCB	1.20%	1.20%	\$ -	9,243	\$ 9,243
					\$ 49,929	\$ 9,243	\$ 59,172





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.3.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition; Sofey Construction & Design, LLC, Owners; and Underwood Drafting & Surveying, Inc., Surveyor (520 West Birge Street and the 900 Block of North Sam Rayburn Freeway)

Issue:

To consider Replat approval of part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition, located at 520 West Birge Street and the 900 block of North Sam Rayburn Freeway

Background:

The property is located at 520 West Birge Street and the 900 block of North Sam Rayburn Freeway, the southwest corner of Birge and Sam Rayburn Freeway. The owners would like to replat the property into three lots.

Origination:

Sofey Construction & Design, LLC (Owners)
Underwood Drafting & Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

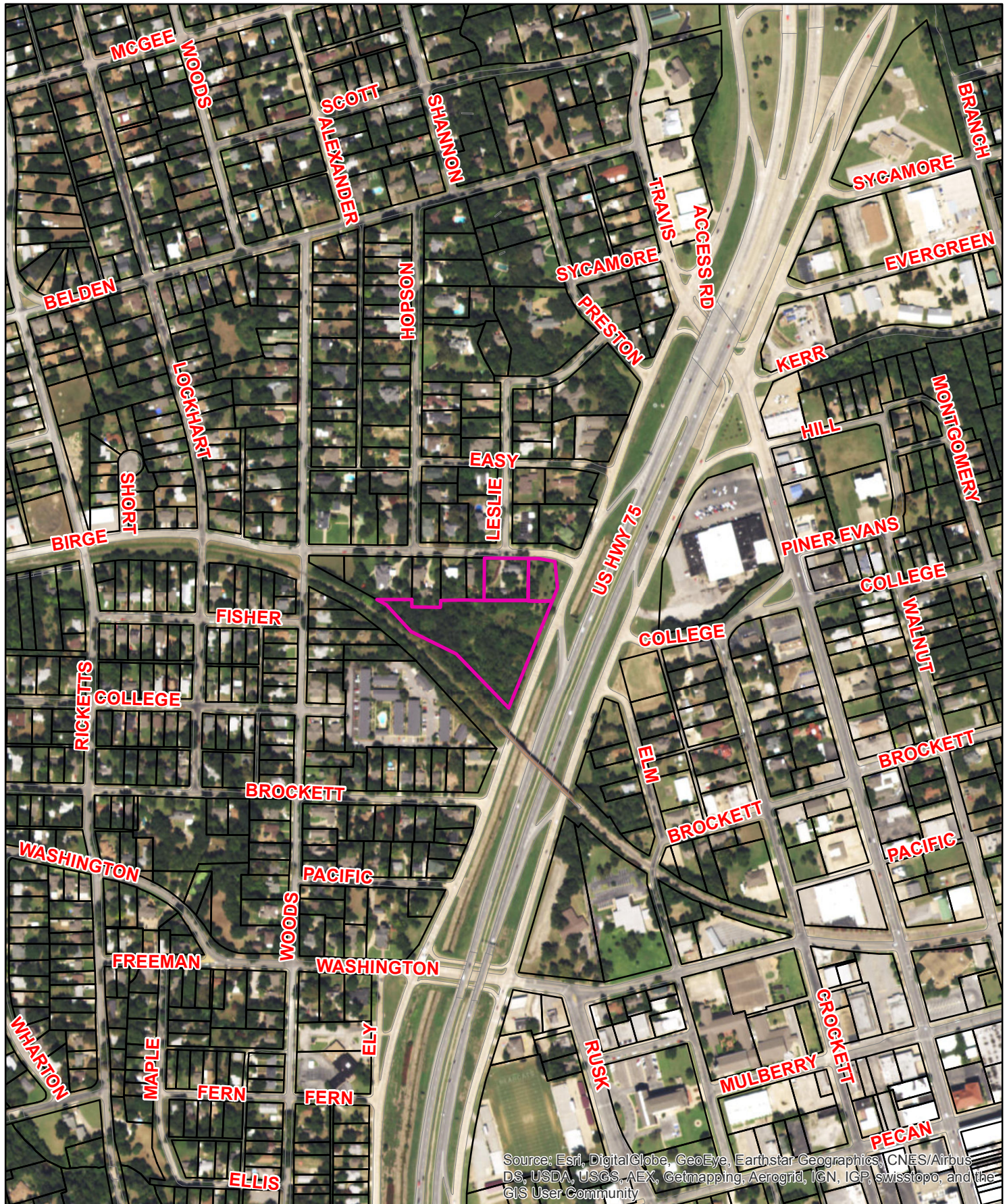
At the September 19, 2017 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

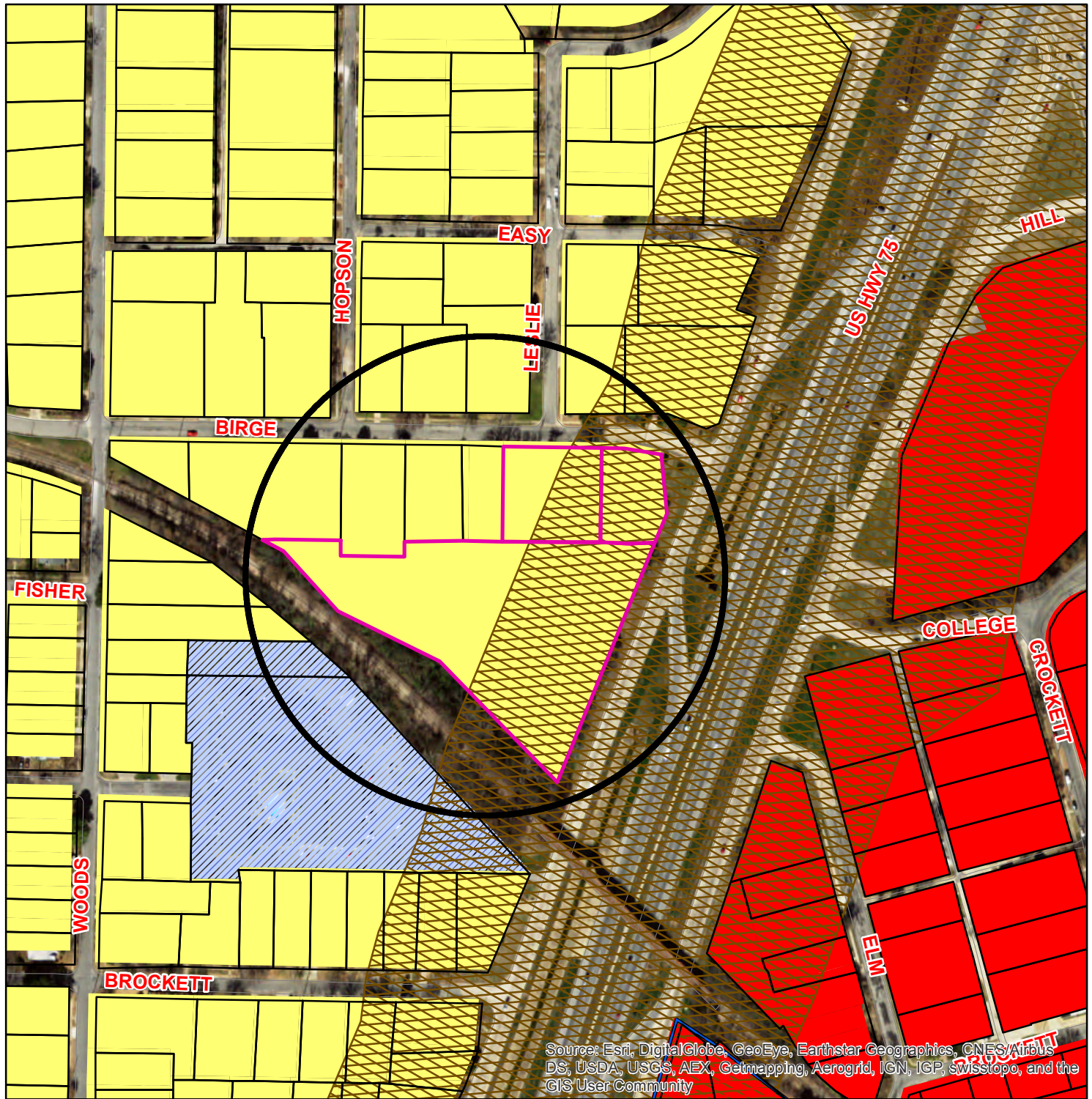
Location Map
Zoning Map
Zoning Sign Photo
Replat
Staff Review Letter
P&Z Communication



520 West Birge Street & 900 Block North Sam Rayburn Freeway



1 in = 500 ft



Zoning - 520 West Birge Street & 900 Block North Sam Rayburn Freeway

Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels.selection

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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 District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department



1 in = 242 ft

520 W. Birge & 900 Blk. N. Sam Rayburn Frwy.



STAFF REVIEW LETTER

September 13, 2017

Jason Sofey
P.O. Box 2904
Sherman, TX 75091

Underwood Drafting and Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Replat of Birge's Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. New drive approaches off of the Hwy. 75 service road must be approved by TxDOT.
5. The width of the right-of-way and pavement for streets shall be shown on the plat.
6. All requirements of the Floodplain Ordinance should be followed.
7. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
8. Show Point of Beginning on drawing.
9. All easements must be verified and shown on plat.
10. Correct typos in Addition Name Block.
11. Tie at least one (1) additional found monument to verify location.
12. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
13. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Assistant City Manager



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

Agenda Item No. 8.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

*** 520 W BIRGE STREET & 900 BLOCK N. SAM RAYBURN FREEWAY**

The request of Sofey Construction & Design, LLC (Owner) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property located at 520 West Birge Street and the 900 block of North Sam Rayburn Freeway, being part of the J.B. McAnair Survey, Abstract No. 763 and being the east 15 feet of Lot 10 and all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition, containing 4.196 acres, as follows:

Planning and Zoning Commission

Replat approval of part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2, of Birge's Addition.

Background:

The property is located at 520 West Birge Street and the 900 block of North Sam Rayburn Freeway, the southwest corner of Birge Street and Sam Rayburn Freeway. The owner would like to replat the property into three lots.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Sofey Construction & Design, LLC (Owner)
Underwood Drafting & Surveying, Inc. (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:

31

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.4.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Sweetwater Springs Subdivision, being 17.112 acres in the John Hendrix Survey, Abstract No. 503 and the E. Canton Survey, Abstract No. 221; Barton Capital, LTD, Owner; KJE Environmental & Civil Engineering, Civil Engineer; and Sartin & Associates, Inc., Surveyor (4700 Block of Marshall Street and 3800-3900 Blocks of Dripping Springs Road)

Issue:

To consider Sweetwater Springs Subdivision, being 17.112 acres in the John Hendrix Survey, Abstract No. 503 and the E. Canton Survey, Abstract No. 221, located in the 4700 block of Marshall Street and 3800-3900 blocks of Dripping Springs Road

Background:

The property is located in the 4700 block of Marshall Street and the 3800-3900 blocks of Dripping Springs Road. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into sixty-one (61) lots for residential development.

Origination:

Barton Capital, LTD (Owner)
KJE Environmental & Civil Engineering (Civil Engineer)
Sartin & Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 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

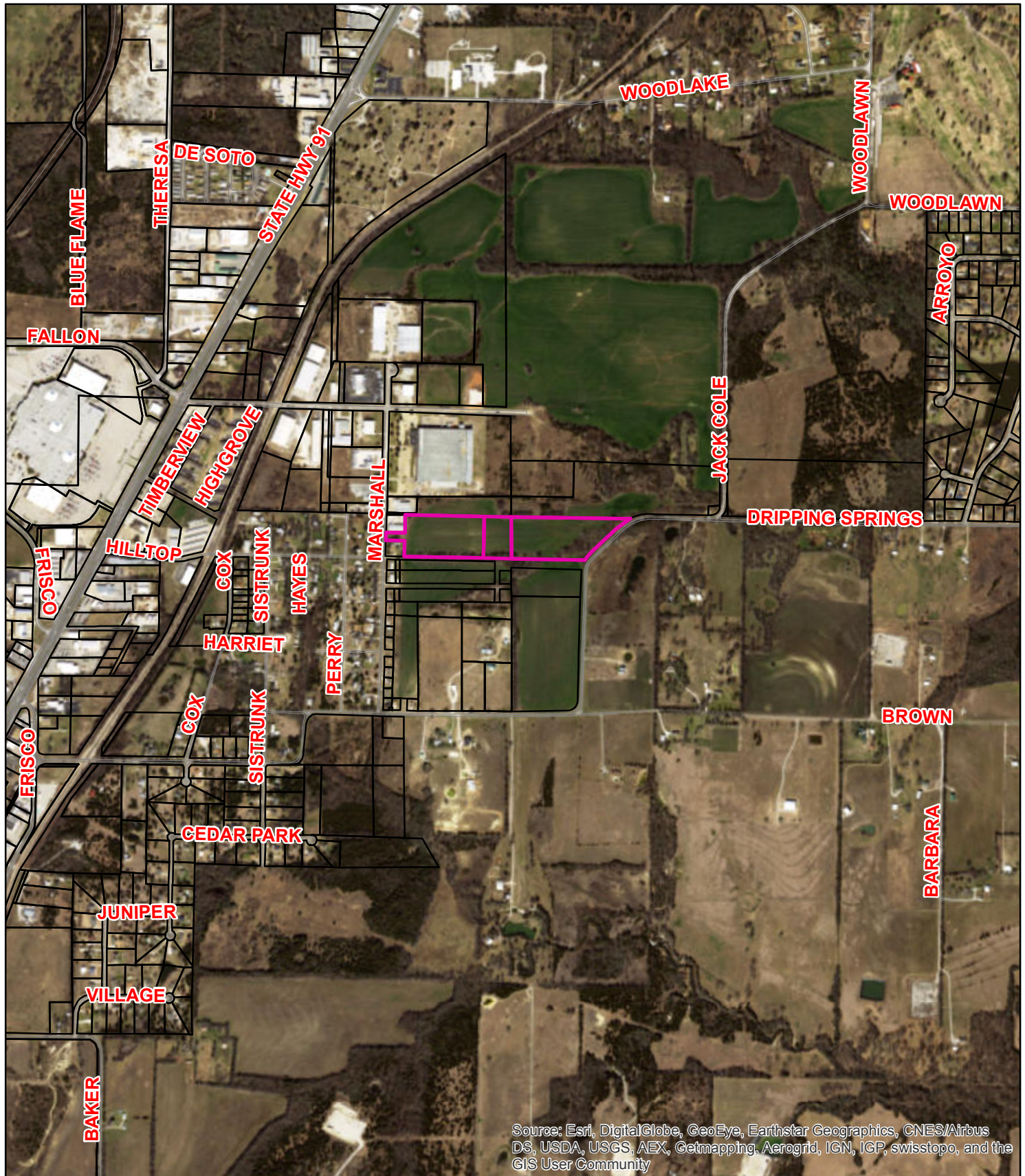
Location Map

Zoning Map

Final Plat

Staff Review Letter

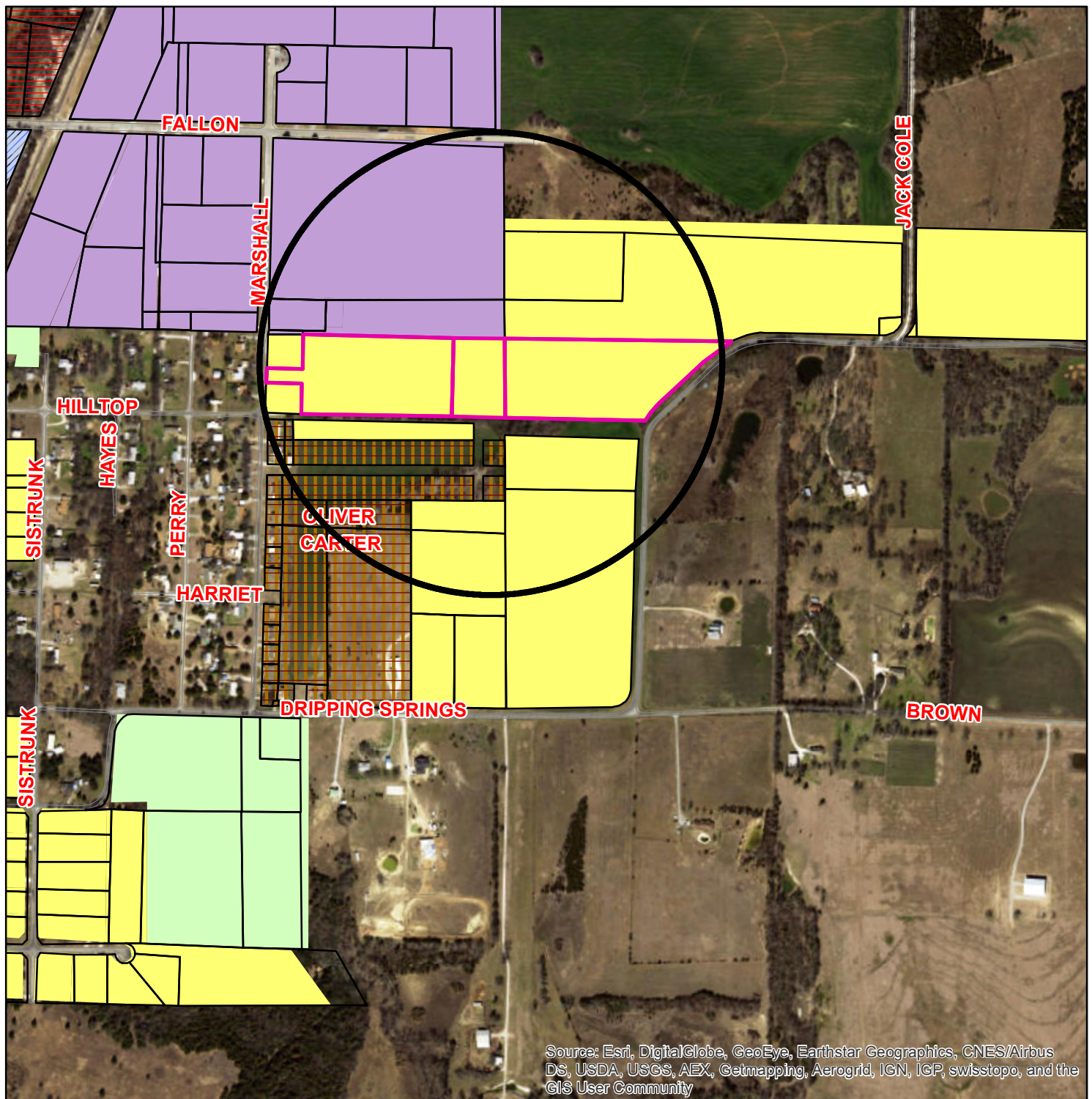
P&Z Communication



**4700 Blk. Marshall Street & 3800-3900 Blks. Dripping Springs Rd.
Sweetwater Springs Addition**



1 in = 1,250 ft



Zoning - 4700 Blk. Marshall St. & 3800-3900 Blks. Dripping Springs Sweetwater Springs Subdivision

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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 District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department

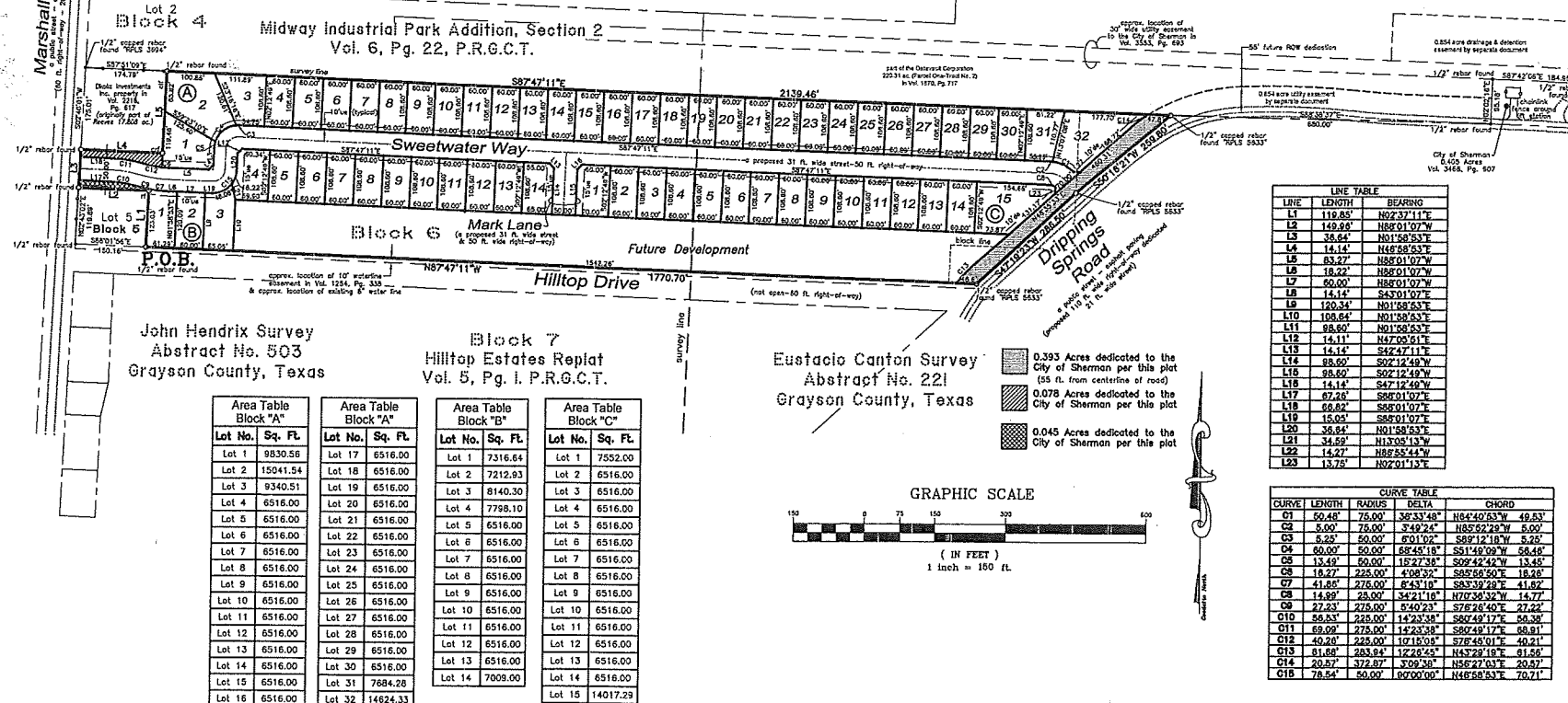


1 in = 700 ft

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

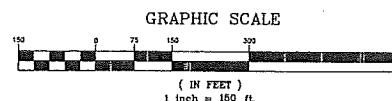
Legend/Symbols:
d = double line
u = 1/2" capped rebar found "NPLS 5533"
u = 1/2" rebar found
d = 1/2" rebar found
d = drainage easement

James B. Shannon Survey
Abstract No. 1085
Grayson County, Texas

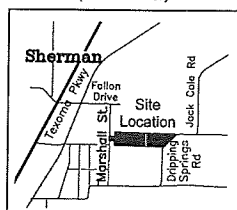


LINE	LENGTH	BEARING
L1	119.85	N02°37'11"E
L2	149.88	N88°01'07"W
L3	38.64	N01°58'53"E
L4	14.14	N46°58'53"E
L5	83.27	N88°01'07"W
L6	18.22	N88°01'07"W
L7	50.00	N88°01'07"W
L8	14.14	S45°01'07"E
L9	120.34	N01°58'53"E
L10	109.64	N01°58'53"E
L11	98.80	N01°58'53"E
L12	14.11	N47°05'51"E
L13	14.14	S42°47'11"E
L14	88.62	S02°12'49"W
L15	88.62	S02°12'49"W
L16	14.14	S47°12'49"W
L17	67.26	S88°01'07"E
L18	68.62	S88°01'07"E
L19	15.00	S88°01'07"E
L20	38.64	N01°58'53"E
L21	34.59	N13°05'13"W
L22	14.27	N88°55'44"W
L23	13.79	N02°11'17"E

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	50.48	75.00	38°33'48"	N64°40'53"W 49.53'
C2	5.00	75.00	3°49'24"	N85°52'29"W 5.00'
C3	8.25	50.00	9°01'02"	S02°12'16"W 5.28'
C4	60.00	50.00	68°45'18"	S51°49'00"W 58.48'
C5	13.49	50.00	15°27'38"	S02°42'42"W 13.45'
C6	18.27	225.00	4°08'32"	S85°56'50"E 18.26'
C7	41.85	275.00	8°51'10"	S93°39'28"E 41.82'
C8	14.89	25.00	34°21'10"	S78°35'32"W 14.77'
C9	27.23	275.00	8°40'23"	S76°26'40"E 27.22'
C10	58.53	225.00	14°23'38"	S80°49'17"E 58.38'
C11	69.02	275.00	14°23'38"	S80°49'17"E 68.61'
C12	40.20	225.00	12°15'04"	S76°45'01"E 40.21'
C13	81.85	263.84	12°28'45"	N43°22'19"E 81.56'
C14	20.87	372.87	3°09'36"	N56°27'03"E 20.87'
C15	78.54	50.00	60°00'00"	N46°58'53"E 70.71'



Vicinity Map
(not to scale)



General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plot 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. 48181C02290 F, Revised Date: September 29, 2010.
8. Neither 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.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

SARTIN & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
FIRM Headquarters - #10081100

109 S. Travis Street • Sherman, TX 75090

Phone: (903)992-6003 • Fax: (903)463-6191 • Email: sartin@surveying@gmail.com

Owner/Developer:
Barton Capital, LTD
715 S. Sam Rayburn Frwy.
Sherman, Texas 75090

**Sweetwater Springs
Subdivision
to
the City of Sherman, Texas
17.112 Acres
in the**

**John Hendrix Survey, Abst. No. 503
& E. Canton Survey, Abstract No. 221**
61 residential lots - 0.516 acres dedicated for right-of-way

STAFF REVIEW LETTER

September 13, 2017

Barton Capital, LTD
715 S. Sam Rayburn Frwy.
Sherman, TX 75090

Sartin & Associates, Inc.
109 S. Travis Street
Sherman, TX 75090

Dear Applicants,

The request for approval of the Plat of Sweetwater Springs Subdivision has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Extend Mark Lane Right-of-Way South to property line.
6. Metes and bounds must match drawing.
7. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
8. Minimum lot width is 60.'
9. Final site plans, utility, drainage and grading plan shall be provided and approved by the City Engineering Department.
10. Detention in accordance with City criteria will required as the site develops.
11. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
12. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Assistant City Manager



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

Agenda Item No. 13.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

*** 4700 BLOCK MARSHALL STREET & 3800-3900 BLOCKS DRIPPINGS SPRINGS
ROAD**

The request of Barton Capital, LTD (Owner), KJE Environmental & Civil Engineering (Civil Engineer) and Sartin & Associates, Inc. (Surveyor) concerning the property located in the 4700 Block Marshall Street and the 3800-3900 Blocks of Dripping Springs Road, being 17.112 acres in the John Hendrix Survey, Abstract No. 503 and the E. Canton Survey, Abstract No. 221, as follows:

Planning and Zoning Commission

Final Plat approval of Sweetwater Springs Subdivision

Background:

The property is located in the 4700 block of Marshall Street and the 3800-3900 blocks of Dripping Springs Road and is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into sixty-one (61) lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

M-1 (Light Manufacturing) District

Origination:

Barton Capital, LTD (Owner)

KJE Environmental & Civil Engineering (Civil Engineer)

Sartin & Associates, Inc. (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:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.5.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of RMT Visions Addition, being a Replat of Lot 59, Western Acres Installment Four and a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115, being a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115 and all of Lot 59 of Western Acres Installment Four, containing 39.030 acres; RMT Visions, Inc. and the William O'Donnell Trust, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (2700-2800 Blocks of South Friendship Road and 5200 West Meadowridge Road)

Issue:

To consider Final Plat approval of RMT Visions Addition, being a replat of Lot 59, Western Acres Installment Four and a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115, being a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115 and all of Lot 59 of Western Acres Installment Four, containing 39.030 acres, located in the 2700-2800 blocks of South Friendship Road and 5200 West Meadowridge Road

Background:

The property is located in the 2700-2800 blocks of South Friendship Road and 5200 West Meadowridge Road, between F.M. 1417 (Heritage Parkway) and Friendship Road. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat Lot 59 of the Western Acres Addition, Installment Four and a 37.856 acre tract in the Jason Stamps Survey for a total of three lots.

Origination:

RMT Visions, Inc. and the William O'Donnell Trust, John O'Donnell, Trustee (Owners)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 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

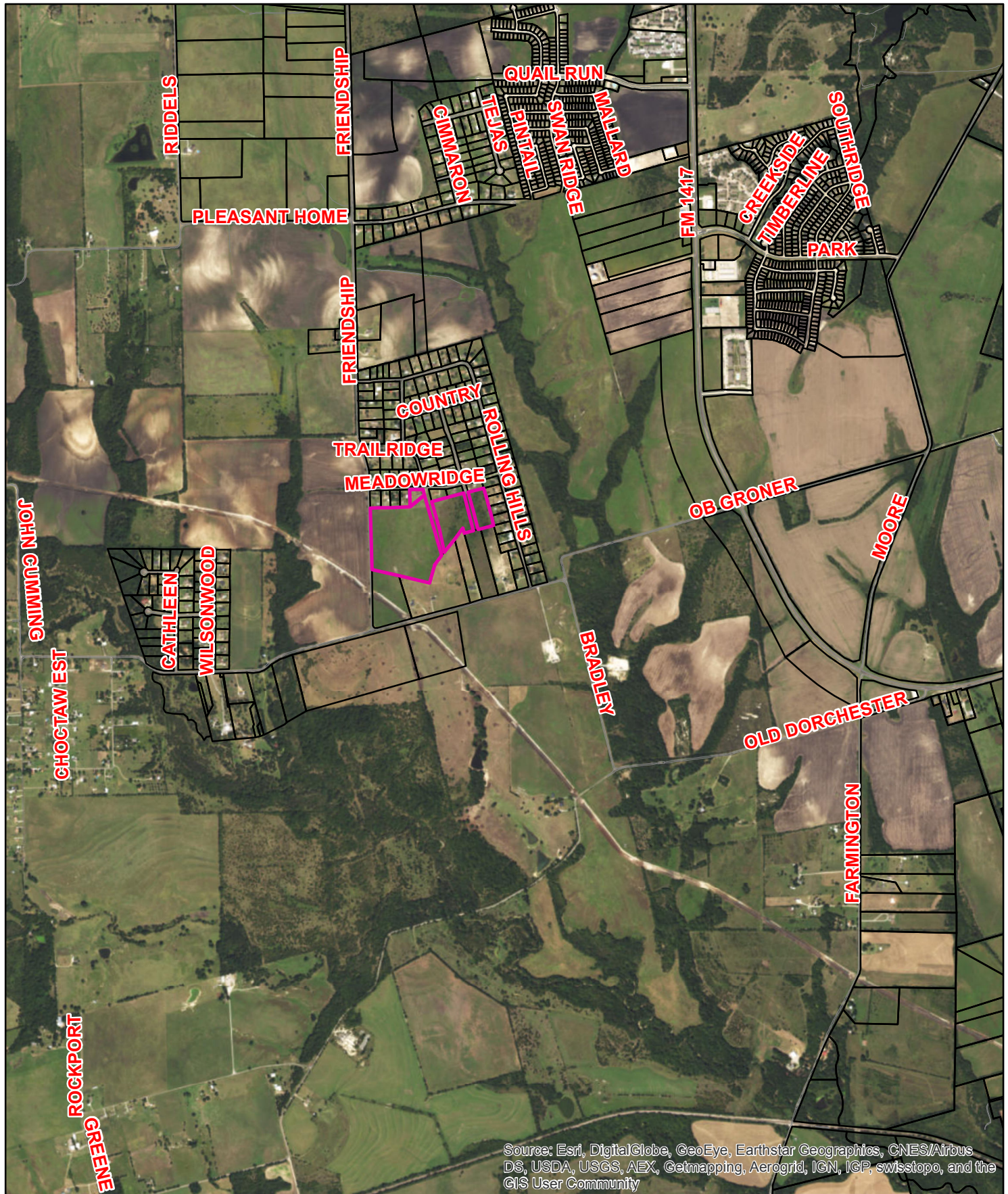
Zoning Map

Zoning Sign Photo

Plat

Staff Review Letter

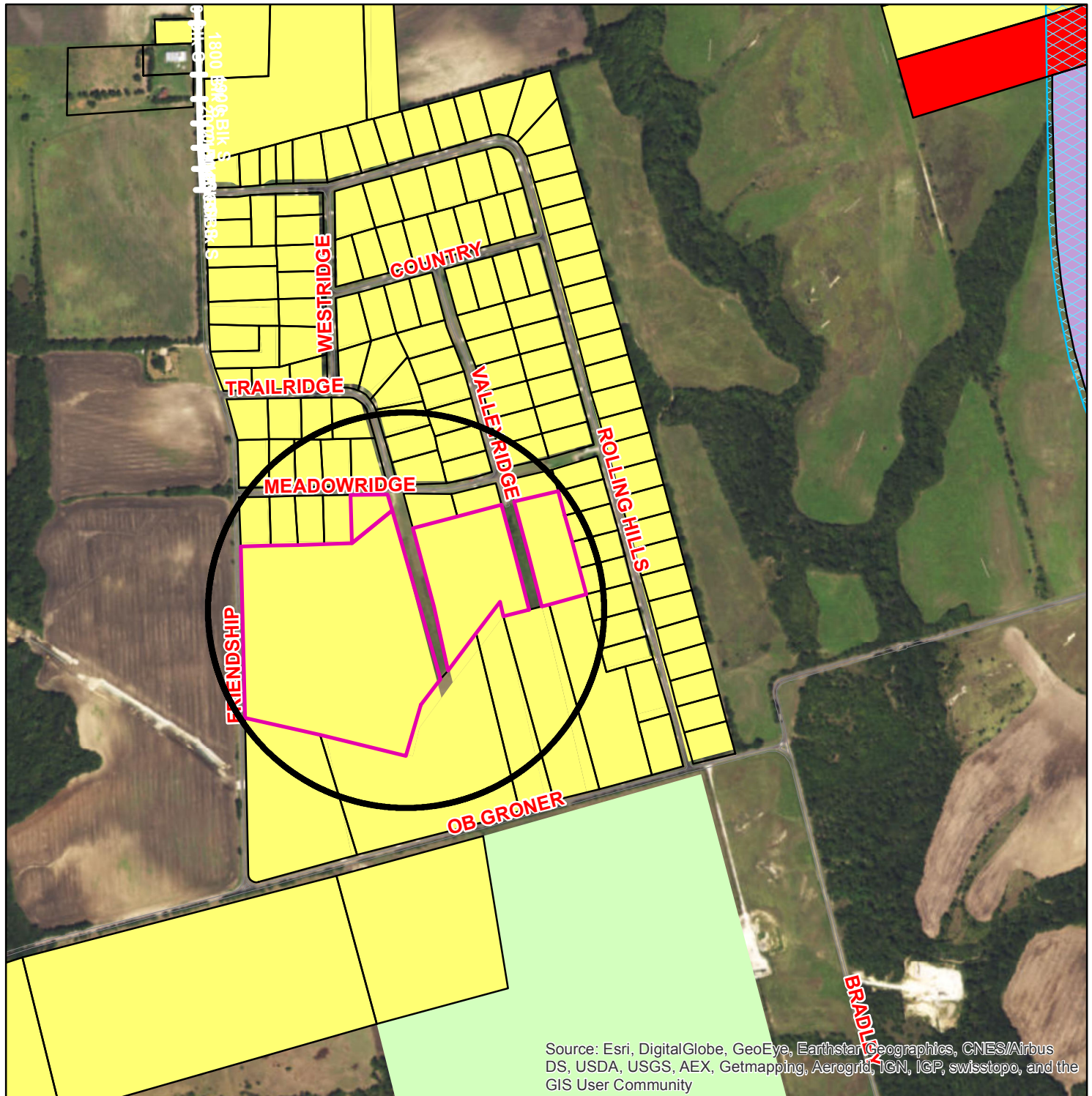
P&Z Communication



2700-2800 Blocks S. Friendship Road & 5200 W. Meadowridge Road



1 in = 2,000 ft



Zoning - 2700-2800 Blks. S. Friendship Road & 5200 W. Meadowridge Road

Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels.selection
- Special Districts Overlay**
 - Arts and Cultural District
 - Blalock Commercial Overlay District
 - Central Business District
 - College Park District
 - Downtown Overlay District
 - Historic Preservation District

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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 District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

Unknown

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 775 ft

2700-2800 Blks. S. Friendship Road



5200 W. Meadowridge Road



STAFF REVIEW LETTER

September 13, 2017

RMT Visions, Inc.
P.O. Box 2062
Sherman, TX 75090

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Plat of RMT Visions Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. All easements must be verified and shown on plat.
6. Name of Plat should reference that it is a Replat of Lot 59, Western Acres, Installment 4.
7. Require 43' Roadway Dedication to accommodate plans to widen Friendship Road.
8. Dedicate a 10' Utility Easement along perimeter of addition.
9. Metes and bounds must match drawing.
10. Water shall be extended to serve the development.
11. Sewer will be provided by privately owned and maintained on-site sewage systems.
12. Detention in accordance with City criteria will required as the site develops.
13. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
14. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Assistant City Manager



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

Agenda Item No. 10.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

*** 2700-2800 BLOCKS S. FRIENDSHIP ROAD & 5200 W. MEADOWRIDGE ROAD**

The request of RMT Visions, Inc. and the William O'Donnell Trust, John O'Donnell, Trustee (Owners) and Underwood Drafting and Surveying, (Surveyor) concerning the property in the 2700-2800 Blocks South Friendship Road and 5200 West Meadowridge Road, being a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115 and all of Lot 59 of Western Acres Installment Four, containing 39.030 acres, as follows;

Planning and Zoning Commission

Final Plat approval of RMT Visions Addition, being a replat of Lot 59, Western Acres Installment Four and a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115.

Background:

The property is located in the 2700-2800 blocks of South Friendship Road and 5200 West Meadowridge Road between FM 1417 (Heritage Parkway) and Friendship Road and is zoned an R-1 (One Family Residential) District. The owners would like to replat Lot 59 of the Western Acres Addition, Installment Four by enlarging the lot and plat a 37.856 acre tract in the Jason Stamps Survey into two lots for a total of three lots.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

RMT Visions, Inc. and the William O'Donnell Trust, John O'Donnell, Trustee (Owners)
Underwood Drafting and Surveying, (Surveyor)

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:

23

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.6.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Epstein at Hazelwood Addition, being 0.37 acres in the G.B. Pilant Survey, Abstract No. 963; Cupid Investments, Inc., Owner; and Sartin & Associates, Inc., Surveyor (1004 East Epstein Street)

Issue:

To consider Final Plat approval of Epstein at Hazelwood Addition, being 0.37 acres in the G.B. Pilant Survey, Abstract No. 963, located at 1004 East Epstein Street

Background:

The property is located at 1004 East Epstein Street; the southeast corner of Epstein and Hazelwood Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into two lots for residential development.

Origination:

Cupid Investments, Inc. (Owner)
Sartin & Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 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
Staff Review Letter
P&Z Communication



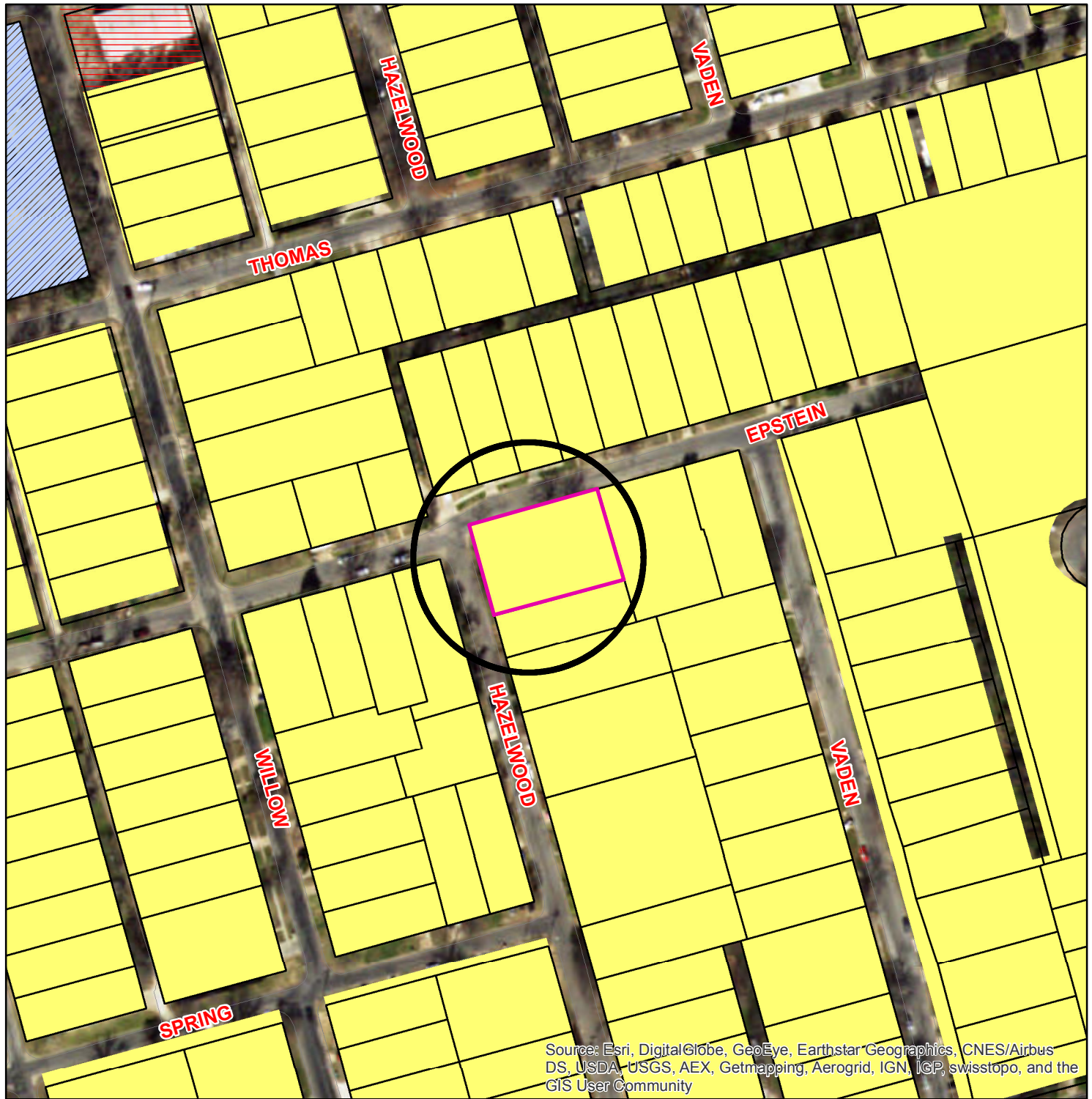
1004 E. Epstein Street



City of Sherman, Texas
Developmental Services Department



1 in = 400 ft



Zoning - 1004 E. Epstein Street

Legend

- Parcels_Buffer131
- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels selection

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Unknown

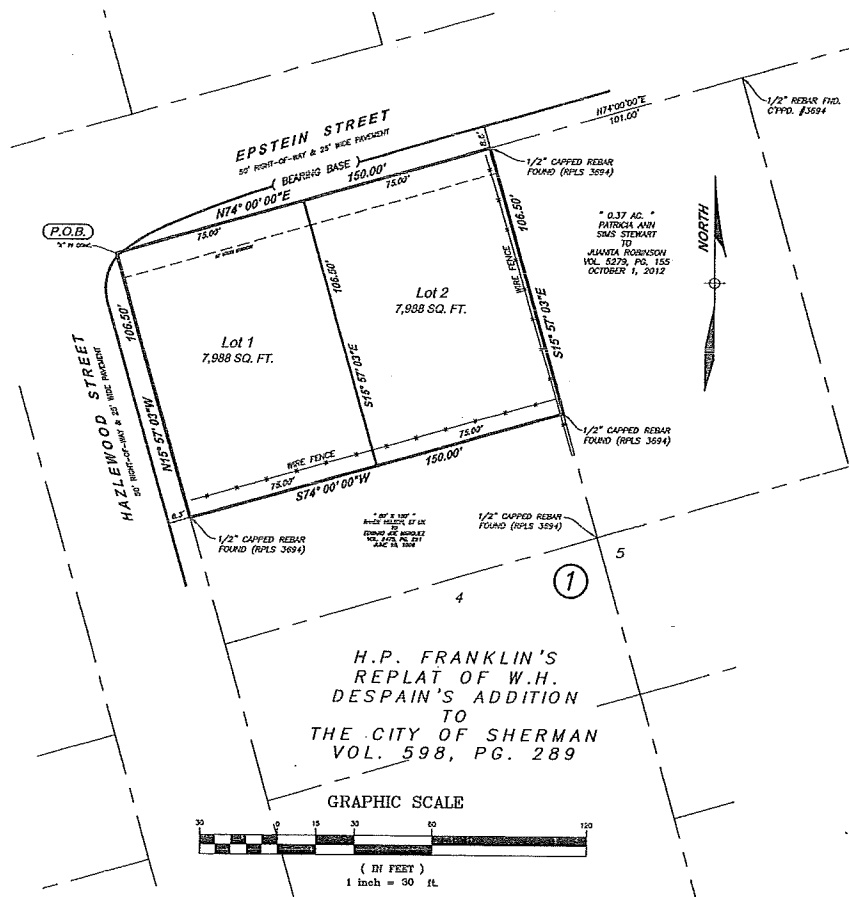
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District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



City of Sherman, Texas
Developmental Services Department



1 in = 158 ft



FINAL PLAT
OF
EPSTEIN AT
HAZLEWOOD ADDITION
TO
THE CITY OF SHERMAN, TEXAS
BEING 0.37 ACRES OUT OF THE
G.B. PILANT SURVEY ABSTRACT NO. 963
TO THE CITY OF SHERMAN

General Notes:

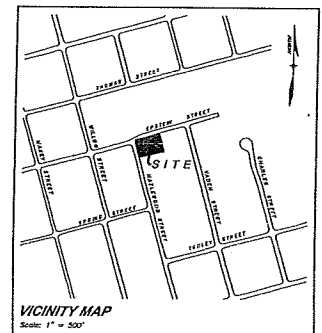
1. Water Supply to be provided by City Of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. 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.
8. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Cupid Investments, Inc.
OWNER/DEVELOPER
715 S. U.S. Hwy. 75
Sherman, Texas 75090

SARTIN & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
FIRM Headquarters - #10081100
100 S. Travis • Sherman, TX 75090

Phone: (903) 922-5003 • Fax: (903) 463-4058 • Email: sartinssurveying@gmail.com

Gray001_165287



SHEET 01 OF 02

STAFF REVIEW LETTER

September 13, 2017

Cupid Investments, Inc.
715 S. US Hwy. 75
Sherman, TX 75090

Sartin & Associates, Inc.
109 S. Travis Street
Sherman, TX 75090

Dear Applicants,

The request for approval of the Plat of Epstein at Hazlewood Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Dedicate a 10' Utility Easement along street frontage.
6. Metes and bounds must match drawing.
7. Sewer shall be extended to serve the development. Verify sewer location.
8. Water Pro-Rata will be due at the time of development.
9. Dedicate a 15'x10' corner clip on Lot 1.
10. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
11. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Assistant City Manager



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

Agenda Item No. 14.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

*** 1004 E EPSTEIN STREET**

The request of Cupid Investments, Inc. (Owner) and Sartin & Associates, Inc. (Surveyor) concerning the property located at 1004 East Epstein Street, being 0.37 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

Final Plat approval of Epstein at Hazelwood Addition

Background:

The property is located at 1004 East Epstein Street; the southeast corner of Epstein and Hazelwood Streets and is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into two lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Cupid Investments, Inc. (Owner)

Sartin & Associates, Inc. (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:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F.7.

Meeting Date: 10/16/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Trails End Subdivision in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 7.671 acres in the Aaron Burleson Survey, Abstract No. 61; Jack Gurley, Owner; 44-40 Builders, LLC, Developer; and Helvey-Wagner Surveying, Inc., Surveyor (10409 East Highway 56 and the 100 Block of Mitchell Road)

Issue:

To consider Final Plat approval of Trails End Subdivision in the City of Sherman's ETJ, being 7.671 acres in the Aaron Burleson Survey, Abstract No. 61, located at 10409 East Highway 56 and the 100 block of Mitchell Road

Background:

The property is located at 10409 East Highway 56 and the 100 block of Mitchell Road in the City of Sherman's ETJ. The owner would like to plat the property into five lots.

Origination:

Jack Gurley (Owner)
44-40 Builders, LLC (Developer)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the September 19, 2017 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

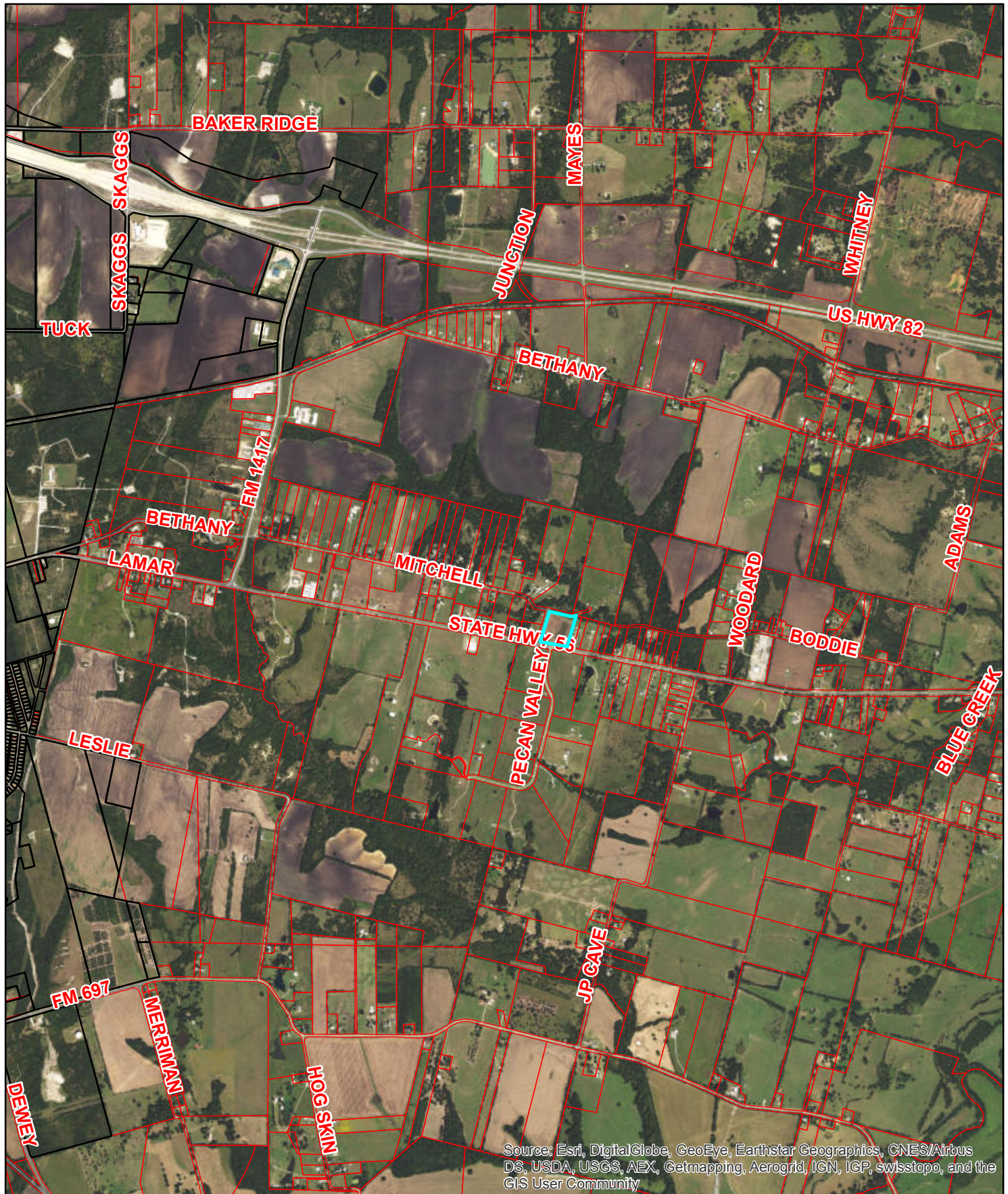
Location Map

Zoning Map

Final Plat

Staff Review Letter

P&Z Communication

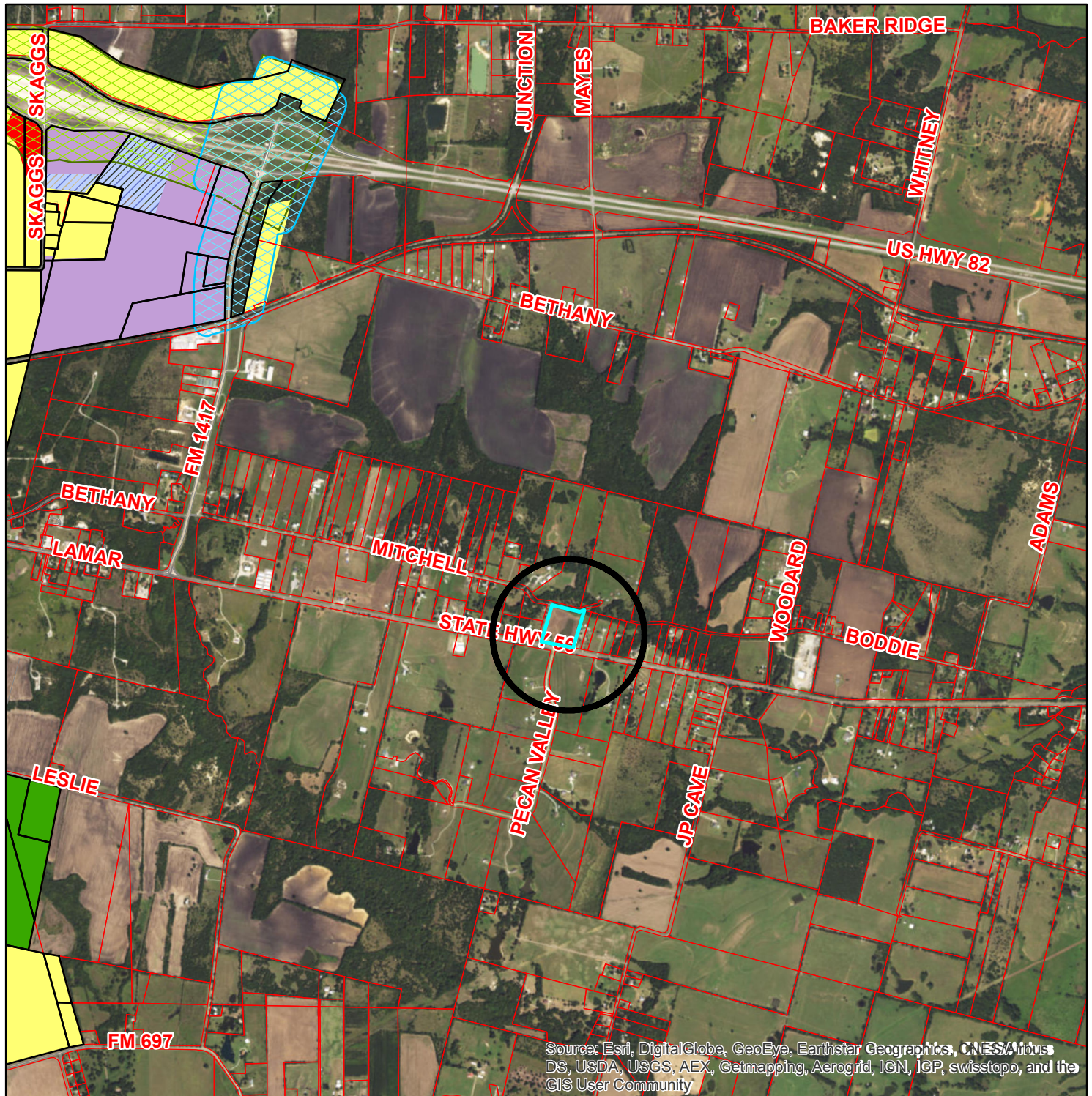


10409 E. Highway 56 &
100 Block Mitchell Road



1 in = 2,500 ft

City of Sherman, Texas
Developmental Services Department



Zoning -10409 E. Highway 56 & 100 Block Mitchell Road (ETJ)

Legend

- CountyParcels_Buffer
- ShermGIS.DBO.CountyParcels.selection

Special Districts Overlay

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

Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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 District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

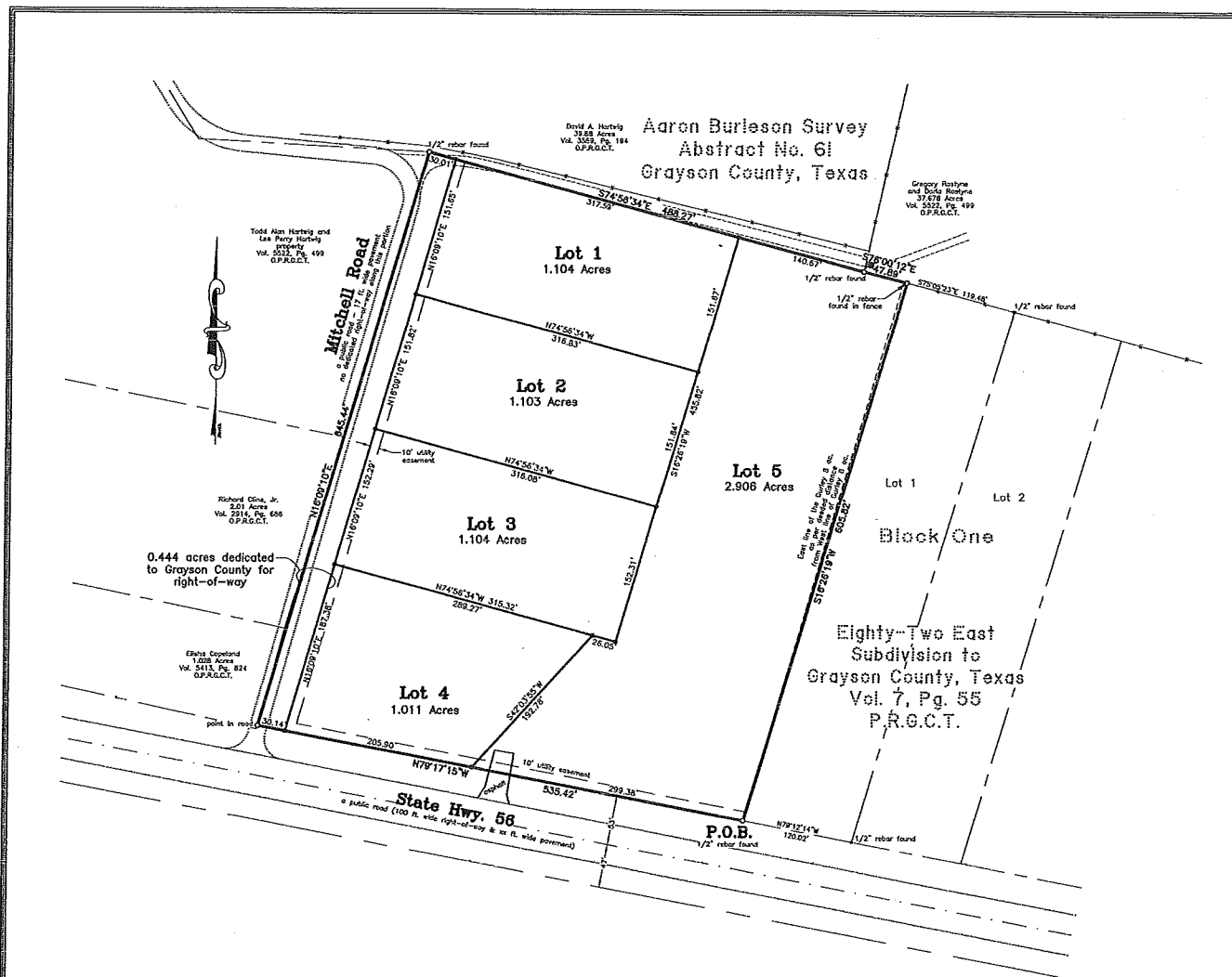
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 2,253 ft



Trails End Subdivision to Grayson County, Texas 7.671 Acres

in the

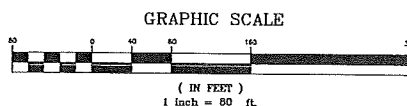
Aaron Burleson Survey Abstract No. 61

General Notes:

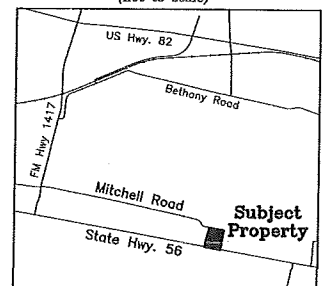
1. Water Supply to be provided by Phx H2O Water Supply.
2. Sewer service to be provided by on-site sewage facilities approved by Grayson County, Texas.
3. Electrical service is provided by Oncor Electric Delivery Company.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of easements.
7. The property shown on the plot 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. 48181C0295F, Revised Date: September 28, 2010.
8. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
10. This plot addresses no easements of record and not of record, other than those shown hereon. The surveyor has not been provided a title commitment on subject property and is not held liable for any easement locations not shown on this plot.

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas, 75020
Ph: (903) 463-6191 Fax: (903) 463-4088
Email: helveysurvey@cablenet.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

Owner:
Jackie Gurley
237 Beaver Run Road
Sherman, Texas 75090
Job No. CGS55817



Site Location (not to scale)



STAFF REVIEW LETTER

September 13, 2017

Jackie Gurley
237 Beaver Run Road
Sherman, TX 75090

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Plat of Trails End Subdivision has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, September 19, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. New drive approaches off of Hwy. 56 must be approved by TxDOT.
5. The width of the right-of-way and pavement for streets shall be shown on the plat.
6. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
7. City of Sherman will not supply water or sewer utilities as noted in General Notes on plat.
8. All easements must be verified and shown on plat.
9. Verify/require access easement to adjoining properties, i.e. Rostyne tract.
10. Dedicate a 10' Utility Easement along North, West, and South sides of addition.
11. Metes and bounds must match drawing.
12. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
13. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Assistant City Manager



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

Agenda Item No. 9.

Meeting Date: 09/19/2017

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

Requested Action/Proposed Use:

*** 10409 E. HIGHWAY 56 & THE 100 BLOCK MITCHELL RD**

The request of Jack Gurley (Owner), 44-40 Builders, LLC (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 10409 East Highway 56 and the 100 Block of Mitchell Road, being 7.671 acres in the Aaron Burleson Survey, Abstract No. 61, as follows:

Planning and Zoning Board

Final Plat approval of Trails End Subdivision in the City of Sherman's Extra Territorial Jurisdiction (ETJ).

Background:

The property is located at 10409 East Highway 56 and the 100 block of Mitchell Road in the City of Sherman's extra territorial jurisdiction (ETJ). The owner would like to plat the property into five lots.

Adjacent Zoning:

Outside City.

Origination:

Jack Gurley (Owner)

44-40 Builders, LLC (Developer)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Not a part of the Masterplan

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 10/16/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2017 Council Calendar

2017

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

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

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

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

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

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

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

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

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

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

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

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

1/2/2017	New Years Day/Called Council Meeting on 1/3/2017 - Cancelled
3/21/2017	Called Joint Meeting with SISD Board of Trustees
4/21/2017	Called Budget Planning Mtg in Council Chambers
5/22/2017	Called Council Meeting for Introduction, PH and Adoption of Annexation Ordinance (459.6 acre tract on Preston Club Drive in ETJ)
6/15-16/2017	Called Budget Workshop in Council Chambers
7/3/2017	July 3rd Council Meeting Cancelled
7/31/2017	Called Council Meeting for 2nd PH of Annexation Ordinance (Kings Ridge on Norwood Street in ETJ)
9/4/2017	Labor Day/Called Council Meeting on 9/5/2017

[illegible]