

**CITY OF SHERMAN
CITY COUNCIL CALLED MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
TUESDAY, SEPTEMBER 4, 2012
5:00 P.M.**

- A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN](#)
- A.2 [PLEDGE OF ALLEGIANCE](#)
- A.3 [INVOCATION BY COUNCIL MEMBER PAMELA L. HOWETH](#)
- A.4 [APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 20, 2012](#)

Proclamation

- A.5 [PROCLAMATION](#)
“Texting & Driving – It Can Wait Day” – September 19, 2012

Public Hearing

- B.1 [PUBLIC HEARING](#)
Capital Improvement Program 2012-2017
- B.2 [SECOND PUBLIC HEARING OF ORDINANCE NO. 5752](#)
Providing for the Levy of Ad Valorem Taxes for the City of Sherman, Texas, for the Tax Year 2012; Distributing the Same Among the Various Funds; Providing for a Penalty and Interest for Failure to Pay the Taxes Levied within the Time Provided by Law
- B.3 [INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5753](#)
Amending Chapter 13 of the Code of Ordinances, entitled “Utilities”, Article 13.08, entitled “Utility Billing”, at Sections 13.08.005 and 13.08.006, Revising Rates for Water and Sewer and Providing for Bulk Water Sales

Close Public Hearing and Consider Adoption of Ordinances

- B.4 [ADOPTION OF ORDINANCES](#)
Consider Adoption of Ordinance Number:
(a) 5753

B.5 [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. 5693](#)

Approving and Adopting a Five-Year Capital Improvement Program for the City of Sherman, Texas

C.2 [* RESOLUTION NO. 5694](#)

Amending the 2011-2012 Budget of the City of Sherman, Texas, Appropriating and Allocating Additional Funds for the Period of October 1, 2011, through September 30, 2012

C.3 [RESOLUTION NO. 5695](#)

Finding and Determining a Public Purpose and Public Necessity Exists for Construction of City Project “State Highway 289 Water Line”; Appointing an Appraiser and Negotiator as Necessary; Authorizing the City Manager to Establish Just Compensation for the Property Rights to be Acquired; Authorizing the City Manager to Take all Steps Necessary to Acquire the Needed Property Rights in Compliance with All Applicable Laws and Regulations

C.4 [* RESOLUTION NO. 5696](#)

Authorizing the City Manager to Enter into an Interlocal Agreement with the Texas Department of Transportation to Enable the Police Department to be a Participant in the State Wide Crash Reporting and Analysis for Safer Highways (CRASH) System at No Cost to the City

C.5 [* RESOLUTION NO. 5697](#)

Authorizing the Execution of Deeds for the Resale of Properties within the Sherman City Limits Seized for Delinquent Taxes

C.6 [* RESOLUTION NO. 5698](#)

Authorizing the Execution of Agreements with the Sherman Housing Authority, the Texoma Area Paratransit System, Inc., the Grayson County Crisis Center, the Grayson County Shelter, Inc., Child & Family Guidance Center of Texoma, and Boys & Girls Club of Sherman, Inc. for the Use of Community Development Block Grant Funds

Other Business

D.1 [OTHER BUSINESS](#)

Receive Presentation from White Cane Days Drive Chairman Jerry Gundersheimer on the City Ordinance Regarding Street Solicitation

D.2 [* OTHER BUSINESS](#)

Consider Request of the Sherman Arts Festival Committee to Temporarily Close Certain Streets and Use Certain City Facilities and Services for the 30th Annual Sherman Arts Festival on Saturday, September 15, 2012

D.3 [* OTHER BUSINESS](#)

Consider Request of St. Mary's Catholic Parish to Temporarily Close Certain Streets for their Annual Fall Fest on Sunday, September 30, 2012

D.4 [CITIZEN REQUESTS](#)

D.5 [MEDIA QUESTIONS](#)

D.6 [COUNCIL COMMENTS](#)

D.7 [ADJOURNMENT](#)

[COUNCIL CALENDAR](#)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. A.2

PLEDGE OF ALLEGIANCE

The Honorable Pamela L. Howeth, Council Member



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. A.3

INVOCATION BY COUNCIL MEMBER PAMELA L. HOWETH



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. A.4

APPROVE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 20, 2012

STATE OF TEXAS

§

August 20, 2012

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on August 20, 2012.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS HOWETH, SMITH, SOFTLY, WACKER.

MEMBERS ABSENT: COUNCIL MEMBER PLYLER.

CALL TO ORDER

Mayor Magers called the meeting to order at 5:01 p.m. The Pledge of Allegiance and the Invocation were given by Council Member Robert Softly.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of August 6, 2012. Council Member Wacker moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

SECOND PUBLIC HEARING OF ORDINANCE

Mayor Magers called for the second public hearing of Ordinance 5750:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR A REPEALER.

ORD 5750
ANNUAL BUDGET

No citizens appeared before the City Council to discuss Ordinance 5750.

INTRODUCTION AND FIRST PUBLIC HEARING OF ORDINANCE

Mayor Magers introduced Ordinance 5752 and called for the first public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2012; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A REPEALER.

ORD 5752
LEVY OF AD
VALOREM TAXES

No citizens appeared before the City Council to discuss Ordinance 5752.

Mayor Magers said the City Council will consider the adoption of the tax rate ordinance at the called meeting scheduled for 5:00 p.m. on Monday, September 17, 2012, at Sherman City Hall, 220 West Mulberry Street, Sherman, Texas.

The Public Hearing was closed.

OTHER BUSINESS

PROVIDING FOR THE RATIFICATION OF THE PROPERTY TAX INCREASE

**PROPERTY TAX
INCREASE**

Mayor Magers said the Council will consider the ratification of the property tax increase. He added that the property tax is \$0.32 per \$100 valuation, the same as it has been for the last five years. The reason there is an increase is because the values have increased even though the tax rate has remained consistent.

ACTION TAKEN.

Motion by Council Member Wacker to ratify the property tax increase, as presented. Second by Council Member Howeth.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5750

**ORD 5750
ANNUAL BUDGET**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR A REPEALER.

Mayor Magers said the Budget is balanced and its adoption is required by State Law. The tax rate remains the same and the City is not cutting any services. There is an increase for the staff, the first time in several years.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Ordinance No. 5750, as presented. Second by Council Member Smith.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 5691 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH SHERMAN COMMONS, LP. BY AND THROUGH ITS AGENT, FOUR PARTNERS, LLC DBA UCR ASSET SERVICES, FOR THE RELOCATION OF PUBLIC FACILITIES WITHIN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH SHERMAN COMMONS, LP. BY AND THROUGH ITS AGENT, FOUR PARTNERS, LLC DBA UCR ASSET SERVICES, FOR THE RELOCATION OF PUBLIC FACILITIES WITHIN THE CITY OF SHERMAN.

RES 5691
SHERMAN COMMONS
RELOCATION OF
PUBLIC FACILITIES

Mayor Magers moved the agenda item forward for discussion and consideration.

Council Member Wacker verified that these improvements were already slated and they are changing the slope and relocating the water line in conjunction with Sherman Commons, on the east side of US Highway 75.

Clay Barnett, City Engineer, explained that UCR is doing a lot of work at Sherman Commons that has been needed for a long time. They are removing the failing retaining walls and “benching” back the area. The 16” water line was too close to the surface and they will be lowering it.

Mayor Magers said another project, as slated by the Metropolitan Planning Organization, is to widen Loy Lake Road. Other additional improvements are anticipated.

Mayor Magers said the intersection at Loy Lake Road and US Highway 75 will feature some public/private improvements. The MPO has allocated public funds to widen the bridge and the private sector will also be making some improvements. The projects should relieve a lot of traffic at the bridge.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5691, as presented. Second by Council Member Howeth.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5690 – AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR AN URBAN AREA CORRIDOR PROJECT (RELOCATION OF THE SOUTHBOUND US 75 EXIT RAMP TO FM 1417)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF

RES 5690
RELOCATION OF
SOUTHBOUND US 75
EXIT RAMP TO FM 1417

SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR AN URBAN AREA CORRIDOR PROJECT (RELOCATION OF THE SOUTHBOUND US 75 EXIT RAMP TO FM 1417).

Mayor Magers explained that three years ago the City approached the Blalock plant managers asking about changes at the US Highway 75 and FM 1417 intersection. The Blalock community “got behind” the initiative and the Planning and Zoning Commission put together the highest level of commercial standards at the City’s southern gateway. The area was rezoned and then the recession “hit.”

Mayor Magers said Jeff Harkinson, an Austin College graduate whose wife is a Sherman native, acquired the property and is moving forward with development. The project is truly a public/private partnership. The Texas Department of Transportation is funding a portion of the ramp and the Sherman Economic Development Corporation has contributed money to move the ramp due to a safety issue with traffic “stacking.” The private developer has also contributed significant dollars on the project.

TxDOT, SEDCO, and the private developer are working together to create an environment to stimulate retail and commercial growth at that intersection, to make it safer for the Blalock Industrial District, and to extend the life of the FM 1417 overpass for additional years so a very expensive overpass will not have to be reconstructed.

Jeff Harkinson, 5109 Palomar Lane, Dallas, Texas 75229

Mr. Harkinson said he was very excited about the public/private partnership. He felt it was an appropriate cost sharing and would allow the money to go farther to improve the safety of a dangerous intersection and to create more economic development for the City of Sherman.

Mr. Harkinson said when he was looking at the property he tried to determine what would be the highest and best use. They wanted to be patient and do things right to attract a higher quality of development.

He added that this was the southern gateway to Sherman and he would like to see something happen that would be very positive to the community. When looking at the frontage on US Hwy 75, there is no way to access the northern boundary of that property without moving the off-ramp back.

During his due diligence on the property, he found that it was already part of TxDOT’s plan to move the ramp. Since the competition for public dollars is great, he realized it might be a long time before the project moved up on the priority list.

By working together with the City of Sherman, SEDCO, and TxDOT, Mr. Harkinson said they were able to move the project forward. He also thanked State Representative Larry Phillips for his help working with TxDOT. He asked to continue the close working relationship with the City and said he welcomed their ideas on what they would like the southern gateway to look like.

Mr. Harkinson also thanked Mayor Magers for his leadership on the project. Mayor Magers said the City is a “pass through” conduit for this financing and no property tax or General Fund dollars are being spent on the project. The operation is fully funded by TxDOT, SEDCO, and Mr. Harkinson’s group.

Mayor Magers added that TxDOT has a “placeholder” for 2013 and the project should be completed by Spring.

ACTION TAKEN.

Motion by Council Member Smith to approve Resolution No. 5690, as presented. Second by Council Member Softly.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5692 – APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PATTILLO, BROWN & HILL, L.L.P. TO PERFORM THE FISCAL YEAR 2012 AUDIT

RES 5692
ANNUAL AUDIT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PATTILLO, BROWN & HILL, L.L.P. TO PERFORM THE FISCAL YEAR 2012 AUDIT.
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER REQUEST OF THE GRAYSON HISPANIC HERITAGE COUNCIL OF SHERMAN TO TEMPORARILY CLOSE CERTAIN STREETS, AND USE CERTAIN CITY FACILITIES AND SERVICES FOR THE ANNUAL HISPANIC HERITAGE CELEBRATION ON SATURDAY, SEPTEMBER 8, 2012

CLOSE STREETS
HISPANIC HERITAGE
CELEBRATION
(SEPT. 8, 2012)

The City Council approved the request of the Grayson Hispanic Heritage Council of Sherman to temporarily close certain streets and use certain City facilities and services for the Annual Hispanic Heritage Celebration on Saturday, September 8, 2012.

The event will be held in the Municipal Ballroom and on the grounds. Barricades and solid waste containers will also be provided for the event.

CONSENT AGENDA.

CITIZENS REQUESTS

DOWNTOWN GRANT FOR BUSINESS

Jason Sofey, 1401 Avendale, thanked the City Council for approving his grant several months ago, for a business in downtown Sherman. His business is now open, and thanks to the City Council; George Olson, City Manager; Robby Hefton, Assistant City Manager/CFO; and Scott Shadden, Director of Development Services; a 112 year old building has now been remodeled and is back in use. He also thanked Fire Chief J.J. Jones and the Fire Department for working with him on fire codes.

He added that the project would have been tough financially, without the City's grant. He said it was a great project and they are glad to be located in downtown Sherman. He was also glad to see the street work that is now going on around the square.

MEDIA QUESTIONS

There were no media questions

COUNCIL COMMENTS

ONLINE REQUEST SYSTEM

Council Member Wacker thanked the staff for the online request system through the City's website. She said it seemed to be very efficient and work well

SHERMAN INTERDENOMINATIONAL MINISTERIAL ALLIANCE'S SCHOLARSHIP BANQUET

Council Member Softly thanked the citizens, Mayor Magers, and Council Member Wacker for attending the Sherman Interdenominational Ministerial Alliance's Scholarship Banquet recently.

The organization was able to help seven more young people and was able to provide assistance for two adults that wanted to further their education.

FUNDING FOR PROJECTS

Mayor Magers said he recently attended a three-day seminar on transportation and all he heard was now afraid these cities were to increase revenue in these anti-tax times. They didn't seem to understand the difference between investment and expense.

He said the project discussed earlier at the south gateway to Sherman is an investment in the future and an investment in infrastructure, and is really a public/private partnership.

As cities find limited funds from the traditional sources, they will need to "think outside the box" to move projects such as this, along. He thanked the people that made this project happen.

DOWNTOWN GRANT FOR BUSINESS

MEDIA QUESTIONS

ONLINE REQUEST SYSTEM

SHERMAN INTER- DENOMINATIONAL MINISTERIAL ALLIANCE BANQUET

FUNDING FOR PROJECTS

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.

SECTION 551.074

**PERSONNEL MATTERS
CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
TEXOMA COMMUNITY CENTER
(FORMERLY MHMR SERVICES OF
TEXOMA) BOARD OF DIRECTORS
(1)**

**DELIBERATE THE EVALUATION
OF A PUBLIC OFFICER OR
EMPLOYEE:
ANNUAL PERFORMANCE
EVALUATION OF THE CITY
MANAGER**

**ANNUAL PERFORMANCE
EVALUATION OF THE CITY
ATTORNEY**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:22 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:29 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

TEXOMA COMMUNITY CENTER (FORMERLY MHMR SERVICES OF TEXOMA) BOARD OF DIRECTORS (1)

ACTION TAKEN.

Motion by Council Member Smith to reappoint Margie Morris to the Texoma Community Center Board of Directors for a term from August 31, 2012 to August 31, 2014. Second by Deputy Mayor Steele.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

EXECUTIVE SESSION

OPEN MEETING

**TEXOMA COMMUNITY
CENTER BOARD
OF DIRECTORS (1)**

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:30 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. A.5

PROCLAMATION

“Texting & Driving – It Can Wait Day” – September 19, 2012

Issue

To present a proclamation designating September 19, 2012 as “Texting & Driving – It Can Wait Day”, warning citizens about the danger of texting and driving and to encourage drivers to realize that texting “can wait”

Background

AT&T is sponsoring the “It Can Wait” campaign to raise public awareness about the risks of texting and driving. The purpose of the initiative is to remind all wireless consumers, but especially youth, that, when it comes to driving a vehicle, all text messages can – and should – wait.

Origination

The request originated with AT&T.

Financial Consideration

There is no financial consideration to the City.

Staff Recommendation

It is the recommendation of the staff that a proclamation be presented designating September 19, 2012 as “Texting & Driving – It Can Wait Day” to encourage all citizens, especially youth, to remember that texting and driving don’t mix.

Alternatives

The Council could choose not to present the proclamation.

Attachments

A proclamation designating September 19, 2012 as “Texting & Driving – It Can Wait Day” is attached.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager



Proclamation

WHEREAS, public safety, including the reduction of fatalities and injuries resulting from motor vehicle accidents, are goals shared by the City of Sherman, Texas, and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) and the Virginia Tech Transportation Institute (VTTI) estimate that nearly 80 percent of crashes and 65 percent of near-crashes involve some form of driver inattention, and

WHEREAS, NHTSA and VTTI estimate that driver distraction is a factor in approximately 4.78 million crashes, resulting in two million injuries, more than 34,000 fatalities, and as much as \$184 billion in economic damages annually, and

WHEREAS, a university study found that college students face a crash risk eight times greater when texting than when not texting, and

WHEREAS, VTTI found that truck drivers face a crash risk or near-crash risk 23 times greater when texting than when not texting, and

WHEREAS, the American Media Association called text messaging while driving "a public health risk," citing a study that found text messaging while driving causes a 400 percent increase in time spent with eyes off the road, and

WHEREAS, AT&T has launched a campaign to raise public awareness about the risks of texting and driving and remind all wireless consumers, especially youth, that text messages can – and should – wait until after driving, and

WHEREAS, the "Texting & Driving – It Can Wait" program can literally save lives throughout our City, State, and Country.

NOW THEREFORE, I, Bill Rogers, Mayor of the City of Sherman, Texas, by the authority vested in me, do hereby proclaim September 10, 2012

TEXTING & DRIVING – IT CAN WAIT DAY

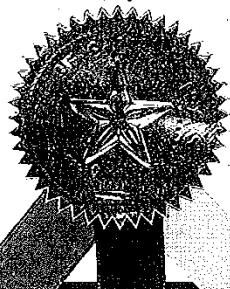
in the City of Sherman and encourage all citizens to commit to refraining from texting while driving and to join me in commending the sponsors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Sherman to be affixed this the 4th day of September, 2012.

ATTEST:

Ginda Ashby
City Clerk

Mayor





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. B.1

PUBLIC HEARING Capital Improvement Program 2012-2017

Issue

Holding a public hearing for the City of Sherman's Capital Improvement Program covering the period from October 1, 2012 through September 30, 2017

Background

Article V, Section 10 of the City Charter requires that the City Council, by resolution, adopt a Capital Improvement Program. As required, before consideration of the resolution, the City published a summary of the program and gave notice of a public hearing in a newspaper of general circulation in the City.

Origination

Department of Engineering

Financial Consideration

General Fund	\$17,320,000
Utility Fund	\$26,618,500
Total Funding for 2012-2017	\$43,938,500

Staff Recommendation

It is recommended that the City Council hold a public hearing for the Capital Improvement Program 2012-2017 at the September 4th City Council meeting.

Attachments

Summary of Capital Improvement Program 2012-2017

Prepared by:
Mark Gibson, Engineering and Utilities Director

Approved by:
George Olson, City Manager

GENERAL SERVICES

2012 - 2013

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Neighborhood Revitalization				\$250,000			\$250,000
Municipal Building Repair			\$190,000				\$190,000
Taylor Street Complex			\$200,000				\$200,000
GIS System			\$50,000				\$50,000
Total 2012-2013	\$0	\$0	\$440,000	\$250,000	\$0	\$0	\$690,000

2013-2014

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Municipal Building Repair			\$110,000				\$110,000
Northeast Fire Station Site			\$2,500,000				* \$2,500,000
Southwest Fire Station			\$5,200,000				* \$5,200,000
Hawn Skateboard Renovation - Phase II				\$80,000			\$80,000
Martin Luther King Park Restroom				\$150,000			\$150,000
Fairview Park Field Lighting				\$150,000			\$150,000
Ely Park Playground				\$80,000			\$80,000
Hawn Park Pavilion				\$75,000			\$75,000
Rosedale Park Restroom				\$150,000			\$150,000
Hawn Park Field Lighting				\$200,000			\$200,000
Baker Park Pavilion				\$75,000			\$75,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2013-2014	\$250,000	\$50,000	\$7,860,000	\$960,000	\$0	\$0	\$9,120,000

* Bonded

2014-2015

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Cypress Grove Rd. Rebuild - Rex Cruse to Redbud		\$600,000					\$600,000
Fallon Drive Construction - Preliminary Engineering and ROW		\$100,000					\$100,000
Starlight Alley Rebuild		\$350,000					\$350,000
Rosedale Park Playground				\$60,000			\$60,000
Rosedale Park Field Lighting				\$50,000			\$50,000
Hawn Park Sprayground Expansion				\$300,000			\$300,000
Hillcrest Park Renovation				\$150,000			\$150,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2014-2015	\$250,000	\$1,100,000	\$50,000	\$560,000	\$0	\$0	\$1,960,000

2015-2016

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Fallon Drive West Construction to U.S. Hwy 75		\$1,500,000					\$1,500,000
Shady Oaks Drive Reconstruction		\$700,000					\$700,000
Fairview Park Pavilions				\$50,000			\$50,000
Fairview Park Spray Ground and Splash Expansion				\$500,000			\$500,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2015-2016	\$250,000	\$2,250,000	\$50,000	\$550,000	\$0	\$0	\$3,100,000

2016-2017

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
U.S. Highway 75 Fallon Drive Ramps		\$1,000,000					\$1,000,000
Cherry Park Playground				\$100,000			\$100,000
Old Settlers Park - Phase III Field Renovation				\$1,000,000			\$1,000,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2016-2017	\$250,000	\$1,050,000	\$50,000	\$1,100,000	\$0	\$0	\$2,450,000

** SEDCO Funded

***TxDOT Participation

GENERAL GRAND TOTAL	\$1,000,000	\$4,450,000	\$8,450,000	\$3,420,000	\$0	\$0	\$17,320,000
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UTILITY SERVICES

2012-2013

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Replace #3 Bar Screen						\$300,000 *	\$300,000
WWTP - Headworks Variable Frequency Drive Upgrade - Phase I & II Construction						\$500,000 *	\$500,000
WWTP - Biosolids Engineering, Design and Construction						\$1,200,000 */1	\$1,200,000
Reconfigure Sears Lift Station to Gravity Sewer						\$1,000,000 *	\$1,000,000
Blalock Industrial Sewer Replacement						\$500,000 **	\$500,000
S.H. Highway 289 Sewerline A						\$1,650,000 **	\$1,650,000
Upgrade Metering and Telemetry for Water System					\$350,000		\$350,000
Well Repairs and Upgrades					\$625,000		\$625,000
Gallagher Elevated Tank Painting and Repair					\$625,000		\$625,000
Infiltration & Inflow Office and Storage Facility			\$75,000				\$75,000
Woods Street Water Line Replacement					\$32,000		\$32,000
Lamberth Road Water Line Replacement					\$31,000		\$31,000
Texoma Parkway Water Replacement - Phase IV					\$134,000		\$134,000
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2012-2013	\$0	\$0	\$75,000	\$0	\$1,847,000	\$5,200,000	\$7,122,000

* Bonded

** SEDCO Funded

1 Under Technological Review

2013-2014

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Nutrient Removal Preliminary Engineering						\$1,400,000 *	\$1,400,000
WWTP - Upgrade UV Disinfection System						\$1,100,000 *	\$1,100,000
WWTP Relief Headworks - Engineering and Construction						\$4,000,000 *	\$4,000,000
Gallagher Elevated Tank Exterior Painting					\$500,000		\$500,000
Eastside Outfall Return Sewer						\$500,000 *	\$500,000
Ida Road Ground Storage Tank Repair and Painting					\$1,000,000		\$1,000,000
Texoma Parkway Water Replacement - Phase V					\$300,000	*	\$300,000
Ricketts Street Water Line Replacement, Phase 2					\$168,000		\$168,000
Relief Sewer D-1						\$290,000	\$290,000
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2013-2014	\$0	\$0	\$0	\$0	\$2,018,000	\$7,340,000	\$9,358,000

* Bonded

2014-2015

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Nutrient Removal Process						\$8,000,000 *	\$8,000,000
WWTP Automated Dissolved Oxygen Control						\$900,000 *	\$900,000
South Sherman Trunk Sewer Replacement						\$135,000	\$135,000
Texoma Parkway Sewer Replacement						\$200,000	\$200,000
U.S. Highway 75 South Water Crossing Replacement					\$138,000		\$138,000
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2014-2015	\$0	\$0	\$0	\$0	\$188,000	\$9,285,000	\$9,473,000

* Bonded

2015-2016							
	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2015-2016	\$0	\$0	\$0	\$0	\$50,000	\$50,000	\$100,000

2016-2017							
	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Repair/Replace Perimeter Fencing			\$50,000				\$50,000
WWTP - Study Digester Upgrade and Cost Recovery (8%)						\$200,000	\$200,000
Blanton Drive Water Main Replacement					\$54,000		\$54,000
Oxford Street Water Main Replacement					\$85,000		\$85,000
Grant Street Water Main Replacement					\$76,500		\$76,500
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2016-2017	\$0	\$0	\$50,000	\$0	\$265,500	\$250,000	\$565,500

UTILITY GRAND TOTAL	\$0	\$0	\$125,000	\$0	\$4,368,500	\$22,125,000	\$26,618,500
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TOTAL CIP	\$1,000,000	\$4,450,000	\$8,575,000	\$3,420,000	\$4,368,500	\$22,125,000	\$43,938,500
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SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. B.2

SECOND PUBLIC HEARING OF ORDINANCE NO. 5752

Providing for the Levy of Ad Valorem Taxes for the City of Sherman, Texas, for the Tax Year 2012; Distributing the Same Among the Various Funds; Providing for a Penalty and Interest for Failure to Pay the Taxes Levied within the Time Provided by Law

Issue

To hold the second public hearing on the Ad Valorem Tax Rate proposed for the upcoming fiscal year, as mandated by revisions in the State of Texas Truth-In-Taxation Laws

Background

The effective tax rate is the rate that yields the same amount of revenue as the prior year on property that is taxed in both years. This year's effective tax rate is \$0.309846/\$100, with a rollback rate of \$0.351721/\$100 (adjusted for sales tax adjustment). At the Budget Workshop in June, the City Council directed that the actual total tax rate be set at \$0.320000 per \$100 valuation. The City will be using ad valorem taxes to pay debt service on Certificates of Obligation, so the tax rate is split between debt service, called Interest and Sinking (I&S), and a Maintenance & Operations (M&O) component. The I&S rate is \$0.039691/\$100 and the M&O rate will be \$0.280309/\$100.

Origination

Assistant City Manager/CFO

Financial Consideration

The proposed tax rate will generate approximately \$7.2 million in property tax revenues.

Staff Recommendation

Based on the Budget Workshop and discussion of the draft budget, the staff recommends adoption of the tax rates as indicated above.

Council Action Requested

1. Hold the second public hearing on the tax rate ordinance.
2. **Announce that the City Council will consider the adoption of the tax rate ordinance at the called meeting scheduled for 5:00 p.m. on Monday, September 17, 2012, at Sherman City Hall, 220 West Mulberry Street, Sherman, Texas.**

Alternatives

No other alternatives are offered at this time since publication of rates and notices have already been made to the public; and changing the proposed rates would require re-publication of notices and setting additional public hearings.

Attachments

Ordinance No. 5752

“2012 Property Tax Rates in CITY OF SHERMAN”

Prepared by:

Robby Hefton, Assistant City Manager/CFO

Approved by:

George Olson, City Manager

ORDINANCE NO. 5752

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2012; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; 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 there be, and there is hereby, levied and shall be collected a Maintenance and Operations (M&O) ad valorem tax of \$0.280309/\$100 Dollars (\$0.280309) and an Interest and Sinking (I&S) ad valorem tax of \$0.039691/\$100 Dollars (\$0.039691) on all taxable property situated within the corporate limits of the City of Sherman on the first day of January, A.D., 2012, and not exempt from taxation by the constitution and laws of the State of Texas, apportioned as follows, to-wit:

FOR GENERAL FUND EXPENDITURES, \$0.280309 on each One Hundred Dollars (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE EXPENDITURES, \$0.039691 on each One Hundred Dollars (\$100.00) assessed valuation of such property.

SECTION 2. That a penalty shall be charged and collected from all persons who do not pay their taxes prior to the first day of February, 2013. Penalty charges shall be in accordance with the following schedule:

If paid in February, 2013	6%
If paid in March, 2013	7%
If paid in April, 2013	8%
If paid in May, 2013	9%
If paid in June, 2013	10%
If paid on or after July 1, 2013	12%

All delinquent taxes shall accrue interest from the date of delinquency at the rate of one percent (1%) for each month or portion of a month the tax remains unpaid. Pursuant to Section 33.07 of the Texas Property Tax Code, an additional penalty of 15% of the amount of taxes, penalty and interest that remain due after July 1, 2013, shall be assessed to defray the cost of collection.

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 _____, 2012.

ADOPTED on this the _____ day of _____, 2012.

EFFECTIVE DATE on this the _____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

2012 Property Tax Rates in CITY OF SHERMAN

This notice concerns 2012 property tax rates for CITY OF SHERMAN. It presents information about three tax rates. Last year's tax rate is the actual rate the taxing unit used to determine property taxes last year. This year's effective tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's rollback tax rate is the highest tax rate the taxing unit can set before taxpayers can start tax rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

Last year's tax rate:

Last year's operating taxes	\$5,879,161
Last year's debt taxes	\$615,468
Last year's total taxes	\$6,494,629
Last year's tax base	\$2,029,571,563
Last year's total tax rate	\$0.320000/\$100

This year's effective tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$5,962,749
= This year's adjusted tax base (after subtracting value of new property)	\$1,924,418,787
= This year's effective tax rate (Maximum rate unless unit publishes notices and holds hearings.)	\$0.309846/\$100

This year's rollback tax rate:

Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate, and/or enhanced indigent health care expenditures)	\$9,211,437
+ This year's adjusted tax base	\$1,924,418,787
= This year's effective operating rate	\$0.478661/\$100
x 1.08=this year's maximum operating rate	\$0.516953/\$100
+ This year's debt rate	\$0.039691/\$100
= This year's total rollback rate	\$0.556644/\$100
- Sales tax adjustment rate	\$0.204923/\$100
= Rollback tax rate	\$0.351721/\$100

Statement of Increase/Decrease

If CITY OF SHERMAN adopts a 2012 tax rate equal to the effective tax rate of \$0.309846 per \$100 of value, taxes would decrease compared to 2011 taxes by \$-445,663.

Schedule A - Unencumbered Fund Balances

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
MAINTENANCE & OPERATIONS	\$6,713,420
INTEREST & SINKING	\$159,529

Schedule B - 2012 Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
2008 CERTIFICATES OF OBLIGATION	\$200,000	\$157,470	\$0	\$357,470
2009 CERTIFICATES OF OBLIGATION	\$168,333	\$143,227	\$0	\$311,560
2009A CERTIFICATES OF OBLIGATION	\$125,000	\$117,413	\$0	\$242,413
Total Required for 2012 Debt Service				\$911,443
- Amount (if any) paid from Schedule A				\$136,560
- Amount (if any) paid from other resources				\$0
- Excess collections last year				\$0
= Total to be paid from taxes in 2012				\$774,883
+ Amount added in anticipation that the unit will collect only 100.00% of its taxes in 2012				\$0
= Total debt levy				\$774,883

Schedule C - Expected Revenue from Additional Sales Tax

In calculating its effective and rollback tax rates, the unit estimated that it will receive \$4,000,590 in additional sales and use tax revenues.

This notice contains a summary of actual effective and rollback tax rates' calculations. You can inspect a copy of the full calculations at 100 W. HOUSTON ST, SHERMAN TX 75090.

Name of person preparing this notice: JOHN W. RAMSEY, RTA

Title: TAX ASSESSOR COLLECTOR GRAYSON COUNTY

Date Prepared: 08/02/2012



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. B.3

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5753
Amending Chapter 13 of the Code of Ordinances, entitled “Utilities”, Article 13.08, entitled “Utility Billing”, at Sections 13.08.005 and 13.08.006, Revising Rates for Water and Sewer and Providing for Bulk Water Sales

Issue

Increase in water and sewer rates

Background

As part of the budget process for the 2012-2013 fiscal year, the Council approved an increase in water and sewer rates to offset declining revenues in the Utility Fund. This ordinance increases water and sewer rates by about 4%, which is expected to generate about \$700,000 in additional annual revenue. The rate increase will take effect October 1, 2012. This is the third year of a three-year plan to replace lost industrial and commercial utility revenues.

Origination

City Council

Financial Consideration

This rate change is expected to generate about \$700,000 in additional revenue.

Staff Recommendation

Staff recommends adoption of the ordinance.

Alternatives

The Council could elect not to increase rates or could adopt rates different than those proposed.

Attachments

Ordinance No. 5753

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

ORDINANCE NO. 5753

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", ARTICLE 13.08, ENTITLED "UTILITY BILLING", AT SECTIONS 13.08.005 AND 13.08.006, REVISING RATES FOR WATER AND SEWER AND PROVIDING FOR BULK WATER SALES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; 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 Chapter 13, Article 13.08, Section 13.08.005 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 13.08.005 Water rates

(a) Water furnished by the city to a customer, other than any customer who dwells or resides in a multiunit dwelling within the city limits shall be charged for at the following rates for the fiscal year beginning October 1, ~~2011~~ 2012 for the first fifteen hundred (1,500) gallons of water used according to meter size and unit of measurement of the meter register:

Meter Sizes (in inches)	Monthly Amount <u>Oct 1, 2011 2012</u>
5/8 or 3/4	\$20.37 21.18
1	\$40.15 41.76
1-1/2	\$80.69 83.92
2	\$137.48 142.98
3	\$299.71 311.70
4	\$526.82 547.89
6	\$1,175.74 1,222.77
8	\$2,084.23 2,167.60
10	\$3,252.29 3,382.38

(b) Volume charge. Except as noted below, the charge for all water consumed in excess of the minimum fifteen hundred (1,500) gallons shall be billed at a rate of ~~two dollars and ninety-one cents~~ *three dollars and three cents (\$2.91 3.03)* per one thousand (1,000) gallons of water used for the rates beginning October 1, ~~2011~~ 2012. Water meters utilized for lawn sprinkling systems shall be charged according to meter size plus the consumption rate of ~~two dollars and ninety-one cents~~ *three dollars and three cents (\$2.91 3.03)* per one thousand (1,000) gallons of water used in excess of the minimum fifteen hundred (1,500) gallons during months of July through October, beginning October 1, ~~2011~~ 2012. During the billing months of November through June of any fiscal year, such water sprinkler meters shall be billed a minimum monthly charge as would be billed to a 5/8-inch or 3/4-inch meter.

(c) All multiunit dwellings within the city shall be charged for water consumption and availability utilizing the following formula:

Gallons Calculation Beginning October 1, ~~2011~~ 2012:

(number of units X ~~\$20.37~~ 21.18) +

$$\frac{(\text{gallons of water used}) - (\text{number of units} \times 1,500 \text{ gallons})}{1,000}$$

~~\$2.91~~ 3.03 = Billing

(d) All customers whose combined average daily use for the past twelve (12) months exceeds 700,000 gallons per day shall be charged for water consumption at the same rates as stated in the above subsections. ~~The customers who qualify~~ *Customers that qualify* for this subsection shall receive a rebate, to be paid annually, calculated as follows:

Water Rebate = Total annual water revenues for previous twelve (12) months X .05.

(e) Bulk water sales. *Upon the approval of the City of Sherman Utility Billing Department, commercial customers may purchase bulk water from a designated meter or hydrant. Bulk water sales will be metered by the City and purchased in advance. Water sales will be calculated using outside the city rates. Bulk water sales will be for one-time purchases. Customers needing water for multiple occurrences or days must establish a Fire Hydrant Meter account, following the required procedures to establish such account, set forth in Section 13.08.003 of this Code.*

SECTION 2. That Chapter 13, Article 13.08, Section 13.08.006 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

Sec. 13.08.006 Sewer charges

(a) All persons using the sanitary sewer system and lines of the city shall be charged as follows:

- (1) Sewage charges. The sewage charge will be based upon the amount of water used. Each sanitary sewer system customer, except multiunit dwelling complexes, shall be charged for sewage at the following rates:

<u>Amount</u>	<u>Minimum Charge, Whether 1,500 Gallons of Water are Used</u>
	<u>Oct 1, 2011 2012</u>
First 1,500 gallons of water used	\$ 7.31 7.60

Additional charges shall be ~~three dollars and twelve cents~~ *three dollars and twenty-four cents* (\$~~3.12~~ 3.24) for each one thousand (1,000) gallons used above the fifteen hundred (1,500) gallons minimum charge for fiscal year beginning October 1, ~~2011~~ 2012. For residential living units, the maximum sewer charge will be ~~thirty dollars and seventy-one cents~~ *thirty-one dollars and ninety cents* (\$~~30.71~~ 31.90) per residential living unit for fiscal year beginning October 1, ~~2011~~ 2012.

- (b) For multiunit dwelling complexes, the total sewage charge will be based on the amount of water used and will be the lower figure calculated from either of the two (2) following formulas:

Gallons Calculation Beginning October 1, ~~2011~~ 2012:

(number of dwelling units X \$~~7.31~~ 7.60) +

$$\frac{(\text{gallons of water used}) - (\text{number of units X 1,500 gallons}) \text{ X } \$\text{~~3.12~~ 3.24}}{1,000}$$

or

number of dwelling units X ~~30.71~~ 31.90

- (c) Industrial surcharge. An additional surcharge is to be added to the above charge for the total sewage charge whenever the customer's sewage exceeds that of normal domestic wastewater, as defined in article 13.07, Water, Sewers and Sewage Disposal, section 13.07.140. The industrial waste surcharge represents an apportionment of the cost of handling the excess load imposed on the sewage treatment plant by wastes stronger than "normal domestic wastewater." The amount of surcharge shall reflect the cost incurred by the city in removing the excess BOD and TSS, as determined by regularly monitored effluent. During the fiscal year beginning October 1, ~~2011~~ 2012, industrial surcharges shall be calculated and charged for at the following rates:

$$Cu - Vu [B(Bu - 250 \text{ mg/l}) + S(Su - 250 \text{ mg/l})]$$

Where:

Cu is the surcharge for users X;

Vu is the billing volume for user X per 1,000 gallons;

Bu is the tested BOD levels for user X or 250 mg/l, whichever is greater;

B is the unit cost factor for treating one (1) unit of BOD per 1,000 gallons
(~~\$0.003156~~ 0.003282);

Su is the tested TSS level for user X or 250 mg/l, whichever is greater;

S is the unit cost factor for treating one (1) unit of TSS per 1,000 gallons
(~~\$0.002320~~ 0.002413).

SECTION 3. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity of effectiveness of the remainder of the ordinance.

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 _____, 2012.

ADOPTED on this the _____ day of _____, 2012.

EFFECTIVE DATE on this the _____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, 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

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. B.4

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 5753

B.3 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5753

Amending Chapter 13 of the Code of Ordinances, entitled "Utilities", Article 13.08, entitled "Utility Billing", at Sections 13.08.005 and 13.08.006, Revising Rates for Water and Sewer and Providing for Bulk Water Sales



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. B.5

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

C.2 * RESOLUTION NO. 5694

Amending the 2011-2012 Budget of the City of Sherman, Texas, Appropriating and Allocating Additional Funds for the Period of October 1, 2011, through September 30, 2012

C.4 * RESOLUTION NO. 5696

Authorizing the City Manager to Enter into an Interlocal Agreement with the Texas Department of Transportation to Enable the Police Department to be a Participant in the State Wide Crash Reporting and Analysis for Safer Highways (CRASH) System at No Cost to the City

C.5 * RESOLUTION NO. 5697

Authorizing the Execution of Deeds for the Resale of Properties within the Sherman City Limits Seized for Delinquent Taxes

C.6 * RESOLUTION NO. 5698

Authorizing the Execution of Agreements with the Sherman Housing Authority, the Texoma Area Paratransit System, Inc., the Grayson County Crisis Center, the Grayson County Shelter, Inc., Child & Family Guidance Center of Texoma, and Boys & Girls Club of Sherman, Inc. for the Use of Community Development Block Grant Funds

D.2 * OTHER BUSINESS

Consider Request of the Sherman Arts Festival Committee to Temporarily Close Certain Streets and Use Certain City Facilities and Services for the 30th Annual Sherman Arts Festival on Saturday, September 15, 2012

D.3 * OTHER BUSINESS

Consider Request of St. Mary's Catholic Parish to Temporarily Close Certain Streets for their Annual Fall Fest on Sunday, September 30, 2012



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. C.1

RESOLUTION NO. 5693

Approving and Adopting a Five-Year Capital Improvement Program for the City of Sherman, Texas

Issue

To approve and adopt the City of Sherman's Capital Improvement Program 2012-2017

Background

Article V, Section 10 of the City Charter requires that the City Council, by resolution, adopt a Capital Improvement Program. As required, before consideration of the resolution, the City published a summary of the program and gave notice of a public hearing in a newspaper of general circulation in the City.

Origination

Department of Engineering

Financial Consideration

General Fund	\$17,320,000
Utility Fund	\$26,618,500
Total Funding for 2012-2017	\$43,938,500

Staff Recommendation

The staff recommends approval of this item following the public hearing being conducted under Item B.1 on this agenda.

Attachments

Resolution No. 5693

Summary of the Capital Improvement Program 2012-2017

Prepared by:
Mark Gibson, Engineering and Utilities Director

Approved by:
George Olson, City Manager

RESOLUTION NO. 5693

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council is charged with providing a five-year capital improvement program for the City of Sherman, pursuant to Article V of the Charter of said City; and;

WHEREAS, the City Manager has provided to the City Council such a program in a timely fashion; and

WHEREAS, the City Council met to review said plan on August 6, 2012, at a regular City Council meeting;

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

SECTION 1. That the Five-Year Capital Improvement Program, attached hereto as Exhibit "A" and incorporated herein for all intents and purposes, be and the same is hereby in all things approved and adopted as the Capital Improvement Program of the City of Sherman, Texas.

SECTION 2. That the effective date of this resolution shall be the 4th day of September, 2012.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

Exhibit "A"

UDJ

GENERAL SERVICES

2012 - 2013

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Neighborhood Revitalization				\$250,000			\$250,000
Municipal Building Repair			\$190,000				\$190,000
Taylor Street Complex			\$200,000				\$200,000
GIS System			\$50,000				\$50,000
Total 2012-2013	\$0	\$0	\$440,000	\$250,000	\$0	\$0	\$690,000

2013-2014

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Municipal Building Repair			\$110,000				\$110,000
Northeast Fire Station Site			\$2,500,000			*	\$2,500,000
Southwest Fire Station			\$5,200,000			*	\$5,200,000
Hawn Skateboard Renovation - Phase II				\$80,000			\$80,000
Martin Luther King Park Restroom				\$150,000			\$150,000
Fairview Park Field Lighting				\$150,000			\$150,000
Ely Park Playground				\$80,000			\$80,000
Hawn Park Pavilion				\$75,000			\$75,000
Rosedale Park Restroom				\$150,000			\$150,000
Hawn Park Field Lighting				\$200,000			\$200,000
Baker Park Pavilion				\$75,000			\$75,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2013-2014	\$250,000	\$50,000	\$7,860,000	\$960,000	\$0	\$0	\$9,120,000

* Bonded

2014-2015

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Cypress Grove Rd. Rebuild - Rex Cruse to Redbud		\$600,000					\$600,000
Fallon Drive Construction - Preliminary Engineering and ROW		\$100,000					\$100,000
Starlight Alley Rebuild		\$350,000					\$350,000
Rosedale Park Playground				\$60,000			\$60,000
Rosedale Park Field Lighting				\$50,000			\$50,000
Hawn Park Sprayground Expansion				\$300,000			\$300,000
Hillcrest Park Renovation				\$150,000			\$150,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2014-2015	\$250,000	\$1,100,000	\$50,000	\$560,000	\$0	\$0	\$1,960,000

2015-2016

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Fallon Drive West Construction to U.S. Hwy 75		\$1,500,000					\$1,500,000
Shady Oaks Drive Reconstruction		\$700,000					\$700,000
Fairview Park Pavilions				\$50,000			\$50,000
Fairview Park Spray Ground and Splash Expansion				\$500,000			\$500,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2015-2016	\$250,000	\$2,250,000	\$50,000	\$550,000	\$0	\$0	\$3,100,000

2016-2017

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
U.S. Highway 75 Fallon Drive Ramps		\$1,000,000				**/**	\$1,000,000
Cherry Park Playground				\$100,000			\$100,000
Old Settlers Park - Phase III Field Renovation				\$1,000,000			\$1,000,000
GIS System			\$50,000				\$50,000
Drainage Improvement Projects	\$250,000						\$250,000
Street Right-of-Way and Street Oversize Funding		\$50,000					\$50,000
Total 2016-2017	\$250,000	\$1,050,000	\$50,000	\$1,100,000	\$0	\$0	\$2,450,000

** SEDCO Funded

***TxDOT Participation

GENERAL GRAND TOTAL	\$1,000,000	\$4,450,000	\$8,450,000	\$3,420,000	\$0	\$0	\$17,320,000
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UTILITY SERVICES

2012-2013

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Replace #3 Bar Screen						\$300,000	* \$300,000
WWTP - Headworks Variable Frequency Drive Upgrade - Phase I & II Construction						\$500,000	* \$500,000
WWTP - Biosolids Engineering, Design and Construction						\$1,200,000	* / 1 \$1,200,000
Reconfigure Sears Lift Station to Gravity Sewer						\$1,000,000	* \$1,000,000
Blalock Industrial Sewer Replacement						\$500,000	** \$500,000
S.H. Highway 289 Sewerline A						\$1,650,000	** \$1,650,000
Upgrade Metering and Telemetry for Water System					\$350,000		\$350,000
Well Repairs and Upgrades					\$625,000		\$625,000
Gallagher Elevated Tank Painting and Repair					\$625,000		\$625,000
Infiltration & Inflow Office and Storage Facility			\$75,000				\$75,000
Woods Street Water Line Replacement					\$32,000		\$32,000
Lamberth Road Water Line Replacement					\$31,000		\$31,000
Texoma Parkway Water Replacement - Phase IV					\$134,000		\$134,000
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2012-2013	\$0	\$0	\$75,000	\$0	\$1,847,000	\$5,200,000	\$7,122,000

* Bonded

** SEDCO Funded

1 Under Technological Review

2013-2014

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Nutrient Removal Preliminary Engineering						\$1,400,000	* \$1,400,000
WWTP - Upgrade UV Disinfection System						\$1,100,000	* \$1,100,000
WWTP Relief Headworks - Engineering and Construction						\$4,000,000	* \$4,000,000
Gallagher Elevated Tank Exterior Painting					\$500,000		\$500,000
Eastside Outfall Return Sewer						\$500,000	* \$500,000
Ida Road Ground Storage Tank Repair and Painting					\$1,000,000		\$1,000,000
Texoma Parkway Water Replacement - Phase V					\$300,000		* \$300,000
Ricketts Street Water Line Replacement, Phase 2					\$168,000		\$168,000
Relief Sewer D-1						\$290,000	\$290,000
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2013-2014	\$0	\$0	\$0	\$0	\$2,018,000	\$7,340,000	\$9,358,000

* Bonded

2014-2015

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Nutrient Removal Process						\$8,000,000	* \$8,000,000
WWTP Automated Dissolved Oxygen Control						\$900,000	* \$900,000
South Sherman Trunk Sewer Replacement						\$135,000	\$135,000
Texoma Parkway Sewer Replacement						\$200,000	\$200,000
U.S. Highway 75 South Water Crossing Replacement					\$138,000		\$138,000
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2014-2015	\$0	\$0	\$0	\$0	\$188,000	\$9,285,000	\$9,473,000

* Bonded

2015-2016

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2015-2016	\$0	\$0	\$0	\$0	\$50,000	\$50,000	\$100,000

2016-2017

	Drainage	Streets	Facilities	Parks	Water	Sewer	Totals
WWTP - Repair/Replace Perimeter Fencing			\$50,000				\$50,000
WWTP - Study Digester Upgrade and Cost Recovery (8%)						\$200,000	\$200,000
Blanton Drive Water Main Replacement					\$54,000		\$54,000
Oxford Street Water Main Replacement					\$85,000		\$85,000
Grant Street Water Main Replacement					\$76,500		\$76,500
Utility Main Oversizing					\$50,000	\$50,000	\$100,000
TOTAL 2016-2017	\$0	\$0	\$50,000	\$0	\$265,500	\$250,000	\$565,500

UTILITY GRAND TOTAL	\$0	\$0	\$125,000	\$0	\$4,368,500	\$22,125,000	\$26,618,500
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TOTAL CIP	\$1,000,000	\$4,450,000	\$8,575,000	\$3,420,000	\$4,368,500	\$22,125,000	\$43,938,500
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SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. C.2

*** RESOLUTION NO. 5694**

Amending the 2011-2012 Budget of the City of Sherman, Texas, Appropriating and Allocating Additional Funds for the Period of October 1, 2011, through September 30, 2012

Issue

Appropriating additional funds to increase the fiscal year (FY) 2011-2012 budget for year-end expenditure reconciliation

Background

Annually when applicable, the staff requests a year-end budget reconciliation of projected expenditures in order to ensure that our final year-end expenses are not greater than what we are authorized to spend. This year, an amendment is needed in several funds to accomplish this goal. The most notable changes relate to additional funding needed in the Insurance Fund to cover group health claims, the total of which is \$1.2 million. This issue has been discussed at length during the recent budget development meetings with the Council. Additional requests are also reflected in the General Fund, the Computer Services Fund, the Fleet Services Fund, and the Utility CIP Fund.

Origination

Robby Hefton, Assistant City Manager/CFO

Financial Consideration

This budget amendment will increase total authorized expenditures by \$2.837 million for FY 2011-2012, with a net effect of about \$1.637 million.

Staff Recommendation

The staff recommends approval of this resolution.

Alternatives

No viable alternatives exist for approval of this budget amendment.

Attachments

Resolution No. 5694

Budget Summary for various funds

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

RESOLUTION NO. 5694

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE 2011-2012 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2011, THROUGH SEPTEMBER 30, 2012; 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 2011-2012 budget of the City of Sherman, Texas, be amended as shown below, appropriating and/or allocating the below-described funds in the amounts indicated:

1. General Fund – To appropriate an additional \$245,000.00 for personnel costs, utilities, professional services, and insurance costs.
2. Insurance Fund – To appropriate an additional \$1,200,000.00 for group health claims.
3. Computer Services Fund – To appropriate an additional \$32,000.00 for personnel costs and networking repair costs.
4. Fleet Services Fund – To appropriate an additional \$80,000.00 for fuel costs.
5. Utility Improvement Fund – To appropriate an additional \$1,280,000.00 for transfer to the Insurance Fund and for capital costs.

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 _____, 2012.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
BILL MAGERS, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

General Fund
Summary of Revenues & Expenditures (Budget Basis)

	Original Budget 2011-2012	Adjusted Budget 2011-2012	Amendment 09/04/2012	Amended 2011-2012	Projected 2011-2012
Beginning Fund Balance	\$ 6,095,359	\$ 6,095,359		\$ 6,095,359	\$ 6,095,359
Revenues					
Property Taxes	6,041,500 ▼	6,041,500 ▼		6,041,500	5,994,500
Sales Taxes	11,727,000 ▼	11,727,000 ▼		11,727,000	12,413,000
Franchise Taxes	3,195,000	3,195,000		3,195,000	2,937,000
Other Taxes	127,000	127,000		127,000	109,000 ▼
Fines & Forfeitures	1,053,700	1,053,700		1,053,700	1,020,200
Recreation	275,000	275,000		275,000	281,800
Permits & Licenses	227,500	227,500		227,500	227,700
Rentals	70,650	70,650		70,650	69,400
Cemetery Sales and Services	190,200	190,200		190,200	173,675
Sales & Services	492,340	492,340		492,340	497,160
Ambulance Services	1,400,000	1,400,000		1,400,000	1,400,000
Interest	70,000	70,000		70,000	66,000
Grants and Miscellaneous	193,600	193,600		193,600	182,712
Total Revenues	25,063,490	25,063,490		25,063,490	25,372,147
Transfers In	3,206,500	3,206,500		3,206,500	3,207,997
Total Receipts	28,269,990	28,269,990		28,269,990	28,580,144
Total Funds Available	34,365,349	34,365,349			34,675,503
Expenditures					
Personnel	20,214,727	20,214,727	75,000	20,289,727	20,162,241
Supplies	1,162,481	1,162,481		1,162,481	1,142,250
Maintenance	993,289	993,289		993,289	1,047,584
Utilities	1,327,400	1,327,400	80,000	1,407,400	1,358,300
Contract Wages	202,420	202,420		202,420	218,676
Computer Services	496,790	496,790		496,790	510,140
Debt Service	69,263	69,263		69,263	69,263
Contractual and Sundry Services	1,403,779	1,403,779	90,000	1,493,779	1,515,241
Vehicle Usage	1,291,020	1,291,020		1,291,020	1,207,652
Equipment and Buildings	151,068	151,068		151,068	161,025
Transfer Out to Debt Service Fund	75,563	75,563		75,563	75,563
Transfer Out to Fleet Fund	494,148	494,148 ▼		494,148	494,148
Total Expenditures	27,881,948	27,881,948	245,000	28,126,948	27,962,083
Excess Receipts over Expenditures	388,042	388,042	(245,000)	143,042	618,061
Ending Fund Balance	\$ 6,483,401	\$ 6,483,401	\$ (245,000)	\$ 6,238,401	\$ 6,713,420

**Utility Improvement Fund
Summary of Revenues and Expenses (Budget Basis)**

	<u>Amended Budget 2011-2012</u>	<u>Amendment 09/04/2012</u>	<u>Amended 2011-2012</u>	<u>Projected 2010-2012</u>
Beginning Fund Balance	\$5,177,586		\$ 5,177,586	\$5,177,586
Revenues				
Interest Income/Other Income	25,000		25,000	36,000
Debt Proceeds	-		-	-
Total Revenues	<u>25,000</u>	<u>-</u>	<u>25,000</u>	<u>36,000</u>
Total Funds Available	5,202,586	-	5,202,586	5,213,586
Expenses				
Utility Oversizing	25,000		25,000	-
WWTP Digester Rehab	-		-	12,207
WWTP - Upgrade Mixers, Phase I	-		-	3,599
WWTP Drain Line	75,000		75,000	-
Gallagher Tower Evaluation	50,000		50,000	30,000
Lift Station	-		-	9,750
WWTP Peak Flow II	-		-	32,600
WTP Second Feed	-	80,000	80,000	80,000
WTP Flocculation Basin	-		-	19,000
Hwy 289 Water	-		-	14,750
Transfers Out-Utility Fund	400,000		400,000	400,000
Transfers Out-Employee Insurance Fund	-	1,200,000	1,200,000	1,200,000
	<u>550,000</u>	<u>1,280,000</u>	<u>1,830,000</u>	<u>1,801,906</u>
Ending Fund Balance	<u>\$4,652,586</u>	<u>\$ (1,280,000)</u>	<u>\$ 3,372,586</u>	<u>\$3,411,680</u>

Insurance Fund
Summary of Receipts & Expenditures

	Budget <u>2011-2012</u>	Amendment <u>09/04/2012</u>	Amended <u>2011-2012</u>	Projected <u>2011-2012</u>
Beginning Fund Balance	\$ 459,143		\$ 459,143	\$ (26,450)
Receipts				
Employer Contributions	3,290,000		3,290,000	3,250,000
Employee Contributions	612,000		612,000	601,000
Retiree Contributions	225,000		225,000	200,000
COBRA Contributions	-		-	8,000
Miscellaneous	-		-	-
Interest Earned	3,500		3,500	-
Transfers In	-	1,200,000	1,200,000	1,200,000
Total Receipts	<u>4,130,500</u>	<u>1,200,000</u>	<u>5,330,500</u>	<u>5,259,000</u>
Total Funds Available	4,589,643	1,200,000	5,789,643	5,232,550
Expenses				
Health & Dental Claims	3,600,000	1,200,000	4,800,000	4,600,000
Insurance Premiums & Cost	550,000		550,000	510,000
Life Insurance	45,000		45,000	45,000
Miscellaneous	25,000		25,000	25,000
Total Expenses	<u>4,220,000</u>	<u>1,200,000</u>	<u>5,420,000</u>	<u>5,180,000</u>
Ending Fund Reserve	<u>\$ 369,643</u>	<u>\$ -</u>	<u>\$ 369,643</u>	<u>\$ 52,550</u>

Computer Service Fund
Summary of Receipts & Expenditures

	<u>Approved 2011-2012</u>	<u>Amendment</u>	<u>Approved 2011-2012</u>
Beginning Fund Balance	\$ 106,610		\$ 106,610
Revenues			
Computer Usage:			
General Fund	496,790		496,790
Tourism	1,870		1,870
Equipment Services Fund	11,250		11,250
Utility Fund	78,720		78,720
Solid Waste Fund	9,370		9,370
Interest Earned	100		100
Miscellaneous Revenue	-		-
Total Revenues	<u>598,100</u>	<u>-</u>	<u>598,100</u>
 Total Funds Available	 704,710	 -	 704,710
 Expenses			
Personnel	267,808	20,000	287,808
Supplies	20,460		20,460
Maintenance & Repairs	187,295		187,295
Utilities	44,600		44,600
Contract Wages	6,500	12,000	18,500
Debt Service	47,616		47,616
Contractual Services & Other	12,700		12,700
Equipment, Capital Outlay	7,000		7,000
Total Expenses	<u>593,979</u>	<u>32,000</u>	<u>625,979</u>
 Ending Fund Balance	 <u><u>\$ 110,731</u></u>	 <u><u>\$ (32,000)</u></u>	 <u><u>\$ 78,731</u></u>

Equipment Service Fund
Summary of Receipts & Expenditures

	<u>Approved 2011-2012</u>	<u>Amendment</u>	<u>Amended 2011-2012</u>	<u>Projected 2011-2012</u>
Beginning Fund Balance	\$ 92,281		\$ 92,281	\$ 92,281
Revenues				
Equipment Service Revenue:				
General Fund	1,291,020		1,291,020	1,207,652
Airport Fund	-		-	1,280
Utility Fund	229,750		229,750	289,987
Solid Waste Fund	942,209		942,209	1,005,642
Total Revenues	<u>2,462,979</u>	<u>-</u>	<u>2,462,979</u>	<u>2,504,561</u>
Total Funds Available	2,555,260	-	2,555,260	2,596,842
Expenses				
Personnel	706,075		706,075	631,619
Supplies	1,019,249	80,000	1,099,249	1,126,826
Maintenance & Repair	555,155		555,155	563,399
Utilities	29,400		29,400	25,900
Contract Wages	-		-	-
Computer Services	11,250		11,250	11,550
Contractual Services	131,402		131,402	144,145
Equipment	-		-	-
Total Expenses	<u>2,452,531</u>	<u>80,000</u>	<u>2,532,531</u>	<u>2,503,439</u>
Ending Fund Balance	<u>\$ 102,729</u>	<u>\$ (80,000)</u>	<u>\$ 22,729</u>	<u>\$ 93,403</u>



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. C.3

RESOLUTION NO. 5695

**Finding and Determining a Public Purpose and Public Necessity Exists
for Construction of City Project “State Highway 289 Water Line”; Appointing an
Appraiser and Negotiator as Necessary; Authorizing the City Manager to Establish Just
Compensation for the Property Rights to be Acquired; Authorizing the City Manager
to Take all Steps Necessary to Acquire the Needed Property Rights in Compliance
with All Applicable Laws and Regulations**

Issue

To consider granting authority to negotiate for property rights on the City’s State Highway 289 Water Line Project and, if necessary, to begin condemnation proceedings

Background

The State Highway 289 Water Line Project is budgeted in the current Capital Improvement Program. Negotiations have taken place and all but two affected property owners have granted easements. To prevent any undue delay in the project, the staff is requesting the City Council’s authorization to negotiate, make final offers, employ an appraiser and, if necessary, begin condemnation proceedings as required by law with the two property owners.

Origination

Director of Engineering and Utilities

Financial Consideration

Property acquisition costs, along with costs for appraisals, surveys, maps and photos. This project is funded through the Sherman Economic Development Corporation (SEDCO).

Staff Recommendation

Staff recommends approval of the negotiation process.

Alternatives

As may be directed by the Council

Attachments

Resolution No. 5695

Location Map

Prepared by:
Mark Gibson, Engineering and Utilities Director

Approved by:
George Olson, City Manager

RESOLUTION NO. 5695

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT "STATE HIGHWAY 289 WATER LINE"; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas has previously authorized the employment of Morris Engineers to plan for the construction of the State Highway 289 Water Line Project; and

WHEREAS, this project was recommended by the City Staff in order to provide a necessary water source to serve the City's customers and recommended the acquisition of all necessary property rights; and

WHEREAS, the City Council has considered the State Highway 289 Water Line Project and has determined that a public purpose and public necessity exists for the acquisition of all necessary and appropriate property rights for the State Highway 289 Water Line Project; and

WHEREAS, the City Council has funded and approved the State Highway 289 Water Line Project;

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

SECTION 1. That the City Council hereby finds and determines that a public purpose and public necessity exists for the City of Sherman to acquire all necessary and appropriate property rights in those certain lots, tracts, or parcels of land deemed necessary for the construction of the State Highway 289 Water Line Project and does further determine the public purpose and public necessity of the City of Sherman acquiring said property together with all necessary and appropriate appurtenances, additions and improvements on, over, under and through those certain lots, tracts and parcels of land.

SECTION 2. That the City Manager or his designee is authorized and directed to acquire all appropriate property rights for the State Highway 289 Water Line Project for the City of Sherman, and to acquire said rights in compliance with State and Federal law. The City Manager, or his designee, is specifically authorized and directed to do each and every act

necessary to acquire the needed property rights including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts and, when necessary, to institute proceedings in eminent domain.

SECTION 3. That the City Manager or his designee is hereby appointed as “negotiator” for the acquisition of the State Highway 289 Water Line Project property and, as such, the City Manager or his designee is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference. Subject to the availability of funds appropriated by the City Council for such purposes and with the advice and recommendation of the City Attorney and the City’s appointed appraiser, the City Manager is specifically authorized to establish the just compensation for the acquisition of this property. If the City Manager or his designee determines that an agreement with the property owner(s) as to just compensation cannot be reached, then the City Attorney is hereby authorized and directed to file or cause to be filed, against the owners and interested parties of the property, proceedings in eminent domain to acquire the above stated interest in the property.

SECTION 4. That a qualified appraiser shall be designated the appraiser of the property to be acquired as necessary.

SECTION 5. That the findings of fact, recitations and provisions set out in the preamble of this resolution are adopted and made a part of the body of this resolution, as if the same were fully set forth herein.

SECTION 6. 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 _____, 2012.

CITY OF SHERMAN, TEXAS

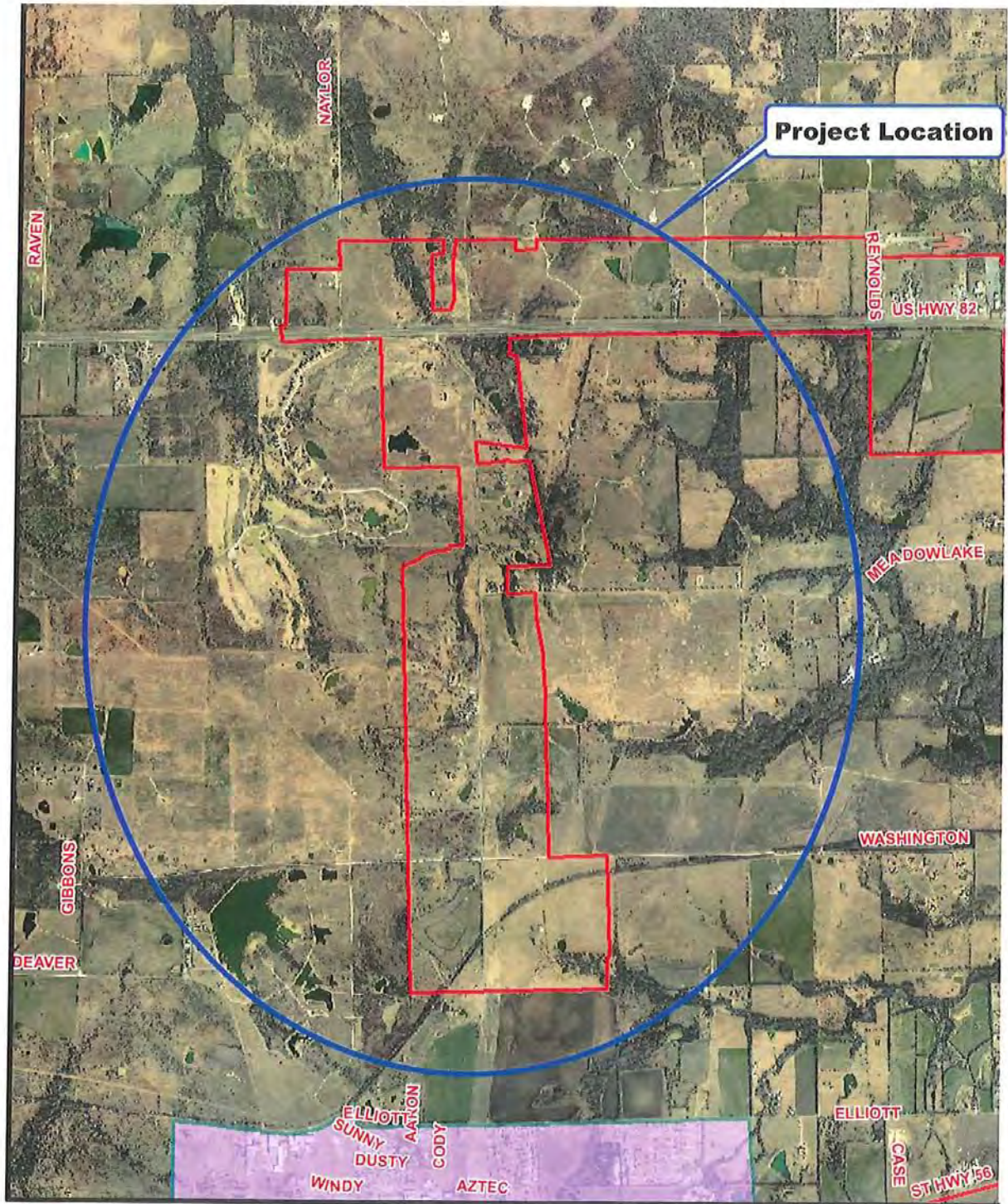
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
BILL MAGERS, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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



Sherman
CLASSIC TOWN. BROAD HORIZON.
Engineering Department

0 625 1,250 2,500 3,750 5,000 Feet





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. C.4

*** RESOLUTION NO. 5696**

**Authorizing the City Manager to Enter into an Interlocal Agreement
with the Texas Department of Transportation to Enable the Police Department
to be a Participant in the State Wide Crash Reporting and Analysis for
Safer Highways (CRASH) System at No Cost to the City**

Issue

To allow the Police Department to enter into an Interlocal agreement with the Texas Department of Transportation (TxDOT) in order to process crash reports into TxDOT's crash records information system via the Internet

Background

Crash Reporting and Analysis for Safer Highways (CRASH) is a free, simple, and secure Internet application for law enforcement agencies to process crash reports into the Crash Records Information System. This application was created to simplify the time of completing the crash report, decrease the cost for the investigating agencies, and provide a higher accuracy rate of reporting crash data.

Origination

Police Department

Financial Consideration

No cost to the City. Equipment and Internet connectivity are already in use for other applications.

Staff Recommendation

Recommend approval of the Resolution and Interlocal Agreement with TxDOT to enable the Police Department's participation in the State wide CRASH System.

Alternatives

Continue submitting crash reports manually to TxDOT.

Attachments

Resolution No. 5696
Interlocal Agreement

Prepared by:
Tom Watt, Police Chief

Approved by:
George Olson, City Manager

RESOLUTION NO. 5696

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO ENABLE THE POLICE DEPARTMENT TO BE A PARTICIPANT IN THE STATE WIDE CRASH REPORTING AND ANALYSIS FOR SAFER HIGHWAYS (CRASH) SYSTEM AT NO COST TO THE CITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas, finds it in the best interest of the citizens of Sherman that the Police Department be authorized to access the CRASH System to enter and submit electronic traffic accident reporting information directly to the Texas Department of Transportation (TxDOT) via a secure public Internet connection, thereby alleviating the need and costs associated with submitting paper crash reports; and

WHEREAS, the City Council of the City of Sherman, Texas, finds that the citizens of Sherman will receive a direct benefit by conveniently being able to make online purchases of the traffic accident report without having to go in person to the Police Department for a paper copy; and

WHEREAS, the City Council of the City of Sherman, Texas, finds that citizens of Sherman will receive additional benefits from the savings in personnel costs as a result of not having police officers complete a paper report in the field and then having data entry personnel type the information into the Police Department database and then having customer service personnel make copies to mail the reports to TxDOT and to fill Open Record requests as is currently being done; and

WHEREAS, the City Council of the City of Sherman, Texas, finds that the Police Department will retain complete access to the accident database in order to print copies for those without Internet service and to continue the analysis used to deploy the City's traffic enforcement resources where they are most needed; and

WHEREAS, the City Council of the City of Sherman, Texas, designates the City Manager of the City of Sherman as the authorized official; and the authorized official is given the power to enter into, reject, alter or terminate the agreement on behalf of the City of Sherman, Texas;

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 documents being properly completed and approved as to form and content by the City

Attorney, to execute an Interlocal Agreement between the City of Sherman and the Texas Department of Transportation to enable the Police Department to participate in the State wide CRASH System, in accordance with the contract documents attached hereto and incorporated herein for all purposes.

SECTION 2. That this resolution shall take effect immediately upon its adoption.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

Contract No. 58-2XXF6086

**Contract Services Transmittal Form
Interlocal Agreement**

TRF	Tony Small	512-486-5701
District / Division / Office & Number	D/D/O Contact	Contact Phone #
Sherman Police Department		\$0.00
Other Agency or University		Maximum Amount Payable

Purpose of Contract

Access to Crash Reporting and Analysis for Safer Highways (CRASH) System

Are any federal funds used in this contract?	No
If yes, what kind of Federal Funds?	
Is the other party to this contract a county?	No
Was the standard Interlocal or amendment format modified?	No
If modified, insert the date of Contract Services approval	Date:
Modifications made are as follows:	
Notes:	

THE STATE OF TEXAS §
THE COUNTY OF TRAVIS §

INTERLOCAL AGREEMENT

THIS CONTRACT is entered into by the Contracting Parties under Government Code, Chapter 791.

I. CONTRACTING PARTIES:

Texas Department of Transportation	TxDOT
Sherman	Local Government

II. PURPOSE: Access to the Crash Reporting and Analysis for Safer Highways (CRASH) System.

III. STATEMENT OF SERVICES TO BE PERFORMED: The Local Government will undertake and carry out services described in **Attachment A**, Scope of Services.

IV. CONTRACT PAYMENT: The total amount of this contract shall not exceed \$0.00.

V. TERM OF CONTRACT: This contract begins when fully executed by both parties and terminates on September 1, 2015, or when otherwise terminated as provided in this Agreement.

VI. LEGAL AUTHORITY:

THE PARTIES certify that the services provided under this contract are services that are properly within the legal authority of the Contracting Parties.

The governing body, by resolution or ordinance, dated _____, has authorized the Local Government to provide the scope of services.

This contract incorporates the provisions of **Attachment A**, Scope of Services, **Attachment B**, General Terms and Conditions, and **Attachment C**, Resolution or Ordinance.

Sherman

By _____ Date _____
AUTHORIZED SIGNATURE

TYPED OR PRINTED NAME AND TITLE

FOR THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission

By _____ Date _____
Janice Mullenix
Director, Contract Services Section

ATTACHMENT A
Scope of Services

1. TxDOT will provide access to the Crash Reporting and Analysis for Safer Highways (CRASH) System and related modules for use by the Local Government. The CRASH component allows the Local Government to enter crash reports via a secure public internet; alleviating the need to submit paper crash reports.
2. TxDOT has purchased a site license for Easy Street Draw software and will purchase the annual maintenance for this software for the life of this agreement.
3. For each crash report submitted to TxDOT via CRASH, TxDOT will make available to the Local Government the data associated with that crash in a Extensive Markup Language (XML) document format. The transport mechanism for the Local Government to receive the data will be file transfer protocol (FTP). One month prior to the Local Government using CRASH, the Local Government will coordinate with TxDOT to ensure that it is able to receive the data.
4. TxDOT will provide a CRASH phased, rollout schedule for the Local Government. The TxDOT phased, rollout schedule will include the number of users allowed access CRASH and the date when user access will be available.
5. TxDOT will provide a CRASH training schedule for the Local Government. The TxDOT CRASH training schedule will include the Local Government name, date, time, location and number of users allowed for each training session available.
6. TxDOT will provide user management technical documentation and limited consulting services to each Local Government accessing CRASH.
7. TxDOT will provide Level 1 Help Desk support for CRASH users. The TxDOT help desk support will not include the following:
 - Problems related to the Local Government network, software or hardware.
 - Problems related to application user id and password management (authentication).

The Local Government shall:

1. Perform basic troubleshooting of Local Government hardware, software and network prior to engaging the TxDOT help desk.
2. Provide the expected total number of Local Government users by rollout phase.
3. Provide regular updates to TxDOT on the number of users that are expected to be granted to access CRASH one month prior to using CRASH in production.
4. Adhere to the established TxDOT rollout phase schedule.
5. Adhere to the established TxDOT help desk procedures.
6. Attend TxDOT provided CRASH training per the TxDOT training schedule.
7. Submit crash reports to TxDOT using the CRASH component.
8. Review and accept the data sharing format approved by TxDOT.
9. Install, configure and validate the federated identity management software at least one month prior to using CRASH in production.
10. Provide proof that the Local Government has installed and configured SAML 2 (Shibboleth preferred) compliant federated identity management software to comply with CRASH user management requirements.
11. Provide proof the authorization has been tested and that TxDOT can authenticate the CRASH users.
12. Provide resources to support basic user management in support of CRASH Local Government users as described in the user management documentation provided by TxDOT.

13. Perform administration and maintenance of the federated identity management software in coordination with TxDOT.
14. Adhere to the application supported platform matrix when using CRASH:
 - a. Web Browser: Internet Explorer 7 or greater
 - b. Crash Diagramming: Easy Street Draw 5
 - c. Browser Plugin: Adobe Flash Player 10.x or greater

Note: This matrix is subject to change.

ATTACHMENT B
General Terms and Conditions

Article 1. Additional Work

- A. If the Local Government is of the opinion that any assigned work is beyond the scope of this contract and constitutes additional work, it shall promptly notify TxDOT Traffic Operations Division, ATTN: Section Director of Crash Records, 125 East 11th Street, Austin, Texas 78701 in writing. The written notice shall present the relevant facts and show how the work constitutes additional work.
- B. If TxDOT in its sole discretion finds that the work does constitute additional work, TxDOT shall so advise the Local Government and a written amendment will be executed. The Local Government shall not perform any proposed additional work or incur any additional costs before the execution of an amendment.
- C. TxDOT shall not be responsible for actions by the Local Government or for any costs incurred by the Local Government relating to additional work that is performed before an amendment is executed or that is outside the scope of the contract, as amended.

Article 2. Amendments

This contract may only be amended by written agreement executed by both parties before the contract is terminated.

Article 3. Notice to Proceed

If Attachment A requires a notice to proceed, the Local Government shall not proceed with any work or incur any costs until TxDOT issues a written notice to the Local Government authorizing work to begin. Any costs incurred by the Local Government before receiving the notice are not eligible for reimbursement.

Article 4. Conflicts Between Agreements

If the terms of this contract conflict with the terms of any other contract between the parties, the most recent contract shall prevail.

Article 5. Nonconforming Work

If the Local Government submits work that does not comply with the terms of this contract, TxDOT shall instruct the Local Government to make any revisions that are necessary to bring the work into compliance with the contract. No additional compensation shall be paid for this work.

Article 6. Termination

This contract terminates at the end of the contract term, when all services and obligations contained in this contract have been satisfactorily completed, by mutual written agreement, or 30 days after either party gives notice to the other party, whichever occurs first. TxDOT shall compensate the Local Government only for those eligible expenses that are incurred during this contract and that are directly attributable to the completed portion of the work covered by this contract and only if the work has been completed in a manner satisfactory and acceptable to TxDOT. The Local Government shall neither incur nor be reimbursed for any new obligations after the date of termination.

Article 7. Funding (NOT APPLICABLE)

TxDOT shall pay for services from appropriation items or accounts from which like expenditures would normally be paid. Payments received by the Local Government shall be credited to the current appropriation items or accounts from which expenditures of that character were originally made. If for any reason subcontractors and suppliers, if any, are not paid before TxDOT reimburses the Local Government for their services, the Local Government shall pay the subcontractors and suppliers all undisputed amounts due for work no more than 10 days after the Local Government receives payment for the work unless a different time is specified by law. This requirement also applies to all lower-tier subcontractors and suppliers and must be incorporated in all subcontracts. If the Local Government fails to comply with this Article, TxDOT may withhold payments and suspend work until the subcontractors and suppliers are paid. The Local Government is authorized to submit requests for reimbursement no more frequently than monthly and no later than ninety (90) days after costs are incurred.

Article 8. Basis for Calculating Reimbursement Costs (NOT APPLICABLE)

TxDOT will reimburse the Local Government for actual costs incurred in carrying out the services authorized in Attachment A, Scope of Services, subject to the cost categories and estimated costs set forth in Attachment B, Budget. TxDOT shall compensate the Local Government for only those eligible expenses incurred during this contract that are directly attributable to the completed portion of the work covered by this contract, provided that the work has been completed in a manner satisfactory and acceptable to TxDOT. The Local Government shall not incur or be reimbursed for any new obligations after the effective date of termination. The Local Government shall bill TxDOT for actual travel expenses, not to exceed the limits reimbursable under state law. Out-of-state or out-of-country travel by the Local Government requires prior approval by TxDOT.

Article 9. Gratuities

Any person who is doing business with or who reasonably speaking may do business with TxDOT under this contract may not make any offer of benefits, gifts, or favors to employees of TxDOT. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Executive Director of the Texas Department of Transportation.

Article 10. Conflict of Interest

The Local Government shall not assign an employee to a project if the employee:

- A. owns an interest in or is an officer or employee of a business entity that has or may have a contract with the state relating to the project;
- B. has a direct or indirect financial interest in the outcome of the project;
- C. has performed services regarding the subject matter of the project for an entity that has a direct or indirect financial interest in the outcome of the project or that has or may have a contract with TxDOT; or
- D. is a current part-time or full-time employee of TxDOT.

Article 11. Local Government Resources

All employees of the Local Government shall have adequate knowledge and experience to enable them to perform the duties assigned to them. The Local Government certifies that it currently has adequate qualified personnel in its employment to perform the work required under this contract or will be able to obtain adequate qualified personnel from sources other than TxDOT. On receipt of written notice from TxDOT detailing supporting factors and evidence, the Local Government shall remove from the project any employee of the Local Government who is incompetent or whose conduct becomes detrimental to the work. Unless otherwise specified, the Local Government shall furnish all equipment, materials, supplies, and other resources required to perform the work.

Article 12. Assignment Subcontracts (NOT APPLICABLE)

A subcontract may not be executed by the Local Government without prior written authorization by TxDOT. Subcontracts in excess of \$25,000 shall contain all applicable terms and conditions of this contract. No subcontract will relieve the Local Government of its responsibility under this contract. Neither party shall assign any interest in this agreement.

Article 13. Responsibilities of the Parties

Each party acknowledges that it is not an agent, servant, or employee of the other party. Each party is responsible for its own acts and deeds and for those of its agents, servants, or employees.

Article 14. Disputes

The Local Government shall be responsible for the settlement of all contractual and administrative issues arising out of procurements entered in support of contract services. TxDOT shall be responsible for the settlement of any dispute concerning this contract unless the dispute involves a subcontract.

Article 15. Records and Ownership

- A. The Local Government agrees to maintain all books, documents, papers, accounting records, and other evidence pertaining to costs at its office during the contract period and for four years from the date of final payment under the contract. These materials shall be made available for inspection and copying by TxDOT, by the State Auditor's Office, and by their authorized representatives. If the contract is

- federally funded, these materials shall also be made available for inspection and copying by the U.S. Department of Transportation and by the Office of the Inspector General.
- B. After completion or termination of this contract, all documents prepared by the Local Government or furnished to the Local Government by TxDOT shall be delivered to and become the property of TxDOT. All sketches, photographs, calculations, and other data prepared under this contract shall be made available, on request, to TxDOT without restriction or limitation of further use.
 - C. TxDOT shall own all title to, all interests in, all rights to, and all intellectual property (including copyrights, trade and service marks, trade secrets, and patentable devices or methods) arising from or developed under this contract.
 - D. Except to the extent that a specific provision of this contract states to the contrary, all equipment purchased by the Local Government or its subcontractors under this contract shall be owned by TxDOT and will be delivered to TxDOT at the time the contract is completed or terminated.
 - E. The State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the State Auditor with access to any information the State Auditor considers relevant to the investigation or audit.

Article 16. Reference to Costs Principles and Circulars (NOT APPLICABLE)

Reimbursement with state or federal funds will be limited to costs determined to be reasonable and allowable under cost principles established in OMB Circular A-21, "Cost Principles for Educational Institutions," or OMB Circular A-87, "Cost Principles for State and Local Governments." The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.

Article 17. Equal Employment Opportunity

The Local Government agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by Department of Labor regulations, 41 CFR Part 60. The Local Government agrees to consider minority universities for subcontracts when the opportunity exists. The Local Government warrants that it has developed and has on file appropriate affirmative action programs as required by applicable rules and regulations of the Secretary of Labor.

Article 18. Nondiscrimination

- A. The Local Government shall comply with the regulations of the U.S. Department of Transportation relating to nondiscrimination in federally-assisted programs, including 49 CFR, Part 21; 23 CFR, Subchapter C; and 41 CFR, Part 60-74 (the Regulations).
- B. The Local Government, with regard to the work performed during this agreement, shall not discriminate on the basis of race, color, sex, national origin, age, religion, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment.
- C. In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurements of materials and leases of equipment, but not including routine purchase orders, each potential subcontractor or supplier shall be notified by the Local Government of the Local Government's obligations under this agreement and the Regulations.
- D. The Local Government shall provide all information and reports required by the Regulations and directives issued under the Regulations and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the Texas Department of Transportation or the U.S. Department of Transportation to be pertinent to ascertain compliance with the Regulations or directives. If any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government shall so certify to the Texas Department of Transportation or the U.S. Department of Transportation, whichever is appropriate, and shall set forth what efforts the Local Government has made to obtain the requested information.

- E. In the event of the Local Government's noncompliance with the nondiscrimination provision of this agreement, the Texas Department of Transportation shall impose such sanctions as it or the U.S. Department of Transportation may determine to be appropriate.
- F. The Local Government shall include the provisions of paragraphs A through E in every subcontract, including procurements of materials and leases of equipment, except routine purchase orders, unless exempt by the Regulations or directives. The Local Government shall take such lawful action with respect to any subcontract or procurement as the Texas Department of Transportation may direct as a means of enforcing these provisions, including sanctions for noncompliance. In the event the Local Government becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of directions given by TxDOT, the Local Government may request the Texas Department of Transportation to enter into the litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into litigation to protect the interests of the United States.

Article 19. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules, and regulations and with the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. After receiving a written request from TxDOT, the Local Government shall furnish TxDOT with satisfactory proof of its compliance with this Article.

Article 20. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

ATTACHMENT C
Resolution or Ordinance

(Resolution or ordinance is attached and made a part of this agreement.)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. C.5

*** RESOLUTION NO. 5697**

**Authorizing the Execution of Deeds for the Resale of Properties
within the Sherman City Limits Seized for Delinquent Taxes**

Issue

The attached resolution authorizes Grayson County to auction certain tracts of real property that have been moved to the City of Sherman's ownership due to unpaid property taxes. It also authorizes the Mayor to sign deeds conveying these properties to the buyers.

Background

Grayson County will hold a tax resale auction on Wednesday, September 12th at 1:30 p.m. at the Grayson County Courthouse, Assembly Room, 2nd Floor Annex located in downtown Sherman. The properties to be sold have gone through a sheriff's sale without receiving a bid equal to or above the taxes owed against the property. Therefore, they have been moved to the ownership of a local government and will be sold at this auction. Nine (9) properties owned by the City of Sherman jointly with other taxing entities will be included in the auction.

Origination

John W. Ramsey, Assessor and Collector of Taxes for Grayson County

Financial Consideration

A small amount of delinquent taxes will be collected by the auction; and the properties will be returned to the tax rolls. Proceeds from the auction will be distributed to each political subdivision on a pro-rata basis based on the taxes owed each entity.

Staff Recommendation

The staff recommends approving the resale of these properties, returning them to the tax rolls.

Alternatives

The City Council could deny the resolution.

Attachments

Resolution No. 5697

Correspondence and Property Listing from Tax Assessor-Collector John Ramsey

Aerials of Nine (9) Sherman Properties

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

RESOLUTION NO. 5697

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF DEEDS FOR THE RESALE OF PROPERTIES WITHIN THE SHERMAN CITY LIMITS SEIZED FOR DELINQUENT TAXES; 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, various tracts of real property have been struck-off/sold to various Grayson County taxing jurisdictions for delinquent taxes; and

WHEREAS, various Grayson County taxing jurisdictions desire to sell these properties and thereby place them back on the tax rolls; and

WHEREAS, Grayson County has scheduled a 2012 Tax Resale Auction to be held at the Grayson County Courthouse, Assembly Room, 2nd Floor Annex, 100 West Houston Street, Sherman, Texas, at 1:30 p.m. on Wednesday, September 12, 2012; and

WHEREAS, there is no fee owed for placing these properties in the 2012 Tax Resale Auction;

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

SECTION 1. That the list of property attached to this resolution as Exhibit "A" shall be offered for sale at the 2012 Tax Resale Auction at 1:30 p.m. on September 12, 2012 at the Grayson County Courthouse, Assembly Room, 2nd Floor Annex, 100 West Houston Street, Sherman, Texas, free and clear of all tax liens held by the City of Sherman and may be sold for any price accepted by the auctioneer in this absolute auction.

SECTION 2. That Bill Magers, as Mayor of the City of Sherman, Texas, is hereby authorized to execute any deed or deeds necessary to complete the sale of said properties in conformance with this resolution and without further approval by this governing body.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



OFFICE OF

JOHN W. RAMSEY

ASSESSOR AND COLLECTOR OF TAXES

GRAYSON COUNTY

www.co.grayson.tx.us

COURTHOUSE
100 W. HOUSTON • SUITE 11
P.O. BOX 2107
SHERMAN, TEXAS 75091-2107

(903) 892-TAXS (8297)
(903) 893-VOTE (8683)
(903) 813-4225 (AUTO)
Fax: (903) 893-4973
e-mail: ramseyj@co.grayson.tx.us

TO: ALL INVOLVED ENTITIES IN 2012 TAX RESALE AUCTION

FROM: JOHN RAMSEY

SUBJECT: 2012 TAX RESALE AUCTION

DATE: AUGUST 13, 2012

The 2012 Tax Resale Auction will be held on Wednesday, September 12 at 1:30 P.M. at the Grayson County Courthouse, Assembly Room, 2nd Floor Annex, 100 W. Houston, Sherman, Texas. The auction will include tracts of real property that have been struck off/sold to various Grayson County taxing jurisdictions for delinquent taxes.

Enclosed find a Resolution and a list of the property that is to be included in the auction. Please present the Resolution to your jurisdiction for signatures at the next board or council meeting and send a copy of the minutes approving the sale and the Resolution to this office. Time is of the essence as September 12 will be here before we know it.

Sincerely,

John Ramsey

JR:kb

enclosure:

Exhibit "A" – List of Property

GRAYSON COUNTY RE-SALE AUCTION SEPTEMBER 12, 2012

SHERMAN

CAUSE #	ORIGINAL OWNER NAME	PROPERTY ID#	ADDRESS	ISD	LEGAL DESCRIPTION	MIN BID \$	2011 GAD VALUE	ATTY
T-09-3215	KINGSBERRY BUILDERS CORP (TRACT 1)	S031-2058016	N BRENTS	SH	COLLING ADDN SEC 2, BLOCK 2, LOT 5	\$ 201.59	\$ 7,920.00	LGBS
T-09-3215	KINGSBERRY BUILDERS CORP (TRACT 2)	S031-2058017	N BRENTS	SH	COLLING ADDN SEC 2, BLOCK 2, LOT 6	\$ 201.59	\$ 7,920.00	LGBS
04-3243	DONALD GENE MOHLING	S047-2246024	SHERMAN	SH	.107 AC± 31'X150' OUT OF LOT 8, BLK 4, TURLEY ADDN	\$ 523.58	\$ 1,400.00	LGBS
08-3598	SCOTT A OVERMAN	S042-2078095	820 S MAXEY ST	SH	ELLIOTTS W ADDN, BLOCK 14, LOT 22, 23, & 24	\$ 511.15	\$ 5,880.00	LGBS
08-3643	WORTH PEELER ESTATE	S029-0763414	N ELM	SH	G-0763 MCNAIR J B	\$ 537.10	\$ 14,640.00	LGBS
T-10-3153	ANN ETTER SCRUGGS	S021-2160019	1818 E MAY AVE	SH	MILAN HEIGHTS ADDN, BLOCK 2, LOT 12	\$ 378.00	\$ 17,899.00	LGBS
01-3693	WILLIAM SCRUGGS	S052-2221084	E PARK / SHERMAN	SH	SOUTHSIDE ADDN, BLOCK 26, LOT 2	\$ 513.19	\$ 2,500.00	LGBS
07-3361	VESTA SHEREN	S032-2010017	N ELLIOTT / SHERMAN	SH	BELLMONT ADDN, LOT 138	\$ 299.76	\$ 1,200.00	LGBS
T-09-3253	ANGELIA WHITE	S029-2015036	RICKETTS	SH	BIRGE-FAIRVIEW ADDN, BLOCK 1, Lot 39	\$ 493.84	\$ 7,680.00	LGBS



Sherman
CLASSIC TOWN. BROAD HORIZON.
Engineering Department

S031 2058016
S031 2058017

0 55 110 220 330 440 Feet





Sherman
CLASSIC TOWN, BROAD HORIZON.
Engineering Department

S047 2246024
Floodplain

0 50 100 200 300 400 Feet



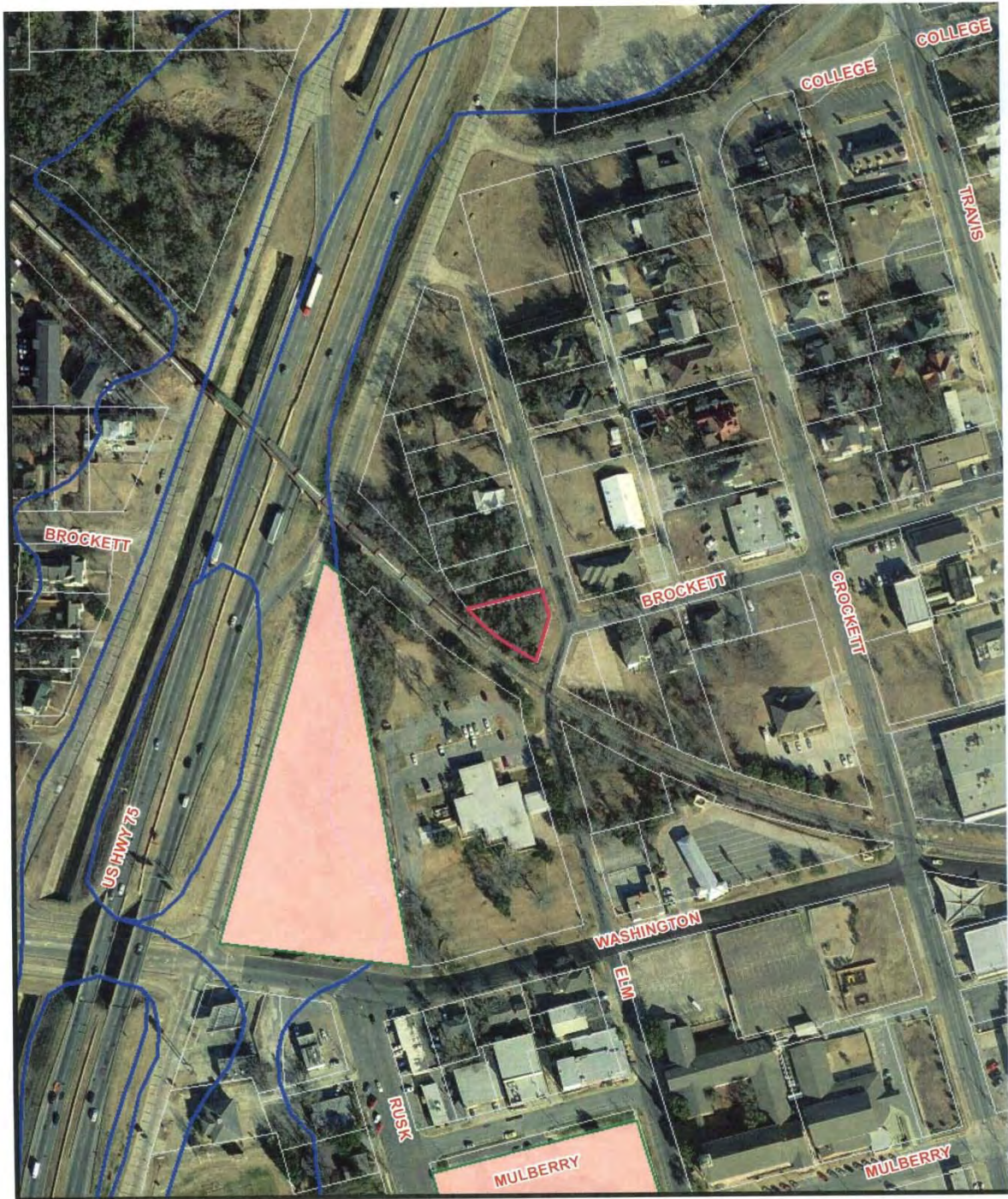


Sherman
CLASSIC TOWN, BROAD HORIZON.
Engineering Department

S042 2078095

0 112.525 450 675 900 Feet





Sherman
CLASSIC TOWN, BROAD HORIZON.
Engineering Department

S029 0763414

0 50 100 200 300 400 Feet





Sherman
CLASSIC TOWN, BROAD HORIZON.
Engineering Department

S021 2160019

0 110 220 440 660 880 Feet





Sherman
CLASSIC TOWN. BROAD HORIZON.
Engineering Department

S052 2221084

0 70 140 280 420 560 Feet





Sherman
CLASSIC TOWN. BROAD HORIZON.

Engineering Department

S032 2010017

0 145 290 580 870 1,160 Feet

N





Sherman
CLASSIC TOWN, BROAD HORIZON,
Engineering Department

S029 2015036

0 90 180 360 540 720 Feet





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. C.6

*** RESOLUTION NO. 5698**

Authorizing the Execution of Agreements with the Sherman Housing Authority, the Texoma Area Paratransit System, Inc., the Grayson County Crisis Center, the Grayson County Shelter, Inc., Child & Family Guidance Center of Texoma, and Boys & Girls Club of Sherman, Inc. for the Use of Community Development Block Grant Funds

Issue

Public Service Contracts for the Fiscal Year (FY) 2012 Community Development Block Grant (CDBG) Program

Background

The FY 2012 CDBG Program, previously adopted by the Sherman City Council via Resolution No. 5675 at the June 4, 2012 meeting, allocated certain CDBG funds to provide various public services through sub-recipient agencies. These agreements are designed to coincide with the CDBG funding cycle and cover the period of October 1, 2012, through September 30, 2013.

Origination

Theresa Caudle, Community Development Coordinator

Financial Consideration

Funds have been appropriately allocated through the specific public hearing and grant submission process, as required by the U.S. Department of Housing and Urban Development.

Staff Recommendation

Staff recommends the Sherman City Council approve and authorize the City Manager to execute the required contract documents.

Alternatives

As directed by the Council.

Attachments

Resolution No. 5698

Resolution No. 5675

Attachment "A" - FY 2012 Community Development Block Grant Final Statement/Action Plan

Prepared by:
Don Keene, Director of Public Works

Approved by:
George Olson, City Manager

RESOLUTION NO. 5698

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE SHERMAN HOUSING AUTHORITY, THE TEXOMA AREA PARATRANSIT SYSTEM, INC., THE GRAYSON COUNTY CRISIS CENTER, THE GRAYSON COUNTY SHELTER, INC., CHILD & FAMILY GUIDANCE CENTER OF TEXOMA, AND BOYS & GIRLS CLUB OF SHERMAN, INC. FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; 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 documents being properly completed and approved as to form by the City Attorney, to execute agreements with the Sherman Housing Authority, the Texoma Area Paratransit System, Inc., the Grayson County Crisis Center, the Grayson County Shelter, Inc., Child & Family Guidance Center of Texoma, and Boys & Girls Club of Sherman, Inc. for the use of Community Development Block Grant Funds in accordance with the terms and provisions of the Agreements to be 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 _____, 2012.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
BILL MAGERS, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

RESOLUTION NO. 5675

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2012; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR FISCAL YEAR 2012; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, under the Housing and Community Development Act of 1974, as amended, the City of Sherman is eligible to receive an estimated Two Hundred Eighty-Nine Thousand Two Hundred Fifty-Four Dollars and No Cents (\$289,254.00) for fiscal year 2012, to be expended on eligible activities primarily benefiting low/moderate income families; and

WHEREAS, the Community Development Block Grant regulations require the opportunity for citizen participation in the development of the final statement and authorizing of the expenditure of such funds; and

WHEREAS, after proper notice was published in the Herald Democrat, a newspaper of general circulation in the City of Sherman, public hearings were held by said Community Development Staff to receive citizen participation and input on April 27, 2012 and June 04, 2012; and

WHEREAS, the City Council, after due consideration of the proposed Community Development Final Statement and of all matters raised at public meetings, is of the opinion that, unless public comment warrants revisions, said final statement should be submitted as the Community Development Application for the City of Sherman for the program year 2012 to the U.S. Department of Housing and Urban Development, in order to secure funding as provided herein;

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

SECTION 1. That the Community Development Final Statement, embodying those projects set forth on Attachment "A", attached hereto and made a part hereof for all purposes, is hereby approved and adopted as the Community Development Plan of the City of Sherman, Texas, for the program year 2012.

SECTION 2. That the City Council of the City of Sherman hereby certifies and assures the U.S. Department of Housing and Urban Development that development of this application for funds under the Housing and Community Development Act of 1974, as amended, and the implementation of the Block Grant Program will be conducted in accordance with all applicable provisions of the "Assurances" as required.

SECTION 3. That the City Manager of the City of Sherman is hereby authorized to execute, on behalf of the City of Sherman, the "Assurances" set forth on Attachment "B", attached hereto and made a part hereof for all purposes. These Assurances concern compliance with certain guidelines, regulations, and policies in preparation of this application and in conducting the Community Development Program of the City of Sherman.

SECTION 4. That the City Manager of the City of Sherman is hereby authorized to submit, as the Chief Executive Officer of the City of Sherman, and on behalf of the City of Sherman, the Community Development Final Statement and a certified copy of this resolution and all attachments thereto to the U.S. Department of Housing and Urban Development, in application for funds available to the City of Sherman under the Housing and Community Development Act of 1974, as amended. Said application shall be made on forms required by the U.S. Department of Housing and Urban Development.

SECTION 5. That the City Manager of the City of Sherman is hereby authorized and designated to act as Chief Executive Officer in connection with this application, and is hereby authorized and directed to provide such additional information as may be required in connection with said application.

SECTION 6. 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 4th day of June, 2012.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

BY: Bill Magers
BILL MAGERS, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: Brandon S. Shelby
BRANDON S. SHELBY,
CITY ATTORNEY

Attachment "A"

CITY OF SHERMAN, TEXAS FINAL STATEMENT/ACTION PLAN OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2012

GRANT NO: B-2012-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2012 is \$289,254.00. These funds will be received on October 1, 2012. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

The City of Sherman's Consolidated Plan is a document which is required by the U.S. Department of Housing and Urban Development, and includes the following subjects: (1) Housing and Homeless Needs Assessment - A description of the jurisdiction's estimated housing needs for the ensuing five-year period; (2) Housing Market Analysis - A description of the significant characteristics of the jurisdiction's housing market, including supply, demand, condition and cost of housing and the housing stock and services available (i.e., public and assisted housing, homeless, elderly, frail elderly, persons with disabilities (mental/physical/developmental), persons with alcohol and other drug addictions, and persons with HIV/AIDS and related diseases; (3) Strategic Plan - A description of the five-year strategy and plan to address affordable housing, homelessness, other special needs and non-housing community development plan; and, (4) Action Plan - A description of the jurisdiction's one-year plan of activities to be undertaken during the coming year.

The overall goal of this community development planning and development program is to develop viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities principally for low and moderate-income persons of the City of Sherman. Therefore, based on these objectives, the following use of funds is being proposed:

COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN PROGRAM YEAR 2012

OWNER-OCCUPIED HOUSING REHABILITATION:.....\$169,154

A program of specific housing repairs will be provided to low and moderate income homeowners who reside within the city limits of Sherman, to bring their properties to code requirements. Expenditures will be limited to \$5,000 per housing unit under this activity. This activity will cause no displacement of low and moderate income persons.

FIRST-TIME HOMEOWNERSHIP PROGRAM:.....\$5,000

A program, in cooperation with local lending institutions, to provide technical, educational and financial assistance to low and moderate income first-time homebuyers through a variety of services, including basic closing-cost assistance, at a maximum of \$2,000.

DEMOLITION/CLEARANCE PROGRAM:.....\$30,000

A program to demolish vacant, substandard structures and clear property lots which pose a risk to health/safety of low-moderate income target neighborhoods.

PROGRAM ADMINISTRATION:.....\$57,800

The City proposes to use the Administration funds for personnel and support for all phases of the application process, environmental reviews, fair labor standard compliance, contract management, fair housing Grantee Performance Report, preparation of annual Action Plan and Performance Report associated with the City of Sherman Five-Year Consolidated Plan and Strategy.

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority:.....\$8,800

A program to address the problems of drug abuse and associated crime in public housing. Activities include increasing law enforcement services to stop the sell of illegal drugs in and around assisted housing, apprehend sellers of such drugs and an overall reduction of crime in the assisted housing area.

Texoma Area Paratransit System, Inc.:.....\$12,000

A program that will provide transportation assistance to low and moderate income individuals who reside within the city limits of Sherman including transportation to and from work, to and from school, and to doctor and grocery trips for the elderly.

Grayson County Crisis Center:	\$2,000
A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.	
Grayson County Shelter, Inc.:	\$2,000
A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.	
Child & Family Guidance Center of Texoma:	\$1,000
A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.	
Boys & Girls Club of Sherman, Inc.:	\$1,500
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized sports activities that would not otherwise be able to participate.	
TOTAL PROGRAM ALLOCATION:	\$289,254

The City of Sherman seeks, through the following program objectives, to improve housing conditions, neighborhood appearance, employment opportunities, and the overall quality of life for low and moderate-income citizens. No activities will be undertaken which cause involuntary displacement of persons.

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

1. Encourage citizen participation and input to obtain maximum public involvement in program activities.
2. Promote the rehabilitation and repair of deteriorating housing through the City's rehabilitation program.
3. Promote homeownership opportunities for low-moderate income persons through the City's First-time Homeownership closing cost assistance program.
4. Eliminate slum and blight through the removal of structures that create unsafe, unsanitary and hazardous situations for the public.
5. Promote drug elimination programs for low and moderate income assisted housing families/households.
6. Provide support for transportation assistance to low and moderate income persons.
7. Provide support for provision of emergency shelter/assistance to the homeless.
8. Assist in providing counseling services to youth and adults from low and moderate income families.
9. Assist in providing youth activities for children from low and moderate income families.

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2012 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman, P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Tuesday, July 10, 2012. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.1

OTHER BUSINESS

Receive Presentation from White Cane Days Drive Chairman Jerry Gundersheimer on the City Ordinance Regarding Street Solicitation

Issue

Dr. Jerry Gundersheimer has submitted a request to appear before the City Council at the September 4th meeting to provide an update on the last few White Cane Days drives and to propose some guidelines relating to the City ordinance pertaining to street solicitation.

Origination

Dr. Jerry Gundersheimer, Chairman of the White Cane Days Drive

Financial Consideration

There is no financial impact to this agenda item.

Attachments

- Dr. Gundersheimer's written request dated August 15, 2012
- Agenda Communication Form (ACF) from January 16, 2012 Council Meeting: Introduction, Public Hearing and Adoption of Ordinance No. 5731
- Adopted Ordinance No. 5731
- Minutes Excerpt from January 16, 2012 Council Meeting
- ACF from November 21, 2011 Council Meeting: Discussion of Right-of-Way Safety Regulations
- Minutes Excerpt from November 21, 2011 Council Meeting
- City Manager's letter of September 9, 2008, denying Dr. Gundersheimer's Request to Solicit Funds in Roadway(s) for White Cane Day

Prepared and Approved by:
George Olson, City Manager

August 15th, 2012

To: Mr. George Olson
City Manager
Sherman, TX

Re: Sherman Noon Lions Club
White Cane Days Drive

Mr. Olson:

I would appreciate the opportunity to address the City Council and update them about the results of our last few White Cane Days drives. I would like to show the council what the impact of the city ordinance regarding street solicitation has been on our efforts to help the needy schoolchildren of Grayson County with regard to eye exams and glasses for them.

I would also like to propose some guidelines to allow such solicitation for legitimate charities, as long as certain criteria are met, for the council's reconsideration.

Thank you for this opportunity.

Sincerely,

Jerry Gundersheimer, OD
(903) 868-1135
Chairman, White Cane Days Drive
Sherman Noon Lions Club



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 1-16-2012

Subject: Agenda Item No. B.2

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5731

Amending Chapter 8 of the Code of Ordinances, entitled "Offenses and Nuisances", at Article 8.03, entitled "Offenses Involving Public Peace and Order", to Provide for a New Section 8.03.004 to be entitled "Right-of-Way Safety Regulations"; Providing for a Penalty or Fine Not to Exceed Five Hundred Dollars (\$500.00); Providing for an Effective Date

Issue

The City has experienced increased instances of soliciting at busy intersections. Citizens have expressed concern for the safety of both the solicitors and the drivers.

Background

At the regularly held Council meeting on November 21, 2011, the City Council directed the City Attorney to draft an ordinance prohibiting solicitation in the right-of-way that mirrored the prohibition in the Texas Transportation Code Sec. 552.007.

Origination

City Council
City Attorney

Financial Consideration

Prosecution under a City ordinance will result in more of the fine for this type of offense being retained by the City rather than being passed on to the state.

Staff Recommendation

The staff recommends adoption of the proposed ordinance to regulate solicitation in the public right-of-way.

Alternatives

Council could elect not to pass this ordinance and direct the police department to continue to attempt enforcement under the state statute.

Attachments

Ordinance No. 5731

Prepared by:
Brandon S. Shelby, City Attorney

Approved by:
George Olson, City Manager

ORDINANCE NO. 5731

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND NUISANCES", AT ARTICLE 8.03, ENTITLED "OFFENSES INVOLVING PUBLIC PEACE AND ORDER", TO PROVIDE FOR A NEW SECTION 8.03.004 TO BE ENTITLED "RIGHT-OF-WAY SAFETY REGULATIONS"; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; 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.

WHEREAS, Section 552.007 of the Texas Transportation Code prohibits solicitation in the public right-of-way unless authorized to do so by the local authority having jurisdiction over the roadway; and

WHEREAS, the City Council of the City of Sherman finds that soliciting a ride, contribution, employment, or business from an occupant of a vehicle in the public right-of-way is hazardous to public safety and impedes the normal, orderly, and safe flow of traffic; and

WHEREAS, the City Council of the City of Sherman seeks to provide for the safety of its citizens by prohibiting transactions involving occupants of vehicles on public roads within the City of Sherman; and

WHEREAS, the City Council of the City of Sherman finds that passage of this ordinance will further the interest of the health, safety, and general welfare of the public;

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, Chapter 8 of the Code of Ordinances, entitled "Offenses and Nuisances", be and is hereby amended at Article 8.03, entitled "Offenses Involving Public Peace and Order", to provide for a new Section 8.03.004 to be entitled "Right-of-Way Safety Regulations", such section to read as follows:

ARTICLE 8.03 OFFENSES INVOLVING PUBLIC PEACE AND ORDER

Sec. 8.03.004 Right-of-Way Safety Regulations

The purpose of this article is to protect the health, safety and general welfare of the citizens of the City of Sherman, to assure the free, orderly, undisrupted movement of vehicles on public roads within the City of Sherman.

- (A) *A person may not stand in a roadway to solicit a ride, contribution, employment, or business from an occupant of a vehicle, unless such person is soliciting a charitable contribution and has been authorized to do so by the Sherman City Manager's office.*
- (B) *The authorization described in section (A) shall be in writing and shall specify the organization that may solicit, the specific location of approved solicitation, and the hours such solicitation is authorized.*
- (C) *An offense under this section is punishable by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense.*

SECTION 2. That this ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

SECTION 3. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances of the City of Sherman, as amended, in effect when the offense was committed; and the former law is continued in effect for this purpose.

SECTION 4. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 5. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity of effectiveness of the remainder of the ordinance.

SECTION 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. 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 16th day of January, 2012.

ADOPTED on this the 16th day of January, 2012.

EFFECTIVE DATE on this the 16th day of January, 2012.

CITY OF SHERMAN, TEXAS

BY:


BILL MAGERS, MAYOR

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: B. S. Shelby
BRANDON S. SHELBY,
CITY ATTORNEY

CERTIFIED COPY- DOCUMENT
THIS IS CERTIFIED TO BE A TRUE COPY
OF THE PERMANENT RECORD AS FILED IN
THE OFFICE OF THE CITY CLERK.

Linda Ashby
CITY CLERK, SHERMAN, TEXAS

ISSUED, 1/17/2011



ACTION TAKEN.
Motion by Council Member Smith to approve Ordinance Nos. 5730 and 5731, as presented. Second by Deputy Mayor Steele.
VOTING AYE: Howeth, Plyler, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

CERTIFIED EXCERPT OF MINUTES

I, the undersigned Linda Ashby do certify and declare that this excerpt is an accurate portion of the minutes as duly approved by the City Council of the City of Sherman, Texas as recorded in the minutes of the Regular Meeting of the City Council held on January 16, 2012, in the Council Chambers, City Hall, Sherman, Texas and not subsequently amended or modified.


LINDA ASHBY, PUBLIC RECORDS
August 30, 2012



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 11-21-2011

Subject: Agenda Item No. D.1

OTHER BUSINESS

Discussion of Right-of-Way Safety Regulations

Issue

The City has experienced increased instances of soliciting, both from “panhandlers” and organized fundraising groups at busy intersections. Citizens have expressed concern for the safety of both solicitors and drivers.

Background

Staff has begun researching how other municipalities address the problem of right-of-way safety and soliciting while balancing the free speech rights of solicitors. We do not currently have an ordinance that specifically deals with soliciting in the right-of-way; however, the Texas Transportation Code prohibits soliciting in the roadway as follows:

- (a) A person may not stand in a roadway to solicit a ride, contribution, employment, or business from an occupant of a vehicle, except that a person may stand in a roadway to solicit a charitable contribution if authorized to do so by the local authority having jurisdiction over the roadway. *V.T.C.A., Transportation Code § 552.007*

Section 552.007 has been used by the Police Department and City Attorney’s office to prosecute soliciting. This has created some confusion for local charitable organizations because the City of Sherman does not currently have a mechanism to authorize the exception outlined in the statute. In order to clarify the matter, we could draft an ordinance consistent with this section of the Transportation Code; or, as other municipalities have done, we could draft a more detailed ordinance specifically addressing soliciting in the right-of-way. Staff is seeking Council input regarding the extent of the problem the City is facing and Council direction as to further action.

Origination

City Attorney’s office

Financial Consideration

None

Staff Recommendation

Staff recommends that Council consider the problem of right-of-way safety and direct staff according to its wishes.

Alternatives

The Council may choose to take no action.

Attachments

Sample ordinances from other municipalities

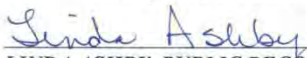
Prepared by:
Brandon S. Shelby, City Attorney

Approved by:
George Olson, City Manager



CERTIFIED EXCERPT OF MINUTES

I, the undersigned Linda Ashby do certify and declare that this excerpt is an accurate portion of the minutes as duly approved by the City Council of the City of Sherman, Texas as recorded in the minutes of the Regular Meeting of the City Council held on November 21, 2011, in the Council Chambers, City Hall, Sherman, Texas and not subsequently amended or modified.


LINDA ASHBY, PUBLIC RECORDS
August 30, 2012

SHERMAN



MAYOR
BILL MAGERS
CITY MANAGER
GEORGE OLSON

DEPUTY MAYOR
CAROLYN S. WACKER
CITY COUNCIL
CHIP ADAMI

PAMELA L. HOWETH
JOE N. SMITH
ROBERT G. SOFTLY
WILLIE STEELE

September 9, 2008

Dr. Jerry Gundersheimer
Chairman, White Cane Days
115 West Lamberth Road, Ste. C
Sherman, Texas 75092

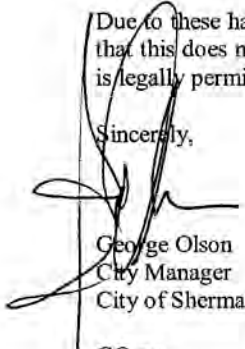
Re: Request to Solicit Funds in Roadway(s)

Dear Mr. Matteson:

In consideration of your letter of September 9, 2008, in which you have requested permission to solicit funds for White Cane Day on Saturday, October 4th, in the roadways at Taylor Street's intersections with Travis Street and Loy Lake Road in Sherman, Texas, I have reviewed your request and determined that the activity of soliciting contributions from occupants of vehicles not only impedes the flow of traffic and adds congestion and blockages of City streets and intersections, it also creates potential hazards in the roadway by distracting drivers from their primary duty to watch traffic and observing traffic control signals and/or warnings. It is also my opinion that this activity is unsafe for the person engaging in the solicitation.

Due to these hazards, your request to solicit funds in the roadway is denied. Please note that this does not prohibit you from soliciting funds within the City of Sherman where it is legally permissible to do so.

Sincerely,



George Olson
City Manager
City of Sherman, Texas

GO:pc

enclosure: Fundraising Request

mc: Tom Watt, Police Chief
Jeffrey J. Jones, Fire Chief
Doreen E. McGookey, City Attorney



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.2

*** OTHER BUSINESS**

**Consider Request of the Sherman Arts Festival Committee
to Temporarily Close Certain Streets and Use Certain City Facilities and Services
for the 30th Annual Sherman Arts Festival on Saturday, September 15, 2012**

Issue

A request has been received from the Sherman Arts Festival Committee for this year's Arts Festival. In order to accommodate the 5K/10K race and the festival itself, they request street closures around the Municipal Building and the utilization of City services, including additional barricades, trash carts and a dumpster, access to tables and chairs, and the sweeping of streets around the Municipal Building within the week prior to September 14th.

Background

Annually, the Sherman Arts Festival is held in the Municipal Ballroom and on the Municipal Building grounds. For the 30th year, they have reserved the Oliver Dewey Mayor Outdoor Theater, the Municipal Ballroom, and the Kidd-Key Auditorium to house the activities for this event.

Origination

Sherman Arts Festival Committee Representative John R. Murphy

Financial Consideration

Labor and equipment will be needed to assist with the control of traffic and implementation of barricades, placement of trash carts and the dumpster, sweeping of streets in the area, and use of City facilities.

Staff Recommendation

It is recommended that the City Council approve the request to utilize the Municipal Building grounds and facilities to host this annual event.

Alternatives

As directed by the Council

Attachments

Request of August 1, 2012
Sherman Arts Festival information
Festival Maps
5K/10K Route Maps

Prepared by:
Don Keene, Director of Public Works

Approved by:
George Olson, City Manager



August 1, 2012

George Olson,
City Manager
City of Sherman
P.O. Box 1106
Sherman, TX 75091-1106

George,

The Sherman Arts Festival Committee would like to reserve the grounds, including the gazebo, ballroom, auditorium, and all of the tables and chairs that you have made available in the past from mid-morning on Wednesday September 12 thru Saturday, September 15, 2012 at 6 p.m. We are continuing to place the vendors around the block instead of cramming them onto the lawn. The kids area will use the municipal lawn.

SCAH & the woodcarvers would like the ballroom from mid-morning on the 12th thru 6 p.m. on the 15th.

Please find attached the requested street closures that allow for the 5k and 10k races, and the Festival itself. The map of the 10k course is a modification of the 15k course used in the past, and is still being finalized. Some special help will be needed (again) from the Police Department to insure a safe route for the 10K.

As in the past, if the Street Department could put the barricades on the sidewalk/shoulder adjacent to the intersections on Friday afternoon, we will block the streets at dark-thirty on Saturday morning. And, we will return them to the sidewalks/shoulders Saturday evening.

Tents:

We will, again, be getting the framed 10x10 tents for the gatekeepers (the ones which will not blow away in a small breeze). The tent company wants to set them up where they will be needed, on Friday afternoon. We are asking y'all to provide barricades to surround these tents - which will be picked up on Monday morning. We will, of course try to place the tents outside of traffic lanes, but this will require one be in the middle of Rusk just South of Washington.

We will be getting a 20x30 tent for the dining area. Mike will clearly mark the irrigation and electrical lines, and the tent company guarantees they won't hit the lines if they are marked.

Thank you, in advance, for all the hours and effort you and your staff put into supporting this event! If you have any questions, please contact me.

Sincerely,

John R Murphy

Regarding Sherman Arts Festival

Street Closures:

Mulberry at the west side of city offices parking lot

Pecan at the west side of Elm as it heads south from Pecan and at the west side of Rusk as it turns west onto Pecan

Laurel at the west side of Elm as it heads south from Laurel

Elm at the north side of Mulberry

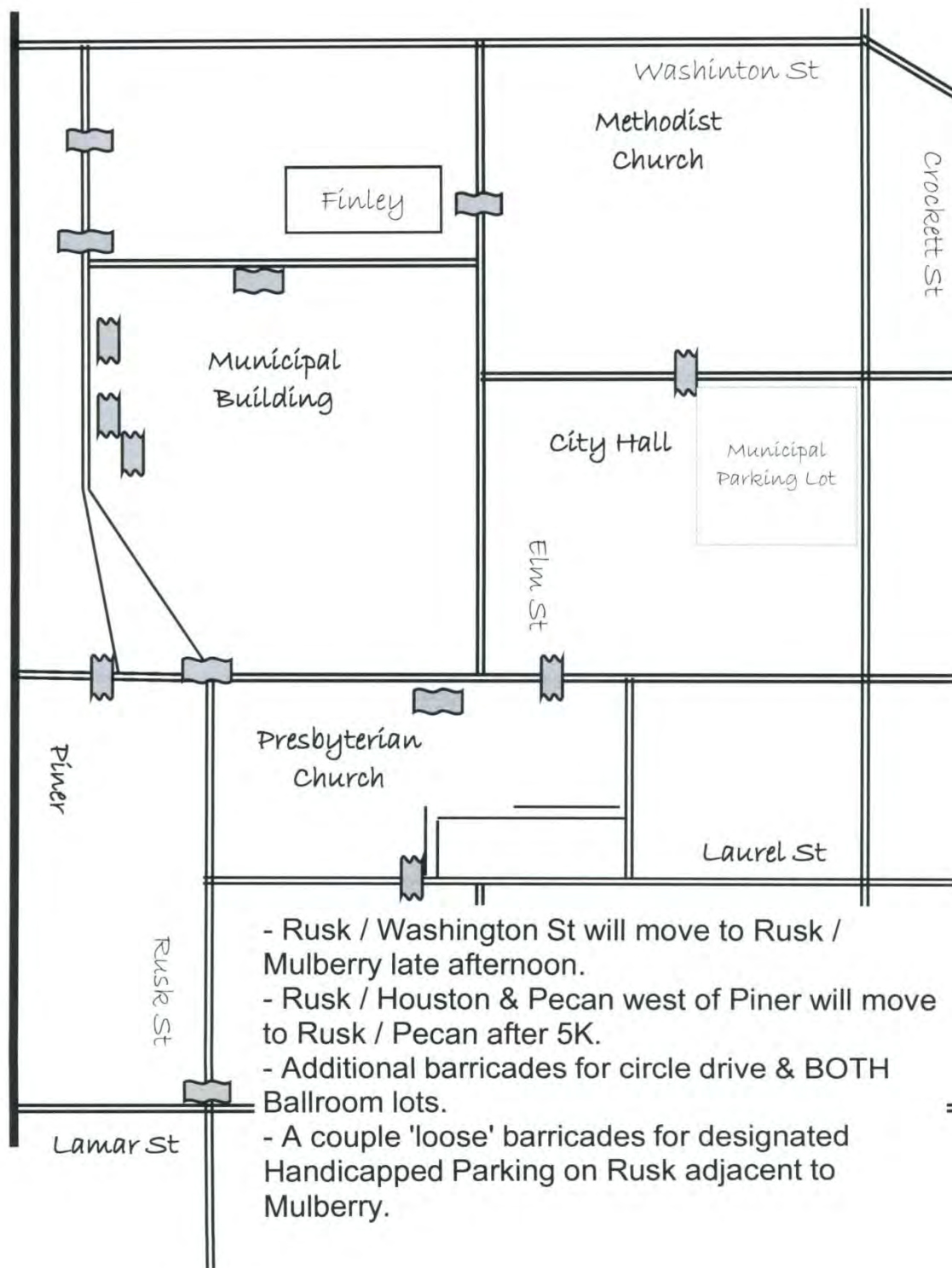
Rusk at the north side of Houston and the south side of Washington

Request 20 cones dropped off at the church lot on Washington & Elm.

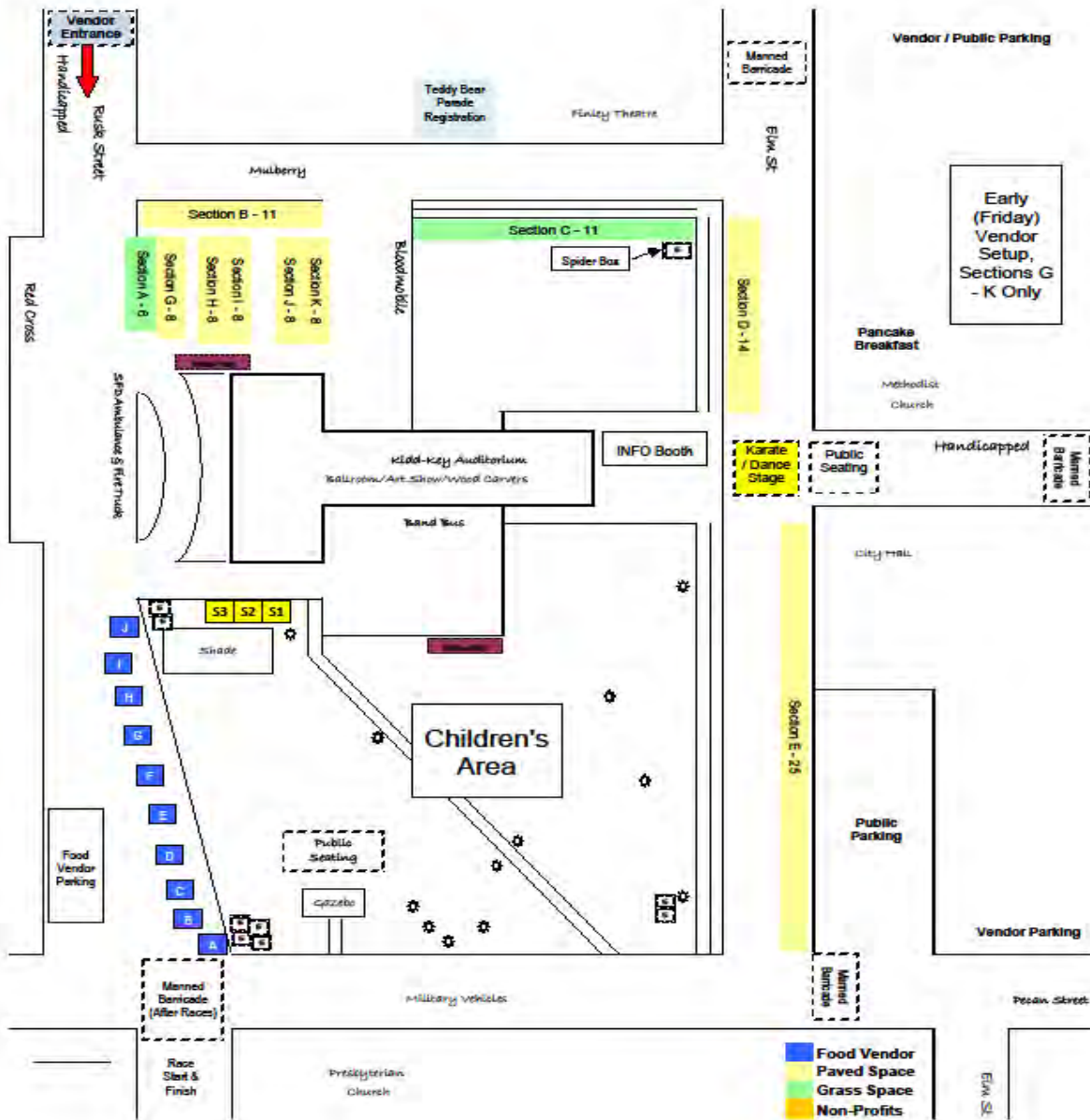
Request 8 barricades at Pecan & Rusk and the traffic light there to be flashing.

Request permit free parking in all city-owned lots on the day of the event and the use of the Municipal Building parking lot for food vendor parking.

Request use of City Services, trash pick-up, trash cans and dumpsters to be used. Request streets around the Municipal building and up Mulberry to Crockett be swept within the week prior to the event.



2012 Arts Festival



SEP10K CourseEst201205

DISTANCE: 6.24 mi



© MapMyRun, LLC. All Rights Reserved. 2005-2008 | View more maps online at:
Find this route online at mapmyrun.com or our bar view 13000768
Distance values on this map may differ slightly from values reported on the route engine.

Notes

AT	FOR	NOTES
START	2240ft	Head south on N Rusk St toward W Laurel St
0.42 mi.	716ft	Head south on S Rusk St toward W King St
0.56 mi.	4987ft	Turn right onto Center St
1.5 mi.	701ft	Turn right onto Binkley Park Dr
1.64 mi.	1692ft	Head northwest on Binkley Park Dr toward W Houston St
1.96 mi.	56ft	Turn right onto W Houston St
1.97 mi.	628ft	Slight left to stay on W Houston St
2.09 mi.	339ft	Head northeast on W Houston St toward Archer Dr/ Archer Cir
2.15 mi.	1207ft	Turn left onto Archer Dr/ Archer Cir

This segment shows 2.2 mi. (1,605 ft.) of your route.

Notes

AT	FOR	NOTES
2.38 mi.	1262ft	Head west on Archer Dr/ Archer Cir toward Crescent Dr
2.62 mi.	811ft	Head north on Archer Dr/ Archer Cir toward Sandra Dr
2.73 mi.	334ft	Turn right onto Sandra Dr
2.8 mi.	1240ft	Turn left onto Crescent Dr
3.03 mi.	1228ft	Head northeast on Crescent Dr toward Sunset Blvd
3.27 mi.	741ft	Turn right onto N Holly Ave
3.41 mi.	10ft	Head west on W Shields Dr toward N Holly Ave
3.41 mi.	1324ft	Turn left onto N Holly Ave
3.66 mi.	397ft	Head southeast on N Holly Ave toward W Mulberry St

This segment shows 1.54 mi. (1,126 ft.) of your route.

Notes

AT	FOR	NOTES
3.73 mi.	355ft	Head south on N Holly Ave toward W Pecan St
3.8 mi.	355ft	Head south on N Holly Ave toward W Laurel St
3.87 mi.	155ft	Head south on N Holly Ave toward W Houston St
3.9 mi.	511ft	Turn right onto W Houston St
3.99 mi.	1688ft	Head west on W Houston St toward Sunset Blvd
4.31 mi.	2393ft	Turn left onto Binkley Park Dr
4.76 mi.	630ft	Turn left onto W Center St
4.88 mi.	4356ft	Head east on W Center St toward Holly Ave
5.71 mi.		Head north on S Rusk St toward Walcott St

This segment shows 2.61 mi. (13,791 ft.) of your route.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.3

*** OTHER BUSINESS**

Consider Request of St. Mary's Catholic Parish to Temporarily Close Certain Streets for their Annual Fall Fest on Sunday, September 30, 2012

Issue

St. Mary's Catholic Parish is planning to hold its annual Fall Fest on Sunday, September 30th and is requesting the City of Sherman's assistance with a street closure in the vicinity of the Church and School.

Background

The event will take place during the hours of 8:00 a.m. and 6:00 p.m. and will require the closure of Sparrow Lane, from Travis Street to Walnut Street, during this time period. The event will require traffic control barricades from the City of Sherman.

Origination

Cindy Johnson, St. Mary's Fall Fest Committee Representative

Financial Consideration

Labor and equipment to deliver and pick-up barricades

Staff Recommendation

It is recommended that the City Council approve this request.

Alternatives

None recommended

Attachments

Written request for assistance dated August 10, 2012
Aerial Location Map

Prepared by:
Don Keene, Director of Public Works

Approved by:
George Olson, City Manager



St. Mary's Catholic Parish

727 SOUTH TRAVIS - SHERMAN, TEXAS 75090 - (903) 893-5148

August 10, 2012

Mr George Olson
City Manager
P. O. Box 1106
Sherman, TX. 75091

Dear Mr. Wall,

On Sunday, September 30, 2012, St. Mary's Catholic Parish will hold our annual Fall-Fest on the church and school property. As in the past it is again requested that we be allowed to close Sparrow Lane from Travis Street to Walnut Street for this event. This closing will be necessary during the hours 8 a.m. until 6 p.m. on September 30, 2012.

If there are any questions please feel free to contact me at 903-893-5148.

Sincerely,

Cindy Johnson
Fall Fest Committee Representative



Sherman
CLASSIC TOWN. BROAD HORIZON.

St. Mary's Fall Fest
Street Closure Request
September 30, 2012



Scale: 1 In = 1,000 Ft



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.4

CITIZEN REQUESTS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.5

MEDIA QUESTIONS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.6

COUNCIL COMMENTS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. D.7

ADJOURNMENT

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 9-4-2012

Subject: Agenda Item No. N/A

COUNCIL CALENDAR

2012

CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			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			

MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						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					

01/02/12 - January 2nd Council meeting cancelled
01/16/12 - M.L.K., Jr. Birthday / Regular Council Meeting
02/20/12 - Washington's Birthday / Regular Council Meeting
04/02/12 - April 2nd Council meeting cancelled
04/20/12 - 12 Noon Budget Planning Meeting in Council Chambers
06/21-22/12 - Budget Workshop in Council Chambers
(06/22/12 Budget Workshop date unnecessary)
06/25/12 - 12 Noon Called Meeting for Annexation Ordinance
(71.671 acres on Washington Street)
07/02/12 - July 2nd Council meeting cancelled

09/03/12 - Labor Day / Called Council Meeting on 09/04/12
09/21/12 - 12 Noon Called Joint Meeting with SEDCO Board
11/06/12 - City Council Election
11/14/12 - 12 Noon Called Meeting to Canvass Election Results