CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, AUGUST 17, 2015
5:00 P.M.

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

A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER JASON SOFEY

A. 3. INVOCATION BY COUNCIL MEMBER JASON SOFEY

A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 3, 2015

Public Hearing

B. 1. SECOND PUBLIC HEARING OF ORDINANCE NO. 5888
Providing for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016

B. 2. INTRODUCTION AND FIRST PUBLIC HEARING OF ORDINANCE NO. 5891
Providing for the Levy of Ad Valorem Taxes for the City of Sherman, Texas, for the Tax Year 2015; 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. 5892
Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of Electing a Mayor and Two (2) At-Large City Council Members for Said City; Providing That Said Election Shall be Held Jointly with Grayson County, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

B. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5893**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of the Reauthorization of the Local Sales and Use Tax at the Rate of One-Eighth of One Percent (1/8%) to Continue Providing Revenue for Maintenance and Repair of Municipal Streets; Providing that Said Election Shall be Held Jointly with Grayson County, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

B. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5894**

Calling a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of Amending the City Charter of the City of Sherman, Texas; Providing for Notice of Said Election; Designating Election Precincts; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

B. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5895**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow a Plant Food Formulation Facility in a C-2 (General Commercial) District and Central Business District at 401 North Walnut Street, being 1.334 acres in the J.B. McAnair Survey, Abstract No. 763 and also being the Proposed Lot 2, Ball DPF Addition (Ball DPF, LLC, Owners; Chance Finch, Representative; and Underwood Drafting & Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5896**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow Auto Accessory Sales, Installation and Repairs in a C-2 (General Commercial) District at 2407 North Travis Street, being 1.85 acres in the J.B. McAnair Survey, Abstract No. 763 (Ridlehuber Partners LTD, Owners; and Rod Tatchio, Architect); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5897**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow a Contractor's Office in a C-2 (General Commercial) District at 2408 North Travis Street, being 0.952 acres in the J.B. McAnair Survey, Abstract No. 763 (Shane Brem, Owner; and Bub Moore, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Close Public Hearing and Consider Adoption of Ordinances

B. 9. **ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5888, 5892, 5893, 5894, 5895, 5896 and 5897

B. 10. **TABLED AT THE AUGUST 3, 2015 CITY COUNCIL MEETING:**
ADOPTION OF ORDINANCE NO. 5889
Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", Article 4.14, entitled "Alcoholic Beverages", at Division 2, entitled "Lawful Consumption", Section 4.14.034, entitled "Hours of Operation", and at Division 3, entitled "Unlawful Consumption", Section 4.14.066, entitled "Sale of Alcoholic Beverages During Extended Hours by Private Club Permittee", to Provide for Extended Hours for the Sale of Alcohol pursuant to the Texas Alcoholic Beverage Code

B. 11. **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. 5997**
Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 3, 2015

C. 2. **RESOLUTION NO. 5998**
Supporting the Appointment of New Federal Judgeships for the Sherman Division of the Eastern District of Texas Sitting at Sherman, Texas, with Strong Preference Being Given to Nominees Residing in Grayson County, Texas

C. 3. **RESOLUTION NO. 5999**
Authorizing the Execution of a Contract Amendment with Nathan D. Maier Consulting Engineers, Inc. for the Design of the Kessler Blvd. Erosion Repair Project

C. 4. **RESOLUTION NO. 6000**
Authorizing the Execution of a Contract Amendment with Kimley-Horn and Associates, Inc. for the Design of the Loy Lake Road from Buck Owens Freeway (US 82) to Sara Swamy Improvement Project

C. 5. **** RESOLUTION NO. 6001***
Authorizing Execution of an Agreement with Tobar Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1114 East Chaffin Street

C. 6. **** RESOLUTION NO. 6002***
Authorizing Execution of an Agreement with Tobar Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 805 North Branch Street

Change Orders

D. 1. **** CHANGE ORDER NO. 1***
Loy Lake Road and Sara Swamy Drive Improvements Project; 03 Concrete Contractors, LLC; $8,295.67 Increase

Other Business

E. 1. **OTHER BUSINESS**
Providing for the Ratification of the Property Tax Increase

E. 2. **OTHER BUSINESS**
Conceptual Master Plan Approval for Sherman Crossroads in the Blalock Industrial Park/Blalock Commercial Overlay District; Sherman Crossroads, LTD, Owners; and Jeff Carroll, Carroll Architects, Architect; located in the 2800-3600 blocks of South U.S. Highway 75

E. 3. **** OTHER BUSINESS***
Final Plat Approval of the Ball DPF Addition, being 1.844 acres in the J.B. McAnair Survey, Abstract No. 763; Ball DPF, LLC and Dennis Halliburton, Owners; and Underwood Drafting and Surveying, Surveyor (401 North Walnut Street and 311 East Mulberry Street)

E. 4. **OTHER BUSINESS**
Receive City Attorney Brandon Shelby's Update on the Panhandling Ordinance

E. 5. **** 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 Festival" on Saturday, September 12, 2015

F. **CITIZEN REQUESTS**

G. MEDIA QUESTIONS

H. COUNCIL COMMENTS

Executive Session

I. 1. EXECUTIVE SESSION

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

Section 551.074 Personnel Matters:

(a) Deliberate the Evaluation of a Public Officer or Employee:

(1) Annual Performance Evaluation of the City Manager

The Council reconvenes into General Session

J. 1. OPEN MEETING

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

K. ADJOURNMENT

COUNCIL CALENDAR

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

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on August 14, 2015 at 2:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 14th day of August, 2015
City of Sherman, Texas

_____
City Clerk

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

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

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

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

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

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

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

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

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 3, 2015

Attachments

August 3, 2015

STATE OF TEXAS §

August 3, 2015

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 3, 2015.

MEMBERS PRESENT: **MAYOR CARY WACKER; DEPUTY MAYOR DAVID PLYLER. COUNCIL MEMBERS DAVIS, SOFEY, STEELE, WATT.**

MEMBERS ABSENT: **COUNCIL MEMBER JOHNSON.**

CALL TO ORDER

CALL TO ORDER

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Terrence Steele.

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting (Budget Workshop) of June 25, 2015 and the Regular City Council Meeting of July 20, 2015. Council Member Watt moved to approve the Minutes as presented; Second by Council Member Sofey. All present voted AYE. MOTION CARRIED.

PUBLIC HEARING

Mayor Wacker called for a public hearing on the:

TAX ABATEMENT PANDA SHERMAN POWER

PROPOSED TAX ABATEMENT AGREEMENT WITH PANDA SHERMAN POWER II, LLC FOR IMPROVEMENTS TO PROPERTY IN INDUSTRIAL REINVESTMENT ZONE NO. 072015-1

Mayor Wacker called for a public hearing on the proposed Tax Abatement Agreement with Panda Sherman Power II, LLC for improvement to property in Industrial Reinvestment Zone No. 072015-1.

Steve Tessem, Vice President for Development, Panda Power Funds

Mr. Tessem thanked the City Council for consideration of the tax abatement, adding that it was similar to the abatement for Phase I, which has been in operation for about a year.

The reason for the second project is due to the load growth that the company has seen in the last couple of years in North Texas. The State of Texas was actually setting demand records for electricity for the month of July 2015.

With the increase in demand in North Texas, they determined the need for a project such as Phase II. They will be adding staff to the facility and paying a substantial amount in property taxes when the facility is built.

Mayor Wacker said Panda has been a tremendous partner in Sherman and the Council is pleased that they are back.

No citizens appeared before the City Council to discuss the Proposed Tax Abatement Agreement with Panda Sherman Power II, LLC.

Mayor Wacker called for a public hearing on the:

PROPOSED CHARTER AMENDMENTS

<u>CHARTER AMENDMENTS PROPOSED BY THE CHARTER REVIEW COMMISSION FOR THE NOVEMBER 3, 2015 SPECIAL ELECTION</u>

Mayor Wacker called for a public hearing on the Charter Amendments proposed for the November 3, 2015 Special Election.

Robby Hefton City Manager, said at the June 15, 2015 Meeting, the City Council created a Charter Review Commission that was established to review the City's Charter to see if there were any modifications that needed to be made. The Commission met, and along with staff recommendations, considered any changes that might be needed.

Brandon Shelby, City Attorney, said there were a total of 16 areas where the Charter might need updating or revision. In May 2005, voters passed Proposition 11, and in November 2010, voters passed Proposition 3. These two propositions allow the Council to amend the Charter through an action of Council if the changes are clerical in nature. Fifteen of the proposed 16 amendments were deemed to be clerical.

The one proposed amendment that does need a vote of the citizens was to amend Article 4, Section 5, entitled "Legal Officer." The recommendation was to move the City Attorney back under the responsibility of the City Manager instead of directly reporting to the City Council.

No citizens appeared before the City Council to discuss the Charter Amendments proposed by the Charter Review Commission for the November 3, 2015 Special Election.

ORD 5888
ANNUAL BUDGET

<u>INTRODUCTION AND PUBLIC HEARING OF ORDINANCES</u>

Mayor Wacker introduced Ordinance 5888 and called for a public hearing:

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, 2015, AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR A REPEALER.

Mayor Wacker read the following statement, "this budget will raise more total property taxes than last year's budget by $670,000 and 7.6%, and of that amount $419,000 is revenue to be raised from the new property to be added to the roll this year." She said the Council is pleased about the growth in Sherman.

<u>Dan Steelman, Executive Director, Sherman Museum</u>
Mr. Steelman thanked the City Council for their action at the previous City Council Meeting, to increase funding for the Sherman Museum to $70,000. The increase will allow them to continue their operation at the existing level of service.

He said he is also excited about the strategic planning part of the agreement because he has been wanting to look at the direction of the Museum for some time, to determine how it can best benefit the City and the region.

Mr. Steelman said one of his main goals has been community engagement and finding ways to become more important in the lives of citizens. There has been a great diversification of the people coming into the Museum.

Mr. Steelman said $70,000 is greatly appreciated and needed, and will allow them to continue their operation. However, when he began working at the Museum, there were 3.5 employees. Today there are two employees, including Mr. Steelman.

He asked if he could get $7,000 approved by his Museum Board to hire another person, would the City Council agree to match it with another $7,000 to hire two part time people. Mr. Steelman felt this would be enough to "keep the doors open."

He thanked the City Council for funding from the Hotel/Motel Tax Fund, saying they did their best to maximize every dollar that the Council gives them.

Mayor Wacker said the Council already had a funding amount that was agreed upon, but everyone is committed to help with fundraising efforts to help leverage the money available.

She added that this was the first reading of Ordinance 5888, the second and final public hearing, and the adoption will be scheduled for the next City Council Meeting on August 17, 2015. Two public hearings on the budget ordinance are required by law.

No other citizens appeared before the City Council to discuss Ordinance 5888.

ORD 5889 ALCOHOL SALES FOR EXTENDED HOURS

Mayor Wacker introduced Ordinance 5889 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", ARTICLE 4.14, ENTITLED "ALCOHOLIC BEVERAGES", AT DIVISION 2, ENTITLED "LAWFUL CONSUMPTION", SECTION 4.14.034, ENTITLED "HOURS OF OPERATION", AND AT DIVISION 3, ENTITLED "UNLAWFUL CONSUMPTION", SECTION 4.14.066, ENTITLED "SALE OF ALCOHOLIC

BEVERAGES DURING EXTENDED HOURS BY PRIVATE CLUB PERMITTEE", TO PROVIDE FOR EXTENDED HOURS FOR THE SALE OF ALCOHOL PURSUANT TO THE TEXAS ALCOHOLIC BEVERAGE CODE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mr. Shelby explained that, at the last meeting, Council Member Sofey suggested that the staff look into extending the hours of operation for bars and restaurants.

The Texas Alcoholic Beverage Commission sets the hours for the sale of alcoholic beverages. Based on the population, Sherman's hours are set at midnight on weekdays and 1:00 a.m. on weekends. In cities with a larger population, they are allowed to sell alcoholic beverages until 2:00 a.m., seven days a week.

Small cities, such as Sherman, may adopt these extended hours by ordinance. The proposed ordinance would allow for a restaurant or bar, that holds a mixed beverage license, to apply to TABC for an extended hours license, giving them the opportunity to stay open until 2:00 a.m., seven days a week, if they choose.

Mayor Wacker confirmed that the extended hours are not automatic and a restaurant or bar would need to go through an application process with TABC.

No citizens appeared before the City Council to discuss Ordinance 5889.

ORD 5890
ENGINE BRAKING

Mayor Wacker introduced Ordinance 5890 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, ENTITLED "TRAFFIC AND VEHICLES", ARTICLE 12.02, ENTITLED "OPERATION OF VEHICLES GENERALLY", TO PROVIDE FOR A NEW SECTION 12.02.010 TO BE ENTITLED "ENGINE BRAKING"; PROVIDING FOR EXCEPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mr. Hefton said the proposed ordinance was in response to the City Council request to look at the engine braking issue and the noise pollution it causes, especially on the major highways, US Hwy 75 and US Hwy 82.

The proposed ordinance is modeled on what other cities of similar or larger size have adopted to address the issue. From a practical standpoint, he said if the ordinance is adopted, the staff will install signage on major thoroughfares at entrances to the City, however he said enforcement would be a little difficult. He said other cities

have found that the signage works to notify truck drivers and they seem to follow the prohibition fairly well.

No citizens appeared before the City Council to discuss Ordinance 5890.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

ORD 5889 ALCOHOL SALES FOR EXTENDED HOURS (TABLED)

Ordinance 5889

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", ARTICLE 4.14, ENTITLED "ALCOHOLIC BEVERAGES", AT DIVISION 2, ENTITLED "LAWFUL CONSUMPTION", SECTION 4.14.034, ENTITLED "HOURS OF OPERATION", AND AT DIVISION 3, ENTITLED "UNLAWFUL CONSUMPTION", SECTION 4.14.066, ENTITLED "SALE OF ALCOHOLIC BEVERAGES DURING EXTENDED HOURS BY PRIVATE CLUB PERMITTEE", TO PROVIDE FOR EXTENDED HOURS FOR THE SALE OF ALCOHOL PURSUANT TO THE TEXAS ALCOHOLIC BEVERAGE CODE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Council Member Watt asked about the time that late hours would allow. Mr. Hefton said the proposed ordinance would adopt the TABC extended hours and then a restaurant could adopt whatever hours they wanted too, up to those hours.

Council Member Sofey asked if the City could be specific and designate that Sunday through Thursday was still midnight, but Friday and Saturday are later. He asked if the City Council had that ability.

Mr. Shelby set the statue sets the hours at 2:00 a.m. and the language of the statue says that cities that aren't included may adopt these hours by ordinance. "These hours" applies to the clause in the statue that says 2:00 a.m. It doesn't say the City can't modify it, but it would require additional research to assure that a City can do that.

Council Member Watt said from a public safety standpoint, he would like to know if there is any research available about what happens from midnight until 2:00 a.m. as opposed to closing at midnight.

Mr. Hefton said the staff did not research from that standpoint. There are other cities in the area that have adopted the 2:00 a.m. language. In staff discussions the thought has been that opening up the hours from midnight until 2:00 a.m. isn't going to draw any more traffic to those areas, but it might allow those that are already out to stay longer. He added that there is really no way to know what impact the change would have locally.

Chief Henry said they had no actual data, but the extended hours are common throughout the State.

Council Member Sofey said he introduced the idea at the last Council Meeting, and that many younger people don't go out until 10:00 p.m. He thought it might be an opportunity to keep some dollars in Sherman and would be an "olive branch" to some of the businesses that felt they would lose revenue with the no smoking policy.

He said he would like to do something on the weekends and didn't realize the State law said it would have to be done seven days a week. The businesses he talked to had an interest in staying open an extra hour or two at night, but probably not all week.

He said he would like to know if the City has an option to make the change on the weekend only and not all seven days a week.

Council Member Steele said the businesses would still have to go through the TABC permitting process in order to be open the late hours.

Deputy Mayor Plyler asked if the Council would like to table the ordinance until the next meeting and let the City Attorney research what options the Council might have. Council Member Sofey said he would feel more comfortable if the research showed they could make the change only on Friday and Saturday nights.

ACTION TAKEN.

Motion by Council Member Sofey to table Ordinance No. 5889, until the next Council Meeting. Second by Deputy Mayor Plyler.

VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED TO TABLE.

Council Member Watt asked when the City Attorney researches the Council's options, could he verify that if the ordinance is eventually approved and there is a problem, can the Council change it back.

<u>Ordinance 5890</u>

ORD 5890
ENGINE BRAKING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, ENTITLED "TRAFFIC AND VEHICLES", ARTICLE 12.02, ENTITLED "OPERATION OF VEHICLES GENERALLY", TO PROVIDE FOR A NEW SECTION 12.02.010 TO BE ENTITLED "ENGINE BRAKING"; PROVIDING FOR EXCEPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Sofey to approve Ordinance No. 5890, as presented. Second by Council Member Watt.

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

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

RES 5989
TAX ABATEMENT
PANDA SHERMAN
POWER II

RESOLUTION NO. 5989 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH PANDA SHERMAN POWER II, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES WITHIN INDUSTRIAL REINVESTMENT ZONE NO. 072015-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH PANDA SHERMAN POWER II, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES WITHIN INDUSTRIAL REINVESTMENT ZONE NO. 072015-1.

Mayor Wacker said Resolution Nos. 5989, 5990, and 5991 are all related. She asked Mr. Hefton to discuss the proposed resolutions.

Mr. Hefton explained that Resolution Nos. 5989 and 5990 are both incentive agreements with Panda Sherman Power II, the proposed development that Mr. Tessem spoke about earlier. Resolution 5989 is the tax abatement agreement and would be for 10 years, with a declining structure for abatement. The abatement starts at 65% and declines to 25% by the end of the abatement period.

It is a similar abatement to the one currently in effect for Panda I. The numbers are a little different but the effect is about the same.

Mr. Hefton said Resolution 5990 is a Chapter 380 Agreement from the Local Government Code that allows the City to enter into economic incentive agreements with businesses proposing development in Sherman. This agreement would extend the abatement, in the form of a rebate, for five additional years.

This would be a total 15 year incentive, with the first ten years being in the form of a tax abatement and the last five years in the form of a rebate agreement that would rebate 25% of their property taxes paid. They would pay the taxes and the City would rebate back to them 25% of what was paid.

Resolution No. 5991 is a 380 Agreement for the current facilities that are in place in Sherman. Panda, since it's

inception has already generated over $3 million in revenue to the City. This includes utility revenue during construction and post construction, sales tax revenue during construction, and hotel/motel tax revenue during construction. They have already had an incredible financial impact on the City.

This proposed agreement would rebate back to Panda Sherman Power $60,000 of taxes that will be paid this current fiscal year for pollution control exemptions that ended up not being exempt after action by the Grayson Appraisal District and the Texas Commission on Environmental Quality.

There were some properties that were previously indicated to be exempt from taxes that are now not exempt for FY 2015. This agreement would rebate that amount that was changed at the last minute.

The City also proposes to take these issues to Grayson County for their consideration as a rebate. They are under no obligation, however the County has historically followed the City's lead on economic development type agreements.

Mayor Wacker said by reviewing the agreements together there would be a good understanding of what is being considered. She said Panda is Sherman's largest taxpayer, by far, even with the abatement agreements in place.

ACTION TAKEN.

Motion by Council Member Davis to approve Resolution No. 5989, as presented. Second by Council Member Steele.

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

RES 5990 PANDA SHERMAN POWER II – CHAPTER 380 AGREEMENT

<u>RESOLUTION NO. 5990 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH PANDA SHERMAN POWER II, LLC FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE</u>

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

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 5990, as presented. Second by Council Member Watt.

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

RES 5991 PANDA SHERMAN POWER – CHAPTER 380 AGREEMENT

RESOLUTION NO. 5991 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH PANDA SHERMAN POWER, LLC FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE

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

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5991, as presented. Second by Deputy Mayor Plyler.

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

Mayor Wacker said the City Council is very glad they chose Sherman and urged them to keep moving forward.

RES 5992 HUNT STREET EROSION PROTECTION

RESOLUTION NO. 5992 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH EAST VALLEY GOLF, LTD. DBA REVEGETATION SERVICES BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE EROSION PROTECTION FOR HUNT STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH EAST VALLEY GOLF, LTD. DBA REVEGETATION SERVICES BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE EROSION PROTECTION FOR HUNT STREET.

Clay Barnett, Director of Public Works and Engineering, explained that this was the first of the repair projects for the damage that the City suffered during the heavy rainfall experienced in the late Spring and early Summer.

The damage consisted of a slope failure on Hunt Street. This project will place a box culvert at the bottom of the slope and fill in the area, eliminating the future potential for erosion.

The City received five bids with the lowest bid submitted by Revegetation Services. The staff has checked their financials and their references and they appear to be in good stable condition.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 5992, as presented. Second by Council Member Watt.

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

RES 5993
E911 SYSTEM
REMOTE HOSTING
TCOG

RESOLUTION NO. 5993 – AUTHORIZING APPROVAL AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TEXOMA COUNCIL OF GOVERNMENTS REGARDING THE SHARING AND REMOTE HOSTING OF EMERGENCY COMMUNICATIONS E911 SYSTEMS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING APPROVAL AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TEXOMA COUNCIL OF GOVERNMENTS REGARDING THE SHARING AND REMOTE HOSTING OF EMERGENCY COMMUNICATIONS E911 SYSTEMS.

Mayor Wacker asked Otis Henry, Police Chief, to discuss Resolution 5993 and Resolution 5994 since they were related.

Chief Henry said the City's E911 equipment is currently housed at the Sherman Police Department and is a "stand alone" system.

The equipment, software, and hardware have reached their end of life. The staff has been working with AT&T to complete specs on the equipment and obtain quotes.

Chief Henry said they would like to make a change in the way they do business and enact an interlocal agreement with the Texoma Council of Governments. This will allow the City to cut their costs by sharing some of the expenses with the other entities that are part of the shared hosting program.

By participating, the City will save about $100,000 on equipment and it will also allow redundancy. If the City happened to lose capability to receive 911 calls at the Police Department, they would be able to go to any of the other partners, such as Whitesboro, Grayson County, Fannin County, or Cooke County, and receive calls at those remote sites and dispatch from that location.

Mayor Wacker said the interlocal agreement was approved at the last TCOG Governing Board Meeting. Chief Henry added that the staff had previously discussed the next generation 911 and the State's effort to bring it online. This equipment will be next gen capable and ready to go when the State is ready. It will also give the Voice Over Internet Protocol (VOIP).

Council Member Watt asked if there was a timeline as to when the State might be ready to partner with local jurisdictions. C.J. Durbin, TCOG Public Safety Program Manager, said they are working on the plan and several Councils of Government will go on by the end of 2017.

Council Member Watt asked if there was any change in the status of the City's 911 funds. Chief Henry said the way the E911 funds were disbursed will be unaffected by the

agreement and the City will still maintain control over the incoming fees. Mayor Wacker confirmed that this is the fee that is on a telephone bill that is dedicated to 911 communications. The fee is now $0.80.

ACTION TAKEN.
Motion by Council Member Watt to approve Resolution No. 5993, as presented. Second by Council Member Sofey.
VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

RES 5994 AT&T PHONE SYSTEM

RESOLUTION NO. 5994 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH AT&T FOR THE PURCHASE OF A NEW VESTA E911 SYSTEM
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH AT&T FOR THE PURCHASE OF A NEW VESTA E911 SYSTEM.

ACTION TAKEN.
Motion by Council Member Watt to approve Resolution No. 5994, as presented. Second by Council Member Steele.
VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

RES 5995 ANNUAL AUDIT

RESOLUTION NO. 5995 – APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADAMI, LINDSEY & COMPANY, L.L.P. TO PERFORM THE FISCAL YEAR 2015 AUDIT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADAMI, LINDSEY & COMPANY, L.L.P. TO PERFORM THE FISCAL YEAR 2015 AUDIT.
CONSENT AGENDA.

RES 5996 CENTRAL BUSINESS DISTRICT TAX ABATEMENT PROGRAM

RESOLUTION NO. 5996 – DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO RENEW ITS TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT OF THE CITY; ESTABLISHING GUIDELINES AND CRITERIA
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO RENEW ITS TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/

REDEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT OF THE CITY; ESTABLISHING GUIDELINES AND CRITERIA.
CONSENT AGENDA.

OTHER BUSINESS

RECEIVING POLICE CHIEF OTIS HENRY'S UPDATE ON NEW RECRUITING INITIATIVES

POLICE RECRUITING

Chief Henry presented an overview of the Police Department's new recruiting initiatives. At the Budget Workshop, he presented numbers for the last five test cycles.

They are now in a new test cycle and he presented the new webpage for Sherman Police Department recruiting. The site is www.shermanpd.com and offers specific information about testing, free prep classes, steps of the hiring process, and the registration questionnaire. The webpage was designed by CBC Creative. They also contracted with Grayson County College to help reduce the failure rate which was at about 40%.

Through the partnership with Grayson County College they began offering prep courses. After determining the categories of questions on the tests they also determined the ones that applicants seemed to struggle with. With this information the College created practice tests and prep classes, as well as test-taking strategies and reading comprehension, that should help applicants pass the test.

The goal is to increase the "pass" rate and increase the pool of applicants that are available to the Police Department. The classes are free to the applicant.

Personnel also contacted applicants from the last five tests to invite them to take the test again.

Chief Henry said they are also advertising through social media because that is what reaches the young people today. They will have a presence on Twitter, Instagram, and Facebook. He said that today, two weeks into the campaign, they have 78 people signed up online.

Mayor Wacker said she is very proud of all the first responders and said they are doing a great job.

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR 12:00 NOON ON TUESDAY, SEPTEMBER 15, 2015 TO REVIEW AND APPROVE SEDCO'S ANNUAL BUDGET AND WORK PLAN

SET CALLED MEETING ANNUAL JOINT WITH SEDCO

Council Members considered dates for the annual Joint Meeting between the City Council and the Sherman Economic Development Corporation Board of Directors to review and consider approval of their annual budget and work plan.
Council Member Watt said that date was difficult for him but he would try to attend the meeting.

ACTION TAKEN.

Motion by Council Member Sofey to schedule a Joint Meeting of the City Council and the SEDCO Board of Directors for September 15, 2015 at 12:00 noon, as presented. Second by Deputy Mayor Plyler.

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

SET PUBLIC HEARING FOR 2015-2020 CIP

REVIEW DRAFT CAPITAL IMPROVEMENT PROGRAM (CIP) 2015-2020 AND SET PUBLIC HEARING FOR TUESDAY, SEPTEMBER 8, 2015

Mayor Wacker said the Council will receive a presentation on the Draft Capital Improvement Program and will need to set a public hearing on the program.

Don Keene, Director of Administration and Finance, presented the Draft CIP for 2015-2020. He explained that the City is required to maintain a Five Year Capital Improvement Project Plan. He explained that Year 1 for 2016 is funded in the budget. Years 2 through 5 are not funded.

The projects for Year 1 will be done and the remaining projects will be reviewed and reshuffled during next year's budget workshop. He added that Year 1 ties to what was presented to the Council during the budget meetings.

Mayor Wacker asked if there will be an additional presentation at the next meeting. She asked to highlight a couple of the projects that are really big and are important for the future.

Mr. Hefton said the staff will present a brief presentation at the next Council Meeting.

ACTION TAKEN.

Motion by Council Member Steele to set a public hearing on the Capital Improvement Program for September 8, 2015, as presented. Second by Council Member Davis.

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

QUARTERLY INVESTMENT REPORT

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED JUNE 30, 2015

The City Council approved the Quarterly Investment Report for the quarter ended June 30, 2015. As of June 30, 2015, the portfolio was in compliance with applicable State laws and the Investment Policy.

The operating investment portfolio had a book value of about $19.9 million, a slight decrease of about $250,000 from the prior quarter of $20.1 million.

The underlying investments were adequately diversified among four different types of securities. This portfolio is

appropriately liquid and its weighted-average maturity was about 485 days, down from 490 days last period.

The portfolio yield of 0.665% for the quarter is higher than the benchmark yield of 0.28%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.
CONSENT AGENDA.

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR TUESDAY, SEPTEMBER 8, 2015, DUE TO CONFLICT WITH A FEDERAL HOLIDAY

SCHEDULE CALLED MEETING

The City Council called a Special Meeting of the City Council for Tuesday, September 8, 2015, due to a conflict with a Federal holiday. The first regular meeting in September would have fallen on Labor Day.
CONSENT AGENDA.

CITIZENS REQUESTS
TEXOMA COMMUNITY CENTER

TEXOMA COMMUNITY CENTER

Whitney Redden, 3001 N. Ricketts, said she works at the Texoma Community Center, which is formally MHMR Services of Texoma. She said she plans to attend the Council Meetings regularly, and wanted the Council to know that in the last 18 months, they have expanded their services.

Ms. Redden said they have a lot of new services and are able to help almost anyone that is looking for social services or substance abuse treatment. Mayor Wacker said they are also expanding their facility.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS
POLICE RECRUITING SERVICES

POLICE RECRUITING SERVICES

Council Member Watt recognized the outstanding job that Chief Henry and Chief Bob Fair have done on instigating new recruiting services. He also recognized the use of CBC Creative for their work on the program.

POLICE RECRUITING SERVICES

POLICE RECRUITING SERVICES

Council Member Sofey agreed that the new recruiting program was a good program.

PANDA SHERMAN POWER

PANDA SHERMAN POWER

Council Member Sofey said Panda is a huge part of the City and he thanked them again for locating in Sherman.

TAX ABATEMENT FOR CENTRAL BUSINESS DISTRICT

TAX ABATEMENT FOR CENTRAL BUSINESS DISTRICT

Deputy Mayor Plyler said the Tax Abatement Program for the Central Business District was renewed tonight and he recognized the program saying he was glad it was continuing.

CITY COUNCIL ELECTION

CITY COUNCIL ELECTION

Mayor Wacker announced that filing began a week ago for the City Council Election in November and will continue through August 24, 2015. There will also be a Charter Amendment on the Election.

WELCOME TO NEW EMPLOYEE

WELCOME TO NEW EMPLOYEE

Mayor Wacker welcomed Nate Strauch to the City of Sherman as the new Communications Manager. She said Mr. Hefton has been putting together his management team and moving forward with some new ideas. She welcomed Mr. Strauch saying the Council was glad he had joined in that capacity.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:59 p.m.

MAYOR

CITY CLERK

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

SECOND PUBLIC HEARING OF ORDINANCE NO. 5888

Providing for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016

Issue:

To hold the second and final public hearing on and consider the adoption of the proposed budget ordinance for the 2015-2016 fiscal year

Background:

The proposed budget reflects the direction given by the Council at the recent Budget Workshop held on June 25, 2015, and is focused on sustaining and enhancing our current operations and funding for capital and infrastructure. The budget contains about $68.5 million in appropriations, which is about $2.9 million higher than the prior year's original budget of $65.6 million, due to capital and other non-recurring spending. Staffing levels for full-time positions increased from 409 to 413; and fund balances for the General, Utility, and Solid Waste Funds are within targeted ranges of 70-80 days. In accordance with the discussions at the Budget Workshop, the draft budget proposes funding for development planning, improvements to City facilities, street maintenance and improvements, utility fund projects, compensation and staffing issues, and a solid waste rate increase of 5%. More detailed information is available on the attachments.

"This budget will raise more total property taxes than last year's budget by $670,000 and 7.6%, and of that amount $419,000 is revenue to be raised from new property to be added to the roll this year."

Origination:

Director of Finance

Financial Consideration:

The proposed budget contains appropriations of $68.5 million for the 2015-2016 fiscal year.

Staff Recommendation:

The staff recommends that the Council hold the second and final public hearing on the budget ordinance and consider adoption.

Alternatives:

The Council could make changes to the proposed budget, subject to existing available financial resources, and subject to statutory requirements relating to the timing of the budget adoption.

Attachments

Ordinance No. 5888

Proposed Budget for FY 2015-2016

ORDINANCE NO. 5888

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, 2015, AND ENDING SEPTEMBER 30, 2016; 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, pursuant to Article V of the City Charter, there is hereby appropriated for Operating Expenditures the sums of money as established in the approved Operating Budget Document for fiscal year beginning October 1, 2015, and ending September 30, 2016.

SECTION 2. That, pursuant to Article V of the City Charter, there is hereby appropriated for Capital Expenditures the sums of money as established in the approved Capital Budget Document for fiscal year beginning October 1, 2015, and ending September 30, 2016.

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 _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY

This budget will raise more total property taxes than last year's budget by $670,000 and 7.6%, and of that amount $419,000 is tax revenue to be raised from new property added to the tax roll this year.

PROPOSED BUDGET FOR THE CITY OF SHERMAN
FOR FISCAL YEAR 2016
July 20, 2015

SUMMARY

The attached proposed budget for Fiscal Year (FY) 2016 is based on the direction provided by the City Council at the budget workshop that was held on June 25, 2015.

The proposed budget includes the projected renewal of the street sales tax, and funding for programs and improvements around the City such as planning and development, substandard structure demolition, storm water mitigation, downtown enhancements, and auditorium and ballroom improvements. Staffing and compensation, especially in public safety, is addressed, a five percent increase in solid waste rates is included, and fund balances are maintained at targeted levels.

Appropriations for FY 2016 total about $68.5 million, of which $7.1 million is earmarked for capital spending. This budget is about $2.9 million more than original FY 2015 budget, primarily from an increase in capital spending.

Total budgeted full-time positions in the proposed budget increased from 409 to 413 due to the net addition of two full-time employees in both the Utility Fund and the General Fund.

GENERAL FUND

The **General Fund** is unbalanced for FY 2016 due to capital expenditures. In the previous two fiscal years, the City received significant, one-time sales tax revenues from the construction of an industrial power plant. These funds are budgeted in FY 2016 for capital expenditures such a facility improvements, equipment, and other projects. Property tax and sales tax are both expected to increase. Fund balance is projected to be $6.7 million or 76 days at the end of FY 2016.

UTILITY FUND

For FY 2016, the **Utility Fund** is balanced on an ongoing basis. A non-recurring transfer to the General Fund is budgeted to aid the General Fund while the multi-year plan to stabilize revenues in that fund is implemented. Additional debt service has been budgeted in anticipation of the water treatment plant expansion and construction of a new water tower. Remaining fund balance at the end of FY 2016 is projected to be in line with targeted levels with about $4.2 million, or about 73 days of operating expenses.

SOLID WASTE FUND

The **Solid Waste Fund** is balanced on an on-going basis. A five percent rate increase is planned for this fund to stabilize revenues and adequately fund its capital-intensive operations for the long-term. Fund balances in this fund are expected to be $1.3 million, or 78 days of operating funds available at the end of FY2016.

CAPITAL IMPROVEMENT FUNDS

The proposed budget of about $3.1 million in the **General Improvement Fund** consists of funding for improvements to Loy Lake Road between Highway 82 and Sara Swamy Drive, a potential grant that will fund downtown improvements, acquisition of land in the flood plain, improvements for pedestrians on Grand Avenue, and facility remodeling to move the Municipal Court from the Police Station to the Municipal Building. Reserves of about $305,000 are expected at the end of FY2016.

The **Utility Improvement Fund** proposed budget of $3.1 million consists of a SEDCO-funded industrial sewer in the Blaylock Industrial Park, water tower painting and repair, and other utility projects. Utility Improvement Fund reserves will be about $525,000 at the end of FY 2016.

MAJOR IMPACTS

Tax Revenues

Property tax revenue is expected to increase about $670,000 over last year, due to growth in the value of existing property and to new property added to the tax roll. The proposed tax rate of $.372/$100 of valuation is the same as the rate for FY 2015. Sales tax revenue is also expected to increase by about $274,000 due to modest growth and the end of a ten-year repayment the city owed to the State Comptroller from an overpayment by a taxpayer.

Wage Increase

The proposed budget contains a two percent increase in salaries for all employees plus certain salary adjustments to bring those positions up to market and address pay differences between the ranks in the police department. The cost for all funds is projected to be about $678,000.

Staffing

A Geographic Information System (GIS) Manager, a Recreation Specialist for the Fairview Gym, and a Communications Manager were added in the General Fund, and two operators were added in the Utility Fund to staff the second and third shifts at the Waste Water Treatment Plant.

Fleet, Equipment and Buildings

Major fleet expenditures for this year include three police vehicles ($124,000), an ambulance ($110,000), a fire engine ($530,000), a sewer truck ($303,000) and dozer ($131,000) for the Utility Distribution department, three solid waste trucks ($750,000), a backhoe for the cemetery ($80,000), and various other fleet and equipment totaling about $2.3 million for all funds. Major building improvements include repairs at the fire stations, renovations at the police department for 9-1-1 services and to the emergency operations center, Municipal Building remodel to accommodate the Municipal Court, Auditorium and Ballroom upgrades, and construction of sheds and covered areas to replace deteriorating structures and protect other equipment and fleet currently stored outside.

SUMMARY SCHEDULES, DETAILED FUND STATEMENTS, AND OTHER INFORMATION

The following pages include a schedule that summarizes the draft FY 2016 budget, eliminating double counting for internal service funds and inter-fund transfers. Also included are statements of revenues and expenditures/expenses for each fund, a schedule of transfers, a property tax historical summary, and a debt schedule.

City of Sherman
ALL FUNDS
2015 -2016 Annual Budget

	General Fund	Enterprise Funds	Internal Service Funds	Special Revenue Funds	Capital Improvement Funds	Trust Fund	Debt Service Funds	Elim. Interfund Transfers	Totals
Beginning Fund Balance	**$ 7,925,894**	**$ 7,586,292**	**$ 356,330**	**$ 729,673**	**$ 2,938,756**	**$ 1,464,112**	**$ 643,387**	**$ -**	**$ 21,644,444**
Revenues:									
Taxes	25,852,000	-	-	508,280	170,000	-	1,158,250	-	27,688,530
Water Sales	-	12,781,000	-	-	-	-	-	-	12,781,000
Sewer Sales	-	6,969,000	-	-	-	-	-	-	6,969,000
Solid Waste Sales	-	5,904,000	-	-	-	-	-	-	5,904,000
Other Fees for Service	3,194,875	837,200	9,219,295	917,200	-	-	-	(8,031,295)	6,137,275
Interest Earned	65,300	23,300	10,000	1,463	13,475	75,000	800	-	189,338
Other	317,300	591,647	-	25,200	1,462,500	7,000	-	-	2,403,647
Debt Proceeds	-	-	-	-	1,640,000	-	-	-	1,640,000
Transfers In	2,716,000	454,000	2,681,428	-	2,020,000	-	114,000	(7,985,428)	-
Total Revenues	**32,145,475**	**27,560,147**	**11,910,723**	**1,452,143**	**5,305,975**	**82,000**	**1,273,050**	**(16,016,723)**	**63,712,790**
Total Funds Available	**40,071,369**	**35,146,439**	**12,267,053**	**2,181,816**	**8,244,731**	**1,546,112**	**1,916,437**	**(16,016,723)**	**85,357,234**
Expenditures:									
Personnel	22,895,189	6,953,571	1,114,467	211,648	-	-	-	-	31,174,875
Supplies	1,430,478	1,139,737	988,778	423,744	-	-	-	-	3,982,737
Maintenance	1,265,672	1,639,079	781,406	194,364	-	-	-	-	3,880,522
Utilities	1,378,380	2,413,770	67,510	55,560	-	-	-	-	3,915,220
Contract Wages	128,600	79,080	7,000	500	-	-	-	-	215,180
Information Technology	622,550	122,470	17,860	2,550	-	-	-	(765,430)	-
Debt Service	-	5,999,398	220,228	-	20,000	-	1,349,971	-	7,589,597
Contractual Services	1,902,363	3,148,132	5,968,527	245,324	-	-	-	(4,565,305)	6,699,041
Vehicle Usage	1,421,820	1,275,680	-	3,060	-	-	-	(2,700,560)	-
Capital Expenses	554,280	350,821	2,705,400	137,471	6,380,000	-	-	-	10,127,972
Other	-	622,000	-	310,000	-	-	-	-	932,000
Transfers Out	1,763,616	5,447,812	-	114,000	660,000	-	-	(7,985,428)	-
Total Expenditures	**33,362,948**	**29,191,550**	**11,871,176**	**1,698,221**	**7,060,000**	**-**	**1,349,971**	**(16,016,723)**	**68,517,143**
Excess Revenues Over Expenditures	**(1,217,473)**	**(1,631,403)**	**39,547**	**(246,078)**	**(1,754,025)**	**82,000**	**(76,921)**	**-**	**(4,804,354)**
Ending Fund Balance	**$ 6,708,421**	**$ 5,954,889**	**$ 395,877**	**$ 483,595**	**$ 1,184,731**	**$ 1,546,112**	**$ 566,466**	**$ -**	**$ 16,840,090**

General Fund

City of Sherman
GENERAL FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Adjusted Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 7,340,389**	**$ 6,806,621**	**$ 9,048,642**	**$ 7,925,894**
Revenues:				
Taxes	24,298,775	25,852,000	24,902,000	25,852,000
Other Fees for Service	3,291,204	3,194,875	3,268,296	3,194,875
Interest Earned	51,204	65,300	65,300	65,300
Other	343,101	317,300	286,240	317,300
Transfers In	4,311,000	2,716,000	3,486,000	2,716,000
Total Revenues	**32,295,283**	**32,145,475**	**32,007,836**	**32,145,475**
Total Funds Available	**39,635,673**	**38,952,096**	**41,056,478**	**40,071,369**
Expenditures:				
Personnel	21,371,028	22,254,326	21,884,673	22,895,189
Supplies	1,298,954	1,523,327	1,339,537	1,430,478
Maintenance	1,039,523	1,442,458	1,113,220	1,265,672
Utilities	1,382,864	1,434,450	1,342,550	1,378,380
Contract Wages	191,015	213,250	189,170	128,600
Technology Services	499,996	553,090	613,690	622,550
Contractual Services	1,557,163	1,799,182	1,738,085	1,902,363
Vehicle Usage	1,284,212	1,515,006	1,313,621	1,421,820
Equipment & Buildings	223,202	259,162	362,424	554,280
Transfers Out	1,739,075	2,983,614	3,233,614	1,763,616
Total Expenditures	**30,587,031**	**33,977,865**	**33,130,584**	**33,362,948**
Excess Revenues over Expenditures	**1,708,252**	**(1,832,390)**	**(1,122,748)**	**(1,217,473)**
Ending Fund Balance	**$ 9,048,642**	**$ 4,974,231**	**$ 7,925,894**	**$ 6,708,421**

City of Sherman
GENERAL FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Amended Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 7,221,051**	**$ 8,707,442**	**$ 8,909,217**	**$ 7,810,250**
Revenues				
Property Tax	6,393,344	7,430,000	7,247,000	7,931,000
Sales Tax	14,675,996	13,706,000	14,526,000	14,800,000
Franchise Tax	3,089,548	2,898,000	2,993,000	2,985,000
Other Taxes	139,888	146,000	136,000	136,000
Fines & Forfeitures	635,760	906,150	557,700	519,300
Recreation	296,591	319,000	303,000	338,000
Permits & Licenses	401,428	378,500	363,700	363,700
Rentals	52,109	79,995	66,800	66,800
Cemetery	135,218	247,700	201,400	131,400
Sales & Service	527,275	538,000	525,696	525,675
Ambulance Service	1,242,824	1,300,000	1,250,000	1,250,000
Interest Earned	51,004	50,000	65,000	65,000
Grant Revenue	58,750	58,410	62,300	133,700
Miscellaneous Income	253,753	151,100	198,640	159,300
Total Revenues	27,953,486	28,208,855	28,496,236	29,404,875
Transfers In	4,311,000	3,486,000	3,486,000	2,716,000
Total Revenues and Transfers In	**32,264,486**	**31,694,855**	**31,982,236**	**32,120,875**
Total Funds Available	**39,485,538**	**40,402,297**	**40,891,453**	**39,931,125**
Expenditures				
Personnel	21,371,028	22,254,326	21,884,673	22,895,189
Supplies	1,298,954	1,523,327	1,339,537	1,430,478
Maintenance	1,039,523	1,442,458	1,113,220	1,265,672
Utilities	1,382,864	1,434,450	1,342,550	1,378,380
Contract Wages	191,015	213,250	189,170	128,600
Information Technology	499,996	553,090	613,690	622,550
Contractual services	1,546,452	1,693,562	1,688,705	1,787,983
Vehicle Usage	1,284,212	1,515,006	1,313,621	1,421,820
Capital Expenses	223,202	259,162	362,424	554,280
Transfers Out	1,739,075	2,983,614	3,233,614	1,763,616
Total Expenditures	**30,576,321**	**33,872,245**	**33,081,204**	**33,248,568**
Excess Revenues over Expenditures	**1,688,166**	**(2,177,390)**	**(1,098,968)**	**(1,127,693)**
Ending Fund Balance	**$ 8,909,217**	**$ 6,530,052**	**$ 7,810,250**	**$ 6,682,557**
One-time expenditures				804,649
Transfers Out - Other				510,000
Ongoing Total Expenditures				31,933,919
Days in Fund Balance			86	76

City of Sherman
PUBLIC CHARITIES FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 50,286**	**$ 70,264**	**$ 46,364**
Revenues			
Interest Earned	90	180	180
Animal Shelter Donations	13,793	8,000	10,000
Pet Adoption Donations	595	500	1,000
Sherman Beautification	1,492	500	500
Fishing Festival	277	150	150
Fire Dept Donations	1,000	-	-
Police Dept Donations	-	2,500	-
Genealogical Donations	73	150	150
Park Concessions Revenue	12,868	13,000	12,000
Parks & Recreation Donations	500	500	500
Total Revenues	**30,688**	**25,480**	**24,480**
Total Funds Available	**80,974**	**95,744**	**70,844**
Expenditures			
Glennie O. Ham Center	-	500	500
Altrusa (W.A.F.A.)	-	60	60
Senior Citizen's Dance Club	-	70	70
Animal Shelter	-	30,000	30,000
Pet Adoption Fund	5,314	-	-
Fire Dept	-	7,500	7,500
Fishing Festival Exp	327	500	500
Genealogical	222	-	-
Remodeling Contingency	-	5,000	5,000
Sherman Beautification Exp	968	250	250
Park Concessions Expense	3,880	5,000	5,000
Parks & Recreation	-	500	500
Total Expenditures	**10,710**	**49,380**	**49,380**
Excess Revenues over Expenditures	**19,978**	**(23,900)**	**(24,900)**
Ending Fund Balance	**$ 70,264**	**$ 46,364**	**$ 21,464**

City of Sherman
LAND TRANSACTION FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 69,052**	**$ 69,161**	**$ 69,281**
Revenues			
Land Sales	-	-	-
Interest Earned	109	120	120
Total Revenues	**109**	**120**	**120**
Total Funds Available	**69,161**	**69,281**	**69,401**
Expenditures			
Miscellaneous	-	-	65,000
Excess Revenues over Expenditures	**109**	**120**	**(64,880)**
Ending Fund Balance	**$ 69,161**	**$ 69,281**	**$ 4,401**

Enterprise Funds

City of Sherman
ENTERPRISE FUNDS
2015 -2016 Annual Budget

	Actual 2013-2014	Adjusted Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 8,414,248**	**$ 8,520,925**	**$7,494,722**	**$7,586,292**
Revenues:				
Water Sales	12,106,292	12,683,000	12,781,000	12,781,000
Sewer Sales	6,877,244	7,022,000	6,969,000	6,969,000
Solid Waste Sales	5,683,353	5,561,000	5,618,000	5,904,000
Other Fees for Service	822,680	760,500	785,200	837,200
Interest Earned	8,689	14,200	24,300	23,300
Other	1,217,850	752,167	772,767	591,647
Transfers In	135,000	153,100	153,100	454,000
Total Revenues	**26,851,108**	**26,945,967**	**27,103,367**	**27,560,147**
Total Funds Available	**35,265,356**	**35,466,892**	**34,598,089**	**35,146,439**
Expenditures:				
Personnel	6,317,186	6,602,660	6,562,418	6,953,571
Supplies	986,758	1,191,716	1,139,171	1,139,737
Maintenance	1,621,686	2,010,651	1,605,639	1,639,079
Utilities	2,290,474	2,592,010	2,364,380	2,413,770
Contract Wages	98,604	126,080	76,500	79,080
Information Technology	81,168	104,520	115,890	122,470
Contractual Services	3,041,368	3,088,421	2,968,592	3,148,132
Vehicle Usage	1,234,549	1,339,900	1,183,861	1,275,680
Debt Service	4,626,405	5,163,079	4,671,783	5,999,398
Capital Expenses	85,396	68,794	54,305	350,821
Other Expenses	678,794	451,000	564,000	622,000
Transfers Out	6,708,244	5,455,258	5,705,258	5,447,812
Total Expenditures	**27,770,634**	**28,194,090**	**27,011,797**	**29,191,550**
Excess Revenues over Expenditures	**(919,525)**	**(1,248,123)**	**91,570**	**(1,631,403)**
Ending Fund Balance	**$7,494,722**	**$7,272,803**	**$7,586,292**	**$5,954,889**

City of Sherman
UTILITY FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Adjusted Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Reserve	**$ 6,533,545**	**$ 4,683,306**	**$ 5,373,763**	**$ 5,836,100**
Revenues				
Water Sales	12,106,292	12,683,000	12,781,000	12,781,000
Sewer Sales	6,877,244	7,022,000	6,969,000	6,969,000
Lab Charges	142,038	131,000	136,100	136,100
Service & Penalties	533,224	542,000	547,000	547,000
Interest Earned	6,235	11,000	20,000	20,000
Intergovernmental	900,724	546,467	546,467	289,347
Miscellaneous Income	266,610	144,000	158,400	286,400
Total Revenues	20,832,366	21,079,467	21,157,967	21,028,847
Transfers In	135,000	153,100	153,100	154,000
Total Revenues and Transfers In	**20,967,366**	**21,232,567**	**21,311,067**	**21,182,847**
Total Funds Available	**27,500,911**	**25,915,873**	**26,684,830**	**27,018,947**
Expenditures				
Personnel	4,846,693	5,036,904	4,996,383	5,294,229
Supplies	879,222	1,029,336	984,651	1,029,394
Maintenance	1,572,852	1,950,652	1,560,289	1,592,900
Utilities	2,266,719	2,561,420	2,341,230	2,392,660
Information Technology	68,181	90,170	99,980	109,710
Debt Service	4,626,405	5,163,079	4,671,783	5,999,398
Contractual services	1,463,446	1,562,379	1,425,156	1,586,717
Contract Wages	95,349	124,000	76,500	77,000
Vehicle Usage	255,273	344,390	320,473	335,690
Other	678,794	451,000	564,000	622,000
Capital Expenses	34,213	68,794	52,605	50,020
Total Expenditures	16,787,148	18,382,125	17,093,050	19,089,718
Transfers Out				
General Fund-Franch & Admin	1,643,000	1,747,000	1,747,000	1,814,000
General Fund-Other	2,057,000	1,100,000	1,100,000	400,000
Other Funds	1,600,000	350,000	600,000	1,050,000
Fleet	40,000	308,680	308,680	485,825
Total Transfers Out	5,340,000	3,505,680	3,755,680	3,749,825
Total Expenditures and Transfers Out	**22,127,148**	**21,887,805**	**20,848,730**	**22,839,543**
Excess Revenues over Expenditures	**(1,159,781)**	**(655,238)**	**462,337**	**(1,656,696)**
Ending Reserve	**$ 5,373,763**	**$ 4,028,069**	**$ 5,836,100**	**$ 4,179,404**
One-time expenditures				$ 498,275
Transfers Out - Other				1,450,000
Ongoing Total Expenditures				$ 20,891,268
Days in Fund Balance			102	73

City of Sherman
SOLID WASTE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Adjusted Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 1,446,768**	**$ 1,595,793**	**$ 1,656,102**	**$ 1,263,535**
Revenues				
Solid Waste Service	5,683,353	5,561,000	5,618,000	5,904,000
Service & Penalties	42,552	52,000	57,000	57,000
Interest Earned	1,695	1,500	2,500	1,500
Miscellaneous Income	125,221	87,200	93,000	93,000
Transfers In	-	-	-	300,000
Total Revenues	**5,852,820**	**5,701,700**	**5,770,500**	**6,355,500**
Total Funds Available	**7,299,588**	**7,297,493**	**7,426,602**	**7,619,035**
Expenditures				
Personnel	1,470,493	1,565,756	1,566,035	1,659,342
Supplies	107,536	162,380	154,520	110,343
Maintenance	48,834	59,999	45,350	46,179
Utilities	23,756	30,590	23,150	21,110
Information Technology	12,987	14,350	15,910	12,760
Contractual services	1,577,922	1,511,042	1,543,436	1,546,415
Contract Wages	3,255	2,080	-	2,080
Vehicle Usage	979,276	995,510	863,388	939,990
Capital Expenses	51,183	-	1,700	300,801
Transfers Out-Franchise & Admin	611,000	639,000	639,000	702,000
Transfers Out-Billing	135,000	153,100	153,100	154,000
Transfers Out-Fleet	622,244	1,157,478	1,157,478	841,987
Total Expenditures	**5,643,486**	**6,291,285**	**6,163,067**	**6,337,007**
Excess Revenues over Expenditures	**209,334**	**(589,585)**	**(392,567)**	**18,493**
Ending Fund Balance	**$ 1,656,102**	**$ 1,006,208**	**$ 1,263,535**	**$ 1,282,028**
One-time expenditures				300,801
Ongoing Total Expenditures				6,036,206
Days in Fund Balance			75	78

City of Sherman
WATER CONSUMER DEPOSITS
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 239,239**	**239,684**	**240,884**
Revenues			
Interest Income	445	1,200	1,200
Total Funds Available	**239,684**	**240,884**	**242,084**
Expenditures			
Miscellaneous	-	-	-
Ending Fund Balance	**$ 239,684**	**$ 240,884**	**$ 242,084**

City of Sherman
PRO RATA FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 194,697**	**$ 225,173**	**$ 245,773**
Revenues			
Interest Income	314	600	600
Pro Rata Fees	30,162	20,000	20,000
Total Revenues	**30,476**	**20,600**	**20,600**
Total Funds Available	**225,173**	**245,773**	**266,373**
Expenditures			
Miscellaneous	-	-	15,000
Excess Revenues over Expenditures	**30,476**	**20,600**	**20,600**
Ending Fund Balance	**$ 225,173**	**$ 245,773**	**$ 251,373**

Capital Improvement Funds

City of Sherman
CAPITAL IMPROVEMENT FUNDS
2015 -2016 Annual Budget

	222 General CIP	770 Utility CIP	224 Street Revolving	230 TIF #3 Construction	330 TIF #2 Construction	Total
Beginning Fund Balance	**$ 197,571**	**$ 1,737,651**	**$ 419,234**	**$ 559,421**	**$ 24,879**	**$ 2,938,756**
Revenues:						
Interest Earned	-	12,000	750	225	500	13,475
Debt Proceeds	1,640,000	-	-	-	-	1,640,000
Taxes	-	-	-	105,000	65,000	170,000
Other	462,500	1,000,000	-	-	-	1,462,500
Transfers In	1,170,000	850,000	-	-	-	2,020,000
Total Revenues	**3,272,500**	**1,862,000**	**750**	**105,225**	**65,500**	**5,305,975**
Total Funds Available	**3,470,071**	**3,599,651**	**419,984**	**664,646**	**90,379**	**8,244,731**
Expenditures						
Agent Fee	20,000	-	-	-	-	20,000
Capital Expenses	3,145,000	3,075,000	75,000	-	85,000	6,380,000
Transfers Out	-	-	-	660,000	-	660,000
	3,165,000	3,075,000	75,000	660,000	85,000	7,060,000
Excess Revenues over Expenditures	**107,500**	**(1,213,000)**	**(74,250)**	**(554,775)**	**(19,500)**	**(1,754,025)**
Ending Fund Balance	**$ 305,071**	**$ 524,651**	**$ 344,984**	**$ 4,646**	**$ 5,379**	**$ 1,184,731**

City of Sherman
GENERAL IMPROVEMENT FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Adjusted Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 310,883**	**$ 416,028**	**$ 681,655**	**$ 197,571**
Revenues				
Transfers In	616,077	1,900,000	1,900,000	1,170,000
Intergovernmental	200,000	200,000	200,000	-
Grant Revenue	-	-	-	462,500
Interest Earned	47	-	-	-
Miscellaneous Income	-	1,300,000	1,352,006	-
Tax Note Proceeds	-	-	-	1,620,000
Total Revenues	**816,124**	**3,400,000**	**3,452,006**	**3,252,500**
Total Funds Available	**1,127,007**	**3,816,028**	**4,133,661**	**3,450,071**
Expenditures				
Washington Street West	85,000	-	-	-
GIS System	141,341	271,870	209,743	-
Soil Conservation Emergency Action Plan Study	1,170	-	-	-
Neighborhood Revitalization-Fielder Park	44,937	-	-	-
Municipal Building Repair	57,579	240,815	245,712	-
Taylor Street Complex	650	-	-	-
* Loy Lake Bridge	-	1,300,000	1,352,006	-
Street Improvement Program	-	1,500,000	1,500,000	-
Fallon Drive Bridge Repair/Hunt St	58,871	190,819	318,629	-
Fire Station Repairs	-	50,000	50,000	-
Houston St Property Acquisition	-	-	-	150,000
Ellsworth Branch Flood Study	-	-	-	30,000
Subdivision Ordinance Update	-	-	-	60,000
** Downtown Streetscape	-	-	-	500,000
Grand Avenue Traffic & Pedestrian Imp	-	-	-	60,000
Loy Lake Rd-Sara Swamy to Hwy 82	-	-	120,000	2,180,000
Police Dept Basement Renovation	-	-	-	25,000
Police Dept Communication Center Relocation	-	-	-	40,000
Fire Station #3 Building Repair	-	-	-	50,000
Fairview Park Tot Playground	-	-	-	50,000
Travis Street Sinkhole	-	-	100,000	-
Kessler Street Erosion	-	-	40,000	-
Transfers Out	55,804	-	-	-
Total Expenditures	**445,352**	**3,553,504**	**3,936,090**	**3,145,000**
Excess Revenues over Expenditures	**370,772**	**(153,504)**	**(484,084)**	**107,500**
Ending Fund Balance	**$ 681,655**	**$ 262,524**	**$ 197,571**	**$ 305,071**

* TXDOT Participation
** 80% Grant Funded

City of Sherman
UTILITY IMPROVEMENT FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 2,170,598**	**$ 1,436,691**	**$ 1,983,094**	**$ 1,737,651**
Revenues				
Transfers In	600,000	350,000	350,000	850,000
Miscellaneous Income	290,155	-	-	1,000,000
Interest Earned	4,064	7,500	10,000	12,000
Total Revenues	**894,219**	**357,500**	**360,000**	**1,862,000**
Total Funds Available	**3,064,817**	**1,794,191**	**2,343,094**	**3,599,651**
Expenditures				
Utility Oversizing	-	50,000	-	50,000
Gallagher Tower Evaluation	14,435	-	-	-
Sears Lift Station	59,622	25,000	27,315	-
Hwy 289 Water	192,984	-	-	-
Hwy 289 Sewer	29,570	-	136,050	-
Upgrade Metering and Telemetry for Water System	19,050	-	-	-
Well Repairs and Upgrades	641,846	-	-	-
*** Gallagher Elevated Tank Painting and Repair	7,081	1,125,000	156,712	-
Infiltration & Inflow Office and Storage Facility	69,250	-	-	-
** Blalock Industrial Sewer	-	-	-	1,000,000
WWTP Effluent Reuse Engineering	585	-	-	-
Cherry Park Pump Station Rehab	1,070	-	-	-
South Sherman Relief Sewer	600	-	-	-
Ricketts St Water Line	-	168,000	-	-
Water Treatment Plant Expansion	45,630	-	251,961	-
WTP Basin Cleaning	-	350,000	-	350,000
SW Elevated Storage Tank	-	-	33,405	-
Harrison Elevated Tank Painting	-	-	-	1,250,000
North Travis St. Water Main Replacement	-	-	-	250,000
U.S. Highway 75 South Water Crossing Replacement	-	-	-	175,000
Total Expenditures	**1,081,723**	**1,718,000**	**605,443**	**3,075,000**
Excess Revenues over Expenditures	**(187,504)**	**(1,360,500)**	**(245,443)**	**(1,213,000)**
Ending Fund Balance	**$ 1,983,094**	**$ 76,191**	**$ 1,737,651**	**$ 524,651** ***

*GTUA
**SEDCO
*** In 2017, additional funding will be needed for Gallagher Tank Repair, already under contract

City of Sherman
STREET REVOLVING FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 451,123**	**$ 418,484**	**$ 419,234**
Revenues			
Interest Earned	767	750	750
Street Assessments	16,077	-	-
Total Revenues	**16,844**	**750**	**750**
Total Funds Available	**467,967**	**419,234**	**419,984**
Expenditures			
Improvements	33,406	-	75,000
Transfers Out	16,077	-	-
	49,483	**-**	**75,000**
Ending Fund Balance	**$ 418,484**	**$ 419,234**	**$ 344,984**

City of Sherman
TIF #2 CONSTRUCTION FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ (88,314)**	**$ (39,923)**	**$ 24,879**
Revenues			
Grant Revenue	1,925	-	-
Property Tax	64,400	64,302	65,000
Interest Earned	597	500	500
Total Revenues	**66,921**	**64,802**	**65,500**
Total Funds Available	**(21,393)**	**24,879**	**90,379**
Expenditures:			
Improvements	18,530	-	85,000
Excess Revenues over Expenditures	**48,391**	**64,802**	**(19,500)**
Ending Fund Balance	**$ (39,923)**	**$ 24,879**	**$ 5,379**

City of Sherman
TIF #3 CONSTRUCTION FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 705,757**	**$ 644,644**	**$ 559,421**
Revenues			
Property Tax	69,677	104,080	105,000
Interest Earned	618	225	225
Total Revenues	**70,295**	**104,305**	**105,225**
Total Funds Available	**776,052**	**748,949**	**664,646**
Expenditures			
Improvements	131,408	189,528	-
Transfers Out	-	-	660,000
Total Expenditures	**131,408**	**189,528**	**660,000**
Excess Revenues over Expenditures	**(61,113)**	**(85,223)**	**(554,775)**
Ending Fund Balance	**$ 644,644**	**$ 559,421**	**$ 4,646**

Special Revenue Funds

City of Sherman
SPECIAL REVENUE FUNDS
2015 -2016 Annual Budget

	440 E 911	460 Hotel/ Motel	470 Drug Enforcement	480 Airport	455 Parks Pride	456 Police Pride	457 Donations	Total
Beginning Fund Balance	**$ 54,729**	**$ 390,184**	**$ 88,521**	**$ 151,261**	**$ 39,460**	**$ 4,199**	**$ 1,319**	**$ 729,673**
Revenues								
Taxes	-	508,280	-	-	-	-	-	508,280
Other Fees for Service	344,000	22,200	150,000	401,000	-	-	-	917,200
Interest Earned	200	525	300	300	100	30	8	1,463
Other	-	-	-	-	10,100	10,100	5,000	25,200
Total Revenues	**344,200**	**531,005**	**150,300**	**401,300**	**10,200**	**10,130**	**5,008**	**1,452,143**
Total Funds Available	**398,929**	**921,188**	**238,821**	**552,561**	**49,660**	**14,329**	**6,327**	**2,181,816**
Expenditures								
Personnel	107,277	104,371	-	-	-	-	-	211,648
Supplies	13,975	6,950	85,569	313,250	-	4,000	-	423,744
Maintenance	137,264	25,100	27,000	5,000	-	-	-	194,364
Utilities	-	38,760	-	16,800	-	-	-	55,560
Information Technology	-	2,550	-	-	-	-	-	2,550
Contractual Services	112,259	1,765	29,000	39,500	48,000	8,800	6,000	245,324
Contract Wages	500	-	-	-	-	-	-	500
Vehicle Usage	-	-	-	3,060	-	-	-	3,060
Capital Expenses	-	116,603	19,868	-	-	1,000	-	137,471
Tourism	-	310,000	-	-	-	-	-	310,000
Transfers Out	-	114,000	-	-	-	-	-	114,000
Total Expenditures	**371,275**	**720,099**	**161,437**	**377,610**	**48,000**	**13,800**	**6,000**	**1,698,221**
Excess Revenues over Expenditures	**(27,075)**	**(189,095)**	**(11,137)**	**23,690**	**(37,800)**	**(3,670)**	**(992)**	**(246,078)**
Ending Fund Balance	**$ 27,654**	**$ 201,089**	**$ 77,385**	**$ 174,951**	**$ 1,660**	**$ 529**	**$ 327**	**$ 483,595**

City of Sherman
POLICE PROGRAMS FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 45,624**	**$ 82,026**	**$ 54,729**
Revenues			
E 9-1-1 Service Fees	288,196	290,000	322,000
Security and Technology Fees	25,014	22,000	22,000
Interest Earned	57	200	200
Total Revenues	**313,268**	**312,200**	**344,200**
Total Funds Available	**358,892**	**394,226**	**398,929**
Expenditures			
Personnel	107,771	107,277	107,277
Supplies	4,928	11,095	13,975
Maintenance	71,407	110,105	137,264
Contract Wages	-	500	500
Contractual Services	92,760	110,520	112,259
Total Expenditures	**276,865**	**339,497**	**371,275**
Excess Revenues over Expenditures	**36,402**	**(27,297)**	**(27,075)**
Ending Fund Balance	**$ 82,026**	**$ 54,729**	**$ 27,654**

City of Sherman
PARKS PRIDE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 19,285**	**$ 29,260**	**$ 39,460**
Revenues			
Donations	9,929	10,100	10,100
Interest Earned	45	100	100
Total Revenues	**9,975**	**10,200**	**10,200**
Total Funds Available	**29,260**	**39,460**	**49,660**
Expenditures			
Park Improvements	-	-	48,000
Excess Revenues over Expenditures	**9,975**	**10,200**	**(37,800)**
Ending Fund Balance	**$ 29,260**	**$ 39,460**	**$ 1,660**

City of Sherman
POLICE PRIDE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 10,554**	**$ 3,422**	**$ 4,199**
Revenues			
Donations	9,929	15,100	10,100
Interest Earned	18	30	30
Total Revenues	**9,947**	**15,130**	**10,130**
Total Funds Available	**20,501**	**18,552**	**14,329**
Expenditures			
Supplies	2,105	10,553	4,000
Contractual Services	3,474	3,800	8,800
Canine Replacement Dog	11,500	-	1,000
Total Expenditures	**17,079**	**14,353**	**13,800**
Excess Revenues over Expenditures	**(7,132)**	**777**	**(3,670)**
Ending Fund Balance	**$ 3,422**	**$ 4,199**	**$ 529**

City of Sherman
DONATIONS FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 3,642**	**$ 4,311**	**$ 1,319**
Revenues			
Donations	4,572	5,000	5,000
Interest Earned	6	8	8
Total Revenues	**4,578**	**5,008**	**5,008**
Total Funds Available	**8,220**	**9,319**	**6,327**
Expenditures			
Supplies	3,910	8,000	6,000
Excess Revenues over Expenditures	**669**	**(2,992)**	**(992)**
Ending Fund Balance	**$ 4,311**	**$ 1,319**	**$ 327**

City of Sherman
HOTEL/MOTEL TAX FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 204,843**	**$ 377,746**	**$ 390,184**
Revenues			
Hotel/Motel Tax 5%	427,126	397,300	363,057
Hotel/Motel Tax 2%	170,850	158,900	145,223
Penalties	4,525	2,721	-
Miscellaneous Income	1,717	-	-
Interest Earned	326	725	525
Program/Sponsor Fees	20,420	-	-
Auditorium/Ballroom Rental	33,351	22,550	22,200
Total Revenues	**658,314**	**582,196**	**531,005**
Total Funds Available	**863,157**	**959,942**	**921,188**
Expenditures:			
Tourism			
Chamber/CVB contract	-	240,000	240,000
Administration	92,684	53,221	77,368
Programs	97,473	1,260	965
Downtown Building Incentive	5,715	40,000	50,000
Museum Support	70,000	-	20,000
Ballroom Operations	69,002	67,024	137,781
Auditorium Operations	35,538	54,253	79,985
Transfers Out	115,000	114,000	114,000
Total Expenditures	**485,412**	**569,758**	**720,099**
Excess Revenues over Expenditures	**172,903**	**12,438**	**(189,095)**
Ending Fund Balance	**$ 377,746**	**$ 390,184**	**$ 201,089**

City of Sherman
DRUG ENFORCEMENT FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 145,095**	**$ 44,810**	**$ 88,521**
Revenues			
Police Confiscated Funds	75,247	200,000	150,000
Interest Earned	193	300	300
Total Revenues	**75,440**	**200,300**	**150,300**
Total Funds Available	**220,535**	**245,110**	**238,821**
Expenditures			
Supplies	23,128	84,199	85,569
Maintenance	-	27,000	27,000
Contractual Services	32,719	27,500	29,000
Travel & Tuition	-	-	-
Capital Expenses	119,878	17,890	19,868
Total Expenditures	**175,724**	**156,589**	**161,437**
Excess Revenues over Expenditures	**(100,285)**	**43,711**	**(11,137)**
Ending Fund Balance	**$ 44,810**	**$ 88,521**	**$ 77,385**

City of Sherman
MUNICIPAL AIRPORT FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 118,820**	**$ 141,333**	**$ 151,261**
Revenues			
Interest Earned	292	400	300
Rentals	67,197	49,000	49,000
Fuel Sales	413,480	352,000	352,000
Miscellaneous Income	100	200	-
Total Revenues	**481,069**	**401,600**	**401,300**
Total Funds Available	**599,889**	**542,933**	**- 552,561**
Expenditures			
Fuel Purchases	392,106	314,000	313,000
Supplies	-	10	250
Maintenance	15,845	21,000	5,000
Contractual Services	35,315	38,959	39,500
Utilities	14,861	14,410	16,800
Vehicle Usage	429	3,293	3,060
Total Expenditures	**458,556**	**391,672**	**377,610**
Excess Revenues over Expenditures	**22,513**	**9,928**	**23,690**
Ending Fund Balance	**$ 141,333**	**$ 151,261**	**$ 174,951**

Debt Service Funds

City of Sherman
DEBT SERVICE FUNDS
2015 -2016 Annual Budget

	310 Auditorium Bonds	320 TIF #1	350 2008 CO Bonds	351 2009 CO Bonds	353 2009A CO Bonds	Total
Beginning Fund Balance	**$ 146,510**	**$ 470,887**	**$ 10,709**	**$ 11,996**	**$ 3,286**	**$ 643,387**
Revenues						
Property Tax	-	239,250	360,000	308,000	251,000	1,158,250
Interest Earned	300	500	-	-	-	800
Transfers In	114,000	-	-	-	-	114,000
Total Revenues	**114,300**	**239,750**	**360,000**	**308,000**	**251,000**	**1,273,050**
Total Funds Available	**260,810**	**710,637**	**370,709**	**319,996**	**254,286**	**1,916,437**
Expenditures:						
Debt Service	**111,838**	**318,150**	**360,143**	**308,377**	**251,463**	**1,349,971**
Excess Revenues over Expenditures	**2,462**	**(78,400)**	**(143)**	**(377)**	**(463)**	**(76,921)**
Ending Fund Balance	**$ 148,972**	**$ 392,487**	**$ 10,566**	**$ 11,619**	**$ 2,823**	**$ 566,466**

City of Sherman
AUDITORIUM DEBT SERVICE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 142,205**	**$ 146,298**	**$ 146,510**
Revenues			
Transfers In	115,000	114,000	114,000
Interest Earned	268	300	300
Total Revenues	**115,268**	**114,300**	**114,300**
Total Funds Available	**257,473**	**260,598**	**260,810**
Expenditures			
Debt Service	110,425	113,338	111,088
Agent Fees	750	750	750
Total Expenditures	**111,175**	**114,088**	**111,838**
Excess Revenues over Expenditures	**4,093**	**212**	**2,462**
Ending Fund Balance	**$ 146,298**	**$ 146,510**	**$ 148,972**

City of Sherman
TIF #1 DEBT SERVICE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 260,995**	**$ 348,992**	**$ 470,887**
Revenues			
Property Tax	403,101	434,166	239,250
Interest Earned	949	500	500
Total Revenues	**404,050**	**434,666**	**239,750**
Total Funds Available	**665,045**	**783,658**	**710,637**
Expenditures			
Debt Service	315,854	312,571	317,400
Agent Fees	200	200	750
Transfers Out	-	-	-
Total Expenditures	**316,054**	**312,771**	**318,150**
Excess Revenues over Expenditures	**87,997**	**121,895**	**(78,400)**
Ending Fund Balance	**$ 348,992**	**$ 470,887**	**$ 392,487**

City of Sherman
2008 CO DEBT SERVICE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 9,865**	**$ 10,816**	**$ 10,709**
Revenues			
Property Tax	361,000	358,000	360,000
Total Revenues	**361,000**	**358,000**	**360,000**
Total Funds Available	**370,865**	**368,816**	**370,709**
Expenditures			
Debt Service	360,049	357,357	359,393
Agent Fees	-	750	750
Total Expenditures	**360,049**	**358,107**	**360,143**
Excess Revenues over Expenditures	**951**	**(107)**	**(143)**
Ending Fund Balance	**$ 10,816**	**$ 10,709**	**$ 10,566**

City of Sherman
2009 CO DEBT SERVICE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 12,316**	**$ 12,056**	**$ 11,996**
Revenues			
Property Tax	312,000	312,000	308,000
Total Revenues	**312,000**	**312,000**	**308,000**
Total Funds Available	**324,316**	**324,056**	**319,996**
Expenditures			
Debt Service	311,510	311,310	307,627
Agent Fees	750	750	750
Total Expenditures	**312,260**	**312,060**	**308,377**
Excess Revenues over Expenditures	**(260)**	**(60)**	**(377)**
Ending Fund Balance	**$ 12,056**	**$ 11,996**	**$ 11,619**

City of Sherman
2009A CO DEBT SERVICE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 3,407**	**$ 58,799**	**$ 3,286**
Revenues			
Property Tax	244,000	190,000	251,000
Transfers In	55,804	-	-
Total Revenues	**299,804**	**190,000**	**251,000**
Total Funds Available	**303,211**	**248,799**	**254,286**
Expenditures			
Debt Service	243,663	244,763	250,713
Agent Fees	750	750	750
Total Expenditures	**244,413**	**245,513**	**251,463**
Excess Revenues over Expenditures	**55,392**	**(55,513)**	**(463)**
Ending Fund Balance	**$ 58,799**	**$ 3,286**	**$ 2,823**

Internal Service Funds

City of Sherman
INTERNAL SERVICE FUNDS
2015 -2016 Annual Budget

	600 Insurance	630 IT	650 Equipment	660 Fleet Replacement	Total
Beginning Fund Balance	**$ 76,727**	**$ 98,558**	**$ 4,511**	**$ 176,534**	**$ 356,330**
Revenue					
Other Fees for Service	5,753,305	765,430	2,700,560	-	9,219,295
Interest Earned	-	-	-	10,000	10,000
Transfers in	-	-	-	2,681,428	2,681,428
Total Revenue	**5,753,305**	**765,430**	**2,700,560**	**2,691,428**	**11,910,723**
Total Funds Available	**5,830,032**	**863,988**	**2,705,071**	**2,867,962**	**12,267,053**
Expenditures					
Personnel	-	377,642	736,825	-	1,114,467
Supplies	-	55,225	933,553	-	988,778
Maintenance	-	97,630	683,776	-	781,406
Utilities	-	32,090	35,420	-	67,510
Contract Wages	-	7,000	-	-	7,000
Information Technology	-	-	17,860	-	17,860
Contractual Services	5,723,550	19,847	225,130	-	5,968,527
Debt Service	-	-	-	220,228	220,228
Capital Expenses	-	176,000	68,200	2,461,200	2,705,400
Total Expenditures	**5,723,550**	**765,434**	**2,700,764**	**2,681,428**	**11,871,176**
Excess Revenues over Expenditures	**29,755**	**(4)**	**(204)**	**10,000**	**39,547**
Ending Fund Balance	**$ 106,482**	**$ 98,554**	**$ 4,307**	**$ 186,534**	**$ 395,877**

City of Sherman
EMPLOYEE INSURANCE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Budget 2014-2015	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ (318,770)**	**$ 12,286**	**$ 4,727**	**$ 76,727**
Revenues				
Employer Contributions	3,889,668	4,327,000	4,075,000	4,565,305
Employee Contributions	889,391	892,000	959,000	959,000
Retiree Contributions	229,705	247,000	230,000	227,000
COBRA Contributions	5,623	6,000	2,000	2,000
Miscellaneous Income	57	-	-	-
Transfers In	1,250,000	-	500,000	-
Total Revenues	**6,264,444**	**5,472,000**	**5,766,000**	**5,753,305**
Total Funds Available	**5,945,674**	**5,484,286**	**5,770,727**	**5,830,032**
Expenditures				
Health Insurance Claims	5,294,615	4,650,000	5,061,000	5,000,000
Insurance Premiums & Cost	571,171	594,000	565,000	648,550
Life Insurance	50,162	50,000	43,000	50,000
Miscellaneous	24,999	25,000	25,000	25,000
Total Expenditures	**5,940,947**	**5,319,000**	**5,694,000**	**5,723,550**
Excess Revenues over Expenditures	**323,497**	**153,000**	**72,000**	**29,755**
Ending Fund Balance	**$ 4,727**	**$ 165,286**	**$ 76,727**	**$ 106,482**

City of Sherman
INFORMATION TECHNOLOGY FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 109,994**	**$ 98,558**	**$ 98,558**
Revenues			
Technology Services:			
General Fund	499,996	613,690	622,550
Tourism	1,623	4,550	2,550
Equipment Services Fund	9,740	11,360	17,860
Utility Fund	68,181	99,980	109,710
Solid Waste Fund	12,987	15,910	12,760
Interest Earned	9	-	-
Miscellaneous Income	17	-	-
Total Revenues	**592,552**	**745,490**	**765,430**
Total Funds Available	**702,547**	**844,048**	**863,988**
Expenditures			
Personnel	369,179	371,865	377,642
Supplies	65,736	40,460	55,225
Maintenance	90,433	102,025	97,630
Utilities	50,418	49,120	32,090
Contract Wages	3,893	6,000	7,000
Contractual Services	11,938	19,020	19,847
Capital Expenses	12,392	157,000	176,000
Total Expenditures	**603,989**	**745,490**	**765,434**
Excess Revenues over Expenditures	**(11,436)**	**-**	**(4)**
Ending Fund Balance	**$ 98,558**	**$ 98,558**	**$ 98,554**

City of Sherman
EQUIPMENT SERVICES FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 58,252**	**$ 4,517**	**$ 4,511**
Revenues			
Equipment Service Revenue:			
General Fund	1,298,537	1,313,621	1,421,820
Airport Fund	429	3,293	3,060
Utility Fund	255,273	320,473	335,690
Solid Waste Fund	979,557	863,388	939,990
Miscellaneous Income	1,832	-	-
Total Revenues	**2,535,628**	**2,500,775**	**2,700,560**
Total Funds Available	**2,593,880**	**2,505,292**	**2,705,071**
Expenditures			
Personnel	674,202	731,708	736,825
Supplies	1,015,105	749,111	933,553
Maintenance	664,047	777,475	683,776
Utilities	34,555	30,460	35,420
Information Technology	9,740	11,360	17,860
Contractual Services	172,767	175,667	225,130
Capital Expenses	18,947	25,000	68,200
Total Expenditures	**2,589,363**	**2,500,781**	**2,700,764**
Excess Revenues over Expenditures	**(53,735)**	**(6)**	**(204)**
Ending Fund Balance	**$ 4,517**	**$ 4,511**	**$ 4,307**

City of Sherman
FLEET REPLACEMENT FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 126,547**	**$ 146,491**	**$ 176,534**
Revenues			
Transfers in	1,551,319	2,549,772	2,681,428
Interest Earned	297	1,500	10,000
Miscellaneous Income	26,731	-	-
Total Revenues	**1,578,347**	**2,551,272**	**2,691,428**
Total Funds Available	**1,704,894**	**2,697,763**	**2,867,962**
Expenditures			
Supplies	9,704	-	-
Maintenance	8,256	-	-
Debt Service	220,228	220,229	220,228
Equipment-General Fund	657,354	852,000	1,096,888
Equipment-Utility Fund	41,389	307,000	522,325
Equipment-Solid Waste Fund	621,472	1,142,000	841,987
Total Expenditures	**1,558,403**	**2,521,229**	**2,681,428**
Excess Revenues over Expenditures	**19,944**	**30,043**	**10,000**
Ending Fund Balance	**$ 146,491**	**$ 176,534**	**$ 186,534**

Trust Fund

City of Sherman
PERPETUAL CARE FUND
2015 -2016 Annual Budget

	Actual 2013-2014	Projected 2014-2015	Proposed 2015-2016
Beginning Fund Balance	**$ 1,313,221**	**$ 1,382,112**	**$ 1,464,112**
Revenues			
Other revenue	4,100	7,000	7,000
Interest Earned	64,791	75,000	75,000
Total Revenues	**68,891**	**82,000**	**82,000**
Total Funds Available	**1,382,112**	**1,464,112**	**1,546,112**
Expenditures			
Miscellaneous	-	-	-
Ending Fund Balance	**$ 1,382,112**	**$ 1,464,112**	**$ 1,546,112**

TRANSFERS SCHEDULE

FUND	DETAILS	BUDGETED FY15/16 Expense TRANSFER FROM Debit	BUDGETED FY15/16 Revenue TRANSFER TO Credit
100	From fund 700 5% franchise, admin cost		$ 1,814,000.00
	From fund 700 other		$ 200,000.00
	From fund 790, dept 243, 244, 245		$ 702,000.00
	To fund 222 for CIP	$ 510,000.00	
	To fund 660 for debt service	$ 220,228.00	
	To fund 660 for equipment purchases	$ 1,033,388.00	
222	From fund 100		$ 510,000.00
	From TIF#3 (fund 230)		$ 660,000.00
230	To fund 222	$ 660,000.00	
310	From fund 460		$ 114,000.00
460	To fund 310	$ 114,000.00	
660	From fund 100, debt service		$ 220,228.00
	From fund 100, equipment purchase		$ 1,033,388.00
	From fund 700, equipment purchase		$ 585,825.00
	From fund 790, equipment purchase		$ 841,987.00
700	To fund 100 5% franchise, admin cost	$ 1,814,000.00	
	To fund 100, other	$ 200,000.00	
	To fund 770	$ 850,000.00	
	To fund 790, fund balance	$ 300,000.00	
	From fund 790, admin cost		$ 154,000.00
	To fund 660 for equipment purchase	$ 585,825.00	
770	From fund 700		$ 850,000.00
790	To fund 100 8% franchise, admin cost RSW	$ 269,000.00	
790	To fund 700 admin cost RSW	$ 59,000.00	
790	To fund 100 8% franchise, admin cost CSW	$ 392,000.00	
790	To fund 700 admin cost CSW	$ 86,000.00	
790	To fund 100 8% franchise, admin cost Recycle	$ 41,000.00	
790	To fund 700 admin cost Recycle	$ 9,000.00	
790	To fund 660, equipment purchase	$ 841,987.00	
790	From fund 700, fund balance		$ 300,000.00
	TOTALS	$ 7,985,428.00	$ 7,985,428.00

City of Sherman

Bonded Debt as of 7/31/15

	(1)				(2)			
	$2,840,000 Combination Tax & Tax Increment Revenue 2004 Series TIF Zone#1, Certificates of Obligation				$1,605,000 General Obligation Refunding, Series 2006			
Fiscal Yr	**Coupon**	**Principal**	**Interest**	**TOTAL**	**Coupon**	**Principal**	**Interest**	**TOTAL**
2016	4.44%	170,000.00	71,928.00	241,928.00	3.75%	60,000.00	51,087.50	111,087.50
2017	4.44%	180,000.00	64,380.00	244,380.00	3.75%	65,000.00	48,743.75	113,743.75
2018	4.44%	185,000.00	56,388.00	241,388.00	3.75%	70,000.00	46,212.50	116,212.50
2019	4.44%	195,000.00	48,174.00	243,174.00	4.00%	70,000.00	43,500.00	113,500.00
2020	4.44%	205,000.00	39,516.00	244,516.00	4.00%	75,000.00	40,600.00	115,600.00
2021	4.44%	215,000.00	30,414.00	245,414.00	4.00%	80,000.00	37,500.00	117,500.00
2022	4.44%	230,000.00	20,868.00	250,868.00	4.00%	80,000.00	34,300.00	114,300.00
2023	4.44%	240,000.00	10,656.00	250,656.00	4.00%	85,000.00	31,000.00	116,000.00
2024		-	-	-	4.00%	85,000.00	27,600.00	112,600.00
2025		-	-	-	4.25%	85,000.00	24,093.75	109,093.75
2026		-	-	-	4.25%	95,000.00	20,268.75	115,268.75
2027		-	-	-	4.25%	100,000.00	16,125.00	116,125.00
2028		-	-	-	4.375%	100,000.00	11,812.50	111,812.50
2029		-	-	-	4.375%	105,000.00	7,328.13	112,328.13
2030		-	-	-	4.375%	115,000.00	2,515.63	117,515.63
		1,620,000.00	342,324.00	1,962,324.00		1,270,000.00	442,687.51	1,712,687.51

(1) These bonds were issued in 2004 to provide funding for infrastructure development for Sherman Town Center. Debt service is financed through tax increment property tax revenues.

(2) These bonds were issued in 2006 to partially refund the 2000 Series Auditorium/Ballroom restoration bonds.

City of Sherman

Bonded Debt as of 7/31/15

	(3)				(4)			
	$5,000,000 2008 Series Revenue Certificates of Obligation				$4,100,000 Capital Improvement Fund Projects 2009 Series Revenue Certificates of Obligation			
Fiscal Yr	**Coupon**	**Principal**	**Interest**	**TOTAL**	**Coupon**	**Principal**	**Interest**	**TOTAL**
2016	3.62%	225,000.00	134,392.50	359,392.50	3.98%	180,000.00	127,627.00	307,627.00
2017	3.62%	235,000.00	126,066.50	361,066.50	3.98%	185,000.00	121,327.00	306,327.00
2018	3.62%	245,000.00	117,378.50	362,378.50	3.98%	191,667.00	114,852.00	306,519.00
2019	3.62%	255,000.00	108,328.50	363,328.50	3.98%	196,667.00	107,665.00	304,332.00
2020	3.62%	265,000.00	98,916.50	363,916.50	3.98%	208,333.00	99,799.00	308,132.00
2021	3.62%	280,000.00	89,052.00	369,052.00	3.98%	213,333.00	91,465.00	304,798.00
2022	3.62%	290,000.00	78,735.00	368,735.00	3.98%	225,000.00	82,932.00	307,932.00
2023	3.62%	305,000.00	67,965.50	372,965.50	3.98%	231,667.00	73,932.00	305,599.00
2024	3.62%	315,000.00	56,743.50	371,743.50	3.98%	241,667.00	64,665.00	306,332.00
2025	3.62%	330,000.00	45,069.00	375,069.00	3.98%	253,333.00	54,696.00	308,029.00
2026	3.62%	345,000.00	32,851.50	377,851.50	3.98%	265,000.00	44,246.00	309,246.00
2027	3.62%	360,000.00	20,091.00	380,091.00	3.98%	240,000.00	32,851.00	272,851.00
2028	3.62%	375,000.00	13,575.00	388,575.00	3.98%	250,000.00	22,531.00	272,531.00
2029		-	-	-	3.98%	265,000.00	11,594.00	276,594.00
2030		-	-	-		-	-	-
		3,825,000.00	989,165.00	4,814,165.00		3,146,667.00	1,050,182.00	4,196,849.00

(3) These bonds were issued in 2008 to provide funding for park and street development and improvements.

(4) These bonds were issued in the spring of 2009 to provide funding for park and street development and improvements

City of Sherman

Bonded Debt as of 7/31/15

	(5) $900,000 TIF #1 2009 Series Revenue Certificates of Obligation				(6) $3,500,000 Capital Improvement Fund Projects 2009A Series Revenue Certificates of Obligation			
Fiscal Yr	**Coupon**	**Principal**	**Interest**	**TOTAL**	**Coupon**	**Principal**	**Interest**	**TOTAL**
2016	3.50%	50,000.00	25,472.49	75,472.49	3.00%	145,000.00	105,712.50	250,712.50
2017	3.50%	50,000.00	23,722.49	73,722.49	3.25%	150,000.00	101,362.50	251,362.50
2018	3.75%	53,333.33	21,972.49	75,305.83	3.50%	155,000.00	96,487.50	251,487.50
2019	4.00%	53,333.33	19,972.49	73,305.83	3.50%	165,000.00	91,062.50	256,062.50
2020	4.00%	56,666.67	17,839.16	74,505.83	3.50%	170,000.00	85,287.50	255,287.50
2021	4.00%	56,666.67	15,572.49	72,239.16	3.75%	180,000.00	79,337.50	259,337.50
2022	4.00%	60,000.00	13,305.83	73,305.83	3.75%	190,000.00	72,587.50	262,587.50
2023	4.00%	63,333.33	10,905.83	74,239.16	4.00%	200,000.00	65,462.50	265,462.50
2024	4.13%	63,333.33	8,372.49	71,705.83	4.00%	210,000.00	57,462.50	267,462.50
2025	4.13%	66,666.67	5,760.00	72,426.67	4.00%	215,000.00	49,062.50	264,062.50
2026	4.30%	70,000.00	3,010.00	73,010.00	4.00%	230,000.00	40,462.50	270,462.50
2027		-	-	-	4.125%	240,000.00	31,262.50	271,262.50
2028		-	-	-	4.125%	250,000.00	21,362.50	271,362.50
2029		-	-	-	4.25%	260,000.00	11,050.00	271,050.00
2030		-	-	-		-	-	-
		643,333.34	165,905.77	809,239.11		2,760,000.00	907,962.50	3,667,962.50

(5) These bonds were issued in 2009 to fund infrastructure in the Town Center TIF Zone.

(6) These bonds were issued in the fall of 2009 to provide funding for park and street development and improvements.

City of Sherman

Bonded Debt as of 7/31/15

	TOTALS		
Fiscal Yr	**Principal**	**Interest**	**TOTAL**
2016	830,000.00	516,219.99	1,346,219.99
2017	865,000.00	485,602.24	1,350,602.24
2018	900,000.33	453,290.99	1,353,291.33
2019	935,000.33	418,702.49	1,353,702.83
2020	979,999.67	381,958.16	1,361,957.83
2021	1,024,999.67	343,340.99	1,368,340.66
2022	1,075,000.00	302,728.33	1,377,728.33
2023	1,125,000.33	259,921.83	1,384,922.16
2024	915,000.33	214,843.49	1,129,843.83
2025	949,999.67	178,681.25	1,128,680.92
2026	1,005,000.00	140,838.75	1,145,838.75
2027	940,000.00	100,329.50	1,040,329.50
2028	975,000.00	69,281.00	1,044,281.00
2029	630,000.00	29,972.13	659,972.13
2030	115,000.00	2,515.63	117,515.63
	13,265,000.34	3,898,226.78	17,163,227.12

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND FIRST PUBLIC HEARING OF ORDINANCE NO. 5891
Providing for the Levy of Ad Valorem Taxes for the City of Sherman, Texas, for the Tax Year 2015; 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 introduce and hold the first public hearing on the Ad Valorem Tax Rate proposed for the upcoming fiscal year, as mandated by 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 $0.364835/$100, with a rollback rate of $0.385496/$100 (adjusted for sales tax adjustment). 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, and a Maintenance & Operations (M&O) component. The debt rate is $0.039563/$100 and the M&O rate is $0.332437/$100.

Origination:

Director of Finance

Financial Consideration:

The proposed tax rate will generate approximately $9.4 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. Action requested of the City Council:

1. Hold the first public hearing on the tax rate ordinance.
2. **Announce that the City Council will consider the adoption of the tax rate ordinance at the regular meeting scheduled for 5:00 p.m. on Monday, September 21, 2015, 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. 5891

Notice of Proposed Property Tax Rate

ORDINANCE NO. 5891

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 2015; 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 $0.332437/$100 Dollars ($0.332437) and a debt service ad valorem tax of $0.039563/$100 Dollars ($0.039563) on all taxable property situated within the corporate limits of the City of Sherman on the first day of January, A.D., 2015, and not exempt from taxation by the constitution and laws of the State of Texas, apportioned as follows, to-wit:

FOR GENERAL FUND EXPENDITURES, $0.332437 on each One Hundred Dollars ($100.00) assessed valuation of such property.

FOR DEBT SERVICE EXPENDITURES, $0.039563 on each One Hundred Dollars ($100.00) assessed valuation of such property.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.2 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $7.17.

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, 2015. Penalty charges shall be in accordance with the following schedule:

If paid in February, 2015	6%
If paid in March, 2015	7%
If paid in April, 2015	8%
If paid in May, 2015.....	9%
If paid in June, 2015	10%
If paid on or after July 1, 2015	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, 2016, 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 _____, 2015.

ADOPTED on this the_____day of _____, 2015.

EFFECTIVE DATE on this the_____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

NOTICE OF 2015 TAX YEAR PROPOSED PROPERTY TAX RATE FOR THE CITY OF SHERMAN

A tax rate of $.372 per $100 valuation has been proposed for adoption by the City Council of the City of Sherman. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

PROPOSED TAX RATE	$0.372000
PRECEDING YEAR'S TAX RATE	$0.372000
EFFECTIVE TAX RATE	$0.364835
ROLLBACK TAX RATE	$0.385496

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for the City of Sherman from the same properties in both the 2014 tax year and the 2015 tax year.

The rollback tax rate is the highest tax rate that the City of Sherman may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

property tax amount = (rate) x (taxable value of your property) / 100

For assistance or detailed information about tax calculations, please contact:

Mary Lawrence
Director of Finance, City of Sherman
405 N. Rusk St.
Sherman, TX 75090
903-892-7309
maryl@ci.sherman.tx.us
www.ci.sherman.tx.us

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 17, 2015, 5:00 pm at City Council Chambers, 220 W. Mulberry, Sherman, Texas

Second Hearing: September 8, 2015, 5:00 pm at City Council Chambers, 220 W. Mulberry, Sherman, Texas

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5892

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of Electing a Mayor and Two (2) At-Large City Council Members for Said City; Providing That Said Election Shall be Held Jointly with Grayson County, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

Issue:

To call a Regular Municipal Election for November 3, 2015, to elect a Mayor and two (2) At-Large City Council Members. Positions on the ballot will be for Mayor (currently held by Mayor Cary Wacker), Council Member, At-Large, Place 1 (currently held by Council Member Ryan Johnson), and Council Member, At-Large, Place 2 (currently held by Council Member Jason Sofey)

Background:

In compliance with the City of Sherman Charter and the Election laws for the State of Texas, the City must, by ordinance, call a Regular Municipal Election for the first Tuesday after the first Monday in November. This ordinance also establishes the voting centers for this election.

Origination:

The ordinance originated with the City Clerk's Office.

Financial Consideration:

The City canceled their Election in 2014 due to unopposed candidates. Cost of the Election in 2013 was $13,295.00.

Staff Recommendation:

It is recommended that the City Council approve the ordinance calling the Regular Municipal Election for Tuesday, November 3, 2015.

Alternatives:

There is no viable alternative.

Attachments

Ordinance No. 5892

ORDINANCE NO. 5892

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 3RD DAY OF NOVEMBER, 2015, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) AT-LARGE CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, in compliance with the Charter of the City of Sherman, Texas, and in accordance with the laws and the Constitution of the State of Texas, an election may be and the same is hereby called and ordered for the first Tuesday after the first Monday in November, 2015, the same being the 3rd day of said month, at which election all qualified voters may vote for the purpose of electing a Mayor and two (2) At-Large City Council Members for full terms, as defined in the Charter of the City of Sherman, Texas.

SECTION 2. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 5997, passed and approved on the 17th day of August, 2015.

SECTION 3. That the County Elections Administrator shall prepare electronic ballots for early and election day voting and paper ballots for mail ballots and provisional ballots to be used in said election and shall label same *"Official Ballot"*, on which ballot shall be printed the names of the candidates and the positions of Mayor and At-Large Council Member. The designation of each position on the official ballot shall be Mayor; Council Member At-Large, Place 1; and Council Member At-Large, Place 2, respectively.

SECTION 4. That no person's name shall be placed upon the official ballot as a candidate for the position of Council Member unless such person has filed his/her sworn application, as provided by the laws of the State, with the City Clerk at least seventy-one (71) days prior to the election date, and it must also appear on the face of said application the position the candidate is seeking.

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

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

SECTION 7. That any Council Member candidate receiving the greatest number of the qualified votes cast for the position for which he is a candidate shall be elected to such position. That any candidate for Mayor receiving a majority of the qualified votes shall be elected to such position. In the event no candidate receives a majority vote for Mayor or a tie vote occurs, the City Council of said City, immediately after canvass, shall issue a call for Special Election, as required by law, to be held not less than twenty (20) nor more than forty-five (45) days after the results of the Regular Election shall have been declared, at which election the candidates receiving a tie vote for any such position or positions in the regular election shall again be voted. If needed, a run-off election will be held in accordance with State law.

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

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

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

LOCATION	JUDGES
Bells City Hall 203 S. Broadway Bells, Texas	TBD Presiding Judge TBD Alternate Judge
Collinsville Community Building 117 N. Main Collinsville, Texas	TBD Presiding Judge TBD Alternate Judge

Grayson College – Denison Campus 6101 Grayson Dr. Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Grayson County Sub-Courthouse 101 W. Woodard Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Parkside Baptist Church 301 N. Lillis Lane Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Southside Baptist Church 3500 S. Park Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Faith Baptist Church 31647 Hwy 377 North Gordonville, Texas	TBD Presiding Judge TBD Alternate Judge
Gunter Community Center 104 N. 4th Street Gunter, Texas	TBD Presiding Judge TBD Alternate Judge
Howe Community Center 700 W. Hanning Howe, Texas	TBD Presiding Judge TBD Alternate Judge

Pottsboro ISD Administration Building 105 Cardinal Lane Pottsboro, Texas	TBD Presiding Judge TBD Alternate Judge
Sadler Community Building 105 N. Main Sadler, Texas	TBD Presiding Judge TBD Alternate Judge
East Sherman Baptist Church 910 E. King Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Election Administration Building 115 W. Houston Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Faith Church 1800 N. FM 1417 Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Luella First Baptist Church 3162 Hwy 11 Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Municipal Building 405 N. Rusk Sherman, Texas	TBD Presiding Judge TBD Alternate Judge

Texoma Council of Governments 1117 Gallagher Drive Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
United Way of Grayson County 713 E. Brockett Sherman, Texas 75090	TBD Presiding Judge TBD Alternate Judge
Tioga City Hall 600 E. Main Tioga, Texas	TBD Presiding Judge TBD Alternate Judge
First National Bank – Tom Bean 109 S. Britton Tom Bean, Texas	TBD Presiding Judge TBD Alternate Judge
Grayson College – Van Alstyne Campus 1455 W. Van Alstyne Pkwy Van Alstyne, Texas	TBD Presiding Judge TBD Alternate Judge
Whitesboro City Hall 111 W. Main Whitesboro, Texas	TBD Presiding Judge TBD Alternate Judge
Whitewright City Hall 206 W. Grand Whitewright, Texas	TBD Presiding Judge TBD Alternate Judge

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

SECTION 12. That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to so cast their vote at the Grayson County Election Administration Building, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, 101 W. Woodard, Denison, Texas; at the Pottsboro ISD Administration Building, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, 111 W. Main, Whitesboro, Texas; and at Grayson College – Van Alstyne Campus, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; from October 19 through October 23, 2015, from 8:00 a.m. to 5:00 p.m.; October 24, 2015, from 7:00 a.m. to 7:00 p.m.; October 25, 2015, from 12:00 p.m. to 5:00 p.m.; October 26 through October 28, 2015, from 8:00 a.m. to 5:00 p.m.; and October 29 through October 30, 2015, from 7:00 a.m. to 7:00 p.m.

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

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

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

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

SECTION 17. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 16, 2015.

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

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5893

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of the Reauthorization of the Local Sales and Use Tax at the Rate of One-Eighth of One Percent (1/8%) to Continue Providing Revenue for Maintenance and Repair of Municipal Streets; Providing that Said Election Shall be Held Jointly with Grayson County, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

Issue:

To call a Special Municipal Election for November 3, 2015, to consider the reauthorization of the sales and use tax at the rate of one-eighth of one percent (1/8%) to provide revenue for the maintenance and repair of municipal streets

Background:

In compliance with the City Charter and the election laws for the State of Texas, the City must, by ordinance, call a Special Municipal Election for the first Tuesday after the first Monday in November.

Origination:

Mayor and City Council

Financial Consideration:

The City canceled their Election in 2014 due to unopposed candidates. Cost of the Election in 2013 was $13,295.00.

Staff Recommendation:

It is recommended that the City Council consider the ordinance calling the Special Municipal Election for Tuesday, November 3, 2015.

Alternatives:

As this is a Council initiative, no alternatives are recommended.

Attachments

Ordinance No. 5893

ORDINANCE NO. 5893

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 3RD DAY OF NOVEMBER, 2015, FOR THE PURPOSE OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE-EIGHTH OF ONE PERCENT (1/8%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING; 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, pursuant to Chapter 327 of the Texas Tax Code, the governing body of the City of Sherman, Texas, does declare that an election shall be held on the 3rd day of November, 2015, at which election the following proposition shall be submitted to all qualified voters:

The question which shall be submitted to the vote of the qualified electors shall be as follows:

FOR or AGAINST the following:

PROPOSITION 1

"THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF SHERMAN AT THE RATE OF ONE-EIGHTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE FOURTH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED."

SECTION 2. That the official ballots for said election shall be prepared in accordance with the Election Code of the State of Texas, as amended, so as to permit the electors to vote "FOR" or "AGAINST". The aforesaid proposition shall be set forth in substantially the following form:

The word “FOR” and beneath it the word “AGAINST” shall be made to appear below the proposition. An oval shall be printed on the left of each of the words “FOR” and “AGAINST” and each elector shall place an “X” in the oval beside the statement indicating the way he wishes to vote.

SECTION 3. That should the November 3, 2015, reauthorization of the local sales and use tax pass, the City of Sherman shall call for an election in the year 2019 on a regular, uniform election date, wherein the voters will vote on whether or not to reauthorize said tax with the then existing law.

SECTION 4. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 5997, passed and approved on the 17th day of August, 2015.

SECTION 5. That the County Elections Administrator shall prepare electronic ballots for early and election day voting and paper ballots for mail ballots and provisional ballots to be used in said election and shall label same *"Official Ballot"*.

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

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

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

LOCATION	JUDGES
Bells City Hall 203 S. Broadway Bells, Texas	TBD Presiding Judge TBD Alternate Judge
Collinsville Community Building 117 N. Main Collinsville, Texas	TBD Presiding Judge TBD Alternate Judge

Grayson College – Denison Campus 6101 Grayson Dr. Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Grayson County Sub-Courthouse 101 W. Woodard Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Parkside Baptist Church 301 N. Lillis Lane Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Southside Baptist Church 3500 S. Park Denison, Texas	TBD Presiding Judge TBD Alternate Judge
Faith Baptist Church 31647 Hwy 377 North Gordonville, Texas	TBD Presiding Judge TBD Alternate Judge
Gunter Community Center 104 N. 4th Street Gunter, Texas	TBD Presiding Judge TBD Alternate Judge
Howe Community Center 700 W. Hanning Howe, Texas	TBD Presiding Judge TBD Alternate Judge

Pottsboro ISD Administration Building 105 Cardinal Lane Pottsboro, Texas	TBD Presiding Judge TBD Alternate Judge
Sadler Community Building 105 N. Main Sadler, Texas	TBD Presiding Judge TBD Alternate Judge
East Sherman Baptist Church 910 E. King Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Election Administration Building 115 W. Houston Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Faith Church 1800 N. FM 1417 Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Luella First Baptist Church 3162 Hwy 11 Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Municipal Building 405 N. Rusk Sherman, Texas	TBD Presiding Judge TBD Alternate Judge

Texoma Council of Governments 1117 Gallagher Drive Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
United Way of Grayson County 713 E. Brockett Sherman, Texas 75090	TBD Presiding Judge TBD Alternate Judge
Tioga City Hall 600 E. Main Tioga, Texas	TBD Presiding Judge TBD Alternate Judge
First National Bank – Tom Bean 109 S. Britton Tom Bean, Texas	TBD Presiding Judge TBD Alternate Judge
Grayson College – Van Alstyne Campus 1455 W. Van Alstyne Pkwy Van Alstyne, Texas	TBD Presiding Judge TBD Alternate Judge
Whitesboro City Hall 111 W. Main Whitesboro, Texas	TBD Presiding Judge TBD Alternate Judge
Whitewright City Hall 206 W. Grand Whitewright, Texas	TBD Presiding Judge TBD Alternate Judge

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

SECTION 10. That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to so cast their vote at the Grayson County Election Administration Building, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, 101 W. Woodard, Denison, Texas; at the Pottsboro ISD Administration Building, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, 111 W. Main, Whitesboro, Texas; and at Grayson College – Van Alstyne Campus, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; from October 19 through October 23, 2015, from 8:00 a.m. to 5:00 p.m.; October 24, 2015, from 7:00 a.m. to 7:00 p.m.; October 25, 2015, from 12:00 p.m. to 5:00 p.m.; October 26 through October 28, 2015, from 8:00 a.m. to 5:00 p.m.; and October 29 through October 30, 2015, from 7:00 a.m. to 7:00 p.m.

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

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

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

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

SECTION 15. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 16, 2015.

SECTION 16. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. B. 5.**

Meeting Date: 08/17/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5894

Calling a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of Amending the City Charter of the City of Sherman, Texas; Providing for Notice of Said Election; Designating Election Precincts; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

Issue:

To call a Special Municipal Election for November 3, 2015, to consider Amendments to the City Charter

Background:

In compliance with the City of Sherman Charter and the election laws for the State of Texas, the City must, by ordinance, call a Special Municipal Election for the first Tuesday after the first Monday in November. This ordinance also establishes the voting centers for this election.

Origination:

Sherman City Council and Legal Department

Financial Consideration:

The City canceled their election in 2014 due to unopposed candidates. Cost of the election in 2013 was $13,295.00.

Staff Recommendation:

It is recommended that the City Council approve the ordinance calling the Special Municipal Election for Tuesday, November 3rd.

Alternatives:

The Council could choose not to call a Special Election to consider Amendments to the City Charter.

Attachments

Ordinance No. 5894

ORDINANCE NO. 5894

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CALLING A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 3rd DAY OF NOVEMBER, 2015, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR NOTICE OF SAID ELECTION; DESIGNATING ELECTION PRECINCTS; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, in compliance with the Charter of the City of Sherman, Texas, and in accordance with the laws and the Constitution of the State of Texas, there is hereby ordered a special election to be participated in by the qualified voters of the City of Sherman, Texas, to be held on the first Tuesday in November, 2015, the same being the 3rd day of said month, for the purpose of holding an election for the submission of amendments to the existing City Charter of the City of Sherman, Texas, which City Charter was adopted by the people, pursuant to Article X, Section 15 of the Home Rule Charter for the City of Sherman, Texas, and V.T.C.A., Local Government Code § 9.004.

SECTION 2. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 5997, passed and approved on the 17th day of August, 2015.

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

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

Amendment No. 1

To amend Article IV, “Administrative Departments”, at Section 5, “Legal Officer”, to clarify the duties of the City Attorney and to provide that the City Attorney report to the City Manager, as follows:

From among nominations made by the city manager, the city council shall appoint an attorney currently admitted to practice law before the State Supreme Court, who is not the subject of any ongoing disciplinary investigation or trial, and who possesses the necessary legal transactional and trial training, experience and ability to successfully represent the city in all matters. The city

council may contract with the city attorney. ~~However,~~ ~~t~~*T*he city attorney shall ~~not be employed or appointed for a definite term and shall~~ serve at the will of the city council and may be removed by a majority vote of all members of the council. The city attorney shall perform such services as the council *or the city manager* may direct and shall be responsible and report directly to the ~~city council~~ *city manager* and shall timely coordinate with and inform the city manager of all activities of the office. The city attorney shall serve as the parliamentarian for all city council meetings. The city attorney shall be the legal advisor of and attorney for the city, the city council or any member of the council, and all of the officers and departments of the city, in the matters affecting the conduct of city business, and shall represent the city in all legal proceedings, ~~including the collection of taxes,~~ assist in all civil service disciplinary matters and internal affairs investigations, and may, with the approval of the ~~city council~~ *city manager*, ~~employ~~ *assign work to specialized* outside legal counsel as the need may arise. The city attorney shall aid the city council in any investigations it may conduct. Before the city shall act as a plaintiff or petitioner in any suit and during the defense of any suit, the city attorney shall investigate the facts and legal issues involved and report the findings, conclusions and recommendations to the city council, provided the time to conduct such a process would not cause irreparable harm to the city. The city attorney shall always act in accordance with the promulgated rules, regulations and ethics of the State Bar of Texas.

There ~~shall~~ *may* be such assistant city attorneys as may be authorized by the council and appointed by the city attorney with the approval of the city manager, and such assistant city attorneys shall be authorized to act for and on behalf of the city attorney.

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

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

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

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

LOCATION	**JUDGES**
Bells City Hall 203 S. Broadway Bells, Texas	TBD Presiding Judge TBD Alternate Judge

Collinsville Community Building 117 N. Main Collinsville, Texas	TBD Presiding Judge TBD Alternate Judge
Grayson College – Denison Campus 6101 Grayson Dr. Denison, Texas	TBD Presiding Judge TBD Alternate Judge
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Gunter Community Center 104 N. 4th Street Gunter, Texas	TBD Presiding Judge TBD Alternate Judge

Howe Community Center 700 W. Hanning Howe, Texas	TBD Presiding Judge TBD Alternate Judge
Pottsboro ISD Administration Building 105 Cardinal Lane Pottsboro, Texas	TBD Presiding Judge TBD Alternate Judge
Sadler Community Building 105 N. Main Sadler, Texas	TBD Presiding Judge TBD Alternate Judge
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Election Administration Building 115 W. Houston Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Faith Church 1800 N. FM 1417 Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Luella First Baptist Church 3162 Hwy 11 Sherman, Texas	TBD Presiding Judge TBD Alternate Judge

Municipal Building 405 N. Rusk Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
Texoma Council of Governments 1117 Gallagher Drive Sherman, Texas	TBD Presiding Judge TBD Alternate Judge
United Way of Grayson County 713 E. Brockett Sherman, Texas 75090	TBD Presiding Judge TBD Alternate Judge
Tioga City Hall 600 E. Main Tioga, Texas	TBD Presiding Judge TBD Alternate Judge
First National Bank – Tom Bean 109 S. Britton Tom Bean, Texas	TBD Presiding Judge TBD Alternate Judge
Grayson College – Van Alstyne Campus 1455 W. Van Alstyne Pkwy Van Alstyne, Texas	TBD Presiding Judge TBD Alternate Judge
Whitesboro City Hall 111 W. Main Whitesboro, Texas	TBD Presiding Judge TBD Alternate Judge

	TBD
Whitewright City Hall	Presiding Judge
206 W. Grand	
Whitewright, Texas	TBD
	Alternate Judge

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

SECTION 10. That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to so cast their vote at the Grayson County Election Administration Building, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, 101 W. Woodard, Denison, Texas; at the Pottsboro ISD Administration Building, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, 111 W. Main, Whitesboro, Texas; and at Grayson College – Van Alstyne Campus, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; from October 19 through October 23, 2015, from 8:00 a.m. to 5:00 p.m.; October 24, 2015, from 7:00 a.m. to 7:00 p.m.; October 25, 2015, from 12:00 p.m. to 5:00 p.m.; October 26 through October 28, 2015, from 8:00 a.m. to 5:00 p.m.; and October 29 through October 30, 2015, from 7:00 a.m. to 7:00 p.m.

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

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

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

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

SECTION 15. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 16, 2015.

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

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

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

SECTION 19. That it is hereby officially found and determined that the 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 _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5895

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow a Plant Food Formulation Facility in a C-2 (General Commercial) District and Central Business District at 401 North Walnut Street, being 1.334 acres in the J.B. McAnair Survey, Abstract No. 763 and also being the Proposed Lot 2, Ball DPF Addition (Ball DPF, LLC, Owners; Chance Finch, Representative; and Underwood Drafting & Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue:

To consider the request of the Ball DPF, LLC (Owners), Chance Finch (Representative), and Underwood Drafting and Surveying (Surveyors) concerning the property located at 401 North Walnut Street, being 1.334 acres in the J.B. McAnair Survey, Abstract No. 763 and also being the proposed Lot 2 of Ball DPF Addition for zone change approval from a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District and a Specific Use Permit and site plan to allow a plant food formulation facility in a C-2 (General Commercial) District and Central Business District

Background:

The property is located at 401 North Walnut Street, the northeast corner of Walnut and Mulberry Streets; Ball DPF, LLC is the tenant. The property is zoned a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District and partially located in the Central Business District. A Specific Use Permit to allow a recycling center was approved on May 16, 1994 by Ordinance No. 4337.

The owners are purchasing additional property to the east of the existing facility; and they are requesting a zone change from a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District to include all of the property in a C-2 (General Commercial) District and also a Specific Use Permit to allow a plant food formulation facility to include the additional lot.

Nature's Source® has been manufacturing high efficiency plant food products for horticultural professionals and home gardeners since 1994 and is manufactured at this location by Ball DPF, LLC. The facility is a zero waste discharge manufacturing facility; Ball DPF, LLC makes a variety of Nature's Source brand plant food formulations. All Nature's Source plant foods are based on oilseed extract, which is a natural product. The oilseed extract Ball DPF receives is a by-product from manufacturers that mill

seeds to extract food and feed ingredients. During the manufacturing process, Ball DPF also finds valuable uses for the waste it creates. Filter sludge, which results from plant food manufacturing, is pressed to remove as much liquid phase as possible. The extracted liquid is re-sold as a registered 1-1-1 plant food product in the State of Texas. Material is then offered to local growers and cattlemen as livestock feed.

Origination:

Ball DPF, LLC (Owners)
Chance Finch (Representative)
Underwood Drafting and Surveying (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the July 21, 2015 regular meeting, the Planning and Zoning Board voted 6/0 to recommend to the City Council that the zone change, Specific Use Permit and site plan be approved.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5895
Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
P&Z Communication
Staff Review Letter
Letter from Cirila Mitchell

ORDINANCE NO. 5895

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A PLANT FOOD FORMULATION FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND CENTRAL BUSINESS DISTRICT AT 401 NORTH WALNUT STREET, BEING 1.334 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND ALSO BEING THE PROPOSED LOT 2, BALL DPF ADDITION (BALL DPF, LLC, OWNERS; CHANCE FINCH, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-2 (General Commercial) District at 401 North Walnut Street, and Ball DPF, LLC (Owners), Chance Finch (Representative) and Underwood Drafting and Surveying (Surveyor) are granted a Specific Use Permit to allow a plant food formulation facility in a C-2 (General Commercial) District and Central Business District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, Grayson County, Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, and being a part of the same tract of land described as 1.65 acres conveyed by Sherman WP Corp. to Ball DPF, LLC by deed dated August 19, 2010, recorded in Volume 4848, Page 415, Official Public Records, Grayson County, Texas, a portion of said 1.65 acre tract being a part of Block "G" of T. J. Shannon's Supplement to the City of Sherman as shown by plat of record in Volume "B", Page 259, Deed Records, Grayson County, Texas, and also being a part of the same tract of land described as 0.191 acres conveyed to Dennis Joe Haliburton by Tax Resale Deed dated October 31, 2014, recorded in Volume 5541, Page 189, said Official Public Records, and being more particularly described by metes and bounds as follows:

COMMENCING at a chiseled "X" cut in concrete found maintaining the Southwest corner of both said Block "G" and the 1.65 acre tract at the intersection of the East line of Walnut Street with the North line of Mulberry street;

THENCE North 75°18'02" East with said North line of Mulberry Street and South line of the said 1.65 acre tract a distance of 108.10 feet to an "X" cut in concrete for the Southwest corner of the herein described tract, being the **TRUE POINT-OF-BEGINNING**;

THENCE North 14°41'58" West a distance of 166.01 feet to an "X" cut for the Northwest corner of the herein described tract in a concrete retaining wall and North line of the said 1.65 acre tract;

THENCE North 75°18'02" East, passing the East line of said Block "G" and continuing, at a distance of 324.70 feet passing a 1/2" steel rod found maintaining the Northeast corner of the said 1.65 acre tract and the Northwest corner of the said Haliburton tract and continuing for a total distance of 374.70 feet to a 1/2" steel rod found maintaining the Northeast corner of the said Haliburton tract;

THENCE South 14°46'10" East with the East line of the said Haliburton tract a distance of 84.01 feet to a 1/2" steel rod set for an outside Southeast "L" corner of the herein described tract;

THENCE South 75°18'02" West a distance of 50.00 feet to a 1/2" steel rod set for an inside "L" corner in the West line of the said Haliburton tract and East line of the said 1.65 acre tract;

THENCE South 14°46'10" East a distance of 82.00 feet to an "X" cut in concrete found maintaining the Southwest corner of the said Haliburton tract and the Southeast corner of the said 1.65 acre tract in the said North line of Mulberry Street;

THENCE South 75°18'02" West with said North line of Mulberry Street and South line of the 1.65 acre tract, passing the Southeast corner of said Block "G" and continuing for a total distance of 324.90 feet to the **POINT-OF-BEGINNING AND CONTAINING 1.334 ACRES OF LAND……....**

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the Central Business District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Shall comply with all EPA, City, Federal and State regulations for this use.
3. Fire lanes, codes and fire protection shall be coordinated with the Fire Marshal, (903.892.7267).
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. Drive approaches shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

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

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

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

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

401 N. Walnut

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 146 ft

Zoning - 401 N. Walnut

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

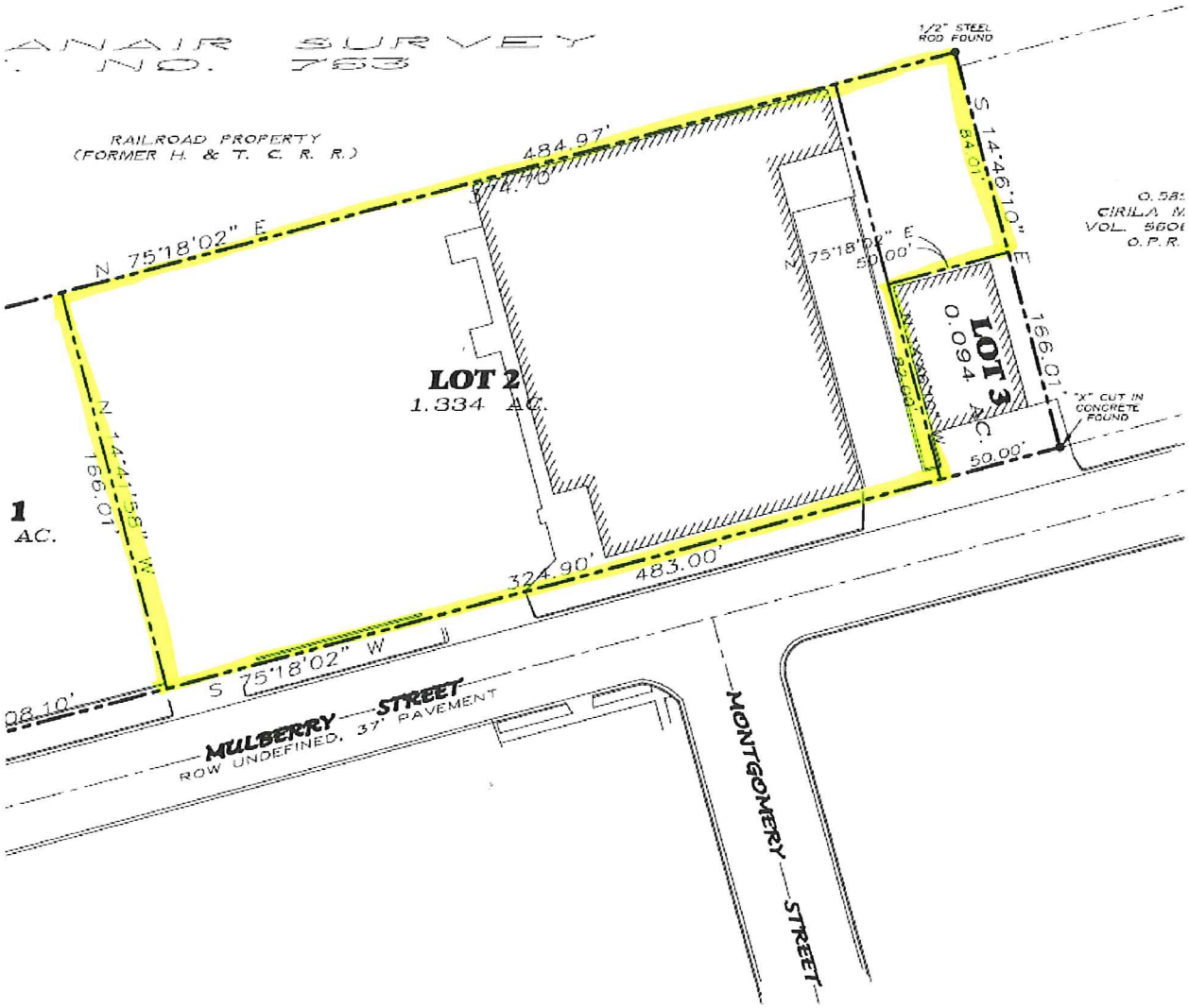
City of Sherman, Texas
Developmental Services Department

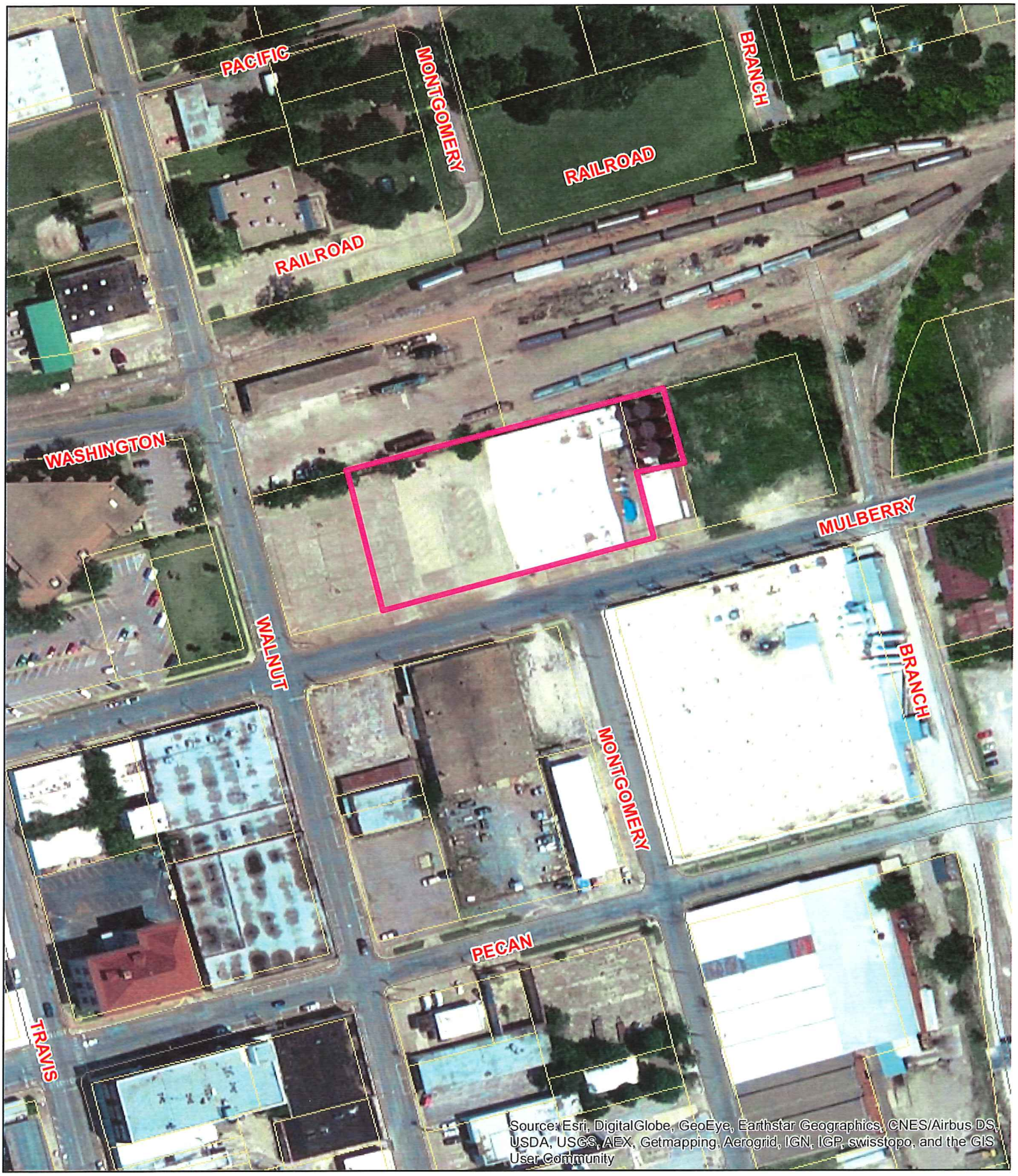
N
NOT TO SCALE

1 in = 149 ft

401 N. Walnut

ZONING
REQUESTED
AT THIS LOCATION
ADDITIONAL
INFORMATION
903-892-7229


ANAIR SURVEY
NO. 763
RAILROAD PROPERTY
(FORMER H. & T. C. R. R.)
1/2" STEEL ROD FOUND
484.97'
N 75°18'02" E
S 14°46'10" E
84.01'
N 75°18'02" E
50.00'
LOT 2
1.334 AC.
LOT 3
0.094 AC.
166.01'
"X" CUT IN CONCRETE FOUND
50.00'
N 14°41'58" W
166.01'
1
AC.
324.90'
483.00'
S 75°18'02" W
MULBERRY STREET
ROW UNDEFINED, 37' PAVEMENT
MONTGOMERY STREET



401 N. Walnut

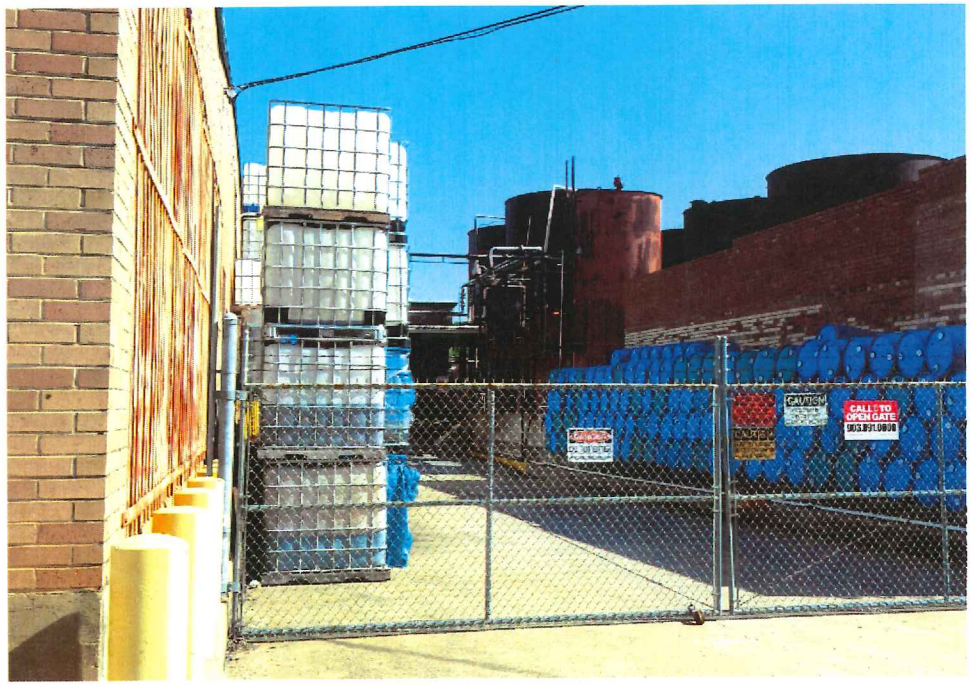
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 146 ft

NATURE'S
SOURCE


CAUTION
CALL TO
OPEN GATE

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 8.

Meeting Date: 07/21/2015

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

Joe Gilbert, Chairman
Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner
Shawn Davis, Commissioner

Requested Action/Proposed Use:

401 N.WALNUT

The request of Ball DPF, LLC (Owners), Chance Finch (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 401 North Walnut Street, being 1.334 acres in the J.B. McAnair Survey, Abstract No. 763 and also being the proposed Lot 2, of Ball DPF Addition, as follows;

Planning and Zoning Commission

Site plan and zone change approval from a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District and a Specific Use Permit to allow a plant food formulation facility under Ordinance No. 2280, Section 12, and Section 8, Subsection (5)(a) in a C-2 (General Commercial) District and Central Business District.

Background:

The property is located at 401 North Walnut Street, the northeast corner of Walnut and Mulberry Streets; Ball DPF, LLC is the tenant. The property is zoned a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District and partially located in the Central Business District. A Specific Use Permit to allow a recycling center was approved May 16, 1994 by Ordinance 4337.

The owners are purchasing additional property to the east of the existing facility and they are requesting a zone change from a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District to include all of the property in a C-2 (General Commercial) District and also a Specific Use Permit to allow a plant food formulation facility to include the additional lot.

Nature's Source® has been manufacturing high efficiency plant food products for horticultural professionals and home gardeners since 1994 and is manufactured at this location by Ball DPF, LLC. The facility is a zero waste discharge manufacturing facility, Ball DPF, LLC makes a

variety of Nature's Source brand plant food formulations. All Nature's Source plant foods are based on oilseed extract, which is a natural product. The oilseed extract Ball DPF receives is a by-product from manufacturers that mill seeds to extract food and feed ingredients.During the manufacturing process, Ball DPF also finds valuable uses for the waste it creates. Filter sludge, which results from plant food manufacturing, is pressed to remove as much liquid phase as possible. The extracted liquid is re-sold as a registered 1-1-1 plant food product in the state of Texas. Material is then offered to local growers and cattlemen as livestock feed.

Adjacent Zoning:

C-2 (General Commercial) District
M-2 (Heavy Manufacturing) District
Central Business District

Origination:

Ball DPF, LLC (Owners)
Chance Finch (Representative)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

5

Objections Received:

0

Attachments

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

July 15, 2015

Ball DPF, LLC
401 N. Walnut
Sherman, Texas 75090

Chance Finch
401 N. Walnut
Sherman, Texas 75090

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for site plan and zone change approval from a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District and a Specific Use Permit to allow a plant food formulation facility in a C-2 (General Commercial) District and Central Business District for the property located at 401 North Walnut Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 21, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the Central Business District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Shall comply with all EPA, City, Federal and State regulations for this use.
3. Fire lanes, codes and fire protection shall be coordinated with the Fire Marshal, (903.892.7267).
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. Drive approaches shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

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

cc: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone: (903) 892-7229
FAX: (903) 892-7274

RECEIVED
JUL 21 2015

July 2, 2015

Cirila Mitchell
1458 Cedar Mills
Gordonville, TX 76245

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, July 21, 2015 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Ball DPF, LLC (Owners), Chance Finch (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 401 North Walnut Street, being 1.334 acres in the J.B. McAnair Survey, Abstract No. 763 and also being the proposed Lot 2, of Ball DPF Addition

The request is as follows:

Planning and Zoning Commission

Site plan and zone change approval from a C-2 (General Commercial) District and M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District and a Specific Use Permit to allow a plant food formulation facility under Ordinance No. 2280, Section 12, and Section 8, Subsection (5)(a) in a C-2 (General Commercial) District and Central Business District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott Shadden
Secretary, Planning & Zoning Board

OPPOSED ZONING CHANGE:

1. STORAGE TANKS WERE TO BE REMOVED PER, OFFICIALS CONDUCTING SHERIFF SALE AUCTION - ANYONE WHOM PURCHASE THE PROPERTY (STORAGE TANKS / BUILDING)
2. STORM WATER REMOVED FROM STORAGE TANK AREA - SIMPLY FLUSHED DOWN TOWN CREEK.

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

NATURE'S SOURCE®

June 30, 2015

Mitchell Cirila
1458 Cedar Mills
Gordonville, TX 76245

Dear Mr. Mitchell,

I am writing to you because we understand you recently acquired the property on E. Mulberry in Sherman, TX. The reason for my letter is for two reasons.

1. In the next several months we will have some construction activities within our tank farm which is adjacent to your property. While most of the work will occur on our property, there is the potential that we may need to have various equipment on your property for short periods of time. Please contact us for further details and discussion.

2. Since we are an industrial related business, we are required by the Texas Commission on Environmental Quality (TCEQ) to maintain and comply with our issued Storm Water Permit. None of our storm waters are currently impacting your property, however, we would like to reuse this water in a fashion that is more environmentally friendly than simply flushing it down Town Creek (East side of your property). Thereby, would you be willing to consider the reuse of this storm water as irrigation water on your property? Please contact us for further discussion.

We look forward to speaking with you soon.

Best Regards,

Keely Hawkins
Regulatory Administrator
Direct: (903) 771-0120
Email: khawkins@ns-pf.com

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. B. 7.**

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5896

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow Auto Accessory Sales, Installation and Repairs in a C-2 (General Commercial) District at 2407 North Travis Street, being 1.85 acres in the J.B. McAnair Survey, Abstract No. 763 (Ridlehuber Partners LTD, Owners; and Rod Tatchio, Architect); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue:

To consider the request of the Ridlehuber Partners LTD (Owners) and Rod Tatchio (Architect) concerning the property located at 2407 North Travis Street, being 1.85 acres in the J.B. McAnair Survey, Abstract No. 763 for zone change approval from a C-1 (Retail Business) District to a C-2 (General Commercial) District and a Specific Use Permit and site plan to allow auto accessory sales, installation and repairs in a C-2 (General Commercial) District

Background:

The property is located at 2407 North Travis Street, between Pelton Street and Lamberth Road. The property was zoned a C-1 (Retail Business) District in 2003. The owners would like to change the zoning to a C-2 (General Commercial) District and construct a 9,625 square foot automobile accessory sales, installation and repair facility at this location. The exterior finish on the building will be stone and EFIS (Exterior Finish Insulation System) with overhead doors facing north and south. Thirty-five parking spaces will be provided.

Origination:

Ridlehuber Partners LTD (Owners)
Rod Tatchio (Architect)

Financial Consideration:

None

Staff Recommendation:

At the July 21, 2015 regular meeting, the Planning and Zoning Board voted 6/0 to recommend to the City Council that the zone change, Specific Use Permit and site plan be approved.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5896
Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
P&Z Communication
Staff Review Letter

ORDINANCE NO. 5896

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTO ACCESSORY SALES, INSTALLATION AND REPAIRS IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2407 NORTH TRAVIS STREET, BEING 1.85 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (RIDLEHUBER PARTNERS LTD, OWNERS; AND ROD TATCHIO, ARCHITECT); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-2 (General Commercial) District at 2407 North Travis Street, and Ridlehuber Partners LTD (Owner) and Rod Tatchio (Architect) are granted a Specific Use Permit to allow auto accessory sales, installation and repairs in a C-2 (General Commercial) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, Grayson County, Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, and being the same tract of land described as 1.93 acres conveyed by Viola Faubion to Murray H. Nance, Jr. et ux by deed dated November 13, 1969, recorded in Volume 1148, Page 337, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" steel rod set marking the Southwest corner of the said Nance tract in the East right-of-way line of North Travis Street;

THENCE North 10°38'44" West with said right-of-way line a distance of 11.39 feet to the beginning of a curve to the right having a radius of 4750.59 feet;

THENCE in a Northerly direction continuing with said right-of-way line and curve, (chord bears North 09°30'29" West, 188.62 feet), an arc distance of 188.63 feet to a 1/2" steel rod set marking the Northwest corner of the said Nance tract;

THENCE North 77°11'23" East, at a distance of 3.87 feet passing the Southwest corner of the same tract of land described as 2.52 acres conveyed by Ralph R. Renshaw, Jr. and J. David Butler to Georgia Hendrix by deed dated April 18, 2005, recorded in Volume 3844, Page 134, Official Public Records, Grayson County, Texas, and continuing, at a distance of 453.96 feet passing a 1/2" steel rod found on the West bank of Post Oak Creek and continuing for a total distance of 490.32 feet to a point for the Northeast corner of the said Nance tract and the Southeast corner of the said Hendrix tract in the center of said creek;

THENCE South 23°11'14" West with the general center of said creek a distance of 98.13 feet to an angle point;

THENCE South 34°04'25" East continuing with said center of creek a distance of 75.90 feet to a point for the Southwest corner of the said Nance tract;

THENCE South 71°11'23" West, passing a 1/2" steel rod set at 40 feet and continuing for a total distance of 474.06 feet to the **POINT-OF-BEGINNING AND CONTAINING 1.85 ACRES OF LAND…….**

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way.
2. Parking is permitted on paved surfaces only, a parking space is considered to be 9’x20’.
3. All parking shall be on private property and shall not encroach into North Travis Street right-of-way.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Screening is required and to be maintained abutting residentially zoned property

6. No outside parking or storage of dismantled vehicles, wrecks or parts is allowed.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. All requirements of the floodplain ordinance shall be followed.
11. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
12. Water and Sewer Pro-Rata will be required.
13. In 2016 an additional 20' of right-of-way will be acquired by the City; therefore, a 45' setback is required.
14. Trash Receptacle Pad location shall be coordinated with Solid Waste Services at 903-892-7288.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

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

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

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

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

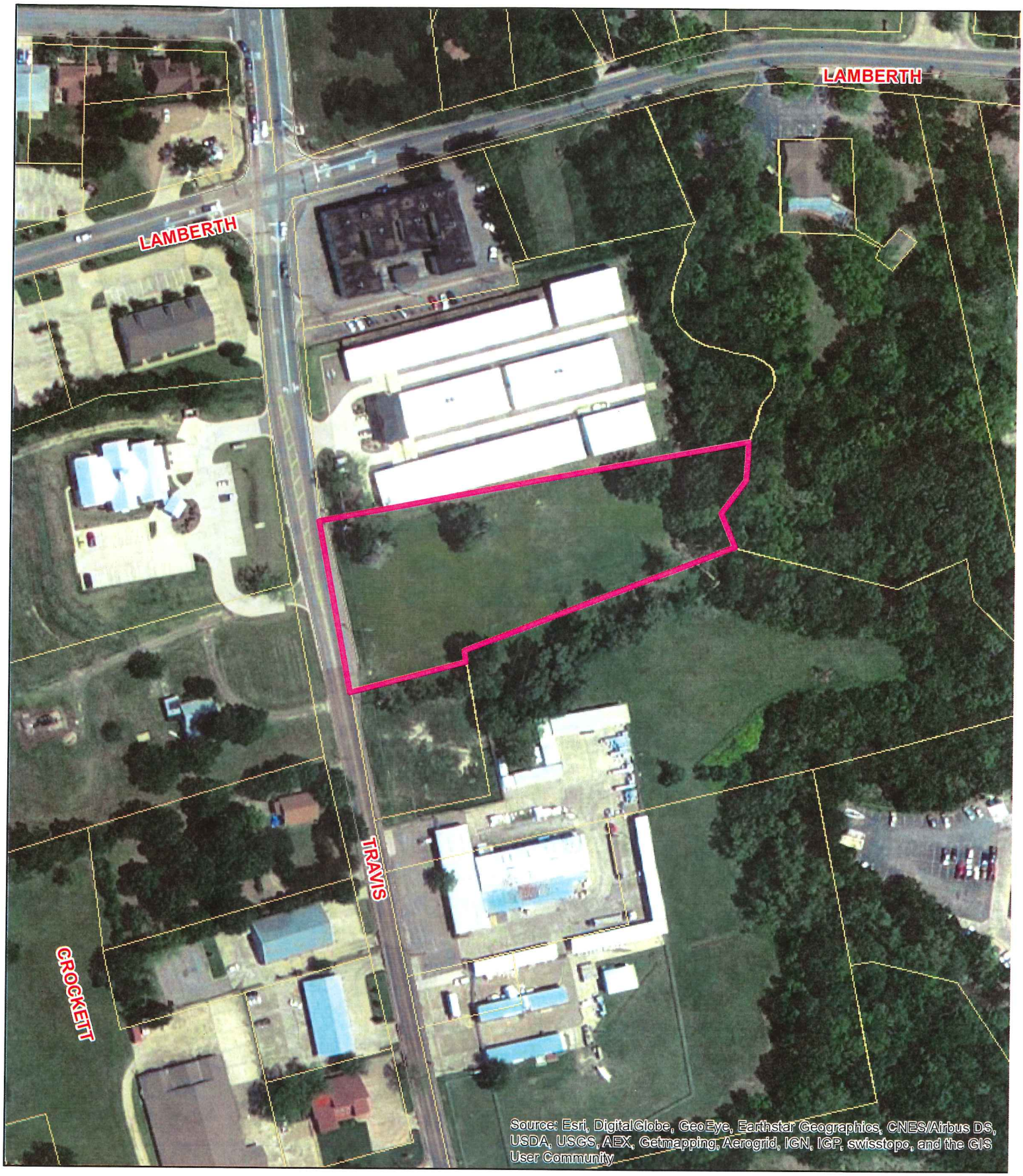
BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY



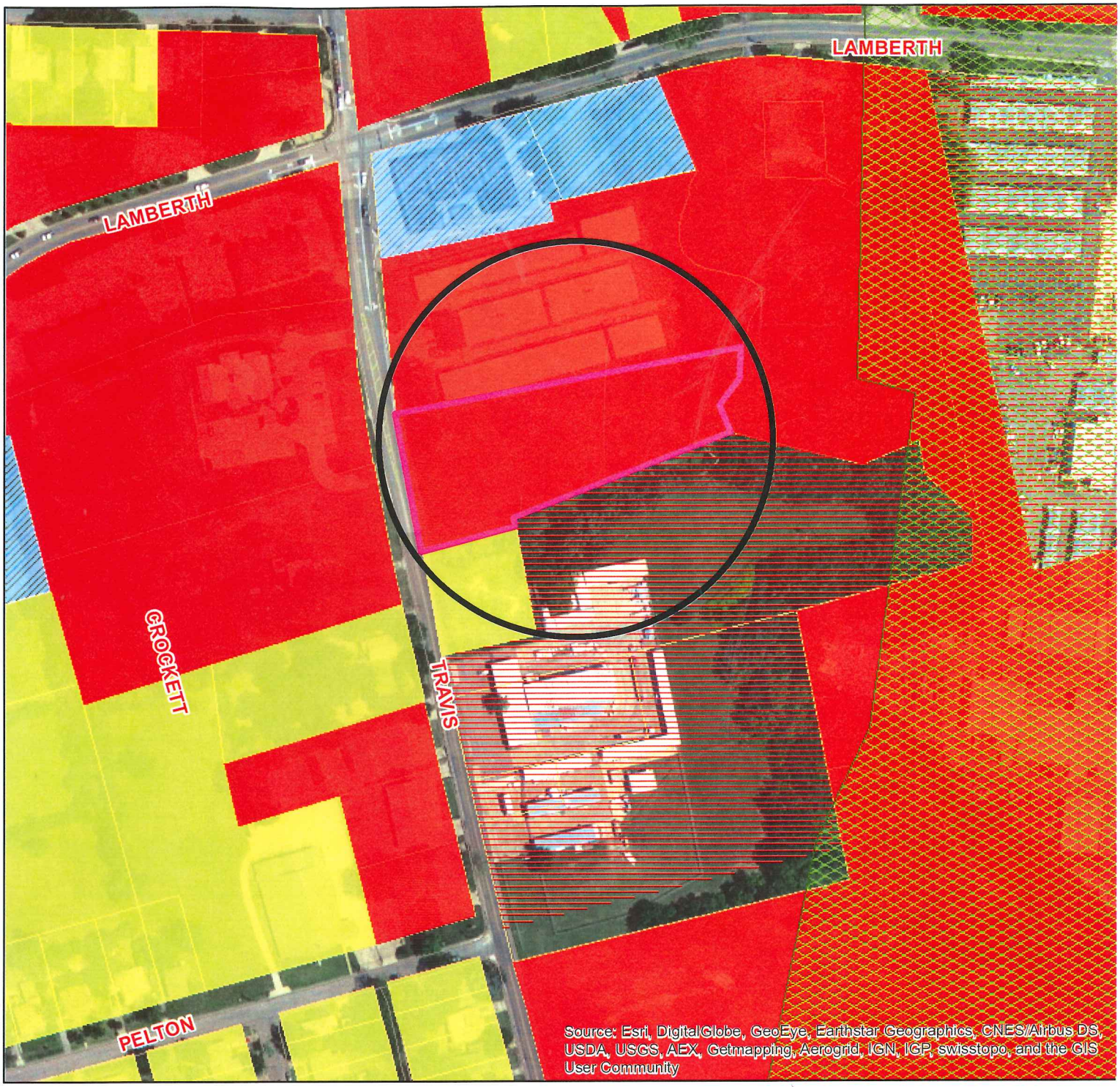
2407 N. Travis

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 146 ft



Zoning - 2407 N. Travis

Legend

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

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

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

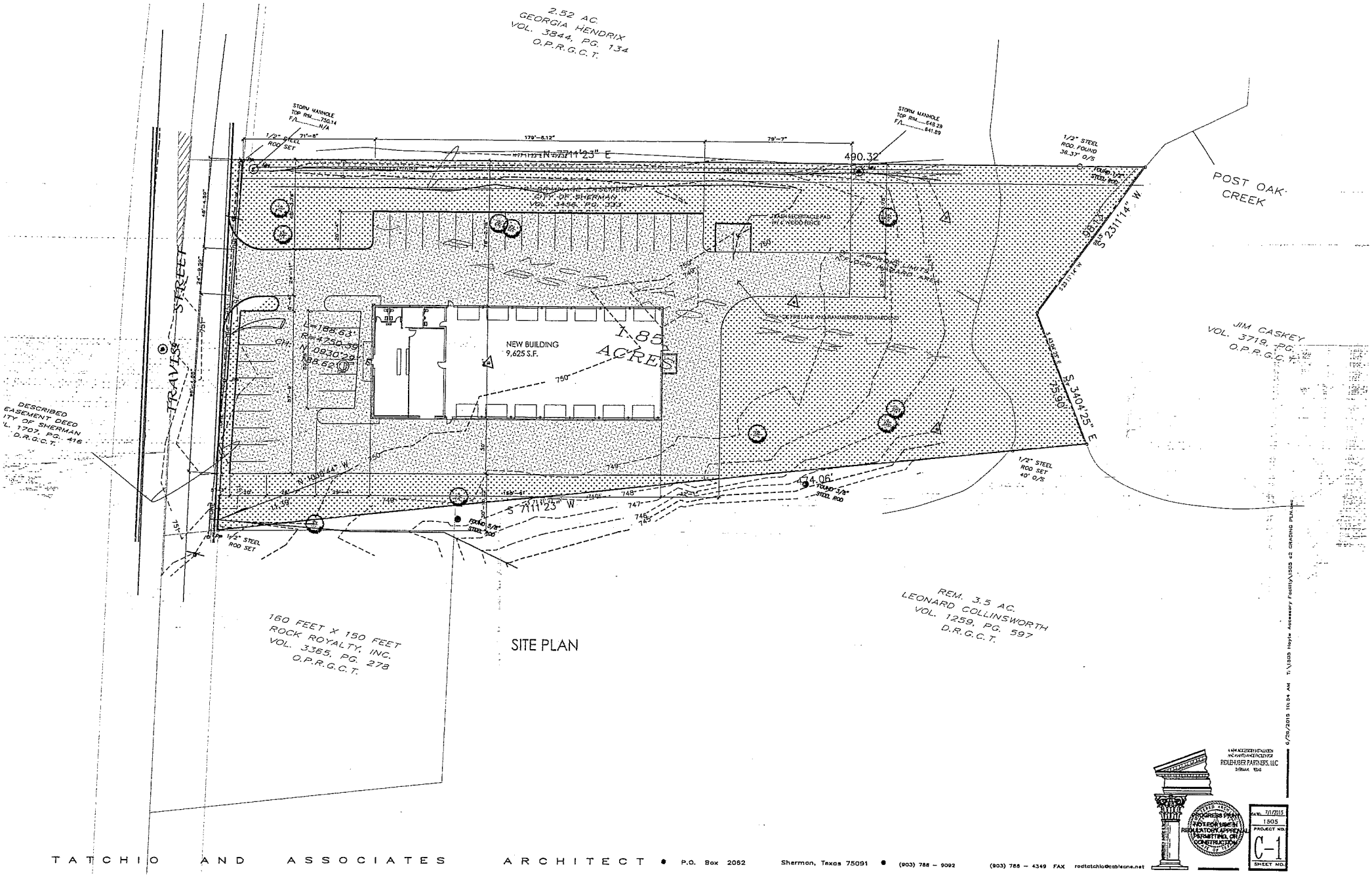
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

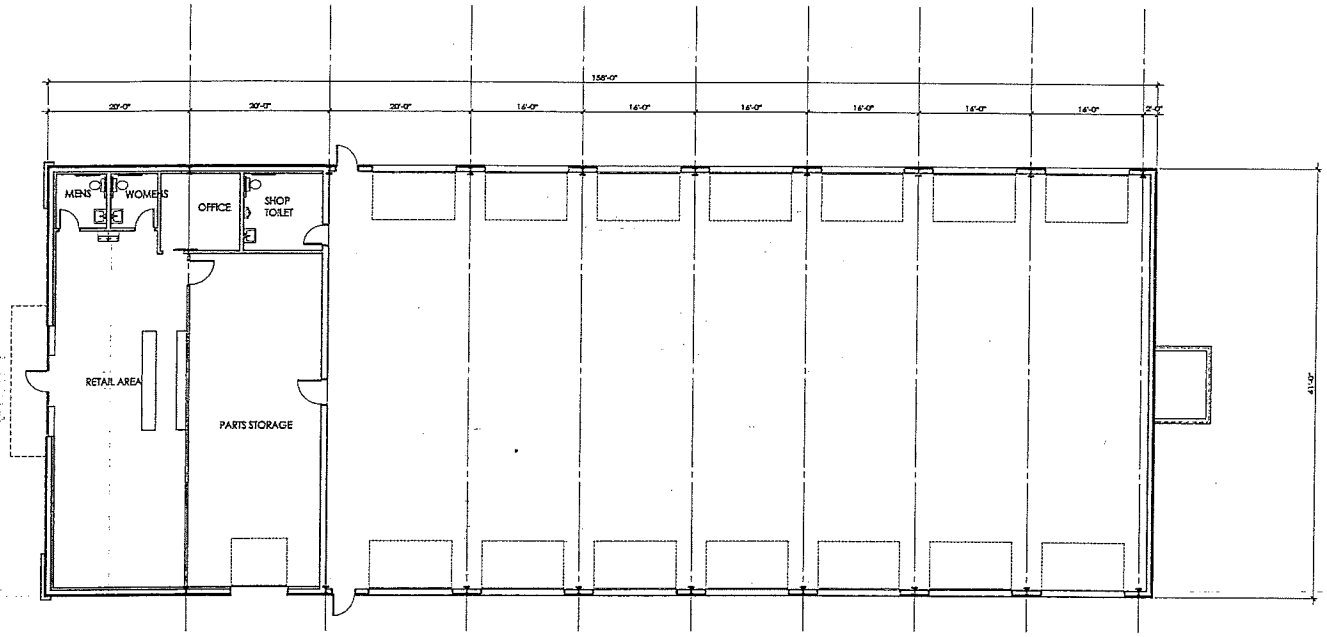
N
NOT TO SCALE

1 in = 200 ft

2407 N. Travis



TATCHIO AND ASSOCIATES ARCHITECT • P.O. Box 2062 Sherman, Texas 75091 • (903) 788 – 9092 (903) 788 – 4349 FAX rodtatchio@cableone.net



FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

9625 S.F.

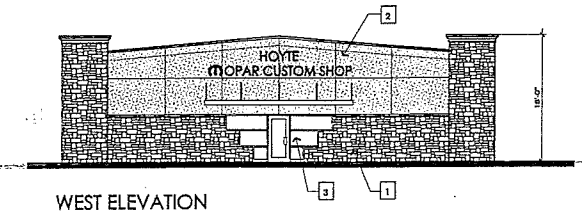
A NEW ADDITION FOR EDUCATION AND MAINTENANCE FACILITY FOR
RIDLEHUBER PARTNERS, LLC
DESIGN: ES-B

PROGRESS PRINT
NOT FOR USE IN REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

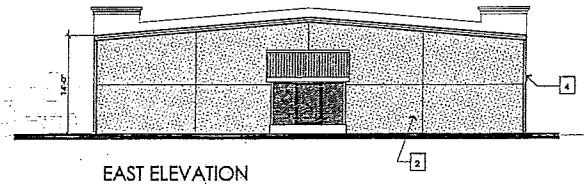
DATE 7/1/2015
1505
PROJECT NO.
A-1
SHEET NO.

6/26/2015 10:58 AM T:\1505 Hoyle Accessory Facility\1505 A1 FLOOR PLAN.dwg

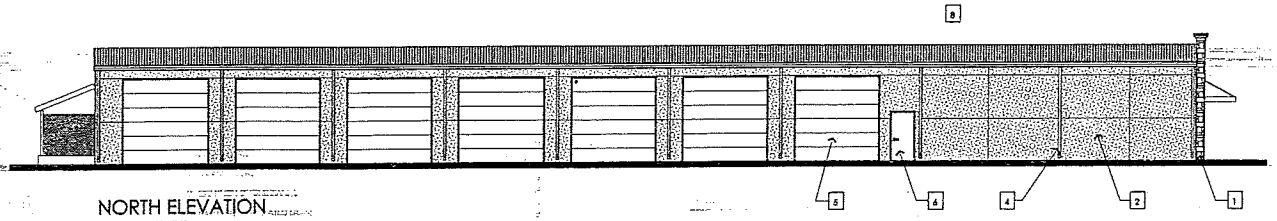
TATCHIO AND ASSOCIATES ARCHITECT • P.O. Box 2052 Sherman, Texas 75091 • (903) 786 – 9092 (903) 786 – 4349 FAX rodtatchio@cableone.net



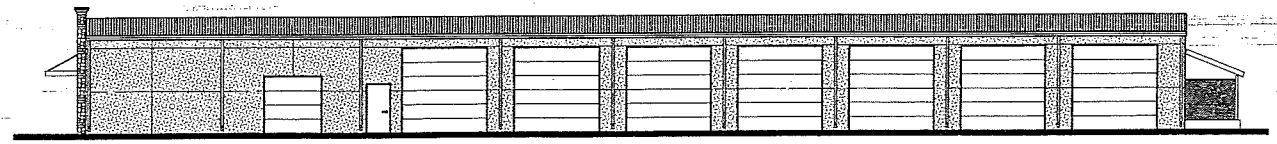
WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL NOTES:

1. THIN SET STONE
2. EIFS FINISH OVER SHEATING
3. FIXED TINTED INSULATED GLASS
4. PRE-FINISHED GUTTER AND DOWNSPOUT
5. 12'X12' OVERHEAD DOOR
6. HOLLOW METAL DOOR AND FRAME - PAINTED
7. 8'X8' OVERHEAD DOOR
8. STANDING SEAM GALVALUME ROOF

6/26/2015 9:26 AM T:\1505 Hoyte Accessory Facility\1505 a2 exterior elev.dwg

NEW ACCESSORY FACILITY AND MAINTENANCE FACILITY FOR
KEDLEHUSER PARTNERS, LLC
SHERMAN, TEXAS

PRELIMINARY PROGRESS PRINT
NOT FOR USE IN REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

DATE 7/1/2015
JOB NO. 1.505
PROJECT NO.
A-2
SHEET NO.

TATCHIO AND ASSOCIATES ARCHITECT • P.O. Box 2062 Sherman, Texas 75091 • (903) 786 - 9092 (903) 786 - 4349 FAX rodtatchio@oobisons.net

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 9.

Meeting Date: 07/21/2015

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

Joe Gilbert, Chairman
Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner
Shawn Davis, Commissioner

Requested Action/Proposed Use:

2407 N. TRAVIS

The request of Ridlehuber Partners LTD (Owner) and Rod Tatchio (Architect) concerning the property located at 2407 N. Travis Street, being 1.85 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Planning and Zoning Commission

Site plan and zone change approval from a C-1 (Retail Business) District to a C-2 (General Commercial) District and a Specific Use Permit to allow auto accessory sales, installation and repairs under Ordinance No. 2280, Section 12, and Section 8, Subsection (5)(a) in a C-2 (General Commercial) District.

Background:

The property is located at 2407 N. Travis Street between Pelton Street and Lamberth Road. The property was zoned a C-1 (Retail Business) District in 2003. The owner would like to change the zoning to a C-2 (General Commercial) District and construct a 9,625 square foot automobile accessory sales, installation and repair facility at this location.The exterior finish on the building will be stone and EFIS (Exterior Finish Insulation System) with overhead doors facing north and south. Thirty-five parking spaces will be provided.

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District
R-1 (One Family Residential) District

Origination:

Ridlehuber Partners LTD (Owner)
Rod Tatchio (Architect)

Master Plan Designation:

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

Number of notices mailed:

7

Objections Received:

0

Attachments

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

STAFF REVIEW LETTER

July 15, 2015

Ridlehuber Partners LTD
2300 N. U.S. Highway 75
Sherman, Texas 75090

Rod Tatchio
10,000 Grayson Drive
Denison, TX 75020

Dear Applicants,

The request for site plan and zone change approval from a C-1 (Retail Business) District to a C-2 (General Commercial) District and a Specific Use Permit to allow auto accessory sales, installation and repairs in a C-2 (General Commercial) District for the property located at 2407 North Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 21, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way.
2. Parking is permitted on paved surfaces only, a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into North Travis Street right-of-way.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Screening is required and to be maintained abutting residentially zoned property
6. No outside parking or storage of dismantled vehicles, wrecks or parts is allowed.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. All requirements of the floodplain ordinance shall be followed.
11. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
12. Water and Sewer Pro-Rata will be required.
13. In 2016 an additional 20' of right-of-way will be acquired by the City; therefore, a 45' setback is required.
14. Trash Receptacle Pad location shall be coordinated with Solid Waste Services at 903-892-7288.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

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

cc: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. B. 8.**

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5897

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow a Contractor's Office in a C-2 (General Commercial) District at 2408 North Travis Street, being 0.952 acres in the J.B. McAnair Survey, Abstract No. 763 (Shane Brem, Owner; and Bub Moore, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue:

To consider the request of the Shane Brem (Owner) and Bub Moore (Representative) concerning the property located at 2408 North Travis Street, being 0.952 acres in the J.B. McAnair Survey, Abstract No. 763 for zone change approval from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and a Specific Use Permit and site plan approval to allow a contractor's office in a C-2 (General Commercial) District

Background:

The property is located at 2408 North Travis Street, between Pelton Street and Lamberth Road. There was an existing house on the lot when the owner purchased the property in 2014; it has since been demolished.

The owner would like to change the zoning on the property from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and also request a Specific Use Permit to allow a Contractor's Office at this location. They would like to construct a 40' x 50' showroom for Texoma Roofing & Construction; the exterior will be stucco with rock wainscot. Six parking spaces will be provided on a concrete drive.

Origination:

Shane Brem (Owner)
Bub Moore (Representative)

Financial Consideration:

None

Staff Recommendation:

At the July 21, 2015 regular meeting, the Planning and Zoning Board voted 6/0 to recommend to the City Council that the zone change, Specific Use Permit and site plan be approved subject to the Staff Review Letter and the condition that no outside storage be allowed.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5897
Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
P&Z Communication
Staff Review Letter
Letter from First Assembly of God

ORDINANCE NO. 5897

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A CONTRACTOR'S OFFICE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2408 NORTH TRAVIS STREET, BEING 0.952 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (SHANE BREM, OWNER; AND BUB MOORE, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-2 (General Commercial) District at 2408 North Travis Street, and Shane Brem (Owner) and Bub Moore (Representative) are granted a Specific Use Permit to allow a contractor's office in a C-2 (General Commercial) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

ALL that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, County of Grayson, State of Texas, said tract being all of a called 1 acre tract as described in deed to Marvin Averille White et al., filed 18, June 1986, and recorded in Volume 1836, Page 553 of the real property records of the County of Grayson, State of Texas, and being more fully described as follows:

BEGINNING for the southeast corner of the tract being described herein at a found ½ inch rebar on the west side of North Travis Street, said rebar being the occupied southeast corner of said White tract, same being the occupied northeast corner of a tract as described in deed to Dean Gilbert, Sr. et al, filed 04, September 2002 and recorded in Volume 3307, Page 409 of the official public records of said Grayson County, Texas;

THENCE South 74 degrees, 20 minutes 28 seconds West with the south line of said White tract, same being the north line of said Gilbert tract, a distance of 285.09 feet to a wood fence corner post for the southwest corner of said White tract, same being the northwest corner of said Gilbert tract, said post also being on the east line of the First Tract, a called 1,904 acre tract as described in deed to Otto Howard et al, Trustees, filed 06, January 1972 and recorded in Volume 1206, Page 797 of the deed records of said Grayson County, Texas;

THENCE North 11 degrees, 45 minutes, 53 seconds West with the west line of said White tract, same being the east line of said Howard tract, a distance of 144.08 feet to a Bois D Arc fence corner post for the northwest corner of said White tract, same being the northeast corner of said Howard tract, said post also being on the south line of a tract as described in Substitute Trustee's Deed to C. H. Gillespie, III, substitute trustee, filed 13, August 1992, and recorded in Volume 2236, Page 260 of said real property records;

THENCE North 74 degrees 00 minutes 00 seconds East, with the north line of said White tract, same being the south line of said Gillespie tract, a distance of 288.71 feet to a set ½ inch steel square tubing with a plastic cap marked CLSC 4577 for the occupied northeast corner of said White tract said tubing being on the west side of said street;

THENCE South 10 degrees 23 minutes 45 seconds East, with the west side of said street, a distance of 146.08 feet to the **POINT-OF-BEGINNING AND CONTAINING 0.952 OF AN ACRE OF LAND…….**

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way.
2. Parking is permitted on paved surfaces only, a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into North Travis Street right-of-way.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Screening is required and to be maintained abutting residentially zoned property.
6. Outdoor storage shall be screened from public view and residential uses.
7. No storage of materials or parking of trailers or vehicles over ¾ ton shall be permitted in the front 25 feet of the lot.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.

10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

11. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
12. Detention in accordance with City criteria is required.
13. In 2016 an additional 20' of right-of-way will be acquired by the City; therefore, a 45' setback is required.

Planning & Zoning Commission:

14. No outside storage allowed.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

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

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

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

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY

2408 N. Travis

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 122 ft

Zoning - 2408 N. Travis

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

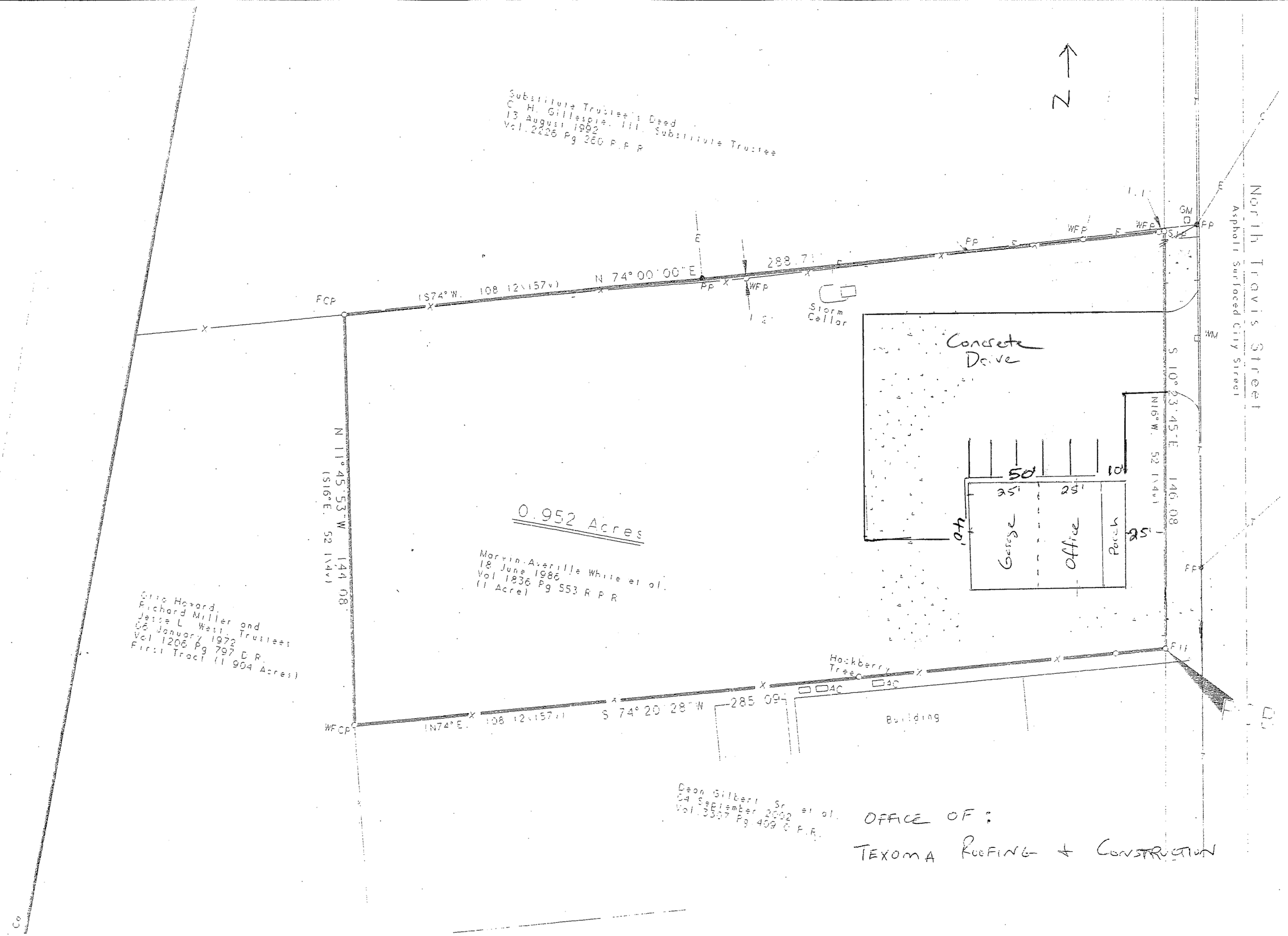
City of Sherman, Texas
Developmental Services Department

N

NOT TO SCALE

1 in = 122 ft

2408 N. Travis


N
North Travis Street
Asphalt Surfaced City Street
Substitute Trustee's Deed
C. H. Gillespie, III, Substitute Trustee
13 August 1992
Vol. 2226 Pg 360 R.P.R.
N 74° 00' 00" E
288.71'
S 74° W. 108.12 (157v)
N 74° E. 108.12 (157v)
S 74° 20' 28" W 285.09'
N 11° 45' 53" W 144.08'
(S16°E. 52 (4v))
S 10° 23' 45" E 146.08'
(N16°W. 52 (4v))
FCP
WFCP
FP
WFP
GM
WM
FH
Storm Cellar
Concrete Drive
50'
10'
25'
25'
25'
10'
Garage
Office
Porch
0.952 Acres
Marvin Averille White et al.
18 June 1986
Vol 1836 Pg 553 R.P.R.
(1 Acre)
Otis Howard,
Richard Miller and
Jesse L. West, Trustees
02 January 1972
Vol 1206 Pg 797 D.R.
First Tract (1.904 Acres)
Hackberry Tree
AC
Building
Dean Gilbert Sr.
24 September 2002 et al.
Vol. 3537 Pg 409 O.P.R.
OFFICE OF:
TEXOMA ROOFING & CONSTRUCTION

You're logged in as bub moore LOG OUT

new office of Texoma Roofing & Construction (40x50x16) SAVE SAVE AS SPEC SHEET

Click here to return to Mueller Inc. website

877-2-MUELLER (877-268-3553)

HELP

View: Custom

Building Size

Width:	40	ft.
Length:	50	ft.
Height	16	ft.
Pitch:	4	/12
Overhang		
- Sides:	0	ft.
- End:	1	ft.

next step >>

Color Selections

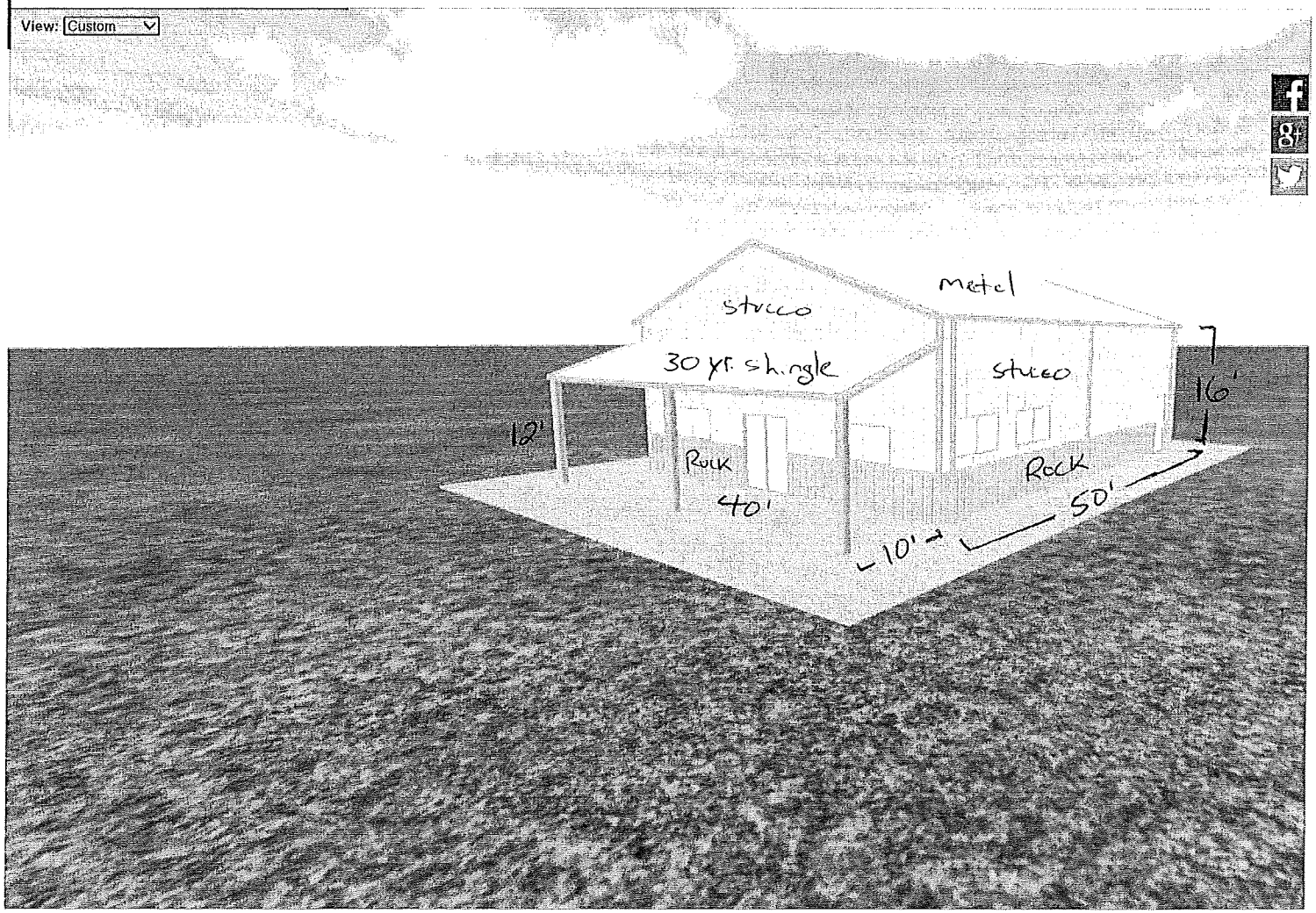
Ridge Vent

Wainscot

Lean-to

Gutter

Add Doors and Windows



EAST AND NORTH ELEVATION

EAST FACING TRAILS

You're logged in as **bub moore** LOG OUT

new office of Texoma Roorfing & Construction (40x50x16) SAVE SAVE AS SPEC SHEET

Click here to return to Mueller Inc. website

877-2-MUELLER (877-268-3553)

HELP

View: Custom

Building Size

Width:	40 ft.
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Overhang	
- Sides:	0 ft.
- End:	1 ft.

next step >>

Color Selections

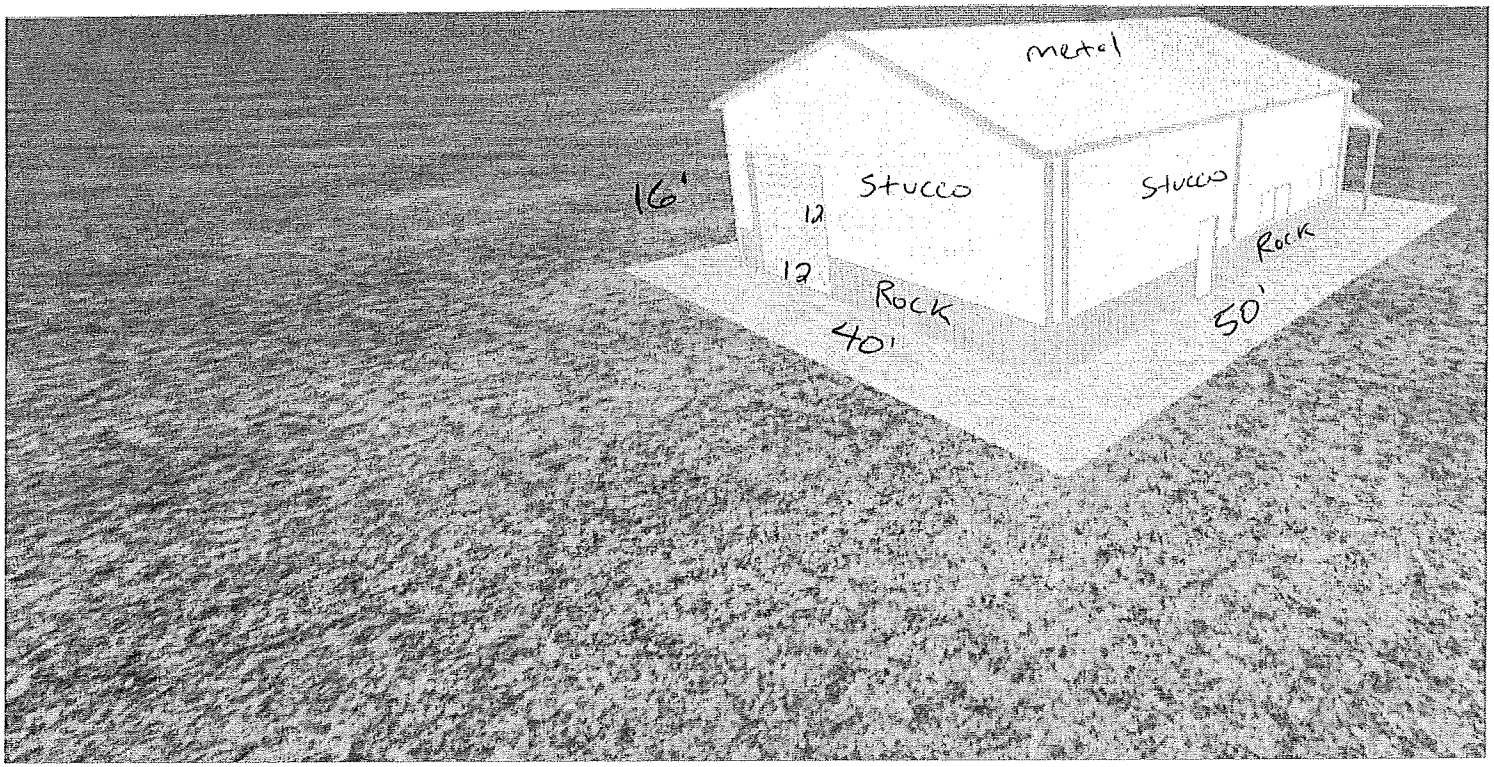
Ridge Vent

Wainscot

Lean-to

Gutter

Add Doors and Windows



WEST AND SOUTH ELEVATION

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 11.

Meeting Date: 07/21/2015

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

Joe Gilbert, Chairman
Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner
Shawn Davis, Commissioner

Requested Action/Proposed Use:

2408 N. TRAVIS STREET

The request of Shane Brem (Owner) and Bub Moore (Representative) concerning the property located at 2408 N. Travis Street, being 0.952 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Site plan and zone change approval from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and a Specific Use Permit to allow a contractor's office under Ordinance No. 2280, Section 12, and Section 8, Subsection (5)(a) in a C-2 (General Commercial) District.

Background:

The property is located at 2408 North Travis Street between Pelton Street and Lamberth Road. There was an existing house on the lot when the owner purchased the property in 2014, it has since been demolished.

The owner would like to change the zoning on the property from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and also request a Specific Use Permit to allow a Contractor's Office at this location. They would like to construct a 40' x 50' showroom for Texoma Roofing & Construction; the exterior will be stucco with rock wainscot. Six parking spaces will be provided on a concrete drive.

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District
R-1 (One Family Residential) District

Origination:

Shane Brem (Owner)
Bub Moore (Representative)

Master Plan Designation:

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Photo
Site Plan
Elevations
Staff Review Letter
Letter from First Assembly of God

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

July 15, 2015

Shane Brem
4316 Peachtree Lane
Denison, TX 75020

Bub Moore
732 N. McKown
Sherman, TX 75092

Dear Applicants,

The request for site plan and zone change approval from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and a Specific Use Permit to allow a contractor's office in a C-2 (General Commercial) District for the property located at 2408 North Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 21, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way.
2. Parking is permitted on paved surfaces only, a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into North Travis Street right-of-way.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Screening is required and to be maintained abutting residentially zoned property.
6. Outdoor storage shall be screened from public view and residential uses.
7. No storage of materials or parking of trailers or vehicles over ¾ ton shall be permitted in the front 25 feet of the lot.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

11. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
12. Detention in accordance with City criteria is required.
13. In 2016 an additional 20' of right-of-way will be acquired by the City; therefore, a 45' setback is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

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

cc: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone: (903) 892-7229
FAX: (903) 892-7274

RECEIVED
JUL 10 2015

July 2, 2015

First Assembly of God
121 W. Pelton St.
Sherman, Texas 75092

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, July 21, 2015 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Shane Brem (Owner) and Bub Moore (Representative) concerning the property located at 2408 N. Travis Street, being 0.952 acres in the J.B. McAnair Survey, Abstract No. 763

The request is as follows:

Planning and Zoning Commission

Site plan and zone change approval from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and a Specific Use Permit to allow a contractor's office under Ordinance No. 2280, Section 12, and Section 8, Subsection (5)(a) in a C-2 (General Commercial) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott Shadden
Secretary, Planning & Zoning Board

No objection to zone change.

Terry Johnson, Pastor
July 8, 2015

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. B. 9.**

Meeting Date: 08/17/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5888, 5892, 5893, 5894, 5895, 5896 and 5897

Issue:

B. 1. **SECOND PUBLIC HEARING OF ORDINANCE NO. 5888**

Providing for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016

B. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5892**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of Electing a Mayor and Two (2) At-Large City Council Members for Said City; Providing That Said Election Shall be Held Jointly with Grayson County, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

B. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5893**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of the Reauthorization of the Local Sales and Use Tax at the Rate of One-Eighth of One Percent (1/8%) to Continue Providing Revenue for Maintenance and Repair of Municipal Streets; Providing that Said Election Shall be Held Jointly with Grayson County, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

B. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5894**

Calling a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 3rd day of November, 2015, for the Purpose of Amending the City Charter of the City of Sherman, Texas; Providing for Notice of Said Election; Designating Election Precincts; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting

B. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5895**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow a Plant Food Formulation Facility in a C-2 (General Commercial) District and Central Business District at 401 North Walnut Street, being 1.334 acres in the J.B. McAnair Survey, Abstract No. 763 and also being the Proposed Lot 2, Ball DPF Addition (Ball DPF, LLC, Owners; Chance Finch, Representative; and Underwood Drafting and Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5896**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow Auto Accessory Sales, Installation and Repairs in a C-2 (General Commercial) District at 2407 North Travis Street, being 1.85 acres in the J.B. McAnair Survey, Abstract No. 763 (Ridlehuber Partners LTD, Owners; and Rod Tatchio, Architect); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5897**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280 so as to Grant a Specific Use Permit to Allow a Contractor's Office in a C-2 (General Commercial) District at 2408 North Travis Street, being 0.952 acres in the J.B. McAnair Survey, Abstract No. 763 (Shane Brem, Owner; and Bub Moore, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. B. 10.**

Meeting Date: 08/17/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

TABLED AT THE AUGUST 3, 2015 CITY COUNCIL MEETING:

ADOPTION OF ORDINANCE NO. 5889

Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", Article 4.14, entitled "Alcoholic Beverages", at Division 2, entitled "Lawful Consumption", Section 4.14.034, entitled "Hours of Operation", and at Division 3, entitled "Unlawful Consumption", Section 4.14.066, entitled "Sale of Alcoholic Beverages During Extended Hours by Private Club Permittee", to Provide for Extended Hours for the Sale of Alcohol pursuant to the Texas Alcoholic Beverage Code

Issue:

This ordinance was tabled following the public hearing portion of the August 3, 2015 City Council meeting. A motion and order are required to remove the ordinance from the table and permit its consideration under Adoption of Ordinances.

To extend the hours for the sale of alcoholic beverages within the Sherman city limits

Background:

The Texas Alcoholic Beverage Code sets the hours of operation for businesses permitted to sell alcohol. Under the statute, businesses in cities and counties of a certain population may apply for an extended hours permit for the sale of alcohol until 2 am. Cities and Counties not meeting the population requirements may adopt the extended hours by ordinance. If adopted, this Ordinance would allow businesses who secured an extended hours permit from the Texas Alcoholic Beverage Commission to conduct alcohol sales until 2 am each morning.

At the August 3rd City Council meeting, after the Ordinance was introduced and the public hearing was held, the City Council directed staff to research the following issues and bring the Ordinance back at the next City Council meeting.

- Can the City Council be specific on the hours?
- Can the Council extend hours only on Fridays and Saturdays?
- Can the Council "undo" the ordinance extending the hours for alcohol sales if needed?
- From a public safety or law enforcement standpoint, what happens between 12 midnight and 2 am?

The City Attorney has performed the requested research and will provide the Council with his findings.

Origination:
Councilman Jason Sofey

Financial Consideration:
There is no financial impact to be considered.

Staff Recommendation:
As directed by the City Council.

Alternatives:
The Council could leave the code provisions as they are now.

Attachments

Ordinance No. 5889

ORDINANCE NO. 5889

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", ARTICLE 4.14, ENTITLED "ALCOHOLIC BEVERAGES", AT DIVISION 2, ENTITLED "LAWFUL CONSUMPTION", SECTION 4.14.034, ENTITLED "HOURS OF OPERATION", AND AT DIVISION 3, ENTITLED "UNLAWFUL CONSUMPTION", SECTION 4.14.066, ENTITLED "SALE OF ALCOHOLIC BEVERAGES DURING EXTENDED HOURS BY PRIVATE CLUB PERMITTEE", TO PROVIDE FOR EXTENDED HOURS FOR THE SALE OF ALCOHOL PURSUANT TO THE TEXAS ALCOHOLIC BEVERAGE CODE; 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 4, Article 4.14, Division 2 of the Code of Ordinances of the City of Sherman, Texas, be amended at Section 4.14.034 so that such section shall read as follows:

ARTICLE 4.14 ALCOHOLIC BEVERAGES
Division 2. Lawful Consumption

Sec. 4.14.034 Hours of operation

~~Extended hours for the sale of alcoholic beverages are prohibited.~~

(a) A mixed beverage permittee may sell and offer for sale mixed beverages between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell mixed beverages between midnight and 1:00 a.m. and between 10 a.m. and midnight, except that an alcoholic beverage served to a customer between 10 a.m. and 12 noon on Sunday must be provided during the service of food to the customer.

(b) Pursuant to the Texas Alcoholic Beverage Code § 105.03(d)(2), a holder of a mixed beverage late hours permit may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.

(c) A person may sell, offer for sale, or deliver beer and wine between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell beer between midnight and 1:00 a.m. and between noon and midnight, except that permittees or licensees authorized to sell for on-premise consumption may sell beer between 10:00 a.m. and noon if the beer is served to a customer during the service of food to the customer.

(d) Pursuant to Texas Alcoholic Beverage Code § 105.05 (d)(2), a holder of a retail dealer's on-premise late hours license may also sell, offer for sale, and deliver beer and wine between midnight and 2 a.m. on any day.

SECTION 2. That Chapter 4, Article 4.14, Division 3 of the Code of Ordinances of the City of Sherman, Texas, be amended at Section 4.14.066 so that such section shall read as follows:

ARTICLE 4.14 ALCOHOLIC BEVERAGES
Division 3. Unlawful Consumption

Sec. 4.14.066 Sale of alcoholic beverages during extended hours by private club permittee

~~Extended hours for the sale of alcoholic beverages are prohibited.~~

(a) A mixed beverage permittee may sell and offer for sale mixed beverages between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell mixed beverages between midnight and 1:00 a.m. and between 10 a.m. and midnight, except that an alcoholic beverage served to a customer between 10 a.m. and 12 noon on Sunday must be provided during the service of food to the customer.

(b) Pursuant to the Texas Alcoholic Beverage Code § 105.03(d)(2), a holder of a mixed beverage late hours permit may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.

(c) A person may sell, offer for sale, or deliver beer and wine between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell beer between midnight and 1:00 a.m. and between noon and midnight, except that permittees or licensees authorized to sell for on-premise consumption may sell beer between 10:00 a.m. and noon if the beer is served to a customer during the service of food to the customer.

(d) Pursuant to Texas Alcoholic Beverage Code § 105.05 (d)(2), a holder of a retail dealer's on-premise late hours license may also sell, offer for sale, and deliver beer and wine between midnight and 2 a.m. on any day.

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 or 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 _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. B. 11.**

Meeting Date: 08/17/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

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

Issue:

C. 5. **** RESOLUTION NO. 6001***

Authorizing Execution of an Agreement with Tobar Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1114 East Chaffin Street

C. 6. **** RESOLUTION NO. 6002***

Authorizing Execution of an Agreement with Tobar Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 805 North Branch Street

D. 1. **** CHANGE ORDER NO. 1***

Loy Lake Road and Sara Swamy Drive Improvements Project; 03 Concrete Contractors, LLC; $8,295.67 Increase

E. 3. **** OTHER BUSINESS***

Final Plat Approval of the Ball DPF Addition, being 1.844 acres in the J.B. McAnair Survey, Abstract No. 763; Ball DPF, LLC and Dennis Halliburton, Owners; and Underwood Drafting and Surveying, Surveyor (401 North Walnut Street and 311 East Mulberry Street)

E. 5. **** 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 Festival" on Saturday, September 12, 2015

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 5997

Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 3, 2015

Issue:

To approve an agreement for a Joint Election between the City of Sherman and Grayson County on November 3, 2015

Background:

The City's Regular Municipal Election is held on the first Tuesday after the first Monday in November of each year. The City's Elections are held in conjunction with the Grayson County Election, which will allow for one ballot and make voting easier for the citizens. It also reduces the cost of holding the Election for the City.

Origination:

The request originated with the City Clerk's Office.

Financial Consideration:

Last year the City was able to cancel their Election, but cost for the Election in 2013 was $13,295.00. Funding is available in the proposed fiscal year (FY) 2016 budget currently under consideration.

Staff Recommendation:

It is recommended that the City Council approve the Joint Election Agreement.

Alternatives:

The alternative is for each entity to conduct its own Election.

Attachments

Resolution No. 5997

Joint Election Agreement

RESOLUTION NO. 5997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 3, 2015; 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 Mayor be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Grayson County, Texas, to hold a joint election on November 3, 2015, in accordance with the terms and provisions of the agreement attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

JOINT ELECTION AGREEMENT

THE STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF GRAYSON §

PARTIES

THIS AGREEMENT is entered into by and between the **CITY OF SHERMAN** (CITY) and **GRAYSON COUNTY** (COUNTY) under the authority of Section 271 of the Texas Election Code.

PURPOSE

CITY and COUNTY hereby contract and agree to hold a joint election on the 3rd day of November, 2015, and thereby reduce their costs, expenses and manpower requirements.

DESIGNATION OF VOTE CENTERS

CITY and COUNTY shall designate, secure, and share common vote centers.

COMMON BALLOT

CITY and COUNTY shall share a common ballot, wherever possible. Precincts that will include the City of Sherman Ballot are 101, 102, 103, 104, 106, 108, 301, 302, 303, 304, 305, 405, 408 and 409.

CITY shall provide ballot language and ballot order to COUNTY in English and Spanish on or before August 26, 2015. CITY will proof all ballot language before ballots are printed.

SUPPLIES AND EQUIPMENT

For the performance of duties and services and the providing of equipment and supplies the City shall pay the County for the actual expenses incurred which are directly attributable to the City's Election, in accordance with Section 31.100, Texas Election Code, including without limitation, the costs and expenses of election supplies, newspaper notice publication, use of voting machines and equipment, wages and salaries of all election workers, programming the ballot, ballot printing costs, logic and accuracy testing, voting machines and equipment transportation.

City's total cost shall not exceed one-fourth (1/4) of County's cost for each of the fourteen (14) City precincts.

For the performance of duties and services and the providing of equipment and supplies under Paragraph 1 above, the City shall pay the County a fee of 10% of the total amount of the contract (but not less than $75) in accordance with Section 31.100(d), Texas Election Code.

JOINT ELECTION CLERKS

The City Clerk and Grayson County Elections Administrator shall serve as Joint Election Clerks for the election. Each will be custodian of records for their particular entity. Forms and records for the election will be combined wherever possible and stored jointly. In instances where common ballots are used, the County Elections Administrator will serve as custodian for those common ballots and common records.

PAYMENT OF ELECTION JUDGES, CLERKS AND WORKERS

COUNTY will be responsible for appointing all election judges, clerks, and workers necessary for this joint election. COUNTY shall be responsible for and shall pay for all such costs and expenses of the election judges, clerks, and workers for the joint election.

LEGAL NOTICES

COUNTY shall publish all legal notices required by law for the joint election. If the CITY chooses to publish additional notices they will do so at their own expense.

EARLY VOTING

Early Voting shall be held during the period of October 19, 2015, through October 30, 2015.

The COUNTY'S Regular Early Voting Clerk is hereby appointed and shall serve as the Joint Early Voting Clerk. The Joint Early Voting Clerk shall conduct and supervise the Early Voting procedures of those individuals making an Early Vote by personal appearance.

The Joint Early Voting Clerk will process all requests for applications for mail ballots. The Joint Early Voting Clerk shall (1) mail an application for such ballot; (2) verify qualifications to vote as stated on the application; (3) mail a ballot to the applicant; (4) receive the mailed-in ballot; (5) verify the information appearing on the outside of the Early Voting mail ballot envelope; and (6) process the ballot as required by law.

CANVASSING THE RETURNS

CITY and COUNTY shall be responsible for canvassing their own returns at their own expense.

BINDING AUTHORITY

By their signatures below, the individuals represent that they have express authority to enter into this agreement.

EFFECTIVE DATE

This agreement shall become effective upon its signing and approval of the respective City Council and County Commissioners Court.

LAST SIGNED this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER
MAYOR

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED:

_____
BRANDON S. SHELBY
CITY ATTORNEY

GRAYSON COUNTY, TEXAS

BY: _____
BILL MAGERS
COUNTY JUDGE

ATTEST:

BY: _____
WILMA BUSH
COUNTY CLERK

APPROVED:

BY: _____
VAN PRICE
ASST. DISTRICT ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 5998

Supporting the Appointment of New Federal Judgeships for the Sherman Division of the Eastern District of Texas Sitting at Sherman, Texas, with Strong Preference Being Given to Nominees Residing in Grayson County, Texas

Issue:

Supporting the appointment of new Federal Judgeships for the Sherman Division of the Eastern District of Texas sitting at Sherman and recommending members of the Grayson County Bar Association, residing in Grayson County, be considered

Background:

On August 4, 2015, the Grayson County Bar Association hosted a large gathering of leaders from throughout the Eastern District of Texas to consider and plan for the economic impact of judicial infrastructure inadequate to match the brick and mortar infrastructure which will support an anticipated 1.5 to 2 million person influx forecast by the Texas State Demographer in 2014. Another sixteen million more Texans are projected in the next decade, much of this population pouring into the Sherman Division of the Eastern District of Texas.

To meet the needs of this increased burden and caseload on our Federal Court System and to help alleviate the current three times (3X) national average weighted case load that grows larger every day that our current Federal Judges are experiencing, the City is being asked to support the appointment of new Federal Judgeships for the Sherman Division of the Eastern District of Texas sitting at Sherman.

At the Mayor's request, a resolution in support of this initiative has been added to the agenda.

Origination:

Mayor Carolyn S. Wacker

Financial Consideration:

There is no financial impact to approving this resolution.

Staff Recommendation:

It is recommended that the Council approve the resolution and pledge its support for this initiative.

Alternatives:

The Council could choose not to support this initiative.

Attachments

Resolution No. 5998

RESOLUTION NO. 5998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, SUPPORTING THE APPOINTMENT OF NEW FEDERAL JUDGESHIPS FOR THE SHERMAN DIVISION OF THE EASTERN DISTRICT OF TEXAS SITTING AT SHERMAN, TEXAS, WITH STRONG PREFERENCE BEING GIVEN TO NOMINEES RESIDING IN GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, at the December 2, 2013 meeting, the City Council of the City of Sherman, Texas, supported the nomination and confirmation of a Federal Judicial nominee for the Sherman Division of the Eastern District of Texas sitting at Sherman, Texas, with strong preference being given to a nominee residing in Grayson County, Texas; and

WHEREAS, Judge Amos Mazzant was sworn in to fill the long-vacant Eastern District‘s Sherman Division Federal Judgeship vacancy in December 2014; and

WHEREAS, leaders from throughout the Eastern District of Texas (stretching from Beaumont/Port Arthur through Lufkin, Marshall, and Tyler to Texarkana over to Gainesville in the Sherman Division, including Plano, Allen, Fairview, McKinney, Frisco, Denton, Denison and Sherman) gathered to consider and plan for the economic impact of judicial infrastructure inadequate to match the brick and mortar infrastructure which will support an anticipated 1.5 to 2 million person influx forecast by the Texas state demographer in 2014; and

WHEREAS, another sixteen million more Texans are projected in the next decade, much already pouring into the Sherman Division of the Eastern District of Texas, with Collin, Denton and Grayson Counties as chief components; and

WHEREAS, the Sherman Division of the Eastern District of Texas, with its two Federal Judgeships, is projected to overtake the population of the Dallas Division of the Northern District, with its seven Federal Judgeships, in fifteen to twenty years; and

WHEREAS, two of our Federal District Judges now travel 650-700 miles round trip from Beaumont to handle the Sherman Division Federal Court sitting at Plano, Texas; and

WHEREAS, our Federal Judges have a three times (3X) national average weighted case load of 1,550 cases; that load is growing larger every day and could increase if Judge Schneider in Tyler, Texas decides to retire or take senior status; and that is before any heavy increase in the population; and

WHEREAS, the Judicial infrastructure is stressed; and the advent of cyber crime and drug cartel activity is growing the criminal docket; and

WHEREAS, the existing Federal Courthouse in Sherman, Texas can accommodate another Federal Judge so there is no need for a new Federal Courthouse to be constructed; and

WHEREAS, the significance of the creation of new Federal Judgeships to our community cannot be measured fully in either economic or judicial terms, but is observable through the presence of hundreds of jobs directly and indirectly connected to the Federal judicial presence in Sherman and the surrounding communities; and

WHEREAS, any of several qualified members of the Grayson County Bar Association residing in Grayson County would, if nominated, offer us the greatest practical assurance of a continuous Federal Judicial presence for many years, helping to alleviate the increasing burden and caseload and to expedite the judicial process within our District, providing much needed efficiency and structural stability to a fundamental institution of our government;

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

SECTION 1. That the City Council of the City of Sherman, Texas, hereby respectfully urges the United States Congress to appoint additional Federal Judgeships to the Sherman Division of the Eastern District of Texas sitting in Sherman, Texas, with strong preference being given to nominees residing in Grayson County, Texas.

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 _____, 2015.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

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

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 5999

Authorizing the Execution of a Contract Amendment with Nathan D. Maier Consulting Engineers, Inc. for the Design of the Kessler Blvd. Erosion Repair Project

Issue:

A contract amendment for professional services with Nathan D. Maier Consulting Engineers, Inc. to design the Kessler Blvd. Erosion Repair Project

Background:

The City of Sherman experienced an inordinate amount of rainfall this past spring that has caused a plethora of issues. Among the issues that we have experienced is a slope failure that occurred on Kessler Blvd. on May 10, 2015. Because of the severe nature of the landslide and the danger that it posed to the health, safety and welfare of the residences that front the roadway, engineering on the project proceeded on a hourly basis in accordance with the contract with Nathan D. Maier Consulting Engineers, Inc. for the design of the Fallon Drive Bridge and Hunt Street Erosion Repair Projects. This contract was approved by the City Council on June 2, 2014. In order to be transparent, staff is requesting approval of this Resolution to authorize execution of an amendment to the contract with Nathan D. Maier Consulting Engineers, Inc. to include the design of the Kessler Blvd. Erosion Repair Project.

Origination:

Engineering Department

Financial Consideration:

The fee for engineering services will be $102,700.00, with funding available in the Capital Improvement Program Fund.

Staff Recommendation:

It is recommended that the contract amendment for professional engineering services with Nathan D. Maier Consulting Engineers, Inc. to design the Kessler Blvd. Erosion Repair Project be approved.

Alternatives:

Those as may be directed by the City Council

Attachments

Resolution No. 5999
Contract Amendment
Location Map

RESOLUTION NO. 5999

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH NATHAN D. MAIER CONSULTING ENGINEERS, INC. FOR THE DESIGN OF THE KESSLER BLVD. EROSION REPAIR PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract amendment with Nathan D. Maier Consulting Engineering, Inc. for the design of the Kessler Blvd. Erosion Repair Project in accordance with all contract documents attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

BY: _____
CAROLYN S. WACKER,
MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

NATHAN D. MAIER
CONSULTING ENGINEERS, INC.

Two Park Lane Place
8080 Park Lane, Suite 600
Dallas, TX 75231
(P) 214.739.4741
(F) 214.739.5961
Texas Reg. No. F-356
www.ndmce.com
WBE/HUB

Exhibit "A"

July 14, 2015

Mr. Clay Barnett, P.E.
Director of Public Works and Engineering
220 W. Mulberry Street
P. O. Box 1106
Sherman, Texas 75091

RE: Kessler Blvd. Erosion Improvements – Contract Amendment

Dear Mr. Barnett:

Pursuant to your request, Nathan D. Maier Consulting Engineers, Inc. (NDM) is pleased to submit this proposal to the City of Sherman to provide services for performing design and preparing construction plans and documents to provide erosion control improvements at the Kessler Blvd. to address recent erosion conditions.

The proposed scope of services is described below.

SCOPE OF SERVICES

The proposed scope of services includes the design and plan preparation as defined by the following tasks.

Task 1 - Coordination and Meetings

NDM will provide overall coordination for the project. This will include coordination with the City of Sherman staff during the project. All meetings will be conducted via teleconference.

Task 2 – Data Collection and Field Reconnaissance

NDM will collect and review information necessary to complete the design for the erosion control improvements and protection at the project area. The City shall provide available topographic data (in digital format), bridge record drawings, water line plans, other utility information within the identified project areas, right-of-way information, and available hydraulic model for Post Oak Creek. A field reconnaissance will be performed for the project sites to identify current conditions and evaluate potential improvement considerations.

Task 3 – Field Survey and Geotechnical

NDM will perform detailed field survey within the project areas. The survey shall include information required to prepare a topographic map with 1' vertical contours at a scale of 1"=20'. The survey shall include the following at the project areas.

1. Detailed survey that will include the following:
   a. Channel area from the flowline to the top of bank along Kessler Blvd. The survey is limited to a distance from the downstream face of N. Wood Street to the downstream face of W. Pecan Street.
   b. Survey of Kessler Blvd. from the back of curb to back of curb, adjacent to the project area.
   c. Survey of opposite bank, from Kessler Blvd., to a location approximately 10-feet from top of slope.
2. Locate and identify all trees 6-inches and larger in caliper within the proposed improvement area.
3. Locate and establish current right-of-way and easement limits and adjacent property boundaries as required for the proposed improvements.

Geotechnical services shall be provided for this project area. This shall include 5 borings within the project area, adjacent to Kessler Blvd.. The report will identify the parameters required for the design of the improvements, including a slope stability analyses.

Task 4 – Hydrologic Analysis

NDM will review the hydrologic model previously developed for Post Oak Creek and summarize flood discharges for 10- and 100-year flood events from the available model. The services do not include the development of additional hydrologic data.

Task 5 – Hydraulic Analysis

Based on the field survey information, NDM shall revise the existing hydraulic model for Post Oak Creek. The hydraulic analyses shall be performed for the flood discharges summarized in Task 4. The hydraulic model will be reviewed through the project area and revised based on available data. Additional cross-sections will be added to the model as required for analyzing the proposed improvements. The use of the field survey data will more accurately reflect the hydraulic conditions within the project areas. The results from the HEC-RAS model will provide the following information:

1. Revised flood elevations within the channel and surrounding areas.
2. Channel velocities distributions, as required for design purposes.
3. Information on the tractive forces during flood events.

Task 6 – Concept Design Analysis and Concept Plan

NDM will perform conceptual design analyses for the erosion control improvements within the project area. The purpose of the project shall be to stabilize the existing channel banks and to protect the project area from the erosive forces. The design analysis shall include the following:

1. Review updated hydraulic analyses related to erosive conditions. Perform concept modeling to establish alternative options.
2. Perform concept analysis of options to include:
   a. Slope stability improvements to include possible retaining walls or slope armoring.
   b. Preliminary structural design for concept improvements.
   c. Consider stabilization of stream banks and stream bottom along the Kessler Blvd. side only.
   d. Impact of adjacent utilities.
3. Identify permitting requirements.
4. Identify easement and permitting issues.

Based on the concept analysis, NDM shall develop a concept plan layout for the recommended improvements. Based on the proposed concept plan, NDM shall identify the approximate areas that may be required for permanent easements, maintenance and access easements, and temporary construction issues.

NDM shall document the results of the design analysis in a letter to the City of Sherman. This documentation shall address the possible permitting requirements for the project areas and shall include a conceptual opinion of probable construction cost.

Task 7 - Plans and Specifications

NDM will review the concept plan with the City of Sherman and address any necessary revisions. Once the concept plan has been accepted by the City, then NDM will begin the preparation of a set of construction plans for the project areas. As a part of the plans and specifications phase, the hydraulic models developed in the concept phase will be updated to include any revisions from the concept plan for the final hydraulic models.

The construction plans will detail necessary erosion protection, project details, description of project materials, and traffic control plan. The general project plan will be developed at a scale of 1"=20'. A half-scale set of the project plans will be provided along with a full set of plan drawings. Structural design services will be provided for the improvements. Contract documents will also be developed which include the project technical specifications for the project area. The contract documents will include appropriate bid alternative options. Contract documents will be developed based on City of Sherman standard conditions and TxDOT standards, as appropriate.

Three (3) sets of construction plans will be submitted to the City for review and comment to allow for revisions related to construction detail. NDM will also develop an opinion of probable construction costs during this project phase. NDM shall be provided one reproducible set of drawings, a pdf copy of the drawings, and an original for the contract documents and specifications

for bidding purposes. It is understood that the plans for the Kessler Blvd. improvements will be bid with the plans for Fallon Drive.

Task 8 – Permitting

NDM shall provide services to the City of Sherman related to regulatory permitting. The possible permitting entities included FEMA, the U. S. Army Corps of Engineers (USACE) for a 404 permit, and Texas Historical Commission.

Preliminary conversations with Dale Hoff, at FEMA Denton, indicated that as long as there is no rise in the base flood elevation (BFE), then a CLOMR or LOMR will not be required by FEMA. This scope assumes that improvements can be designed that will not raise the BFE and will not require any FEMA submittal.

Post Oak Creek will be jurisdictional waters of the U.S. and improvements will require a 404 permit. The scope includes establishing the limits of jurisdictional waters for the project area. This jurisdictional determination shall be submitted to the U. S. Army Corps of Engineers (USACE) for review and approval. The services will also include a Threatened and Endangered Species review and pedestrian review of possible historical impacts. NDM will submit documents for a Nationwide Permit 14 for Linear Transportation Projects or another appropriate nationwide permit. NDM shall provide coordination services with the USACE during the permitting activity. As a part of the 404 permitting, NDM will identify any mitigation that may be required for the project area. This will include the off-site mitigation required for the project.

NDM will also submit a letter to the Texas Historical Commission related to the survey findings. The services do not include detailed review and services related to historical artifacts.

Task 9 - Bidding Phase

Not included.

Task 10 – Construction Review Services

Not included.

COMPENSATION

Engineering services to be completed will be performed on an hourly basis. The projected fee of $102,700 and the following fee breakdown is provided for information purposes only and does not represent the final compensation that may be required for each task or the overall project.

Task 1 - Coordination and Meetings	$ 1,950
Task 2 – Data Collection and Field Reconnaissance	$ 1,800
Task 3 – Field Survey and Geotechnical	$ 35,750
Task 4 – Hydrologic Analysis	$ 500

Task 5 – Hydraulic Analysis	$ 3,100
Task 6 – Concept Design Analysis and Concept Plan	$ 11,000
Task 7 - Plans and Specifications	$ 39,900
Task 8 – 404 Permitting	$ 8,500
Reimbursable	$ 200
TOTAL	$102,700

ADDITIONAL SERVICES

The scope of services defines the work to be completed under this contract. The City of Sherman may request additional services to be performed, which could include, but is not limited to the following:

1. Any preparation for, or participation at neighborhood meetings.
2. Any services related to preparation of additional easement documents or property acquisition documents.
3. Submittal for an individual 404 permit for the proposed project improvements.
4. Services related to regulatory permitting for a CLOMR and/or LOMR.
5. Services related to detailed review, investigations, and additional permitting required by the Texas Historical Commission or for threatened and endangered species.
6. Changes in project approach after acceptance of the concept plan approach.
7. Any assistance during the bidding and construction phase services.

We are pleased to have the opportunity to submit this proposal to the City of Sherman and look forward to serving the City on this project. If you have any questions about this proposal, I would be pleased to discuss them with you at your convenience.

Sincerely,

NATHAN D. MAIER
CONSULTING ENGINEERS, INC.

William L. Wallace, P.E.
Executive Vice President

This proposal is accepted:

By:_____ Date:_____

Title: City Manager

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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

1 in = 100 ft

N

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

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

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6000

Authorizing the Execution of a Contract Amendment with Kimley-Horn and Associates, Inc. for the Design of the Loy Lake Road from Buck Owens Freeway (US 82) to Sara Swamy Improvement Project

Issue:

Approval of a contract amendment for professional services with Kimley-Horn and Associates, Inc. to design the Loy Lake Road Improvement Project, from Buck Owens Freeway (US 82) to Sara Swamy

Background:

Included in the Capital Improvement Program 2015-2020 is $2,540,000.00 for the Loy Lake Road from Buck Owens Freeway (US 82) to Sara Swamy Improvement Project. This section will replace the last stretch of asphalt for Loy Lake Road, between Taylor Street on the south and US 75 on the north. The proposed four-lane roadway section includes a landscaped median complete with street lights. The design of the project includes improving the traffic light at Gallagher Road and design for a new traffic light at Pecan Grove Road.

Origination:

Engineering Department

Financial Consideration:

The fee for engineering services will be $183,500.00, with funding available in the Capital Improvement Program Fund.

Staff Recommendation:

It is recommended that the contract amendment for professional engineering services with Kimley-Horn and Associates, Inc. to design the Loy Lake Road from Buck Owens Freeway (US 82) to Sara Swamy Improvement Project be approved.

Alternatives:

Those as may be directed by the City Council

Attachments

Resolution No. 6000
Contract Amendment
Cross Section
Location Map

RESOLUTION NO. 6000

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE DESIGN OF THE LOY LAKE ROAD FROM BUCK OWENS FREEWAY (US 82) TO SARA SWAMY IMPROVEMENT PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract amendment with Kimley-Horn and Associates, Inc. for the Design of the Loy Lake Road from Buck Owens Freeway (US 82) to Sara Swamy Improvement Project in accordance with all contract documents attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

BY: _____
CAROLYN S. WACKER,
MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

Kimley»Horn

August 11, 2015

Mr. Clay Barnett, P.E.
Director of Public Works and Engineering
City of Sherman
220W. Mulberry Street
Sherman, TX 75090

Re: Loy Lake Road Project
Contract Amendment

Dear Mr. Barnett:

Kimley-Horn and Associates, Inc. ("Kimley-Horn") is pleased to submit this Contract Amendment to the City of Sherman. ("City") for providing professional engineering services for the Loy Lake project. The scope of services described below will be a supplement to City of Sherman Agreement for Professional Services with Kimley-Horn dated May 4, 2015 and approved by the City Council by Resolution No. 5970.

Project Understanding

The project includes preparation of construction plans and project manual for Loy Lake Road from Sara Swamy Drive to US Hwy 82 (approximately 2,400 linear-feet) in the City of Sherman. The improvements include paving (4-lane divided concrete curb and gutter), sidewalks (east side only), roadway drainage (tie to existing system), 8" water line from Gallagher to US Hwy 82, pavement marking and signage, structural design of retaining walls, traffic signals at Loy Lake/Pecan Grove and Loy Lake/Gallagher, median lighting (including electrical design), and median landscaping and irrigation from Pecan Grove to US Hwy 82. The project also includes developing bid alternate construction plans and specifications for replacing the existing asphalt pavement with concrete pavement at the intersections of Loy Lake/LaSalle/WB US Hwy 82 frontage road, and Loy Lake/EB US Hwy 82 frontage road.

In addition to design services, the scope also includes: property research and topographic survey from Sara Swamy to Pecan Grove; supplementing the survey previously performed under a separate agreement between Underwood Drafting and Survey and the City (to be provided to KHA and relied upon for design) from Pecan Grove to US Hwy 82 (if required); ROW and easement instruments of conveyance; preparation of conceptual exhibits of offsite improvements for use in coordination with adjacent property owner's (including potential modifications to Sam's Club access and potential cul-de-sac options at the southern Bordeaux Street); traffic counts along the corridor and at key intersections for use in determining intersection and traffic signal improvements; providing bidding documents for the City's use during the bidding phase; construction phase services (primarily for review of traffic signal Shop Drawings); and preparation of Record Drawings.

Scope of Services

1. **Survey**
   - 1.1. Property Research
     - 1.1.1 Collect property owner and record information
     - 1.1.2 Gather existing plat information

1.1.3 Gather existing right-of-way and easement information. Identify easements available through typical research methodologies (i.e. plats, court house filings, etc.). Undocumented easements may not be identified.

1.2. Design Survey

1.2.1 City to provide full topographic survey from Pecan Grove to US Hwy 82 and SUE data (to be relied upon for design). KHA will supplement the survey from Pecan Grove to US Hwy 82 utilizing a subconsultant (Underwood Drafting and Surveying).

1.2.2 Perform new topographic survey along Loy Lake Road from Sara Swamy to Pecan Grove utilizing a subconsultant (Underwood Drafting and Surveying). The survey will include the existing right-of-way width (approx. 80') plus an additional 10' outside of the right-of-way lines. Survey will identify and locate existing topographic elements within the roadway corridor including, but not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Driveways
- Existing storm sewer inlets, manholes, junction boxes (including culvert sizes and invert elevations)
- Existing driveway culverts and swales
- Utility manholes, vaults, water valves, water meters, sprinkler heads, telephone poles, power poles, utility markers, other public utilities, and franchise utilities
- Traffic signal poles, cabinets, and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (for 6" caliper and up) and landscaping
- Permanent structures
- Retaining walls
- Mailboxes
- Fence limits and material types (excluding temporary fences)

1.2.3 Coordinate with DIG TESS to locate and mark existing franchise and public utilities prior to performing the field survey

1.2.4 Establish horizontal (NAD 83) and vertical (NAVD 88) control points. City to provide established monument information for the area.

1.2.5 The City will arrange and make all provisions for access to perform the services specified within this scope. The surveyor will provide the City with the name and address of the property owners.

1.2.6 Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field as well as right-of-way strip map information, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions

2. Right-of-Way / Easement Instruments of Conveyance

2.1. Prepare right-of-way instruments (narrative and graphic exhibits of right-of-way takes) and setting new property corners in the field

2.1.1 Up to two (2) parcels (corner clips for traffic signal equipment, etc.)

2.2. Prepare easement instruments (narrative and graphic exhibits of easements required for walls, slope, temporary construction, etc.)

2.2.1 Up to ten (10) parcels

2.3. Individual parcel exhibits will be on 8 ½"x11" paper, will be sealed, dated, and signed by a Registered Professional Land Surveyor and will contain the following:

2.3.1 Parcel number

2.3.2 Area required
2.3.3 Area remaining
2.3.4 Legal description
2.3.5 Current owner
2.3.6 Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
2.3.7 All physical features
2.3.8 Metes and bounds description of parcel to be acquired. The description will be provided on a separate sheet from the exhibit. Each type of easement will be described separately.

2.4. Upon written notification by the City of acceptance of the exhibits and instruments, and as directed by the City, the surveyor will set all corners and points of curvature for the proposed right-of-way and submit final sealed plans and exhibits, including location of the control points and their NAD 83 reference. This Scope of Services is based upon only being one notice to proceed from City to perform all the field work required to set all property corners at one time.

2.5. Any changes or modifications to the right-of-way or easement documents because of design changes requested by the City will be considered *Additional Services*. *Additional Services* shall be performed only upon written authorization of the City after additional fee has been agreed upon.

3. Preliminary Design (30%)

3.1. Project Meetings, Coordination, and Correspondence
3.1.1 Conduct up to three (3) progress meetings with City staff and other stakeholders.
3.1.2 Coordinate with subconsultants
3.1.3 Prepare and e-mail monthly progress reports to the project team (City and KHA Staff)
3.1.4 Develop project production plan, including documenting design criteria, project schedule, and milestones
3.1.5 Project administration, including preparation of project correspondence and invoicing documents
3.1.6 Project site visits (up to two (2) trips)

3.2. Data Collection (City to provide hard copy and electronic format if available)
3.2.1 Design criteria, standard details, and technical specifications for roadway, drainage, utilities, traffic signals, and streetscape elements (landscape, irrigation, and lighting)
3.2.2 Applicable master plan documents and Ordinances
3.2.3 Record drawings for existing roadway and infrastructure, and adjacent developments
3.2.4 Proposed / existing development plats and traffic impact analysis reports for properties adjacent to the project
3.2.5 Traffic types, counts, wheel loadings
3.2.6 Construction contract template

3.3. Roadway
3.3.1 Prepare up to two (2) preliminary roadway alignment alternatives for City review.
3.3.2 Upon City concurrence of a preferred roadway alignment, KHA will proceed with developing the following:
- Prepare proposed typical sections. City's minimum subgrade and pavement section will be specified. Subgrade and pavement design is not included.

- Prepare preliminary plan and profile (roll plot format, 1"=40' horizontal, 1"=4' vertical scale). Items to be included:
  - Plan
    - Existing right-of-way and easements
    - Existing topography
    - Existing pavement
    - Existing trees to remain (if possible)
    - Existing trees to be removed
    - Existing storm drain locations
    - Existing water line locations
    - Existing sanitary sewer line locations
    - Existing franchise utility locations (relying upon information provided by franchise utilities)
    - Proposed centerline alignment and horizontal curve data
    - Proposed face of curb
    - Proposed medians
    - Proposed driveways
    - Proposed sidewalks (east side only)
    - Proposed storm sewer
    - Proposed traffic signal pole and cabinet locations
    - Proposed retaining wall locations
    - Proposed bid alternate limits
    - Proposed limits of constructions
  - Profile
    - Existing Ground Profile and Proposed Vertical Alignment
- Upon City concurrence and direction, incorporate the preferred options developed under Task 5 (Sam's Club and Bordeaux Street) into the preliminary design submittal.

3.4. Drainage

3.4.1 Drainage improvements will consist of new inlets and laterals to the existing systems only, and will be specified on the paving sheets. Drainage design and analysis is not included.

3.4.2 The design of any offsite drainage improvements will be considered as *Additional Services*. *Additional Services* will be performed only upon written authorization of the City after additional engineering fee has been agreed upon.

3.5. City Utilities

3.5.1 Establish the location of existing public utilities based upon information provided by the City and field survey information

3.5.2 Preliminary plan of a new 8" water main from Gallagher to US Hwy 82.

3.6. Franchise Utilities

3.6.1 Evaluate potential conflicts

3.6.2 Notify the City if any relocations may be required

3.6.3 City will perform the coordination with the franchise utilities if any relocations are required

3.7. Streetscape

3.7.1 Conceptual Design

- Identify hardscape and softscape options for City review and input.
- Prepare conceptual exhibit. Conceptual exhibit will identify locations for special paving opportunities, plant material types, and xeriscaping options.

- Upon City review of Streetscape Conceptual Design, proceed with Hardscape and Softscape preliminary design.

3.7.2 Hardscape
- Pedestrian Facilities: Locate pedestrian sidewalk (east side only)
- Special Paving: Locate and designate material for specialty paving areas (medians, crosswalks, etc.)

3.7.3 Softscape: Median landscape and irrigation plans from Pecan Grove to US Hwy 82 will be provided during final design.

3.8. Illumination
- 3.8.1 Identity light type and specifications
- 3.8.2 Identify light pole foundation locations
- 3.8.3 Identify electric service connection
- 3.8.4 Prepare photometrics for the City's use

3.9. Traffic

3.9.1 Traffic Signals
- Preliminary design of two (2) permanent traffic signals at Loy Lake/Pecan Grove and Loy Lake/Gallagher
  - Locate pole locations, controller cabinet assemblies, and power sources
  - Locate conduit, ground boxes, and identify cabling requirements
  - Identify detection system equipment requirements
  - Identify emergency pre-emption equipment requirements
  - Identify pedestrian accommodations (crosswalks, ADA barrier free ramps, pedestrian signals, and push-buttons)
  - Prepare preliminary intersection layouts and summary charts for each intersection
  - Prepare list of applicable City and TxDOT design details and standard sheets for inclusion in the plans
  - Prepare list of specifications
- Preliminary design of one (1) temporary traffic signal installation at Loy Lake Road and Gallagher (for construction) will be provided during final design.

3.9.2 Traffic Control Plans (to be prepared by the Contractor and reviewed by City during construction): Develop suggested sequence of construction narrative specifying City's minimum requirements only.

3.9.3 Pavement Markers, Markings, and Signing plans will be provided during final design.

3.10. Compile and prepare a preliminary opinion of probable construction cost for the entire project using recent average unit bid prices which are representative of similar types of construction in the local area

3.11. Preliminary design submittal (30%)

3.11.1 Submit up to three (3) hardcopies to the City for review and comment, including .pdf
- Preliminary roll plot
- Preliminary specifications list
- Preliminary traffic control plan narrative
- Preliminary opinion of probable construction cost

4. Final Design (90%, Final)

4.1. Project Meetings, Coordination, and Correspondence
- 4.1.1 Conduct up to three (3) progress meetings with City staff and other stakeholders.
- 4.1.2 Coordinate with subconsultants

4.1.3 Prepare and e-mail monthly progress reports to the project team (City and KHA Staff)
4.1.4 Develop project production plan, including design criteria, project schedule, and milestones
4.1.5 Project administration, including preparation of project correspondence and invoicing documents
4.1.6 Project site visits (up to two (2) trips)

4.2. Roadway
4.2.1 Incorporate the preliminary design submittal review comments
4.2.2 Prepare plan / profile sheets (22"x34" plan sheets at a scale of 1"=40' horizontal, and 1"=4' vertical). The final bid documents will be 11"x17" plan sheets at a scale of 1"=80' horizontal, and 1"=8' vertical
4.2.3 Analyze driveways within the project and develop driveway profiles as needed. Typically driveways will be defined vertically by spot elevations.
4.2.4 For side street reconstruction more than 100' beyond the main street right-of-way, prepare a plan / profile of the side street improvements. Otherwise, the side street improvements will be defined vertically by spot elevations.
4.2.5 Develop design cross-sections at 50' intervals and at driveway centerlines
4.2.6 In locations where the elevation difference between the roadway and adjacent property warrants, provide design details to construct retaining walls (utilizing applicable TxDOT standards). Structural design of non-standard walls is not included.
4.2.7 Prepare roadway details to clarify intent of design
4.2.8 Compile applicable City and TxDOT standard details. Modify standard details as needed.

4.3. Drainage
4.3.1 Incorporate the preliminary design submittal review comments
4.3.2 Prepare drainage details to clarify intent of design. Compile applicable City and TxDOT standard details.
4.3.3 Create details for connections to existing system (where applicable)
4.3.4 Prepare erosion control plan (1" = 100') sheet.

4.4. City Utilities
4.4.1 Water
- Minor adjustments to existing water valve boxes, etc. will be specified in the plans
- Prepare the plan (no profile) for the 8" water line from Gallagher to US Hwy 82

4.4.2 Sewer
- No sanitary sewer line relocations are included
- Minor adjustments to existing manholes, etc. will be specified in the plans

4.4.3 Prepare utility details to clarify intent of design
4.4.4 Compile applicable City standard details. Modify standard details as needed.

4.5. Franchise Utilities
4.5.1 Evaluate potential conflicts
4.5.2 Notify the City if any relocations may be required
4.5.3 City will perform the coordination with the franchise utilities if any relocations are required
4.5.4 Incorporate the preliminary design submittal review comments
4.5.5 Hardscape

- Pedestrian Facilities: Prepare plans for the pedestrian sidewalk including layout, materials, specifications, and details for construction
- Special Paving: Prepare plans for the special paving areas including layout, types, materials, specifications, and details for construction

4.5.6 Softscape (Pecan Grove to US Hwy 82 only)

- Landscape: Provide median landscape plans, including planting layout, material specifications, planting details and notes.
- Irrigation: Prepare irrigation plans including head locations, piping layout, and material specifications

4.6. Illumination

4.6.1 Provide street light layout, electrical plans, conduit locations, pull box locations, and applicable notes/details

4.6.2 Provide supporting electrical calculations

4.6.3 Provide technical specifications for the light poles and fixture

4.7. Traffic

4.7.1 Traffic Signals

- Design of two (2) permanent traffic signals at Loy Lake/Pecan Grove and Loy Lake/Gallagher Incorporate the preliminary design submittal review comments
  - Finalize the layouts and summary charts for the intersection
  - Finalize the applicable TxDOT and City design details
  - Finalize the specifications
  - Finalize the traffic signal sheets for inclusion in the plans
- Design of temporary signals at Gallagher and Loy Lake
  - Locate timber pole locations, controller cabinet assemblies, and power sources
  - Locate overhead span wire, signal head placement, and identify cabling requirements
  - Identify detection system equipment requirements
  - Identify emergency pre-emption equipment requirements
  - Identify pedestrian accommodations (crosswalks, pedestrian signals and push-buttons)
  - Prepare intersection layouts, summary charts, span wire elevations for the intersections
  - Prepare list of applicable City and TxDOT design details and standard sheets for inclusion in the plans
  - Prepare list of specifications

4.7.2 Traffic Control Plans (to be prepared by the Contractor and reviewed by City during construction):

- Update suggested sequence of construction narrative prepared during preliminary design.
- Compile applicable City and TxDOT standard details.

4.7.3 Pavement Markers, Markings, and Signage Plans

- Prepare pavement markers and marking layouts in accordance with City design standards and the Texas Manual of Uniform Traffic Control Devices (TMUTCD)
- Prepare details to clarify intent of design
- Compile applicable City standard details. Modify standard details as needed.
- Prepare sign layout

- Determine the mounting requirements for each sign or sign cluster based on TxDOT standards.

4.8. Develop cover, sheet index and control sheets

4.9. Prepare general notes and specification data. Identify and prepare special specifications and/or special provisions applicable to the project.

4.10. Compile and update the overall opinion of probable construction cost

4.11. Final design submittal (90%)

4.11.1 Submit up to three (3) hardcopies to the City for review and comment, including .pdf

4.11.2 Submittal shall include the following:

- Final design plans (22"x34" full-size sheets)
- Contract documents including the following (City to supply the front-end documents):
  - City of Sherman standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special provisions
  - Technical specifications
- Opinion of probable construction cost
- Provide a completed application for the City to submit to the Texas Department of Licensing and Regulation (along with one of the plan sets) for review in accordance with to the Elimination of Architectural Barriers Act. The application fees will be paid directly by the City.

4.12. Incorporate the final design submittal review comments

4.13. Prepare the final opinion of probable construction cost

4.14. Final design submittal (Final)

4.14.1 Submit up to three (3) 22"x34" full-size and three (3) 11"x17" half-size sets of plans and specifications to the City, including .pdfs

4.14.2 Submit the final opinion of probable construction cost

4.14.3 Submit a letter of notification to the City stating completion of the design of the project

5. Conceptual Exhibit Preparation and Coordination

5.1. Coordinate with adjacent property owner's upon request, including potential Sam's Club

5.2. Evaluate offsite improvements and impacts to adjacent properties, including Sam's Club access at Gallagher, and potential cul-de-sac options at the southern end of Bordeaux Street.

5.3. Preparation of up to four (4) conceptual exhibits of offsite improvements for the City's use in coordination with adjacent property owner's (including Sam's Club and Bordeaux Street).

6. Traffic Volume Counts

6.1. Collect 24-hour directional tube counts along Loy Lake Road from US Hwy 75 to US Hwy 82 at 1 location (between Gallagher and US Hwy 82). These counts will include the vehicle classification percentages and wheel loadings.

6.2. Collect 12-hour turning movement counts at the following intersections:

6.2.1 Pecan Grove

6.2.2 Gallagher

7. Bid Phase Services

7.1. Print up to twenty (20) sets for bidder distribution

7.2. City will issue bid documents to prospective bidders, maintain list of bidders, tabulate bids received, and evaluate the compliance of bid received.

7.3. Assist the City with issuing addenda as appropriate to interpret, clarify, or expand the bidding documents

8. Construction Phase Services

8.1. Attend the Pre-Construction Meeting.

8.2. Review Traffic Signal Shop Drawings. Review and provide observation of compliance to contract specifications, of or take other appropriate action in respect to Shop Drawings and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

9. Record Drawings

9.1. Prepare project "Record Drawings" based on information provided by the Contractor and/or City as to the actual field placement of the work including any changes or deletions. KHA is not responsible for the accuracy of the information provided by the Contractor and/or the City. KHA will provide the following deliverables:

9.1.1 One (1) set of reproducible (22" x 34") Record Drawings.

9.1.2 One (1) set of blackline (22" x 34") Record Drawings

9.1.3 One (1) set of .pdf file Record Drawings (each sheet will be a separate .pdf file)

10. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis only upon authorization by the City. Such services shall include, but are not limited to, the following:

10.1. Construction staking
10.2. Title Research
10.3. Right-of-Way Strip Map
10.4. Geotechnical Services
10.5. Pavement Design
10.6. Environmental Services
10.7. Traffic Simulations
10.8. Drainage Analysis
10.9. Sanitary Sewer Design

10.10. Renderings or sketches
10.11. Design of any offsite improvements beyond the improvements identified in the scope
10.12. Preparation for and attendance at public meetings
10.13. Furnish additional copies of review documents and/or bid documents in excess of the number of the same identified above
10.14. Assist the City as an expert witness in litigation in connection with the project or in hearings before approving and regulatory agencies
10.15. Redesign to reflect project scope changes requested by the City, required to address changed conditions or change in direction previously approved by the City, mandated by changing governmental laws, or necessitated by the City's acceptance of substitutions proposed by the contractor

Fee and Billing

KHA will perform the services identified in the Scope of Services on either a Lump Sum (LS) or Hourly/Reimbursable (CP) basis in accordance with the following tasks:

Lump Sum (LS)		**Task Fee**
Task 3 – Preliminary Design		$ 51,000
Project Management/Data Collection	*$ 6,000*	
Roadway	*$ 15,500*	
Drainage	*$ 3,500*	
Utilities	*$ 6,000*	
Streetscape	*$ 4,000*	
Illumination	*$ 4,000*	
Traffic	*$ 12,000*	
Task 4 – Final Design		$ 98,000
Project Management	*$ 6,000*	
Roadway	*$ 31,000*	
Drainage	*$ 8,000*	
Utilities	*$ 9,000*	
Streetscape	*$ 10,000*	
Illumination	*$ 10,000*	
Traffic	*$ 24,000*	
Subtotal (LS):		**$149,000**

Hourly/Reimbursable (CP)	**Task Fee (estimated)**
Task 1 – Survey	$ 8,000
Task 2 - Right-of-Way / Easement Instruments of Conveyance	$ 7,000
Task 5 – Conceptual Exhibit Preparation and Coordination	$ 7,500
Task 6 – Traffic Volume Counts	$ 2,500
Task 7 – Bid Phase Services	$ 2,000
Task 8 – Construction Phase Services	$ 2,500
Task 9 – Record Drawings	$ 5,000
Subtotal (CP):	**$ 34,500**
TOTAL:	**$183,500**

KHA will perform the **Lump Sum Tasks** identified in the Scope of Services for a fee of **$149,000.**

KHA will perform **Hourly/Reimbursable Tasks** identified in the Scope of Services on a labor fee plus expense (reimbursable) basis. For your budgeting purposes, we recommend allocating **$34,500** for these tasks (not-to-exceed). The fee breakdowns above are provided for budgeting purposes only and not intended to represent the maximum budgets for each task. KHA reserves the right to reallocate the budgets as necessary. Direct reimbursable expenses (subconsultant fees, out-of-house printing, courier services, etc.) will be billed at a rate of 1.10 times cost. Labor fee will be billed on an hourly basis per the current hourly rates, which is subject to annual adjustment. A percentage of labor fee (6%) will be added to each invoice to cover certain other expenses such as telecommunications, printing, in-house reproduction, postage, computer expenses, supplies, and local mileage. All permitting, application, and similar project fees will be paid directly by the CITY.

Closure

We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

By:

Nathan Ante, P.E.
Project Manager

Brad Tribble, P.E.
Senior Vice President

IN WITNESS WHEREOF, parties have caused this Contract Amendment to be executed in duplicate this _____ day of _____ 2015, with an original to each party.

COMPANY: KIMLEY-HORN AND ASSOCIATES, INC.

BY: _____

NAME: G. Brad Tribble, P.E.

TITLE: Senior Vice President

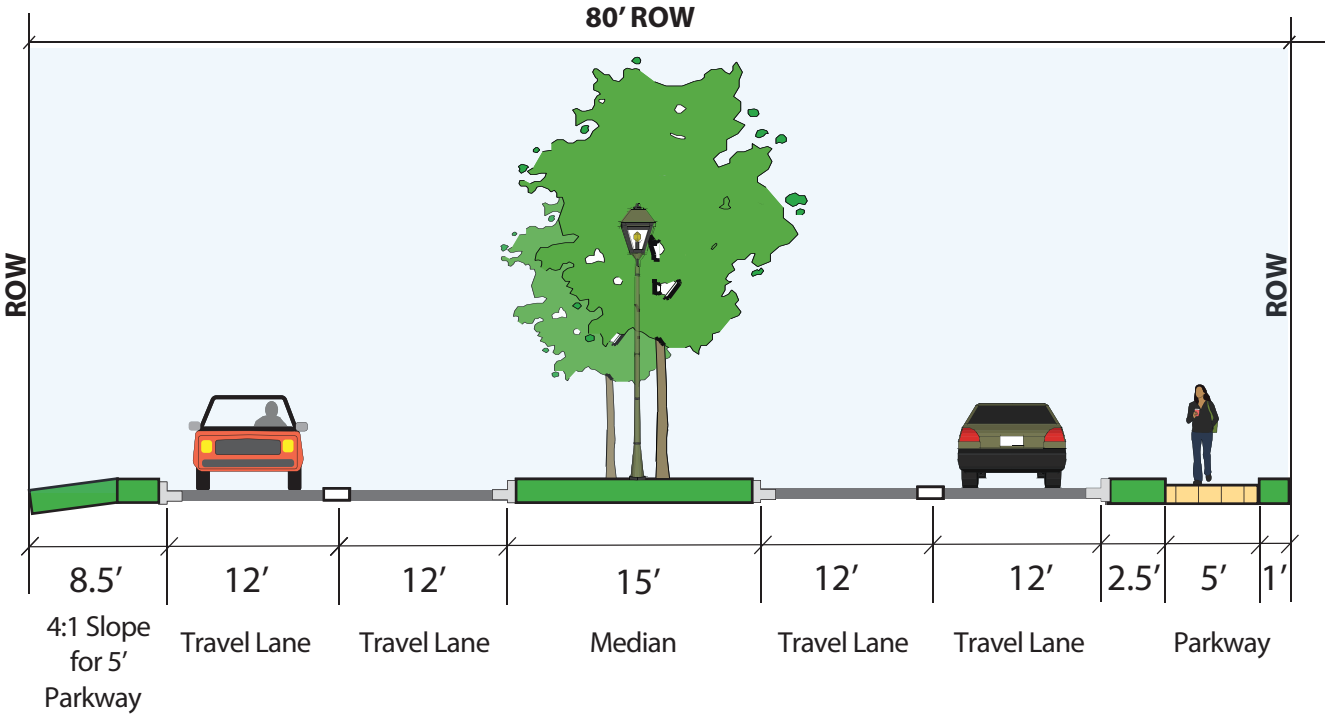
CITY: CITY OF SHERMAN

BY: _____

NAME: Robby Hefton

TITLE: City Manager

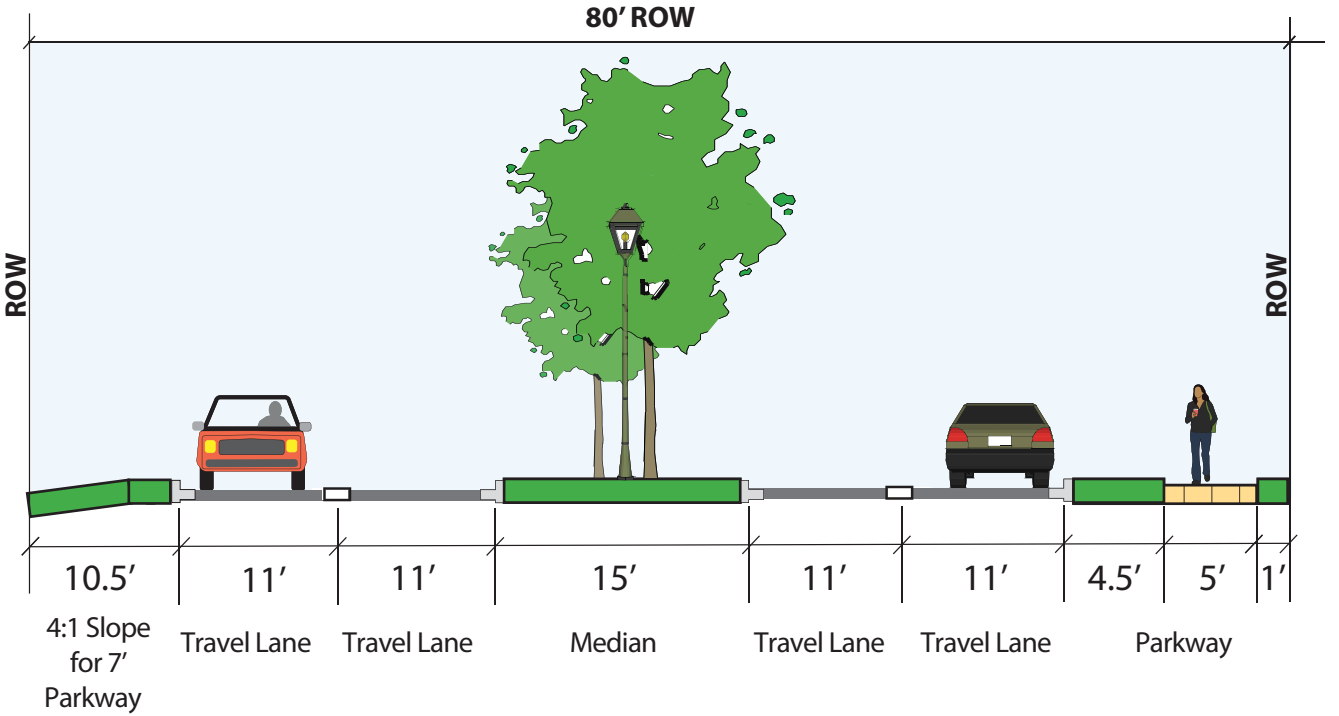
Option 1 - Proposed Loy Lake Road Cross Section



Loy Lake Road Cross Section
Draft - 4/29/2015

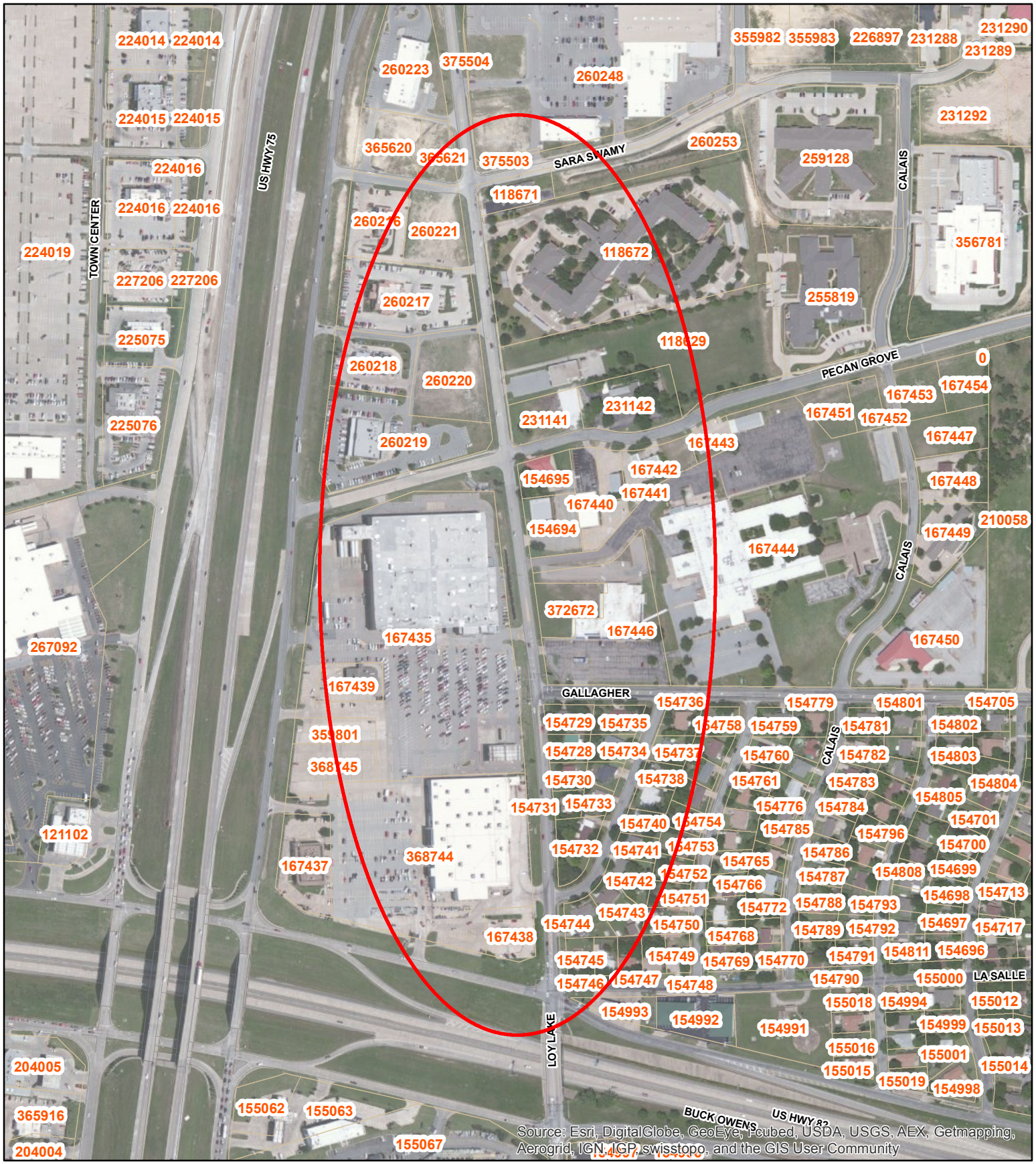
Kimley»Horn

Option 2 - Proposed Loy Lake Road Cross Section



Loy Lake Road Cross Section
Draft - 4/29/2015

Kimley»Horn



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

1 in = 400 ft

N

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. C. 5.**

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6001***

Authorizing Execution of an Agreement with Tobar Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1114 East Chaffin Street

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1114 East Chaffin Street.

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the designated zone for residential tax abatement.

Origination:

Tobar Properties, LLC
Mario Tobar, Applicant

Financial Consideration:

A $75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately $208.80 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6001
Residential Tax Abatement Agreement
Application
Warranty Deed
Building Permit
Site Plan
Photo
Location Map
Residential Reinvestment Zone Map

RESOLUTION NO. 6001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1114 EAST CHAFFIN STREET; 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 receipt of a fully-executed agreement from Tobar Properties, LLC and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Tobar Properties, LLC for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 1114 East Chaffin Street, lying within the City of Sherman's Residential Tax Reinvestment Zone, in accordance with the City's policies and procedures established for this purpose.

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 _____, 2015.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

THE STATE OF TEXAS §
§
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **TOBAR PROPERTIES, LLC**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2011, the City Council of Sherman, Texas, passed Ordinance No. 5692 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, the CITY has adopted a resolution (Resolution No. 5960) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2011;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2015, and continuing for tax years 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022,

2023 and 2024, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2015, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2015	100%
2016	100%
2017	100%
2018	100%
2019	100%
2020	100%
2021	80%
2022	60%
2023	40%
2024	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new single-family residence at 1114 East Chaffin Street, Sherman, Texas, and as more particularly described by the following:

BEING 50 x 157 feet in Block Twenty-nine (29) of Chaffin's Addition to the City of Sherman, Texas, as shown plat recorded in Volume ___ at Page ___, Deed Records, Grayson County, Texas and being more particularly described as follows;

BEGINNING at a stake in the south line of Chaffin Street, Sherman, Texas, 50 feet West of the Northwest corner of said Block Twenty-nine (29);

THENCE South parallel with the East line of said Block 29, 157 feet, more or less, to a stake;

THENCE West 50 feet to a stake;

THENCE North 157 feet, more or less, to a stake on the North line of said block and the South line of Chaffin Street;

THENCE East 50 feet to the **PLACE OF BEGINNING, AND CONTAINING 50 x 157 feet, more or less…….**

AND being the same property conveyed by Sheriff's Deed to Bob Cathey and Rodger D. Bateman, dated August 14, 2007, recorded in Volume 4313, Page 73, Official Public Records, Grayson County, Texas.

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may

provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman	Tobar Properties, LLC
P.O. Box 1106	1308 Pintail Drive
Sherman, Texas 75091-1106	Sherman, Texas 75092
(903) 892-7200	(903) 816-0416

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the

_____ day of _____, 2015.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON
CITY MANAGER

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

OWNER:
TOBAR PROPERTIES, LLC

BY: _____
MARIO TOBAR

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **MARIO TOBAR**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____day of _____, 2015 A.D.

_____
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Tobai's Properties LLC

Mailing Address: 1308 Pintail Dr. Sherman Tx 75092

Telephone Number: (903) 816-0416

Contact (if different than owner):

Name: Same.

Mailing Address:

Telephone Number:

Property:

Physical Address: 1114 Chaffin st.

Summary Legal Description: Lot: _____ Block: 29 Addition: Chaffin Addition

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ____ Remodeling: _____

Estimated Value of Improvements: 60,000

Estimated Date of Start of Construction: 7/20/15

Estimated Date of Completion of Project:

Description of Project: New Construction

Applicant(s): _____ Date: 07/20/15.

_____ Date: _____

Grayson County
Wilma Bush
Grayson County Clerk
Sherman, Texas 75090

70 2014 00024817

Instrument Number: 2014-00024817
As
Recordings

Recorded On: December 31, 2014

Parties: CATHEY BOB ETAL

To TOBARS PROPERTIES LLC

Billable Pages: 1

Number of Pages: 3

Comment: WD

(Parties listed above are for Clerks reference only)

** Examined and Charged as Follows: **

Recordings	16.00
Total Recording:	16.00

********** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2014-00024817
Receipt Number: 416372
Recorded Date/Time: December 31, 2014 02:35:47P
Book-Vol/Pg: BK-OR VL-5565 PG-804
User / Station: R Williams - Cashiering Station 2

Record and Return To:

MARGARET GRYNWALD
204 N WALNUT
SHERMAN TX 75090

THE STATE OF TEXAS
COUNTY OF GRAYSON
I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Grayson County, Texas.

Wilma Blackshear Bush

Wilma Blackshear Bush, Grayson County Clerk

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR DRIVER'S LICENSE NUMBER. GCT 38386C

WARRANTY DEED

DATE: December 18, 2014

GRANTORS: BOB CATHEY and RODGER D. BATEMAN
320 N. Crockett, Sherman, Texas 75090

GRANTEE: TOBAR'S PROPERTIES, LLC
1308 Pintail Drive, Sherman, Grayson County, Texas 75092

CONSIDERATION: For and in consideration of the sum of Ten and No/100ths Dollars ($10.00) and other good and valuable consideration to the undersigned paid, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY (including improvements):
BEING 50 x 157 feet in BLOCK TWENTY-NINE (29) of CHAFFIN'S ADDITION to the City of Sherman, Texas, as shown plat recorded in Volume _____ at Page _____, Deed Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a stake in the south line of Chaffin Street, Sherman, Texas, 50 feet West of the Northwest corner of said Block Twenty-nine (29);

THENCE South parallel with the East line of said Block 29, 157 feet, more or less, to a stake;

THENCE West 50 feet to a stake;

THENCE North 157 feet, more or less, to a stake on the North line of said block and the South line of Chaffin street;

THENCE East 50 feet to the place of beginning, and containing 50 x 157 feet, more or less.

And being the same property conveyed by Sheriff's Deed to Bob Cathey and Rodger D. Bateman, dated August 14, 2007, recorded in Volume 4313, page 73, Official Public Records, Grayson County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTIES:
All presently valid restrictions, reservations, covenants, conditions, rights-of-way, easements, mineral leases, and royalty and mineral conveyances now outstanding and of record, if any, in Grayson County, Texas, affecting the herein described property.

Grantors, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grant, sell and convey to Grantee the property together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold to Grantee, Grantee's successors or assigns forever. Grantors bind Grantors and Grantors' heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee;'s heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

> _____
BOB CATHEY

> _____
RODGER D. BATEMAN

State of Texas
County of Grayson

This instrument was acknowledged before me on the _____ day of December, 2014, by Bob Cathey and Rodger D. Bateman.

> _____
Notary Public, State of Texas

	Bk	Vol	Ps
00024817	OR	5565	806

Filed for Record in:
Grayson County

On: Dec 31,2014 at 02:35P

As a
Recordings

Document Number: 00024817

Amount: 16.00

Receipt Number - 416372

By,
Rebecca Williams

STATE OF TEXAS COUNTY OF GRAYSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of:
Grayson County
as stamped hereon by me.

Dec 31,2014

Wilma Bush, Grayson County Clerk
Grayson County

CITY OF SHERMAN

RESIDENTIAL BUILDING PERMIT

SUBCONTRACTOR: TOBAR PROPERTIES LLC

PERMIT #: 151264

DATE ISSUED: 7/20/2015

PROJECT ADDRESS:	1114 E CHAFFIN ST	LOT #:	IRREG
PARCEL ID:	161556	BLK #:	PT 29
SUBDIVISION:	CHAFFINS 2ND ADDN	ZONE ORD:	
ISSUED TO:	TOBAR PROPERTIES LLC	CONTRACTOR:	TOBAR PROPERTIES LLC
ADDRESS:	1308 PINTAIL DR	ADDRESS:	1308 PINTAIL DR
CITY, ST ZIP:	SHERMAN TX 75092	CITY, ST ZIP:	SHERMAN TX 75092
PHONE:	903-816-0416	PHONE:	
PROP.USE:	ONE FAMILY RESIDENTIAL	SQ FT:	1,300.00
WORK:	NEW RESIDENTIAL CONSTRUCTION	BEDROOMS:	3
VALUATION:	$ 60,000.00	BATHROOMS:	2
OCCP TYPE:	ONE FAMILY RESIDENTIAL	STORIES:	1
CNST TYPE:	WOOD FRAME		

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	$ 25.00
	TOTAL	$ 25.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

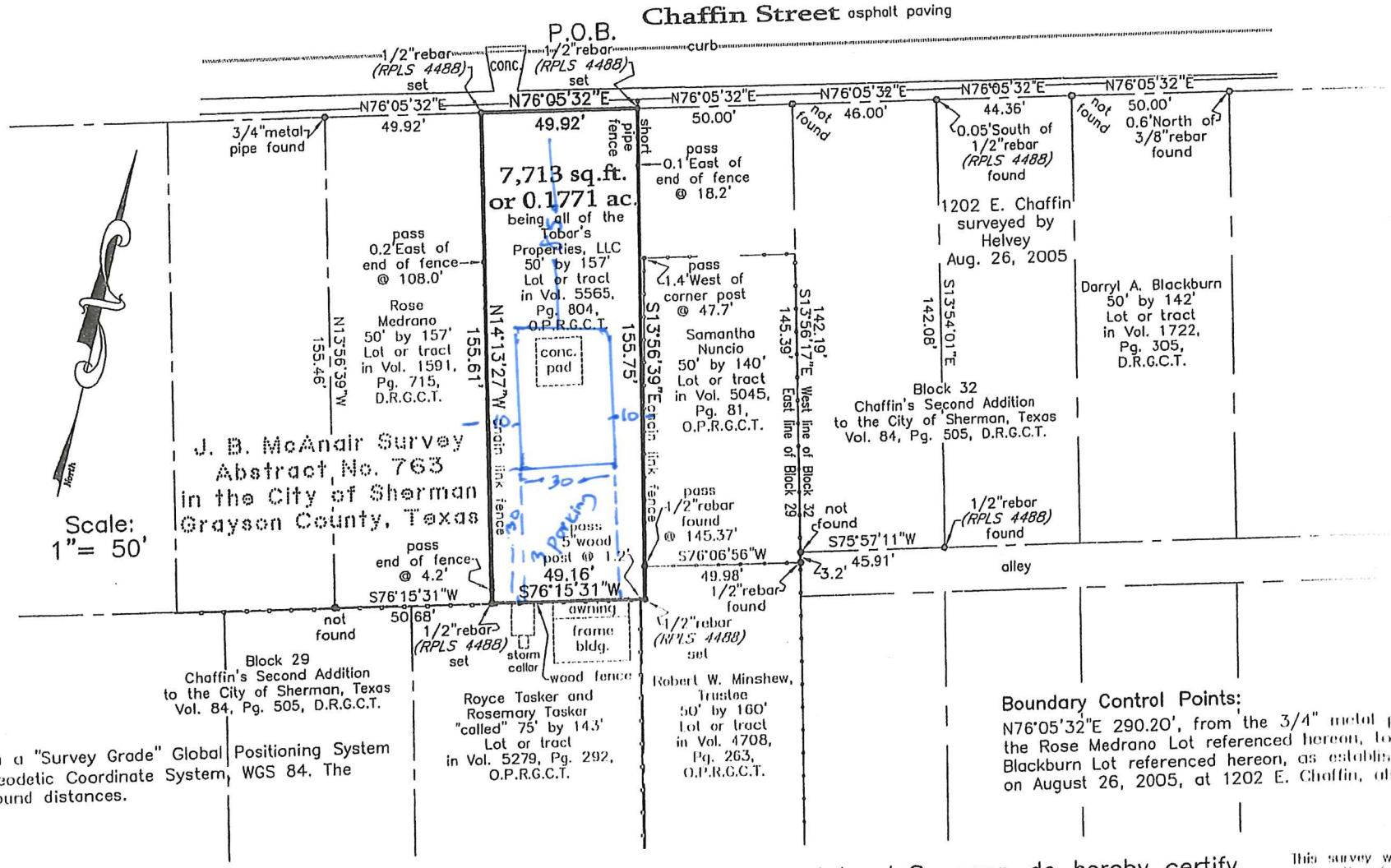
I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT) — DATE 07/20/15

(APPROVED BY) FLOOD PLAIN ADMINISTRATOR — DATE 7/20/2015

(APPROVED BY) BUILDING & ZONING — DATE 7/20/15

Sherman



ise:
rth: as derived from a "Survey Grade" Global Positioning System ated in the World Geodetic Coordinate System, WGS 84. The nown hereon are ground distances.

I, Billy F. Helvey, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon. Field Notes attached hereto.

The subject property shown hereon does not lie within the limits of any designated 100--year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Maps for Grayson County, Texas, Revised Date: September 29, 2010.

This survey was prepared fo transaction (construction loa stated hereon and the Chic Abstract/Title Co., and is in transactions. Any other use consent of the undersigned intringe upon state and fed violation of said statutes wi

Tobar's Properties, LLC

1114 E. Chaffin Street
Sherman, Texas

y & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
463-6191 Fax (903) 463-4088
n Registration No. 10088100
ard of Professional Land Surveying

Billy F. Helvey, R

Copyright Date

1114 E. Chaffin

1114 E. Chaffin

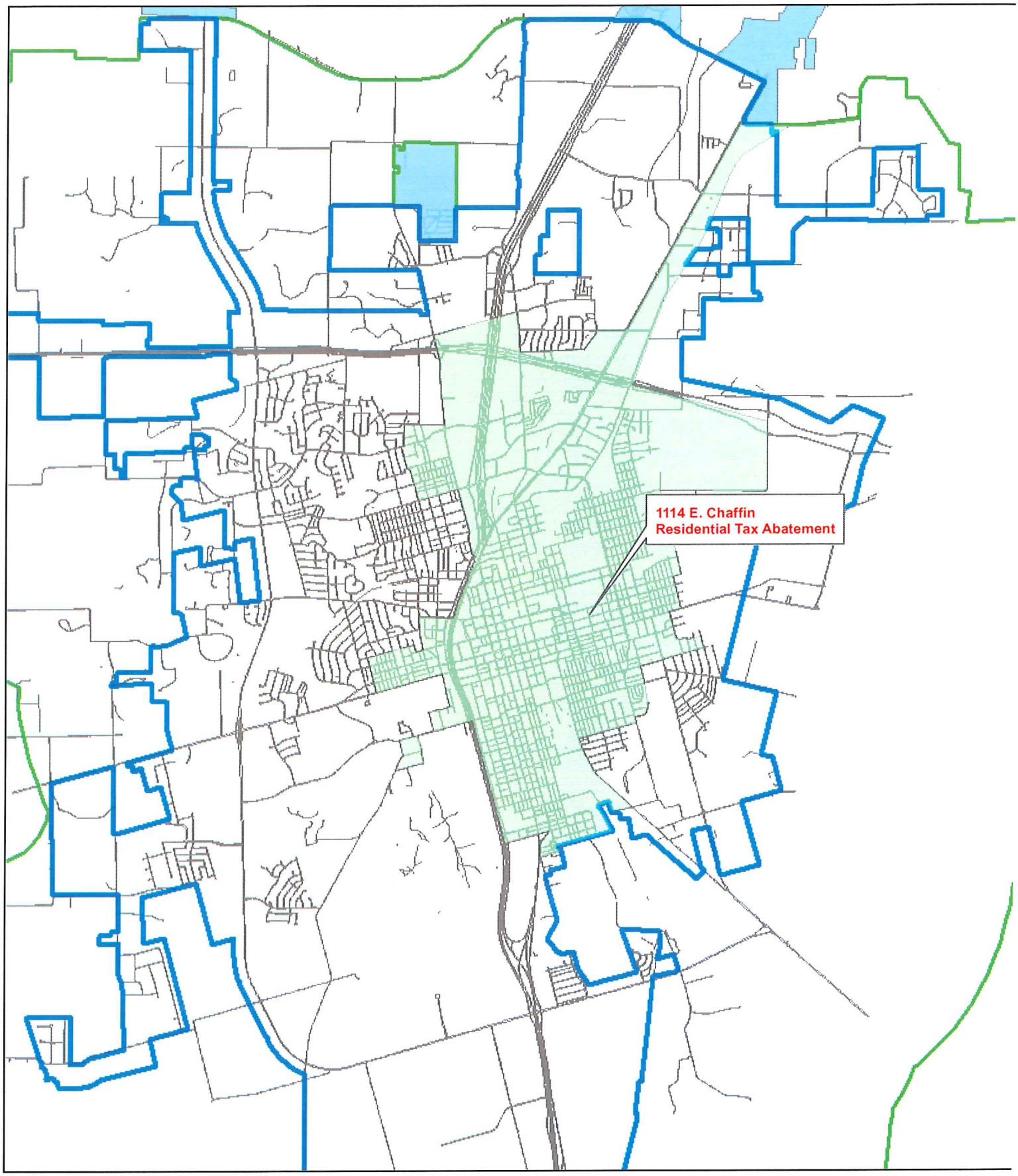
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N

NOT TO SCALE

1 in = 78 ft



1114 E. Chaffin Street
Residential Tax Abatement

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 5,262 ft

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6002***

Authorizing Execution of an Agreement with Tobar Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 805 North Branch Street

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 805 North Branch Street.

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the designated zone for residential tax abatement.

Origination:

Tobar Properties, LLC
Mario Tobar, Applicant

Financial Consideration:

A $75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately $208.80 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6002
Residential Tax Abatement Agreement
Application
Warranty Deed
Building Permit
Site Plan
Photo
Location Map
Residential Reinvestment Zone Map

RESOLUTION NO. 6002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 805 NORTH BRANCH STREET; 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 receipt of a fully-executed agreement from Tobar Properties, LLC and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Tobar Properties, LLC for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 805 North Branch Street, lying within the City of Sherman's Residential Tax Reinvestment Zone, in accordance with the City's policies and procedures established for this purpose.

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 _____, 2015.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY

THE STATE OF TEXAS §
§
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **TOBAR PROPERTIES, LLC**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2011, the City Council of Sherman, Texas, passed Ordinance No. 5692 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, the CITY has adopted a resolution (Resolution No. 5960) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2011;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2015, and continuing for tax years 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022,

2023 and 2024, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2015, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2015	100%
2016	100%
2017	100%
2018	100%
2019	100%
2020	100%
2021	80%
2022	60%
2023	40%
2024	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new single-family residence at 805 North Branch Street, Sherman, Texas, and as more particularly described by the following:

BEING Lot 2, Block 2, Hall and Jones Addition

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman	Tobar Properties, LLC
P.O. Box 1106	1308 Pintail Drive
Sherman, Texas 75091-1106	Sherman, Texas 75092
(903) 892-7200	(903) 816-0416

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the

_____ day of _____, 2015.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON
CITY MANAGER

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

OWNER:
TOBAR PROPERTIES, LLC

BY: _____
MARIO TOBAR

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **MARIO TOBAR**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____day of _____, 2015 A.D.

_____
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Tobai's Properties LLC

Mailing Address: 1308 Pintail. Sherman TX 75092

Telephone Number: (903) 816-0416

Contact (if different than owner):

Name: Same.

Mailing Address:

Telephone Number:

Property:

Physical Address: 805 N. Branch.

Summary Legal Description: Lot: 2 Block: 2 Addition: Hall and Jones Addition

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ✓ Remodeling: ____

Estimated Value of Improvements: 60,000

Estimated Date of Start of Construction: 7/20/15

Estimated Date of Completion of Project:

Description of Project: New Construction

Applicant(s): [signature] Date: 07/20/15.

Date:

Grayson County
Wilma Bush
Grayson County Clerk
Sherman, Texas 75090

70 2014 00024816

Instrument Number: 2014-00024816
As
Recordings

Recorded On: December 31, 2014

Parties: BATEMAN RODGER ETAL
To TOBARS PROPERTIES LLC

Billable Pages: 1
Number of Pages: 3

Comment: WD

(Parties listed above are for Clerks reference only)

** Examined and Charged as Follows: **

Recordings	16.00
Total Recording:	16.00

********** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2014-00024816
Receipt Number: 416372
Recorded Date/Time: December 31, 2014 02:35:47P
Book-Vol/Pg: BK-OR VL-5565 PG-801
User / Station: R Williams - Cashiering Station 2

Record and Return To:

MARGARET GRYNWALD
204 N WALNUT
SHERMAN TX 75090

THE STATE OF TEXAS
COUNTY OF GRAYSON
I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Grayson County, Texas.

Wilma Blackshear Bush

Wilma Blackshear Bush, Grayson County Clerk

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR DRIVER'S LICENSE NUMBER. GCT 383866

WARRANTY DEED

DATE: December 18, 2014

GRANTORS: RODGER BATEMAN and BOB D. CATHEY
320 N. Crockett, Sherman, Texas 75090

GRANTEE: TOBAR'S PROPERTIES, LLC
1308 Pintail Drive, Sherman, Grayson County, Texas 75092

CONSIDERATION: For and in consideration of the sum of Ten and No/100ths Dollars ($10.00) and other good and valuable consideration to the undersigned paid, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY (including improvements):
BEING LOT TWO (2) in BLOCK TWO (2) of HALL AND JONES ADDITION to the City of Sherman, Texas, as shown by plat recorded in Volume 58, Page 245 and in Volume 184, Page 212, Deed Records, Grayson County, Texas
And being the same property conveyed by Sheriff's Deed dated December 21, 2009, filed December 29, 2009, and recorded in Volume 4743, Page 644,Official Public Records, Grayson County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTIES:
All presently valid restrictions, reservations, covenants, conditions, rights-of-way, easements, mineral leases, and royalty and mineral conveyances now outstanding and of record, if any, in Grayson County, Texas, affecting the herein described property.

Grantors, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grant, sell and convey to Grantee the property together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold to Grantee, Grantee's successors or assigns forever. Grantors bind Grantors and Grantors' heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee;'s heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

> _____
BOB D. CATHEY

> _____
RODGER D. BATEMAN

State of Texas
County of Grayson

This instrument was acknowledged before me on the 18th day of December, 2014, by Bob D. Cathey and Rodger D. Bateman.

MARGARET GRYNWALD
NOTARY PUBLIC
State of Texas
Comm. Exp. 03/30/2016

> _____
Notary Public, State of Texas

Bk	Vol	Pg
00024816 OR	5565	803

Filed for Record in:
Grayson County

On: Dec 31,2014 at 02:35P

As a
Recordings

Document Number: 00024816

Amount: 16.00

Receipt Number - 416372

By,
Rebecca Williams

STATE OF TEXAS COUNTY OF GRAYSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of:
Grayson County
as stamped hereon by me.

Dec 31,2014

Wilma Bush, Grayson County Clerk
Grayson County

CITY OF SHERMAN

RESIDENTIAL BUILDING PERMIT

SUBCONTRACTOR: TOBAR PROPERTIES LLC

PERMIT #: 151265 DATE ISSUED: 7/20/2015

PROJECT ADDRESS:	805 N BRANCH ST	LOT #:	2
PARCEL ID:	160129	BLK #:	2
SUBDIVISION:	HALL JONES ADDN	ZONE ORD:	
ISSUED TO:	TOBAR PROPERTIES LLC	CONTRACTOR:	TOBAR PROPERTIES LLC
ADDRESS:	1308 PINTAIL	ADDRESS:	1308 PINTAIL
CITY, ST ZIP:	SHERMAN TX 75092-4243	CITY, ST ZIP:	SHERMAN TX 75092-4243
PHONE:	903-816-0416	PHONE:	
PROP.USE:	ONE FAMILY RESIDENTIAL	SQ FT:	1,300.00
WORK:	NEW RESIDENTIAL CONSTRUCTION	BEDROOMS:	3
VALUATION:	$ 60,000.00	BATHROOMS:	2
OCCP TYPE:	ONE FAMILY RESIDENTIAL	STORIES:	1
CNST TYPE:	WOOD FRAME		

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	$ 25.00
	TOTAL	$ 25.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

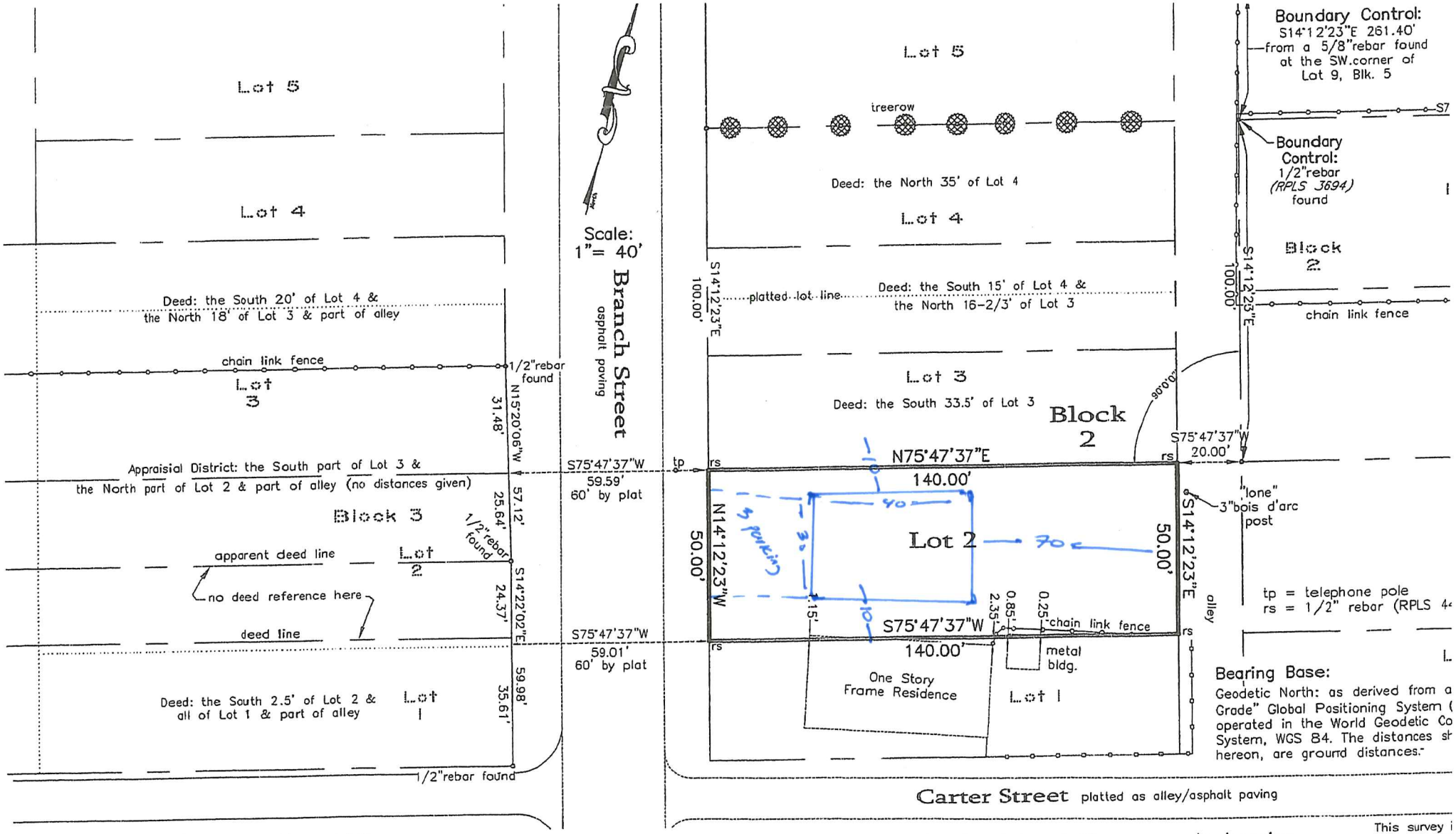
I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT — DATE 07/20/15

(APPROVED BY) FLOOD PLAIN ADMINISTRATOR — DATE 7/20/2015

(APPROVED BY) BUILDING & ZONING — DATE 7/21/15

Sherman



Owner: Tobar's Properties, LLC

Address: 805 N. Branch Street
Sherman, Texas

I, Billy F. Helvey, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon.

Legal Description is as follows: Lot 2, Block 2, Hall and Jones Addition to the City of Sherman, Texas, as per plat of record in Volume 58, Page 245, Deed Records, Grayson County, Texas.

This survey i
between: Ow
is null and
of this surve
surveyor will
Any violation

Billy
C

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

C:\Land Projects R2\805-N-Branch-Sherman\dwg\805-N-Branch.dwg 2/26/2015 11:14:03 AM CST

805 N. Branch

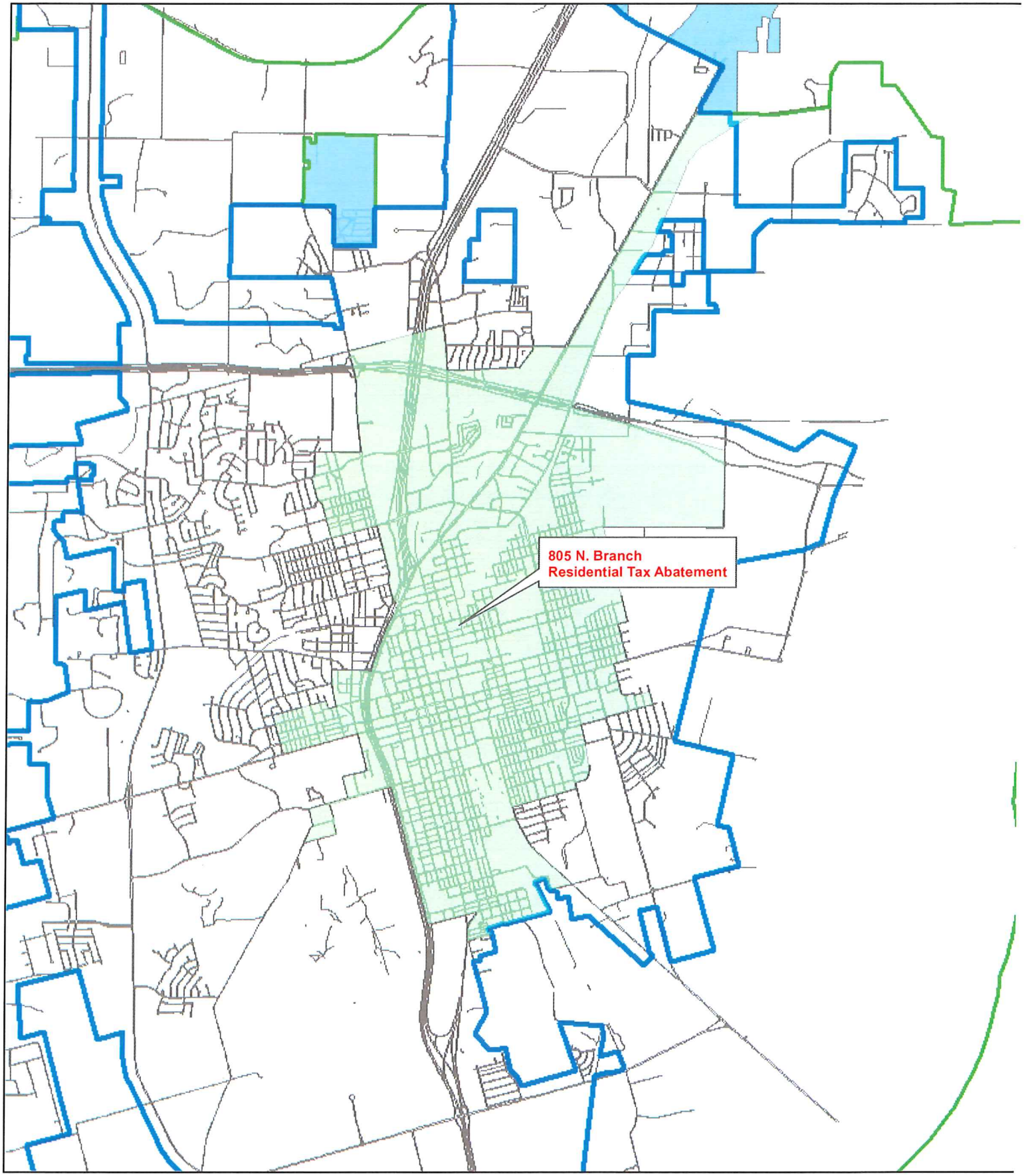
805 N. Branch

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 78 ft



Sherman
CLASSIC TOWN. BROAD HORIZON.

805 N. Branch Street
Residential Tax Abatement

NOT TO SCALE

City of Sherman, Texas
Developmental Services Department

1 in = 4,677 ft

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

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

Approved By: Robby Hefton, City Manager

Caption:

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

Loy Lake Road and Sara Swamy Drive Improvements Project; 03 Concrete Contractors, LLC; $8,295.67 Increase

Issue:

To consider approval of a change order and final payment for the Loy Lake Road and Sara Swamy Drive Improvements Project

Background:

Change Order No. 1 is a final reconciliatory change order to adjust the final project quantities for the Street Improvement Project. The change order covers cost of removal and replacing paving, a new Bilco lid, and traffic signal adjustments.

Origination:

Engineering Department

Financial Consideration:

The change order results in an $8,295.67 increase in the contract amount, yielding a final contract price of $322,629.57.

Staff Recommendation:

It is recommended that Change Order No. 1 and final payment for this project be approved.

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 1

Application for Final and Change Order Payments

Location Map

CITY OF SHERMAN
CONTRACT CHANGE ORDER

Contract No. 2963 Date: February 16, 2015

Change Order No. 1 Project: Loy Lake Road Expansion
Location: Sherman, Texas

To: (Contractor)
You are hereby requested to comply with the following changes from the contract plans and specifications:

Item Number (1)	Description of Changes, Quantities Units, Unit Prices, change in completion schedule, etc. (2)	Decrease in Contract Price (3)	Increase in Contract Price (4)
3	52.84 SY - Removal & Offsite Disposal of Existing Concrete Pavement @$44.90/SY		$2,372.52
4	5.00 LF – Removal & Offsite Disposal of Existing 5' Wide Concrete Sidewalk @ $8.10/LF		$40.50
8	52.84 SY - 7" Thick TxDOT Type "P" Concrete Pavement w/Integral Curb & Gutter – Street @ 43.54/SY		$2,300.65
11	5.00 SY - 4" Thick TxDOT Type "A" - 5' Wide Concrete Sidewalks @ $25.00		$125.00
	Adjust vault lid elevation and install of new Bilco lid. (Lump Sum)		$1,606.00
	Traffic signal adjustments. (Lump Sum)		$1,851.00
Total			**$8,295.67**

The sum of $ **8,295.67** is hereby **added to** the total contact price, $ 314,333.90 and the total adjusted contract price to date thereby is $ **322,629.57**.

The time provided for completion in the contract is **unchanged**. This document shall become an amendment to the contract, and all provisions of the contract will apply hereto.

Accepted By: _____ Date: 3/9/15
CRAIG WELLS - PRESIDENT

Recommended By: _____ Date: 8/11/15
Public Works Director

Approved By: _____ Date: _____
City Manager

03 Concrete Contractors

	Loy Lake Road Expansion						PAGE	1
	Proposed Change #1						DATE	1/23/15
Item #	Description of Work Items	QTY	UM	UNIT	LABOR AMOUNT	MAT'L/ EQUIP AMOUNT	SUB AMOUNT	U/P AMOUNT
					0	0	0	0
	Demo and replace pavement at the corned of Loy Lake and Sara Swamy							
3	Demo and Haul off (contract unit price)	47.28	SY	44.90				2,122.87
8	7" TxDOT Type P Pavement (contract unit price)	47.28	SY	43.54				2,058.57
	Demo and replace pavement south bound Loy Lake							
3	Demo and Haul off (contract unit price)	5.56	SY	44.90				249.64
8	7" TxDOT Type P Pavement (contract unit price)	5.56	SY	43.54				242.08
	Demo and replace sidewalk at entry to Academy parking lot off of Loy Lake							
4	Demo and Haul off (contract unit price)	5.00	LF	8.10				40.50
11	4" TxDOT Type A Sidewalk (contract unit price)	5.00	LF	25.00				125.00
					0.00	0.00	0.00	4,838.67
	TOTAL COST W/O MU				4838.67			

GENERAL CONDITIONS (supervisor, truck consumables etc)	0.00	mo	$9,500.00	$0.00
SUBTOTAL				$4,838.67
OVERHEAD & PROFIT @ 0%				$0.00
BOND				$0.00
TOTAL THIS PROPOSED CHANGE				$4,838.67

Approved By:_____

03 Concrete Contractors

	Loy Lake Road Expansion						PAGE	1
	Proposed Change #2						DATE	1/23/15
Item #	Description of Work Items	QTY	UM	UNIT	LABOR AMOUNT	MAT'L/ EQUIP AMOUNT	SUB AMOUNT	U/P AMOUNT
					0	0	0	0
	Adjust vault elevation and install new Bilco lid							
	Labor to extend vault sides	16.00	MH	16.00	256.00			
	Labor Burden				76.80			
	Misc Materials	1.00	LS	250.00		250.00		
	36" x 36" Bilco single leaf door	1.00	EA	877.00		877.00		
					332.80	1,127.00	0.00	0.00
	TOTAL COST W/O MU				**$1,459.80**			

GENERAL CONDITIONS (supervisor, truck consumables etc)	0.00	mo	$9,500.00	**$0.00**
SUBTOTAL				**$1,459.80**
OVERHEAD & PROFIT				**$146.20**
BOND				**$0.00**
TOTAL THIS PROPOSED CHANGE				**$1,606.00**

Approved By:_____

03 Concrete Contractors

	Loy Lake Road Expansion						PAGE	1
	Proposed Change #3 REV						DATE	2/10/14
Item #	Description of Work Items	QTY	UM	UNIT	LABOR AMOUNT	MAT'L/ EQUIP AMOUNT	SUB AMOUNT	U/P AMOUNT
					0	0	0	0
	Traffic Siginal Adjustments							
	Swap 28' arm with 44' arm and upsize pier	1.00	LS	1683.00			1,683.00	
					0	0	1,683	0
	TOTAL COST W/O MU				1,683.00			

GENERAL CONDITIONS (supervisor, truck consumables etc)	0.00	mo	9,500.00	0.00
SUBTOTAL				1,683.00
OVERHEAD & PROFIT				168.00
BOND				0.00
TOTAL THIS PROPOSED CHANGE				1,851.00

Approved By:_____

North Texas Traffic Systems Construction,Ltd.

554 County Road 1452
Bonahm, TX 75418

Phone.(903) 304-4404; Fax:(903) 304-4405; E-mail: sansavath@msn.com

==========

CONTRACTOR'S BASIS OF ESTIMATE

03 Concrete
1292 W. Van Alstyne Pkwy
Van Alstyne, TX 75495

County: Grayson
Highway: Loy Lake & Sara Sawamy

Item of works:
686-2045 Ins Trf sig Pl(s) 1 arm (44') Lum

October 13, 2014

Description	Quantity	Unit	Item cost	Item price
Existing pole/arm 28' arm	1	Ea	$4,800.00	
Exchange used pole w/ 44' arm	1	Ea		$400.00
Achor bolts set (4ea)	1	Ea		$320.00
Rebar & spiral (Cage) for 36"dia. Shaft	1	Ea		$420.00
Concrete Class-C	2	Cy		$240.00
Extra wire, conduit	1	Ls		$150.00
Sub Total				$1,530.00
Markup		10%		$153.00

Adjustment (unit price) $1,683.00

Total Adjustment: ~~$4,800.00~~ + $1,683.00 = ~~$6,483.00~~

Kham Sansavath

A 1,683.00

North Texad Traffic Systems Construction, Ltd.
(903) 327-5133

Blue Sky Sales Inc.
806 Dalworth
Mesquite, TX 75149

BILCO

P: 972-288-7766
F: 972-288-9357

Date: 1-23-15

To: 03 CONCRETE Attn: CRAIG

Re: City of Sherman 75495

K-4 36"X36" $775.00
PLUS S.T. 102.00
$877.00

VIA- AAA COOPER TRANSPORTATION

FABRICATION TIME 1- WEEK

Shipping Time 3-5 Bus Days

** This quote is limited to the sizes, model number and quantities shown.
** We exclude screws/anchors/fasteners other than normally supplied by manufacturer.
** Prices do not include installation or sales tax unless otherwise noted. Material only
** Quote is for good for acceptance within 90 days from this proposal.
** Unloading/storage/field dimensions all by others.
** All sales are subject to credit approval.
** No bond is included or furnished.
** Orders should be made out to The Bilco Company, PO Box 1203, New Haven, Ct 06505 and sent/faxed to Blue Sky Sales Inc. for processing.

Signed: Vicky Kimball Pages: 1

Vicky Kimball Estimator
vicky@blueskysalesinc.com

APPLICATION AND CERTIFICATE FOR PAYMENT

To Owner: City of Sherman
220 W Mulberry Street
Sherman, TX 75090
(903) 892-4547

From: 03 Concrete Contractors, L.L.C.
1292 W Van Alstyne Pkwy
Van Alstyne, TX 75495
(903) 712-0038

Sherman
CLASSIC TOWN. BROAD HORIZON.

Project: Loy Lake Road Expansion

Contract Start: 3/17/2014 **Application No.:** Five (5)

Calendar Days: 228 **Period to:** 6/30/2015

Contract Close: 10/31/2014 **Date:** 7/24/2015

Contractor's Application For Payment
Change Order Summary

Number	Description	Date Approved	Time Change	Additions	Deductions
One	Removal and replace paving, New Bilco lid,	3/9/2015		$8,295.67	
	Traffic Siginal adjustments				
Totals			0	$ 8,295.67	$ -

Net change by Change Orders $8,295.67

Original contract sum	$314,333.90
Net change by change orders	$8,295.67
Contract sum to date	$322,629.57
Materials on Hand	$0.00
Total Completed and stored to date	$322,629.57
Retainage	$16,131.48
Total earned less retainage	$306,498.09
Less previous certifcates of payments	$298,617.21
Current payment due	$7,880.88
Balance to finish, including retainage	$16,131.48

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: 03 Concrete Contractors, L.L.C.

By: [signature] Date: 7/24/15

State of: TEXAS County of: GRAYSON.

Subscribed and Sworn before me on this 24th day of July, 2015

Notary Public: [signature]

My Commission Expires: 03/14/18

CAROL J LIKELY
My Commission Expires
March 14, 2018

Engineer's Certifcate for Payment

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment for the Amount Certified.

Engineer:

By: [signature] Date: 8-11-15

Amount Certified: $ 7,880.88

This Cerification is not negotiable. The Amount Certifed is payable only to the contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Construction Accounting

DATE: July 24, 2015
ESTIMATE: Five (5)
PROJECT: Loy Lake Road Expansion
03 Concrete Contractors, L.L.C.
1292 W Van Alstyne Pkwy
Van Alstyne, TX 75495

ITEM	DESCRIPTION	EST QTY	UNIT	UNIT PRICE	CONTRACT TOTAL	PREVIOUS QUANTITY	PREVIOUS AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	TO DATE AMOUNT	% DOLLARS COMPLETE
1	Mobilization Not to exceed 5% of Total Contract Price	1	LS	$11,800.00	$11,800.00	1.00	$11,800.00	0.00	$0.00	1.00	$11,800.00	100.0%
2	Temporary erosion control, including installation and maintenance of all BMPs and providing SWPPP	1	LS	$1,850.00	$1,850.00	1.00	$1,850.00	0.00	$0.00	1.000	$1,850.00	100.0%
3	Removal & Offsite Disposal of Existing Concrete Pavement including Curb & Gutter	273	SY	$44.90	$12,257.70	273.00	$12,257.70	0.00	$0.00	273.00	$12,257.70	100.0%
4	Removal & Offsite Disposal of Existing 5' Wide Concrete Sidewalk	442	LF	$8.10	$3,580.20	442.00	$3,580.20	0.00	$0.00	442.00	$3,580.20	100.0%
5	Remove & Dispose Offsite of Existing Stop Sign	2	EA	$100.00	$200.00	2.00	$200.00	0.00	$0.00	2.00	$200.00	100.0%
6	Remove & Salvage Existing Stop Signs	3	EA	$200.00	$600.00	3.00	$600.00	0.00	$0.00	3.00	$600.00	100.0%
7	Adjust Rim Elevation of Sanitary Sewer Manhole	1	LS	$500.00	$500.00	1.00	$500.00	0.00	$0.00	1.00	$500.00	100.0%
8	7" Thick TxDOT Type "P" Concrete Pavement w/Integral Curb & Gutter - Street, Complete in Place	1440	SY	$43.54	$62,697.60	1439.90	$62,693.25	0.00	$0.00	1440.00	$62,697.60	100.0%
9	6" Lime Treatment, Type "A" per TxDOT Item 260 applied at a rate of 8% by dry weight (28 lbs/SY)	1550	SY	$3.00	$4,650.00	1550.00	$4,650.00	0.00	$0.00	1550.00	$4,650.00	100.0%
10	Lime Slurry	21.7	TONS	$200.00	$4,340.00	21.70	$4,340.00	0.00	$0.00	21.70	$4,340.00	100.0%
11	4" Thick TxDOT Type "A" - 5' Wide Concrete Sidewalks Complete in Place	410	LF	$25.00	$10,250.00	410.00	$10,250.00	0.00	$0.00	410.00	$10,250.00	100.0%
12	6" Thick Concrete Median adhered to existing concrete pavement	267	SY	$102.60	$27,394.20	267.00	$27,394.20	0.00	$0.00	267.00	$27,394.20	100.0%
13	TxDOT Type II Curb (Monolithic) 5 3/4" Height - Affixed to Existing Concrete Pavement at Median Perimeter	641	LF	$20.20	$12,948.20	641.00	$12,948.20	0.00	$0.00	641.00	$12,948.20	100.0%
14	TxDOT Type 7 Barrier Free Ramp per Plan Detail 01/C6.0	3	EA	$500.00	$1,500.00	3.00	$1,500.00	0.00	$0.00	3.00	$1,500.00	100.0%
15	TxDOT Type 9 Barrier Free Ramp per TxDOT Standard Detail PED-02	2	EA	$500.00	$1,000.00	2.00	$1,000.00	0.00	$0.00	2.00	$1,000.00	100.0%
16	4" Topsoil for Parkways and Adjacent Disturbed Areas	1338	SY	$1.50	$2,007.00	1338.00	$2,007.00	0.00	$0.00	1338.00	$2,007.00	100.0%
17	Block Sod - Street ROW & Adjacent Disturbed Areas, Including Temporary Irrigation	1338	SY	$3.00	$4,014.00	1338.00	$4,014.00	0.00	$0.00	1338.00	$4,014.00	100.0%
18	Traffic Control	1	LS	$5,920.00	$5,920.00	1.00	$5,920.00	0.00	$0.00	1.00	$5,920.00	100.0%
19	Permanent Signage & Striping	1	LS	$17,300.00	$17,300.00	1.00	$17,300.00	0.00	$0.00	1.00	$17,300.00	100.0%
20	Traffic Signal, Complete in Place with Video Detection System	1	LS	$121,000.00	$121,000.00	1.00	$121,000.00	0.00	$0.00	1.00	$121,000.00	100.0%
21	Concrete Curb & Gutter, per City of Sherman details at ramp removal area	11	LF	$25.00	$275.00	11.00	$275.00	0.00	$0.00	11.00	$275.00	100.0%
22	Remove Existing Retaining Wall & Modify Ex. Steel Handrail	5	LF	$850.00	$4,250.00	5.00	$4,250.00	0.00	$0.00	5.00	$4,250.00	100.0%
23	New Concrete Retaining Wall per City of Sherman details	16	LF	$250.00	$4,000.00	16.00	$4,000.00	0.00	$0.00	16.00	$4,000.00	100.0%
	TOTAL				$314,333.90		$314,329.55		$0.00		$314,333.90	100.0%

APPLICATION AND CERTIFICATE FOR PAYMENT

To Owner: City of Sherman
220 W Mulberry Street
Sherman, TX 75090
(903) 892-4547

From: 03 Concrete Contractors, L.L.C.
1292 W Van Alstyne Pkwy
Van Alstyne, TX 75495
(903) 712-0038

Sherman
CLASSIC TOWN. BROAD HORIZON.

Project: Loy Lake Road Expansion

Contract Start: 3/17/2014 **Application No.:** Retainage

Calendar Days: 228 **Period to:** 6/30/2015

Contract Close: 10/31/2014 **Date:** 7/24/2015

Contractor's Application For Payment
Change Order Summary

Number	Description	Date Approved	Time Change	Additions	Deductions
One	Removal and replace paving, New Bilco lid,	3/9/2015		$8,295.67	
	Traffic Siginal adjustments				
Totals			0	$ 8,295.67	$ -

Net change by Change Orders $8,295.67

Original contract sum	$314,333.90
Net change by change orders	$8,295.67
Contract sum to date	$322,629.57
Materials on Hand	$0.00
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Retainage	$0.00
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Less previous certifcates of payments	$306,498.09
Current payment due	$16,131.48
Balance to finish, including retainage	$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: 03 Concrete Contractors, L.L.C.

By: [signature] Date: 7/24/15

State of: TEXAS County of: GRAYSON

Subscribed and Sworn before me on this 24th day of July, 2015

Notary Public: [signature]

My Commission Expires: 03/14/18

CAROL J LIKELY
My Commission Expires
March 14, 2018

Engineer's Certifcate for Payment

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment for the Amount Certified.

Amount Certified: $ 16,131.48

This Cerification is not negotiable. The Amount Certifed is payable only to the contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Engineer:

By: [signature] Date: 8-11-15

Sherman
CLASSIC TOWN. BROAD HORIZON.

Construction Accounting

DATE: July 24, 2015
ESTIMATE: Retainage
PROJECT: Loy Lake Road Expansion
03 Concrete Contractors, L.L.C.
1292 W Van Alstyne Pkwy
Van Alstyne, TX 75495

ITEM	DESCRIPTION	EST QTY	UNIT	UNIT PRICE	CONTRACT TOTAL	PREVIOUS QUANTITY	PREVIOUS AMOUNT	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	TO DATE AMOUNT	% DOLLARS COMPLETE
1	Mobilization Not to exceed 5% of Total Contract Price	1	LS	$11,800.00	$11,800.00	1.00	$11,800.00	0.00	$0.00	1.00	$11,800.00	100.0%
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4	Removal & Offsite Disposal of Existing 5' Wide Concrete Sidewalk	442	LF	$8.10	$3,580.20	442.00	$3,580.20	0.00	$0.00	442.00	$3,580.20	100.0%
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6	Remove & Salvage Existing Stop Signs	3	EA	$200.00	$600.00	3.00	$600.00	0.00	$0.00	3.00	$600.00	100.0%
7	Adjust Rim Elevation of Sanitary Sewer Manhole	1	LS	$500.00	$500.00	1.00	$500.00	0.00	$0.00	1.00	$500.00	100.0%
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10	Lime Slurry	21.7	TONS	$200.00	$4,340.00	21.70	$4,340.00	0.00	$0.00	21.70	$4,340.00	100.0%
11	4" Thick TxDOT Type "A" - 5' Wide Concrete Sidewalks Complete in Place	410	LF	$25.00	$10,250.00	410.00	$10,250.00	0.00	$0.00	410.00	$10,250.00	100.0%
12	6" Thick Concrete Median adhered to existing concrete pavement	267	SY	$102.60	$27,394.20	267.00	$27,394.20	0.00	$0.00	267.00	$27,394.20	100.0%
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17	Block Sod - Street ROW & Adjacent Disturbed Areas, Including Temporary Irrigation	1338	SY	$3.00	$4,014.00	1338.00	$4,014.00	0.00	$0.00	1338.00	$4,014.00	100.0%
18	Traffic Control	1	LS	$5,920.00	$5,920.00	1.00	$5,920.00	0.00	$0.00	1.00	$5,920.00	100.0%
19	Permanent Signage & Striping	1	LS	$17,300.00	$17,300.00	1.00	$17,300.00	0.00	$0.00	1.00	$17,300.00	100.0%
20	Traffic Signal, Complete in Place with Video Detection System	1	LS	$121,000.00	$121,000.00	1.00	$121,000.00	0.00	$0.00	1.00	$121,000.00	100.0%
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22	Remove Existing Retaining Wall & Modify Ex. Steel Handrail	5	LF	$850.00	$4,250.00	5.00	$4,250.00	0.00	$0.00	5.00	$4,250.00	100.0%
23	New Concrete Retaining Wall per City of Sherman details	16	LF	$250.00	$4,000.00	16.00	$4,000.00	0.00	$0.00	16.00	$4,000.00	100.0%
	TOTAL				$314,333.90		$314,329.55		$0.00		$314,333.90	100.0%

Sherman
CLASSIC TOWN. BROAD HORIZON.

Engineering Department

425 212.5 0 425 Feet

N

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Providing for the Ratification of the Property Tax Increase

Issue:

To ratify the property tax increase reflected in the 2015-2016 Operating Budget

Background:

Texas Local Government Code Section 102.007 requires that a vote separate from both the adoption of the budget and the adoption of the tax rate be made to disclose the amount and percentage increase of the proposed property tax revenue as compared to the prior year budget. The 2015-2016 Operating Budget contains $670,000 and 7.6% more revenue from property taxes than was originally budgeted in the prior year, of which $419,000 is tax revenue from new property.

Origination:

Director of Finance

Financial Consideration:

The only cost associated with this item was the cost of the public notice of the meeting on the public hearing to adopt the budget.

Staff Recommendation:

The staff recommends the Council, **by motion and order**, ratify the property tax increase.

Alternatives:

This action is required by State law; therefore, no alternatives are recommended by the staff.

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Conceptual Master Plan Approval for Sherman Crossroads in the Blalock Industrial Park/Blalock Commercial Overlay District; Sherman Crossroads, LTD, Owners; and Jeff Carroll, Carroll Architects, Architect; located in the 2800-3600 blocks of South U.S. Highway 75

Issue:

Approval of a Conceptual Master Plan for Sherman Crossroads in the Blalock Industrial Park/Blalock Commercial Overlay District located in the 2800-3600 blocks of South U.S. Highway 75

Background:

The property is located in the 2800-3600 blocks of South U.S. Highway 75; the northwest corner U.S. Highway 75 and West F.M. 1417 (Heritage Parkway). The property is located in the Blalock Commercial Overlay District, which was created in 2010 to create a regional image for retail/commercial developments within and around the Blalock Commercial Overlay District. The District consists of highway frontage in the Blalock Industrial Park at F.M. 1417 (Heritage Parkway) and nearby tracts that form the south gateway to the city. An exception was approved to allow a medical hospital at the north end of the tract at the July 6, 2015 City Council Meeting.

The owners are requesting Council acknowledgment of a conceptual master plan for the Sherman Crossroads. The master plan includes retail sites with a movie theater, hotel and medical center. The site plan is conceptual and will require more detailed site plan approval before construction can commence.

Origination:

Sherman Crossroads, LTD (Owners)
Jeff Carroll, Carroll Architects (Architect)

Financial Consideration:

None

Staff Recommendation:

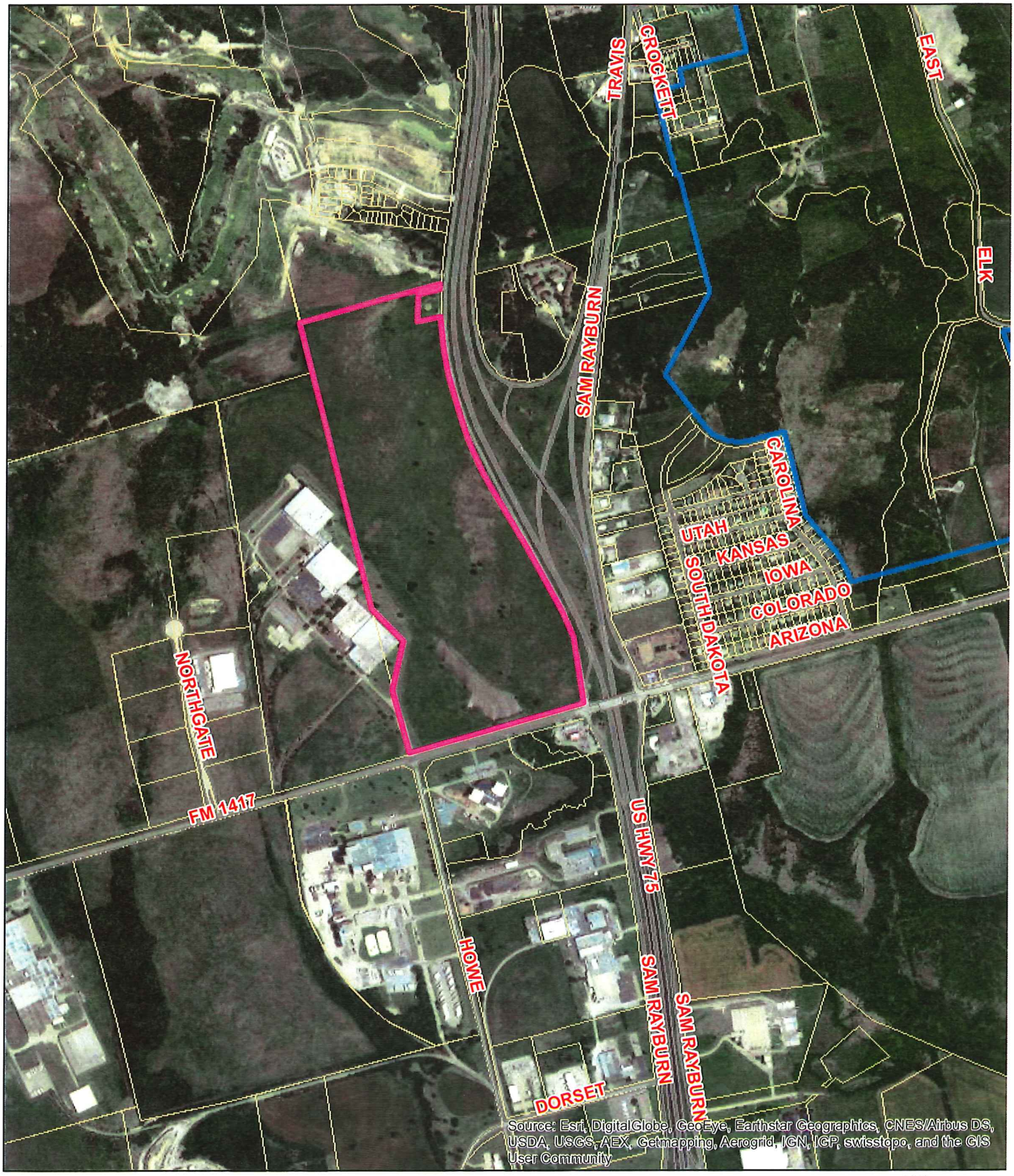
At the regular meeting on July 21, 2015, the Planning and Zoning Board voted 6/0 to approve the conceptual master plan for Sherman Crossroads in the Blalock Industrial Park/Blalock Commercial Overlay District subject to the Staff Review Letter and to forward the request to the City Council.

Alternatives:

The City Council could deny the request.

Attachments

Location Map
Zoning Map
Zoning Photo
Conceptual Master Plan
Conceptual Elevations
P&Z Communication
Staff Review Letter



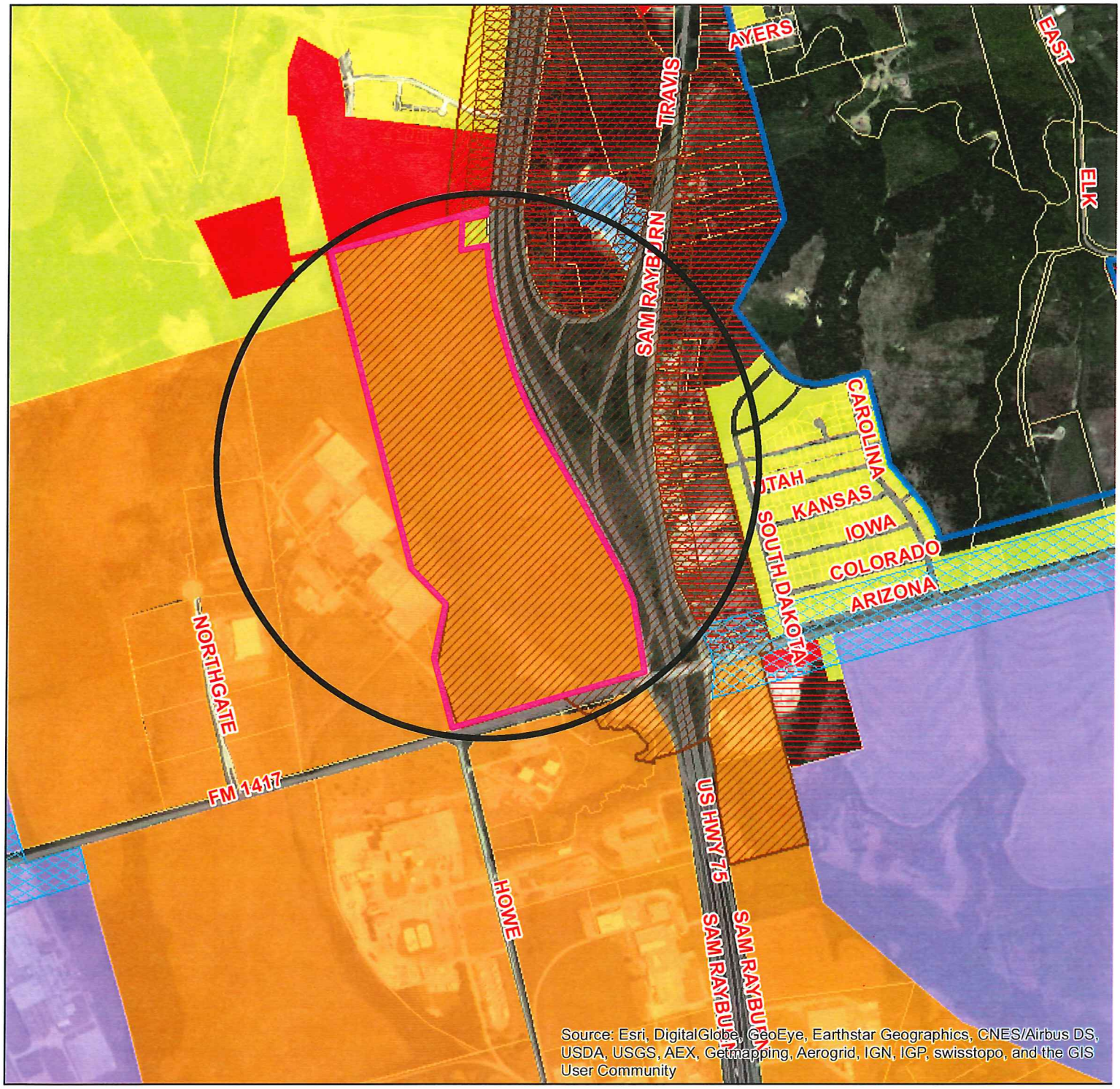
2800-3600 Blks. S. Highway 75

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 1,169 ft



Zoning - 2800-3600 Blks. S. Highway 75

Legend

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

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

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

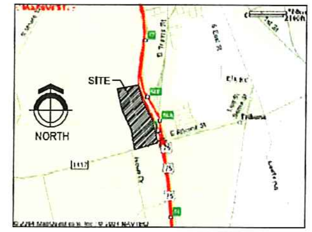
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

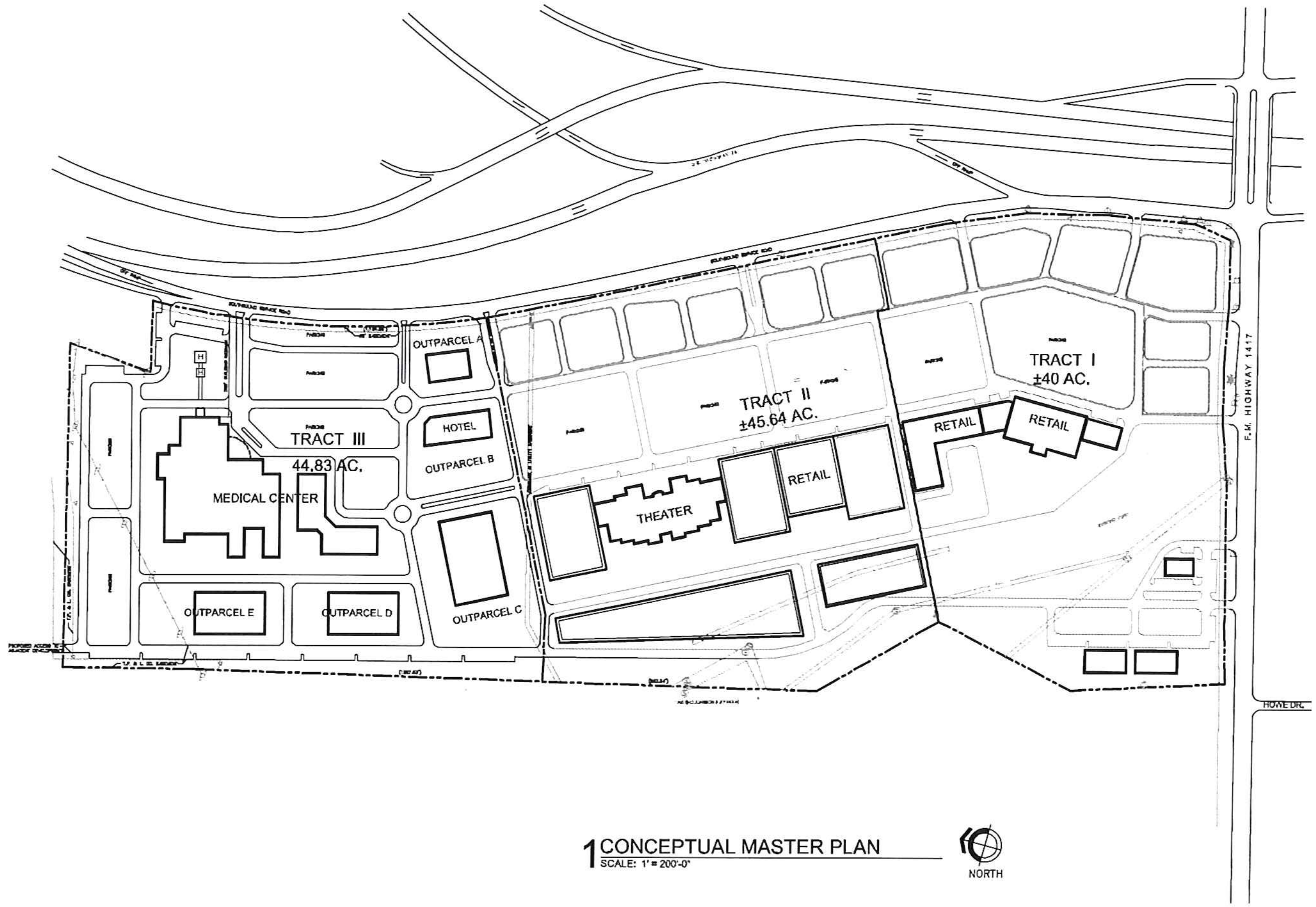
N
NOT TO SCALE

1 in = 1,169 ft

2800-3600 S. Hwy 75



2 LOCATION MAP
NOT TO SCALE



1 CONCEPTUAL MASTER PLAN
SCALE: 1" = 200'-0"

NORTH

ISSUE:
SUBMITTAL 6.30.2015

CONCEPTUAL MASTER PLAN for SHERMAN CROSSROADS DEVELOPMENT

N.W.C. U.S. HIGHWAY 75 & F.M. 1417
SHERMAN, TEXAS

CROSSROADS DEVELOPMENT
#3 WINDY MEADOW CT.
MELISSA, TX 75454
Contact:
Mr. Richard Jelsma,
Mr. Hunter Richmond

CARROLL architects
750 E. Interstate 30
Suite 110
Rockwall, TX 75087

CONCEPTUAL MASTER PLAN

DATE: 6.30.2015
PROJECT NO: 2015021
DRAWN BY:
CHECKED BY: JC
SHEET NO: SP-1

ROSS
DRESS FOR LESS

Hilton
Garden Inn

BLOCKBUSTER

S.U.P. CONCEPT ELEVATIONS for MEDICAL HOSPITAL SHERMAN, TEXAS

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 13.

Meeting Date: 07/21/2015

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

Joe Gilbert, Chairman
Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner
Shawn Davis, Commissioner

Requested Action/Proposed Use:

2800-3600 BLOCKS S. US HIGHWAY 75

The request of Sherman Crossroads LTD (Owners) and Jeff Carroll, Carroll Architects (Architect) concerning the property in the 2800-3600 Blocks South U.S. Highway 75, being 130.48 acres in the Preston Kitchen Survey, Abstract No. 667, and in Tract 4 of the Blalock Industrial Park, as follows:

Planning and Zoning Commission

Conceptual Master Plan for Sherman Crossroads in the Blalock Industrial Park/Blalock Commercial Overlay District.

Background:

The property is located in the 2800-3600 blocks South U.S. Highway 75; the Northwest corner U.S. Highway 75 and West FM 1417 (Heritage Parkway). The property is located in the Blalock Commercial Overlay District which was created in 2010 to create a regional image for retail/commercial developments within and around the Blalock Commercial Overlay District. The District consist of highway frontage in the Blalock Industrial Park at FM 1417 (Heritage Parkway) and nearby tracts that form the south gateway to the city. An exception was approved to allow a medical hospital at the north end of the tract at the July 6, 2015, City Council Meeting.

The owners are requesting a conceptual master plan for the Sherman Crossroads. The master plan includes retail sites including a movie theater, hotel and medical center. The master plan is conceptual and will require more detailed plans and approval prior to construction.

Adjacent Zoning:

C-1 (Retail Business) District
R-1 (One Family Residential) District
Blalock Industrial Park

Origination:

Sherman Crossroads LTD (Owners)
Jeff Carroll, Carroll Architects (Architect)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site

Development Types

- Office (both multi-story buildings and small-scale office uses depending on the site)
- Planned development to accommodate custom site designs or mixing of uses in a Suburban character setting
- Public/institutional uses
- Parks and public spaces

Characteristics

- May exclude some auto-oriented uses that, by their very nature, cannot achieve a Suburban character (e.g., vehicle sales, truck stops, etc.).
- Near residential properties and areas, the permitted scale and intensity of non-residential uses should be limited to ensure compatibility (including adequate buffering/screening, criteria for placement and orientation of buildings and parking areas, height limits, and "residential-in-appearance" architectural standards).
- More opportunity for natural and/or swale drainage (and storm water retention/absorption) versus concentrated storm water conveyance in auto-oriented areas.

Number of notices mailed:

43

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Photo

Conceptual Master Plan
Conceptual Elevations
Staff Review Letter

STAFF REVIEW LETTER

July 15, 2015

Sherman Crossroads LTD
4455 JBJ Freeway
Dallas, TX 75244

Carroll Architects
Jeff Carroll
750 E. Interstate 30
Rockwall, TX 75087

Dear Applicants,

The request for Conceptual Master Plan approval for Sherman Crossroads in the Blalock Industrial Park/Blalock Commercial Overlay District for the property located in the 2800-3600 Blocks South U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 21, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the Blalock Industrial Park Ordinance and the Blalock Commercial Overlay District and the sign ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking is permitted on paved surfaces only, a parking space is considered to be 9'x20'.
4. All parking shall be on private property and shall not encroach into U.S. Highway 75 right-of-way.
5. Review the zoning and development ordinance for additional requirements.
6. This plan is conceptual in nature; a more detailed site plan will require approval from the Planning and Zoning Commission and City Council.

Engineering:

7. When FM 1417 (Heritage Parkway) expands in the future, the driveway may be limited to right-in and right-out.
8. Platting of the property will be required when the property is divided.
9. Additional right-of-way may be required along FM 1417 at the time of platting.
10. All requirements of the floodplain ordinance shall be followed.
11. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
12. Sufficient right-of-way shall be dedicated for OB Groner Road in accordance with the City's Master Plan.
13. Adequate utility capacity shall be provided by the developer to serve the property.
14. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be shall be submitted to the City Engineer for approval.
15. Detention in accordance with City criteria is required.
16. The location of trash receptors shall be coordinated with the Solid Waste Department (903-892-7288).

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

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

cc: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat Approval of the Ball DPF Addition, being 1.844 acres in the J.B. McAnair Survey, Abstract No. 763; Ball DPF, LLC and Dennis Halliburton, Owners; and Underwood Drafting and Surveying, Surveyor (401 North Walnut Street and 311 East Mulberry Street)

Issue:

To consider approval of the Ball DPF Addition, being 1.844 acres in the J.B. McAnair Survey, Abstract No. 763, located at 401 North Walnut Street and 311 East Mulberry Street

Background:

The property is located at 401 North Walnut Street and 311 East Mulberry Street; the northeast corner of Walnut and Mulberry Streets. The owners would like to plat the property into three lots for commercial development.

Origination:

Ball DPF, LLC and Dennis Halliburton (Owners)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

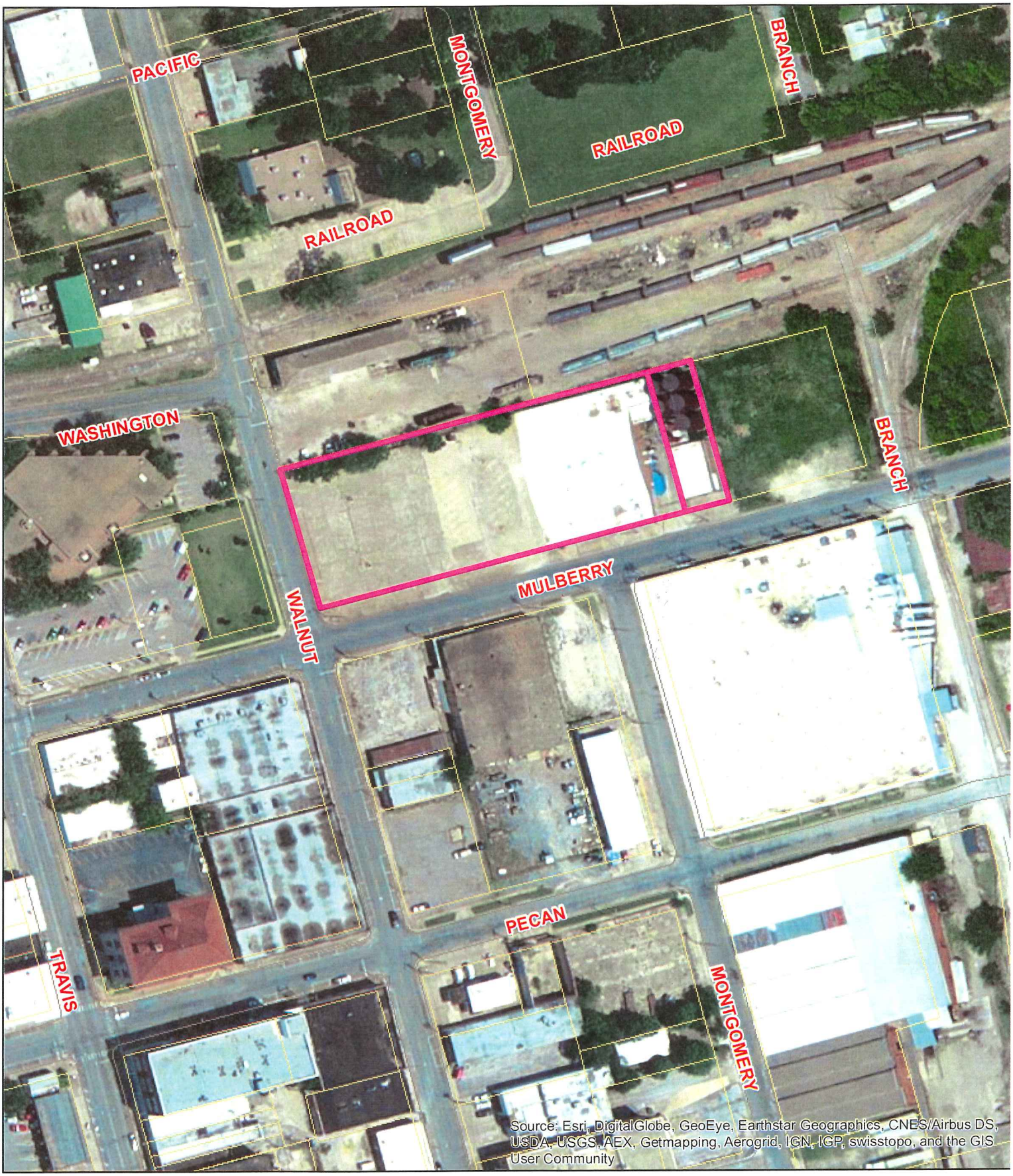
At the July 21, 2015 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

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



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

Final Plat - DPF Addition
401 N. Walnut & 311 E. Mulberry

N
NOT TO SCALE

1 in = 146 ft

Zoning - 401 N. Walnut & 311 E. Mulberry

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 149 ft

LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, and being all of the same tract of land described as 1.65 acres conveyed by Sherman WP Corp. to Ball DPF, LLC by deed dated August 19, 2010, recorded in Volume 4848, Page 415, Official Public Records, Grayson County, Texas, a portion of said 1.65 acre tract being a part of Block "G" of T. J. Shannon's Supplement to the City of Sherman as shown by plat of record in Volume "B", Page 259, Deed Records, Grayson County, Texas, and also being all of the same tract of land described as 0.191 acres conveyed to Dennis Joe Haliburton by Tax Resale Deed dated October 31, 2014, recorded in Volume 5541, Page 189, said Official Public Records, and being more particularly described by metes and bounds as follows:

Beginning at a chiseled "X" cut in concrete found maintaining the Southwest corner of both said Block "G" and the 1.65 acre tract at the intersection of the East line of Walnut Street with the North line of Mulberry street;

Thence North 15°26'58" West with said East line of said Walnut Street and West line of said Block "G" a distance of 166.02 feet to a chiseled "X" cut found maintaining the Northwest corner of the said 1.65 acre tract in a concrete retaining wall;

Thence North 75°18'02" East, passing the East line of said Block "G" and continuing, at a distance of 434.97 feet passing a 1/2" steel rod found maintaining the Northeast corner of the said 1.65 acre tract and the Northwest corner of the said Haliburton tract and continuing for a total distance of 484.97 feet to a 1/2" steel rod found maintaining the Northeast corner of the said Haliburton tract;

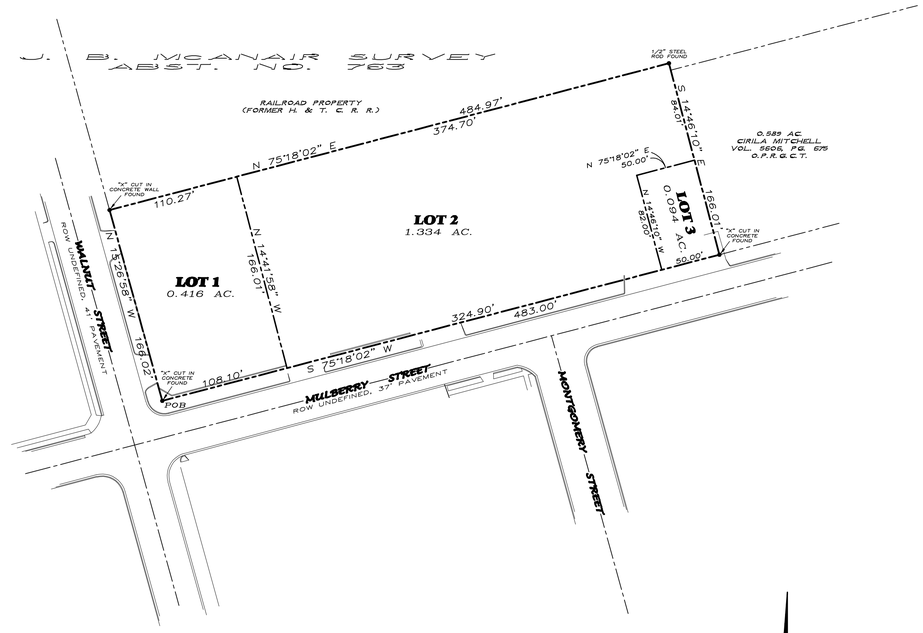
Thence South 14°46'10" East a distance of 166.01 feet to a chiseled "X" cut in concrete found maintaining the Southeast corner of the said Haliburton tract in the said North line of Mulberry Street;

Thence South 75°18'02" West with said North line of Mulberry Street, passing a chiseled "X" cut in concrete maintaining the Southwest corner of the said Haliburton tract and the Southeast corner of the said 1.65 acre tract at 50.00 feet and continuing, passing the Southeast corner of said Block "G" and continuing for a total distance of 483.00 feet to the Point-of-Beginning and containing 1.844 acres of land.....

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.



KNOWN ALL MEN BY THESE PRESENTS:

That I, James R. Maret, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

James R. Maret
Registered Professional
Land Surveyor, No. 5433

Date

~ GENERAL NOTES ~

1. PROPOSED USE ~ COMMERCIAL ~ ZONED C-2 GENERAL COMMECIAL.
2. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE LIMITS OF A FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR GRAYSON COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48181C0290F, REVISED DATE SEPTEMBER 29, 2010.
3. SANITARY SEWER TO BE PROVIDED BY THE CITY OF SHERMAN. EXISTING 8" LINE ALONG SOUTH SIDE MULBERRY STREET.
4. WATER TO BE SUPPLIED BY THE CITY OF SHERMAN BY EXISTING 6" LINES ALONG NORTH SIDE MULBERRY STREET AND EAST SIDE WALNUT STREET.
6. BEARINGS ARE BASED ON CITY OF SHERMAN CONTROL MONUMENTS ESTABLISHED BY GPS OBSERVATION, GRID NORTH, TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD 83.

FINAL PLAT
OF
BALL DPF ADDITION
TO THE CITY OF
SHERMAN, TEXAS
1.844 ACRES
OUT OF THE
J. B. McANAIR SURVEY
ABST. NO. 763
GRAYSON COUNTY, TEXAS

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, Ball DPF, LLC and Dennis Joe Haliburton, do hereby adopt this plat designating the hereinabove property as BALL DPF ADDITION, an addition to the City of Sherman, Texas, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2015.

Chance Finch (Authorized)
Ball DPF, LLC

WITNESS MY HAND this _____ day of _____, 2015.

Dennis Joe Haliburton

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Chance Finch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

Notary Public in and for
the State of Texas

Commission Expires:

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Dennis Joe Haliburton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

Notary Public in and for
the State of Texas

Commission Expires:

Approved this _____ day of _____, 2015, by the City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas Date

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of BALL DPF ADDITION to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2015, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, 2015.

Clerk, City of Sherman, Texas

OWNERS ~ DEVELOPERS
BALL DPF, LLC
401 N. WALNUT STREET
SHERMAN, TEXAS 75090

DENNIS JOE HALIBURTON
P.O BOX 852
SHERMAN, TEXAS, 75091

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021

~ SURVEYOR ~
JAMES R. MARET, R.P.L.S. NO. 5433
UNDERWOOD DRAFTING & SURVEYING
3404 INTERURBAN ROAD
DENISON, TEXAS 75021
(903)465-2151

JOB NO. 15050281

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 7.

Meeting Date: 07/21/2015

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

Joe Gilbert, Chairman
Kyle Patterson, Vice-Chairman
Ron Barton, Commissioner
Sam Thorpe, Commissioner
Ronnie Dutton, Commissioner
Eric Elliott, Commissioner
Chris Vellotti, Commissioner
Sean Vanderveer, Commissioner
Shawn Davis, Commissioner

Requested Action/Proposed Use:

* **401 N. WALNUT & 311 E. MULBERRY**

The request of Ball DPF, LLC and Dennis Halliburton (Owners), Chance Finch (Applicant) and Underwood Drafting and Surveying (Surveyor) concerning the property at 401 North Walnut and 311 East Mulberry Streets, being 1.844 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Planning and Zoning Commission

Final Plat approval of Ball DPF Addition

Background:

The property is located at 401 North Walnut Street and 311 East Mulberry Street; the northeast corner of Walnut and Mulberry Streets. The owners would like to replat the property into three lots for commercial development.

Adjacent Zoning:

C-2 (General Commercial) District
M-2 (Heavy Manufacturing) District
Central Business District

Origination:

Ball DPF, LLC and Dennis Halliburton (Owners)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Plat

Staff Review Letter

SHERMAN

STAFF REVIEW LETTER

July 13, 2015

Ball DPF, LLC
401 N. Walnut
Sherman, Texas 75090

Chance Finch
401 N. Walnut
Sherman, Texas 75090

Dear Applicants,

The request for approval of 401 N Walnut and 311 East Mulberry Streets, the Final Plat of Ball DPF Addition, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 21, 2015 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. Remove curb lines from the plat.
5. A 10' Utility Easement shall be dedicated along Walnut and Mulberry Streets.
6. Water and Sewer Pro-Rata will be due for Lot 1 at the time of Development.
7. The lot line between Lot 2 and/or 3 shall be clarified.
8. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,

Clint A. Philpott,
City Engineer

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Jamie Baggs, Fire Marshal
Clay Barnett, Director of Public Works and Engineering
Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Dir. of Community and Support Services
Lisa Whitfield, Engineering & Development Coordinator
Underwood Drafting & Surveying, 3404 Interurban Road, Denison, TX 75021

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive City Attorney Brandon Shelby's Update on the Panhandling Ordinance

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:

Section 8.03.004 of the City of Sherman Code of Ordinances titled Right-of-Way Safety Regulations was approved on January 16, 2012. The purpose of this article is to protect the health, safety and general welfare of the citizens of the city, and to assure the free, orderly and undisrupted movement of vehicles on public roads within the city. However, panhandling continues to be an issue. Staff is seeking more Council discussion regarding this issue and Council direction as to further action.

Origination:

City Council

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

Sherman Code of Ordinances Article 8.03.004

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, to assure the free, orderly, undisrupted movement of vehicles on public roads within the city.

(1) 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 city's manager's office.

(2) The authorization described in subsection (1) 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.

(3) An offense under this section is punishable by a fine not to exceed five hundred dollars ($500.00) for each offense.

(Ordinance 5731 adopted 1/16/12)

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **Agenda Item No. E. 5.**

Meeting Date: 08/17/2015

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

**** 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 Festival" on Saturday, September 12, 2015

Issue:

Council approval is requested for the street closures and use of City facilities and services to facilitate the annual Hispanic Heritage Festival on Saturday, September 12th from 11:00 a.m. to 6:00 p.m. A request has been made to close the streets around the Municipal Building and to provide additional solid waste containers, cones and barricades.

Background:

In 2010, the Grayson Hispanic Heritage Council of Sherman moved their annual Hispanic Heritage Celebration from the Downtown square to the Municipal Building grounds. The event organizers have again reserved the Oliver Dewey Mayor Outdoor Theater and Municipal Ballroom for this year's event.

Origination:

Henry Marroquin, President of the Grayson Hispanic Heritage Council of Sherman

Financial Consideration:

The Municipal Building grounds and Ballroom have been reserved. Labor and equipment to drop-off/pick-up barricades, cones and solid waste containers will be required.

Staff Recommendation:

It is recommended that the City Council approve the request to hold this annual event on the Municipal Building grounds and that the staff be authorized to use necessary City resources to accommodate this event.

Alternatives:

As may be recommended by the Council

Attachments

Hispanic Heritage Request of July 31, 2015

Grounds and Barricade Map

July 31, 2015

City of Sherman
Director of Public Works
P.O. Box 1106
Sherman, TX 75091

Dear Sir or Madam:

This is a request made by the Hispanic Heritage Council of Texoma regarding the Annual Hispanic Heritage Festival. This year's event will be taking place at the Sherman Municipal Grounds on Saturday, September 12, 2015. The outdoor event is scheduled to take place from 11am to 6pm. with full access to the indoor ballroom during the hours of 1pm to 3pm.

The following items are being requested from the city of Sherman:

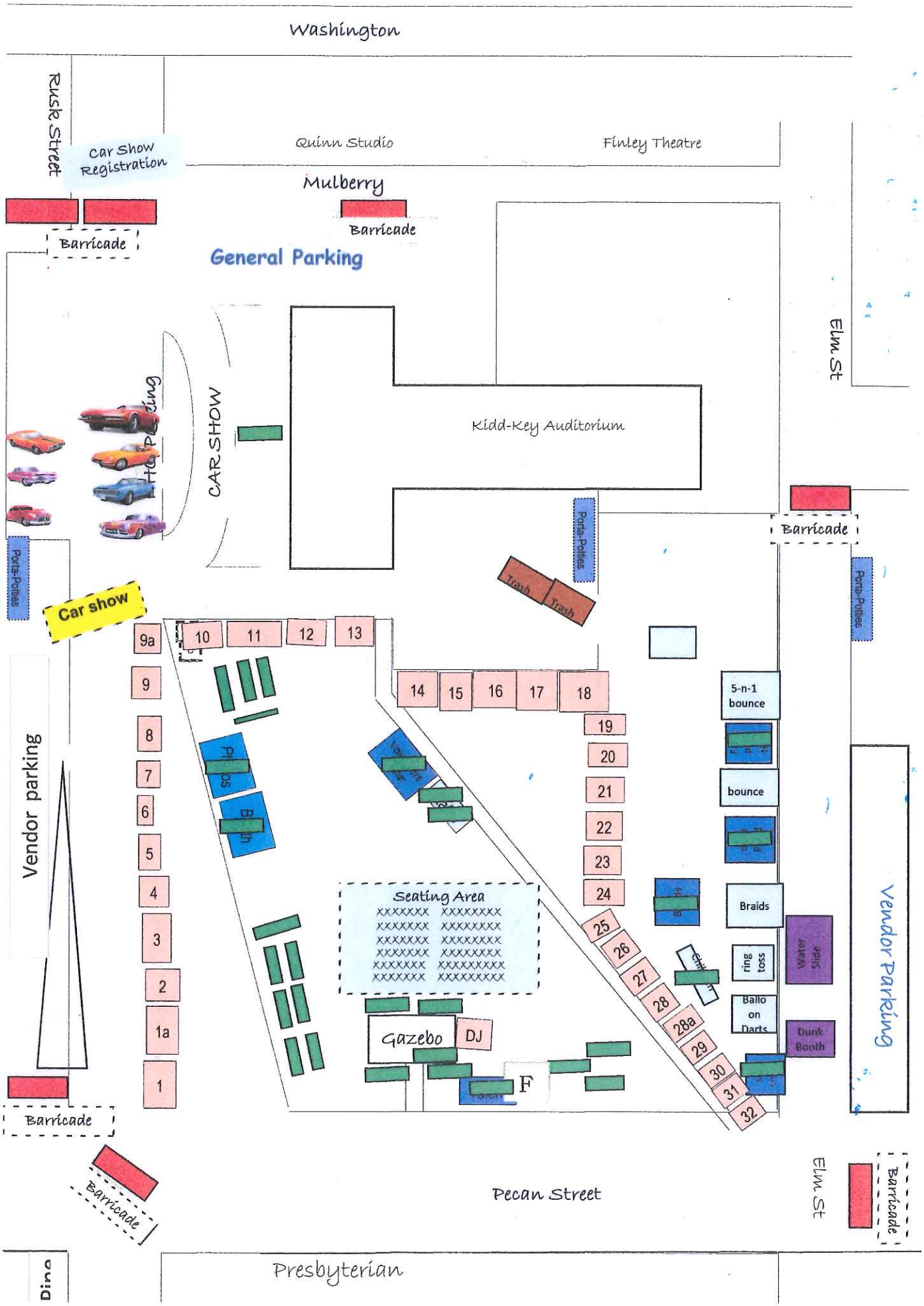
- Request for two city dumpsters to be placed on the South side of the Municipal lawn in the parking lot - (East corner of the parking lot).
- Request for twenty of the green roll around trash cans. (to be placed near the city dumpster)
- Request for twenty of the light green Recycle roll around trash cans (to be placed alongside of the green roll around trash cans).
- Request street closure of Rusk Street at the intersections of Rusk and Mulberry and Rusk and Pecan.
- Request street closure of Elm Street at 2 intersections, both named Mulberry and Elm and at one intersection of Pecan and Elm.
- Request for 20 street barricades to be used as needed for blocking off sections during the event.
- Request for 40 orange cones to be used as needed for blocking off sections during the event.

The Hispanic Heritage Council would like to thank the City of Sherman for its cooperation and assistance in the coordination of our request.

Thank you for your consideration,

Henry Marroquin

Henry Marroquin
President
Hispanic Heritage Council of Texoma


Washington
Rusk Street
Car Show Registration
Quinn Studio
Finley Theatre
Mulberry
Barricade
Barricade
General Parking
Elm St
Car Parking
CAR SHOW
Kidd-Key Auditorium
Porta-Potties
Barricade
Porta-Potties
Trash
Trash
Porta-Potties
Car show
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3
2
1a
1
5-n-1 bounce
bounce
Braids
ring toss
Ballo on Darts
Water Slide
Dunk Booth
Vendor parking
Vendor Parking
Seating Area
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xxxxxxx xxxxxxxxx
Gazebo
DJ
F
Barricade
Barricade
Pecan Street
Elm St
Barricade
Presbyterian

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 08/17/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2015 Council Calendar

2015

JANUARY						
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JUNE						
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AUGUST						
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NOVEMBER						
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DECEMBER						
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1/5/2015	Regular City Council Meeting - Cancelled
4/21/2015	Called Budget Planning Meeting in Council Chambers
06/25-26/2015	Called Budget Workshop in Council Chambers - Second Day Cancelled
9/8/2015	Labor Day/Called Council Meeting on 09/8/2015
9/15/2015	12 noon Called Joint Meeting with SEDCO Board