CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, AUGUST 7, 2023
5:00 P.M.

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

A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER JUSTON DOBBS

A. 3. INVOCATION BY COUNCIL MEMBER JUSTON DOBBS

A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 17, 2023.

Citizen Comments

B. 1. CITIZEN COMMENTS
During this meeting, the City Council welcomes public comment **only** on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours, or with the Mayor or any Council member by contacting them at times other than at City Council meetings.

Consent Agenda

C. 1. CONSENT AGENDA
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

C. 2. CONSENT AGENDA
Double Asterisked (**) items are considered to be routine and will be enacted in one motion, subject to staff review letter, without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Special Presentations

D. 1. SPECIAL PRESENTATION
Recognizing the Heroic, Life Saving Efforts of Sherman Police Officer Jacob Foreman

D. 2. SPECIAL PRESENTATION
Recognizing the Heroic, Life Saving Efforts of Sherman Emergency Communications Officer Sara Patterson

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

Public Hearing

E. 1. **PUBLIC HEARING**

First Public Hearing Required by the Charter to Adopt a Budget and Provide for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Declaring that this Budget will Raise More Total Property Taxes than Last Year's Budget by $5,849,000 and 27%, and of that Amount $1,492,000 is Tax Revenue to Be Raised from New Property Added to the Tax Roll this Year; Providing a Savings/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

E. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6620**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 26.598 acres in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 2400-2500 Blocks South East Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District, (City of Sherman, Owner; Rob Rae Representative; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6621**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 49.496 acres in the Preston Kitchens Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 300-400 Blocks East Sherman Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single-Family Residential) District, (Kirk Allen, Owner; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6622**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, and Granting a Specific Use Permit to Allow a Mini-warehouse in the C-1 (Retail Business) District/F.M. 1417 Overlay District, Located at 1300 South FM 1417 (Heritage Parkway), consisting of 4.9167 acres, being all of Lot 2, 3, 4, 5 and 6, Block 6, Heritage Farms Estates, City of Sherman, Grayson County, Texas (Michael Postar, Owner; Joseph Gonzalez, Representative; and Centerline Engineering & Consulting, LLC, Surveyor); Prescribing Conditions to the Specific Use Permit; Providing A Penalty Not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6623**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 67.891 acres, being a part of S. Inman Survey, Abstract No. 621, City of Sherman, Grayson County, Texas, Located in the 2800 Block Blue Flame Road, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District Zoning Classification (Chad McDuffie, MD, Owners; D2 Investments, Inc., Representative; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

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

E. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6624**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, City of Sherman, Grayson County, Texas, Located at 516-518 East Cherry Street, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the C-2 (General Commercial) District Zoning Classification (Chemtica USA, LLC, Owners; and Burns Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6625**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 29.278 acres, contained in Tract One, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Located in the 2700-3100 Blocks North Travis Street, Heretofore Zoned an R-6 (Single Family Residential) District; Rezoning and Placing the Tract in the R-4 (Single Family Residential) District Classification, (TBJB1, LLC, Owner; Ben McKay, Representative; and Preston Trail Land Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6626**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 2.993 acres, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Located in the 700 Block North FM 1417 (Heritage Parkway), Heretofore Zoned C-1 (Retail Business) District; Rezoning and Placing the Tract in the C-N (Neighborhood Commercial) District Zoning Classification (Wyldewood Homes, LLC, Owner; Bryan Blagg, Representative; and Preston Trail Land Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 9. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6627**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2023, for the Purpose of Electing Two (2) District 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

E. 10. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6628**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2023, 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

E. 11. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6629**

Re-appointing a Presiding Municipal Court of Record Judge and an Alternate Municipal Court of Record Judge for the City of Sherman, Grayson County, Texas

Close Public Hearing and Consider Adoption of Ordinances

E. 12. **ADOPTION OF ORDINANCES**

Consider Adoption of Ordinance Numbers 6620, 6621, 6622, 6623, 6624, 6625, 6626, 6627, 6628 and 6629.

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

Resolutions

F. 1. **RESOLUTION NO. 7109**

Determining a Public Necessity to Acquire by Eminent Domain Certain Property Interests for Public Use, Including Permanent Water Easement and Temporary Construction Easements for the Construction, Expansion, Access, Repair and Maintenance of Public Water and Other Utility Improvements Consisting of Two Tracts of Land Comprising +/- 1.953 acres (Permanent Water Easement) and a +/- 1.6956 acres for a Temporary Construction Easement owned by Nuo Yang, Recorded Under Volume 5411, Page 544 of the Official Public Records of Grayson County, Texas, Within the Pleasant Thompson Survey, Abstract No. 1208, City of Sherman, Grayson County, Texas, as Deemed Necessary by the City Manager or His Designee; Giving Notice of an Official Determination to Acquire the Permanent Water Easement and Temporary Construction Easement for Public Use by Eminent Domain for Such Uses; Authorizing the City Manager of the City of Sherman, Texas, to Establish Procedures for Acquiring the Easements, Offering to Acquire the Easements, Voluntarily, from the Landowner Through the Making of Bona Fide Offers; Appropriating Funds; Providing for Repealing, Savings and Severability Clauses; and Providing for an Effective Date

F. 2. **RESOLUTION NO. 7110**

Determining a Public Necessity to Acquire by Eminent Domain Certain Property Interests for Public Use, Including Permanent Water Easement and Temporary Construction Easements for the Construction, Expansion, Access, Repair and Maintenance of Public Water and Other Utility Improvements Consisting of Two Tracts of Land Comprising +/-1.697 acres (Permanent Water Easement) and a +/- 1.508 acres for a Temporary Construction Easement owned by Nuo Yang, Recorded Under Volume 5409, Page 210 of the Official Public Records of Grayson County, Texas, Within the William A. Deaver Survey Abstract No. 347, Extraterritorial Jurisdiction of the City of Sherman, Grayson County, Texas, as Deemed Necessary by the City Manager or His Designee; Giving Notice of an Official Determination to Acquire the Permanent Water Easement and Temporary Construction Easement for Public Use by Eminent Domain for Such Uses; Authorizing the City Manager of the City of Sherman, Texas, to Establish Procedures for Acquiring the Easements, Offering to Acquire the Easements, Voluntarily, from the Landowner Through the Making of Bona Fide Offers; Appropriating Funds; Providing for Repealing, Savings and Severability Clauses; and Providing for an Effective Date

F. 3. **RESOLUTION NO. 7111**

Establishing the Main Street Reimbursement Program and Declaring the City of Sherman's Eligibility and Intention to Participate in the Program to Promote Economic Development in Certain Areas of the City in Accordance with Chapter 380 of the Texas Local Government Code

F. 4. **RESOLUTION NO. 7112**

Authorizing Execution of an Agreement with David Downtain, d/b/a RP Sherman Properties II, LLC under the City of Sherman's Downtown Building Improvement Grant Program for Renovations at 219 W Houston Street

F. 5. **** RESOLUTION NO. 7113***

Authorizing Delegation of Certifying Officer for HUD-Administered Community Development Block Grant and Other HUD-Administered Grants in Accordance with 24CFR Part 58

F. 6. **** RESOLUTION NO. 7114***

Awarding a Bid to and Authorizing Execution of a Contract with Southwest CDJR, LLC for the Purchase of Two Ford Explorers for the Sherman Police Department

F. 7. **** RESOLUTION NO. 7115***

Authorizing Execution of an Agreement with EarnhartBuilt, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1013 South First Street within City of Sherman Reinvestment Zone, Number Ten (#10)

F. 8. **** RESOLUTION NO. 7116***

Authorizing Execution of an Agreement with Habitat For Humanity for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1017 South First Street within City of Sherman Reinvestment Zone, Number Ten (#10)

F. 9. **** RESOLUTION NO. 7117***

Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 7, 2023

Other Business

G. 1. **OTHER BUSINESS**

Receive a presentation from Halff Associates on Updates to the Zoning and/or Subdivision Ordinances.

G. 2. **OTHER BUSINESS**

Review of the Draft Capital Improvement Program (CIP) 2023-2028 and Set a Public Hearing for Monday, August 21, 2023

G. 3. **OTHER BUSINESS**

Record Vote on Proposal to Consider Tax Increase

G. 4. **OTHER BUSINESS**

Replat of Lots 2, 3, 4 in Block A of G.W. Bond's Third Addition, consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, and is currently zoned M-2 (Heavy Manufacturing) District; Chemtica USA, LLC (Owner) and Burns Surveying (Surveyor) (516-518 East Cherry Street)

G. 5. ***** OTHER BUSINESS***

Replat of Neu Addition, Lot 1R, consisting of 6.500 acres, being in the Garrett Pangburn Survey, Abstract No. 945 also being Lot 1, Neu Addition, and is currently located in the ETJ (Extra Territorial Jurisdiction); Kevin and Julia Woods and Shu Feei Wang (Owners), Kevin Woods (Representative) and Underwood Drafting & Surveying, Inc. (Surveyor) (100 Jim Lamb Road)

G. 6. ***** OTHER BUSINESS***

Replat of COHO Moore Addition, Lot 4R-A, consisting of 0.214 acres, being a part of the Samuel Blagg Survey, Abstract No. 56, and being the West 49 foot of Lot 4, Block 7 of B.H. Moore Heirs Addition and is currently zoned R-6 (Single Family Residential) District; Corby Hosea (Owner) and Helvey Wagner Surveying (Surveyor) (300 West Moore Street)

G. 7. ***** OTHER BUSINESS***

Final Plat of Menjivar High Country Addition, Lot 1, Block A, consisting of 2.255 acres, being in the Alfred Hume Survey, Abstract No. 522, and is currently located in the ETJ (Extra Territorial Jurisdiction); Jose Menjivar (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) (50 High Country Road)

G. 8. ***** OTHER BUSINESS***

Final Plat of Estates at Baker Park, Phase 1, consisting of 31.687 acres in the E. Jones Survey, Abstract No. 625, and currently zoned R-6 (Single Family Residential) District/ F.M. 1417 Overlay District; Stonehollow Homes (Owner) and Spiars Engineering Inc. (Civil Engineer/Surveyor) (200 Block South FM 1417 (Heritage Parkway))

G. 9. ***** OTHER BUSINESS***

Final Plat of Willow Branch Subdivision, Phase 1, consisting of 2.197 acres in the J.B. McAnair Survey, Abstract No. 763, and currently zoned R-6 (Single Family Residential) District; TBJB1, LLC (Owner) and Preston Trail Land Surveying (Surveyor) (3000 Block North Hickory Street)

G. 10. ***** OTHER BUSINESS***

Final Plat of Howe Substation Addition, consisting of 6.00 acres, being in the William Martin Survey, Abstract No. 765, and currently zoned Blalock Industrial Park PD (Planned Development) District; Sherman Economic Development Corporation, Kent Sharp (Owner) and Underwood Drafting & Surveying (Surveyor) (5000 Block Howe Drive)

G. 11. ***** OTHER BUSINESS***

Final Plat of Vein Center of North Texas Addition, consisting of 0.626 acres, being in the J.B. McAnair Survey, Abstract No. 763, and currently zoned C-O (Office) District/Sam Rayburn Overlay; Vein Center of North Texas Properties, LLC (Owner) and Underwood Drafting & Surveying (Surveyor) (1325 North Travis Street)

G. 12. ***** OTHER BUSINESS***

Final Plat of Earnhartbuilt's 14th, consisting of 0.131 acres in the Samuel Blagg Survey, Abstract No. 56; Jason Earnhart, Earnhartbuilt, LLC (Owner) and Copley Land Surveying (Surveyor) (419 South Montgomery Street)

Consider Board/Commission Appointments

H. 1. **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

(a) Main Street Advisory Board (2)

I. **COUNCIL COMMENTS**

Executive Session

J. 1. **EXECUTIVE SESSION**

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

Tex. Gov't Code § 551.071	Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

(a) Receive legal advice regarding cement kilns

Tex. Gov't Code § 551.072	Deliberating the purchase, exchange, lease or value of real property if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.
Tex. Gov't Code § 551.073	Deliberating a negotiated contract for a prospective gift or donation to the City if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.
Tex. Gov't Code § 551.074	Deliberating the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. (a) Red River Groundwater Conservation District (1) (b) Civil Service Commission (1) (c) Planning and Zoning Commission (1)
Tex. Gov't Code § 551.076	Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.
Tex. Gov't Code § 551.087	Discussing or deliberating commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay or expand in or near the City and with which the City is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. (a) Hotel (b) The Village
Tex. Gov't Code § 551.089	Deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices.

The Council reconvenes into General Session

K. 1. OPEN MEETING

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

L. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on Friday, August 4, 2023 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 4th day of August, 2023.
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	
David Plyler	Josh Stevenson	Henry Marroquin, Council-At-Large, PL #1	Josh Stevenson, Council – District #2
		Juston Dobbs, Council-At-Large, PL #2	Pamela L. Howeth, Council – District #3
		Shawn C. Teamann, Council – District #1	Daron Holland, Council – District #4

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

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **A. 4.**

Meeting Date: 08/07/2023

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 17, 2023.

Attachments

July 17, 2023

STATE OF TEXAS §

July 17, 2023

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 July 17, 2023.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON. COUNCIL MEMBERS DOBBS, HOWETH, MARROQUIN.**

MEMBERS ABSENT: **COUNCIL MEMBERS HOLLAND, TEAMANN.**

CALL TO ORDER — **CALL TO ORDER**

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were led by Council Member Henry Marroquin.

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Called City Council Meeting of June 26, 2023, and the Called City Council Meeting of July 5, 2023. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Dobbs; All present voted AYE.
MOTION CARRIED.

CITIZEN'S COMMENTS — **CITIZENS COMMENTS**

There were no citizen's comments.

CONSENT AGENDA — **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.

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

CONSENT AGENDA — **CONSENT AGENDA**

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

The Council reviewed the Consent Agenda. Council Member Howeth moved to approve the Consent Agenda, subject to the Staff Review Letter. Second by Council Member Dobbs. All present voted AYE.

Mayor Plyler introduced Ordinance No. 6613 and called for a public hearing: — **ORD 6613 SUP FOR AUTO SALES (2303 TEXOMA PKWY)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND

GRANTING A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES, NEW OR USED AND AUTOMOBILE REPAIR, BODY WORK, OR PAINTING IN THE C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, LOCATED AT 2303 TEXOMA PARKWAY, CONSISTING OF 0.770 ACRES, BEING IN THE SMITH McGLOTHLIN SURVEY, ABSTRACT NO. 808, AND BEING A REMAINDER OF LOT 1 IN BLOCK 1 OF HIGHLAND PARK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (LCA PROPERTIES, LLC, OWNER; TODD KOFSKY, SHERMAN MOTORS, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Rob Rae, Director of Development Services, said this Specific Use Permit is to allow automobile sales and repair. The auto repair will be done as it applies to the sale of their vehicles, and not general auto repair for customers.

The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter.

<u>Todd Kofsky, Sherman Motors, 3514 Texoma Parkway</u>
Mr. Kofsky appeared representing the applicant, Sherman Motors. They previously rented the property at 3514 Texoma Parkway, and have purchased the property at 2303 Texoma Parkway. They are moving their operation to the new location.

No other citizens appeared before the City Council to discuss Ordinance No. 6613.

ORD 6614 SUP FOR MINI-WAREHOUSE (5820 TEXOMA PKWY)

Mayor Plyler introduced Ordinance No. 6614 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 5820 TEXOMA PARKWAY, CONSISTING OF 3.66 ACRES, BEING BLOCK 1, LOT 1, IN THE SHERMAN MINI WAREHOUSE ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (REX HUDDLESTON, OWNER; KENT HUGHLETT, REPRESENTATIVE; AND BARRON STARK ENGINEERS, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said the request is for a mini-warehouse in a C-2 District. The applicant has recently purchased this property and would like to expand it by 14,000 square feet. It is currently an existing mini-warehouse, and the request is just to expand the facility and increase the number of storage units.

The Planning and Zoning Commission recommended approval of the Specific Use Permit.

No citizens appeared before the City Council to discuss Ordinance No. 6614.

ORD 6615
ZONE CHANGE
(6501 BLOCK OF N. HWY 75)

Mayor Plyler introduced Ordinance No. 6615 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 8.68 ACRES, BEING IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 6501 BLOCK OF NORTH HIGHWAY 75, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-30 (MULTI FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (MARUTI INTERESTS, OWNERS; AND SARTIN & ASSOCIATES, INC., SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this item is to rezone from an R-6 District to an MF-30 District. The applicant is planning to construct 144 units, consisting of a mix of one, two, and three-bedroom units.

The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6615.

ORD 6616
ZONE CHANGE
(419 S. MONTGOMERY)

Mayor Plyler introduced Ordinance No. 6616 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 419 SOUTH MONTGOMERY STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (JASON EARNHART, EARNHARTBUILT, LLC, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this rezone is from R-6 to R-5, and the lot currently is smaller than a 60-foot lot. The applicant would like to rezone the lot to R-5, so they can build a single-family home.

The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6616.

Mayor Plyler introduced Ordinance No. 6617 and called for a public hearing:

ORD 6617
ZONE CHANGE
(708 & 722 S. RUSK ST)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2 & 3, BLOCK 1 OF POST OAK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 708 AND 722 SOUTH RUSK STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (LUKE SCHEIBMEIR, OWNERS; CHRIS NOAH; REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this is the current location of the Little Store. The property owner and tenant, have purchased the property north of the Store, and would like to add a parking lot at that location. Part of that request would be to zone it to Neighborhood Commercial District, and get a replat of the property.

The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6617.

Mayor Plyler introduced Ordinance No. 6618 and called for a public hearing:

ORD 6618
UPDATE ZONING ORD
OVERLAY DISTRICTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.02.001 (ZONING DISTRICTS ESTABLISHED), 14.02.002 (ZONING EQUIVALENCY TABLE), 14.03.008 (ARTS AND CULTURAL OVERLAY DISTRICT), 14.03.009 (CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT), 14.10.001 (USE CHART); REPEALING THE ARTS AND CULTURAL OVERLAY DISTRICT; MODIFYING CERTAIN EXISTING REGULATIONS AND PRESCRIBING NEW REGULATIONS RELATING TO THE CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND ESTABLISHING NEW SUBDISTRICTS; PROVIDING A PENALTY NOT TO EXCEED $2,000; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

Mr. Rae said this was a recommendation from the staff to update the Central Business District Overlay. When the County requested a zoning text amendment, the staff felt it would also be a good time to update the overlay districts.

Changing the Overlay Districts was discussed with the Planning and Zoning Commission Subcommittee last year, with the 2022 zoning updates. However, because of the notification requirements for all people within those locations, they decided not to update the districts at that time.

With the requested changes for Grayson County, the staff decided it was also time to update the Central Business District Overlay. One recommendation was to repeal the Arts and Cultural Overlay District. This district is completely encompassed within the Central Business District, and caused "overlapping" overlay districts. The regulations from that district, were incorporated into the Central Business District update.

Mr. Rae said this change has nothing to do with the Cultural District that was established in 2018, by former Mayor Cary Wacker. He said this ordinance would add additional regulations for downtown, on the look of buildings, the architecture of buildings, the building setbacks in different parts of the overlay, and essentially make them consistent with the other overlay districts in Sherman.

Meetings were held with the Main Street Board, and the Planning and Zoning Commission recommended approval of the updates.

No citizens appeared before the City Council to discuss Ordinance No. 6618.

Mayor Plyler introduced Ordinance No. 6619 and called for a public hearing:

ORD 6619
ZONE CHANGE
(4800 TEXOMA PKWY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 43.9389 ACRES, TRACT ONE, BEING 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL AND TRACT TWO, CONSISTING OF 6.9124 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5, 6 AND 7, BLOCK 1, OF THE REPLAT OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 4800 TEXOMA PARKWAY, HERETOFORE ZONED M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT CLASSIFICATION, (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this was a zone change from an M-1 and C-2 District, to a C-2 District. Part of this item was discussed at the June 25, 2023 City Council Meeting. Another part of the zoning change happened at the last Planning and Zoning Commission Meeting.

The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

Scott Cresswell, Star Midway, LLC, 900 Linden Ave, Suite 100, Rochester, New York
Mr. Cresswell, appeared representing the owner of Midway Mall, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6619.

The Public Hearing was closed.

Ordinance 6603 (Tabled at the June 26, 2023 Called City Council Meeting) — **ORD 6603 SUP FOR MINI-WAREHOUSE (4800 TEXOMA PKWY)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 43.9389 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2, AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mayor Plyler said Ordinance Nos. 6603 and 6604 were tabled at the last Council Meeting and would need to be brought off table if the Council wanted to consider them.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to remove Ordinance Nos. 6603 and 6604 from table for discussion. Second by Council Member Howeth.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED TO REMOVE FROM TABLE.

Ordinance 6604 (Tabled at the June 26, 2023 Called City Council Meeting) — **ORD 6604 SUP FOR WAREHOUSING (4800 TEXOMA PKWY)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW WAREHOUSING IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 53.1534 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY,

ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2 AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Ordinance 6614

ORD 6614
SUP FOR MINI-WAREHOUSE (5820 TEXOMA PKWY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 5820 TEXOMA PARKWAY, CONSISTING OF 3.66 ACRES, BEING BLOCK 1, LOT 1, IN THE SHERMAN MINI WAREHOUSE ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (REX HUDDLESTON, OWNER; KENT HUGHLETT, REPRESENTATIVE; AND BARRON STARK ENGINEERS, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6614, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6613

ORD 6613
SUP FOR AUTO SALES (2303 TEXOMA PKWY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES, NEW OR USED AND AUTOMOBILE REPAIR, BODY WORK, OR PAINTING IN THE C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, LOCATED AT 2303 TEXOMA PARKWAY, CONSISTING OF 0.770 ACRES, BEING IN THE SMITH McGLOTHLIN SURVEY, ABSTRACT NO. 808, AND BEING A REMAINDER OF LOT 1 IN BLOCK 1 OF HIGHLAND PARK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (LCA PROPERTIES, LLC, OWNER; TODD KOFSKY, SHERMAN MOTORS, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Council Member Marroquin said this was an existing building and he asked if the repair shop would be in this building. Mr. Kofsky said the existing building would be a sales office. He has requested a small workshop for "prepping" vehicles, and this would allow them to prepare vehicles in an indoor facility.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6613, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6615

ORD 6615 ZONE CHANGE (6501 BLOCK OF N. HWY 75)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 8.68 ACRES, BEING IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 6501 BLOCK OF NORTH HIGHWAY 75, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-30 (MULTI FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (MARUTI INTERESTS, OWNERS; AND SARTIN & ASSOCIATES, INC., SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6615, as presented. Second by Council Member Marroquin.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6616

ORD 6616 ZONE CHANGE (419 S. MONTGOMERY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 419 SOUTH MONTGOMERY STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (JASON EARNHART, EARNHARTBUILT, LLC, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Council Member Marroquin said the property line runs through the porch of the house next door.

Mr. Rae said they actually received a complaint from the neighbor on the south, when they added fill to the property and constructed retaining walls.

After the survey was completed and the City inspectors went out there, it was found that the porch actually went onto the subject property. The porch was removed because it illegally went into the other lot.

Wayne Lee, Director of Engineering, said the imported fill has also been removed.

ACTION TAKEN.
Motion by Council Member Howeth to adopt Ordinance No. 6616, as presented. Second by Council Member Dobbs.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6617 — **ORD 6617 ZONE CHANGE (708 & 722 S. RUSK ST)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2 & 3, BLOCK 1 OF POST OAK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 708 AND 722 SOUTH RUSK STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (LUKE SCHEIBMEIR, OWNERS; CHRIS NOAH; REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ACTION TAKEN.
Motion by Council Member Howeth to adopt Ordinance No. 6617, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6618 — **ORD 6618 UPDATE ZONING ORD OVERLAY DISTRICTS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OR ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.02.001 (ZONING DISTRICTS ESTABLISHED), 14.02.002 (ZONING EQUIVALENCY TABLE), 14.03.008 (ARTS AND CULTURAL OVERLAY DISTRICT), 14.03.009 (CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT), 14.10.001 (USE CHART); REPEALING THE ARTS AND CULTURAL OVERLAY DISTRICT; MODIFYING CERTAIN EXISTING REGULATIONS AND PRESCRIBING NEW REGULATIONS RELATING TO THE CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND ESTABLISHING NEW SUBDISTRICTS; PROVIDING A PENALTY NOT TO EXCEED $2,000; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ACTION TAKEN.
Motion by Council Member Howeth to adopt Ordinance No. 6618, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

ORD 6619
ZONE CHANGE
(4800 TEXOMA PKWY)

Ordinance 6619

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 43.9389 ACRES, TRACT ONE, BEING 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL AND TRACT TWO, CONSISTING OF 6.9124 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5, 6 AND 7, BLOCK 1, OF THE REPLAT OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 4800 TEXOMA PARKWAY, HERETOFORE ZONED M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT CLASSIFICATION, (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Council Member Howeth asked what types of development could be done with Midway Mall, with this zoning change. Mr. Rae said anything retail would be permitted. Some things, like a mini-warehouse, would be allowed, but would require a Specific Use Permit. A hotel would be permitted in a C-1 District, but not a C-2. Mr. Rae said many different things could be done in a C-2 District.

Deputy Mayor Stevenson asked to discuss Ordinance Nos. 6603, 6604, and 6619 together, for the purpose of questions.

He said there was some confusion as to how the proposed mini-warehouse would work, and asked for an overview of the project, including the overall usage. He understood cars would be driving through the Mall.

Mr. Cresswell said his company owned the entire site, other than the Dillard's store. They plan to take it from Burlington down past the old Penney's building, and continue that as a retail location. They are currently signing leases for these locations. Six or seven new tenants will be moving in within the next 30 to 60 days.

The second part is the middle of the building, which will be developed in two phases. The old Beall's space will become storage units, indoor, climate-controlled units. Initially, patrons will pull in, unload into the storage unit, and back out. Eventually they will build a one-way road, that will go through the facility. This will add convenience and security to the facility.

The back part of the building will be available for warehouse space, in sizes from 50,000 square feet to 150,000 square feet, depending on the tenants.

Mr. Cresswell said across the road from the Mall, there's a 3.3 acre parcel, behind the equipment rental store. He said they are talking to several people about building a hotel at that location. They are also talking about adding two to four more "box stores," that could be "broken down" in size, depending on the needs of the tenant. These would face Texoma Parkway. The area between these box stores and the existing retail part of the Mall, would be parking.

Council Member Marroquin asked for clarification on the entrance for the warehouses.

Council Member Dobbs asked what other cities had this similar set-up. Mr. Cresswell originally said they had developed this type of facility in other cities. He said this was about their 30th property that they would be building, and about 25 of those have "drive aisles."

Council Member Howeth expressed concern about the retailers in front of the storage units and how it might impact them, such as with exhaust from the vehicles, and how to protect the retailers and the patrons in the building.

Mr. Cresswell said there would be firewalls to separate the three areas of the building. There will also be large fans and a monitoring system for dangerous fumes. He added that this has been done in other retail malls attached to facilities.

Deputy Mayor Stevenson asked the Fire Marshal what issues there might be, and did he feel this was "doable."

Dillion Stewart, Fire Marshal, said he hasn't seen a detailed plan of what they want to do, only an overview. He addressed phase 1 and phase 2 of the project. Deputy Mayor Stevenson mentioned the exhaust, the venting, and the firewall. Marshal Stewart said, there are ways to do it, but it will take a lot. He added that the building was sprinkled.

Robby Hefton, City Manager, asked if there was an issue with one way in, and one way out. He said he hasn't seen any measurements on the drives, but said phase 1 would be a big safety issue.

Mr. Cresswell explained how the drive would be setup. Mr. Rae added that in phase 1, it appears that, vehicles would only go partially in because there would be bollards set up. There would be no way to turn around and vehicles would have to back out.

Mr. Cresswell said they would follow the building code and whatever the City recommends. Council Members and staff discussed requirements of the sprinkler system, and Mr. Rae said it would be treated similar to requirements for a parking garage.

ORD 6603 SUP FOR MINI-WAREHOUSE (4800 TEXOMA PKWY)

Ordinance 6603 (Tabled at the June 26, 2023 Called City Council Meeting)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 43.9389 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2, AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6604 SUP FOR WAREHOUSING (4800 TEXOMA PKWY)

Ordinance 6604 (Tabled at the June 26, 2023 Called City Council Meeting)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW WAREHOUSING IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 53.1534 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2 AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6603, 6604, and 6619, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

RES 7104 HICKORY HILL AMENDED MASTER DEVELOPMENT AGREEMENT

RESOLUTION NO. 7104 -- AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND SHERMAN HICKORY HILL, LLC, FOR THE CONSTRUCTION OF PUBLIC FACILITIES OF THE PLANNED DEVELOPMENT KNOWN AS HICKORY HILL, BEING A RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND SHERMAN HICKORY HILL, LLC, FOR THE CONSTRUCTION OF PUBLIC FACILITIES OF THE PLANNED DEVELOPMENT KNOWN AS HICKORY HILL, BEING AN RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS.

Clint Philpott, Assistant City Manager, said this Amended Master Development Agreement was presented to the Council in June, to better define who would pay and who would install the water and sewer infrastructure. The other portion concerned the funding and construction of Lamberth and Friendship Roads.

Since the original submission, there is firm bid pricing from the developer, for Lamberth and Friendship Roads. This Amended Master Development Agreement includes that updated pricing, which is based on bid pricing.

The previous Amended Master Development Agreement was approved, but not fully executed by the developer, so the proposal is to revoke the previous agreement and just have this one Amended Master Development Agreement.

ACTION TAKEN.
Motion by Deputy Mayor Stevenson to approve Resolution No. 7104, as presented. Second by Council Member Howeth.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

RES 7105 GEOTECHNICAL ENGINEERING & CONSTRUCTION MATERIALS TESTING

RESOLUTION NO. 7105 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH D&S ENGINEERING LABS, LLC NOW DOING BUSINESS AS GEOTEX ENGINEERING, LLC FOR THE ANNUAL GEOTECHNICAL ENGINEERING AND CONSTRUCTION MATERIALS TESTING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH D&S ENGINEERING LABS, LLC NOW DOING BUSINESS AS GEOTEX ENGINEERING, LLC FOR THE ANNUAL GEOTECHNICAL ENGINEERING AND CONSTRUCTION MATERIALS TESTING.

Mr. Lee said the City entered into the professional services agreement with D&S Engineering Labs, now known as Geotechnical Engineering, in December 2022. The company handles geotechnical and construction material testing services for subdivision and capital improvement projects.

Estimated cost for the annual testing is $275,000, however, because of the unprecedented growth, the cost has already reached $254,000. The amendment will increase the contract amount to an estimated $600,000, until its renewal in December 2023.

ACTION TAKEN.
Motion by Council Member Howeth to approve Resolution No. 7105, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

RES 7106
36" WEST SHERMAN WATER MAIN PROJECT

RESOLUTION NO. 7106 -- APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD THE GUARANTEED MAXIMUM PRICE THREE (GMP 3.00) FOR GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD THE GUARANTEED MAXIMUM PRICE THREE (GMP 3.00) FOR GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN.

Tom Pruitt, Utility Engineer, explained that this resolution was to approve the Greater Texoma Utility Authority's intention to award the Guaranteed Maximum Price Three for Garney Companies, Inc., for the 36-inch West Sherman Water Main Project. There will be four total bid packages.

ACTION TAKEN.
Motion by Council Member Dobbs to approve Resolution No. 7106, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

RES 7107
DENIAL OF ONCOR RATE INCREASE

RESOLUTION NO. 7107 -- FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY

A RESOLUTION OF THE CITY OF SHERMAN, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY.
CONSENT AGENDA.

RES 7108
SHADE STRUCTURES AT PECAN GROVE WEST ATHLETIC COMPLEX

RESOLUTION NO. 7108 -- AUTHORIZING THE EXECUTION OF A CONTRACT WITH SHADE STRUCTURES, INC. DBA USA SHADE FOR PURCHASE AND INSTALLATION OF SHADE STRUCTURES AT PECAN GROVE WEST ATHLETIC COMPLEX THROUGH THE BUYBOARD PURCHASING COOPERATIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH SHADE STRUCTURES, INC. DBA USA SHADE FOR THE PURCHASE AND INSTALLATION OF SHADE STRUCTURES AT PECAN GROVE WEST ATHLETIC COMPLEX THROUGH THE BUYBOARD PURCHASING COOPERATIVE.
CONSENT AGENDA.

REQUEST TO ADVERTISE
ANNUAL REQUIREMENTS FOR JANITORIAL SERVICES IN CERTAIN CITY-OWNED FACILITIES

REQ TO ADVERTISE JANITORIAL SERVICES

The City Council approved the request to advertise for Janitorial Services in certain City-owned facilities. The current agreement expires at the end of September 2023.

The request will include proposals for janitorial services for the Public Library, Municipal Airport, Utilities Laboratory, Senior Citizens Center, City Hall, Parks and Recreation Activity Center, Municipal Building, Glennie O. Ham Center, Equipment Services Building, Waste Maintenance Shop, West Hill Cemetery Building, Solid Waste Building, Vehicle Service Center, Street Maintenance Building, and the Police Department Building on Taylor Street.
CONSENT AGENDA.

ANNUAL CONTRACT FOR GASOLINE AND DIESEL SUPPLY

GASOLINE & DIESEL

The City Council approved the request to advertise for the annual contract for gasoline and diesel supply for the City's fleet and equipment. The current contract, including renewals, expires on September 30, 2023.
CONSENT AGENDA.

ANNUAL TWO-WAY RADIO AND EARLY WARNING SIREN MAINTENANCE

TWO-WAY RADIO & EARLY WARNING SIREN MAINTENANCE

The City Council approved the request to advertise for the annual two-way radio and early warning siren maintenance, which includes parts replacement, repairs, and maintenance related to in-vehicle two-way radios and the early warning siren system. The current contract expires at the end of September 2023.
CONSENT AGENDA.

CHANGE ORDER NO. 2
DESIGN OF THE NEW SHERMAN CITY HALL; M. ARTHUR GENSLER JR. & ASSOCIATES, INC FOR MASTERPLANNING SERVICES ASSOCIATED WITH THE NORTHWEST SECTION OF DOWNTOWN AND THE PROPOSED CITY HALL FOR A PRICE NOT TO EXCEED $30,000

CHANGE ORDER NEW CITY HALL

Mr. Hefton said since the Budget Workshop, there have been questions about many of the projects, including the City Hall, such as how big does it need to be, how it's finished out, and cost per square foot. It has been determined that the size could probably decrease, which could result in a substantial cost savings.

He said there are so many priorities and responsibilities of the City to maintain "what we have," for things such as streets, parks, and other facilities, that we don't want to lose sight of the first responsibility, to take care of "what we have."

Mr. Hefton said the staff is proposing to come back to the City Council with a description of a plan of what the intermediate and long-term plans are for parks, streets, maintenance of Texas Department of Transportation rights-of-way, and to continue cleaning up the City. He said it doesn't mean a choice must be made between building a City Hall or Public Works Facility, but that all of the things can be done.

Zachary Flores, Executive Director of Public Safety, said at the Budget Workshop, the staff was asked to bring back what City Hall would look like as it ties into the downtown area, especially in the northwest section.

He said this will take a little more study and some "help" from Gensler. With the change order for this design, the staff will be able to bring back a plan, later in the year. He said this was "a piece of the larger plan." He felt the study would be completed quickly, but might not be brought back immediately. It can be brought back when the Council determines.

Mr. Hefton said this change order is up to $30,000, and was not required to be brought back to the City Council for consideration. It is under the $50,000 minimum that must be brought back. However, the staff wanted transparency in the plans for this project, and all projects.

Council Member Howeth said everyone on the City Council gets complaints about the roads, and they aren't going to get better until the construction on Highway 75 is complete. The local roads are "overused" because of the other construction.

She said, while some think considering a new City Hall might be overspending, the fact is City Hall is out of space and is having trouble getting things done, because there aren't enough engineers or inspectors, because there is no place to physically put them.

ACTION TAKEN.

Motion by Council Member Howeth to approve Change Order No. 2, for a $30,000 increase, to M. Arthur Gensler, Jr. & Associates, Inc., for the design of the new Sherman City Hall, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

OTHER BUSINESS

PREVIEW OF THE 2023-2024 DRAFT BUDGET **DRAFT BUDGET**

Mary Lawrence, Director of Finance, presented a preview of the 2023-2024 Budget. The Draft Budget is mostly unchanged from the one presented at the Budget Workshop.

Preliminary property tax numbers are tracking about where expected, but final values will be received next week. The rate in the budget is the same one that was presented at the Budget Workshop.

The increase is due to debt service on the 2023 Certificates of Obligation and funded all the projects that were discussed. The Budget does not include sales tax for July, which was 47% over the previous year. Therefore, several days of fund balance is not reflected in the budget now.

The first public hearing on the Budget will be held at the next Council Meeting. Another public hearing and final adoption will be held August 21, 2023. The tax rate requires one public hearing, which will also be held on August 21, 2023.

Mr. Hefton said a large portion of the sales tax increase isn't recurring, and will be one-time money for construction activities that may be going on for the next few years, but won't last forever. The staff is trying to be diligent in using those funds, and plans to use them for "one-time things," and not to pay for ongoing operations, such as salaries or employees.

SEDCO QUARTERLY PROGRESS REPORT

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION PRESIDENT KENT SHARP

Kent Sharp, President, Sherman Economic Development Corporation, presented their quarterly progress report. During this quarter, SEDCO passed two resolutions, one that authorized the sale of 6.309 acres in Progress Park V to Oncor Electric Delivery Company for $360,000, for a new electric substation, that is necessary to meet the demands of the Texas Instruments and GlobalWafers projects and future industrial customers.

The second resolution concerns funding for GlobiTech for a new product line of silicon carbine deposition on silicon wafers. They are increasing their technology to apply a new solution to their silicon wafers.

SEDCO also co-hosted, along with the Dallas Regional Chamber, GlobiTech, and the City of Sherman, a Taiwan Delegation that was interested in expanding operations to Texas.

The four Raising Innovative Sherman Entrepreneurs (RISE) finalists presented their final presentation to the judges and three of those were awarded funding from SEDCO.

For the next quarter, Mr. Sharp said they are working on new business attraction, especially the semiconductor suppliers. They are also still engaged in traditional manufacturing.

Currently, SEDCO is working on 10 active projects, with an estimated capital investment of $2.8 billion, and approximately 1,805 new jobs. They have completed four site visits and prospect calls with companies interested in relocating and/or expanding their operations to Sherman.

Mr. Sharp said they are looking at adding an apron on Howe Drive, between Sunny Delight on the west side and Kaiser Aluminum and Tyson on the east side. Since Sunny Delight added the Juicy Juice

line, there are a lot more trucks on the road, and the apron should help ease the congestion.

They were also looking at an apron on Progress Drive, however, with the City building Progress Drive Extension with four lanes, it is expected that will relieve traffic and end the need for an apron.

SEDCO is also in the process of updating the aerial maps, which should be completed before the end of the year.

Mr. Sharp also outlined SEDCO's social media program and listed many conferences and events they have attended.

A couple of years ago, SEDCO owned about 700 acres of land, and they couldn't get developers to build spec buildings. Companies that were approached to come to Sherman wanted too many things for them to commit.

Then, about a year ago, after Texas Instruments and GlobalWafers announced they were coming to Sherman, people were wanting to buy every acre available. Now it's hard to find space to get the smaller spec buildings constructed. He said there are "struggles with this growth."

Mr. Hefton recognized the SEDCO staff on the great job they do, reaching out to the community, and through social media.

Council Member Howeth recognized a former RISE recipient, who purchased a building on First Street and is sponsoring "Moonlight Markets," a monthly shopping experience for local small businesses.

QUARTERLY INVESTMENT REPORT

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED JUNE 30, 2023

The City Council approved the Quarterly Investment Report for the quarter ended June 30, 2023.

The total operating portfolio book value of about $40.3 million decreased by about $1.3 million from the previous quarter due to the maturity of a certificate of deposit. The underlying investments were adequately diversified among six different types of securities.

The portfolio's weighted-average maturity of 363 days decreased from 412 days last quarter. The portfolio yield of 3.51% was 189 basis points below our benchmark 1-year Constant Maturity Treasury Index. Book value slightly exceeds market value ($0.7 million).

The debt proceeds portfolio balance of $11.6 million had decreased by about $1.6 million due to payments for capital projects. The portfolio includes a Local Government Investment Pool, an FDIC insured investment account and U.S. Agencies.

The portfolio's weighted-average maturity of 82 days decreased from 86 days last quarter. The portfolio yield of 3.86% was 138 basis points below the benchmark yield for this portfolio, the four-

week Constant Maturity Index of 5.24%. Book value approximated market value.
CONSENT AGENDA.

REPLAT OF LITTLE STORE ADDITION, CONSISTING OF 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2, & 3, BLOCK 1 OF POST OAK ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT; LUKE SCHEIBMEIR, OWNER; CHRIS NOAH, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR (708 AND 722 SOUTH RUSK STREET)

APPROVAL OF REPLAT LITTLE STORE ADDITION (708 & 722 S. RUSK ST)

The City Council approved the Replat of Little Store Addition, a 0.517 acre tract, located at 708 and 722 South Rusk Street. The property is currently zoned R-6 (Single Family Residential) District and a C-1 (Retail Business) District.

The owner would like to replat the property into one lot for commercial development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

FINAL PLAT OF LOT 1, BLOCK 1 TEXOMA HYUNDAI ADDITION, CONSISTING OF 5.933 ACRES IN THE R. HENDRIX SURVEY, ABSTRACT NO. 504, AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT; RFJ AUTO PROPERTIES, LLC, OWNER; BARTON CHAPA SURVEYING, LLC, LAND SURVEYOR (2500 TEXOMA PARKWAY)

APPROVE FINAL PLAT TEXOMA HYUNDAI ADDITION (2500 TEXOMA PKWY)

The City Council approved the Final Plat of Texoma Hyundai Addition, a 5.933 acre tract, located at 2500 Texoma Parkway. The property is currently zoned C-2 (General Commercial) District.

The owner would like to plat the property into one lot for commercial development. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT OF NORTHWEST ADDITION, BLOCK 1, LOT 5R, CONSISTING OF 1.400 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AND BEING A PART OF LOT 5, BLOCK 1 OF NORTHWEST ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; ZACHARY SANFORD, OWNER; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (2524 MOUNTAIN CLIMB ROAD)

APPROVAL OF REPLAT NORTHWEST ADDITION (2524 MOUNTAIN CLIMB RD)

The City Council approved the Replat of the Northwest Addition, a 1.400 acre tract, located at 2524 Mountain Climb Road. The property is currently zoned R-6 (Single-Family Residential) District.

The owner would like to replat the property into one lot for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

APPROVAL OF REPLAT PEREZ EAST ADDITION (802 N. EAST ST)

REPLAT OF PEREZ EAST ADDITION BEING A REPLAT OF LOTS 13 & 14, BLOCK 2, OF THE HALL & JONES ADDITION, CONSISTING OF 0.273 ACRES, BEING LOT 13 AND LOT 14, BLOCK 2 OF THE HALL & JONES ADDITION, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; GABRIEL GARCIA PEREZ, OWNERS; UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (802 NORTH EAST STREET)

The City Council approved the Replat of Perez East Addition, a 0.273 acre tract, located at 802 North East Street. The property is currently zoned R-6 (Single Family Residential) District.

The owner would like to replat the property into one lot for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the staff Review Letter.

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

APPROVAL OF REPLAT GRAYSON COUNTY JUSTICE CENTER (200 S. CROCKETT ST)

REPLAT OF REPLAT OF GRAYSON COUNTY JUSTICE CENTER, LOT 1R, CONSISTING OF 4.050 ACRES, BEING A PART OF THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND IS CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT; GRAYSON COUNTY, OWNER AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (200 SOUTH CROCKETT STREET)

The City Council approved the Replat of the Grayson County Justice Center, a 4.050 acre tract, located at 200 South Crockett Street. The property is currently zoned C-1 (Retail Business) District.

The owner would like to replat the property into one lot for commercial development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

APPROVAL OF REPLAT SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (304 PROGRESS DR)

REPLAT OF LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (REPLAT), 9.023 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 4, OF THE REPLAT OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT); SAPPHIRE STOCKHOME, LLC, OWNERS AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (304 PROGRESS DRIVE)

The City Council approved the Replat of Sherman Industrial Development Addition, a 9.023 acre tract, located at 304 Progress Drive. The property is currently zoned Blalock Industrial Park PD (Planned Development).

The owner would like to replat the property into two lots for commercial development. They are also requesting a Site Plan for the property.

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

COUNCIL COMMENTS

PICKLEBALL COURTS — **PICKLEBALL COURTS**

Council Member Marroquin congratulated the Parks and Recreation Department and the City of Sherman, for the new pickleball courts.

ANNOUNCEMENTS — **ANNOUNCEMENTS**

Mayor Plyler announced the following:

- **This week is the last Hot Summer Nights concert, featuring Pat Green. The concert will be held on Thursday, July 20, 2023, at 7 p.m. in Kidd-Key Park.**

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW) — **EXECUTIVE SESSION**

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

TEX. GOV'T CODE § 551.071 --
SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

TEX. GOV'T CODE § 551.072 --
DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --
DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --
DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

(A) City Manager Evaluation

TEX. GOV'T CODE § 551.076 –
DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 –
DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

TEXAS GOV'T CODE § 551.089 --
DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:11 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:09 p.m. and reconvened in Open Meeting.

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

ADJOURNMENT **ADJOURNMENT**
On Motion duly made and carried, the meeting adjourned at 7:09 p.m.

MAYOR

CITY CLERK

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 1.**

Meeting Date: 08/07/2023

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:

F. 5. **** RESOLUTION NO. 7113***
Authorizing Delegation of Certifying Officer for HUD-Administered Community Development Block Grant and Other HUD-Administered Grants in Accordance with 24CFR Part 58

F. 6. **** RESOLUTION NO. 7114***
Awarding a Bid to and Authorizing Execution of a Contract with Southwest CDJR, LLC for the Purchase of Two Ford Explorers for the Sherman Police Department

F. 7. **** RESOLUTION NO. 7115***
Authorizing Execution of an Agreement with EarnhartBuilt, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1013 South First Street within City of Sherman Reinvestment Zone, Number Ten (#10)

F. 8. **** RESOLUTION NO. 7116***
Authorizing Execution of an Agreement with Habitat For Humanity for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1017 South First Street within City of Sherman Reinvestment Zone, Number Ten (#10)

F. 9. **** RESOLUTION NO. 7117***
Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 7, 2023

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 2.**

Meeting Date: 08/07/2023

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

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

Issue:

***** OTHER BUSINESS***

G. 5. Replat of Neu Addition, Lot 1R, consisting of 6.500 acres, being in the Garrett Pangburn Survey, Abstract No. 945 also being Lot 1, Neu Addition, and is currently located in the ETJ (Extra Territorial Jurisdiction); Kevin and Julia Woods and Shu Feei Wang (Owners), Kevin Woods (Representative) and Underwood Drafting & Surveying, Inc. (Surveyor) (100 Jim Lamb Road)

G. 6. ***** OTHER BUSINESS***

Replat of COHO Moore Addition, Lot 4R-A, consisting of 0.214 acres, being a part of the Samuel Blagg Survey, Abstract No. 56, and being the West 49 foot of Lot 4, Block 7 of B.H. Moore Heirs Addition and is currently zoned R-6 (Single Family Residential) District; Corby Hosea (Owner) and Helvey Wagner Surveying (Surveyor) (300 West Moore Street)

G. 7. ***** OTHER BUSINESS***

Final Plat of Menjivar High Country Addition, Lot 1, Block A, consisting of 2.255 acres, being in the Alfred Hume Survey, Abstract No. 522, and is currently located in the ETJ (Extra Territorial Jurisdiction); Jose Menjivar (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) (50 High Country Road)

G. 8. ***** OTHER BUSINESS***

Final Plat of Estates at Baker Park, Phase 1, consisting of 31.687 acres in the E. Jones Survey, Abstract No. 625, and currently zoned R-6 (Single Family Residential) District/ F.M. 1417 Overlay District; Stonehollow Homes (Owner) and Spiars Engineering Inc. (Civil Engineer/Surveyor) (200 Block South FM 1417 (Heritage Parkway))

G. 9. ***** OTHER BUSINESS***

Final Plat of Willow Branch Subdivision, Phase 1, consisting of 2.197 acres in the J.B. McAnair Survey, Abstract No. 763, and currently zoned R-6 (Single Family Residential) District; TBJB1, LLC (Owner) and Preston Trail Land Surveying (Surveyor) (3000 Block North Hickory Street)

G. 10. ***** OTHER BUSINESS***

Final Plat of Howe Substation Addition, consisting of 6.00 acres, being in the William Martin Survey, Abstract No. 765, and currently zoned Blalock Industrial Park PD (Planned Development) District; Sherman Economic Development Corporation, Kent Sharp (Owner) and Underwood Drafting & Surveying (Surveyor) (5000 Block Howe Drive)

G. 11. ***** OTHER BUSINESS***

Final Plat of Vein Center of North Texas Addition, consisting of 0.626 acres, being in the J.B. McAnair Survey, Abstract No. 763, and currently zoned C-O (Office) District/Sam Rayburn Overlay; Vein Center of North Texas Properties, LLC (Owner) and Underwood Drafting & Surveying (Surveyor) (1325 North Travis Street)

G. 12. ***** OTHER BUSINESS***

Final Plat of Earnhartbuilt's 14th, consisting of 0.131 acres in the Samuel Blagg Survey, Abstract No. 56; Jason Earnhart, Earnhartbuilt, LLC (Owner) and Copley Land Surveying (Surveyor) (419 South Montgomery Street)

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 1.**

Meeting Date: 08/07/2023

Approved By: Robby Hefton, City Manager

Caption:

SPECIAL PRESENTATION

Recognizing the Heroic, Life Saving Efforts of Sherman Police Officer Jacob Foreman

Issue:

Police Chief Jason Jeffcoat will officially recognize and present award and commendation to Sherman Police Officer Jacob Foreman

Background:

On June 9, 2023, Sherman Police Department's Communications Center received a call from a citizen stating a motorcycle had crashed into a pickup truck in the 3200 block of South Heritage Parkway. The caller advised that the motorcyclist did have severe injuries to his leg.

Officer Jacob Foreman arrived on scene and discovered a life-threatening injury to the motorcyclist's leg. Mr. James King, the motorcyclist, had his left leg severely injured from the knee down and was bleeding profusely. Without hesitation, Officer Foreman swiftly assessed the injury and took immediate action by placing a tourniquet on Mr. King's left thigh to control the bleeding.

Mr. King was taken to Medical City Plano via Care Flight. He underwent surgery and ultimately lost his left leg. The Sherman Fire Department and Care Flight medics advised that Officer Foreman's skillfully employed life-saving technique showed an unwavering commitment to preserving life, which played a pivotal role in stabilizing Mr. King's condition and ensuring his survival.

The selflessness and professionalism exhibited by Officer Foreman during this critical incident are a testament to his outstanding character and dedication to public service. His actions reflected great credit upon himself and upheld the highest traditions of the Sherman Police Department and the Patrol Division.

In recognition of his unwavering actions to preserve a human life, Officer Jacob Foreman is hereby awarded the Sherman Police Department Life Saving Award.

Origination:

Police Chief Jason Jeffcoat
Executive Director of Public Safety Zachary Flores

Attachments

Life Saving Award - Foreman

awards the

Life Saving Award

to

Officer Jacob Foreman

On June 9, 2023, Sherman Police Department's Communications Center received a call from a citizen stating a motorcycle had crashed into a pickup truck in the 3200 block of South Heritage Parkway. The caller advised that the motorcyclist did have severe injuries to his leg.

Officer Jacob Foreman arrived on scene and discovered a life-threatening injury to the motorcyclist's leg. Mr. James King, the motorcyclist, had his left leg severely injured from the knee down and was bleeding profusely. Without hesitation, Officer Foreman swiftly assessed the injury and took immediate action by placing a tourniquet on Mr. King's left thigh to control the bleeding.

Mr. King was taken to Medical City Plano via Care Flight. He underwent surgery and ultimately lost his left leg. The Sherman Fire Department and Care Flight medics advised that Officer Foreman's skillfully employed life-saving technique showed an unwavering commitment to preserving life, which played a pivotal role in stabilizing Mr. King's condition and ensuring his survival.

The selflessness and professionalism exhibited by Officer Foreman during this critical incident are a testament to his outstanding character and dedication to public service. His actions reflected great credit upon himself and upheld the highest traditions of the Sherman Police Department and the Patrol Division.

In recognition of his unwavering actions to preserve a human life, Officer Jacob Foreman is hereby awarded the Sherman Police Department Life Saving Award.

Awarded this 26th day of July, 2023 by _____

Jason Jeffcoat, Chief of Police

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 2.**

Meeting Date: 08/07/2023

Prepared By: Jason Jeffcoat, Assistant Police Chief

Approved By: Robby Hefton, City Manager

Caption:

SPECIAL PRESENTATION

Recognizing the Heroic, Life Saving Efforts of Sherman Emergency Communications Officer Sara Patterson

Issue:

Police Chief Jason Jeffcoat will officially recognize and present award and commendation to Emergency Communications Officer Sara Patterson

Background:

On April 5, 2023, Sherman Emergency Communications Center received distressing calls reporting a structure fire engulfing a building at Hilltop Village Apartments with residents trapped inside. Emergency Communications Officer Sara Patterson rose to the occasion when she fielded a call from a desperate couple trapped in a second-story apartment with a collapsed ceiling blocking their only known exit.

Remaining composed and focused, Sara quickly assessed the dire circumstances and decisively urged the couple to explore alternative escape routes. Throughout the call, as the couple gasped for air and pleaded for help, Sara displayed unwavering compassion and reassurance. After exploring every possible exit strategy, it became apparent that the only viable option was to leap from the window. Sara's expertise in communication shone through as she employed skilled language and tactful persuasion to encourage the couple to leap from the window to escape the fire-ravaged apartment. Both individuals survived this catastrophic event.

Sara's actions in the face of urgency and adversity far surpassed the expectations of an Emergency Communications Officer. Her exceptional decision-making, calm demeanor, and effective communication skills were vital to the preservation of life. She exemplified the highest standards set for professionals in her field and demonstrated a remarkable commitment to the safety and well-being of the community.

In recognition of her extraordinary performance during this critical incident and to preserve a human life, Sara Patterson is hereby awarded the Sherman Police Department Life Saving Award.

Origination:

Police Chief Jason Jeffcoat
Executive Director of Public Safety Zachary Flores

Attachments

Live Saving Award - Patterson

---

awards the

Life Saving Award

to

Sara Patterson

On April 5, 2023, Sherman Emergency Communications Center received distressing calls reporting a structure fire engulfing a building at Hilltop Village Apartments with residents trapped inside. Emergency Communications Officer Sara Patterson rose to the occasion when she fielded a call from a desperate couple trapped in a second-story apartment with a collapsed ceiling blocking their only known exit.

Remaining composed and focused, Sara quickly assessed the dire circumstances and decisively urged the couple to explore alternative escape routes. Throughout the call, as the couple gasped for air and pleaded for help, Sara displayed unwavering compassion and reassurance. After exploring every possible exit strategy, it became apparent that the only viable option was to leap from the window. Sara's expertise in communication shone through as she employed skilled language and tactful persuasion to encourage the couple to leap from the window to escape the fire-ravaged apartment. Both individuals survived this catastrophic event.

Sara's actions in the face of urgency and adversity far surpassed the expectations of an Emergency Communications Officer. Her exceptional decision-making, calm demeanor, and effective communication skills were vital to the preservation of life. She exemplified the highest standards set for professionals in her field and demonstrated a remarkable commitment to the safety and well-being of the community.

In recognition of her extraordinary performance during this critical incident and to preserve a human life, Sara Patterson is hereby awarded the Sherman Police Department Life Saving Award.

Awarded this 26th day of July, 2023 by _____

Jason Jeffcoat, Chief of Police

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 1.**

Meeting Date: 08/07/2023

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

PUBLIC HEARING

First Public Hearing Required by the Charter to Adopt a Budget and Provide for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Declaring that this Budget will Raise More Total Property Taxes than Last Year's Budget by $5,849,000 and 27%, and of that Amount $1,492,000 is Tax Revenue to Be Raised from New Property Added to the Tax Roll this Year; Providing a Savings/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

Issue:

To hold the public hearing on the proposed budget for the 2023-2024 fiscal year as required by the City Charter.

Background:

The proposed budget is based on the direction given by the Council at the Budget Workshop held on June 15, 2023. The draft budget contains about $172.6 million in appropriations, which is about $12.2 million more than the prior year's original budget of $160.4 million, due to an increase in personnel and debt service. The draft budget includes an 8% overall increase in salary for fire and police positions, a 5% across-the-board for other personnel, and an increase in full-time positions from 543 to 550, consisting of four in the General Fund, one in the Information Technology Fund, one in the Stormwater Fund, and one in the Solid Waste Fund. Fund balance for the General Fund is just over 100 days, and the Utility Fund fund balance is within the targeted range of 60 to 90 days. The Solid Waste Fund balance is below target but the expected refund in the fall of landfill fees paid by the City will help restore the fund balance. The capital program will largely be funded by the expected issuance of $77.75 million in Certificates of Obligation in September of 2023 with another issue of about $35 million expected in Summer 2024. Projects include additional thoroughfares in the Bel Air Planned Development, continuation of the construction of Moore Street, Flanary/Progress Road in the industrial park, rebuild and expansion of Shepherd Road, a design and site acquisition for a new City Hall, major renovation of Central Fire Station, and about $16 million in Parks projects including major upgrades at Fairview, Hawn, and Old Settlers. The property tax rate increased from $.469932/$100 to about $.508/$100 of valuation to fund significant capital projects. The utility rate plan has been re-structured from a flat rate per thousand gallons to tiered rates based on consumption. Tax Notes will be used to finance about $3.9 million in fleet and equipment with repayment made from property tax revenues.

Origination:
Director of Finance

Financial Consideration:
The proposed budget includes appropriations of $172.6 million for the 2023-2024 fiscal year.

Staff Recommendation:
Staff recommends that the Council hold the required public hearing.

Alternatives:
Any changes to the proposed budget would have to come through a budget amendment after final adoption of the budget and related tax rate as required postings have already been made.

Attachments

Ordinance-Budget 2024
Draft Budget 2024

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING A BUDGET AND PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; DECLARING THAT THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY $5,849,000 AND 27%, AND OF THAT AMOUNT $1,492,000 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; 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, pursuant to the laws of the State of Texas and Sherman's Home Rule Charter, the City Manager has submitted to the City Council the proposed budget of the revenues and expenditures for conducting the affairs of Sherman and providing a complete financial plan for the fiscal year beginning October 1, 2023, and ending September 30, 2024, and has filed the same with the City Secretary (the "budget"). A copy of the budget is attached hereto as Exhibit A and incorporated herein for all purposes; and

WHEREAS, public hearings were held by the City Council on said budget on August 7, 2023, and August 21, 2023, at which time said budget was fully considered, and interested taxpayers were given the opportunity to be heard by the City Council; and

WHEREAS, the City Council has studied the budget and listened to the comments of the taxpayers at the public hearings and has investigated and determined that adoption of the budget is in the best interest of the City; and

WHEREAS, the City Council finds that all legal notices, hearings, procedures and publishing requirements for the adoption of the budget have been performed or completed in the manner and form set forth by law.

NOW, THEREFORE, 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, attached as Exhibit A hereto, for fiscal year beginning October 1, 2023, and ending September 30, 2024.

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, attached as Exhibit A hereto, for fiscal year beginning October 1, 2023, and ending September 30, 2024.

SECTION 3. That specific authority is hereby given to the City Manager to transfer appropriations budgeted from one account classification or activity to another within any individual department or activity, and to transfer appropriations from designated appropriations to any individual department or activity.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 5. That should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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.

SECTION 7. That this Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

INTRODUCED on this the _____ day of _____, 2023.

ADOPTED on this the _____ day of _____, 2023.

EFFECTIVE DATE on this the _____ day of _____, 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Dates of Publication: *August 6, 2023*, *Sherman Herald Democrat*

Exhibit A

[*50 pages attached hereto*]

This budget will raise more total property taxes than last year's budget by $5,849,000 and 27%, and of that amount $1,492,000 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 2024
August 7, 2023

SUMMARY

The attached proposed budget for Fiscal Year (FY) 2024 is based on the direction provided by the City Council at the June 15th, 2023, budget workshop.

The draft budget contains about $172.6 million in appropriations, which is about $12.2 million more than the prior year's original budget of $160.4 million, due to an increase in personnel and debt service. The draft budget contains an 8% overall increase in salary for fire and police positions, a 5% across-the-board for other personnel, and an increase in full-time positions from 543 to 550, consisting of four in the General Fund, one in the Information Technology Fund, one in the Stormwater Fund, and one in the Solid Waste Fund. Fund balances for the General and Utility Funds are within the targeted range of 60 to 90 days. The Solid Waste Fund balance is below target but the expected refund in the fall of landfill fees paid by the City will help restore the fund balance. The capital program will largely be funded by the expected issuance of $77.75 million in Certificates of Obligation in September of 2023 with another issue of about $35 million expected Summer 2024. Projects include additional thoroughfares in the Bel Air Planned Development, continuation of the construction of Moore Street, Flanary/Progress Road in the industrial park, rebuild and expansion of Shepherd Road, a design and site acquisition for a new City Hall, major renovation of Central Fire Station, and about $16 million in Parks projects including major upgrades at Fairview, Hawn, and Old Settlers. The property tax rate increased from $.469932/$100 to about $.508/$100 of valuation. The utility rate plan has been re-structured from a flat rate per thousand gallons to tiered rates based on consumption. Tax Notes will be used to finance about $3.9 million in fleet and equipment with repayment made from property tax revenues. More detailed information is available on the attachments.

GENERAL FUND

The **General Fund** is balanced ongoing. Property values are expected increased about 17%. A property tax rate increase from .469932/$100 to $.508/$100 is included due to debt issued to finance major street, facility, and park projects. Sales tax revenue is budgeted to increase about 10% less the effects of one-time revenues, and considering inflation, and the trend since August of 2020. Fleet purchases include a fire pumper truck, an ambulance, skid steer, three police Tahoes, fire department radios, and various other

trucks and equipment. Tax notes will be used to finance about $3.9 million of the fleet and equipment. Fund balance is projected to be $16.9 million or just over 100 days of operating expenses at the end of FY2024. New positions consist of an Accounting Manager, Right-of-Way Agent, Municipal Court Clerk, and a Logistics Coordinator for the Fire Department.

UTILITY FUND

The **Utility Fund** is balanced ongoing. The Utility rate plan now consists of a tiered structure with the rate increasing with higher levels of consumption. No new positions are planned. A dump truck and skid steer are included in the budget. Fund balance at the end of FY2024 is projected to be about $6.5 million, or about 78 days of operating expenses.

SOLID WASTE FUND

The **Solid Waste Fund** is unbalanced on an on-going basis. The landfill is increasing tipping fees for the second year in a row by about 13% beginning January 1, 2024. An additional distribution in FY2024 is expected from the City's joint venture in the landfill. Solid Waste rates will be evaluated after receiving the distribution to determine if an increase will be needed to restore the fund balance to a healthy level. Fund balance is projected to be $1.0 million, or 37 days of operating expenditures before the increased distribution.

CAPITAL IMPROVEMENT FUNDS

The proposed budget of about $51.7 million in the **General Improvement Fund – Bond Funds** primarily consists of funding for street construction of Moore St, Shepherd Drive, Bel Air Blvd, Beach Club Blvd, London Lane, Progress Drive, OB Groner, and Friendship Road. Park projects include lighting improvements at Old Settlers Park and Fairview Park softball fields, a splash pad at Pecan Grove West, updates to existing playgrounds, new pavilions at Fairview, and Hawn Parks, and updates to the Splash Pad at Hawn Park. Design and site acquisition for a new City Hall is also planned.

The **Utility Improvement Fund – GTUA Funds** proposed budget includes projects that will be funded by debt issued by the Greater Texoma Utility Authority (GTUA) on behalf of the City. Projects totaling $335.5 million include a discharge line from the water treatment plant, a waterline for surface water to the Bel Air area, southside industrial sewer replacement, Lake Texoma Pump Station electrical improvements, Shepherd Drive elevated storage tank construction, sewer improvements along Post Oak Creek near Nantucket Lane, additional 5 million gallons per day (MGD) in treatment capacity at the water treatment plant, a pump station for the terminal storage reservoir, construction of a 36-inch water line from the water treatment plant to the south side of the city, an additional facility to add another 15 MGD to the water treatment plan, rehabilitation of

the conventional EDR water treatment plant, and electrical upgrades and major expansion of the wastewater treatment plant.

MAJOR IMPACTS

Tax Revenues

Property tax revenue is expected to increase about $5.9 million over last year due to an increase in the tax rate from .469932/$100 to $.508/$100 to fund major street and park improvements, growth in the value of existing property, and new property added to the tax roll. Sales tax is expected to be about the 10% above what is projected in FY2023 less the expected reduction of one-time payments from a large construction project.

Wage Increase

The proposed budget contains an average 8% increase for fire and police personnel and a 5% across-the-board increase for other employees. The cost is projected to be about $2.5 million across all funds.

Fleet, Equipment and Buildings

Major fleet expenditures for this year include a fire rescue pumper ($620,000), an ambulance ($425,000), two commercial trash truck ($369,000 each), a roll-off trash truck ($295,000), a dump truck for the utility collection and distribution department, and three patrol Tahoes ($300,000).

SUMMARY SCHEDULES, DETAILED FUND STATEMENTS, AND OTHER INFORMATION

The following pages include a schedule that summarizes the draft FY2024 budget, eliminating double counting for internal service funds and inter-fund transfers. Also included are statements of revenues and expenditures/expenses for each fund and a schedule of transfers, a property tax historical summary, debt schedule, and itemization of certain expenditures required by Local Government Code Section 140.

City of Sherman
ALL FUNDS
2023-2024 Annual Budget

	General Fund	Enterprise Funds	Capital Improvement Funds	Special Revenue Funds	Internal Service Funds	Debt Service Funds	Trust Fund	Interfund Transfers	Totals
Beginning Fund Balance	$ 15,551,158	$ 6,885,346	$ 93,876,807	$ 775,758	$ 1,225,529	$ 982,971	$ 2,363,123	$ -	$ 121,660,692
Revenues:									
Taxes	50,023,900	-	562,023	817,000	1,940,000	10,179,730	-	-	63,522,653
Water Sales	-	16,850,000	-	-	-	-	-	-	16,850,000
Sewer Sales	-	11,920,000	-	-	-	-	-	-	11,920,000
Solid Waste Sales	-	8,012,000	-	-	-	-	-	-	8,012,000
Sales & Service	6,766,446	1,278,000	2,180,000	2,399,400	15,905,806	-	15,000	(15,945,626)	12,599,026
Intergovernmental	769,650	410,335	1,196,005	98,898	-	-	-	-	2,474,888
Interest Income	125,000	167,000	1,077,500	55,100	147,400	-	100	-	1,572,100
Miscellaneous Revenue	287,300	864,000	6,100,000	94,000	302,000	-	-	-	7,647,300
Debt Proceeds	-	-	35,468,426	-	3,532,790	-	-	-	39,001,216
Transfers In	5,224,583	1,538,092	4,200,000	-	-	1,075,000	-	(12,037,675)	-
Total Revenues	63,196,879	41,039,427	50,783,954	3,464,398	21,827,996	11,254,730	15,100	(27,983,301)	163,599,183
Total Funds Available	78,748,037	47,924,773	144,660,761	4,240,156	23,053,525	12,237,701	2,378,223	(27,983,301)	285,259,874
Expenditures:									
Personnel	41,012,900	11,262,590	-	574,240	2,468,610	-	-	-	55,318,340
Supplies	2,218,811	2,834,829	-	541,499	1,469,837	-	-	-	7,064,976
Repair & Maintenance	2,769,353	3,306,689	-	182,117	1,749,868	-	-	-	8,008,028
Utilities	1,372,690	2,291,360	-	44,800	89,150	-	-	-	3,798,000
Information Technology	1,469,120	526,250	-	11,320	62,240	-	-	(2,068,930)	-
Debt Service	-	7,311,010	-	-	2,696,705	12,074,495	-	-	22,082,210
Services & Charges	6,682,569	4,802,995	250,000	1,288,020	7,808,117	8,000	-	(6,893,000)	13,946,700
Vehicle Usage	2,618,387	2,151,547	-	41,951	-	-	-	(4,803,443)	8,441
Fleet Services & Charges	1,815,453	234,800	-	55,000	75,000	-	-	(2,180,253)	-
Capital Expenses	852,347	362,735	55,809,605	100,000	5,282,655	-	-	-	62,407,342
Transfers Out	1,000,000	5,322,119	5,243,516	427,000	45,040	-	-	(12,037,675)	-
Total Expenditures	61,811,630	40,406,924	61,303,121	3,265,947	21,747,222	12,082,495	-	(27,983,301)	172,634,037
Excess Revenues Over Expenditures	1,385,249	632,503	(10,519,167)	198,451	80,774	(827,765)	15,100	-	(9,034,854)
Ending Fund Balance	$ 16,936,407	$ 7,517,849	$ 83,357,640	$ 974,209	$ 1,306,303	$ 155,206	$ 2,378,223	$ -	$ 112,625,837

City of Sherman
GENERAL FUND
2023-2024 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 12,333,926	$ 11,837,249	$ 13,523,961	$ 15,551,158
Revenues				
Property Tax	11,932,498	12,038,400	12,660,400	15,239,400
Sales Tax	23,875,173	28,047,000	29,772,000	31,250,000
Franchise Tax	3,133,388	3,021,000	3,262,000	3,362,000
Other Taxes	177,946	164,300	181,000	172,500
Fines & Penalties	413,905	366,800	620,750	624,200
Recreation	324,484	301,000	318,500	328,500
Licenses & Permits	1,096,610	2,341,200	1,741,200	2,576,000
Rentals	14,306	11,950	6,900	1,850
Cemetery	218,179	221,600	215,600	217,600
Sales & Service	1,231,051	1,574,000	1,738,233	1,686,296
Ambulance Service	1,669,394	1,402,400	1,291,900	1,332,000
Interest Income	29,298	75,000	108,000	125,000
Grant Revenue	989,679	9,000	141,683	58,200
Intergovernmental	232,949	169,482	169,484	769,650
Miscellaneous Revenue	392,893	206,200	732,800	229,100
Total Revenues	45,731,753	49,949,332	52,960,450	57,972,296
Transfers In	3,358,139	4,249,742	4,730,974	5,224,583
Total Revenues and Transfers In	49,089,892	54,199,074	57,691,424	63,196,879
Total Funds Available	61,423,819	66,036,323	71,215,385	78,748,037
Expenditures				
Personnel	32,939,438	36,724,590	37,240,786	41,012,900
Supplies	1,971,069	2,075,205	2,013,822	2,218,811
Repair & Maintenance	1,760,563	2,737,418	2,230,052	2,769,353
Utilities	1,042,514	1,217,250	1,169,570	1,372,690
Information Technology	1,046,518	1,259,265	1,256,040	1,469,120
Services & Charges	4,135,552	5,335,178	5,489,875	6,682,569
Vehicle Usage	2,196,212	2,239,270	3,038,131	2,618,387
Capital Expenses	376,335	1,114,763	1,197,858	852,347
Fleet Services & Charges	1,021,658	1,335,781	1,333,095	1,815,453
Transfers Out	1,410,000	375,000	695,000	1,000,000
Total Expenditures	47,899,858	54,413,720	55,664,227	61,811,630
Excess Revenues over Expenditures	1,190,035	(214,646)	2,027,197	1,385,249
Ending Fund Balance	$ 13,523,961	$ 11,622,603	$ 15,551,158	$ 16,936,407

City of Sherman
ENTERPRISE FUNDS
2023-2024 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 5,944,777	$ 6,931,175	$8,403,685	$6,885,346
Revenues:				
Water Sales	16,213,774	16,411,000	16,497,000	16,850,000
Sewer Sales	8,454,411	8,835,000	9,334,000	11,920,000
Solid Waste Service	7,460,278	7,556,000	7,817,000	8,012,000
Service Charges & Penalties	792,011	780,000	800,000	795,000
Laboratory	117,729	260,430	135,000	183,000
Charges for Services	160,859	168,200	301,000	300,000
Intergovernmental	408,485	817,146	408,573	410,335
Interest Income	66,152	26,200	162,000	167,000
Miscellaneous Revenue	869,526	836,500	925,000	864,000
Transfers In	183,000	406,000	406,000	1,538,092
Total Revenues	34,726,226	36,096,476	36,785,573	41,039,427
Total Funds Available	40,671,003	43,027,651	45,189,258	47,924,773
Expenditures:				
Personnel	8,765,867	10,214,400	9,934,384	11,262,590
Supplies	1,673,170	2,141,323	2,620,908	2,834,829
Repair & Maintenance	2,291,388	2,817,515	4,073,152	3,306,689
Utilities	1,486,217	1,905,220	1,938,600	2,291,360
Information Technology	381,963	433,100	432,020	526,250
Services & Charges	3,788,479	4,339,315	4,185,602	4,802,995
Vehicle Usage	1,918,533	2,124,850	2,237,608	2,151,547
Debt Service	6,983,524	6,937,482	6,936,860	7,311,010
Fleet Services & Charges	-	-	-	-
Capital Expenses	1,437,038	1,727,065	1,650,461	597,535
Transfers Out	3,541,139	4,230,828	4,294,316	5,322,119
Total Expenditures	32,267,317	36,871,099	38,303,913	40,406,924
Excess Revenues over Expenditures	2,458,908	(774,623)	(1,518,340)	632,503
Ending Fund Balance	$ 8,403,685	$ 6,156,552	$ 6,885,346	$ 7,517,849

City of Sherman
CAPITAL IMPROVEMENT FUNDS
2021-2022 Annual Budget

	220 General CIP City Funds	222 General CIP Bond Funds	224 Street Revolving	235 Regional Detention	250 Roadway Impact Fee #1	251 Roadway Impact Fee #2	252 Roadway Impact Fee #3	253 Roadway Impact Fee #4
Beginning Fund Balance	$ -	$ 85,454,192	$ 515,300	$ 218,410	$ 40,726	$ 740,743	$ 61,516	$ 2,688,540
Revenues:								
Interest Income	-	600,000	42,000	8,500	-	-	-	25,000
Taxes	-	-	-	-	-	-	-	-
Intergovernmental	-	-	-	-	-	-	-	-
Sales & Service	-	-	-	25,000	10,000	500,000	35,000	500,000
Miscellaneous Revenue	-	6,100,000	-	-	-	-	-	-
Debt Proceeds	468,426	35,000,000	-	-	-	-	-	-
Transfers In	1,000,000	3,200,000	-	-	-	-	-	-
Total Revenues	1,468,426	44,900,000	42,000	33,500	10,000	500,000	35,000	525,000
Total Funds Available	1,468,426	130,354,192	557,300	251,910	50,726	1,240,743	96,516	3,213,540
Expenditures								
Capital Expenses	1,071,722	51,416,683	500,000	50,000	-	-	-	-
Services & Charges	-	200,000	-	-	-	-	-	-
Transfers Out	-	50,516	-	-	-	1,200,000	-	2,000,000
Total Expenditures	1,071,722	51,667,199	500,000	50,000	-	1,200,000	-	2,000,000
Excess Revenues over Expenditures	396,704	(6,767,199)	(458,000)	(16,500)	10,000	(700,000)	35,000	(1,475,000)
Ending Fund Balance	$ 396,704	$ 78,686,993	$ 57,300	$ 201,910	$ 50,726	$ 40,743	$ 96,516	$ 1,213,540

City of Sherman
CAPITAL IMPROVEMENT FUNDS
2021-2022 Annual Budget

330 TIRZ #2 Construction	241 TIRZ #5 Construction	242 TIRZ #6 Construction	243 TIRZ #7 Construction	750 Water Impact Fee	751 Sewer Impact Fee	770 Utility CIP City Funds	777 Utility CIP GTUA	Total
$ 416,865	$ (66,754)	$ 740,918	$ (286,855)	$ 1,102,708	$ 156,076	$ 2,094,422	$ -	$ 93,876,807
40,000	2,000	35,000	1,000	24,000	-	300,000	-	1,077,500
357,653	85,381	31,036	87,953	-	-	-	-	562,023
-	81,627	30,292	84,086	-	-	-	1,000,000	1,196,005
10,000	-	-	-	750,000	350,000	-	-	2,180,000
-	-	-	-	-	-	-	-	6,100,000
-	-	-	-	-	-	-	-	35,468,426
-	-	-	-	-	-	-	-	4,200,000
407,653	169,008	96,328	173,039	774,000	350,000	300,000	1,000,000	50,783,954
824,518	102,254	837,246	(113,816)	1,876,708	506,076	2,394,422	1,000,000	144,660,761
270,000	-	-	-	-	-	1,501,200	1,000,000	55,809,605
50,000	-	-	-	-	-	-	-	250,000
200,000	289,000	226,000	178,000	800,000	300,000	-	-	5,243,516
520,000	289,000	226,000	178,000	800,000	300,000	1,501,200	1,000,000	61,303,121
(112,347)	(119,992)	(129,672)	(4,961)	(26,000)	50,000	(1,201,200)	-	(10,519,167)
$ 304,518	$ (186,746)	$ 611,246	$ (291,816)	$ 1,076,708	$ 206,076	$ 893,222	$ -	$ 83,357,640

City of Sherman
SPECIAL REVENUE FUNDS
2023-2024 Annual Budget

	420 Stormwater	430 Bel Air Public Imp District	440 E 911	450 Security & Technology	460 Hotel/ Motel	470 Drug Enforcement	480 Airport
Beginning Fund Balance	$ (269,664)	$ 195,000	$ 205,578	$ 149,826	$ 169,418	$ 126,214	$ 160,086
Revenues							
Taxes	-	-	-	-	817,000	-	-
Sales & Service	904,000	300,000	310,000	50,400	95,000	100,000	640,000
Intergovernmental	-	-	98,898	-	-	-	-
Interest Income	7,000	2,000	25,000	7,000	-	6,200	5,000
Miscellaneous Revenue	-	-	-	-	-	-	50,000
Debt Proceeds	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Revenues	911,000	302,000	433,898	57,400	912,000	106,200	695,000
Total Funds Available	641,336	497,000	639,476	207,226	1,081,418	232,414	855,086
Expenditures							
Personnel	208,900	-	108,370	-	256,970	-	-
Supplies	8,659	-	-	26,140	15,050	75,400	396,250
Repair & Maintenance	62,750	-	-	372	83,000	27,000	8,995
Utilities	790	-	-	-	31,920	-	12,090
Information Technology	5,660	-	-	-	5,660	-	-
Services & Charges	16,316	450,000	180,973	3,500	496,500	5,000	105,731
Capital Expenses	-	-	-	-	-	-	100,000
Vehicle Usage	24,808	-	-	-	8,442	-	8,700
Fleet Services & Charges	55,000	-	-	-	-	-	-
Transfers Out	273,000	-	-	45,000	109,000	-	-
Total Expenditures	655,883	450,000	289,343	75,012	1,006,542	107,400	631,766
Excess Revenues over Expenditures	255,117	(148,000)	144,555	(17,612)	(94,542)	(1,200)	63,234
Ending Fund Balance	$ (14,547)	$ 47,000	$ 350,133	$ 132,214	$ 74,875	$ 125,014	$ 223,320

City of Sherman
SPECIAL REVENUE FUNDS
2023-2024 Annual Budget

455 Parks Pride	456 Police Pride	457 Donations	Total
$ 5,654	$ 21,977	$ 11,670	$ 775,758
-	-	-	817,000
-	-	-	2,399,400
-	-	-	98,898
100	1,600	1,200	55,100
21,500	10,500	12,000	94,000
-	-	-	-
-	-	-	-
21,600	12,100	13,200	3,464,398
27,254	34,077	24,870	4,240,156
-	-	-	574,240
-	-	20,000	541,499
-	-	-	182,117
-	-	-	44,800
-	-	-	11,320
25,000	5,000	-	1,288,020
-	-	-	100,000
-	-	-	41,951
-	-	-	55,000
-	-	-	427,000
25,000	5,000	20,000	3,265,947
(3,400)	7,100	(6,800)	198,451
$ 2,254	$ 29,077	$ 4,870	$ 974,209

City of Sherman
INTERNAL SERVICE FUNDS
2023-2024 Annual Budget

	600 Insurance	630 IT	650 Equipment	660 Fleet Replacement	Total
Beginning Fund Balance	$ 354,204	$ 107,673	$ 637,294	$ 126,358	$ 1,225,529
Revenue					
Sales & Service	6,853,180	2,068,930	4,803,443	2,180,253	15,905,806
Taxes	-	-	-	1,940,000	1,940,000
Interest Income	20,000	2,400	-	125,000	147,400
Debt Proceeds	-	-	-	3,532,790	3,532,790
Miscellaneous Revenue	-	2,000	-	300,000	302,000
Total Revenue	6,873,180	2,073,330	4,803,443	8,078,043	21,827,996
Total Funds Available	7,227,384	2,181,003	5,440,737	8,204,401	23,053,525
Expenditures					
Personnel	-	1,211,950	1,256,660	-	2,468,610
Supplies	-	68,382	1,401,455	-	1,469,837
Repair & Maintenance	-	189,324	1,560,544	-	1,749,868
Utilities	-	65,970	23,180	-	89,150
Information Technology	-	-	62,240	-	62,240
Services & Charges	6,893,000	414,857	423,010	77,250	7,808,117
Debt Service	-	-	-	2,696,705	2,696,705
Fleet Services & Charges	-	-	75,000	-	75,000
Capital Expenses	-	83,600	20,000	5,179,055	5,282,655
Transfers Out	-	45,040	-	-	45,040
Total Expenditures	6,893,000	2,079,123	4,822,089	7,953,010	21,747,222
Excess Revenues over Expenditures	(19,820)	(5,793)	(18,646)	125,033	80,774
Ending Fund Balance	$ 334,384	$ 101,881	$ 618,648	$ 251,391	$ 1,306,303

City of Sherman
DEBT SERVICE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 58,714	$ 61,575	$ 982,971
Revenues			
Property Tax	5,804,000	6,976,388	10,179,730
Sales Tax	-	-	-
Transfers In	1,069,000	1,293,000	1,075,000
Interest Income	-	-	-
Miscellaneous Revenue	-	-	-
Total Revenues	6,873,000	8,269,388	11,254,730
Total Funds Available	6,931,714	8,330,963	12,237,701
Expenditures			
Debt Service	6,864,889	7,343,492	12,074,495
Services & Charges	5,250	4,500	8,000
Transfers Out	-	-	-
Total Expenditures	6,870,139	7,347,992	12,082,495
Excess Revenues over Expenditures	2,861	921,396	(827,765)
Ending Fund Balance	$ 61,575	$ 982,971	$ 155,206

City of Sherman
PERPETUAL CARE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 2,004,329	$ 2,348,023	$ 2,363,123
Revenues			
Sales & Service	15,924	15,000	15,000
Interest Income	327,770	100	100
Total Revenues	343,694	15,100	15,100
Total Funds Available	2,348,023	2,363,123	2,378,223
Expenditures			
Miscellaneous	-	-	-
Ending Fund Balance	$ 2,348,023	$ 2,363,123	$ 2,378,223

City of Sherman
UTILITY FUND
2023-2024 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Reserve	$ 4,638,145	$ 5,268,132	$ 6,537,172	$ 5,103,325
Revenues				
Water Sales	16,213,774	16,411,000	16,497,000	16,850,000
Sewer Sales	8,454,411	8,835,000	9,334,000	11,920,000
Laboratory	117,910	263,630	136,000	183,000
Service Charges & Penalties	670,961	655,000	675,000	670,000
Charges for Services	160,678	165,000	300,000	300,000
Interest Income	46,785	25,000	100,000	100,000
Intergovernmental	408,485	817,146	408,573	410,335
Grant Revenue	159,979	-	-	-
Miscellaneous Revenue	44,794	76,500	117,000	77,000
Total Revenues	26,277,775	27,248,276	27,567,573	30,510,335
Transfers In	183,000	406,000	406,000	1,538,092
Total Revenues and Transfers In	26,460,775	27,654,276	27,973,573	32,048,427
Total Funds Available	31,098,920	32,922,408	34,510,745	37,151,752
Expenditures				
Personnel	6,834,763	7,957,960	7,712,020	8,719,960
Supplies	1,472,257	1,823,230	2,206,257	2,399,491
Repair & Maintenance	2,228,091	2,757,607	4,012,026	3,251,968
Utilities	1,449,358	1,858,230	1,875,710	2,219,890
Information Technology	295,012	332,630	331,800	411,200
Debt Service	6,982,667	6,937,482	6,936,860	7,311,010
Services & Charges	1,592,202	1,730,879	1,511,636	1,882,797
Vehicle Usage	576,529	631,190	695,726	599,096
Fleet Services & Charges	388,457	428,072	428,072	187,800
Capital Expenses	316,412	800,816	724,212	189,735
Total Expenditures	22,135,749	25,258,096	26,434,319	27,172,948
Transfers Out	2,426,000	2,927,112	2,973,100	3,456,458
Total Expenditures and Transfers Out	24,561,749	28,185,208	29,407,419	30,629,406
Excess Revenues over Expenditures	1,899,027	(530,932)	(1,433,846)	1,419,021
Ending Reserve	$ 6,537,172	$ 4,737,200	$ 5,103,325	$ 6,522,346

City of Sherman
SOLID WASTE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 1,236,235	$ 1,663,043	$ 1,866,514	$ 1,782,021
Revenues				
Solid Waste Service	7,460,278	7,556,000	7,817,000	8,012,000
Service Charges & Penalties	121,051	125,000	125,000	125,000
Interest Income	19,368	1,200	62,000	67,000
Miscellaneous Revenue	882,440	760,000	808,000	787,000
Total Revenues	8,483,137	8,442,200	8,812,000	8,991,000
Total Funds Available	9,719,372	10,105,243	10,678,514	10,773,021
Expenditures				
Personnel	1,931,104	2,256,440	2,222,364	2,542,630
Supplies	200,912	318,093	414,651	435,338
Repair & Maintenance	63,297	59,908	61,126	54,721
Utilities	36,859	46,990	62,890	71,470
Information Technology	86,951	100,470	100,220	115,050
Services & Charges	2,344,423	2,608,436	2,673,966	2,920,197
Vehicle Usage	1,342,004	1,493,660	1,541,882	1,552,451
Capital Expenses	126,385	123,650	123,650	173,000
Fleet Services & Charges	605,784	374,527	374,527	47,000
Transfers Out	1,115,139	1,303,716	1,321,216	1,865,661
Total Expenditures	7,852,859	8,685,891	8,896,493	9,777,518
Excess Revenues over Expenditures	630,278	(243,691)	(84,493)	(786,518)
Ending Fund Balance	$ 1,866,514	$ 1,419,352	$ 1,782,021	$ 995,503

City of Sherman
GENERAL IMPROVEMENT FUND - City Funds
2022-2023 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ -	$ -	$ -
Revenues				
Transfers In	-	-	-	1,000,000
Intergovernmental	-	-	-	-
Grant Revenue	-	-	-	-
Interest Income	-	-	-	-
Miscellaneous Revenue	-	-	-	-
Debt Proceeds	-	-	-	468,426
Total Revenues	-	-	-	1,468,426
Total Funds Available	-	-	-	1,468,426
Expenditures				
Capital Expenses	-	-	-	1,071,722
Services & Charges				
Transfers Out	-	-	-	-
Total Expenditures	-	-	-	1,071,722
Excess Revenues over Expenditures	-	-	-	396,704
Ending Fund Balance	$ -	$ -	$ -	$ 396,704

City of Sherman
GENERAL IMPROVEMENT FUND - City Funds

	Actual 2021-2022	Total Project Budget	Project-to-Date 6/6/2023	Proposed 2023-2024
Other				
Projects				
Airport Pavement Maintenance-City				
(1) match	$ -	$ 182,500	$ -	$ 182,500
(1) Land Sale at W. Travis & FM 1417	1,947	-	8,125	-
(1) Energov Implementation	-	-	-	328,000
(1) Watchguard Video Evidence	-	-	-	92,796
(2) Handgun replacements	-	-	-	66,699
(2) Rifle replacements	-	-	-	161,727
(2) Rubrik Backup Device	-	-	-	150,000
(2) IT Storage	-	-	-	90,000
Total	1,947	182,500	8,125	1,071,722
Funding Sources				
(1) General Fund transfers/Land sales	-	182,500	-	182,500
(2) Tax Notes	-	-	-	-
Total Expenditures	$ 1,322,037	$ 4,941,918	$ 3,610,861	$ 1,071,722

City of Sherman
GENERAL IMPROVEMENT FUND - Bond Funds
2022-2023 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 36,395,135	$ 21,689,968	$ 20,039,756	$85,454,192
Revenues				
Transfers In	1,269,000	375,000	434,878	3,200,000
Intergovernmental	-	-	-	-
Grant Revenue	65,008	-	-	4,600,000
Interest Income	146,108	50,000	600,000	600,000
Miscellaneous Revenue	316,215	-	-	1,500,000
Debt Proceeds	334,000	39,045,000	77,747,250	35,000,000
Total Revenues	2,130,332	39,470,000	78,782,128	44,900,000
Total Funds Available	38,525,467	61,159,968	98,821,884	130,354,192
Expenditures				
Capital Expenses	18,485,711	58,017,862	13,142,778	51,416,683
Services & Charges	-	-	-	200,000
Transfers Out	-	224,914	224,914	50,516
Total Expenditures	18,485,711	58,242,776	13,367,692	51,667,199
Excess Revenues over Expenditures	(16,355,379)	(18,772,776)	65,414,436	(6,767,199)
Ending Fund Balance	$ 20,039,756	$ 2,917,192	$ 85,454,192	$78,686,993

City of Sherman
GENERAL IMPROVEMENT FUND - Bond Funds

	Actual 2021-2022	Total Budget	Project-to-Date 6/6/2023	Proposed 2023-2024
Transportation				
Projects				
(1) Taylor St Extension Eng & ROW/McGee St Ext	$ 1,209,389	$ 2,500,000	$ 2,643,547	$ -
(1) FM 1417 (82 to 56) Eng, ROW & Match	18,824	5,400,000	5,385,898	-
(1) Travis St West	-	9,600,000	9,746,421	-
(1) Lamberth Rd Thoroughfare	289,141	800,000	720,711	-
(1) Friendship ROW 56 to Lamberth	188,378	1,400,000	947,918	-
(1) Park Ave Realignment	165,701	2,000,000	2,105,391	-
(1) Ramp Reversal Northbound 75 at FM 1417	-	2,500,000	2,523,963	-
(1) TxDOT 1417 & W. Travis Intersection	1,040	1,950,000	1,957,444	-
(1) Flanary Rd and Progress Rd Engineering	-	200,000	182,571	-
(1) Moore Street	2,872,102	9,900,000	5,931,063	2,200,000
(1) Steeplechase Dr Extension	-	500,000	120,894	-
(1) Hilre Drive Extension	246,742	500,000	449,406	-
(1) FM 1417 design/ROW - SH 56 to W. Travis	73,594	3,600,000	383,613	-
(1) Shepherd Dr	260,092	12,000,000	811,664	3,070,000
(1) Bel Air Blvd Ph II/Beach Club/London Ln	-	9,000,000	458,109	5,600,000
(1) Major Street Rebuilds	-	1,500,000	-	-
(2) Flanary Rd Alignment Study	135,259	254,185	248,789	-
(1) Sherman St Improvements	-	1,200,000	112,956	-
(2) Progress Drive	-	4,300,000	-	2,200,000
(2) Flanary Road	-	5,400,000	-	900,000
(1) Hospital Road Construction	-	750,000	-	-
(1) OB Groner - west of FM 1417 Design	-	1,500,000	-	1,000,000
(1) FM 1417 Design/ROW - Hwy 75 to RR	-	550,000	-	-
(1) Blanton St Drainage-Birge to McGee	-	500,000	-	-
(1) CIP Crew	-	600,000	-	-
(1) Center St Bridge at Post Oak Creek	-	750,000	-	-
(1) Bridges-Center/McGee/Travis	584,921	1,500,000	788,360	-
(1) McGee St Bridge	-	150,000	-	-
(1) Lamberth & Friendship-Shady Oaks thur Hickory Hill		8,100,000	133,700	3,500,000
(1) FM 1417 signal at Bel Air Blvd Design	-	500,000	-	-
(1) Heritage Ranch Ramps -Eng	-	-	-	1,000,000
(1) Right-of-Way Agent	-	-	-	50,516
(2) North-South Road	-	-	-	700,000
Total	6,045,184	89,404,185	35,652,417	20,220,516
Funding Sources				
(1) Certificates of Obligation		79,450,000		16,420,516
(2) Certificates of Obligation - SEDCO participation		9,954,185		3,800,000
Total		89,404,185		20,220,516
Parks and Recreation				
Projects				
(1) Asphalt Pump Track at Binkley Park	-	350,000	-	-
(1) Ballfield and Trail Lighting at PGW	-	1,350,000	21,240	-
(1) Design "Shark Tooth Park"	-	150,000	-	-
(1) Electrical at PGW	-	175,000	-	-
(1) Master Plan Trail Construction	-	750,000	4,383	-
(1) Northcreek Subdivision Park	-	500,000	-	-
(1) Restroom and Concession at Fairview Park	-	500,000	-	-
(1) Trail Lighting and Restroom and PGE	-	650,000	-	-
(3) Potential grant-funded Southwest Trail	-	-	-	4,596,934
(1) Potential grant-funded Southwest Trail-match	-	-	-	1,149,233
(1) Creek Erosion at Westhill Cemetery	-	-	-	1,000,000
(1) PGE Inclusive playground and parking	-	-	-	800,000
(1) Fairview Tennis Court resurface/fence/lighting	-	-	-	100,000
(1) Baker Park Fishing Pier	-	-	-	700,000
(1) OSP Lighting - Phase I	-	-	-	1,500,000
(1) PGW Splash Pad	-	-	-	1,000,000
(1) Fairview Park playground	-	-	-	1,500,000

	Actual 2021-2022	Total Budget	Project-to-Date 6/6/2023	Proposed 2023-2024
(1) Hawn Park playground	-	-	-	1,000,000
(1) Hawn Park Pavilion	-	-	-	200,000
(1) Fairview Park Large Pavilion	-	-	-	200,000
(1) Hawn Park Splash Pad	-	-	-	800,000
(1) Turf Athletic Field	-	-	-	2,000,000
(1) Herman Baker Park Disc Golf	-	-	-	100,000
(1) Fairview Softball Fields Lighting	-	-	-	800,000
Total	-	4,425,000	25,623	17,446,167
Funding Sources				
(1) Certificates of Obligation		4,425,000		12,849,233
(3) Grant		-		4,596,934
Total		4,425,000		17,446,167
Facilities				
Projects				
(1) City Hall Design, land purchase, site work		7,000,000	73,677	5,000,000
Total		7,000,000	73,677	5,000,000
Funding Sources				
(1) Certificates of Obligation		7,000,000		-
Public Safety				
Projects				
(1) New police HQ - Construction	11,118,489	17,700,000	17,620,863	-
(1) Combine Fire Sta. 1 & 2	-	7,000,000	62,003	5,000,000
(1) Public Safety Training Facility Design	-	250,000	-	
(1) Station #4 Concrete Rebuild	-	-	-	250,000
(1) Public Safety Trunking System	-	-	-	3,000,000
Total	11,118,489	24,950,000		8,250,000
Funding Sources				
(1) Certificates of Obligation		24,950,000		8,250,000
Drainage				
Projects				
(1) Hills of Sherman Detention	-	-	-	500,000
Total	-	-	-	500,000
Funding Sources				
(1) Certificates of Obligation		-		500,000
Total Expenditures	$ 17,163,674	$ 125,779,185	$ 35,751,717	$ 51,416,683

City of Sherman
UTILITY IMPROVEMENT FUND - City Funds
2022-2023 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Requested 2023-2024
Beginning Fund Balance	$ 542,759	$ 2,560,075	$ 1,492,902	$ 2,094,422
Revenues				
Transfers In	-	1,600,000	1,600,000	-
Intergovernmental	404,005	-	803,695	-
Grant Revenue	3,174,158	1,843,000	3,960,969	-
Interest Income	26,524	10,000	300,000	300,000
Miscellaneous Revenue	-	-	-	-
Debt Proceeds	-	-	-	-
Total Revenues	3,604,686	3,453,000	6,664,664	300,000
Total Funds Available	4,147,445	6,013,075	8,157,565	2,394,422
Expenditures				
Capital Expenses	22,058	4,996,659	6,063,143	1,501,200
Transfers Out	2,632,485	-	-	-
Total Expenditures	2,654,543	4,996,659	6,063,143	1,501,200
Excess Revenues over Expenditures	950,143	(1,543,659)	601,521	(1,201,200)
Ending Fund Balance	$ 1,492,902	$ 1,016,416	$ 2,094,422	$ 893,222

City of Sherman
UTILITY IMPROVEMENT FUND - City Funds

	Actual 2021-2022	Total Budget	Project-to-date 6/6/2023	Proposed 2023-2024
Projects				
(1) Annual line replacements	$ -	$ 238,000	$ 211,200	$ -
(1) Arapaho Sewer	207,648	210,000	208,946	-
(1) AWIA Security Upgrades @ WTP	-	200,000	22,104	-
(1) Brine Line Phase II Engineering (City Funds)	17,871	80,000	66,753	-
(2) Ida Road ground storage tank repair	-	1,000,000	1,120,050	-
(1) Lead & Copper Rule Revision	-	-	582,934	-
(1) Lift Station Flow Metering & SCADA	-	60,000	-	-
(1) Modular Office-Water Quality	-	203,000	194,775	-
(1) Primary Clarifier #1 Rehab Engineering	9,419	83,000	305,820	-
(2) Replace Texoma Pkwy 12" water line	626,193	1,920,474	1,823,320	-
(1) Texoma Pkwy 12" main engineering	18,683	162,457	161,337	-
(1) Upgrade High Country Estates water system	-	120,000	58,611	70,000
(1) Utility oversizing/annual replacements	2,965	200,000	2,965	250,000
(1) Water and Wastewater oversizing and Repairs		250,000	361,504	-
(2) WTP Backup Generator Construction	100	1,640,000	1,469,469	-
(2) WTP Land purchase (Escrow)	35,000	35,000	35,000	-
(2) WTP Land purchase	2,513,422	3,725,636	3,723,305	-
(1) Downtown Sewer Line Replacements Study	-	184,410	136,410	-
(1) WWTP Fencing/Gate Repairs	5,532	75,000	16,452	-
(1) WWTP Sludge Thickener Replacement	27,795	274,000	550,515	-
(1) Aerial Pipe Crossing by Center St	-	342,500	338,450	-
(1) Increase 6" water line to 12" line across SH 289	-	-	-	82,700
(1) Water line across US 75 to stabilize EST levels	-	-	-	73,500
(1) Abandon Preston Club WWTP & lift stations	-	-	-	175,000
(1) Remove Build-up in WTP sludge ponds	-	-	-	400,000
(1) Abandon S. Crockett lift station for gravity sewer	-	-	-	150,000
(1) Conduct City lift station assessment				300,000
(1) High Country Estates Water	956	171,620	-	-
(1) Fairview Ground Storage Balance Line	-	170,000	-	-
Total	$ 3,465,582	$ 11,345,097	$ 11,389,919	$ 1,501,200

Funding Sources		
(1) Utility Fund Transfer/Reserves	$ 3,023,987	$ 1,501,200
(2) Grant-funded	8,321,110	-
	$ 11,345,097	$ 1,501,200

City of Sherman
UTILITY IMPROVEMENT FUND - GTUA Funds
2022-2023 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Requested 2023-2024
Beginning Fund Balance	$ -	$ -	$ -	$ -
Revenues				
Transfers In	-	-	-	-
Intergovernmental	-	-	-	1,000,000
Grant Revenue	-	-	-	-
Interest Income	-	-	-	-
Miscellaneous Revenue	-	-	-	-
Debt Proceeds	-	-	-	-
Total Revenues	-	-	-	1,000,000
Total Funds Available	-	-	-	1,000,000
Expenditures				
Capital Expenses	-	-	-	1,000,000
Transfers Out	-	-	-	-
Total Expenditures	-	-	-	1,000,000
Excess Revenues over Expenditures	-	-	-	-
Ending Fund Balance	$ -	$ -	$ -	$ -

This fund accounts for expenses paid by the City and are reimbursed by the Greater Texoma Utility Authority (GTUA). The City's utility projects are funded by debt issued by GTUA with the City making contractually obligated payment to GTUA to fund debt service. GTUA makes substantially all project payments with the City making various miscellaneous payment due to the nature of the payment.

City of Sherman
UTILITY IMPROVEMENT FUND - GTUA Funds

	Actual 2021-2022	Total Budget	Total Project-to-date	Proposed 2023-2024
Projects				
Security Upgrades at WWTP	-	100,000	-	-
Northwest Sewer	-	3,000,000	2,599,811	-
Preston Club Water Line	1,333	118,000	69,414	-
Aeration Basin Upgrade & Biological Clarifier Rehab	-	6,440,000	5,498,890	-
WTP Concentrate Discharge (Brine Line)	-	3,000,000	204,418	7,422,000
WWTP Control Building Expansion	-	1,362,000	1,289,808	-
WWTP Equalization basin blower bldg	-	1,000,000	111,486	-
Texoma Pkwy sewer overflow relief	13,375	230,000	185,319	-
Moore St Sewer (through Munson Dev) (SISD $400m)	-	400,000	278,533	-
Bel Air Phase Legacy Waterline	-	2,500,000	602,574	2,220,000
Laboratory Expansion	-	3,200,000	99,471	-
WTP & Lake Texoma Backup Generator Eng & Switchgear/ATS	47,648	500,000	476,820	500,000
AWIA Security Upgrades Construction		100,000	13,865	-
WWTP Backup Generator, Switchgear & Electrical	22,400	112,000	112,000	-
Refurbish flocculation/sedimentation basin at WTP	27,471	30,000	27,471	-
Shepherd Utilities	30,950	594,970	25,017	-
Southside Industrial Sewer Replacement	8,826	5,750,000	265,429	1,350,000
SE Sewer Line-Rosedale to First	-	1,000,000	99,805	-
Wastewater Master Plan		600,000	489,209	-
Water Master Plan		300,000	210,941	-
Lake Texoma Pump Station 25MGD #1	-	5,100,000	678,869	9,200,000
Shepherd EST	-	400,000	178,586	17,000,000
Replace inverted siphon sewer line	-	65,000	-	500,000
Lake Texoma Pipeline Forensic Investigation		50,000	-	-
Lake Texoma Pipeline Leak Repair		100,000	94,856	-
Rex Cruz EST Rehab	-	495,000	14,211	-
WTP Vulnerability Assessment	4,493	200,000	-	-
Post Oak Creek Sanitary Sewer Improvements	-	600,000	364,300	5,091,000
Lake Texoma Pump Station Electrical Upgrade		-	99,854	5,200,000
5 MGD WTP North Exp (UF/RO)	-	11,000,000	-	4,500,000
Reservoir Pump Station	-	800,000	-	31,400,000
36" Water Line west to WTP	-	58,000,000	3,244,390	23,000,000
15 MGD WTP South	-	-	-	14,300,000
Engineering Management	-	-	2,879,579	9,255,000
Pre-procurement for water projects/ROW	-	2,428,869	1,635,652	-
Downtown Sewer Improvements		3,000,000	106,050	-
Lead & Copper Rule Revision	-	671,000	24,201	-
WWTP Electrical System Switchgear, ATS, Generator	-	6,410,000	277,457	9,271,208
Emergency Backup Generator at LTPS	-	1,600,000	-	-
Heritage Ranch Sewer	-	500,000	-	-
Upsize Sewer W of Industrial Park (Post Oak Rd)	-	570,000	-	-
Post Oak WWTP Exp Feasibility Study	-	2,075,000	998,342	11,400,000
Hickory Hill Utility Improvements	-	312,000	266,013	1,820,000
Brine Disposal Line	-	78,400	78,400	-
Brine Disposal Line	-	1,050,000	324,878	-
15 MGD WTP, EDR to UF/RO Conversion (Eng)	-	7,200,000	1,501,028	7,040,000
Crossroads Sewer for Hospital	-	1,200,000	-	-
Ida Road GST Rehab Engineering	-	73,592	73,592	-
Post Oak WWTP Industrial Expansion	-	-	-	155,000,000
Rehab WTP EDR	-	-	-	20,000,000
Total	$ 156,496	$ 134,315,831	$ 25,500,537	$ 335,469,208

City of Sherman
STREET REVOLVING FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 461,770	$ 473,300	$ 515,300
Revenues			
Sales & Service	-	-	-
Interest Income	11,530	42,000	42,000
Total Revenues	11,530	42,000	42,000
Total Funds Available	473,300	515,300	557,300
Expenditures			
Capital Expenses	-	-	500,000
Total Expenditures	-	-	500,000
Excess Revenues over Expenditures	11,530	42,000	(458,000)
Ending Fund Balance	$ 473,300	$ 515,300	$ 57,300

City of Sherman
TIRZ #2 CONSTRUCTION FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 528,688	$ 640,372	$ 416,865
Revenues			
Property Tax	194,189	286,493	357,653
Rentals	-	-	10,000
Interest Income	13,585	40,000	40,000
Total Revenues	207,774	326,493	407,653
Total Funds Available	736,462	966,865	824,518
Expenditures:			
Services & Charges	-	50,000	50,000
Capital Expenses	96,091	300,000	270,000
Transfers Out	-	200,000	200,000
Total Expenditures	96,091	550,000	520,000
Excess Revenues over Expenditures	111,684	(223,507)	(112,347)
Ending Fund Balance	$ 640,372	$ 416,865	$ 304,518

City of Sherman
TIRZ #3 CONSTRUCTION FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 15,478	$ 5,999	$ -
Revenues			
Property Tax	190,397	237,502	-
Interest Income	124	5,100	-
Total Revenues	190,521	242,602	-
Total Funds Available	205,999	248,601	-
Expenditures			
Capital Expenses	200,000	-	-
Transfers Out	-	248,601	-
Total Expenditures	200,000	248,601	-
Excess Revenues over Expenditures	(9,479)	(5,999)	-
Ending Fund Balance	$ 5,999	$ -	$ -

City of Sherman
REGIONAL DETENTION FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 382,841	$ 269,788	$ 218,410
Revenues			
Sales & Service	-	-	25,000
Interest Income	5,947	8,500	8,500
Total Revenues	5,947	8,500	33,500
Total Funds Available	388,788	278,288	251,910
Expenditures			
Capital Expenses	-	-	50,000
Transfers Out	119,000	59,878	-
Total Expenditures	119,000	59,878	50,000
Excess Revenues over Expenditures	(113,053)	(51,378)	(16,500)
Ending Fund Balance	$ 269,788	$ 218,410	$ 201,910

City of Sherman
TIRZ #5 CONSTRUCTION FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 208,201	$ 62,236	$ (66,754)
Revenues			
Property Tax	70,665	80,321	85,381
Intergovernmental	67,645	76,789	81,627
Interest Income	4,726	2,100	2,000
Total Revenues	143,035	159,210	169,008
Total Funds Available	351,236	221,446	102,254
Expenditures			
Capital Expenses	-	-	-
Transfers Out	289,000	288,200	289,000
Total Expenditures	289,000	288,200	289,000
Excess Revenues over Expenditures	(145,965)	(128,990)	(119,992)
Ending Fund Balance	$ 62,236	$ (66,754)	$ (186,746)

City of Sherman
TIRZ #6 CONSTRUCTION FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 1,032,953	$ 871,795	$ 740,918
Revenues			
Property Tax	28,319	29,408	31,036
Intergovernmental	27,109	28,115	30,292
Interest Income	9,414	37,000	35,000
Total Revenues	64,842	94,523	96,328
Total Funds Available	1,097,795	966,318	837,246
Expenditures			
Capital Expenses	-	-	-
Transfers Out	226,000	225,400	226,000
Total Expenditures	226,000	225,400	226,000
Excess Revenues over Expenditures	(161,158)	(130,877)	(129,672)
Ending Fund Balance	$ 871,795	$ 740,918	$ 611,246

City of Sherman
TIRZ #7 CONSTRUCTION FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ (103,240)	$ (200,128)	$ (286,855)
Revenues			
Property Tax	41,318	45,640	87,953
Intergovernmental	39,552	43,633	84,086
Interest Income	242	1,400	1,000
Transfers In	-	-	-
Total Revenues	81,112	90,673	173,039
Total Funds Available	(22,128)	(109,455)	(113,816)
Expenditures			
Capital Expenses	-	-	-
Transfers Out	178,000	177,400	178,000
Total Expenditures	178,000	177,400	178,000
Excess Revenues over Expenditures	(96,888)	(86,727)	(4,961)
Ending Fund Balance	$ (200,128)	$ (286,855)	$ (291,816)

City of Sherman
ROADWAY IMPACT FEES ZONE #1
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ 5,726	$ 40,726
Revenues			
Interest Income	-	-	-
Sales & Service	5,726	35,000	10,000
Total Revenues	5,726	35,000	10,000
Total Funds Available	5,726	40,726	50,726
Expenditures			
Capital Expenses			
Transfers Out	-	-	-
Total Expenditures	-	-	-
Excess Revenues over Expenditures	5,726	35,000	10,000
Ending Fund Balance	$ 5,726	$ 40,726	$ 50,726

City of Sherman
ROADWAY IMPACT FEES ZONE #2
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ 90,743	$ 740,743
Revenues			
Interest Income	-	-	-
Sales & Service	90,743	650,000	500,000
Total Revenues	90,743	650,000	500,000
Total Funds Available	90,743	740,743	1,240,743
Expenditures			
Capital Expenses	-	-	-
Transfers Out	-	-	1,200,000
Total Expenditures	-	-	1,200,000
Excess Revenues over Expenditures	90,743	650,000	(700,000)
Ending Fund Balance	$ 90,743	$ 740,743	$ 40,743

City of Sherman
ROADWAY IMPACT FEES ZONE #3
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 1,056	$ 26,516	$ 61,516
Revenues			
Interest Income	-	-	-
Sales & Service	25,460	35,000	35,000
Total Revenues	25,460	35,000	35,000
Total Funds Available	26,516	61,516	96,516
Expenditures			
Capital Expenses			
Transfers Out	-	-	-
Total Expenditures	-	-	-
Excess Revenues over Expenditures	25,460	35,000	35,000
Ending Fund Balance	$ 26,516	$ 61,516	$ 96,516

City of Sherman
ROADWAY IMPACT FEES ZONE #4
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ 2,106,540	$ 2,688,540
Revenues			
Interest Income	-	22,000	25,000
Sales & Service	2,106,540	560,000	500,000
Total Revenues	2,106,540	582,000	525,000
Total Funds Available	2,106,540	2,688,540	3,213,540
Expenditures			
Capital Expenses	-	-	-
Transfers Out	-	-	2,000,000
Total Expenditures	-	-	2,000,000
Excess Revenues over Expenditures	2,106,540	582,000	(1,475,000)
Ending Fund Balance	$ 2,106,540	$ 2,688,540	$ 1,213,540

City of Sherman
WATER IMPACT FEES
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ 703,708	$ 1,102,708
Revenues			
Interest Income	-	24,000	24,000
Charges for Services	703,708	1,375,000	750,000
Total Revenues	703,708	1,399,000	774,000
Total Funds Available	703,708	2,102,708	1,876,708
Expenditures			
Capital Expenses	-	-	-
Transfers Out	-	1,000,000	800,000
Total Expenditures	-	1,000,000	800,000
Excess Revenues over Expenditures	703,708	399,000	(26,000)
Ending Fund Balance	$ 703,708	$ 1,102,708	$ 1,076,708

City of Sherman
SEWER IMPACT FEES
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ 356,076	$ 156,076
Revenues			
Interest Income	-	-	-
Charges for Services	356,076	400,000	350,000
Total Revenues	356,076	400,000	350,000
Total Funds Available	356,076	756,076	506,076
Expenditures			
Capital Expenses	-	-	-
Transfers Out	-	600,000	300,000
Total Expenditures	-	600,000	300,000
Excess Revenues over Expenditures	356,076	(200,000)	50,000
Ending Fund Balance	$ 356,076	$ 156,076	$ 206,076

City of Sherman
TIRZ #1 DEBT SERVICE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 377,204	$ 389,106	$ -
Revenues			
Property Tax	321,717	348,415	-
Interest Income	11,799	26,000	-
Total Revenues	333,516	374,415	-
Total Funds Available	710,720	763,521	-
Expenditures			
Debt Service	321,414	323,378	-
Services & Charges	200	-	-
Transfers Out	-	440,143	-
Total Expenditures	321,614	763,521	-
Excess Revenues over Expenditures	11,902	(389,106)	-
Ending Fund Balance	$ 389,106	$ -	$ -

City of Sherman
STORMWATER FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 1,524,698	$ 149,170	$ (269,664)
Revenues			
Sales & Service	450,795	452,000	904,000
Fines & Penalties	-	-	-
Grant Revenue	1,718	-	-
Interest Income	11,525	7,000	7,000
Total Revenues	464,038	459,000	911,000
Total Funds Available	1,988,736	608,170	641,336
Expenditures			
Personnel	61,798	107,525	208,900
Supplies	1,462	4,109	8,659
Repair & Maintenance	55,980	62,750	62,750
Utilities	-	-	790
Information Technology	3,105	1,730	5,660
Services & Charges	-	3,540	16,316
Capital Expenses	1,440,688	416,582	55,000
Vehicle Usage	7,533	7,597	24,808
Transfers Out	269,000	274,000	273,000
Fleet Services & Charges	-	-	-
Total Expenditures	1,839,567	877,834	655,883
Excess Revenues over Expenditures	(1,375,528)	(418,834)	255,117
Ending Fund Balance	$ 149,170	$ (269,664)	$ (14,547)

City of Sherman
BEL AIR PUBLIC IMPROVEMENT DISTRICT
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ -	$ -	$ 195,000
Revenues			
Sales & Service	-	195,000	300,000
Interest Income	-	-	2,000
Total Revenues	-	195,000	302,000
Total Funds Available	-	195,000	497,000
Expenditures			
Services & Charges	-	-	450,000
Total Expenditures	-	-	450,000
Excess Revenues over Expenditures	-	195,000	(148,000)
Ending Fund Balance	$ -	$ 195,000	$ 47,000

City of Sherman
EMERGENCY 9-1-1 FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 437,935	$ 521,640	$ 205,578
Revenues			
Sales & Service	308,553	310,000	310,000
Grant Revenue	-	98,898	98,898
Interest Income	9,226	23,000	25,000
Total Revenues	317,779	431,898	433,898
Total Funds Available	755,714	953,537	639,476
Expenditures			
Personnel	108,300	108,040	108,370
Supplies	-	-	-
Repair & Maintenance	-	-	-
Services & Charges	63,274	176,744	180,973
Capital Expenses	62,500	463,175	-
Total Expenditures	234,074	747,959	289,343
Excess Revenues over Expenditures	83,705	(316,061)	144,555
Ending Fund Balance	$ 521,640	$ 205,578	$ 350,133

City of Sherman
COURT SECURITY & TECHNOLOGY FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 62,113	$ 92,926	$ 149,826
Revenues			
Fines & Penalties	36,022	51,900	50,400
Interest Income	1,636	7,000	7,000
Total Revenues	37,658	58,900	57,400
Total Funds Available	99,771	151,826	207,226
Expenditures			
Supplies	6,229	-	26,140
Repair & Maintenance	602	-	372
Services & Charges	14	2,000	3,500
Capital Expenses	-	-	-
Transfers Out	-	-	45,000
Total Expenditures	6,845	2,000	75,012
Excess Revenues over Expenditures	30,813	56,900	(17,612)
Ending Fund Balance	$ 92,926	$ 149,826	$ 132,214

City of Sherman
PARKS PRIDE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 17,786	$ (15,971)	$ 5,654
Revenues			
Miscellaneous Revenue	22,226	21,625	21,500
Interest Income	165	-	100
Total Revenues	22,391	21,625	21,600
Total Funds Available	40,177	5,654	27,254
Expenditures			
Services & Charges	991	-	25,000
Capital Expenses	55,158	-	-
Total Expenditures	56,149	-	25,000
Excess Revenues over Expenditures	(33,757)	21,625	(3,400)
Ending Fund Balance	$ (15,971)	$ 5,654	$ 2,254

City of Sherman
POLICE PRIDE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 16,648	$ 22,977	$ 21,977
Revenues			
Miscellaneous Revenue	10,372	18,000	10,500
Interest Income	453	1,600	1,600
Total Revenues	10,825	19,600	12,100
Total Funds Available	27,473	42,577	34,077
Expenditures			
Supplies	-	-	-
Services & Charges	4,495	2,600	5,000
Capital Expenses	-	18,000	-
Total Expenditures	4,495	20,600	5,000
Excess Revenues over Expenditures	6,329	(1,000)	7,100
Ending Fund Balance	$ 22,977	$ 21,977	$ 29,077

City of Sherman
DONATIONS FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 7,997	$ 18,470	$ 11,670
Revenues			
Miscellaneous Revenue	11,987	12,000	12,000
Interest Income	279	1,200	1,200
Total Revenues	12,266	13,200	13,200
Total Funds Available	20,263	31,670	24,870
Expenditures			
Supplies	1,793	20,000	20,000
Excess Revenues over Expenditures	10,473	(6,800)	(6,800)
Ending Fund Balance	$ 18,470	$ 11,670	$ 4,870

City of Sherman
HOTEL/MOTEL TAX FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 8,755	$ 115,806	$ 169,418
Revenues			
Hotel-Motel Taxes	730,529	781,030	817,000
Fines & Penalties	-	-	-
Miscellaneous Revenue	4,600	-	-
Interest Income	469	1,000	-
Sales & Service	63,275	60,000	60,000
Rentals	22,550	35,000	35,000
Grant Revenue	5,886	-	-
Transfers In	260,000	100,000	-
Total Revenues	1,087,309	977,030	912,000
Total Funds Available	1,096,064	1,092,836	1,081,418
Expenditures			
Personnel	232,018	245,990	256,970
Supplies	15,546	21,530	15,050
Repair & Maintenance	11,147	30,000	83,000
Utilities	24,361	25,710	31,920
Information Technology	13,974	15,560	5,660
Services & Charges	545,677	465,500	496,500
Vehicle Usage	-	10,128	8,442
Capital Expenses	30,535	-	-
Transfers Out	107,000	109,000	109,000
Total Expenditures	980,258	923,418	1,006,542
Excess Revenues over Expenditures	107,051	53,612	(94,542)
Ending Fund Balance	$ 115,806	$ 169,418	$ 74,875

City of Sherman
DRUG ENFORCEMENT FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 215,819	$ 263,014	$ 126,214
Revenues			
Fines & Penalties	55,772	50,000	100,000
Interest Income	1,272	6,200	6,200
Miscellaneous Revenue	5,776	6,000	-
Total Revenues	62,820	62,200	106,200
Total Funds Available	278,639	325,214	232,414
Expenditures			
Supplies	4,843	19,000	75,400
Repair & Maintenance	-	-	27,000
Services & Charges	13	-	5,000
Capital Expenses	10,769	180,000	-
Fleet Services & Charges	-	-	-
Total Expenditures	15,625	199,000	107,400
Excess Revenues over Expenditures	47,195	(136,800)	(1,200)
Ending Fund Balance	$ 263,014	$ 126,214	$ 125,014

City of Sherman
MUNICIPAL AIRPORT FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 58,747	$ 104,752	$ 160,086
Revenues			
Interest Income	2,746	6,000	5,000
Rentals	139,174	140,000	140,000
Sales & Service	526,278	500,000	500,000
Grant Revenue	50,000	25,000	50,000
Miscellaneous Revenue	20,061	2,309	-
Total Revenues	738,259	673,309	695,000
Total Funds Available	797,006	778,061	- 855,086
Expenditures			
Supplies	482,945	396,200	396,250
Repair & Maintenance	26,283	6,995	8,995
Services & Charges	105,490	104,240	105,731
Utilities	8,845	10,540	12,090
Vehicle Usage	-	-	8,700
Capital Expenses	68,691	100,000	100,000
Total Expenditures	692,254	617,975	631,766
Excess Revenues over Expenditures	46,005	55,334	63,234
Ending Fund Balance	$ 104,752	$ 160,086	$ 223,320

City of Sherman
EMPLOYEE INSURANCE FUND
2023-2024 Annual Budget

	Actual 2021-2022	Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 511,656	$ 374,093	$ 503,954	$ 354,204
Revenues				
Employer Contributions	3,819,919	4,847,750	4,738,550	5,511,680
Employee Contributions	922,969	975,000	1,055,000	1,160,500
Retiree Contributions	196,221	200,000	180,000	180,000
COBRA Contributions	5,114	2,000	700	1,000
Miscellaneous Revenue	-	-	-	-
Interest Income	19,739	2,500	80,000	20,000
Transfers In	-	-	300,000	-
Total Revenues	4,963,962	6,027,250	6,354,250	6,873,180
Total Funds Available	5,475,618	6,401,343	6,858,204	7,227,384
Expenditures				
Health Insurance Claims	4,011,818	4,929,000	5,350,000	5,500,000
Administration & Premiums	917,800	1,233,000	1,100,000	1,336,000
Life Insurance Premiums	42,047	43,000	54,000	57,000
Transfers Out	-	-	-	-
Total Expenditures	4,971,664	6,205,000	6,504,000	6,893,000
Excess Revenues over Expenditures	(7,702)	(177,750)	(149,750)	(19,820)
Ending Fund Balance	$ 503,954	$ 196,343	$ 354,204	$ 334,384

City of Sherman
INFORMATION TECHNOLOGY FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 313,985	$ 105,791	$ 107,673
Revenues			
Technology Services:			
General Fund	1,046,518	1,256,040	1,469,120
Stormwater	3,105	1,730	5,660
Tourism	13,974	15,560	5,660
Equipment Services Fund	46,581	60,480	62,240
Utility Fund	295,012	331,800	411,200
Solid Waste Fund	86,951	100,220	115,050
Interest Income	1,243	2,400	2,400
Grant Revenue	15,037	-	-
Miscellaneous Revenue	1,297	2,000	2,000
Total Revenues	1,509,719	1,770,230	2,073,330
Total Funds Available	1,823,704	1,876,021	2,181,003
Expenditures			
Personnel	870,645	918,642	1,211,950
Supplies	53,293	83,670	68,382
Repair & Maintenance	178,436	173,153	189,324
Utilities	42,086	53,830	65,970
Services & Charges	439,716	328,018	414,857
Capital Expenses	133,737	204,034	83,600
Transfers Out	-	7,000	45,040
Total Expenditures	1,717,913	1,768,348	2,079,123
Excess Revenues over Expenditures	(208,194)	1,882	(5,793)
Ending Fund Balance	$ 105,791	$ 107,673	$ 101,881

City of Sherman
EQUIPMENT SERVICES FUND
2023-2024 Annual Budget

	Actual 2021-2022	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ (269,004)	$ (20,529)	$ 637,294
Revenues			
Internal Service Revenue	3,996,337	5,283,337	4,803,443
Interest Income	-	-	-
Grant Revenue	26,719	-	-
Miscellaneous Revenue	19,001	-	-
Total Revenues	4,042,056	5,283,337	4,803,443
Total Funds Available	3,773,052	5,262,808	5,440,737
Expenditures			
Personnel	833,208	1,152,962	1,256,660
Supplies	1,299,678	1,285,471	1,401,455
Repair & Maintenance	1,265,171	1,653,047	1,560,544
Utilities	16,127	18,370	23,180
Information Technology	46,581	60,480	62,240
Services & Charges	319,838	362,184	423,010
Capital Expenses	12,978	86,000	95,000
Fleet Services & Charges	-	-	-
Vehicle Usage	-	-	-
Transfers Out	-	7,000	-
Total Expenditures	3,793,581	4,625,514	4,822,089
Excess Revenues over Expenditures	248,475	657,823	(18,646)
Ending Fund Balance	$ (20,529)	$ 637,294	$ 618,648

City of Sherman
FLEET REPLACEMENT FUND
2023-2024 Annual Budget

	Actual 2021-2022	Adjusted Budget 2022-2023	Projected 2022-2023	Proposed 2023-2024
Beginning Fund Balance	$ 1,566,711	$ 1,760,988	$ 1,731,628	$ 126,358
Revenues				
Fleet Replacement Revenue	2,015,899	2,213,380	2,390,694	2,180,253
Property Tax	698,333	1,472,000	1,291,000	1,940,000
Interest Income	30,155	-	121,500	125,000
Debt Proceeds	1,766,000	4,873,103	3,258,027	3,532,790
Miscellaneous Revenue	17,022	-	136,000	300,000
Total Revenues	4,527,409	8,558,483	7,197,221	8,078,043
Total Funds Available	6,094,120	10,319,471	8,928,849	8,204,401
Expenditures				
Debt Service	1,459,037	2,230,185	2,160,285	2,696,705
Supplies	8,652	-	-	-
Services & Charges	46,642	-	57,776	77,250
Capital Expenses	2,848,162	8,052,634	6,584,430	5,179,055
Total Expenditures	4,362,493	10,282,819	8,802,491	7,953,010
Excess Revenues over Expenditures	164,916	(1,724,336)	(1,605,270)	125,033
Ending Fund Balance	$ 1,731,628	$ 36,652	$ 126,358	$ 251,391

BUDGET FY23/24

FUND	DETAILS	*Expense TRANSFER FROM* Debit	*Revenue TRANSFER TO* Credit
100	From fund 700 5% franchise, admin cost		$ 3,277,000.00
	From fund 790, dept 243, 244		$ 1,002,000.00
	From 790, debt service		$ 625,569.00
	From fund 222, ROW Agent		$ 50,516.00
	From Fund 630, debt service		$ 45,040.00
	From fund 700, debt service		$ 179,458.00
	From fund 450, truancy clerk		$ 45,000.00
	To fund 220, capital projects	$ 1,000,000.00	
220	From fund 100, capital projects		$ 1,000,000.00
	To fund 100, ROW Agent	$ 50,516.00	
222	From fund 251, Moore St		$ 1,200,000.00
	From fund 253, Shepherd Rd		$ 2,000,000.00
241	To fund 300, debt service	$ 289,000.00	
242	To fund 300, debt service	$ 226,000.00	
243	To fund 300, debt service	$ 178,000.00	
251	To fund 222, Moore Street	$ 1,200,000.00	
253	To fund 222, Shepherd Rd	$ 2,000,000.00	
300	From fund 420, debt service		$ 273,000.00
	From fund 241, debt service		$ 289,000.00
	From fund 242, debt service		$ 226,000.00
	From fund 243, debt service		$ 178,000.00
	From fund 460, debt service		$ 109,000.00
330	To fund 700, debt service	$ 200,000.00	
420	To fund 300, debt service	$ 273,000.00	
460	To fund 100, truancy clerk	$ 45,000.00	
460	To fund 300, debt service	$ 109,000.00	
630	To fund 100, debt service	$ 45,040.00	
700	To fund 100 5% franchise, admin cost	$ 3,277,000.00	
	To fund 100, debt service	$ 179,458.00	
	From fund 790, admin cost		$ 238,092.00
	From fund 330, debt service		$ 200,000.00
	From fund 750, water impact fee		$ 800,000.00
	From fund 751, sewer impact fee		$ 300,000.00
750	To fund 770, Bel Air, Heritage Rch, Shepherd		
	To fund 700, debt service water plant	$ 800,000.00	
751	To fund 700, debt service sewer	$ 300,000.00	
790	To fund 100 8% franchise, admin cost RSW	$ 275,000.00	
790	To fund 100 8% franchise, admin cost CSW	$ 727,000.00	
790	To fund 700 admin cost	$ 238,092.00	
790	To fund 100, debt service	$ 625,569.00	
	TOTALS	$ 12,037,675.00	$ 12,037,675.00

City of Sherman
Historical Property Tax Rates

Fiscal Year	Rate per $100
1983	0.5930
1984	0.5930
1985	0.5930
1986	0.5930
1987	0.5930
1988	0.5780
1989	0.5110
1990	0.5230
1991	0.5490
1992	0.5490
1993	0.5760
1994	0.5870
1995	0.5870
1996	0.5800
1997	0.4120
1998	0.4050
1999	0.4000
2000	0.4000
2001	0.4000
2002	0.4000
2003	0.4000
2004	0.4000
2005	0.4000
2006	0.4000
2007	0.4000
2008	0.4000
2009	0.3200
2010	0.3200
2011	0.3200
2012	0.3200
2013	0.3200
2014	0.3480
2015	0.3720
2016	0.3720
2017	0.3943
2018	0.4273
2019	0.4273
2020	0.4890
2021	0.4890
2022	0.4890
2023	0.4699
2024	0.5080

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(1) $6,970,000 Tax & Waterworks & Sewer System (Limited Pledge) Revenue Certificates of Obligation Series 2016				(2) $7,776,530 General Obligation Refunding Bonds Series 2017			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	3.000%	340,000.00	129,512.50	469,512.50	3.00%	736,341.97	165,103.23	901,445.20
2025	3.000%	350,000.00	119,312.50	469,312.50	4.00%	758,113.05	143,172.53	901,285.58
2026	2.000%	360,000.00	108,812.50	468,812.50	4.00%	795,200.26	113,100.90	908,301.16
2027	2.000%	370,000.00	101,612.50	471,612.50	4.00%	793,151.70	86,333.97	879,485.67
2028	2.250%	375,000.00	94,212.50	469,212.50	4.00%	828,151.70	54,955.83	883,107.53
2029	2.250%	385,000.00	85,775.00	470,775.00	4.00%	436,933.75	22,343.71	459,277.46
2030	2.375%	390,000.00	77,112.50	467,112.50	3.00%	-	1,718.75	1,718.75
2031	2.375%	400,000.00	67,850.00	467,850.00		-	-	-
2032	2.500%	410,000.00	58,350.00	468,350.00		-	-	-
2033	2.500%	420,000.00	48,100.00	468,100.00		-	-	-
2034	2.500%	430,000.00	37,600.00	467,600.00		-	-	-
2035	3.000%	440,000.00	26,850.00	466,850.00		-	-	-
2036	3.000%	455,000.00	13,650.00	468,650.00		-	-	-
2037		-	-	-		-	-	-
2038		-	-	-		-	-	-
2039		-	-	-		-	-	-
2040		-	-	-		-	-	-
2041		-	-	-		-	-	-
2042		-	-	-		-	-	-
2043		-	-	-		-	-	-
2044		-	-	-		-	-	-
2045		-	-	-		-	-	-
2046		-	-	-		-	-	-
2047		-	-	-		-	-	-
2048		-	-	-		-	-	-
2049		-	-	-		-	-	-
2050		-	-	-		-	-	-
2051		-	-	-		-	-	-
		5,125,000.00	968,750.00	6,093,750.00		4,347,892.43	586,728.92	4,934,621.35

(1) These bonds were issued to fund street improvements, library renovation and a new fire station.

(2) These bonds refunded the Series 2006 bonds, and the 2008, 2009 and 2009A Certificates of Obligation.

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(3) $474,557 TIF #1 Refunding Bonds Series 2017				(4) $1,108,913 Auditorium Refunding Bonds Series 2017			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	3.00%	61,336.98	10,076.73	71,413.71	3.00%	82,321.05	23,570.04	105,891.09
2025	4.00%	64,565.90	8,738.24	73,304.14	4.00%	82,321.05	20,439.23	102,760.28
2026	4.00%	67,793.86	6,902.88	74,696.74	4.00%	92,005.88	16,146.22	108,152.10
2027		-	-	-	4.00%	96,848.30	11,616.03	108,464.33
2028		-	-	-	4.00%	96,848.30	7,394.17	104,242.47
2029		-	-	-	4.00%	101,690.71	3,006.29	104,697.00
2030		-	-	-	3.00%	111,375.54	231.25	111,606.79
2031		-	-	-		-	-	-
2032		-	-	-		-	-	-
2033		-	-	-		-	-	-
2034		-	-	-		-	-	-
2035		-	-	-		-	-	-
2036		-	-	-		-	-	-
2037		-	-	-		-	-	-
2038		-	-	-		-	-	-
2039		-	-	-		-	-	-
2040		-	-	-		-	-	-
2041		-	-	-		-	-	-
2042		-	-	-		-	-	-
2043		-	-	-		-	-	-
2044		-	-	-		-	-	-
2045		-	-	-		-	-	-
2046		-	-	-		-	-	-
2047		-	-	-		-	-	-
2048		-	-	-		-	-	-
2049		-	-	-		-	-	-
2050		-	-	-		-	-	-
2051		-	-	-		-	-	-
		193,696.74	25,717.85	219,414.59		663,410.83	82,403.23	745,814.06

(3) These bonds refunded the Series 2006 bonds, and the 2008, 2009 and 2009A Certificates of Obligation.

(4) These bonds refunded the Series 2006 bonds, and the 2008, 2009 and 2009A Certificates of Obligation.

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(5) $8,760,000 Combination Tax & Revenue Certificates of Obligation Series 2017				(6) $3,900,000 TIRZ #5 Certificates of Obligation Series 2017			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	5.00%	386,968.53	261,330.73	648,299.25	5.00%	172,280.51	116,345.87	288,626.38
2025	5.00%	406,316.95	241,982.30	648,299.25	5.00%	180,894.53	107,731.85	288,626.38
2026	5.00%	425,665.38	221,666.45	647,331.83	5.00%	189,508.56	98,687.12	288,195.68
2027	4.00%	447,432.36	200,383.19	647,815.54	4.00%	199,199.34	89,211.69	288,411.03
2028	4.00%	466,780.78	182,485.89	649,266.68	4.00%	207,813.36	81,243.72	289,057.08
2029	3.00%	483,710.66	163,814.66	647,525.32	3.00%	215,350.64	72,931.18	288,281.82
2030	3.00%	498,221.98	149,303.34	647,525.32	3.00%	221,811.15	66,470.67	288,281.82
2031	3.13%	512,733.30	134,356.68	647,089.98	3.13%	228,271.67	59,816.33	288,088.00
2032	3.25%	529,663.17	118,333.77	647,996.94	3.25%	235,808.95	52,682.84	288,491.79
2033	3.38%	546,593.04	101,119.71	647,712.76	3.38%	243,346.22	45,019.05	288,365.27
2034	3.38%	565,941.47	82,672.20	648,613.67	3.38%	251,960.24	36,806.12	288,766.36
2035	3.58%	585,289.90	63,571.67	648,861.57	3.58%	260,574.27	28,302.46	288,876.73
2036	3.50%	604,638.32	43,086.53	647,724.85	3.50%	269,188.29	19,182.36	288,370.65
2037	3.50%	626,405.30	21,924.19	648,329.49	3.50%	278,879.07	9,760.77	288,639.84
2038		-	-	-		-	-	-
2039		-	-	-		-	-	-
2040		-	-	-		-	-	-
2041		-	-	-		-	-	-
2042		-	-	-		-	-	-
2043		-	-	-		-	-	-
2044		-	-	-		-	-	-
2045		-	-	-		-	-	-
2046		-	-	-		-	-	-
2047		-	-	-		-	-	-
2048		-	-	-		-	-	-
2049		-	-	-		-	-	-
2050		-	-	-		-	-	-
2051		-	-	-		-	-	-
		7,086,361.13	1,986,031.31	9,072,392.44		3,154,886.80	884,192.02	4,039,078.82

(5) These certificates were issued to fund new street development and construction and improvements to city facilities.

(6) These certificates were issued to fund infrastructure improvements in Sherman Crossroads (TIRZ #5) development. Debt service is paid from property tax increment generated by the zone.

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(7) $3,050,000 TIRZ #6 Certificates of Obligation Series 2017			(8) $2,400,000 TIRZ #7 Certificates of Obligation Series 2017			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	5.00%	134,732.19	90,988.44	225,720.63	5.00%	106,018.77	71,597.46	177,616.23
2025	5.00%	141,468.80	84,251.83	225,720.63	5.00%	111,319.71	66,296.52	177,616.23
2026	5.00%	148,205.41	77,178.39	225,383.80	5.00%	116,620.65	60,730.54	177,351.19
2027	4.00%	155,784.10	69,768.12	225,552.22	5.00%	122,584.21	54,899.50	177,483.71
2028	4.00%	162,520.71	63,536.75	226,057.46	5.00%	127,885.15	49,996.13	177,881.28
2029	3.00%	168,415.24	57,035.93	225,451.17	3.00%	132,523.47	44,880.73	177,404.20
2030	3.00%	173,467.70	51,983.47	225,451.17	3.00%	136,499.17	40,905.02	177,404.20
2031	3.13%	178,520.15	46,779.44	225,299.59	3.00%	140,474.88	36,810.05	177,284.93
2032	3.25%	184,414.69	41,200.68	225,615.37	3.13%	145,113.20	32,420.21	177,533.41
2033	3.38%	190,309.22	35,207.21	225,516.43	3.25%	149,751.52	27,704.03	177,455.55
2034	3.38%	197,045.83	28,784.27	225,830.10	3.25%	155,052.46	22,649.92	177,702.37
2035	3.58%	203,782.44	22,133.97	225,916.41	3.38%	160,353.40	17,416.90	177,770.29
2036	3.50%	210,519.05	15,001.59	225,520.64	3.38%	165,654.33	11,804.53	177,458.86
2037	3.50%	218,097.74	7,633.42	225,731.16	3.50%	171,617.89	6,006.63	177,624.52
2038		-	-	-				-
2039		-	-	-				-
2040		-	-	-				-
2041		-	-	-				-
2042		-	-	-				-
2043		-	-	-				-
2044		-	-	-				-
2045		-	-	-				-
2046		-	-	-				-
2047		-	-	-				-
2048		-	-	-				-
2049		-	-	-				-
2050		-	-	-				-
2051		-	-	-				-
		2,467,283.27	691,483.50	3,158,766.77		1,941,468.80	544,118.17	2,485,586.97

(7) These certificates were issued to fund infrastructure improvements in Sherman Landing on the south side of the Hwy 75 and Hwy 691 intersection (TIRZ #6). Debt

(8) These certificates were issued to fund infrastructure improvements on the south east corner of the Hwy 75 and Hwy 1417 intersection (TIRZ #7). Debt service is

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(9) $3,900,000 Stormwater Certificates of Obligation Series 2017A				(10) $18,980,000 General Obligation Certificates of Obligation Series 2018			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	4.00%	170,000.00	101,075.00	271,075.00	5.00%	570,000.00	622,756.26	1,192,756.26
2025	4.00%	175,000.00	94,275.00	269,275.00	5.00%	600,000.00	594,256.26	1,194,256.26
2026	4.00%	185,000.00	87,275.00	272,275.00	5.00%	630,000.00	564,256.26	1,194,256.26
2027	4.00%	190,000.00	79,875.00	269,875.00	5.00%	660,000.00	532,756.26	1,192,756.26
2028	4.00%	200,000.00	72,275.00	272,275.00	5.00%	695,000.00	499,756.26	1,194,756.26
2029	3.00%	205,000.00	64,275.00	269,275.00	3.00%	730,000.00	465,006.26	1,195,006.26
2030	3.00%	210,000.00	58,125.00	268,125.00	3.00%	750,000.00	443,106.26	1,193,106.26
2031	3.00%	220,000.00	51,825.00	271,825.00	3.00%	775,000.00	420,606.26	1,195,606.26
2032	3.00%	225,000.00	45,225.00	270,225.00	3.13%	795,000.00	397,356.26	1,192,356.26
2033	3.00%	230,000.00	38,475.00	268,475.00	3.25%	820,000.00	372,512.50	1,192,512.50
2034	3.13%	240,000.00	31,575.00	271,575.00	3.25%	850,000.00	345,862.50	1,195,862.50
2035	3.13%	245,000.00	24,075.00	269,075.00	3.38%	875,000.00	318,237.50	1,193,237.50
2036	3.13%	255,000.00	16,418.76	271,418.76	3.38%	905,000.00	288,706.26	1,193,706.26
2037	3.25%	260,000.00	8,450.00	268,450.00	3.50%	935,000.00	258,162.50	1,193,162.50
2038		-	-	-	3.50%	970,000.00	225,437.50	1,195,437.50
2039		-	-	-	3.50%	1,005,000.00	191,487.50	1,196,487.50
2040		-	-	-	3.50%	1,040,000.00	156,312.50	1,196,312.50
2041		-	-	-	3.50%	1,075,000.00	119,912.50	1,194,912.50
2042		-	-	-	3.63%	1,115,000.00	82,287.50	1,197,287.50
2043		-	-	-	3.63%	1,155,000.00	41,868.86	1,196,868.86
2044		-	-	-		-	-	-
2045		-	-	-		-	-	-
2046		-	-	-		-	-	-
2047		-	-	-		-	-	-
2048		-	-	-		-	-	-
2049		-	-	-		-	-	-
2050		-	-	-		-	-	-
2051		-	-	-		-	-	-
		3,010,000.00	773,218.76	3,783,218.76		16,950,000.00	6,940,643.96	23,890,643.96

(9) These certificates were issued to fund projects from the City's Stormwater Management Plan. Debt service is paid from the stormwater utility fee added to utility bills.

(10) These certificates were issued to fund new street and park development, and construction and improvements to city facilities.

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(11) $19,130,000 General Obligation Certificates of Obligation Series 2019				(12) $29,025,000 General Obligation Certificates of Obligation Series 2021			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	5.00%	530,000.00	634,112.50	1,164,112.50	5.00%	630,000.00	731,968.76	1,361,968.76
2025	5.00%	555,000.00	607,612.50	1,162,612.50	5.00%	660,000.00	700,468.76	1,360,468.76
2026	5.00%	585,000.00	579,862.50	1,164,862.50	3.00%	695,000.00	667,468.76	1,362,468.76
2027	5.00%	610,000.00	550,612.50	1,160,612.50	3.00%	730,000.00	632,718.76	1,362,718.76
2028	5.00%	645,000.00	520,112.50	1,165,112.50	5.00%	765,000.00	596,218.76	1,361,218.76
2029	3.00%	675,000.00	487,862.50	1,162,862.50	3.00%	805,000.00	557,968.76	1,362,968.76
2030	4.00%	710,000.00	454,112.50	1,164,112.50	3.00%	845,000.00	517,718.76	1,362,718.76
2031	4.00%	735,000.00	425,712.50	1,160,712.50	2.00%	885,000.00	475,468.76	1,360,468.76
2032	4.00%	765,000.00	396,312.50	1,161,312.50	2.00%	905,000.00	457,768.76	1,362,768.76
2033	4.00%	795,000.00	365,712.50	1,160,712.50	2.00%	925,000.00	439,668.76	1,364,668.76
2034	3.00%	830,000.00	333,912.50	1,163,912.50	2.00%	940,000.00	421,168.76	1,361,168.76
2035	3.00%	855,000.00	309,012.50	1,164,012.50	2.00%	960,000.00	402,368.76	1,362,368.76
2036	3.00%	880,000.00	283,362.50	1,163,362.50	2.00%	980,000.00	383,168.76	1,363,168.76
2037	3.00%	905,000.00	256,962.50	1,161,962.50	2.00%	1,000,000.00	363,568.76	1,363,568.76
2038	3.00%	935,000.00	229,812.50	1,164,812.50	2.00%	1,020,000.00	343,568.76	1,363,568.76
2039	3.13%	960,000.00	201,762.50	1,161,762.50	2.00%	1,040,000.00	323,168.76	1,363,168.76
2040	3.25%	990,000.00	171,762.50	1,161,762.50	2.00%	1,060,000.00	302,368.76	1,362,368.76
2041	3.25%	1,025,000.00	139,587.50	1,164,587.50	2.00%	1,080,000.00	281,168.76	1,361,168.76
2042	3.25%	1,055,000.00	106,275.00	1,161,275.00	2.00%	1,100,000.00	259,568.76	1,359,568.76
2043	3.25%	1,090,000.00	71,987.50	1,161,987.50	2.00%	1,125,000.00	237,568.76	1,362,568.76
2044	3.25%	1,125,000.00	36,562.50	1,161,562.50	2.00%	1,145,000.00	215,068.76	1,360,068.76
2045		-	-	-	2.125%	1,170,000.00	192,168.76	1,362,168.76
2046		-	-	-	2.125%	1,195,000.00	167,306.26	1,362,306.26
2047		-	-	-	2.125%	1,220,000.00	141,912.50	1,361,912.50
2048		-	-	-	2.25%	1,245,000.00	115,987.50	1,360,987.50
2049		-	-	-	2.25%	1,275,000.00	87,975.00	1,362,975.00
2050		-	-	-	2.25%	1,305,000.00	59,287.50	1,364,287.50
2051		-	-	-	2.25%	1,330,000.00	29,925.00	1,359,925.00
		17,255,000.00	7,163,025.00	24,418,025.00		28,035,000.00	10,104,756.48	38,139,756.48

(11) These certificates were issued to fund new streets and improvements to existing streets.

(12) These certificates were issued to fund new streets, major rebuild of some existing streets and a new police headquarters.

City of Sherman, Texas

Bonded Debt as of 7/31/23

	(13) $1,980,000 General Obligation Tax Notes Series 2021				(14) $2,100,000 General Obligation Limited Tax Notes, Series 2022			
Fiscal Yr	Coupon	Principal	Interest		Coupon	Principal	Interest	
2024	3.00%	325,000.00	40,600.00	365,600.00	5.00%	325,000.00	70,250.00	395,250.00
2025	3.00%	340,000.00	27,600.00	367,600.00	5.00%	340,000.00	54,000.00	394,000.00
2026	3.00%	350,000.00	14,000.00	364,000.00	5.00%	360,000.00	37,000.00	397,000.00
2027		-	-	-	5.00%	380,000.00	19,000.00	399,000.00
2028		-	-	-		-	-	-
2029		-	-	-		-	-	-
2030		-	-	-		-	-	-
2031		-	-	-		-	-	-
2032		-	-	-		-	-	-
2033		-	-	-		-	-	-
2034		-	-	-		-	-	-
2035		-	-	-		-	-	-
2036		-	-	-		-	-	-
2037		-	-	-		-	-	-
2038		-	-	-		-	-	-
2039		-	-	-		-	-	-
2040		-	-	-		-	-	-
2041		-	-	-		-	-	-
2042		-	-	-		-	-	-
2043		-	-	-		-	-	-
2044		-	-	-		-	-	-
2045		-	-	-		-	-	-
2046		-	-	-		-	-	-
2047		-	-	-		-	-	-
2048		-	-	-		-	-	-
2049		-	-	-		-	-	-
2050		-	-	-		-	-	-
2051		-	-	-		-	-	-
		1,015,000.00	82,200.00	1,097,200.00		1,405,000.00	180,250.00	1,585,250.00

(13) These certificates were issued to fund fleet and equipment purchases

(14) These certificates were issued to fund fleet and equipment purchases

City of Sherman, Texas

Bonded Debt as of 7/31/23

		(14) $3,095,000 General Obligation Limited Tax Notes, Series 2023			TOTALS		
Fiscal Yr	Coupon	Principal	Interest		Principal	Interest	TOTAL
2024	5.00%	470,000.00	129,500.00	599,500.00	5,040,000.00	3,198,787.52	8,238,787.52
2025	5.00%	490,000.00	106,000.00	596,000.00	5,255,000.00	2,976,137.52	8,231,137.52
2026	5.00%	515,000.00	81,500.00	596,500.00	5,515,000.00	2,734,587.52	8,249,587.52
2027	5.00%	545,000.00	55,750.00	600,750.00	5,300,000.00	2,484,537.52	7,784,537.52
2028	5.00%	570,000.00	28,500.00	598,500.00	5,140,000.00	2,250,687.52	7,390,687.52
2029		-	-	-	4,338,624.46	2,024,900.02	6,363,524.48
2030		-	-	-	4,046,375.54	1,860,787.52	5,907,163.06
2031		-	-	-	4,075,000.00	1,719,225.02	5,794,225.02
2032		-	-	-	4,195,000.00	1,599,650.02	5,794,650.02
2033		-	-	-	4,320,000.00	1,473,518.76	5,793,518.76
2034		-	-	-	4,460,000.00	1,341,031.26	5,801,031.26
2035		-	-	-	4,585,000.00	1,211,968.76	5,796,968.76
2036		-	-	-	4,725,000.00	1,074,381.28	5,799,381.28
2037		-	-	-	4,395,000.00	932,468.76	5,327,468.76
2038		-	-	-	2,925,000.00	798,818.76	3,723,818.76
2039		-	-	-	3,005,000.00	716,418.76	3,721,418.76
2040		-	-	-	3,090,000.00	630,443.76	3,720,443.76
2041		-	-	-	3,180,000.00	540,668.76	3,720,668.76
2042		-	-	-	3,270,000.00	448,131.26	3,718,131.26
2043		-	-	-	3,370,000.00	351,425.12	3,721,425.12
2044		-	-	-	2,270,000.00	251,631.26	2,521,631.26
2045		-	-	-	1,170,000.00	192,168.76	1,362,168.76
2046		-	-	-	1,195,000.00	167,306.26	1,362,306.26
2047		-	-	-	1,220,000.00	141,912.50	1,361,912.50
2048		-	-	-	1,245,000.00	115,987.50	1,360,987.50
2049		-	-	-	1,275,000.00	87,975.00	1,362,975.00
2050		-	-	-	1,305,000.00	59,287.50	1,364,287.50
2051		-	-	-	1,330,000.00	29,925.00	1,359,925.00
		2,590,000.00	401,250.00	2,991,250.00	95,240,000.00	31,414,769.20	126,654,769.20

(14) These certificates were issued to fund fleet and equipment purchases

CITY OF SHERMAN
ITEMIZATION OF CERTAIN EXPENDITURES REQUIRED BY LGC SECTION 140.0045

Expenditures for:	**FY 2023**	**FY 2024**
(1) Notices required by law to be published in a newspaper by the City or a representative of the City	$ 18,451.11	$ 14,200.00
(2) directly or indirectly influencing or attempting to influence the outcome of legislation of administrative action, as those terms are defined in Section 305.002, Government Code	-	-

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 2.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6620

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 26.598 acres in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 2400-2500 Blocks South East Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District, (City of Sherman, Owner; Rob Rae Representative; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider the request of City of Sherman (Owner), Rob Rae (Representative) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 2400-2500 Blocks South East Street, consisting of 26.598 acres in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District Zoning Classification

Background:

The property is located at 2400-2500 Blocks South East Street between South Travis Street and South First Street. The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District.

The subject property was annexed into the City Limits on May 15, 2023 to allow for a portion of the property to be used as a public park.

Origination:

City of Sherman (Owner)
Rob Rae (Representative)
Underwood Drafting & Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 20, 2023 regular meeting, the Planning and Zoning Commission voted 7/0 to recommend to the City Council that the Zone Change be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny or table the request.

Attachments

Ordinance No. 6620
Exhibit A
Location Map
Zoning Map
Property Sign
Future Land Use Map
P&Z Communication

ORDINANCE NO. 6620

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 26.598 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2400-2500 BLOCKS SOUTH EAST STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT, (CITY OF SHERMAN, OWNER; ROB RAE REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 proposed rezoning case; and

WHEREAS, the City Council finds that rezoning the property as described in this Ordinance is in accordance with the Comprehensive Plan and 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 rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Survey and Legal Description**, attached hereto, located in the 2400-2500 Blocks South East Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-5 (Single Family Residential) District, and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, is hereby amended so as to hereafter include such property.

SECTION 2. That this Ordinance shall be entered upon the Official Zoning Map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 3. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D PITTMAN, CITY ATTORNEY

EXHIBIT A

SCALE
1" = 200'

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of Preston Kitchen Survey, Abstract No. 667, and being a part of a tract of land described in the deed to City of Sherman, recorded in Volume 876, Page 150, Deed Records, Grayson County, Texas, and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod found for the northwest corner of said City of Sherman Tract, common to the northeast corner of a called 49.497 acre tract of land described in the deed to Three Oaks Development and Construction Company, recorded in Instrument No. 2020–27922, Official Public Records, Grayson County, Texas, and on the southerly line of Three Oaks Addition, according to the plat thereof recorded in Instrument No. 2021–261, Plat Records, Grayson County, Texas;

Thence North 74°11'53" East, with the northerly line of said City of Sherman Tract, and with the southerly line of said Three Oaks Addition, a distance of 441.95 feet to a 1/2" steel rod found for the northeast corner of the herein described tract of land, common to the southeast corner of said Three Oaks Addition, and on the westerly side of South East Street (no record found);

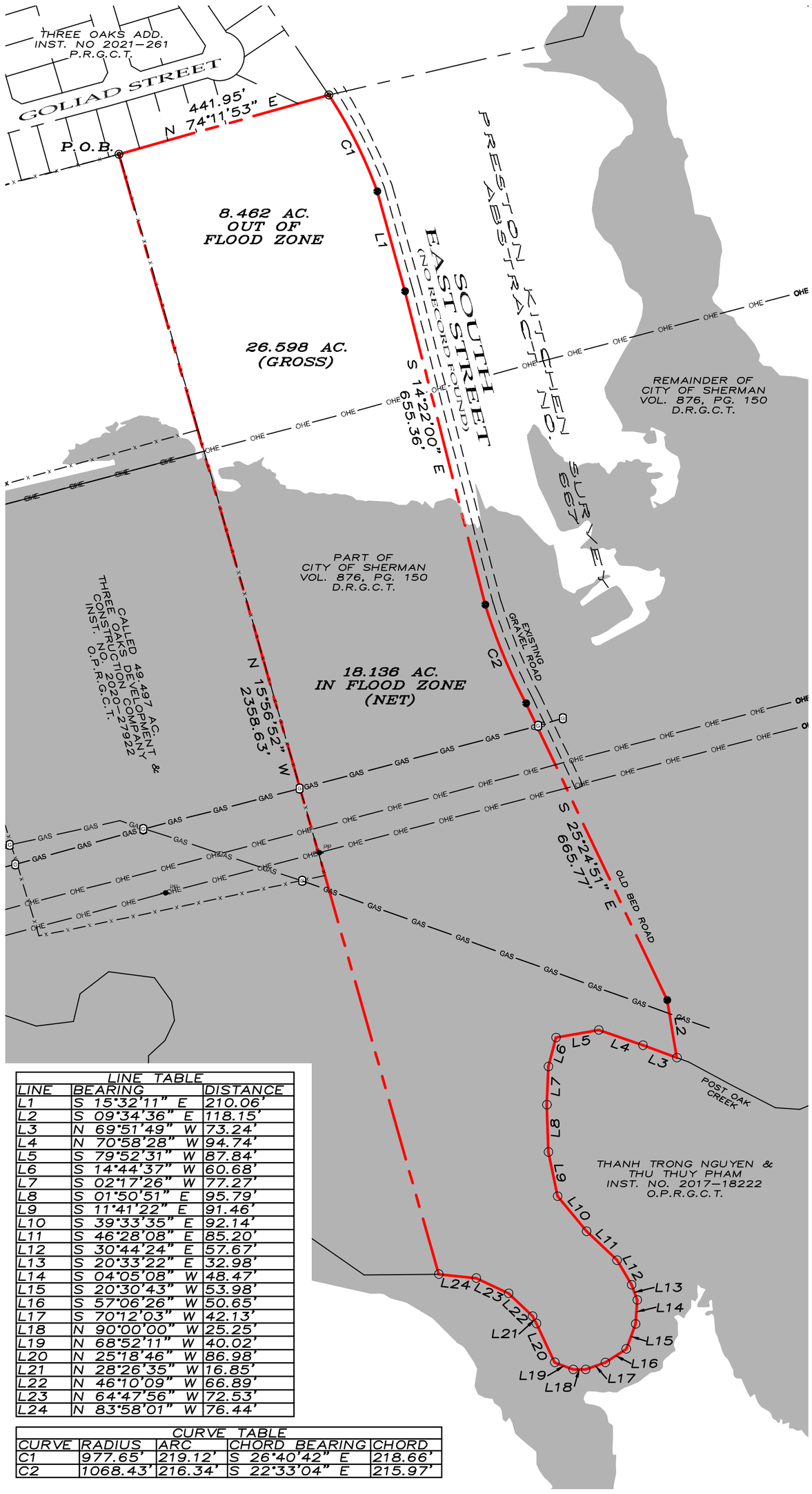
Thence crossing said City of Sherman Tract, the following 6 courses:

1. With a curve to the right having a radius of 977.65 feet, (chord bears South 26°40'42" East, 218.66 feet) an arc length of 219.12 feet to a set 1/2" steel rod;
2. South 15°32'11" East, a distance of 210.06 feet to a set 1/2" steel rod;
3. South 14°22'00" East, a distance of 655.36 feet to a set 1/2" steel rod;
4. With a curve to the left having a radius of 1068.43 feet, (chord bears South 22°33'04" East, 215.97 feet) an arc length of 216.34 feet to a set 1/2" steel rod;
5. South 25°24'51" East, a distance of 665.77 feet to a set 1/2" steel rod;
6. South 09°34'36" East, a distance of 118.15 feet to a set 1/2" steel rod;

Thence with the southerly line of said City of Sherman Tract, and in said Post Oak Creek, the following 22 courses:

1. North 69°51'49" West, a distance of 73.24 feet to a point;
2. North 70°58'28" West, a distance of 94.74 feet to a point;
3. South 79°52'31" West, a distance of 87.84 feet to a point;
4. South 14°44'37" West, a distance of 60.68 feet to a point;
5. South 02°17'26" West, a distance of 77.27 feet to a point;
6. South 01°50'51" East, a distance of 95.79 feet to a point;
7. South 11°41'22" East, a distance of 91.46 feet to a point;
8. South 39°33'35" East, a distance of 92.14 feet to a point;
9. South 46°28'08" East, a distance of 85.20 feet to a point;
10. South 30°44'24" East, a distance of 57.67 feet to a point;
11. South 20°33'22" East, a distance of 32.98 feet to a point;
12. South 04°05'08" West, a distance of 48.47 feet to a point;
13. South 20°30'43" West, a distance of 53.98 feet to a point;
14. South 57°06'26" West, a distance of 50.65 feet to a point;
15. South 70°12'03" West, a distance of 42.13 feet to a point;
16. North 90°00'00" West, a distance of 25.25 feet to a point;
17. North 68°52'11" West, a distance of 40.02 feet to a point;
18. North 25°18'46" West, a distance of 86.98 feet to a point;
19. North 28°26'35" West, a distance of 16.85 feet to a point;
20. North 46°10'09" West, a distance of 66.89 feet to a point;
21. North 64°47'56" West, a distance of 72.53 feet to a point;
22. North 83°58'01" West, a distance of 76.44 feet to the southwest corner of said City of Sherman Tract, common to the southeast corner of aforesaid 49.497 acre tract;

Thence North 15°56'52" West, with the westerly line of said City of Sherman Tract, and with the easterly line of said 49.497 acre tract, a distance of 2358.63 feet to the Point of Beginning and containing 26.598 acres of land, more or less.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 15°32'11" E	210.06'
L2	S 09°34'36" E	118.15'
L3	N 69°51'49" W	73.24'
L4	N 70°58'28" W	94.74'
L5	S 79°52'31" W	87.84'
L6	S 14°44'37" W	60.68'
L7	S 02°17'26" W	77.27'
L8	S 01°50'51" E	95.79'
L9	S 11°41'22" E	91.46'
L10	S 39°33'35" E	92.14'
L11	S 46°28'08" E	85.20'
L12	S 30°44'24" E	57.67'
L13	S 20°33'22" E	32.98'
L14	S 04°05'08" W	48.47'
L15	S 20°30'43" W	53.98'
L16	S 57°06'26" W	50.65'
L17	S 70°12'03" W	42.13'
L18	N 90°00'00" W	25.25'
L19	N 68°52'11" W	40.02'
L20	N 25°18'46" W	86.98'
L21	N 28°26'35" W	16.85'
L22	N 46°10'09" W	66.89'
L23	N 64°47'56" W	72.53'
L24	N 83°58'01" W	76.44'

CURVE TABLE				
CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	977.65'	219.12'	S 26°40'42" E	218.66'
C2	1068.43'	216.34'	S 22°33'04" E	215.97'

LEGEND

	1/2" STEEL ROD SET
	1/2" STEEL ROD FOUND
	CENTER OF CREEK
PP	POWER POLE
G	GAS MARKER
	BOUNDARY LINE
	PROPERTY LINE
x x x	BARBWIRE FENCE
GAS	GAS LINE
OHE	OVERHEAD ELEC.

ACREAGE SUMMARY

OUT OF THE FLOOD ZONE	8.462 AC.
IN THE FLOOD ZONE (NET)	18.136 AC.
TOTAL (GROSS)	26.598 AC.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 02/20/23

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright © 2023
Underwood Drafting & Surveying, Inc.
All rights reserved.

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465–2151

JOB NO. 23020119
FW: WK – DFT: BH

dlagrone H:\PLANNING\Public Notification KT.aprx

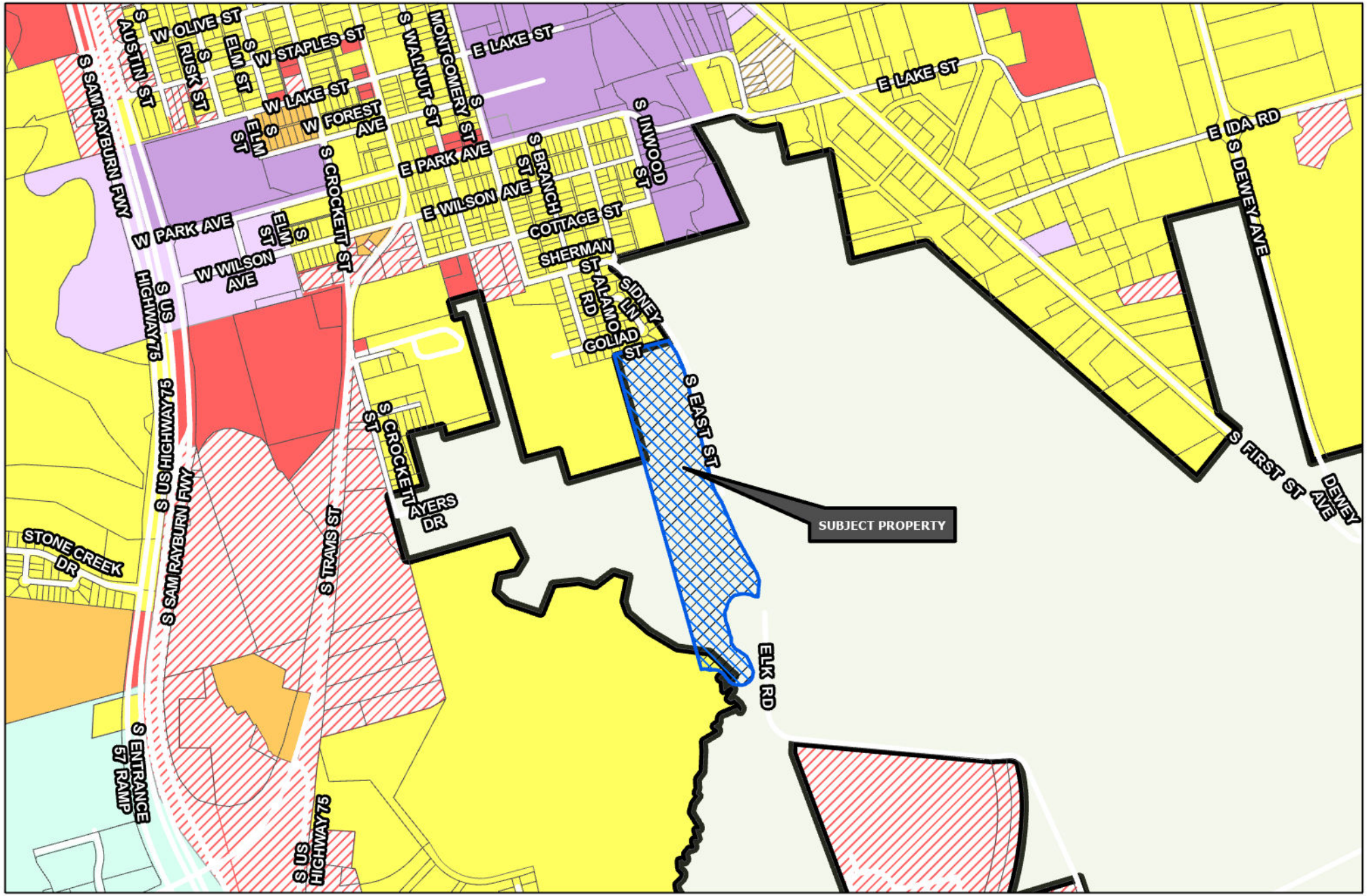
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2400-2500 S EAST ST

N
W E
S

Date: 5/26/2023 10:37 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

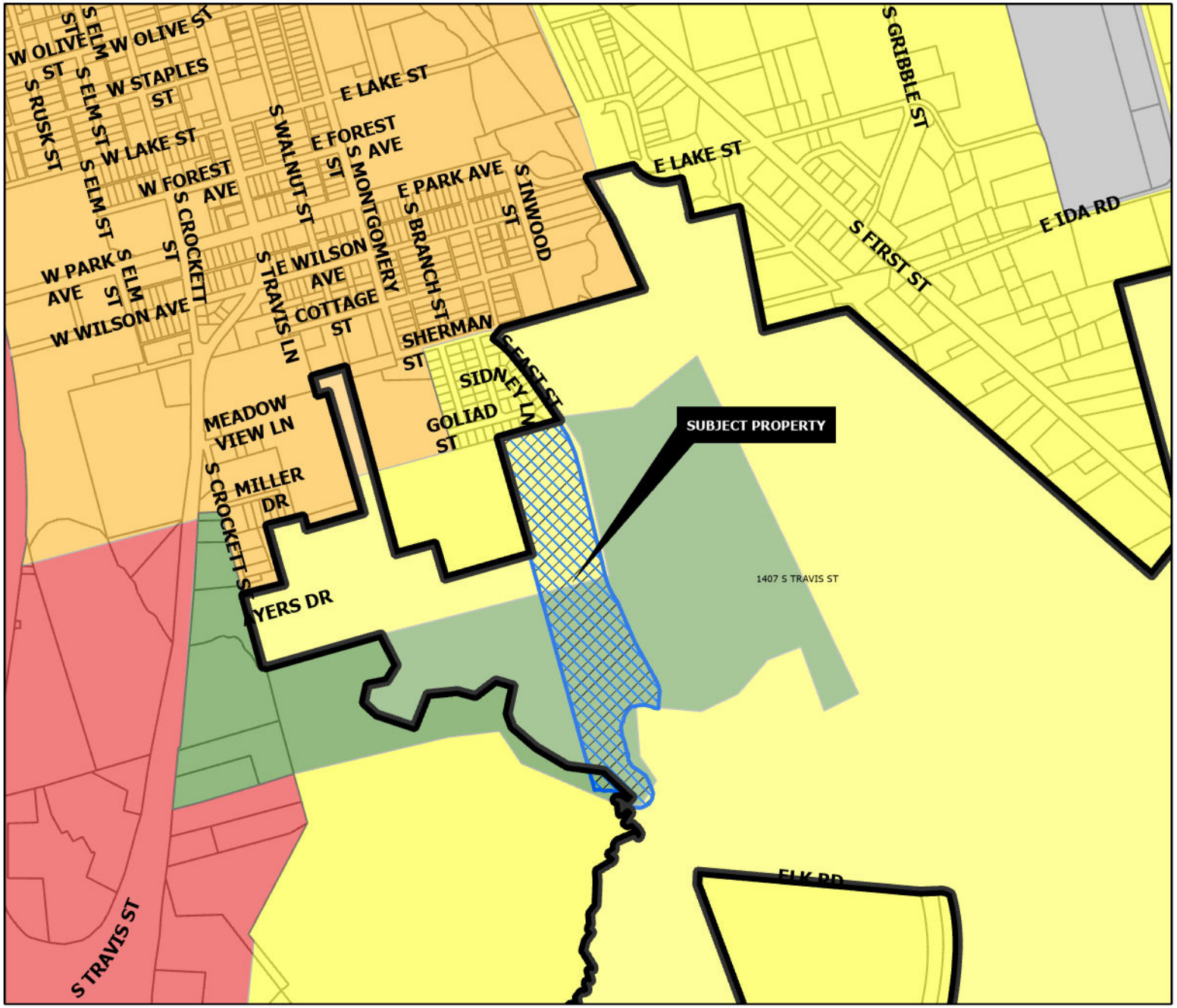
Road Names All

CITY OF SHERMAN
ZONING MAP
2400-2500 S EAST ST

N
W E
S

Date: 5/26/2023 10:37 AM

Sherman
CLASSIC TOWN, BROAD HORIZON
NOTICE OF PROPOSED ZONING CHANGE
PROJECT #: 23-003056
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229
06/02/2023 at 11:52 pm



SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
2400-2500 S EAST ST

N W E S

Date: 5/26/2023 10:37 AM

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 30.

Meeting Date: 06/20/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2400-2500 BLOCKS SOUTH EAST STREET (Project No. 23-003056)

The request of City of Sherman (Owner), Rob Rae (Representative) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 2400-2500 Blocks South East Street, consisting of 26.598 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District.

Background:

The property is located at 2400-2500 Blocks South East Street between South Travis Street and South First Street. The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District.

This property was annexed into the City of Sherman on May 15, 2023. When a property is annexed into the City that property is zoned R-A once annexation is approved, subject to subsection 14.01.006 of the Zoning Ordinance.

Adjacent Zoning:

R-6 (Single-Family Residential) District
ETJ (Extra Territorial Jurisdiction)

Origination:

City of Sherman (Owner)
Rob Rae (Representative)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

9

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map

Zoning Map

Zoning Sign Photo

FLUM

Survey

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 3.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6621

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 49.496 acres in the Preston Kitchens Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 300-400 Blocks East Sherman Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single-Family Residential) District, (Kirk Allen, Owner; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider the request of Kirk Allen (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 300-400 Blocks East Sherman Street, consisting of 49.496 acres in the Preston Kitchens Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 300-400 Blocks East Sherman Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single-Family Residential) District Zoning Classification

Background:

The property is located in the 300-400 Blocks East Sherman Street between South Travis Street and South First Street. The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to R-5 (Single-Family Residential) District.

The northern 24.4 acres of the property is currently zoned R-6 and was granted a Specific Use Permit to allow for Patio Homes on July 18, 2022. The applicant is requesting a zone change to be in compliance with the new zoning regulations that were adopted in December of 2022.

The southern 25.08 portion of this property was annexed into the City on May 15, 2023 and is zoned R-A. The applicant would like to request a zone change to R-5 to allow for single-family development in this location.

Origination:

Kirk Allen (Owner)
Underwood Drafting & Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 20, 2023 and July 18, 2023 regular meeting, the Planning and Zoning Commission voted 7/0 and 6/0 respectively to recommend to the City Council that the Zone Change be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny or table the request.

Attachments

Ordinance No. 6621
Exhibit A - Survey
Location Map
Zoning Map
Future Land Use Map
Property Sign
STAFF REVIEW LETTER
P&Z Communication

ORDINANCE NO. 6621

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 49.496 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 300-400 BLOCKS EAST SHERMAN STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, (KIRK ALLEN, OWNER; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 proposed rezoning case; and

WHEREAS, the City Council finds that rezoning the property as described in this Ordinance is in accordance with the Comprehensive Plan and 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 rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Survey and Legal Description**, attached hereto, located at 300-400 Blocks East Sherman Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-5 (Single-Family Residential) District, and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, is hereby amended so as to hereafter include such property.

SECTION 2. That this Ordinance shall be entered upon the Official Zoning Map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 3. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

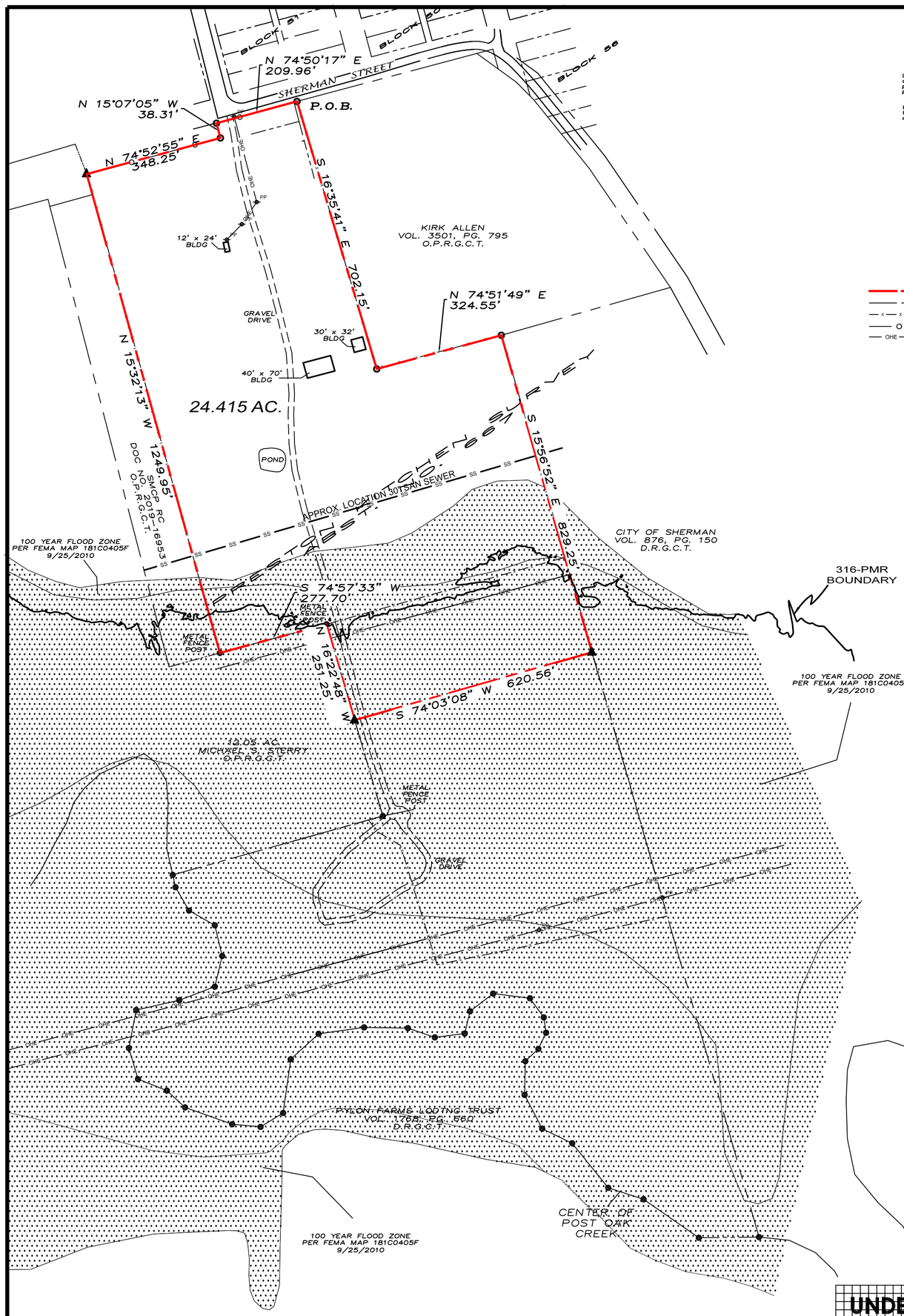
EXHIBIT A

JOB NO. 20080650
FW: HC – DFT: BAU

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright ©2020
Underwood Drafting & Surveying, Inc.
All rights reserved.



LEGEND

- 1/2" STEEL ROD SET
- POINT IN CREEK
- 1/2" STEEL ROD FOUND
- PP — POWER POLE
- BOUNDARY LINE
- PROPERTY LINE
- BARBWIRE FENCE
- CHAINLINK FENCE
- OHE — OHE — OVERHEAD ELECTRIC LINE

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, and being a part of that 49.497 acre trat of land conveyed to Three Oaks Development and Construction as recorded in Document No. 2020–27922, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found ½" steel rod in the south line of Sherman Street and being the Northwest corner of a tract of land Conveyed to Kirk Allen in Volume 3501, Page 795, Official Public Records, Grayson County, Texas;

Thence South 16°35'41" East, with the west line of said Allen Tract a distance of 702.15 feet to a found 1/2" steel rod;

Thence North 74°51'49" East, with the south line of said Allen Tract a distance of 324.55 feet to a found 1/2" steel rod;

Thence South 15°56'52" East, with the west line of a Tract of land conveyed to the City of Sherman, Recorded in Volume 876, Page 150, Deed Records, Grayson County, Texas a distance of 829.25 feet to a set 1/2" steel rod;

Thence South 74°03'08" West, a distance of 620.56 feet to a set 1/2" steel rod in the west line of said 49.497 acre tract;

Thence North 16°22'48" West with said west line and a barbwire fence, a distance of 251.25 feet to a metal fence post;

Thence South 74°57'33" West a distance of 277.70 feet with a barbwire fence to a metal fence post;

Thence North 15°32'13" West a distance of 1249.95 feet with a barb wire fence to a 1/2" steel rod set;

Thence North 74°52'55" East with the north line of said 49.497 acre tract of land a distance of 348.25 feet to a found 1/2" steel rod;

Thence North 15°07'05" West a distance of 38.31 feet to a found 1/2" steel rod;

Thence North 74°50'17" East a distance of 209.96 feet to the Point of Beginning and containing 24.415 acres of land.

I, DOUGLAS W. UNDERWOOD, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THAT THE ABOVE DESCRIBED 24.415 ACRE ANNEXATION PARCEL METES AND BOUNDS DESCRIPTION DOES FORM A MATHEMATICALLY CLOSED FIGURE AND IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709
Firm No. 10006300
01–20–2021

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465–2151

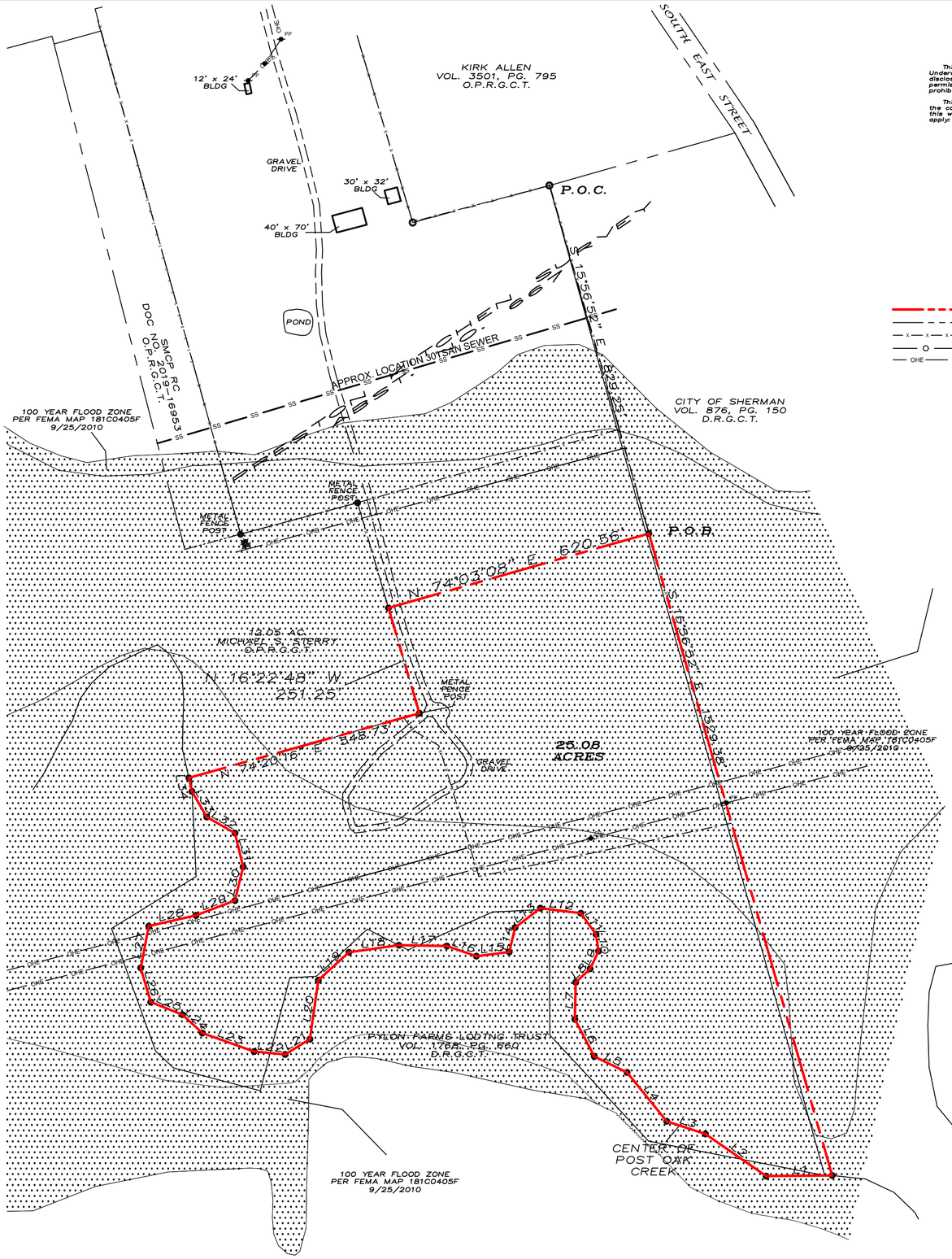
EXHIBIT A

JOB NO. 20080650
FW: HC – DFT: BAU

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright © 2020
Underwood Drafting & Surveying, Inc.
All rights reserved.



LEGEND

- 1/2" STEEL ROD SET
- POINT IN CREEK
- 1/2" STEEL ROD FOUND
- PP — POWER POLE
- BOUNDARY LINE
- PROPERTY LINE
- BARBWIRE FENCE
- CHAINLINK FENCE
- OHE — OVERHEAD ELECTRIC LINE

LINE TABLE			
LINE	BEARING		DISTANCE
L1	S	89°25'08" W	151.42'
L2	N	55°13'20" W	169.20'
L3	N	71°56'22" W	93.39'
L4	N	39°01'10" W	144.10'
L5	N	64°01'32" W	83.74'
L6	N	27°35'50" W	95.83'
L7	N	01°18'07" E	84.95'
L8	N	46°44'09" E	45.06'
L9	N	25°27'48" E	44.90'
L10	N	08°31'51" W	39.04'
L11	N	35°45'14" W	59.46'
L12	N	82°52'30" W	93.37'
L13	S	52°31'26" W	72.97'
L14	S	13°34'14" W	57.59'
L15	S	82°41'39" W	75.90'
L16	N	71°04'31" W	71.42'
L17	N	88°59'42" W	110.04'
L18	S	81°58'16" W	115.74'
L19	S	47°34'45" W	94.79'
L20	S	08°07'48" W	136.49'
L21	S	58°19'28" W	66.63'
L22	N	84°41'14" W	71.68'
L23	N	70°20'46" W	125.71'
L24	N	47°12'09" W	62.23'
L25	N	68°25'43" W	78.20'
L26	N	16°25'04" W	81.52'
L27	N	10°57'15" E	97.52'
L28	N	77°07'30" E	110.88'
L29	N	69°13'40" E	95.79'
L30	N	13°29'45" E	79.40'
L31	N	13°29'45" W	79.40'
L32	N	60°15'18" W	74.70'
L33	N	30°04'07" W	67.80'
L34	N	12°43'28" W	31.73'

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, and being a part of that tract of land described as 50.908 acres conveyed to Harold and Patsy Falk by deed recorded in Volume 1616, Page 664, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at the northwest corner of that Tract of land conveyed to the City of Sherman, Recorded in Volume 876, Page 150, Deed Records, Grayson County, Texas;

Thence South 15°56'52" East, with the west line of said City of Sherman, tract a distance of 829.25 feet to to the Point–of–Beginning;

Thence South 15°56'52" East, and continuing with said west line a distance of 1529.38 feet to a point in the center of Choctaw Creek;

Thence the Following Calls and Distances with the center of said Choctaw Creek:
South 89°25'08" West a distance of 151.42 feet to a point in said creek;
North 55°13'20" West a distance of 169.20 feet to a point in said creek;
North 71°56'22" West a distance of 93.39 feet to a point in said creek;
North 39°01'10" West a distance of 144.10 feet to a point in said creek;
North 64°01'32" West a distance of 83.74 feet to a point in said creek;
North 27°35'50" West a distance of 95.83 feet to a point in said creek;
North 01°18'07" East a distance of 84.95 feet to a point in said creek;
North 46°44'09" East a distance of 45.06 feet to a point in said creek;
North 25°27'48" East a distance of 44.90 feet to a point in said creek;
North 08°31'51" West a distance of 39.04 feet to a point in said creek;
North 35°45'14" West a distance of 59.46 feet to a point in said creek;
North 82°52'30" West a distance of 93.37 feet to a point in said creek;
South 52°31'26" West a distance of 72.97 feet to a point in said creek;
South 13°34'14" West a distance of 57.59 feet to a point in said creek;
South 82°41'39" West a distance of 75.90 feet to a point in said creek;
North 71°04'31" West a distance of 71.42 feet to a point in said creek;
North 88°59'42" West a distance of 110.04 feet to a point in said creek;
South 81°58'16" West a distance of 115.74 feet to a point in said creek;
South 47°34'45" West a distance of 94.79 feet to a point in said creek;
South 08°07'48" West a distance of 136.49 feet to a point in said creek;
South 58°19'28" West a distance of 66.63 feet to a point in said creek;
North 84°41'14" West a distance of 71.68 feet to a point in said creek;
North 70°20'46" West a distance of 125.71 feet to a point in said creek;
North 47°12'09" West a distance of 62.23 feet to a point in said creek;
North 68°25'43" West a distance of 78.20 feet to a point in said creek;
North 16°25'04" West a distance of 81.52 feet to a point in said creek;
North 10°57'15" East a distance of 97.52 feet to a point in said creek;
North 77°07'30" East a distance of 110.88 feet to a point in said creek;
North 69°13'40" East a distance of 95.79 feet to a point in said creek;
North 13°29'45" East a distance of 79.40 feet to a point in said creek;
North 13°29'45" West a distance of 79.40 feet to a point in said creek;
North 60°15'18" West a distance of 74.70 feet to a point in said creek;
North 30°04'07" West a distance of 67.80 feet to a point in said creek;
North 12°43'28" West a distance of 31.73 feet to a point in said creek;

Thence North 74°20'16" East leaving said creek and continuing with a barbwire fence a distance of 548.73 feet to a metal fence post;

Thence North 16°22'48" West a distance of 251.25 feet with a barbwire fence to a point;

Thence North 74°03'08" East a distance of 620.56 feet to the Point of Beginning and containing 25.08 acres of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 04/20/23

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465–2151

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, and being a part of that tract of land described as 50.908 acres conveyed to Harold and Patsy Falk by deed recorded in Volume 1616, Page 664, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at the northwest corner of that Tract of land conveyed to the City of Sherman, Recorded in Volume 876, Page 150, Deed Records, Grayson County, Texas;

Thence South 15°56'52" East, with the west line of said City of Sherman, tract a distance of 829.25 feet to the Point-of-Beginning;

Thence South 15°56'52" East, and continuing with said west line a distance of 1529.38 feet to a point in the center of Choctaw Creek;

Thence the Following Calls and Distances with the center of said Choctaw Creek:

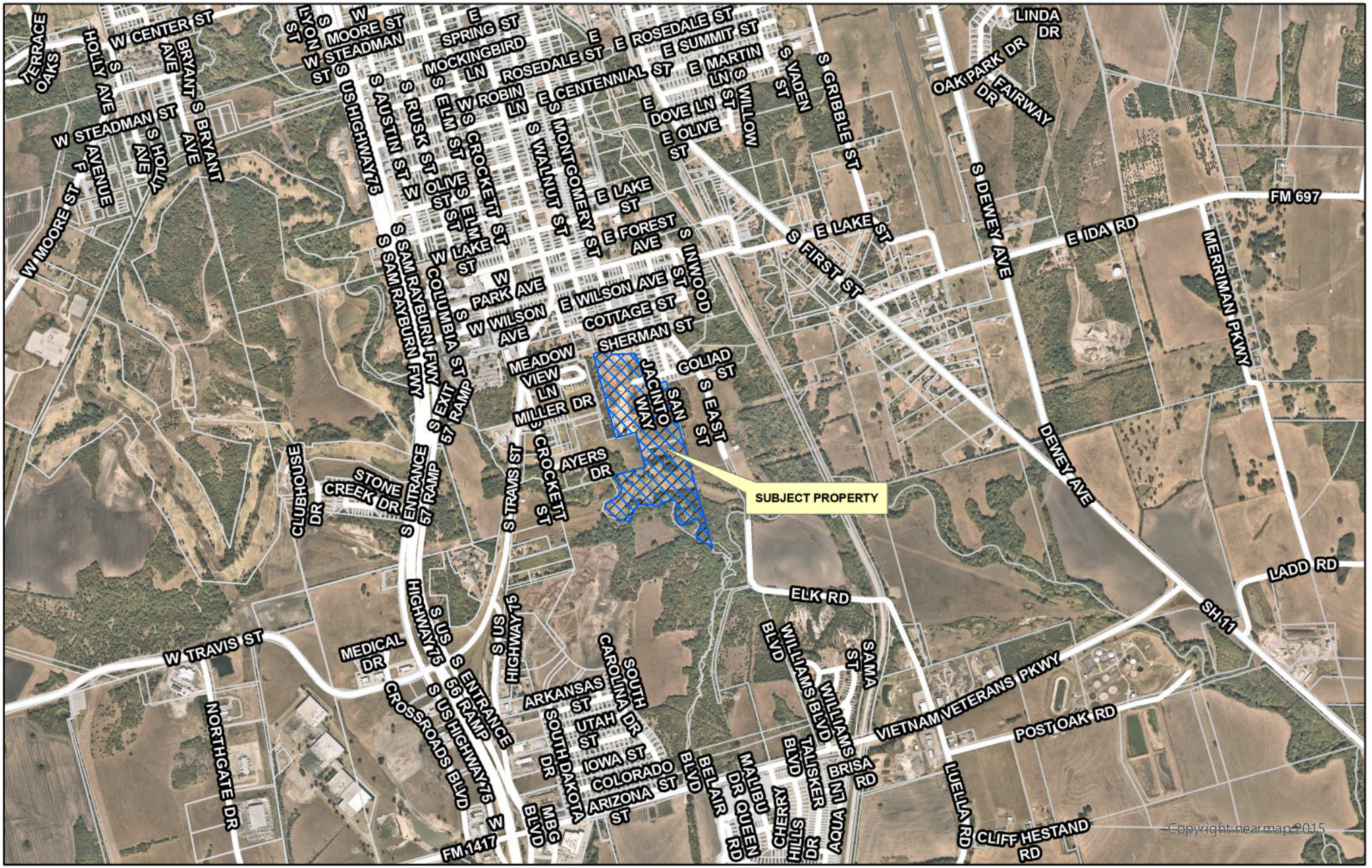
South 89°25'08" West a distance of 151.42 feet to a point in said creek;
North 55°13'20" West a distance of 169.20 feet to a point in said creek;
North 71°56'22" West a distance of 93.39 feet to a point in said creek;
North 39°01'10" West a distance of 144.10 feet to a point in said creek;
North 64°01'32" West a distance of 83.74 feet to a point in said creek;
North 27°35'50" West a distance of 95.83 feet to a point in said creek;
North 01°18'07" East a distance of 84.95 feet to a point in said creek;
North 46°44'09" East a distance of 45.06 feet to a point in said creek;
North 25°27'48" East a distance of 44.90 feet to a point in said creek;
North 08°31'51" West a distance of 39.04 feet to a point in said creek;
North 35°45'14" West a distance of 59.46 feet to a point in said creek;
North 82°52'30" West a distance of 93.37 feet to a point in said creek;
South 52°31'26" West a distance of 72.97 feet to a point in said creek;
South 13°34'14" West a distance of 57.59 feet to a point in said creek;
South 82°41'39" West a distance of 75.90 feet to a point in said creek;
North 71°04'31" West a distance of 71.42 feet to a point in said creek;
North 88°59'42" West a distance of 110.04 feet to a point in said creek;
South 81°58'16" West a distance of 115.74 feet to a point in said creek;
South 47°34'45" West a distance of 94.79 feet to a point in said creek;
South 08°07'48" West a distance of 136.49 feet to a point in said creek;
South 58°19'28" West a distance of 66.63 feet to a point in said creek;
North 84°41'14" West a distance of 71.68 feet to a point in said creek;
North 70°20'46" West a distance of 125.71 feet to a point in said creek;
North 47°12'09" West a distance of 62.23 feet to a point in said creek;
North 68°25'43" West a distance of 78.20 feet to a point in said creek;
North 16°25'04" West a distance of 81.52 feet to a point in said creek;
North 10°57'15" East a distance of 97.52 feet to a point in said creek;
North 77°07'30" East a distance of 110.88 feet to a point in said creek;
North 69°13'40" East a distance of 95.79 feet to a point in said creek;
North 13°29'45" East a distance of 79.40 feet to a point in said creek;
North 13°29'45" West a distance of 79.40 feet to a point in said creek;
North 60°15'18" West a distance of 74.70 feet to a point in said creek;
North 30°04'07" West a distance of 67.80 feet to a point in said creek;

North 12°43'28" West a distance of 31.73 feet to a point in said creek;

Thence North 74°20'16" East leaving said creek and continuing with a barbwire fence a distance of 548.73 feet to a metal fence post;

Thence North 16°22'48" West a distance of 251.25 feet with a barbwire fence to a point;

Thence North 74°03'08" East a distance of 620.56 feet to the Point of Beginning and containing 25.08 acres of land.



Sherman
CLASSIC TOWN. BROAD HORIZON.

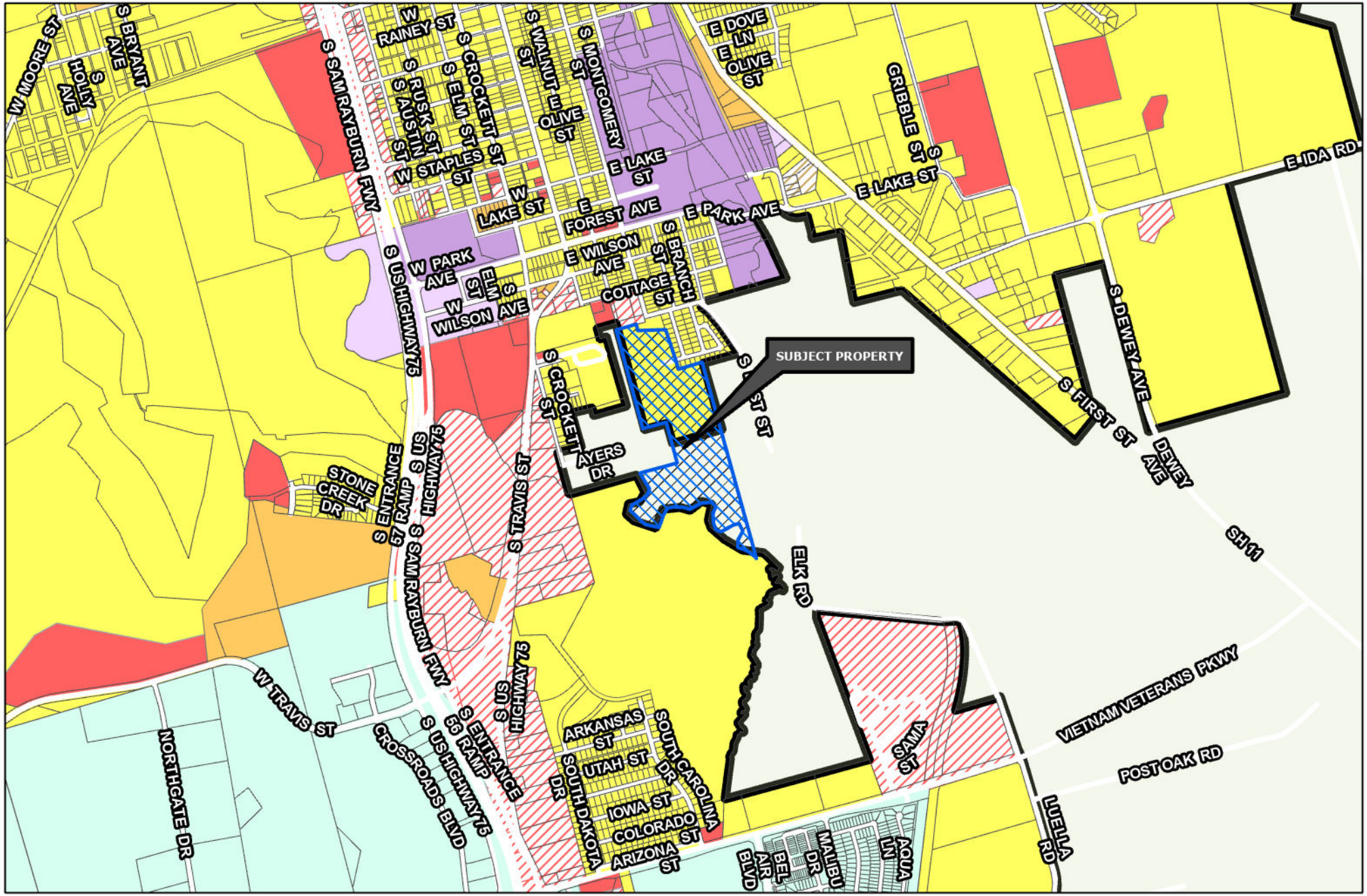
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
300-400 BLKS E SHERMAN ST

N
W E
S

Date: 7/19/2023 4:17 PM

diagrone H:\PLANNING\Public Notification KT.aprx



Sherman
CLASSIC TOWN. BROAD HORIZON.

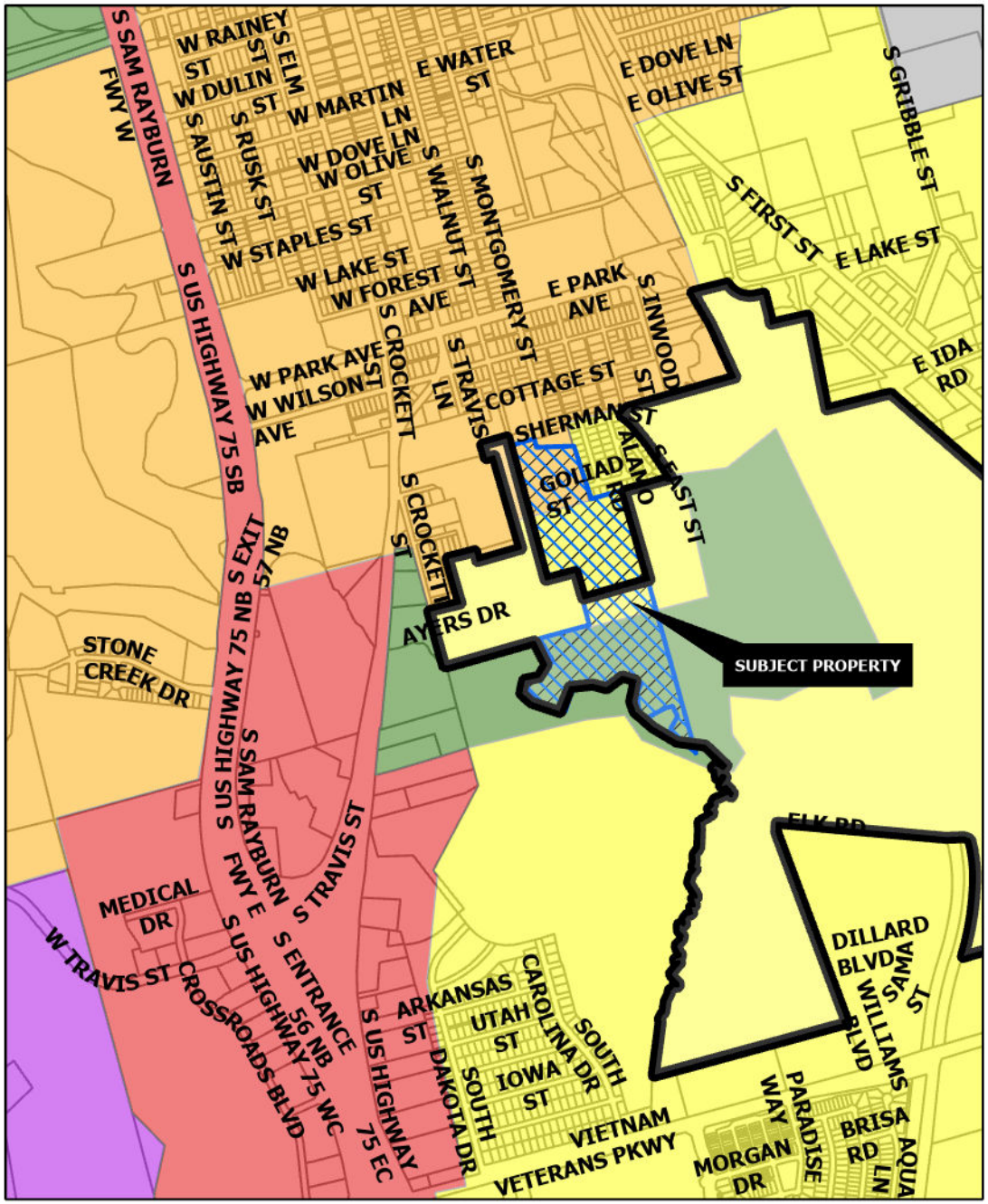
Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
300-400 BLKS E SHERMAN ST

N W E S

Date: 7/19/2023 4:17 PM



SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.

CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
300-400 BLKS E SHERMAN ST

N
W E
S

Date: 7/19/2023 4:17 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

NOTICE OF PROPOSED ZONING CHANGE

PROJECT #: 23-003088

FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229

CARDINAL STRATEGIES
SWPPP

06/02/2023 at 11:52 pm

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 13, 2023 Sent via Email

Kirk Allen
418 E. Sherman
Sherman, TX 75090

Dear Applicants,

The request of Public Hearing and Zone Change from R-6 (Single-Family Residential) District and R-A (Residential Agricultural) District to R-5 (Single-Family Residential) District located in the 300-400 Blocks East Sherman Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 20, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*

Engineering

5. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*

It is the policy of Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 11, 2023 Sent via email

Kirk Allen
418 E. Sherman
Sherman, TX 75090

Dear Applicants,

The request of a Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-5 (Single-Family Residential) District located in the 300-400 Blocks East Sherman Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 18, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 31.

Meeting Date: 06/20/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

300-400 BLOCKS EAST SHERMAN STREET (Project No. 23-003088)

The request of Kirk Allen (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 300-400 Blocks East Sherman Street, consisting of 25.08 acres in the Preston Kitchens Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-A (Residential Agricultural) District to R-5 (Single-Family Residential) District.

Background:

The property is located in the 300-400 Blocks East Sherman Street between South Travis Street and South First Street. The owner is requesting a Zone Change from R-A (Residential Agricultural) District to R-5 (Single-Family Residential) District.

This property was annexed into the City of Sherman on May 15, 2023. When annexation occurs, the property is automatically zoned R-A subject to subsection 14.01.006 of the Zoning Ordinance.

Adjacent Zoning:

R-6 (Single-Family Residential) District
ETJ (Extra Territorial Jurisdiction)

Origination:

Kirk Allen (Owner)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

and

City Parkland

Number of notices mailed:
33

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
Future Land Use Map
Zoning Sign Photo
Survey
STAFF REVIEW LETTER

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 20.

Meeting Date: 07/18/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

300-400 BLOCKS EAST SHERMAN STREET (Project No. 23-003088)

The request of Kirk Allen (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 300-400 Blocks East Sherman Street, consisting of 24.415 acres in the Preston Kitchens Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-6 (Single-Family Residential) District and R-A (Residential Agricultural) District to R-5 (Single-Family Residential) District.

Background:

The property is located in the 300-400 Blocks East Sherman Street between South Travis Street and South First Street. The owner is requesting a Zone Change from an R-6 (Single-Family Residential) District and R-A (Residential Agricultural) District to R-5 (Single-Family Residential) District.

A portion of this property was annexed into the City of Sherman on May 15, 2023. When annexation occurs, the property is automatically zoned R-A subject to subsection 14.01.006 of the Zoning Ordinance.

Adjacent Zoning:

R-6 (Single-Family Residential) District
ETJ (Extra Territorial Jurisdiction)
C-2 (General Commercial) District

Origination:

Kirk Allen (Owner)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

33

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Property Notification Sign
FLUM
Annexation Survey
STAFF REVIEW LETTER

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 4.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6622

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, and Granting a Specific Use Permit to Allow a Mini-warehouse in the C-1 (Retail Business) District/F.M. 1417 Overlay District, Located at 1300 South FM 1417 (Heritage Parkway), consisting of 4.9167 acres, being all of Lot 2, 3, 4, 5 and 6, Block 6, Heritage Farms Estates, City of Sherman, Grayson County, Texas (Michael Postar, Owner; Joseph Gonzalez, Representative; and Centerline Engineering & Consulting, LLC, Surveyor); Prescribing Conditions to the Specific Use Permit; Providing A Penalty Not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider granting a Specific Use Permit for a Mini-warehouse in the C-1 (Retail Business) District/F.M. 1417 Overlay District, Located at 1300 South FM 1417 (Heritage Parkway), consisting of 4.9167 acres, being all of Lot 2, 3, 4, 5 and 6, Block 6, Heritage Farms Estates, City of Sherman, Grayson County, Texas (Michael Postar, Owner; Joseph Gonzalez, Representative; and Centerline Engineering & Consulting, LLC, Surveyor)

Background:

The property is located at 1300 South FM 1417 (Heritage Parkway) between West OB Groner Road and Quail Run Road. The property owner is requesting a Specific Use Permit to allow a Mini-warehouse in a C-1 (Retail Business) District.

The following has been approved for this location:

- 5/19/2020 - Exception/Variance to allow an 11.2’ masonry fence surrounding a mini-warehouse facility in lieu of the allowed 8’in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District.
- 5/19/2020 - Specific Use Permit to allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District.
- 7/18/2023 - Variance to allow a 10’ rear setback in lieu of the required 40’ and 10’ side setback in lieu of the required 15’ for a Mini-warehouse.

Origination:

Michael Postar (Owner)
Joseph Gonzalez (Representative)
Centerline Engineering & Consulting, LLC (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny or table the request.

Attachments

Ordinance No. 6622
Exhibit A - Survey
Exhibit B - Site Plan
Location Map
Zoning Map
Property Notification Sign
Future Land Use Map
P&Z COMMUNICATION

ORDINANCE NO. 6622

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A MINI-WAREHOUSE IN THE C-1 (RETAIL BUSINESS) DISTRICT/F.M. 1417 OVERLAY DISTRICT, LOCATED AT 1300 SOUTH FM 1417 (HERITAGE PARKWAY), CONSISTING OF 4.9167 ACRES, BEING ALL OF LOT 2, 3, 4, 5 AND 6, BLOCK 6, HERITAGE FARMS ESTATES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (MICHAEL POSTAR, OWNER; JOSEPH GONZALEZ, REPRESENTATIVE; AND CENTERLINE ENGINEERING & CONSULTING, LLC, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 effective date of this Ordinance, the property located at 1300 South FM 1417 (Heritage Parkway), City of Sherman, Grayson County, Texas is/are granted a Specific Use Permit to a Mini-warehouse, subject to the conditions described in this Ordinance and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14 is hereby amended so as to hereafter include property on **Exhibit A – Survey**.

SECTION 2. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal. *(Code of Ordinances Chapter 3.02(c))*
3. The dumpster/trash enclosure shall be screened. The screening shall be constructed of masonry or similar durable material. *(Sec. 14.04.004(4)(c)).*
4. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
5. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
6. The use of the property must comply with all Federal and State Laws and regulations and with all the ordinances, rules and regulations of the City of Sherman.
7. The property must be properly maintained in a state of good repair and neat appearance.
8. The setback must be 40' from the property line along FM Highway 1417. *(Sec. 14.03.002(e)(1))*
9. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. All non-residential and multifamily buildings shall be architecturally finished on all sides with the same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement. *(Sec. 14.03.002)*
10. The granting of the Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
11. A Specific Use Permit is an amendment to the district regulations of the Zoning Ordinance that permits the establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure is discontinued or abandoned for a period of thirty (30) consecutive days in which event such Specific Use Permit shall be void and such use may not thereafter be resumed unless a new Specific Use Permit is granted in accordance with this section. (*Chapter 14, Sec. 14.06.009(a)(1)(C))*
12. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
13. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

14. Platting of the property is required. Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004
15. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154
16. Wastewater main must be extended in accordance with City criteria to serve proposed Lot.

Wastewater capacity shall be verified for proposed use. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)

Fire Services

17. [ ] 507.5.1.1 - Buildings equipped with a FDC installed in accordance shall have a fire hydrant within 100' of the fire department connections.
18. [ ] 503.2.5 - Dead-end fire apparatus access roads in excess of 150' in length shall be provided with a ~~96'~~ 100' diameter cul-de-sac or 120' hammerhead at ~~20'~~ 24' wide fire lane. (City Ordinances Amendments 3.01.002)
19. [ ] 503.2.4 - The minimum turning radius shall be at least 25' unless fire lane exceeds minimum requirement of 24'. (City Ordinances Amendments 3.01.002)
20. [ ] D103.1 - Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26', exclusive of shoulders.
21. [ ] 503.2.1 - Fire apparatus access roads shall have an unobstructed width of not less than ~~20'~~ 24', exclusive of shoulders and an unobstructed vertical clearance of not less than ~~13' 6"~~ 14'. (City Ordinances Amendments 3.01.002)
22. [ ] 903.2.9 - An automatic sprinkler system shall be installed throughout all self-service storage facilities. Exception: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment. (City Ordinances Amendments 3.02.002)

Additional Conditions:

23. The property shall be developed and used in accordance with all City Ordinances and the Site Plan shown in **Exhibit B – Site Plan.**

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 4. That after holding a properly noticed public hearing, the City Council may amend, change, or rescind the Specific Use Permit if any of the conditions set forth in Zoning Ordinance/Code of Ordinances Chapter 14, Section 14.06.009(1)(g), apply or exist.

SECTION 5. That the Specific Use Permit shall be effective from and after the effective date of this Ordinance. Upon termination of the Specific Use Permit, the property shall cease to be used as provided herein unless another Specific Use Permit or appropriate zoning has been obtained.

SECTION 6. That it shall be unlawful for any person to make use of the property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 7. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 9. 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.

SECTION 10. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

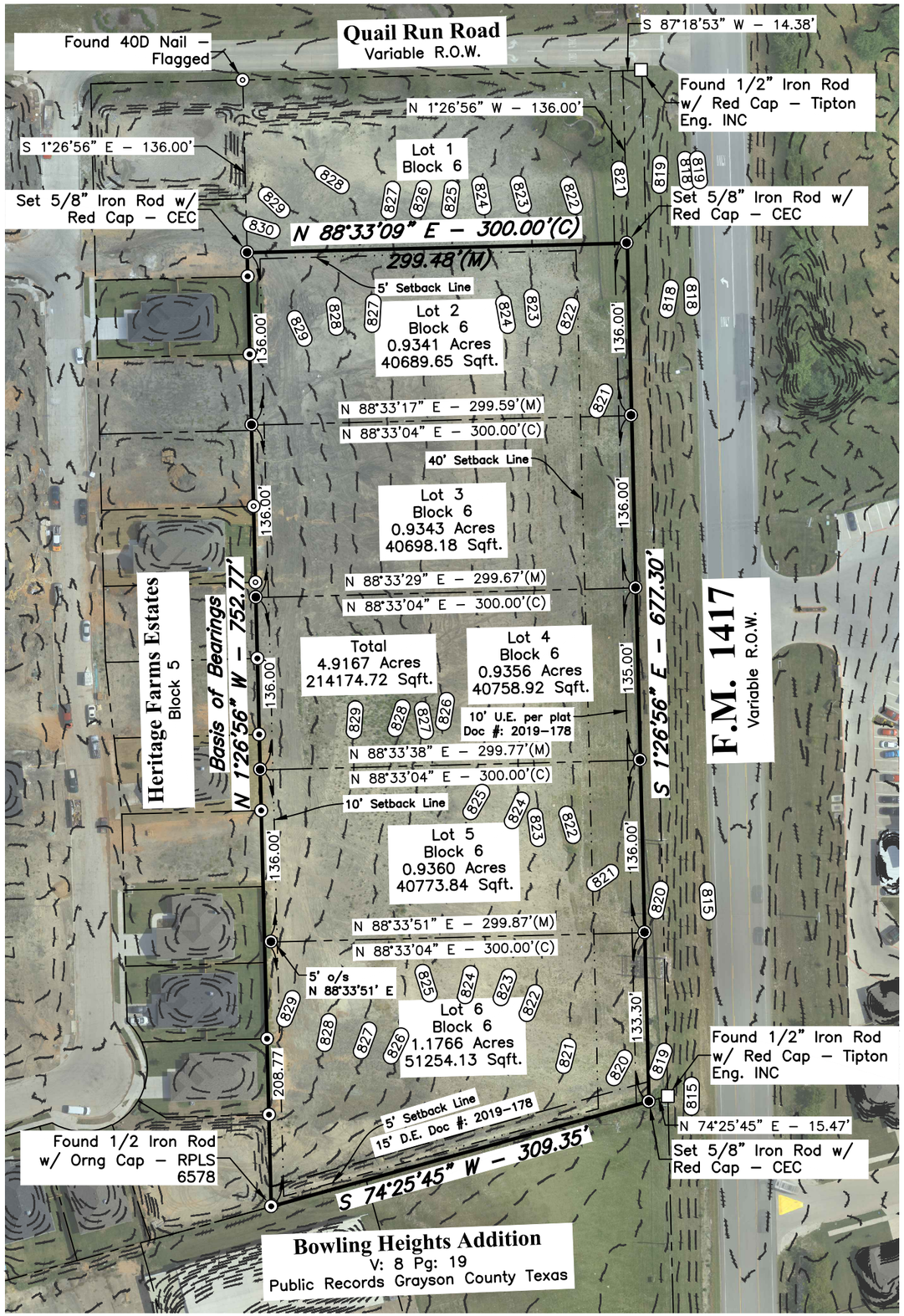
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY



GRAYSON COUNTY, TEXAS

All of Lot Numbers Two (2), Three (3), Four (4), Five (5), and Six (6), Block 6, Heritage Farms Estates an Addition to the City of Sherman, Grayson County, Texas, as shown on Plat recorded as Document Number 2019–178 of the Plat Records of Grayson County, Texas.

I hereby certify that this plat represents a survey performed by me or under my supervision in June, 2020, and represents the conditions found on the ground at that time. EXCEPT AS SHOWN HEREON, there are no visible protrusions onto or from adjacent properties or rights–of–way.

STATE OF TEXAS
REGISTERED
JUSTIN CANTWELL
6331
PROFESSIONAL
LAND SURVEYOR

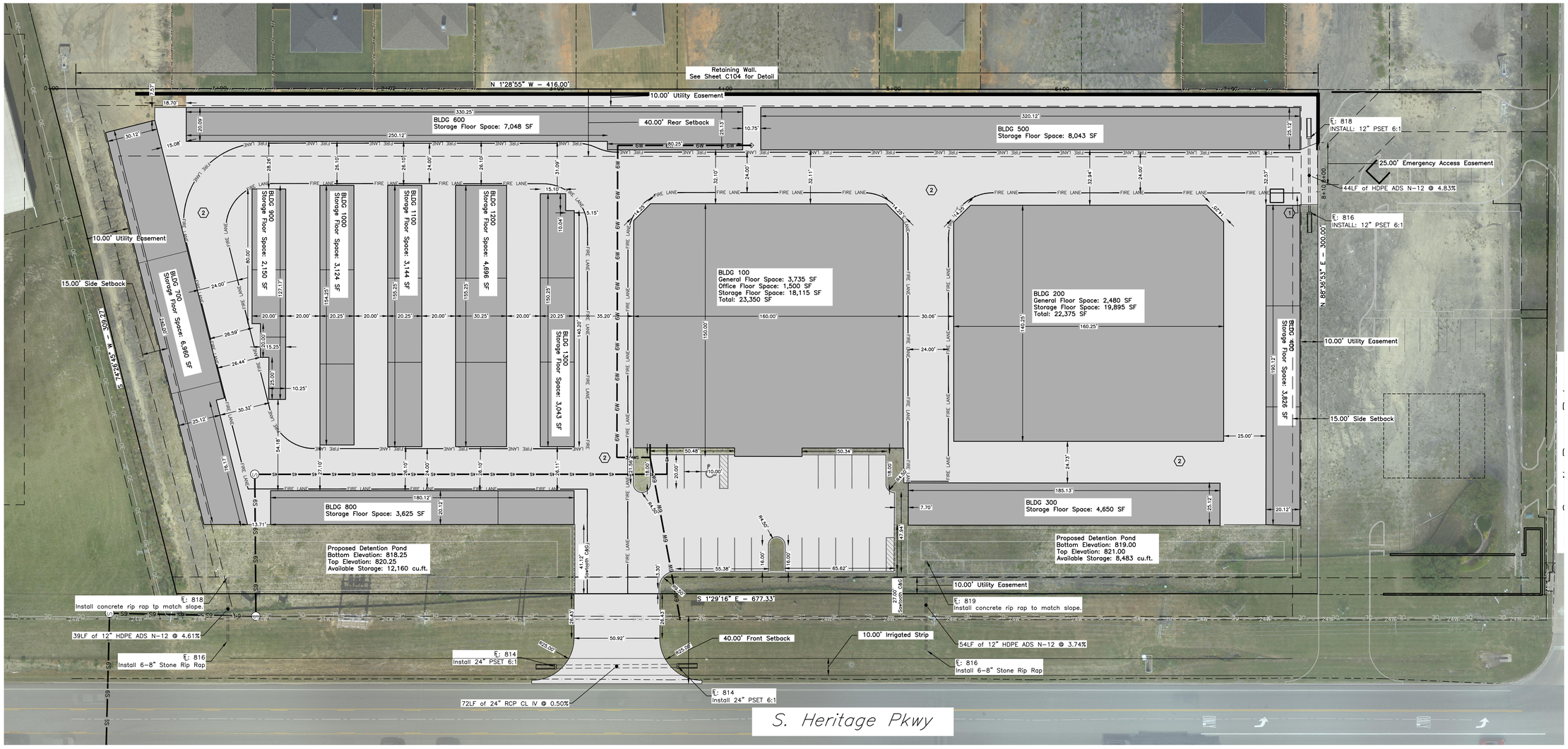
Justin Cantwell, RPLS 6331

Date: July 1, 2020

LEGEND

- ◎ – Found 40 D Nail with Flagging
- □ – Found 1/2" Iron Rod with Red Cap – Tipton Eng. INC.
- ⊙ – Found 1/2" Iron Rod with Orange Cap – RPLS 6578
- ◉ – Set 5/8" Iron Rod with Red Cap – "CEC 1019437"
- ——— – Property Line
- – – –

EXHIBIT B



GENERAL SITE NOTES:

1. The Contractor shall be responsible for verifying the location of all existing utilities. At least 48-hours prior to beginning construction, the Contractor shall contact the following, but not limited to:
   A. Texas One Call @ 1-800-669-8344
   B. Dig Tess @ 1-800-344-8377
2. All site work shall be in accordance with, or surpass recommendations of the geotechnical report, construction drawings, and specifications. If a conflict arises, the more prohibitive shall take precedence, and shall be considered to be the intent of the project documents.
3. Contractor to field-verify all dimensions and report any discrepancies to the Engineer of Record.
4. All work performed in the City R.O.W shall adhere to the City of Sherman standard details and specifications.
5. All construction shall be in accordance with the Construction Drawings found herein. All testing shall be performed in accordance with the technical specifications.
6. The Contractor is responsible for <u>all</u> construction safety. Construction Drawings do not include necessary components for construction safety.
7. Location of existing buried utilities, where shown, is approximated only. Other utilities may be present that are not shown on the Construction Drawings. The Contractor shall be responsible for locating and protecting all buried utilities.
8. The Contractor shall be responsible for all storm water pollution prevention associated with this project. The Contractor shall use all means necessary to prevent the transportation of sediment from the project site. The Contractor shall comply with TCEQ – TPDES storm water requirements.
9. All soil disturbed by construction shall be hydromulch seeded as soon as grading is complete. All slopes equal to or greater than 4:1 that will not be landscaped (i.e. covered with sod or plants) shall be hydromulch seeded and covered with erosion control blanket. The erosion control blanket shall be S75 Single Net Straw Blanket as manufactured by North American Green.
10. All soil not used as part of this project shall become the property of the Contractor. The Contractor shall be responsible for the disposal of the material off-site.
11. The Contractor shall obtain written approval from the Engineer for use of substituted construction materials. Product data and Engineer's seal (where applicable) shall accompany all requests. All product material shall meet or exceed City of Sherman Design Standards and Specifications.
12. Landscaping Plans and Irrigation Plans shall be provided by others.
13. Fire Lane shown as the minimum of 20' in width, and minimum turning radius of 30' inside and 50' outside.
14. All Fire Lanes shall be designated by painting the curbs. The curbs shall be painted red with four inch (4") white lettering stating "No Parking Fire Lane Tow Away Zone". Wording may not be spaced more than fifteen feet (15') apart.
15. All sidewalks, handicap ramps, and associated accessible routes should be constructed in accordance with current ADA and TAS requirements.
16. All parking and driveways shall conform to the requirements of the city of Sherman, unless noted otherwise.
17. All concrete shall be 3,000 psi or as noted.
18. All concrete pavement shall be 5" think.
19. All concrete slabs shall be 4" thick.
20. All reinforcement shall be Grade 60, unless notes otherwise.
21. All curbs should be typical 24" curb and gutter sections. Sawtooth Sections shall have 1' opening between 2' "teeth".
22. All exposed back of curb shall have a smooth finish.
23. All sidewalks are 6.00' wide unless otherwise noted.
24. All back of curb radii are 4.00' unless otherwise noted.
25. All parking lot stripes shall be 4" wide white stripes.
26. All parking spaces are typical 10.00' by 20.00'.
27. Sign location shown for reference only. Sign review and permitting is a separate review and approval through the City of Sherman.

SITE PLAN KEYED NOTES

(1) REFUSE AREA
(2) CONCRETE PAVING

Tabulation Table 1.1		
BLDG 100 Office Floor Space	1500	SF
BLDG 100 General Floor Space	3735	SF
BLDG 100 Storage Floor Space	18115	SF
BLDG 200 General Floor Space	2480	SF
BLDG 200 Storage Floor Space	19895	SF
BLDG 300 Storage Floor Space	4650	SF
BLDG 400 Storage Floor Space	3826	SF
BLDG 500 Storage Floor Space	8043	SF
BLDG 600 Storage Floor Space	7048	SF
BLDG 700 Storage Floor Space	6960	SF
BLDG 800 Storage Floor Space	3625	SF
BLDG 900 Storage Floor Space	2150	SF
BLDG 1000 Storage Floor Space	3124	SF
BLDG 1100 Storage Floor Space	3144	SF
BLDG 1200 Storage Floor Space	4696	SF
BLDG 1300 Storage Floor Space	3043	SF
Total BLDG Area	96034	SF
Lot Area	214309.55	SF
FAR Total BLDG Area/Lot Area	0.45	

Tabulation Table 1.2		
Total Office Floor Space	1500	SF
Total General Floor Space	6215	SF
Total Storage Floor Space	94534	SF
Spots/1 SF Per Office Space	400	Spaces/SF
Spots/1 SF Per Storage Space	1000	Spaces/SF
Required Parking	10.0	Spaces
Provided Parking	19	Spaces
ADA Spaces Required	1	Space
ADA Spaces Provided	1	Space
Gross Area of Property	214320	SF
Current Zoning	C-1	PENDING ORD
Proposed Zoning	C-1	PENDING ORD
Hard Surface/Impervious Area	182025	SF
Landscaped Area	35382	SF
Floor-to-Area Ratio (FAR)	48%	
Assume total floor area to inclide storage office and general floor spaces		

Site Plan
SCALE: Hor: 1" = 30'
0 15' 30' 60'

THESE PLANS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.

NOTE: LOCATION OF EXISTING BURIED UTILITIES, WHERE SHOWN, IS APPROXIMATE ONLY. THERE MAY EXIST UTILITIES WHICH ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL BURIED UTILITIES.

For Interim Review Only
These documents have been released on July 10, 2023 for the purpose of review and comment under the authority of: Kaleb J. Gilbert P.E., P.E. No. 126430 They are not to be used for construction purposes.

ISSUED FOR REVIEW AND COMMENT.

DATE: 07-10-2023
DRAWN BY: JAG
DESIGNED BY: JAG
CHECKED BY: KJG
PROJECT NUMBER: 20-05-1105

REVISIONS

CENTERLINE ENGINEERING & CONSULTING, LLC.
TBPE Reg. No. F-16773
TBPLS Reg. No 10194378
8312 Upland Avenue
Lubbock, TX 79424 · (806) 470-8686

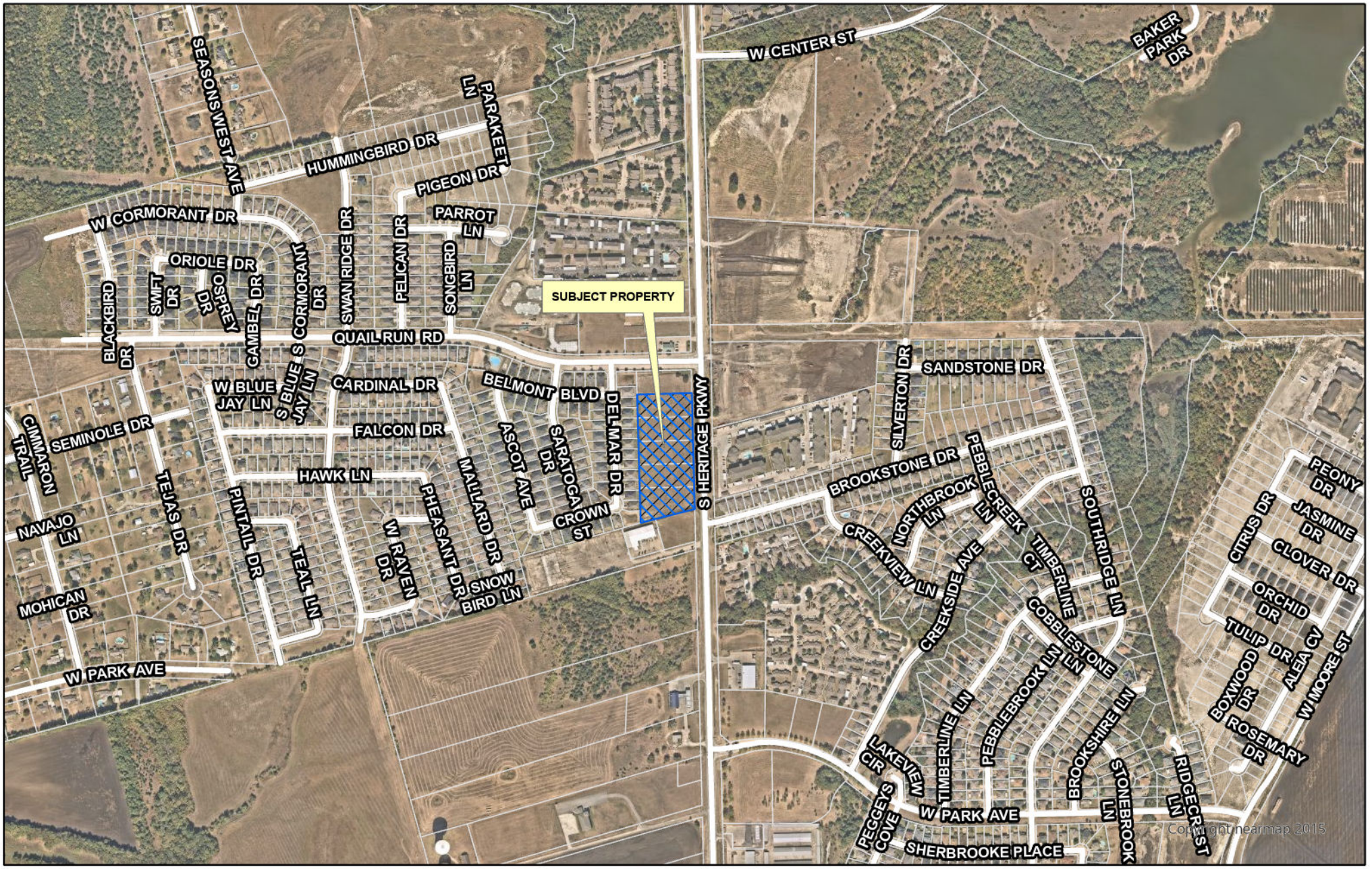
CENTERLINE ENGINEERING & CONSULTING, LLC

Site Plan

Affordable Sherman Addition

Sherman, Grayson County, Texas

SHEET NO.
C102
OF 10 SHEETS



dlagrone H:\PLANNING\Public Notification KT.aprx

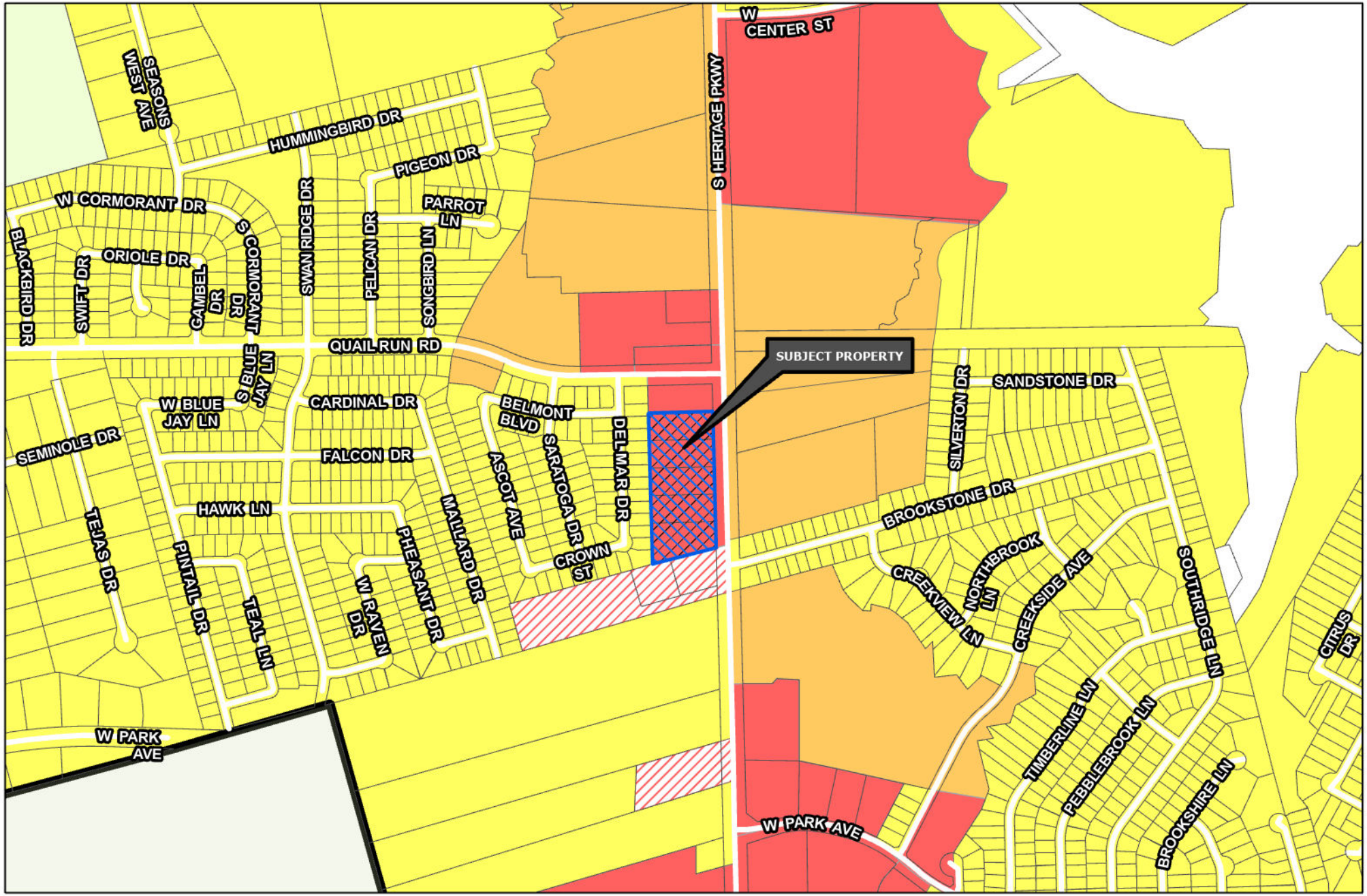
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1300 S FM 1417 (HERITAGE PKWY)

N
W E
S

Date: 6/27/2023 7:28 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

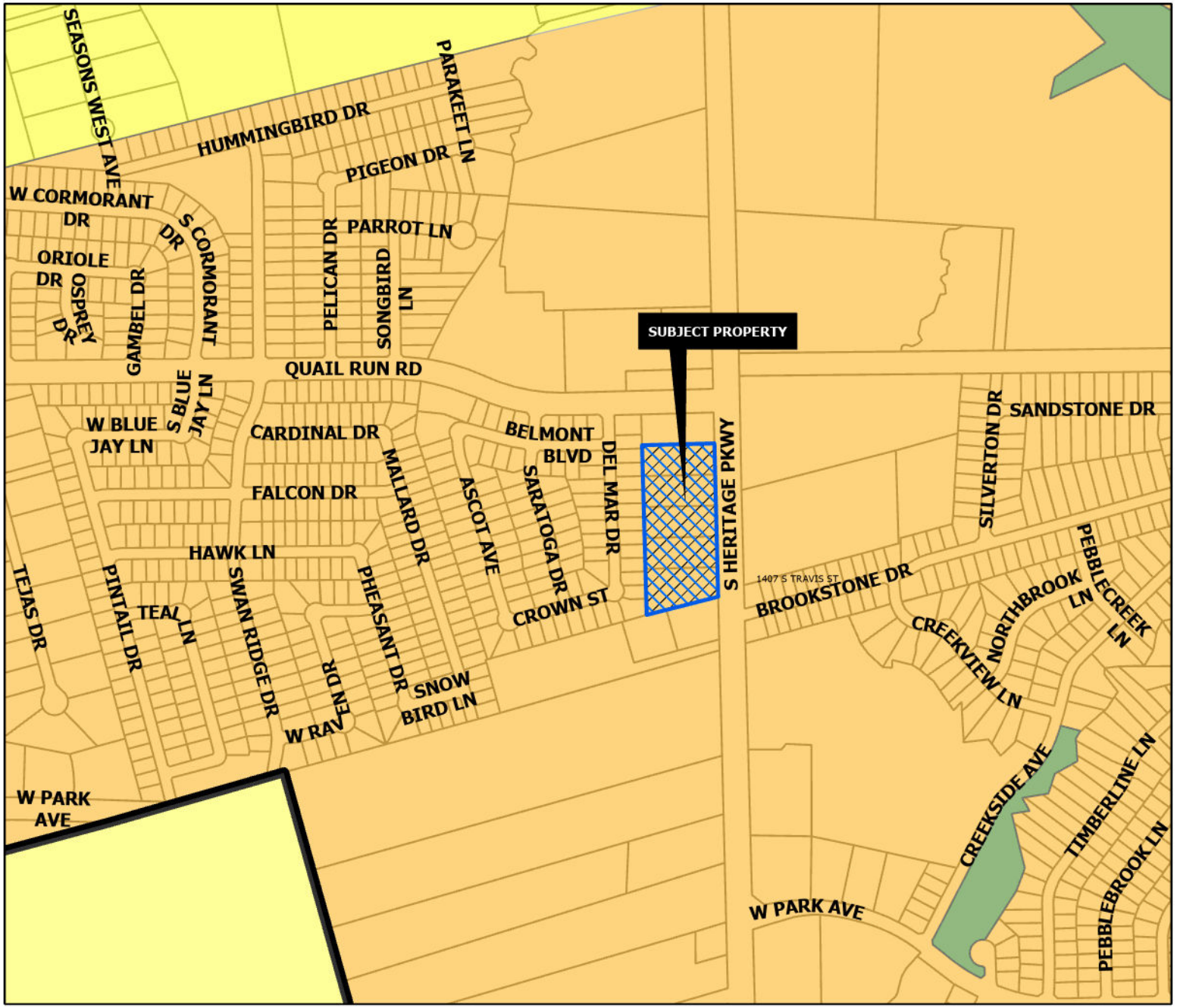
Road Names All

CITY OF SHERMAN
ZONING MAP
1300 S FM 1417 (HERITAGE PKWY)

N
W E
S

Date: 6/27/2023 7:28 AM

Sherman
NOTICE OF
SPECIFIC USE PERMIT
AND VARIANCE
REQUEST
PROJECT #: 23-003771
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229
7/03/2023 at 1:02 p.m.



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
1300 S FM 1417 (HERITAGE PKWY)

N W E S

Date: 6/27/2023 7:34 AM

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 24.

Meeting Date: 07/18/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

1300 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-003771)

The request of Michael Postar (Owner), Joseph Gonzalez (Representative) and Centerline Engineering & Consulting, LLC (Surveyor) concerning the property located at 1300 South FM 1417 (Heritage Parkway), consisting of 4.9167 acres, being all of Lot 2, 3, 4, 5 and 6, Block 6, Heritage Farms Estates and is currently zoned C-1 (Retail Business) District/F.M. 1417 Overlay District, as follows:

Board of Adjustment

A. Public Hearing and Variance under Section 14.02.016 to allow a 10' rear setback in lieu of the required 40' and 10' side setback in lieu of the required 15' for a Mini-warehouse.

Planning and Zoning Commission

B. Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Mini-warehouse in a C-1 (Retail Business) District

Background:

The property is located at 1300 South FM 1417 (Heritage Parkway) between West OB Groner Road and Quail Run Road. The property owner is requesting a Variance for the rear and side setback for a Mini-warehouse. The property owner is also requesting Site Plan and Specific Use Permit to allow a Mini-warehouse in a C-1 (Retail Business) District.

The following has been approved for this location:

- 5/19/2020 - Exception/Variance to allow an 11.2' masonry fence surrounding a mini-warehouse facility in lieu of the allowed 8'in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District.
- 5/19/2020 - Specific Use Permit to allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District.

Adjacent Zoning:

C-2 (General Commercial) District
C-1 (Retail Business) District
R-6 (Single Family Residential) District
MF-30 (Multi-family Residential) District

Origination:

Michael Postar (Owner)
Joseph Gonzalez (Representative)
Centerline Engineering & Consulting, LLC (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

38

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Property Notification Sign
FLUM
Narrative
Survey
Site Plan
Elevations
STAFF REVIEW LETTER

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 5.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6623

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 67.891 acres, being a part of S. Inman Survey, Abstract No. 621, City of Sherman, Grayson County, Texas, Located in the 2800 Block Blue Flame Road, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District Zoning Classification (Chad McDuffie, MD, Owners; D2 Investments, Inc., Representative; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider the request of Chad McDuffie, MD (Owner), D2 Investments, Inc. (Representative) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 2800 Block Blue Flame Road, consisting of 67.891 acres, being a part of S. Inman Survey, Abstract No. 621, City of Sherman, Grayson County, Texas, Located in the 2800 Block Blue Flame Road, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District Zoning Classification

Background:

The property is located in the 2800 Block Blue Flame Road between Fallon Drive and North Highway 75. The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to an R-5 (Single Family Residential) District.

Origination:

Chad McDuffie, MD (Owner)
D2 Investments, Inc. (Representative)
Underwood Drafting & Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Zone Change be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny or table the request.

Attachments

Ordinance No. 6623
Exhibit A - Survey
Location Map
Zoning Map
Property Notification Sign
Future Land Use Map
Conceptual Exhibit
STAFF REVIEW LETTER
P&Z COMMUNICATION

ORDINANCE NO. 6623

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 67.891 ACRES, BEING A PART OF S. INMAN SURVEY, ABSTRACT NO. 621, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2800 BLOCK BLUE FLAME ROAD, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (CHAD MCDUFFIE, MD, OWNERS; D2 INVESTMENTS, INC., REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 proposed rezoning case; and

WHEREAS, the City Council finds that rezoning the property as described in this Ordinance is in accordance with the Comprehensive Plan and 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 rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Survey and Legal Description**, attached hereto, located in the 2800 Block Blue Flame Road, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-5 (Single Family Residential) District, and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, is hereby amended so as to hereafter include such property.

SECTION 2. That this Ordinance shall be entered upon the Official Zoning Map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 3. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

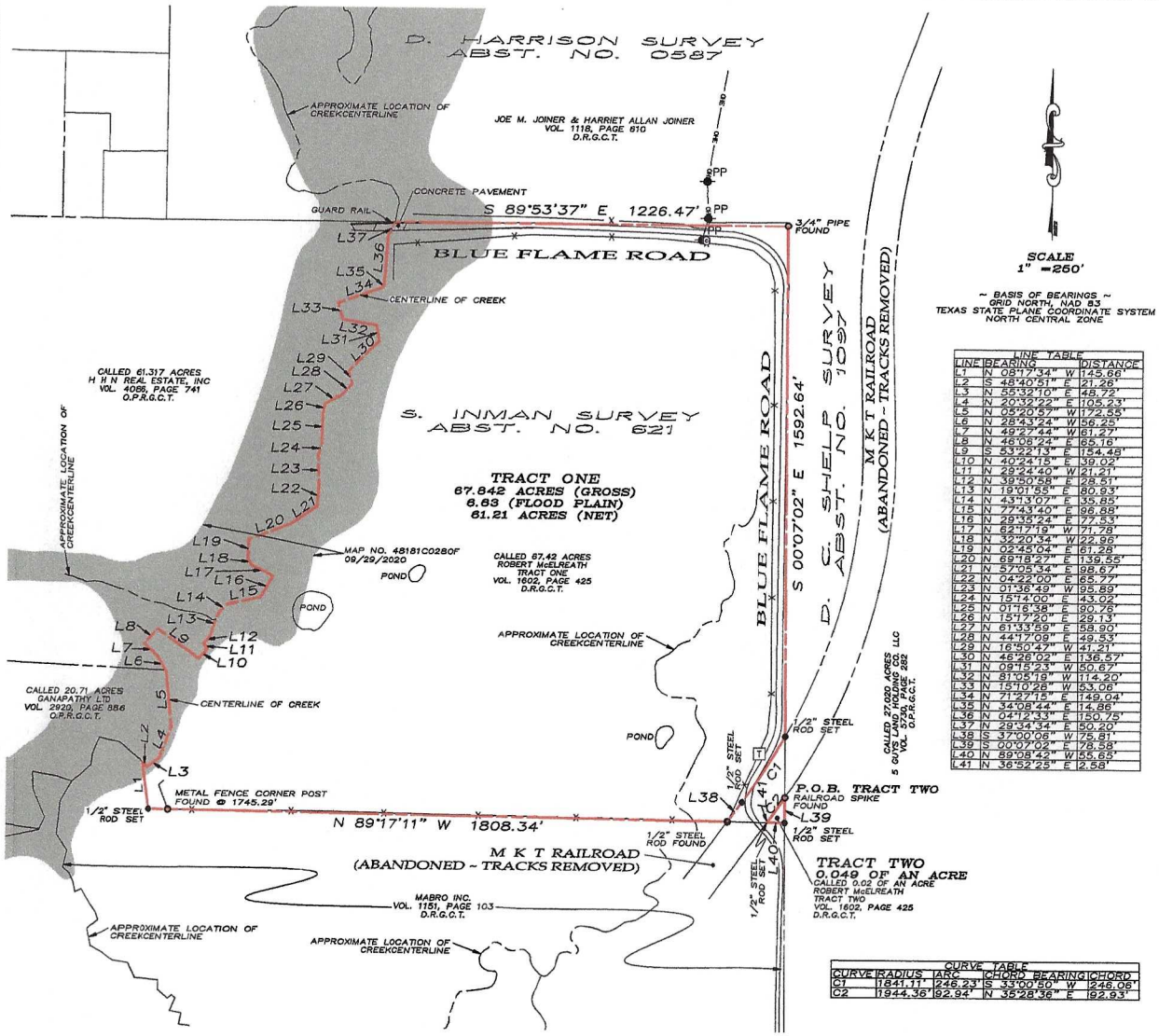
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

EXHIBIT A



LINE TABLE			
LINE	BEARING		DISTANCE
L1	N 08°17'34"	W	145.66'
L2	S 48°40'51"	E	21.26'
L3	N 55°32'10"	E	48.72'
L4	N 20°32'22"	E	105.23'
L5	N 05°20'57"	W	172.55'
L6	N 28°43'24"	W	56.25'
L7	N 49°27'44"	W	61.27'
L8	N 46°06'24"	E	65.16'
L9	S 53°22'13"	E	154.48'
L10	N 40°24'15"	E	39.02'
L11	N 29°24'40"	W	21.21'
L12	N 39°50'58"	E	28.51'
L13	N 19°01'55"	E	80.93'
L14	N 43°13'07"	E	35.85'
L15	N 77°43'40"	E	96.88'
L16	N 29°35'24"	E	77.53'
L17	N 62°17'19"	W	71.78'
L18	N 32°20'34"	W	22.96'
L19	N 04°22'00"	E	61.28'
L20	N 69°18'27"	E	139.55'
L21	N 57°05'34"	E	98.67'
L22	N 04°22'00"	E	65.77'
L23	N 01°36'49"	W	95.89'
L24	N 15°14'00"	E	43.02'
L25	N 01°16'38"	E	90.76'
L26	N 15°17'20"	E	29.13'
L27	N 61°33'59"	E	58.90'
L28	N 44°17'09"	E	49.53'
L29	N 16°50'47"	W	41.21'
L30	N 46°26'02"	E	136.57'
L31	N 09°15'23"	W	50.67'
L32	N 81°05'19"	W	114.20'
L33	N 15°10'28"	W	53.06'
L34	N 71°27'15"	E	149.04'
L35	N 34°08'44"	E	14.86'
L36	N 04°12'33"	E	150.75'
L37	N 29°34'34"	E	50.20'
L38	S 37°00'06"	W	75.81'
L39	S 20°07'02"	E	78.58'
L40	N 89°08'42"	W	55.65'
L41	N 36°52'25"	E	2.58'

CURVE TABLE					
CURVE	RADIUS	ARC	CHORD BEARING		CHORD
C1	1841.11'	246.23'	S 33°00'50"	W	246.06'
C2	1944.36'	92.94'	N 35°28'36"	E	92.93'

LEGEND

P.O.B.	POINT OF BEGINNING
●	1/2" STEEL ROD SET
○	1/2" STEEL ROD FOUND
	RAILROAD SPIKE FOUND
	3/4" PIPE FOUND
	METAL FENCE CORNER POST FOUND
PP ◆	POWER POLE
C	CABLE MARKER
T	TELEPHONE PEDESTAL
	BOUNDARY LINE
	PROPERTY LINE
x	BARBWIRE FENCE
OHE	OVERHEAD ELECTRIC LINE

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright ©2021
Underwood Drafting & Surveying, Inc.
All rights reserved.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 10/28/21

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

LEGAL DESCRIPTION
TRACT ONE

JOB NO. 21090881
FW: AS - DFT: BNH

Situated in the County of Grayson, State of Texas, being a part of S. Inman Survey, Abstract No. 621 and being a re-tracement survey of a called 67.42 acre tract of land described as Tract One conveyed to Robert McElreath, as recorded in Volume 1602, Page 425, Deed Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod found for the southern-most southeast corner of said 67.42 acre tract, and on the northwesterly right-of-way line of an abandoned M.K.T. Railroad, and on the northerly line of a tract of land described in the deed to Mabro Inc. recorded in Volume 1151, Page 103, said Deed Records;

Thence North 89°17'11" West, with the southerly line of said 67.42 acre tract, and with the northerly line of said Mabro Inc. Tract, passing en route at a distance of 1745.29 feet a metal fence corner post found for witness, and continuing on said course a total distance of 1808.34 feet to 1/2" steel rod set for the southwest corner of said 67.42 acre tract;

Thence North 08°17'34" West, with the westerly line of sadl 67.42 acre tract, and with an easterly line of said Marbro Inc. Tract, a distance of 145.66 feet to a point, said point falls in the center of a creek;

Thence in a northeasterly direction, with the westerly line of said 67.42 acre tract, and going down said creek, the following thirty-six (36) courses:

1. South 48°40'51" East a distance of 21.26 feet to a point for corner;
2. North 55°32'10" East a distance of 48.72 feet to a point for corner;
3. North 20°32'22" East a distance of 105.23 feet to a point for corner;
4. North 05°20'57" West a distance of 172.55 feet to a point for corner;
5. North 28°43'24" West a distance of 56.25 feet to a point for corner;
6. North 49°27'44" West a distance of 61.27 feet to a point for corner;
7. North 46°06'24" East a distance of 65.16 feet to a point for corner;
8. South 53°22'13" East a distance of 154.48 feet to a point for corner;
9. North 40°24'15" East a distance of 39.02 feet to a point for corner;
10. North 29°24'40" West a distance of 21.21 feet to a point for corner;
11. North 39°50'58" East a distance of 28.51 feet to a point for corner;
12. North 19°01'55" East a distance of 80.93 feet to a point for corner;
13. North 43°13'07" East a distance of 35.85 feet to a point for corner;
14. North 77°43'40" East a distance of 96.88 feet to a point for corner;
15. North 29°35'24" East a distance of 77.53 feet to a point for corner;
16. North 62°17'19" West a distance of 71.78 feet to a point for corner;
17. North 32°20'34" West a distance of 22.96 feet to a point for corner;
18. North 02°45'04" East a distance of 61.28 feet to a point for corner;
19. North 69°18'27" East a distance of 139.55 feet to a point for corner;
20. North 57°05'34" East a distance of 98.67 feet to a point for corner;
21. North 04°22'00" East a distance of 65.77 feet to a point for corner;
22. North 01°36'49" West a distance of 95.89 feet to a point for corner;
23. North 15°14'00" East a distance of 43.02 feet to a point for corner;
24. North 01°16'38" East a distance of 90.76 feet to a point for corner;
25. North 15°17'20" East a distance of 29.13 feet to a point for corner;
26. North 61°33'59" East a distance of 58.90 feet to a point for corner;
27. North 44°17'09" East a distance of 49.53 feet to a point for corner;
28. North 16°50'47" West a distance of 41.21 feet to a point for corner;
29. North 46°26'02" East a distance of 136.57 feet to a point for corner;
30. North 09°15'23" West a distance of 50.67 feet to a point for corner;
31. North 81°05'19" West a distance of 114.20 feet to a point for corner;
32. North 15°10'28" West a distance of 53.06 feet to a point for corner;
33. North 71°27'15" East a distance of 149.04 feet to a point for corner;
34. North 34°08'44" East a distance of 14.86 feet to a point for corner;
35. North 04°12'33" East a distance of 150.75 feet to a point for corner;
36. North 29°34'34" East a distance of 50.20 feet to the northwest corner of said 67.42 acre tract, and on the northerly side of of Blue Flame Road;

Thence South 89°53'37" East, with the northerly line of said 67.42 acre tract, and on the northerly side of said Blue Flame Road, a distance of 1226.47 feet to a 3/4" pipe found for the northeast corner of said 67.42 acre tract, said point falls at the intersection of said Blue Flame Road;

Thence South 00°07'02" East, with the easterly line of said 67.42 acre tract, and on the easterly side of said Blue Flame Road a distance of 1592.64 feet to a 1/2" steel rod set for the eastern-most southeast corner, and on the northwesterly right-of-way line of said abandoned M.K.T. Railroad;

Thence with the southeasterly line of said 67.42 acre tract, and with the northwesterly right-of-way line of aforesaid M.K.T. Railroad, and with a curve to the right having a radius of 1841.23 feet, (chord bears South 33°00'50" West, with a chord length of 246.06 feet) an arc length of 246.25 feet to a 1/2" steel rod set;

Thence South 37°00'06" West, continuing with the southeasterly line of said 67.42 acre tract, and with the northwesterly right-of-way line of said M.K.T. Railroad, a distance of 75.81 feet to the Point of Beginning and containing 67.842 acres of land.

LEGAL DESCRIPTION
TRACT TWO

Situated in the County of Grayson, State of Texas, being a part of S. Inman Survey, Abstract No. 621 and being a part of a called 0.02 of an acre tract of land described as Tract Two conveyed to Robert McElreath, as recorded in Volume 1602, Page 425, Deed Records, Grayson County, Texas and being described by metes and bounds as follows:

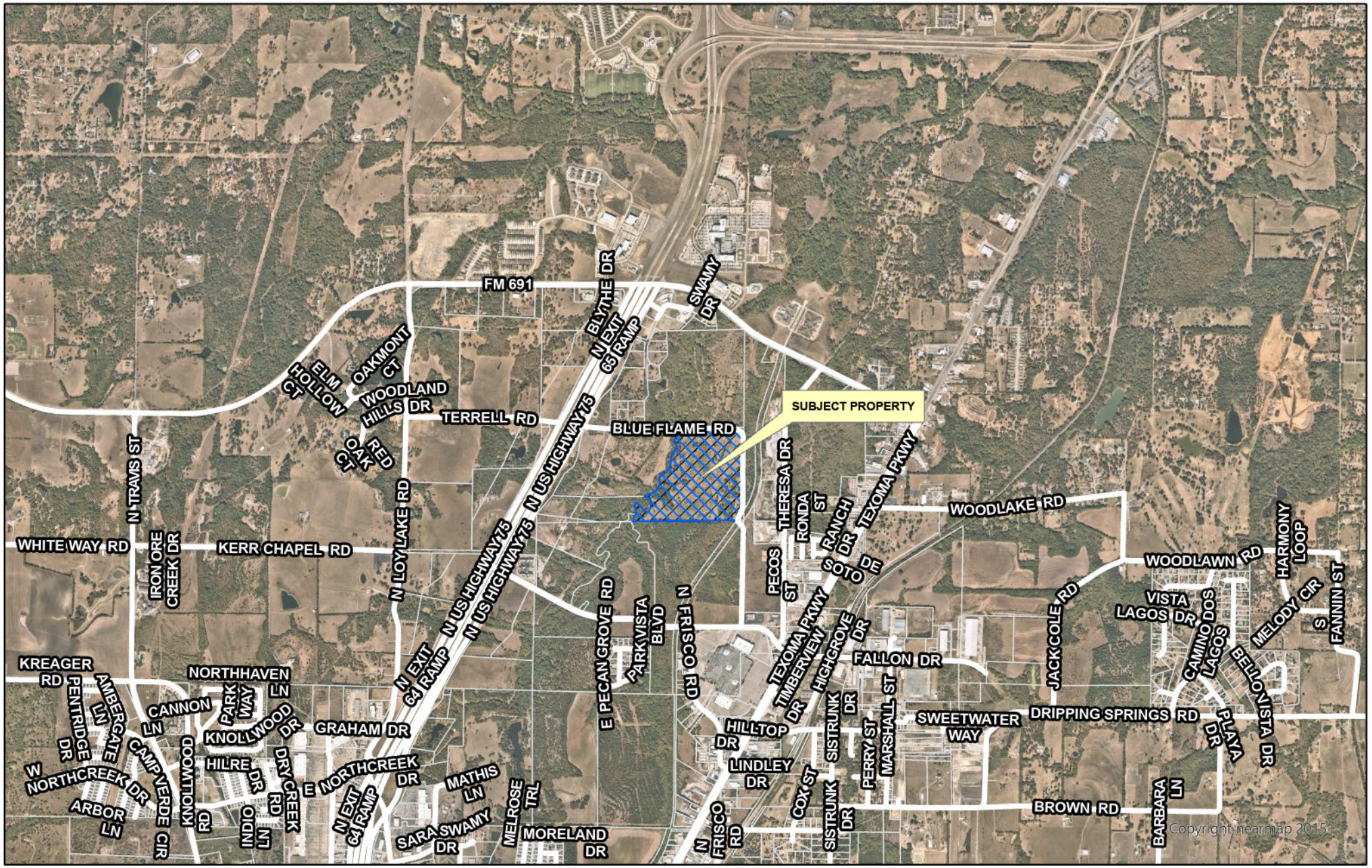
Beginning at a railroad spike found for the northern most corner of said 0.02 acre tract, and on the southeasterly right-of-way line of an abandoned M.K.T. Railroad, and on the westerly line of a called 27.020 acre tract of land described in the deed to 5 Guys Land Holding Co. LLC, recorded in Volume 5730, Page 282, Official Public Records, Grayson County, Texas;

Thence South 00°07'02" East, with the easterly line of said 0.02 of an acre tract, and with the westerly line of said 27.020 acre tract, a distance of 78.58 feet to a 1/2" steel rod set for the southeast corner of said 0.02 of an acre tract, common to the northeast corner of a tract of land described in the deed to Mabro Inc., recorded in Volume 1151, Page 103, said Deed Records;

Thence North 89°08'42" West, with the southerly line of said 0.02 of an acre tract, and with the northerly line of said Mabro Inc. Tract, a distance of 55.65 feet to a steel rod set for the southwest corner of said 0.02 of an acre tract, and on the southeasterly right-of-way line of aforesaid abandoned M.K.T. Railroad;

Thence North 36°52'25" East, with the northwesterly line of said 0.02 of an acre tract, and with the southeasterly right-of-way line of said abandoned M.K.T. Railroad, a distance of 2.58 feet to a point for corner;

Thence continuing with the northwesterly line of said 0.02 of an acre tract, and with the southeasterly right-of-way line of said abandoned M.K.T. Railroad, with a curve to the left having a radius of 1944.48 feet, (chord bears North 35°28'36" East, with a chord length of 92.93 feet) an arc length of 92.94 feet to the Point of Beginning and containing 0.049 acres of land.



Copyright nearmap 2015

dlagrone H:\PLANNING\Public Notification KT.aprx

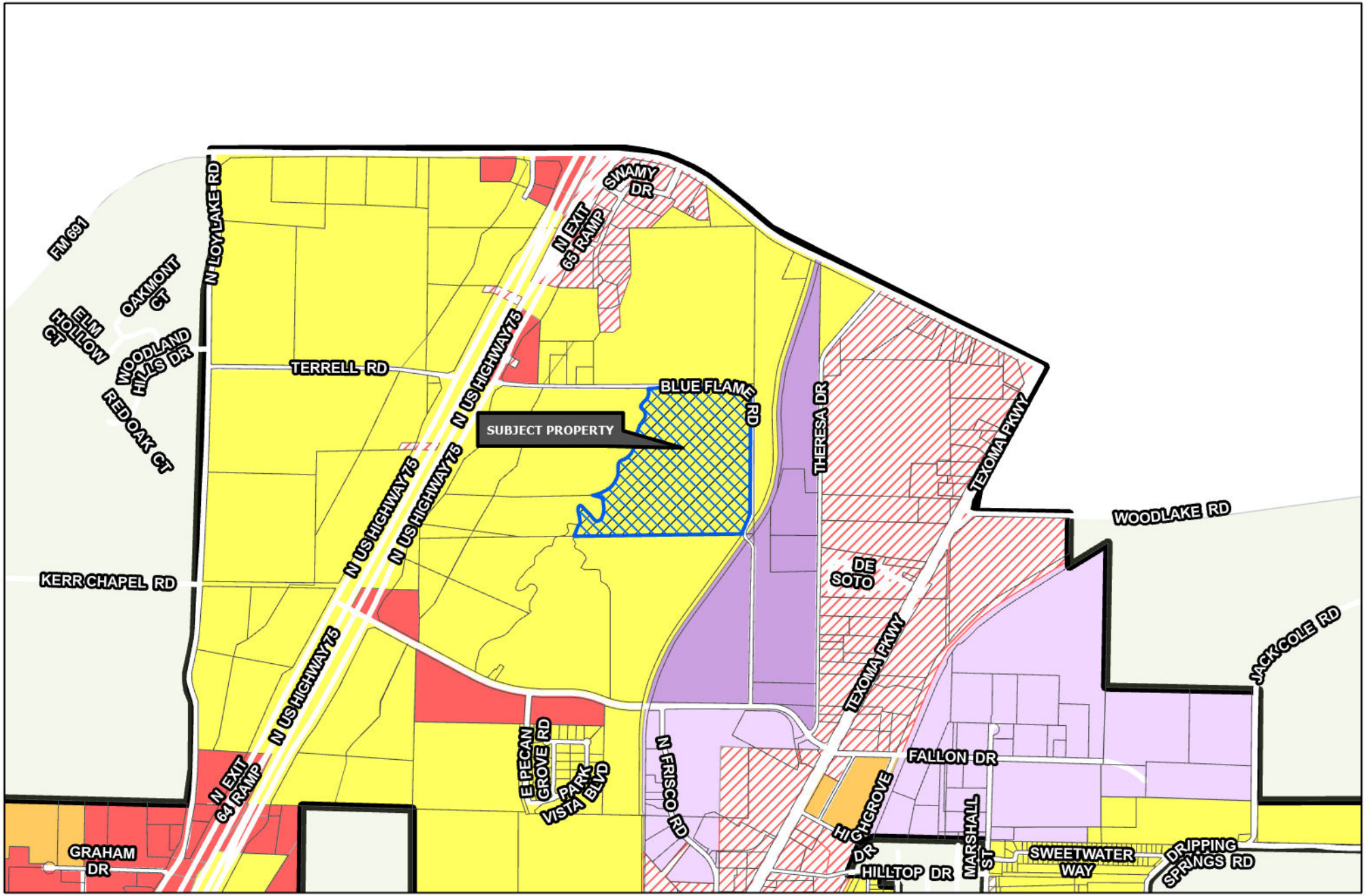
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2800 BLK BLUE FLAME RD

N
W E
S

Date: 6/19/2023 11:59 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
2800 BLK BLUE FLAME RD

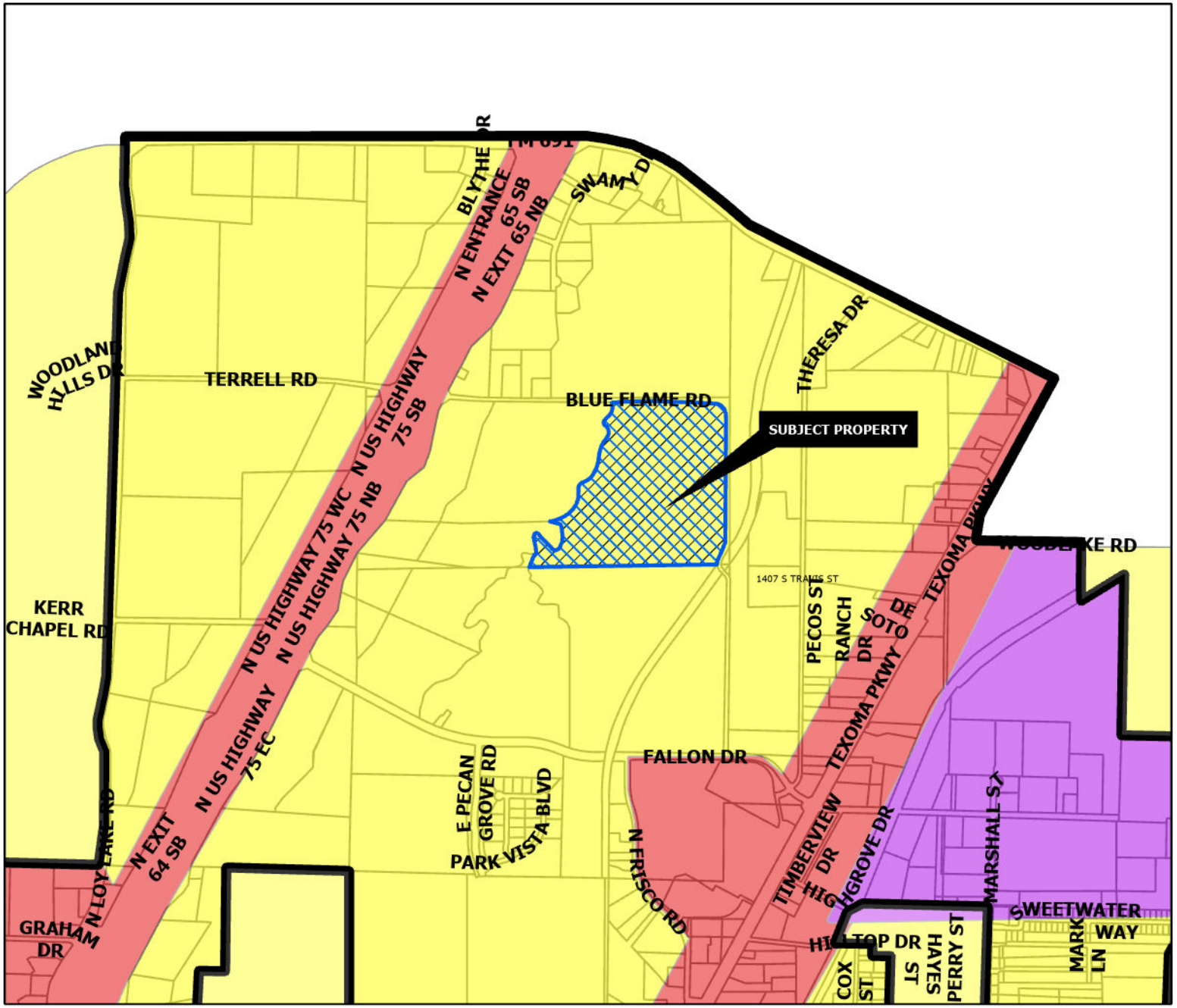
N
W E
S

Date: 6/19/2023 12:02 PM

Marlow, Lauren

From: Planning
To: Nelson Somerville
Subject: RE: Zoning change Sign - Blue Flame

From: Nelson Somerville
Sent: Wednesday, July 5, 2023 4:01 PM
To: Planning
Subject: Zoning change Sign - Blue Flame



SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
2800 BLK BLUE FLAME RD

N W E S

Date: 6/19/2023 12:04 PM

BLUE FLAME ROAD

M.K.T. RAILROAD

BLUE FLAME ROAD

100 0 50 100

Scale: 1" = 100'

N

CONCEPT PLAN

GATEWAY CREEK

CITY OF SHERMAN, TEXAS

67.439 ACRES

216 LOTS

(110 Lots @ 50'x125' Typ. Lot)

(106 Lots @ 60'x125' Typ. Lot)

Engineer:

PETITT - ECD

ENGINEERING SURVEYING
CONSTRUCTION ADMINISTRATION

1600 N. COLLINS BLVD
SUITE 2500
RICHARDSON, TX 75080

201 WINDCO CIRCLE
SUITE 200
WYLIE, TX 75098
972.941.8400

JUNE 15, 2023

SHEET NO. 1 OF 1

PROJECT #00000

Y:\PROJECTS\Named Projects\Sherman Tx. 67.891 Acres Blue Flame Road\dwg\Planning\CP-C.dwg

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 11, 2023

Sent via email

D2 Investments, Inc.
David Davies
1830 Silverside Drive
Grapevine, TX 76051

Sherman Centre AL, LLC
6718 West Eldorado Parkway
Suite 140
McKinney, TX 75070

Dear Applicants,

The request of a Public Hearing and Zone Change from an R-6 (Single Family Residential) District to an R-5 (Single Family Residential) District located in the 2800 Block Blue Flame Road has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 18, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 21.

Meeting Date: 07/18/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2800 BLOCK BLUE FLAME ROAD (Project No. 23-003765)

The request of Chad McDuffie, MD (Owner), D2 Investments, Inc. (Representative) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 2800 Block Blue Flame Road, consisting of 67.891 acres, being a part of S. Inman Survey, Abstract No. 621, and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from an R-6 (Single Family Residential) District to an R-5 (Single Family Residential) District

Background:

The property is located in the 2800 Block Blue Flame Road between Fallon Drive and North Highway 75. The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to an R-5 (Single Family Residential) District.

Adjacent Zoning:

R-6 (Single Family Residential) District
M-2 (Heavy Manufacturing) District

Origination:

Chad McDuffie, MD (Owner)
D2 Investments, Inc. (Representative)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Number of notices mailed:

9

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Property Notification Sign
FLUM
Narrative
Survey
STAFF REVIEW LETTER

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 6.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6624

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, City of Sherman, Grayson County, Texas, Located at 516-518 East Cherry Street, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the C-2 (General Commercial) District Zoning Classification (Chemtica USA, LLC, Owners; and Burns Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider the request of Chemtica USA, LLC (Owner) and Burns Surveying (Surveyor) concerning the property located at 516-518 East Cherry Street, consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, City of Sherman, Grayson County, Texas, Located at 516-518 East Cherry Street, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the C-2 (General Commercial) District Zoning Classification

Background:

The property is located at 516-518 East Cherry Street between South East Street and South First Street. The owner is requesting a Zone Change from an M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District.

Origination:

Chemtica USA, LLC (Owner)
Burns Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Zone Change be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny or table the request.

Attachments

Ordinance No. 6624
Exhibit A - Survey
Location Map
Zoning Map
Property Sign
Future Land Use Map
STAFF REVIEW LETTER
P&Z Communication

ORDINANCE NO. 6624

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 0.482 ACRES, BEING IN THE G.W. BOND'S THIRD ADDITION, BLOCK A, LOTS 2, 3 AND 4, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 516-518 EAST CHERRY STREET, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (CHEMTICA USA, LLC, OWNERS; AND BURNS SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 proposed rezoning case; and

WHEREAS, the City Council finds that rezoning the property as described in this Ordinance is in accordance with the Comprehensive Plan and 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 rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Survey and Legal Description**, attached hereto, located at 516-518 East Cherry Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the C-2 (General Commercial) District, and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, is hereby amended so as to hereafter include such property.

SECTION 2. That this Ordinance shall be entered upon the Official Zoning Map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 3. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

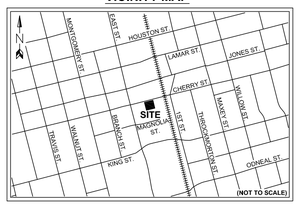
BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

EXHIBIT A

VICINITY MAP



(NO RECORD FOUND)

GRAPHIC SCALE
1-INCH = 20 FEET
0' 20'

BLOCK 27
ORIGINAL TOWN OF SHERMAN,
VOL. B, PG. 1,
D.R.G.C.T.

MARK GRIFFIN,
INST. NO. 2012-25706,
O.P.R.G.C.T.

ZOLTAN POCZA AND PHYLLIS POCZA,
VOL. 2248, PG. 659,
D.R.G.C.T.

E. CHERRY STREET
50' RIGHT-OF-WAY

25.0'
50.0'
25.0'

1/2" IRF YC

N 75°00'00" E 150.00'

PLACE OF BEGINNING
1/2" IRF (C.M.)

LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7

S 15°54'46" E 140.00'

BLOCK A
G.W. BOND'S THIRD ADDITION,
VOL. 35, PG. 506,
D.R.G.C.T.

N 15°54'46" W 140.00'

LOT 3A
BLOCK A
20,997 SQUARE FEET
0.482 OF AN ACRE (NET)

BURLINGTON NORTHERN SANTA FE RAIL ROAD
VARIABLE WIDTH RIGHT-OF-WAY

HERIBERTO GARCIA,
INST. NO. 2020-24830,
O.P.R.G.C.T.

HERIBERTO GARCIA,
INST. NO. 2016-00000424,
O.P.R.G.C.T.

C SQUARED AUTOMOTIVE, INC.,
INST. NO. 2008-00013763,
O.P.R.G.C.T.

BLOCK A
G.W. BOND'S THIRD ADDITION,
VOL. 35, PG. 506,
D.R.G.C.T.

1/2" IRF (C.M.)

S 75°00'00" W 150.00'
20' ALLEY RIGHT-OF-WAY

R.R.S.F.
20.0'

BLOCK A
G.W. BOND'S THIRD ADDITION,
VOL. 35, PG. 506,
D.R.G.C.T.

THE HAMILTON FOUNDRY & MACHINE CO.,
VOL. 2784, PG. 362,
D.R.G.C.T.

LOT 11
LOT 12
LOT 13
LOT 14
LOT 15
LOT 16

PROPERTY ADDRESS: 516 EAST CHERRY ST., SHERMAN, TX 75090
OWNER: CHEM TICA USA, L.L.C.
ADDRESS: PO BOX 025331, MIAMI, FLORIDA 33102
PHONE: 407-414-9260

SURVEYOR'S NOTES

1. ALL CORNERS ARE SET WITH A 1/2" IRON RODS SET WITH A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691" UNLESS OTHERWISE NOTED.

2. BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).

3. THE PURPOSE OF THIS REPLAT IS TO REPLAT THREE (3) LOTS INTO ONE (1) LOT.

4. NO PORTION OF THE SUBJECT PROPERTY IS LOCATED IN A 100-YEAR FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATER MAP (FIRM) MAP NO. 48181C0290G DATED 09/01/2022, PREPARED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR GRAYSON COUNTY, TEXAS, THIS PROPERTY IS WITHIN ZONE X.

LEGEND

P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
CAB.	CABINET
SLD.	SLIDE
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IRS	IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "RPLS 3691"
R.R.S.F.	RAIL ROAD SPIKE FOUND

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF GRAYSON

WHEREAS Chem Tica USA, L.L.C., Is the sole owner of Lots 2, 3, and 4, Block A, of G.W. Bond's Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 35, Page 506, Deed Records, Grayson County, Texas, and being the same tract of land described in deed to Chem Tica USA, L.L.C., recorded in Instrument No. 2022-31493, Official Public Records, Tarrant County, Texas, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod found in the Southeast line of E. Cherry Street, at the common Northerly corner of Lot 5 and said Lot 4, Block A, same being the Northeast corner of a tract of land described in deed to Heriberto Garcia, recorded in Instrument No. 2020-24830, Official Public Records, Grayson County, Texas;

Thence North 75 deg. 00 min. 00 sec. East, along said Southeast line, a distance of 150.00 feet to a 1/2 inch iron rod with a yellow plastic cap found at the common Northerly corner of Lot 1 and said Lot 2, Block A, and being the Northwest corner of a tract of land described in deed to The Hamilton Foundry & Machine Co., recorded in Volume 2784, Page 362, Deed Records, Grayson County, Texas;

Thence South 15 deg. 54 min. 46 sec. East, a distance of 140.00 feet to a 1/2 inch iron rod found in the Northwest line of a 20 foot alley right-of-way, at the common Southerly corner of said Lots 1 and 2, Block A, and being the Northerly Southwest corner of said The Hamilton Foundry & Machine Co. tract;

Thence South 75 deg. 00 min. 00 sec. West, along said Northwest line, a distance of 150.00 feet to a 1/2 inch iron rod found at the common Southerly corner of said Lots 4 and 5, Block A, and being the Southeast corner of said Garcia tract;

Thence North 15 deg. 54 min. 46 sec. West, a distance of 140.00 feet to tge PLACE OF BEGINNING and containing 20,997 square feet or 0.482 of an acre of land.

OWNER'S CERTIFICATE OF DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Chem Tica USA, L.L.C., acting by and through its duly authorized agent, does hereby adopt this Replat designating the herein described real property as **LOT 2A, BLOCK A, G.W. BOND'S THIRD ADDITION**, an addition to the City of Sherman, Grayson County, Texas, Being 0.482 acres situated in and being a portion of the J. B. McANAIR SURVEY, Abstract No. 763, City of Sherman, Grayson County, Texas and does hereby dedicate to the public's use forever, the streets, alleys, parks, right-of-ways, school sites and other public places, easements shown thereon

Witness my hand at _____ County, Texas, This _____ day of _____, 20___.

_____
Name:
Title: Owner

STATE OF TEXAS
COUNTY OF _____
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas
My commission expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Barry S. Rhodes, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual survey of the land and that the corner monuments shown thereon were found and/or properly placed under my supervision in accordance with the platting rules and regulations of the City of Sherman, Texas.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 20___.

PRELIMINARY NOT FOR RECORDING PURPOSES
Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691

STATE OF TEXAS
COUNTY OF DALLAS
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas
My commission expires:

CERTIFICATE OF APPROVAL

STATE OF TEXAS
COUNTY OF GRAYSON

Approved this _____ day of _____, 20___, 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 Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of G.W. BOND'S THIRD ADDITION to the City of Sherman was submitted to the City Council on the _____ day of _____, 20___, 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 _____, A.D. 20 ___.

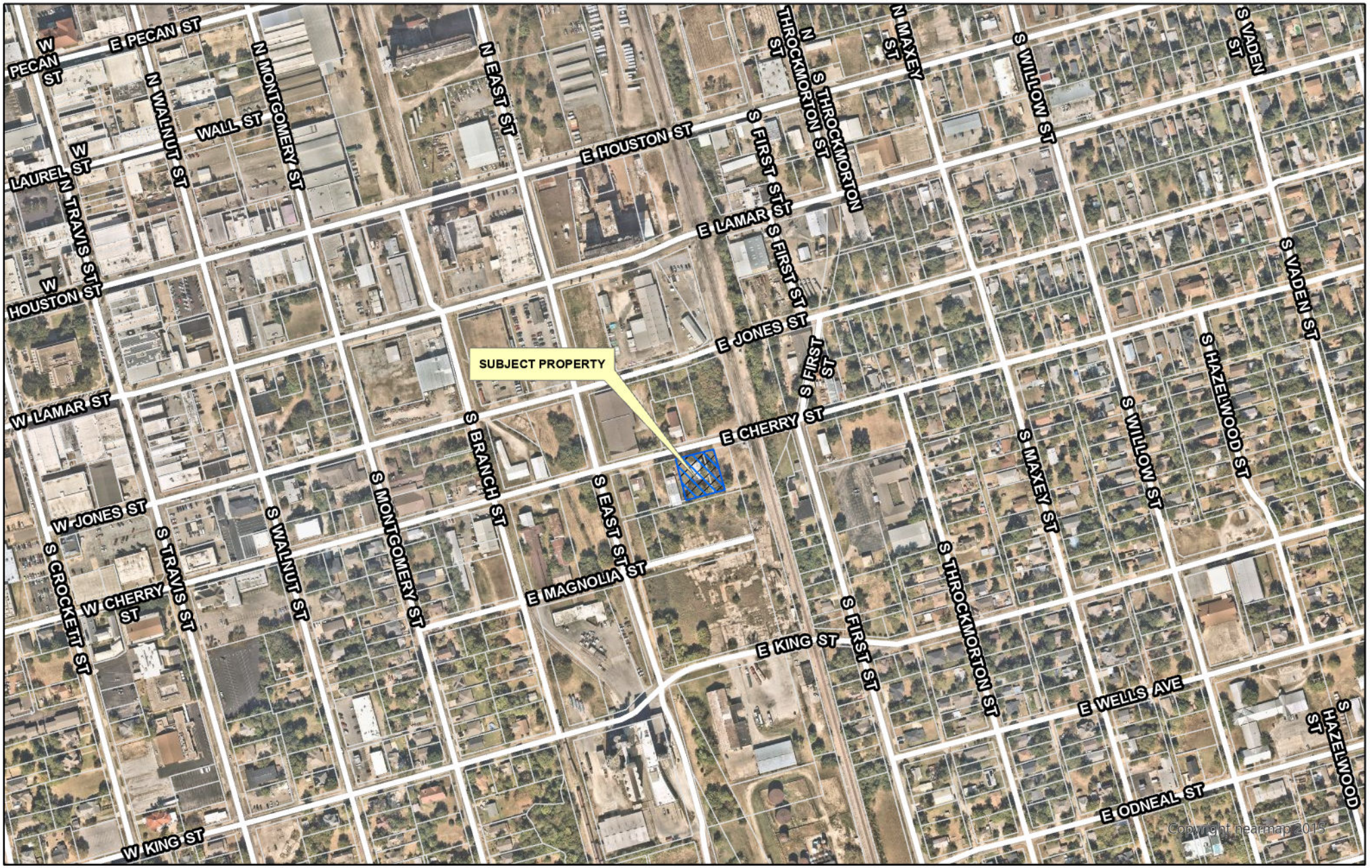
_____
City Clerk, City of Sherman, Texas

BURNS SURVEYING
PROFESSIONAL LAND SURVEYORS
1529 EAST INTERSTATE 30, GARLAND, TX 75043
BARRY S. RHODES - RPLS NO. 3691 - FIRM NO. 10194366 -
WEBSITE: WWW.BURNSSURVEY.COM
PHONE: (214) 326-1090

JOB NO.: 202209857-01 PREPARATION DATE: 11/30/2022 DRAWN BY: TD

REPLAT
LOT 3A, BLOCK A, G.W. BOND'S THIRD ADDITION

BEING A REPLAT OF LOTS 2, 3, & 4, BLOCK A,
OF G.W. BOND'S THIRD ADDITION, AN ADDITION TO THE
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS,
AS RECORDED IN VOLUME 35, PAGE 506, D.R.G.C.T.



dlagrone H:\PLANNING\Public Notification KT.aprx

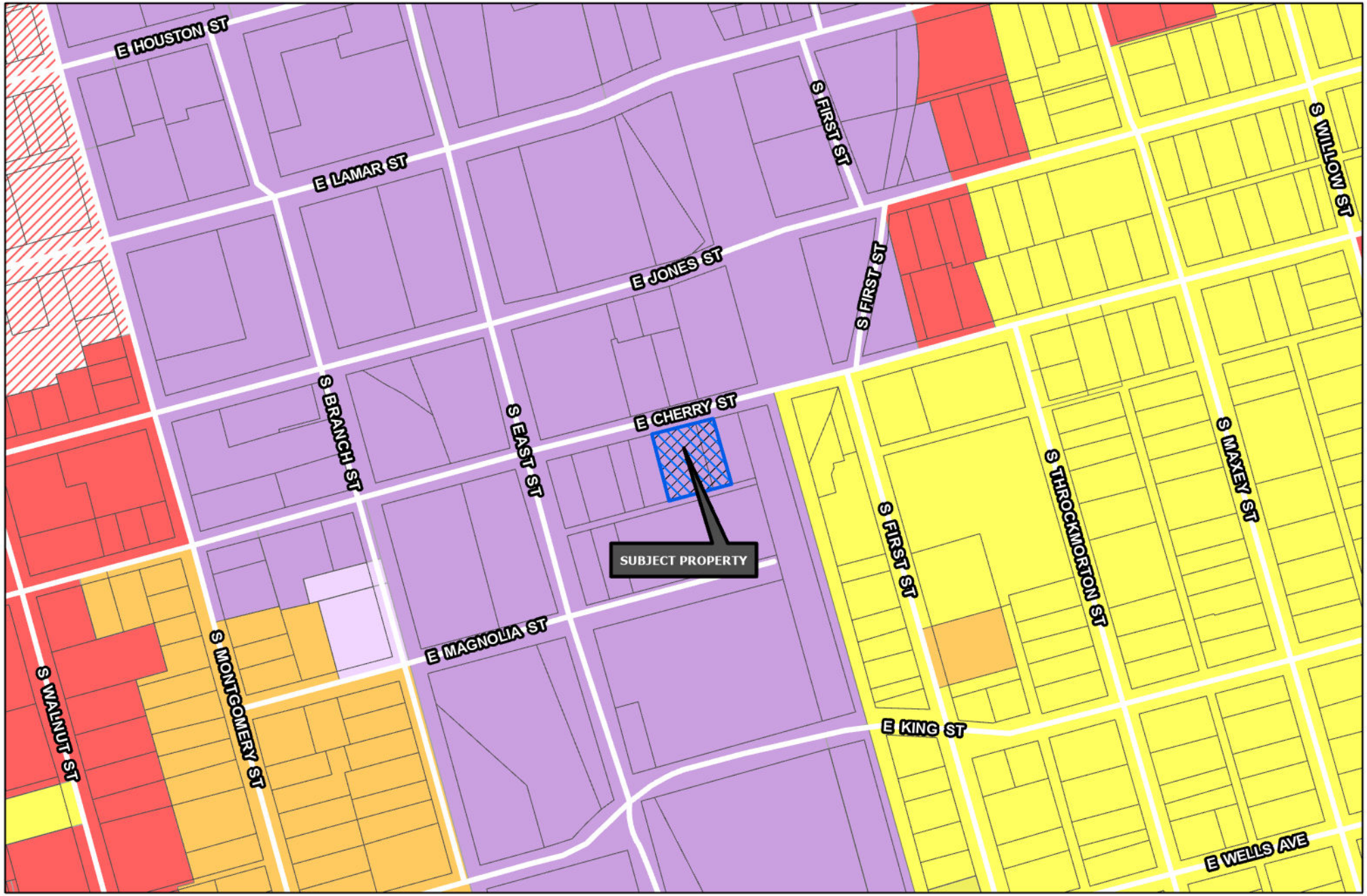
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
516 E CHERRY ST

N
W E
S

Date: 6/19/2023 11:23 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN
ZONING MAP
516 E CHERRY ST

N
W E
S

Date: 6/19/2023 11:26 AM

516

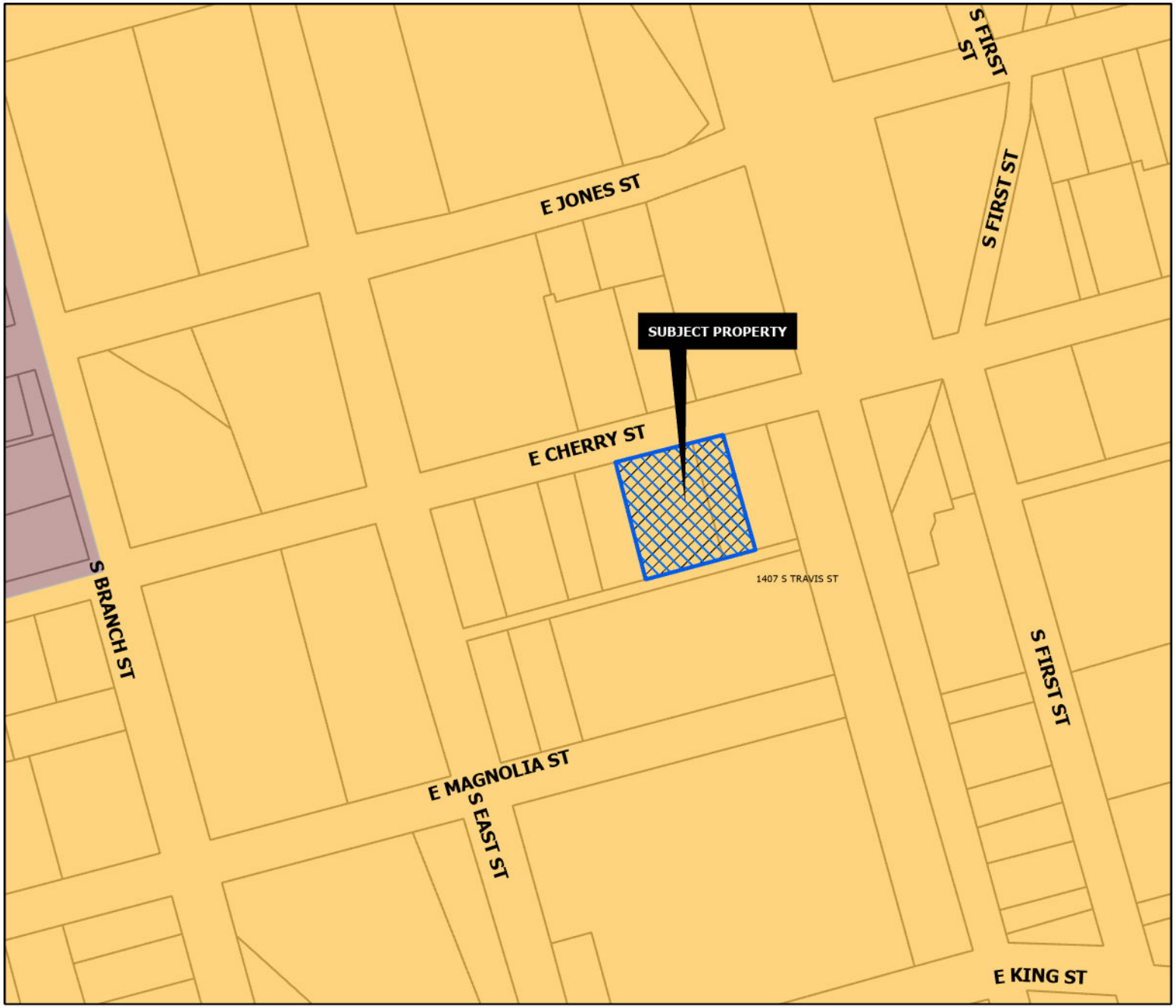
516

Sherman
CLASSIC TOWN. BROAD HORIZON.

NOTICE OF PROPOSED ZONING CHANGE

PROJECT #: 23-003769

FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
516-518 E CHERRY ST.

N
W E
S

Date: 7/11/2023 3:51 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 11, 2023 Sent via email

Chemtica USA, LLC
AC Oehlschlager
2912 Enterprise Blvd
Durant, TX 74701

Dear Applicants,

The request of a Public Hearing, Site Plan and Zone Change from an M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District located at 516-518 East Cherry Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 18, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
5. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
6. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
7. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 22.

Meeting Date: 07/18/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

516-518 EAST CHERRY STREET (Project No. 23-003769)

The request of Chemtica USA, LLC (Owner) and Burns Surveying (Surveyor) concerning the property located at 516-518 East Cherry Street, consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, and is currently zoned M-2 (Heavy Manufacturing) District, as follows:

Planning and Zoning Commission

A. Public Hearing, Site Plan and Zone Change from an M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District.
B. Replat of Lots 2, 3, 4 in Block A of G.W. Bond's Third Addition

Background:

The property is located at 516-518 East Cherry Street between South East Street and South First Street. The owner is requesting a Site Plan and Zone Change from an M-2 (Heavy Manufacturing) District to a C-2 (General Commercial) District and would like to plat the property into three lots for commercial development.

Adjacent Zoning:

M-2 (Heavy Manufacturing) District

Origination:

Chemtica USA, LLC (Owner)
Burns Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

12

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Property Notification Sign
FLUM
Replat
Site Plan
Metal Building Photo
STAFF REVIEW LETTER - Engineering
STAFF REVIEW LETTER

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 7.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6625

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 29.278 acres, contained in Tract One, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Located in the 2700-3100 Blocks North Travis Street, Heretofore Zoned an R-6 (Single Family Residential) District; Rezoning and Placing the Tract in the R-4 (Single Family Residential) District Classification, (TBJB1, LLC, Owner; Ben McKay, Representative; and Preston Trail Land Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider the request of TBJB1, LLC (Owner), Ben McKay (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 2700-3100 Blocks North Travis Street, consisting of 29.278 acres, contained in Tract One, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Heretofore Zoned an R-6 (Single Family Residential) District; Rezoning and Placing the Tract in the R-4 (Single Family Residential) District Classification

Background:

The property is located in the 2700-3100 Blocks North Travis Street between West McLain Street and West Highway 82. The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to a R-4 (Single Family Residential) District.

Origination:

TBJB1, LLC (Owner)
Ben McKay (Representative)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Zone Change be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6625
Exhibit A - Survey
Location Map
Zoning Map
Property Notification Sign
Future Land Use Map
STAFF REVIEW LETTER
P&Z Communication

ORDINANCE NO. 6625

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 29.278 ACRES, CONTAINED IN TRACT ONE, BEING IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2700-3100 BLOCKS NORTH TRAVIS STREET, HERETOFORE ZONED AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT CLASSIFICATION, (TBJB1, LLC, OWNER; BEN MCKAY, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 proposed rezoning case; and

WHEREAS, the City Council finds that rezoning the property as described in this Ordinance is in accordance with the Comprehensive Plan and 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 rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Survey and Legal Description**, attached hereto, located in the 2700-3100 Blocks North Travis Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-4 (Single Family Residential) District, and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, is hereby amended so as to hereafter include such property.

SECTION 2. That this Ordinance shall be entered upon the Official Zoning Map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 3. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

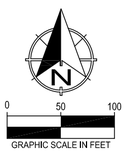
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

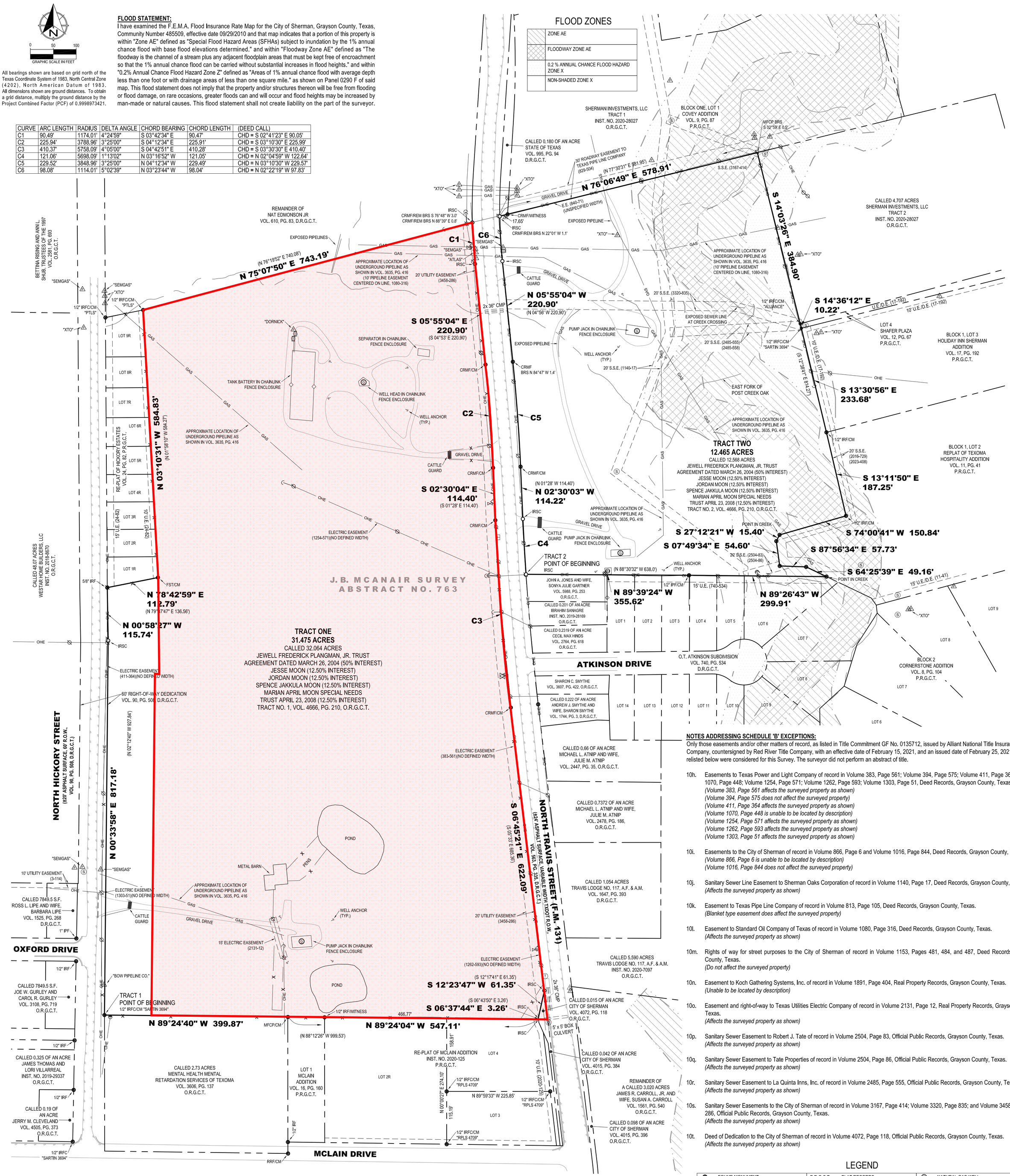
EXHIBIT A



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998973421.

FLOOD STATEMENT:
I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that a portion of this property is within "Zone AE" defined as "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood with base flood elevations determined." and within "Floodway Zone AE" defined as "The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights." and within "0.2% Annual Chance Flood Hazard Zone Z" defined as "Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile." as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	(DEED CALL)
C1	90.49'	1174.01'	4°24'59"	S 03°42'34" E	90.47'	CHD = S 02°41'23" E 90.05'
C2	225.94'	3788.96'	3°25'00"	S 04°12'34" E	225.91'	CHD = S 03°10'30" E 225.99'
C3	410.37'	5758.09'	4°05'00"	S 04°42'51" E	410.28'	CHD = S 03°30'30" E 410.40'
C4	121.06'	5698.09'	1°13'02"	N 03°16'52" W	121.05'	CHD = N 02°04'59" W 122.64'
C5	229.52'	3848.96'	3°25'00"	N 04°12'34" W	229.49'	CHD = N 03°10'30" W 229.57'
C6	98.08'	1114.01'	5°02'39"	N 03°23'44" W	98.04'	CHD = N 02°22'19" W 97.83'


FLOOD ZONES
ZONE AE
FLOODWAY ZONE AE
0.2 % ANNUAL CHANCE FLOOD HAZARD ZONE X
NON-SHADED ZONE X
SHERMAN INVESTMENTS, LLC TRACT 1 INST. NO. 2020-28027 O.R.G.C.T.
BLOCK ONE, LOT 1 COVEY ADDITION VOL. 9, PG. 87 P.R.G.C.T.
CALLED 0.180 OF AN ACRE STATE OF TEXAS VOL. 995, PG. 94 D.R.G.C.T.
30' ROADWAY EASEMENT TO TEXAS PIPE LINE COMPANY (629-504)
N 76°06'49" E 578.91'
(N 77°30'31" E 581.95')
S 14°03'26" E 384.90'
CALLED 4,707 ACRES SHERMAN INVESTMENTS, LLC TRACT 2 INST. NO. 2020-28027 O.R.G.C.T.
REMAINDER OF NAT EDMONSON JR VOL. 610, PG. 83, D.R.G.C.T.
BETTINA RISING AND ANN L. SHUB, TRUSTEES OF THE 1997 VOL. 2581, PG. 683 O.R.G.C.T.
N 75°07'50" E 743.19'
(N 76°19'52" E 740.08')
S 05°55'04" E 220.90'
(S 04°53' E 220.90')
N 05°55'04" W 220.90'
(N 04°56' W 220.90')
S 14°36'12" E 10.22'
LOT 4 SHAFER PLAZA VOL. 12, PG. 67 P.R.G.C.T.
BLOCK 1, LOT 3 HOLIDAY INN SHERMAN ADDITION VOL. 17, PG. 192 P.R.G.C.T.
S 13°30'56" E 233.68'
BLOCK 1, LOT 2 REPLAT OF TEXOMA HOSPITALITY ADDITION VOL. 11, PG. 41 P.R.G.C.T.
S 13°11'50" E 187.25'
N 03°10'31" W 584.83'
(N 01°58'10" W 584.27')
RE-PLAT OF HICKORY ESTATES VOL. 24, PG. 82, P.R.G.C.T.
CALLED 48.07 ACRES WESTAR HOME BUILDERS, LLC INST. NO. 2018-8670 O.R.G.C.T.
N 78°42'59" E 112.79'
(N 79°57'47" E 136.56')
N 00°58'27" W 115.74'
N 00°33'58" E 817.18'
(N 02°12'40" W 927.84')
NORTH HICKORY STREET (±20' ASPHALT SURFACE, 60' R.O.W., VOL. 90, PG. 508, D.R.G.C.T.)
J.B. MCANAIR SURVEY ABSTRACT NO. 763
TRACT ONE 31.475 ACRES
CALLED 32.064 ACRES
JEWELL FREDERICK PLANGMAN, JR. TRUST
AGREEMENT DATED MARCH 26, 2004 (50% INTEREST)
JESSE MOON (12.50% INTEREST)
JORDAN MOON (12.50% INTEREST)
SPENCE JAKKULA MOON (12.50% INTEREST)
MARIAN APRIL MOON SPECIAL NEEDS TRUST APRIL 23, 2008 (12.50% INTEREST)
TRACT NO. 1, VOL. 4666, PG. 210, O.R.G.C.T.
TRACT TWO 12.465 ACRES
CALLED 12.568 ACRES
JEWELL FREDERICK PLANGMAN, JR. TRUST
AGREEMENT DATED MARCH 26, 2004 (50% INTEREST)
JESSE MOON (12.50% INTEREST)
JORDAN MOON (12.50% INTEREST)
SPENCE JAKKULA MOON (12.50% INTEREST)
MARIAN APRIL MOON SPECIAL NEEDS TRUST APRIL 23, 2008 (12.50% INTEREST)
TRACT NO. 2, VOL. 4666, PG. 210, O.R.G.C.T.
N 02°30'03" W 114.22'
(N 01°28' W 114.40')
S 02°30'04" E 114.40'
(S 01°28' E 114.40')
S 27°12'21" W 15.40'
S 07°49'34" E 54.60'
S 87°56'34" E 57.73'
S 74°00'41" W 150.84'
S 64°25'39" E 49.16'
N 89°39'24" W 355.62'
N 89°26'43" W 299.91'
S 06°45'21" E 622.09'
(S 05°33' E 885.36')
S 12°23'47" W 61.35'
(S 12°17'41" E 61.35')
S 06°37'44" E 3.26'
(S 06°43'50" E 3.26')
N 89°24'40" W 399.87'
N 89°24'04" W 547.11'
(N 88°12'26" W 999.53')
N 89°59'33" W 225.85'
N 00°00'27" E 274.10'
115.19'
158.91'
466.77'
ATKINSON DRIVE
MCLAIN DRIVE
OXFORD DRIVE
NORTH TRAVIS STREET (F.M. 131) (±24' ASPHALT SURFACE, VARIABLE WIDTH TXDOT R.O.W., VOL. 563, PG. 335, D.R.G.C.T.)
TRACT 2 POINT OF BEGINNING
TRACT 1 POINT OF BEGINNING
1/2" IRFC/CM "SARTIN 3694"
CALLED 7849.5 S.F. ROSS L. LIPE AND WIFE, BARBARA LIPE VOL. 1525, PG. 268 D.R.G.C.T.
CALLED 7849.5 S.F. JOE W. GURLEY AND CAROL R. GURLEY VOL. 3108, PG. 719 O.R.G.C.T.
CALLED 0.325 OF AN ACRE JAMES THOMAS AND LORI VILLARREAL INST. NO. 2019-29337 O.R.G.C.T.
CALLED 0.19 OF AN ACRE JERRY M. CLEVELAND VOL. 4505, PG. 373 O.R.G.C.T.
CALLED 2.73 ACRES MENTAL HEALTH MENTAL RETARDATION SERVICES OF TEXOMA VOL. 3606, PG. 137 O.R.G.C.T.
LOT 1 MCLAIN ADDITION VOL. 16, PG. 160 P.R.G.C.T.
LOT 2R
RE-PLAT OF MCLAIN ADDITION INST. NO. 2020-125 P.R.G.C.T.
LOT 4
LOT 3
CALLED 0.042 OF AN ACRE CITY OF SHERMAN VOL. 4015, PG. 384 O.R.G.C.T.
CALLED 0.098 OF AN ACRE CITY OF SHERMAN VOL. 4015, PG. 396 O.R.G.C.T.
REMAINDER OF A CALLED 3.020 ACRES JAMES R. CARROLL, JR. AND WIFE, SUSAN A. CARROLL VOL. 1561, PG. 540 O.R.G.C.T.
CALLED 0.015 OF AN ACRE CITY OF SHERMAN VOL. 4072, PG. 118 O.R.G.C.T.
CALLED 5,590 ACRES TRAVIS LODGE NO. 117, A.F. & A.M. INST. NO. 2020-7097 O.R.G.C.T.
CALLED 1.054 ACRES TRAVIS LODGE NO. 117, A.F. & A.M. VOL. 1647, PG. 393 D.R.G.C.T.
CALLED 0.66 OF AN ACRE MICHAEL L. ATNIP AND WIFE, JULIE M. ATNIP VOL. 2447, PG. 35, O.R.G.C.T.
CALLED 0.7372 OF AN ACRE MICHAEL L. ATNIP AND WIFE, JULIE M. ATNIP VOL. 2478, PG. 186, O.R.G.C.T.
CALLED 0.222 OF AN ACRE ANDREW J. SMYTHE AND WIFE, SHARON SMYTHE VOL. 1744, PG. 3, D.R.G.C.T.
SHARON C. SMYTHE VOL. 3607, PG. 422, O.R.G.C.T.
JOHN A. JONES AND WIFE, SONYA JULIE GARTNER VOL. 5988, PG. 253 O.R.G.C.T.
CALLED 0.201 OF AN ACRE IBRAHIM SANAGRE INST. NO. 2019-28169 O.R.G.C.T.
CALLED 0.2319 OF AN ACRE CECIL MAX HINDS VOL. 2764, PG. 618 O.R.G.C.T.
O.T. ATKINSON SUBDIVISION VOL. 740, PG. 534 D.R.G.C.T.
BLOCK 2 CORNERSTONE ADDITION VOL. 8, PG. 104 P.R.G.C.T.
APPROXIMATE LOCATION OF UNDERGROUND PIPELINE AS SHOWN IN VOL. 3635, PG. 416 (10' PIPELINE EASEMENT CENTERED ON LINE, 1080-316)
APPROXIMATE LOCATION OF UNDERGROUND PIPELINE AS SHOWN IN VOL. 3635, PG. 416
REMAINDER OF NAT EDMONSON JR VOL. 610, PG. 83, D.R.G.C.T.
EXPOSED PIPELINES
EXPOSED PIPELINE
EXPOSED SEWER LINE AT CREEK CROSSING
EAST FORK OF POST CREEK OAK
POINT IN CREEK
IRSC CRMF/REM BRS S 76°48' W 3.0' CRMF/REM BRS N 88°39' E 0.8'
IRSC CRMF/REM BRS N 22°01' W 1.1'
CRMF/WITNESS 17.65'
CRMF BRS N 84°47' W 1.4'
CRMF/CM
IRSC
FST/CM
5/8" IRF
1/2" IRF
1/2" IRFC/CM "PTLS"
1/2" IRFC/CM "ALLIANCE"
1/2" IRFC/CM "SARTIN 3694"
1/2" IRFC/CM "RPLS 4709"
1/2" IPF/CM
1/2" IRF/WITNESS
MFCP BRS S 02°59' E 0.5'
MFCP/CM
RRF/CM
1/2" IRF
1/2" IRFC "SARTIN 3694"
1" IPF
"SEMGAS"
"XTO"
"DORNICK"
"ATLAS"
"BOW PIPELINE CO."
"SEMGAS" "PTLS"
"SEMGAS" "XTO"
"XTO" "ALLIANCE"
"XTO" "SARTIN 3694"
"SEMGAS" "SEMGAS"
"SEMGAS" "SEMGAS"
"XTO" "XTO"
"XTO" "XTO"
"XTO" "XTO

dlagrone H:\ENGINEER\GIS\ESRI-jdp\Public Notification jdp.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

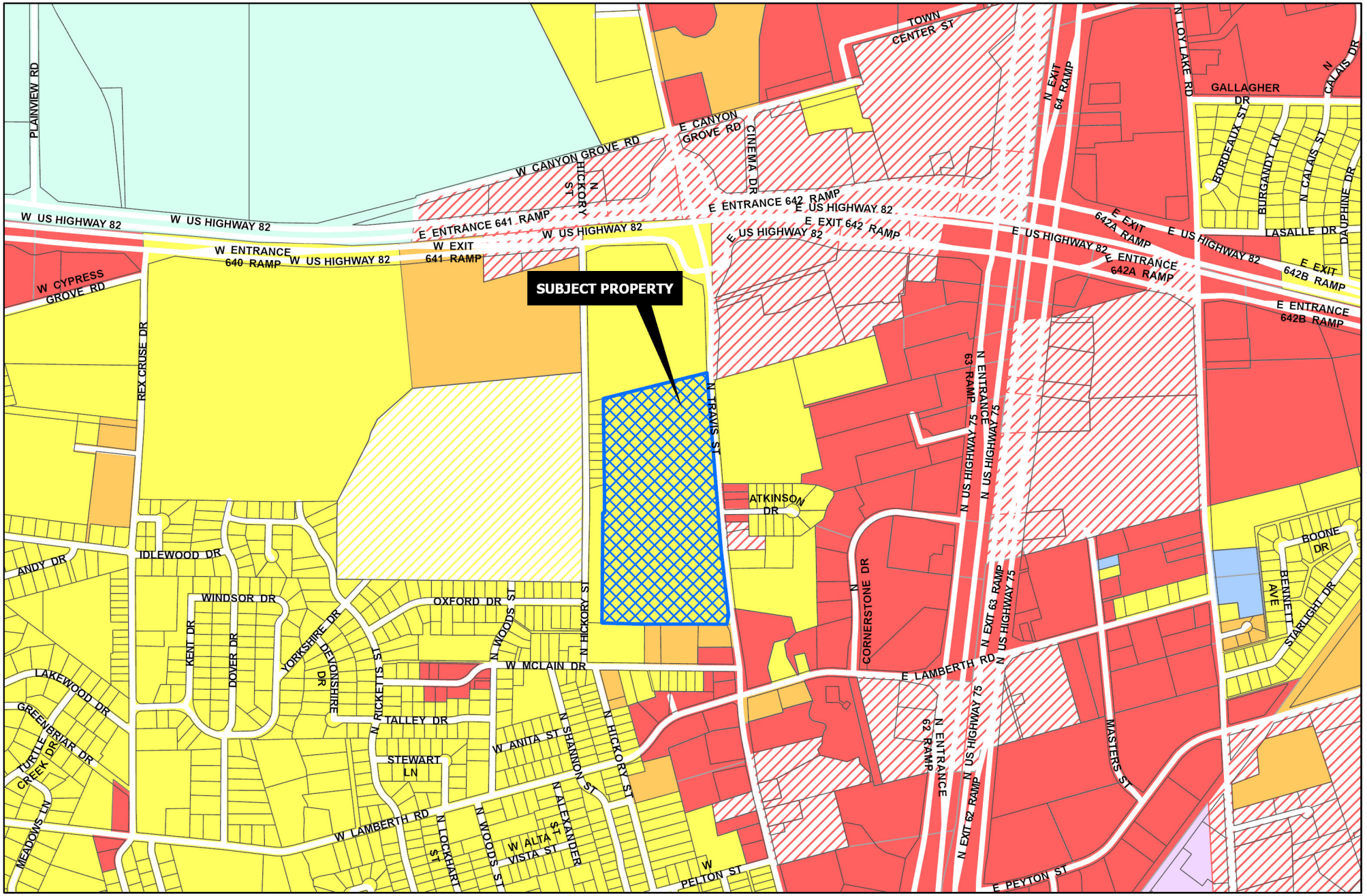
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

2700-3100 N TRAVIS

N
W E
S

Date: 6/27/2023 2:20 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development

Road Names All

Subject Locations jdp

CITY OF SHERMAN

2700-3100 N Travis

N
W E
S

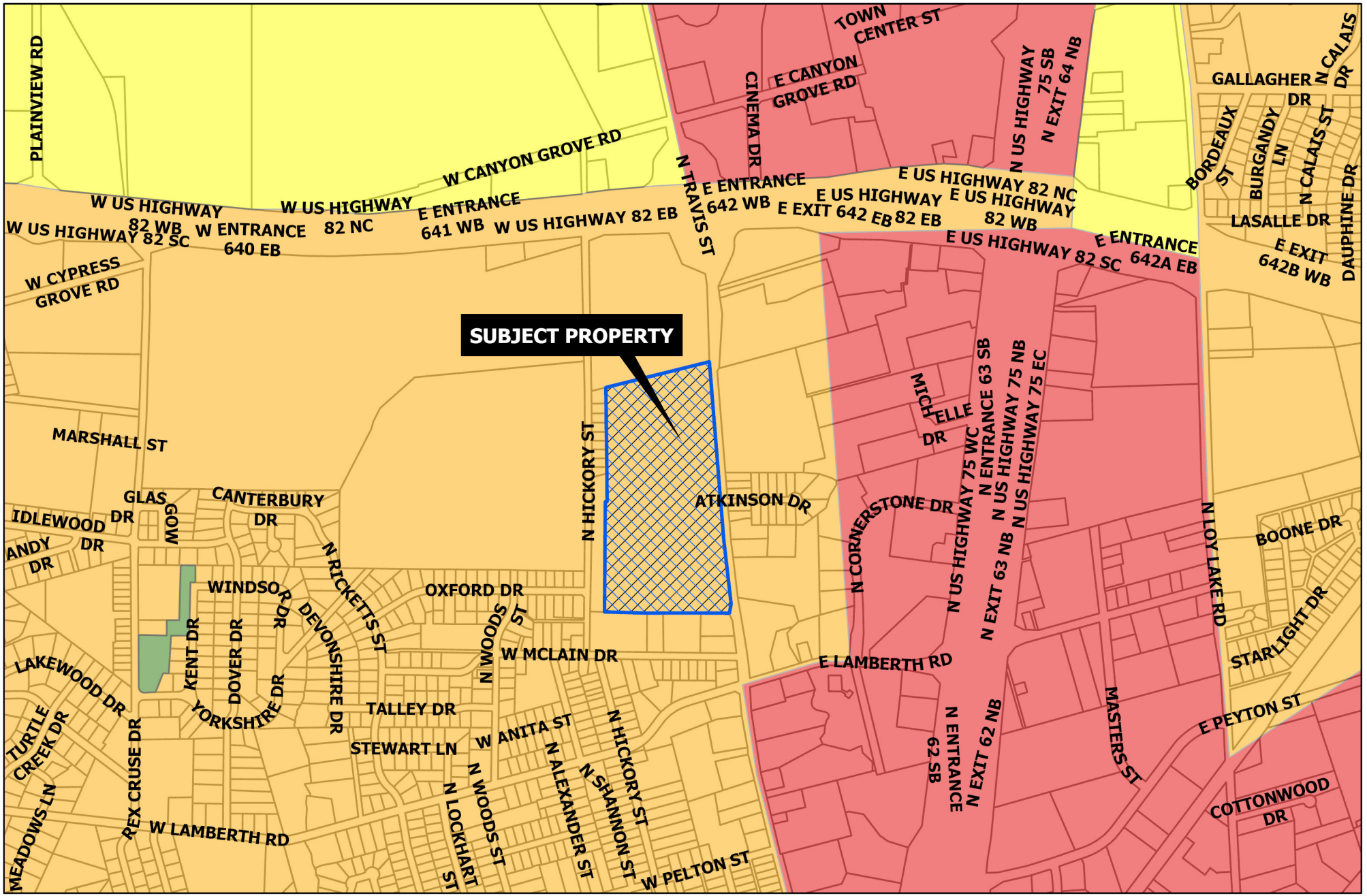
Date: 6/27/2023 2:48 PM

Marlow, Lauren

From: Planning
Subject: RE: Proof of Posting - #23-003775

From: Ben McKay
Sent: Monday, July 3, 2023 10:57 AM
To: Planning
Subject: Proof of Posting - #23-003775

Please see attached. Project. # 23-003775
Travis St & Hickory St



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations
- Subject Locations jdp

CITY OF SHERMAN
FUTURE LAND USE MAP
2700-3100 N Travis

N W E S

Date: 6/27/2023 2:48 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 11, 2023

Sent via email

TBJB1, LLC
Ben McKay
721 US-70
Kingston, OK 73439

Preston Trail Land Surveying
Chris Noah
787 W FM 996
Pottsboro, TX 75076

Dear Applicants,

The request of a Public Hearing and Zone Change from an R-6 (Single Family Residential) District to a R-4 (Single Family Residential) District located in the 2700-3100 Blocks North Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 18, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
4. R-4 (Patio Home Residential) District lots have a minimum lot width of 40' and a lot depth of 90'. *(Sec. 14.02.008(1))*
5. Developments with fifty (50) or more patio homes shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. *(Sec. 14.02.008(4)(H))*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 26.

Meeting Date: 07/18/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2700-3100 BLOCKS NORTH TRAVIS STREET (Project No. 23-003775)

The request of TBJB1, LLC (Owner), Ben McKay (Representative) and Preston Trail Land Surveying (Surveyor) for the property in the 2700-3100 Blocks North Travis Street, consisting of 29.278 acres, contained in Tract One, being in the J.B. McAnair Survey, Abstract No. 763, and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from an R-6 (Single Family Residential) District to a R-4 (Single Family Residential) District.

Background:

The property is located in the 2700-3100 Blocks North Travis Street between West McLain Street and West Highway 82. The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to a R-4 (Single Family Residential) District.

Adjacent Zoning:

R-6 (Single-Family Residential) District
MF-30 (Multi-Family Residential) district
C-1 (Retail Business) District
C-2 (General Commercial) District

Origination:

TBJB1, LLC (Owner)
Ben McKay (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

30

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Property Notification Sign
FLUM
Zoning Exhibit
Site Layout
STAFF REVIEW LETTER

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 8.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6626

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 2.993 acres, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Located in the 700 Block North FM 1417 (Heritage Parkway), Heretofore Zoned C-1 (Retail Business) District; Rezoning and Placing the Tract in the C-N (Neighborhood Commercial) District Zoning Classification (Wyldewood Homes, LLC, Owner; Bryan Blagg, Representative; and Preston Trail Land Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Issue:

To consider the request of Wyldewood Homes, LLC (Owner), Bryan Blagg (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 700 Block North FM 1417 (Heritage Parkway), consisting of 2.993 acres, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Heretofore Zoned C-1 (Retail Business) District; Rezoning and Placing the Tract in the C-N (Neighborhood Commercial) District Zoning Classification

Background:

The property is located in the 700 Block North FM 1417 (Heritage Parkway) at the intersection of Denson Drive and North FM 1417 (Heritage Parkway). The property owner is requesting a Zone Change from a C-1 (Retail Business) District to a C-N (Neighborhood Commercial) District.

Origination:

Wyldewood Homes, LLC (Owner)
Bryan Blagg (Representative)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Zone Change be approved subject to the Staff Review Letter. **The proposed use is compatible with the City of Sherman Comprehensive Plan.**

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6626
Exhibit A - Survey
Location Map
Zoning Map
Property Notification Sign
Future Land Use Map
STAFF REVIEW LETTER
P&Z COMMUNICATION

ORDINANCE NO. 6626

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 2.993 ACRES, BEING IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY), HERETOFORE ZONED C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (WYLDEWOOD HOMES, LLC, OWNER; BRYAN BLAGG, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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 proposed rezoning case; and

WHEREAS, the City Council finds that rezoning the property as described in this Ordinance is in accordance with the Comprehensive Plan and 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 rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Survey and Legal Description**, attached hereto, located in the 700 Block North FM 1417 (Heritage Parkway), and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the C-N (Neighborhood Commercial) District, and that Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, is hereby amended so as to hereafter include such property.

SECTION 2. That this Ordinance shall be entered upon the Official Zoning Map as provided in Sherman's Zoning Ordinance/Code of Ordinances, Chapter 14, Section 14.01.002.

SECTION 3. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

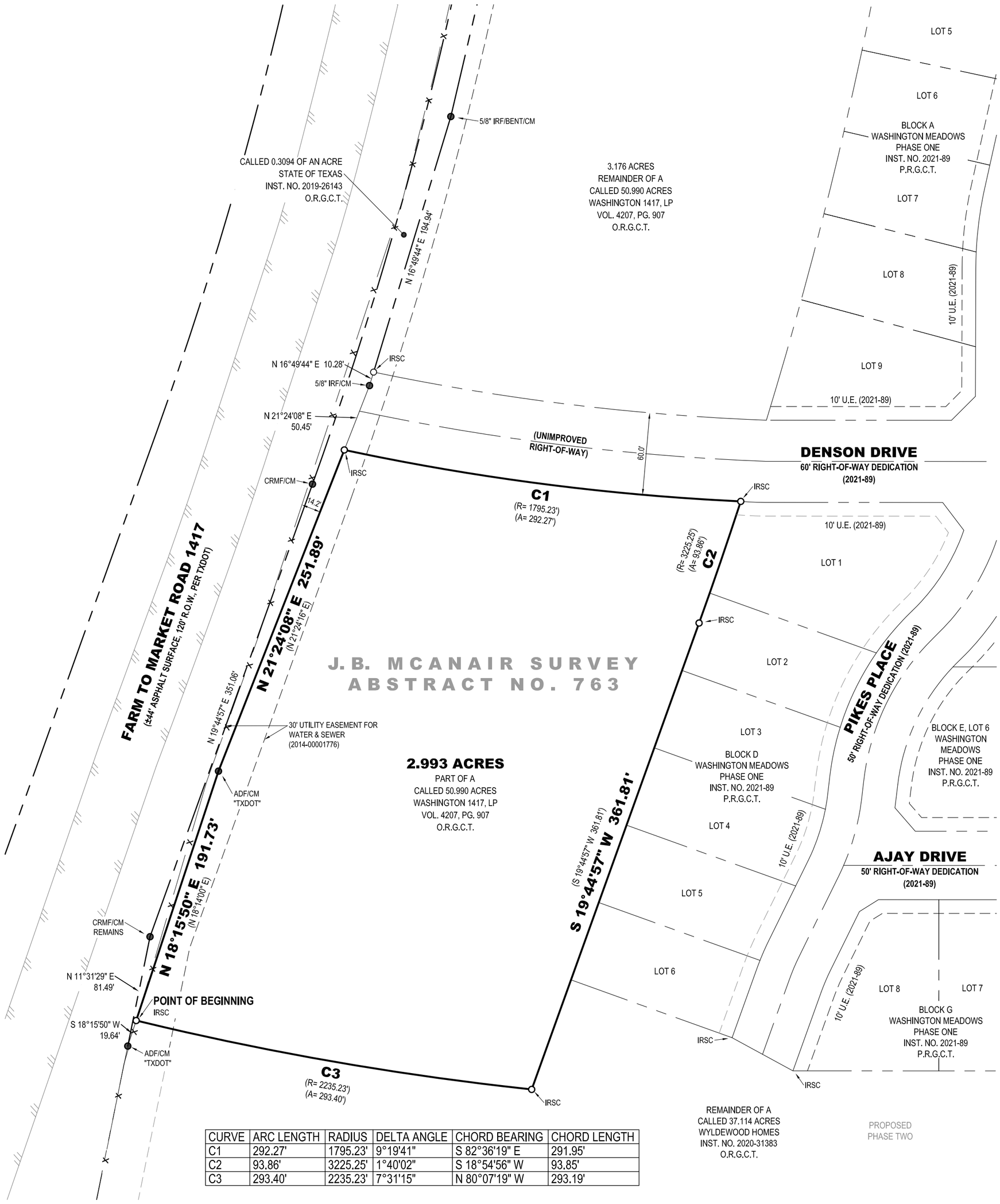
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

EXHIBIT A



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	292.27'	1795.23'	9°19'41"	S 82°36'19" E	291.95'
C2	93.86'	3225.25'	1°40'02"	S 18°54'56" W	93.85'
C3	293.40'	2235.23'	7°31'15"	N 80°07'19" W	293.19'

0 30 60
GRAPHIC SCALE IN FEET

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998949043.

LAND DESCRIPTION:

BEING all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a part of a called 50.990 acre tract of land described in the deed to Washington 1417, LP, recorded in Volume 4207, Page 907, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (hereinafter referred to as Capped Iron Rod) previously set for a salient corner on the westerly line of a called 37.114 acre tract of land described in the deed to Wyldewood Homes, recorded in Instrument No. 2020-31383, said Official Records, and on the easterly line of a called 0.3094 of an acre tract of land described in the deed to State of Texas, recorded in Instrument No. 2019-26143, said Official Records, and on the easterly right-of-way line of Farm to Market Road 1417, and from which an aluminum disk stamped "TXDOT" found for the southern-most corner of said 0.3094 acre tract, and on the westerly line of said 50.990 acre tract, bears South 18°15'50" West, a distance of 19.64 feet;

THENCE crossing said 50.0990 acre tract, with the easterly line of said 0.3094 acre tract, and with the easterly right-of-way line of said Farm to Market Road 1417, the following two (2) courses:

1. North 18°15'50" East, a distance of 191.73 feet to an aluminum disk stamped "TXDOT" found for corner;
2. North 21°24'08" East, a distance of 251.89 feet to a Capped Iron Rod previously set for a salient corner on the westerly line of Washington Meadows, Phase One, according to the plat thereof recorded in Instrument No. 2021-89, Plat Records, Grayson County, Texas, and at the beginning of a non-tangent curve to the left having a delta angle of 09°19'41", a radius of 1795.23 feet, and a chord bearing and distance of South 82°36'19" East, 291.95 feet;

THENCE continuing across said 50.990 acre tract, with a southerly line of said Washington Meadows, Phase One, and with said curve to the left, an arc distance of 292.27 feet to a Capped Iron Rod previously set for a re-entrant corner on the westerly line of said Washington Meadows, Phase One, and at the beginning of a reverse non-tangent curve to the right having a delta angle of 01°40'02", a radius of 3225.25 feet, and a chord bearing and distance of South 18°54'56" West, 93.85 feet;

THENCE continuing across said 50.990 acre tract, with a westerly line of said Washington Meadows, Phase One, and with said curve to the right, an arc distance of 93.86 feet to a Capped Iron Rod previously set;

THENCE South 19°44'57" West, continuing across said 50.990 acre tract, with a westerly line of said Washington Meadows, Phase One, and with a westerly line of aforesaid 37.114 acre tract, a distance of 361.81 feet to a Capped Iron Rod previously set for a re-entrant corner on the westerly line of said 37.114 acre tract, and at the beginning of a non-tangent curve to the right having a delta angle of 07°31'15", a radius of 2235.23 feet, and a chord bearing and distance of North 80°07'19" West, 293.19 feet;

THENCE continuing across said 50.990 acre tract, with a northerly line of said 37.114 acre tract, and with said curve to the right, an arc distance of 293.40 feet to the POINT OF BEGINNING and enclosing 2.993 acres (130,377 square feet) of land, more or less.

NOTES ADDRESSING SCHEDULE 'B' EXCEPTIONS:

Only those easements and/or other matters of record, as listed in Title Commitment GF No. MK214721, issued by Old Republic National Title Insurance Company, countersigned by Fair Texas Title, with an effective date of August 6, 2021, and an issued date of August 23, 2021, and relisted below were considered for this Survey. The surveyor did not perform an abstract of title.

10d. Easement granted to Southwestern Bell Telephone Company, recorded in Volume 550, Page 483, of the Deed Records of Grayson County, Texas.
(Does not affect the surveyed property)

10e. Easement granted to Alltex Construction, Inc., recorded in Volume 1280, Page 551, of the Deed Records of Grayson County, Texas.
(Does not affect the surveyed property)

10f. Easement granted to the City of Sherman, Texas, recorded in Volume 1412, Page 386 and Volume 1714, Page 106, of the Deed Records of Grayson County, Texas.
(Does not affect the surveyed property)

10g. Easement granted to Brookshire Grocery Company, recorded under County Clerk's File No. 2013-00026162, of the Official Public Records of Grayson County, Texas.
(Does not affect the surveyed property)

10h. Easement granted to the City of Sherman, recorded under County Clerk's File No. 2014-00001776, of the Official Public Records of Grayson County, Texas.
(Affects the surveyed property as shown)

10i. The terms, conditions, and stipulations of that certain Disclaimer by Missouri Pacific Railroad Company recorded in Volume 2351, Page 443, of the Official Public Records of Grayson County, Texas.
(Does not affect the surveyed property)

10j. The terms, conditions, and stipulations of that certain Amendment and Restatement of Easements with Covenants and Restrictions Affecting Land recorded under County Clerk's File No. 2020-27874, of the Official Public Records of Grayson County, Texas.
(Does not affect the surveyed property)

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0270 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Certify to: Wyldewood Homes, LLC; Washington 1417, LP; Old Republic National Title Insurance Company, Fair Texas Title;

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey of the premises depicted hereon and described in the land description attached hereto, conducted under my direction and supervision on 09/22/2021, and there are no discrepancies, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying.

Chris R. Noah, R.P.L.S. No. 6585

STATE OF TEXAS
REGISTERED
CHRIS R. NOAH
6585
PROFESSIONAL
LAND SURVEYOR

LEGEND

●	FOUND MONUMENT	O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
○	SET MONUMENT		
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET	( )	DEED OR PLAT CALL
		VOL., PG.	VOLUME, PAGE
IRF	IRON ROD FOUND	INST. NO.	INSTRUMENT NO.
CRMF	CONCRETE RIGHT-OF-WAY MONUMENT FOUND	U.E.	UTILITY EASEMENT
		———	BOUNDARY LINE
ADF	ALUMINUM DISK FOUND	——— - - ———	ADJOINER LINE
CM	CONTROLLING MONUMENT	– – – – – – – –	EASEMENT
R.O.W.	RIGHT-OF-WAY	——— x ———	WIRE FENCE
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS	———//———	ASPHALT

TITLE SURVEY
2.993 ACRES
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
TBD Farm to Market Road 1417, Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=60' Date: 09/30/2021	Project No. 20-0204.8 Sheet No. 1 of 1

dlagrone H:\ENGINEER\GIS\ESRI-jdp\Public Notification jdp.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

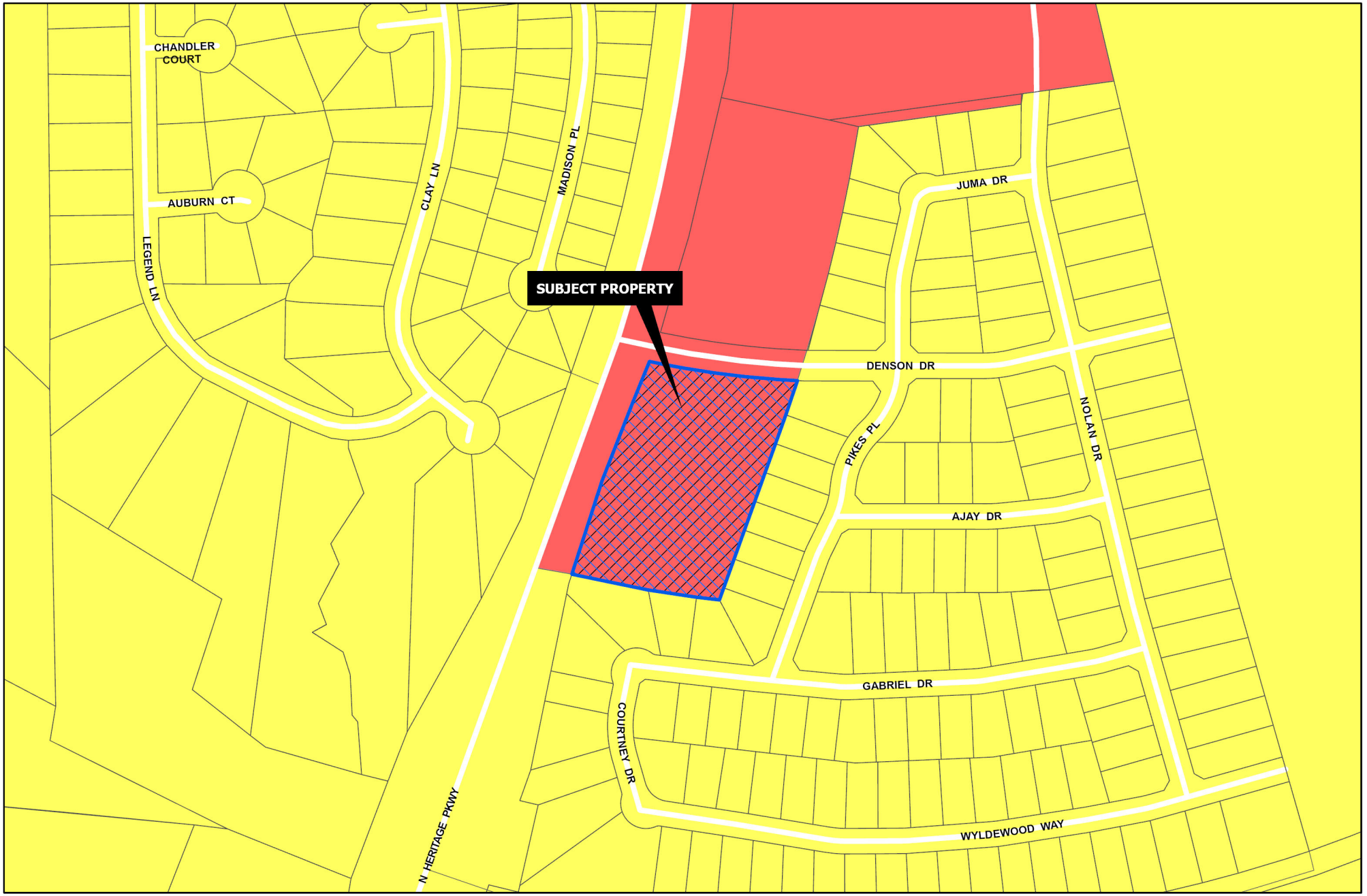
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

700 Blk N FM 1417

N
W E
S

Date: 6/28/2023 11:00 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN

700 Blk N FM 1417

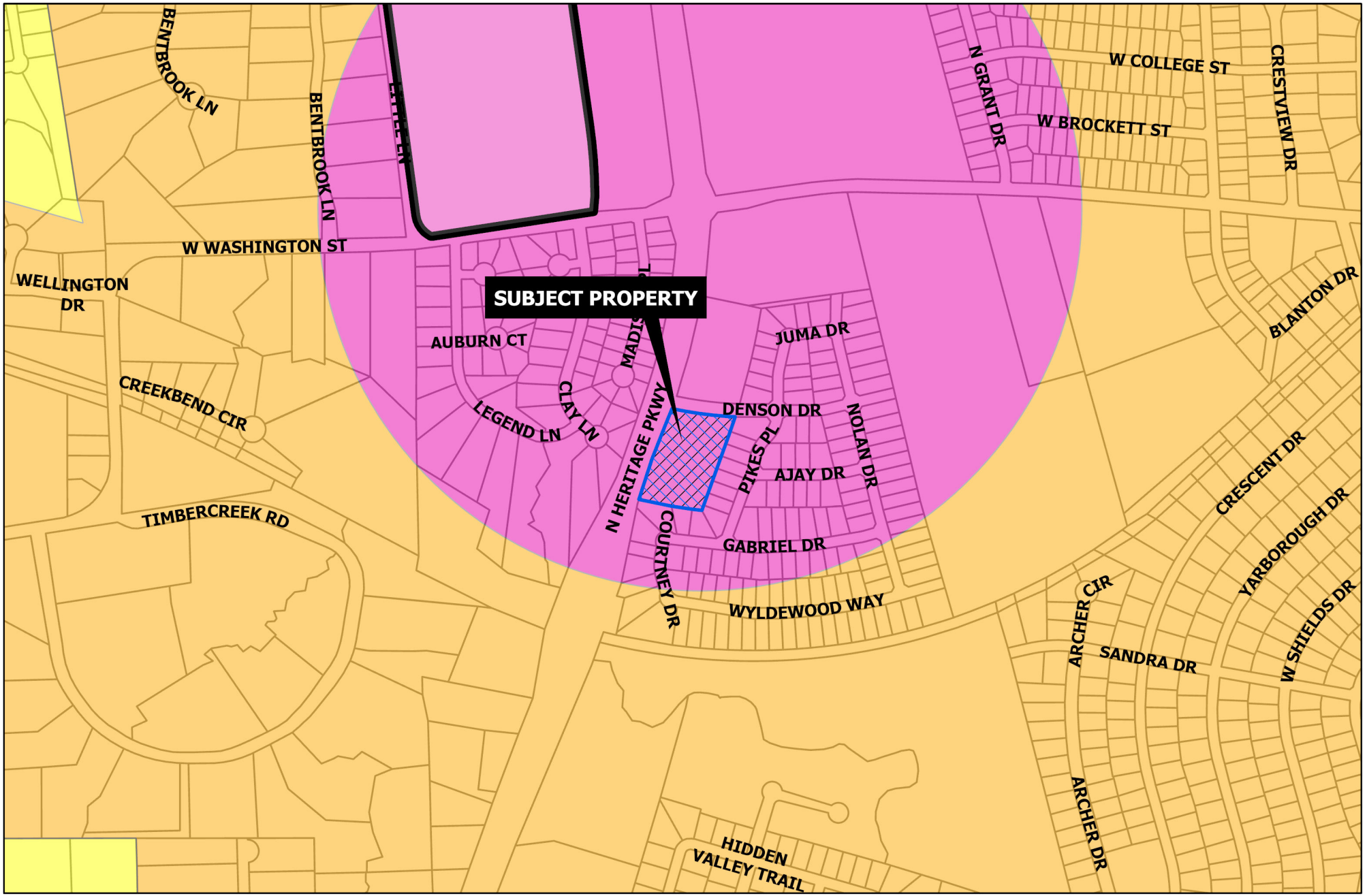
N
W E
S

Date: 6/28/2023 11:00 AM

Marlow, Lauren

From: laurenm@cityofsherman.com
To: Bryan Blagg
Subject: RE: 700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-003777)

From: Bryan Blagg
Sent: Friday, June 30, 2023 2:50 PM
To: Marlow, Lauren
Subject: Re: 700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-003777)



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
700 Blk N FM 1417

N W E S

Date: 6/28/2023 11:30 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 11, 2023

Sent via email

Wyldewood Homes, LLC
Bryan Blagg
P.O. Box 911688
Sherman, TX 75091

Preston Trail Land Surveying
Chris Noah
787 W FM 996
Pottsboro, TX 75076

Dear Applicants,

The request of a Public Hearing, Site Plan and Zone Change from a C-1 (Retail Business) District to a C-N (Neighborhood Commercial) District located in the 700 Block North FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 18, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
5. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
6. No building shall exceed 35 feet in height. *(Sec. 14.02.014 (4)(D))*
7. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. *(Sec. 14.03.002 (d)(2))*
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

10. Platting of the property is required. Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004
11. 30' Utility Easement along the eastern portion of property has been abandoned by Ordinance No. 6569. Remove from drawing. Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)
12. Lots 3 and 5 are landlocked and will not be permitted on plat. Each lot shall front upon a public street. Code of Ordinances Chapter 10, Exhibit A, Sec. 12(E)(2)
13. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a

permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154

14. Entrances/Exits off of F.M. 1417 will be Right-in, Right-out only. TxDOT is not installing a median break at Denson Drive.
15. Water main must be extended in accordance with City criteria to serve proposed Lots 3 & 5. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)
16. Wastewater main must be extended in accordance with City criteria to serve proposed Lots 3 & 5. Wastewater capacity shall be verified for proposed use. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)
17. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)
18. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.

Fire Services

19. [ ] 503.2.4 - The minimum turning radius shall be at least 25' unless fire lane exceeds minimum requirement of 24'. (City Ordinances Amendments 3.01.002)
20. [ ] 507.5.1 - Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400' from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 28.

Meeting Date: 07/18/2023

Prepared by: Lauren Marlow, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-003777)

The request of Wyldewood Homes, LLC (Owner), Bryan Blagg (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 700 Block North FM 1417 (Heritage Parkway), consisting of 2.993 acres, being in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Zone Change from a C-1 (Retail Business) District to a C-N (Neighborhood Commercial) District.

Background:

The property is located in the 700 Block North FM 1417 (Heritage Parkway) at the intersection of Denson Drive and North FM 1417 (Heritage Parkway). The property owner is requesting a Site Plan and Zone Change from a C-1 (Retail Business) District to a C-N (Neighborhood Commercial) District.

Adjacent Zoning:

C-1 (Retail Business) District
R-6 (Single Family Residential) District

Origination:

Wyldewood Homes, LLC (Owner)
Bryan Blagg (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Technology Hub category is intended for areas of the community that are dedicated to large-scale employment uses. These areas are generally located north and south, anchored by the airport and Texas Instruments, respectively. These areas contribute to the community by providing a tax base and employment opportunities.

Number of notices mailed:

20

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Future Land Use Map
Property Notification Sign
Narrative
Survey
Site Plan
Elevations
Landscape Plan
STAFF REVIEW LETTER

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 9.**

Meeting Date: 08/07/2023

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6627

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2023, for the Purpose of Electing Two (2) District 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 7, 2023, to Elect City Council Members for District 2 and District 4. Positions on the ballot will be for Council Member, District 2 (currently held by Josh Stevenson); and Council Member, District 4 (currently held by Daron Holland).

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:

Cost for the Election is usually around $15,000.

Staff Recommendation:

It is recommended that the City Council approve the ordinance calling the Regular Municipal Election for Tuesday, November 7, 2023.

Alternatives:

There is no viable alternative.

Attachments

Ordinance No. 6627

ORDINANCE NO. 6627

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 7th DAY OF NOVEMBER, 2023, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT 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, 2023, the same being the 7th day of said month, at which election all qualified voters may vote for the purpose of electing a District 2 and a District 4 City Council Member for full terms, as defined in the Charter of the City of Sherman, Texas.

SECTION 2. That said election shall be held jointly with Grayson County, Texas in accordance with the Joint Election Agreement executed pursuant to the authority of Resolution No. 7117, passed and approved on the 7th day of August, 2023.

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

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

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

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

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

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

SECTION 9. That notice of said election shall be given by the Mayor of the City of Sherman by causing an election notice to be posted at City Hall not later than the twenty-first day before election day, and by publishing the caption for 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 – Council Chambers 203 S. Broadway Bells, Texas	Martha Portman Presiding Judge Billy Jack Portman Alternate Judge
Collinsville Community Center 117 N. Main Collinsville, Texas	Gary Davidson Presiding Judge Sherri Fails Alternate Judge
Grayson College - Baptist Student Ministry (BSM) 6101 Grayson Dr. Denison, Texas	Ramona Popplewell Presiding Judge Susan McManus Alternate Judge

Grayson County Sub-Courthouse J.P. Courtroom 101 W. Woodard Denison, Texas	Theresa Jones Presiding Judge Jamie Stringfield Alternate Judge
Parkside Baptist Church -- South Entrance 301 N. Lillis Lane Denison, Texas	Barbara Hartline Presiding Judge Peggy DeLancy Alternate Judge
Southside Baptist Church – Main Hall 3500 S. Park Denison, Texas	Sue Caylor Presiding Judge Jerri Potter Alternate Judge
Mt. Olive Baptist Church – Gym 1131 S. Scullin Denison, Texas	Debra DeHorney Presiding Judge Rita Williams Alternate Judge
Gordonville Baptist Church Educational Building, East Doors 187 Gordonville Rd. Gordonville, Texas	Helen Hawkins Presiding Judge Dana Tischer Alternate Judge
Gunter First Baptist Church 99 Gentle Creek Lane Gunter, Texas	Fran Mask Presiding Judge Lynn Fletcher Alternate Judge
Howe Community Center 700 W. Haning Howe, Texas	Nancy Nass Presiding Judge Debi Owens Alternate Judge
St. John the Apostle Episcopal Church 760 W. FM 120 Pottsboro, Texas	Johanna Sandlin Presiding Judge Barb Speer Alternate Judge

Sadler Baptist Church – Fellowship Hall 419 S. Main Sadler, Texas	Shirley Covington Presiding Judge Karen Schreiner Alternate Judge
Election Administration Building 115 W. Houston Sherman, Texas	Jess Davis Presiding Judge Donna Coveny Alternate Judge
Faith Church – West Entrance 1800 N. FM 1417 Sherman, Texas	Mendy Boyer Presiding Judge Dana Speed Alternate Judge
Luella First Baptist Church – Main Entrance 3162 Hwy 11 Sherman, Texas	Thomas Avalos Presiding Judge Dennis Allen Alternate Judge
Municipal Ballroom 405 N. Rusk Sherman, Texas	Rebecca Lindsey Presiding Judge Cheryl Self Alternate Judge
Texoma Council of Governments Eisenhower Room 1117 Gallagher Drive Sherman, Texas	Donna Fritchman Presiding Judge Rodney Fritchman Alternate Judge
United Way of Grayson County 713 E. Brockett Sherman, Texas 75090	Shari Duncan Presiding Judge Keri Hastings Alternate Judge
Progressive Baptist – Fellowship Hall 1101 E. Houston Sherman, Texas 75090	Wathena Marshall Presiding Judge Stephanie Collins Alternate Judge

	Randy Barta
Tioga Fire Dept. Meeting Room	Presiding Judge
601 E. Main	
Tioga, Texas	Pam Chappell
	Alternate Judge
	Russell Allen
First National Bank – Edwards Room	Presiding Judge
109 S. Britton	
Tom Bean, Texas	Ginger Allen
	Alternate Judge
	Bob Towers
Grayson College South Campus	Presiding Judge
Room TC203	
1455 W. Van Alstyne Pkwy	Debbie Reece
Van Alstyne, Texas	Alternate Judge
	Jo Stow
Whitesboro City Hall – Council Chambers	Presiding Judge
111 W. Main	
Whitesboro, Texas	Vicki McComas
	Alternate Judge
	Sandra Shaw
Whitewright Church of Christ – Fellowship Hall	Presiding Judge
606 S. Carter	
Whitewright, Texas	Dorothy Carpenter
	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 Bells City Hall, Council Chambers, 203 S. Broadway, Bells, Texas; Grayson County Election Administration Building, Main Voting Location, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, J.P. Court Room, 101 W. Woodard, Denison, Texas; at the Pottsboro, ISD Administration, Board Meeting Room, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, Council Chambers, 111 W. Main, Whitesboro, Texas; and at Grayson College South Campus, Room TC203, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; from October 23 through October 27, 2023, from 8:00 a.m. to 5:00 p.m.; October 28, 2023, from 7:00 a.m. to 7:00 p.m.; October 29, 2023, from 11:00 a.m. to 5:00 p.m., and October 30 through November 3, 2022, from 7:00 a.m. to 7:00 p.m.

SECTION 13. That the Early Voting Clerk shall be Tamie Hayes.

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. Two judges will deliver the election returns and will split the $25.00 pay for that service. No judge may be paid for more than two hours of work before the polls open.

SECTION 16. That Tamie Hayes, County Elections Administrator, is hereby appointed Counting Station Presiding Manager.

SECTION 17. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 20, 2023.

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 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 10.**

Meeting Date: 08/07/2023

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6628

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2023, 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 7, 2023, 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:

Cost for the Election is expected to be approximately $15,000.

Staff Recommendation:

It is recommended that the City Council consider the ordinance calling the Special Municipal Election for Tuesday, November 7, 2023.

Alternatives:

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

Attachments

Ordinance No. 6628

ORDINANCE NO. 6628

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 7TH DAY OF NOVEMBER, 2023, 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 7th day of November, 2023, 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 7, 2023 reauthorization of the local sales and use tax pass, the City of Sherman shall call for an election in the year 2027 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. 7117, passed and approved on the 7th day of August, 2023.

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 the caption for 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 – Council Chambers 203 S. Broadway Bells, Texas	Martha Portman Presiding Judge Billy Jack Portman Alternate Judge
Collinsville Community Center 117 N. Main Collinsville, Texas	Gary Davidson Presiding Judge Sherri Fails Alternate Judge
Grayson College - Baptist Student Ministry (BSM) 6101 Grayson Dr.	Ramona Popplewell Presiding Judge

Denison, Texas	Susan McManus Alternate Judge
Grayson County Sub-Courthouse J.P. Courtroom 101 W. Woodard Denison, Texas	Theresa Jones Presiding Judge Jamie Stringfield Alternate Judge
Parkside Baptist Church -- South Entrance 301 N. Lillis Lane Denison, Texas	Barbara Hartline Presiding Judge Peggy DeLancy Alternate Judge
Southside Baptist Church – Main Hall 3500 S. Park Denison, Texas	Sue Caylor Presiding Judge Jerri Potter Alternate Judge
Mt. Olive Baptist Church – Gym 1131 S. Scullin Denison, Texas	Debra DeHorney Presiding Judge Rita Williams Alternate Judge
Gordonville Baptist Church Educational Building, East Doors 187 Gordonville Rd. Gordonville, Texas	Helen Hawkins Presiding Judge Dana Tischer Alternate Judge
Gunter First Baptist Church 99 Gentle Creek Lane Gunter, Texas	Fran Mask Presiding Judge Lynn Fletcher Alternate Judge

Howe Community Center 700 W. Haning Howe, Texas	Nancy Nass Presiding Judge Debi Owens Alternate Judge
St. John the Apostle Episcopal Church 760 W. FM 120 Pottsboro, Texas	Johanna Sandlin Presiding Judge Barb Speer Alternate Judge
Sadler Baptist Church – Fellowship Hall 419 S. Main Sadler, Texas	Shirley Covington Presiding Judge Karen Schreiner Alternate Judge
Election Administration Building 115 W. Houston Sherman, Texas	Jess Davis Presiding Judge Donna Coveny Alternate Judge
Faith Church – West Entrance 1800 N. FM 1417 Sherman, Texas	Mendy Boyer Presiding Judge Dana Speed Alternate Judge
Luella First Baptist Church – Main Entrance 3162 Hwy 11 Sherman, Texas	Thomas Avalos Presiding Judge Dennis Allen Alternate Judge
Municipal Ballroom 405 N. Rusk Sherman, Texas	Rebecca Lindsey Presiding Judge Cheryl Self Alternate Judge

Texoma Council of Governments Eisenhower Room 1117 Gallagher Drive Sherman, Texas	Donna Fritchman Presiding Judge Rodney Fritchman Alternate Judge
United Way of Grayson County 713 E. Brockett Sherman, Texas 75090	Shari Duncan Presiding Judge Keri Hastings Alternate Judge
Progressive Baptist – Fellowship Hall 1101 E. Houston Sherman, Texas 75090	Wathena Marshall Presiding Judge Stephanie Collins Alternate Judge
Tioga Fire Dept. Meeting Room 601 E. Main Tioga, Texas	Randy Barta Presiding Judge Pam Chappell Alternate Judge
First National Bank – Edwards Room 109 S. Britton Tom Bean, Texas	Russell Allen Presiding Judge Ginger Allen Alternate Judge
Grayson College South Campus Room TC203 1455 W. Van Alstyne Pkwy Van Alstyne, Texas	Bob Towers Presiding Judge Debbie Reece Alternate Judge
Whitesboro City Hall – Council Chambers 111 W. Main Whitesboro, Texas	Jo Stow Presiding Judge Vicki McComas Alternate Judge

	Sandra Shaw
Whitewright Church of Christ – Fellowship Hall	Presiding Judge
606 S. Carter	
Whitewright, Texas	Dorothy Carpenter
	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 Bells City Hall, Council Chambers, 203 S. Broadway, Bells, Texas; Grayson County Election Administration Building, Main Voting Location, 115 W. Houston, Sherman, Texas; at the Grayson County Sub-Courthouse, J.P. Court Room, 101 W. Woodard, Denison, Texas; at the Pottsboro, ISD Administration, Board Meeting Room, 105 Cardinal Lane, Pottsboro, Texas; at Whitesboro City Hall, Council Chambers, 111 W. Main, Whitesboro, Texas; and at Grayson College South Campus, Room TC203, 1455 W. Van Alstyne Parkway, Van Alstyne, Texas; from October 23 through October 27, 2023, from 8:00 a.m. to 5:00 p.m.; October 28, 2023, from 7:00 a.m. to 7:00 p.m.; October 29, 2023, from 11:00 a.m. to 5:00 p.m., and October 30 through November 3, 2022, from 7:00 a.m. to 7:00 p.m.

SECTION 11. That the Early Voting Clerk shall be Tamie Hayes.

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. Two judges will deliver the election returns and will split the $25.00 pay for that service. No judge may be paid for more than two hours of work before the polls open.

SECTION 14. That Tamie Hayes, County Elections Administrator, is hereby appointed Counting Station Presiding Manager.

SECTION 15. That the canvass of the Election Returns will be held in the Council Chambers of City Hall, 220 West Mulberry, Sherman, Texas, at the Regular Council Meeting of November 20, 2023.

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 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN PITTMAN

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 11.**

Meeting Date: 08/07/2023

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6629

Re-appointing a Presiding Municipal Court of Record Judge and an Alternate Municipal Court of Record Judge for the City of Sherman, Grayson County, Texas

Issue:

The reappointment of Thomas Scott Smith as Presiding Judge and Holly Fox as Alternate Municipal Court of Record Judges

Background:

The City Council adopted Ordinance No. 6141 on August 6, 2018, which requires the reappointment of municipal court of record judges biennially in odd-numbered years.

Origination:

Finance Department

Financial Consideration:

The presiding judge is paid $2,200.00 monthly plus additional amounts for jury trials and special work for the police department. The alternate judge presides over the civil court and is paid $175.00 per hour plus a $250.00 travel fee. Funds are budgeted in the FY2023 and Proposed FY2024 budget.

Staff Recommendation:

The staff recommends the City Council reappoint Scott Smith as Presiding Judge and Holly Fox as Alternate Municipal Court of Record Judges for the City of Sherman, Grayson County, Texas.

Alternatives:

No alternatives are recommended.

Attachments

Ordinance No. 6629
Ordinance 6141
Smith Services Agreement
Fox Services Agreement

ORDINANCE NO. 6629

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RE-APPOINTING A PRESIDING MUNICIPAL COURT OF RECORD JUDGE AND AN ALTERNATE MUNICIPAL COURT OF RECORD JUDGE FOR THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 7, Article 7.04.031 of the City of Sherman Code of Ordinances requires the City council to appoint one or more municipal judges in accordance with the City's home rule charter biennially of each odd-numbered year ; and

WHEREAS, the City Council of the City of Sherman, Texas, hereby finds and determines that Thomas Scott Smith, Attorney, and Holly Fox, Attorney, possess the qualifications and experience necessary for such position;

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

SECTION 1. That all of the above recitals and preambles are found to be true and correct and made a part hereof for all purposes.

SECTION 2. That Attorney Thomas Scott Smith be and is hereby appointed to serve in the capacity of Presiding Municipal Court Judge and that Attorney Holly Fox be and hereby appointed to service in the capacity of Alternate Municipal Court Judge.

SECTION 3. That it is hereby officially found and determined that the meeting 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 as required by law.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

EFFECTIVE DATE on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

ORDINANCE NO. 6141

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, ENTITLED "MUNICIPAL COURT", CREATING A NEW ARTICLE 7.04 TO BE ENTITLED "MUNICIPAL COURT OF RECORD"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE; 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 7 of the Code of Ordinances of the City of Sherman, Texas, entitled "Municipal Court", be and is hereby amended by adding a new Article 7.04, such article to read as follows:

ARTICLE 7.04 MUNICIPAL COURT OF RECORD

Division 1. Generally

Sec. 7.04.001 Creation and name

(a) The City Council hereby finds and determines that the creation of a municipal court of record is necessary to provide a more efficient disposition of cases arising within the City.

(b) The City Council hereby creates a municipal court of record to be known as the "Municipal Court of Record for the City of Sherman, Texas".

(c) The City Council hereby adopts state law regarding municipal courts of records, as amended, and to the extent that this article conflicts with state law, state law shall govern.

Sec. 7.04.002 Seal of the court

The City Council shall provide the court of record with a seal. The seal's appearance and use shall substantially conform to Vernon's Ann. C.C.P. art. 45.02. The seal shall include the following phrase: "Municipal Court of/in the City of Sherman, Texas".

Sec. 7.04.003 Jurisdiction

The municipal court of record, as created herein, shall exercise the entire jurisdiction conferred upon the judge and municipal court by the ordinances of the City and the Constitution and laws of the state. The municipal court shall have jurisdiction as follows:

(1) *General jurisdiction as provided by V.T.C.A., Texas Government Code § 30.00005, as amended;*

(2) *Concurrent jurisdiction with a district court or a county court at law under V.T.C.A., Texas Government Code Chapter 54, Subchapter B, within the City's territorial limits and property owned by the City located in the City's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances;*

(3) *Civil jurisdiction for the purpose of enforcing municipal ordinances enacted under V.T.C.A., Texas Local Government Code Chapter 214, Subchapter A; or V.T.C.A., Texas Transportation Code Chapter 683, Subchapter E;*

(4) *Authority to issue:*

a. *Search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and*

b. *Seizure warrants for the purpose of securing, removing or demolishing the offending property and removing the debris from the premises.*

(5) *Over the forfeiture and collection of bonds given in proceedings therein, and to order the forfeiture of cash acceptance bonds upon failure of the defendant to appear, and to accept same in lieu of a fine;*

(6) *Over cases involving a license or permit granted by the City for any calling, occupation, business or vocation. In addition to the punishment to be imposed therefore, the court may suspend or revoke the license or permit so granted;*

(7) *To enforce all process of the court in accordance with state law and City ordinance, punish witnesses for failing to obey subpoenas, and compel their attendance by process of attachment;*

(8) *To punish for contempt, admit to bail and forfeit bonds under such circumstances and as provided by county courts, or county courts exercising criminal jurisdiction only; and*

(9) *Over all other matters and cases provided for by state law, City ordinance and the City's Home-Rule Charter.*

Sec. 7.04.004 Collection fee

(a) *A collection fee is hereby authorized and imposed, as provided by V.T.C.A., § 102.0031, in the amount of 30 percent of debts and accounts receivable, such as unpaid fines, fees, court costs, forfeited bonds or restitution ordered paid by a municipal court of record serving the City when such debt or account receivable is*

more than 60 days past due and has been referred to an attorney or private vendor for collection; and

(b) A collection fee is hereby authorized and imposed, as provided by V.T.C.A., Texas Criminal Procedure Code § 102.0031, in the amount of 30 percent of amounts in cases in which the accused has failed to appear:

(1) As promised under V.T.C.A., Texas Transportation Code Chapter 543, Subchapter A, or other law;

(2) In compliance with a lawful written notice to appear issued under V.T.C.A., Texas Criminal Procedure Code § 14.06(b) or other law;

(3) In compliance with a lawful summons issued under V.T.C.A., Texas Criminal Procedure Code § 15.03(b);

(4) In compliance with a lawful order of a court serving the City; or

(5) As specified in a citation, summons, or other notice authorized by V.T.C.A., Texas Transportation Code § 682.002, that charges the accused with a parking or stopping offense, when such amounts are more than 60 days past due and have been referred to an attorney or private vendor for collection.

Division 2. Municipal Judges

Sec. 7.04.005 Appointment of judge or judges

(a) *Generally*

(1) The municipal court of the City shall be presided over by the Municipal Court Judge, appointed according to Article IV, Section 4 of the City's Home Rule Charter.

(2) One or more alternate judges may be appointed according to the City Charter.

(3) Biennially in June of each odd-numbered year, the City Council shall appoint one or more municipal judges in accordance with the City's Home Rule Charter.

(4) A judge shall hold office for two years from the date of appointment or until his successor is appointed and qualified, unless sooner removed by the City Council, pursuant to Section 7.04.005 of this Article.

(5) *In the event of any vacancy in the office of a municipal judge by death, resignation or otherwise, the City Council shall appoint a qualified attorney to fill the unexpired term as municipal judge.*

(6) *A person may not serve as a municipal judge if the person is employed by the City. A municipal judge who accepts employment with the City vacates his position as municipal judge.*

(7) *Each municipal court judge shall devote as much time to the office as necessary.*

(b) *The presiding judge shall:*

(1) *Be the administrative head of the judiciary of the City;*

(2) *Maintain a central docket for cases filed within the territorial limits of the City over which the municipal court of record has jurisdiction;*

(3) *Provide for the distribution of cases from the central docket to the individual municipal judges to equalize the distribution of business in the courts;*

(4) *Request the jurors needed for cases that are set for trial by jury;*

(5) *Supervise and control the operation and functions of the proceedings of the court, specifically those operations relating to courtroom processes; however, the judge shall not supervise any court personnel;*

(6) *Promulgate work rules concerning the administration of the court dockets, the times and places for holding court, equalizing of the case assignments, the vacation schedules and other administrative details concerned with the judicial performance of the municipal court ("rules"), which rules shall be submitted to the city manager and city attorney for comment prior to adoption by the City Council;*

(7) *Be responsible to see that the rules are adhered to by the court; and*

Sec. 7.04.006 Salary

A municipal judge is entitled to a salary, the amount of which shall be determined by the City Council. The amount of a judge's salary may not be diminished during the judge's term of office. Further, the amount of the municipal court judge's salary shall not be based directly or indirectly on fines, fees or costs collected by the court of record.

Sec. 7.04.007 Powers and duties

The municipal judge shall take judicial notice of state law and the ordinances and corporate limits of the City. The municipal judge shall have all powers assigned by state law, including the power to grant writs of mandamus, attachment and other writs necessary to the enforcement of the jurisdiction of the court of record and may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court of record. The municipal judge is a magistrate and may issue administrative search warrants.

Sec. 7.04.008 Removal of judge

A municipal judge may be removed from office at any time for the reasons stated and consistent with V.T.C.A., Texas Government Code § 30.000085, as amended.

Division 3. Court Clerk and Court Personnel

Sec. 7.04.009 Clerk of court

(a) *There shall be a clerk of the municipal court of record. Said clerk shall have the power to and shall perform all things and acts usual and necessary to be performed by clerks of court in issuing process of said court and conducting the business thereof, and such other duties as may be prescribed by ordinance of the City Council.*

(b) *The clerk of the municipal court shall keep the records of the municipal courts of record, issue process, and generally perform the duties that a clerk of a county court at law exercising criminal jurisdiction performs for that court. In addition, the clerk shall maintain an index of all court judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.*

(c) *The clerk of the municipal court shall be subject to the personnel rules and regulations applicable to all City employees and may be removed at will.*

Sec. 7.04.010 Other court personnel

The City Council may provide deputy clerks, warrant officers and other personnel as needed for the proper operation of the municipal court of record. Such individuals shall perform their duties under the direction and control of the presiding judge during times when court is in session.

Division 4. Rules of Procedure

Article 7.04.011 Recording of court proceedings

All proceedings before the municipal court of record, to the extent requested, shall be recorded by use of a good quality electronic recording device. This shall be the primary method for the recording of proceedings utilized by the municipal court of record. No recording shall be made unless the municipal judge, or one of the parties to the proceedings, requests a record. As an

alternative to the electronic recording device, proceedings shall be recorded by an official court reporter appointed by the City Council. The record of the proceedings shall be kept by the clerk of court if an electronic recording device is used, or by the court reporter in cases where the court reporter records the proceedings, for the 20-day period beginning the day after the last day of the court proceeding, trial or denial of motion for new trial, whichever occurs last. If a case is appealed, the proceedings shall be transcribed from the recording by a court reporter appointed by the City.

Sec. 7.04.012 Court reporter; duties; compensation

The City Council shall appoint one or more court reporters to preserve a record in cases tried before the municipal court of record in which the proceedings are not recorded by a good quality recording device. The court reporter must meet the qualifications provided by law for official court reporters. The court reporter may use written notes, transcribing equipment, video or audio recording equipment, or a combination of those methods to record the proceedings of the court. The court reporter shall keep the record for the 20-day period beginning the day after the last day of the proceeding, trial or denial of motion for new trial, or until any appeal is final, whichever occurs last. The court reporter shall not be required to record testimony or any proceeding in a case unless the municipal judge or one of the parties requests a record. The party requesting the services of the official court reporter shall bear the cost of those services. When an electronic recording device is being used to record the proceedings, it is not necessary to have a court reporter present to record the proceedings or to certify the statement of facts. The city manager shall set the compensation of the court reporter.

Sec. 7.04.013 Transcript preparation fee

The City Council hereby establishes a transcript preparation fee in the amount of $25.00. This fee does not include the fee for an actual transcript of the proceedings. The party requesting an actual transcript must pay the transcript preparation fee and the fee for an actual transcript of the proceedings. The fee for a transcript shall include the actual cost, as invoiced by the court reporter, for transcribing the recorded proceedings and the cost for copies.

Sec. 7.04.014 Prosecutions

All prosecutions in the municipal court of record shall be conducted as provided by V.T.C.A., Texas Criminal Procedure Code § 45.03, as amended.

Division 5. Appeals

Sec. 7.04.015 Generally

A defendant has the right to appeal from a judgment or conviction in the municipal court of record, as provided by V.T.C.A., Texas Government Code § 30.00014, as amended. The state has the right to appeal from a judgment in the court of record in the manner provided for by V.T.C.A., Texas Criminal Procedure Code § 44.01, as amended. The appropriate county court of Grayson County, Texas, shall have jurisdiction of appeals from the court of record. All

appeals shall be conducted in the manner provided for by V.T.C.A., Texas Government Code Chapter 30, as amended. Upon the enactment of this article, all cases for offenses alleged to have been committed on or after September 1, 2018, shall be appealed in accordance with V.T.C.A., Texas Government Code Chapter 30, as amended. An offense committed before September 1, 2018, shall be appealed in accordance with the law in effect before such date.

Sec. 7.04.016 Perfecting right to appeal

(a) The City Council specifically adopts state law, as amended, relative to appeals.

(b) In order to perfect a right to appeal, the appellant must file a written motion for new trial with the clerk of court and must also give notice of the appeal to the appellee and to the court.

(c) The written motion for new trial must be filed with the clerk of court not later than the tenth day after the date on which judgment is rendered. The motion must set forth the points of error of which the appellant complains. The motion or amended motion may be amended with leave of court at any time before action on the motion is taken, but may not be amended later than the 20th day after the date on which the original or amended motion is filed. The court may for good cause extend the time for filing or amending, but the extension may not exceed 90 days from the original filing deadline. If the court does not act on the motion before the expiration of the 30 days allowed for determination of the motion, the original or amended motion is overruled by operation of law.

(d) If the appellant requests a hearing on the motion for new trial, the appellant may give the notice of appeal orally in open court after the motion is overruled. If there is no hearing, the appellant must file the notice with the court not later than the tenth day after the date on which the motion is overruled. The court may for good cause extend the time period for providing notice; however, the extension shall not exceed 90 days from the original filing deadline. If the defendant is in custody, the appeal is perfected when the notice of appeal is given as provided by V.T.C.A., Texas Criminal Procedure Code § 44.13, as amended.

Sec. 7.04.017 Appeal bond

If the defendant is not in custody, the defendant may not take an appeal until the defendant files an appeal bond with the municipal court of record. The bond must be approved by the court and must be filed not later than the tenth day after the date on which the motion for new trial is overruled. The appeal bond must be in the amount of $100.00 or double the amount of the fines and costs adjudged against the defendant, whichever is greater. The bond must state that the defendant was convicted in the case and has appealed and must be conditioned on the defendant's immediate and daily personal appearance in the court to which the appeal is taken. If the defendant is in custody, the defendant shall be committed to jail unless the defendant posts the appeal bond.

Sec. 7.04.018 Record

(a) *The record on appeal must substantially conform to the provisions relating to the preparation of a record on appeal in the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure, as amended.*

(b) *Not later than the 60th day after the date on which the notice of appeal is given or filed, the parties must file with the clerk of court the statement of facts; a written description of material to be included in the transcript in addition to the required material; and any material to be included in the transcript that is not in the custody of the clerk of court. Upon completion of the record, the municipal judge shall approve the record in the manner provided for record completion, approval and notification in the court of appeals. After the municipal judge approves the record, the clerk of court shall promptly send the record to the appellate court clerk for filing. V.T.C.A., Government Code § 30.00020, as amended, charges the appellate court clerk with the responsibility of notifying the defendant and the prosecuting attorney that the record has been filed.*

Sec. 7.04.019 Statement of facts

The statement of facts must substantially conform to the provisions relating to the preparation of a statement of facts in the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure, as amended. The appellant shall pay for the statement of facts.

Sec. 7.04.020 Transcript

The transcript must substantially conform to the provisions relating to the preparation of a transcript in the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure, as amended.

Sec. 7.04.021 Bills of exception

Bills of exception must substantially conform to the provisions relating to the preparation of bills of exception in the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure, as amended.

Sec. 7.04.022 Brief

(a) *Both the appellant and the appellee are required to file briefs with the appellate court clerk. Each party, on the filing of the party's brief with the appellate court clerk, shall deliver a copy of the brief to the opposing party and to the municipal judge. The record and the brief, on appeal, shall be limited as far as possible to the questions relied on for reversal. The municipal judge shall decide from the briefs of the parties whether the appellant should be permitted to withdraw the notice of appeal and be granted a new trial by the court of record. The court of record may grant a new trial at any time before the record is filed with the appellate court.*

(b) *The appellant must file a brief with the appellate court clerk not later than the 15th day after the date on which the transcript and statement of facts are filed with that clerk. The appellant or the appellant's attorney must certify that the brief has been properly mailed to the appellee.*

(c) *The appellee must file its brief with the appellate clerk not later than the 15th day on which the appellant's brief is filed.*

SECTION 2. 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 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity of effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. 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 6th day of August, 2018.

ADOPTED on this the 6th day of August, 2018.

EFFECTIVE DATE on this the 6th day of August, 2018.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

BY: DLR
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY:
BRANDON S SHELBY, CITY ATTORNEY

MUNICIPAL COURT JUDICIAL SERVICES AGREEMENT

The **City of Sherman, Texas**, a home-rule municipality ("Sherman"), and **Thomas Scott Smith** ("Contractor") hereby enter into this Municipal Court Judicial Services Agreement ("Agreement"). Sherman and Contractor are sometimes referred to collectively as the "parties" or individually as a "party."

WHEREAS, the City Council of the City of Sherman, Texas ("Sherman") has established and maintains the Sherman Municipal Court and appoints judges as may be necessary to serve the Court pursuant to Article IV, § 4 of Sherman City Charter; and

WHEREAS, Contractor desires to contract with Sherman to provide such judicial services as the presiding judge for the Sherman Municipal Court under the terms and conditions of this Agreement; and

WHEREAS, Contractor represents and warrants that through education and experience, Contractor possesses the requisite skills to provide such judicial services in a professional and competent manner; and

WHEREAS, Sherman and Contractor acknowledge and agree that this Agreement is not an employment agreement and does not establish a relationship of employer and employee between Sherman and Contractor, but defines a relationship between the parties wherein the Contractor is in fact an independent contractor of Sherman; and

WHEREAS, Contractor reserves independence to act within the limits imposed by law and professional obligations such that Sherman's objectives during the term of this Agreement will be furthered through means the Contractor considers appropriate in accordance with Contractor's professional obligations and as may be required by the Texas Code of Judicial Conduct and other applicable rules and regulations.

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Scope of Services. Contractor shall provide judicial services as the presiding judge in Sherman Municipal Court and shall furnish all labor, equipment, supplies and all other items necessary to provide the services and deliverables as specified by the terms and conditions of this Agreement (collectively, "Services"). The Services include, but are not limited to, the following:

   (a) Hearing and consideration of cases and other matters scheduled and assigned to Contractor in the Sherman Municipal Court;

   (b) Presiding over Sherman Municipal Court dockets, including pretrial conferences, pretrial hearings, plea and arraignments proceedings, trials and other proceedings scheduled and assigned to Contractor in the Sherman Municipal Court;

(c) Issuing appropriate rulings and orders in cases and other matters scheduled and assigned to Contractor in the Sherman Municipal Court;

(d) Perform magistrate, arraignment and warrant duties scheduled and assigned to Contractor;

(e) Communicating with Sherman Municipal Court staff, judges, prosecuting and defending attorneys, defendants and other participants in cases and other matters scheduled and assigned to Contractor in the Sherman Municipal Court;

(f) Establishing the times and days for the court dockets;

(g) Performing such other functions within Sherman Municipal Court normally required of a municipal court presiding judge; and

(h) Providing Sherman timely updates regarding changes in the scope and nature of the Services provided hereunder that may affect operations, policies or activities of Sherman Municipal Court and making recommendations on improving the quality and efficiency of the Services provided hereunder.

Contractor shall perform the Services at the dockets to which he/she may be scheduled. If Contractor is unavailable to complete these Services, it shall be the duty of Contractor to seek an alternative method of fulfilling these duties through another Sherman-appointed Judge.

2. Term; Termination. The term of this Agreement shall commence on the Effective Date (hereinafter defined) of this Agreement and shall continue in effect until August 6, 2025 unless terminated earlier in accordance with this Agreement or the City Charter. Sherman shall have the option to extend this Agreement for additional terms of two (w) years each on the same terms and conditions by giving Contractor written notice of its intent to extend prior to the expiration of the then-current two (2) year term, provided that the City Council has re-appointed Contractor as the presiding judge in accordance with Article IV, Section 44 of the City Charter. Sherman is entitled to terminate this Agreement at any time for any reason or for no reason by giving Contractor written notice of termination, removal or non-appointment. Contractor is entitled to terminate this Agreement at any time for any reason or for no reason by giving Sherman at least thirty (30) days' prior written notice of the termination date.

3. Compensation; Billing. In exchange for Contractor's provision of the Services as described in this Agreement, Sherman agrees to pay Contractor at the rate of $2,200.00 per month of work actually performed by Contractor under this Agreement. In addition, Sherman agrees to pay Contractor $175.00 for the extra work required to respond to calls from the Sherman Police Department and $300.00 for each Jury Trial. No additional compensation shall be due to Contractor for any travel to or from Sherman or for travel to any hearings, trials or other proceedings.

Contractor shall submit monthly invoices to Sherman for Search Warrant and Jury Trial Services actually provided by Contractor in accordance with this Agreement No invoice is required for Services included in monthly rate of $2,200.00 All invoices shall be submitted as soon as possible after the end of each calendar month, but in no event later than the fifth (5th) day of the next calendar month. Invoices and monthly compensation at $2,200.00 are payable by Sherman within thirty (30) business days of Sherman's receipt of each such invoice or last day of the month in the case of the monthly rate, unless a dispute arises as to any charge contained in the invoice, in which case Sherman shall pay the undisputed amount of the invoice as provided above and shall pay the remaining amount, if any, after resolution of the dispute as soon after resolution as is reasonable provided. Notwithstanding anything to the contrary herein, Sherman shall not be required to pay any invoice submitted by Contractor if Contractor is in breach of this Agreement.

As an appointed official, Contractor agrees to perform the service required by the position of presiding judge and is not limited to or guaranteed a preset number of hours per week or per month to perform such services. Contractor is expected to engage in those hours of work which are necessary to fulfill the obligations of Contractor's position. Contractor acknowledges that the proper performance of duties as presiding judge will often require the performance of necessary services at times and for extended periods other than as scheduled. Contractor agrees to devote such additional time as is necessary for the full and proper performance of duties and that the compensation herein provided for includes compensation for the performance of all such Services.

4. Cooperation. Contractor acknowledges that Sherman is entitled, in its sole discretion, to contract with and/or assign other judges to provide the same or similar judicial services for Sherman Municipal Court, and Contractor agrees to fully cooperate with Sherman and any such other judges in this regard, including but not limited to, coordinating the scheduling and coverage of the dockets and other needs of Sherman Municipal Court.

5. Conflicts. Sherman recognizes that Contractor may represent clients as an attorney. During the term of this Agreement, Contractor shall not represent any person or entity or otherwise engage in the practice of law in a matter directly adverse to Sherman, in an adversarial capacity before the Sherman City Council or any of its courts, agencies, boards or commissions, or in a matter that Sherman determines is adverse to the interests of Sherman. Further, Contractor represents that Contractor does not have any personal, business or financial interests or relationships which would cause a reasonable individual with knowledge of the relevant facts to question the integrity or impartiality of Contractor in performing the Services. Contractor shall evaluate on an ongoing basis whether, in Contractor's professional judgment, a conflict may become apparent or imminent. In the event that Contractor believes a conflict may develop or has developed, Contractor shall immediately communicate with Sherman about the perceived potential conflict.

6. Professional Obligations. Contractor must complete the minimum number of hours of instruction annually in the performance of the duties of a municipal court presiding judge as required by the laws of the State of Texas and any applicable rule or statute. Contractor shall ensure that official copies of records documenting such training shall be kept and

maintained at all times. The Contractor shall provide proof of current certification from the State Bar of Texas on October 1 of each year during the term of this Agreement.

7. Entire Agreement. This Agreement contains all representations, understandings, contracts and agreements between the parties regarding the subject matter of this Agreement. This Agreement supersedes all oral or written previous and contemporaneous agreements, writings, understandings, representations or contracts between the parties regarding the subject matter of this Agreement. No amendment to this Agreement shall be made except on the written agreement of the parties, which shall not be construed to release either party from any obligation of this Agreement except as specifically provided for in such amendment.

8. No Supervisory Capacity. Contractor acknowledges that the clerks of the Sherman Municipal Court are supervised by the City Manager as administrative employees and that Municipal Court prosecutors are supervised by the City Attorney. Contractor does not serve in a supervisory role as to any of these or other employees of Sherman except with regard to judicial procedures of the court. However, he/she shall consult with the appropriate department head or City Manager concerning needed improvements or problems that come to his/her attention through his/her service under this Agreement.

9. No Prohibited Interest. Contractor acknowledges and agrees that it is aware of, and will abide by, the no prohibited interest requirement of Sherman City Charter. Contractor acknowledges and agrees that the existence of a prohibited interest during the term of this Agreement will render this Agreement voidable.

10. Liability. To the fullest extent permitted by law, Contractor shall be fully and solely responsible and liable for Contractor's own acts and omissions and for any and all damage to Contractor's equipment and other property. Sherman assumes no such responsibility or liability. Sherman shall have no such responsibility or liability to Contractor.

11. Compliance with Laws. Contractor shall comply with all federal, state and local laws, statutes, ordinances, regulations and policies, as they exist, may be amended or in the future arising, applicable to Contractor and its work under this Agreement. If Contractor observes or is notified that the work under this Agreement is at variance with applicable laws, statutes, ordinances, regulations and policies, Contractor shall immediately notify Sherman in writing.

12. Assignment. Contractor agrees that neither this Agreement nor the work to be performed hereunder will be assigned or sublet without the prior written consent of Sherman.

13. Savings/Severability. In the event that a term, condition or provision of this Agreement is determined to be invalid, illegal, void, unenforceable or unlawful by a court of competent jurisdiction, then that term, condition or provision shall be deleted and the remainder of the Agreement shall remain in full force and effect as if such invalid, illegal, void, unenforceable or unlawful provision had never been included in this Agreement.

14. Consideration. This Agreement is executed by the parties without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

15. Attorneys' Fees. If either party files any action or brings any proceeding against the other arising from this Agreement, then as between Sherman and Contractor, the prevailing party shall be entitled to recover as an element of its costs of suit, and not as damages, reasonable and necessary attorneys' fees and litigation expenses both at trial and on appeal.

16. Governing Law; Venue. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement, without regard to conflict of law principles. This Agreement is performable in Grayson County, Texas, and the exclusive venue for any action arising out of this Agreement shall be a court of appropriate jurisdiction in Collin County, Texas.

17. No Waiver. Waiver by either party of any breach of this Agreement, or the failure of either party to enforce any of the provisions of this Agreement, at any time, shall not in any way affect, limit, or waive such party's right thereafter to enforce and compel strict compliance.

18. Headings. The headings of the various sections of this Agreement are included solely for convenience of reference and are not to be full or accurate descriptions of the content thereof.

19. Notice. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by depositing the same in the United States Mail, addressed to the party to be notified, postage pre-paid and registered or certified with return receipt requested; by electronic mail, with documentation evidencing the addressee's receipt thereof; or by delivering the same in person to such party a via hand-delivery service, or to any courier service that provides a return receipt showing the date of actual delivery of the same to the addressee thereof. Notice given in accordance herewith shall be effective on receipt at the address of the addressee. For purposes of notification, the addresses of the parties shall be as follows:

If to Contractor, to: Thomas Scott Smith
P.O. Box 354
Sherman, TX 75091-0354

Telephone: 903-868-8686
Email: Scottsmithlawyer@gmail.com

If to Sherman, to: City of Sherman
Attn: City Manager

Sherman, Texas
Email: robbyh@cityofsherman.comWith a copy to:
Abernathy, Roeder, Boyd & Hullett, P.C.
Attn.: Ryan D. Pittman

1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
Telephone: (214) 544-4000
Facsimile: (214) 544-4054
Email: rpittman@abernathy-law.com

20. Representations. Each party states that it has carefully read this Agreement, knows the contents hereof, has consulted with an attorney of its choice regarding the meaning and effect hereof and is signing the same solely of its own judgment.

21. Independent Contractor. Contractor covenants and agrees that Contractor is an independent contractor and not an officer, agent, servant or employee of Sherman; that Contractor shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing the same; that the doctrine of respondent superior shall not apply as between Sherman and Contractor; and that nothing herein shall be construed as creating a partnership or joint enterprise between Sherman and Contractor. Neither Contractor nor his agents or employees shall be deemed to be an employee of Sherman for any purpose whatsoever. Contractor shall not be eligible to participate in any benefit program provided by Sherman for its employees. Contractor shall be exclusively responsible for the payment of his/her own taxes, withholding payments, penalties, fees, fringe benefits, contributions to insurance and pension or other deferred compensation plans, including but not limited to worker's compensation and Social Security obligations, professional fees or dues. Sherman may arrange to provide space for Contractor to use to facilitate access to the Municipal Court staff and others. The provision of space is not compensation, nor does it change the nature of the relationship from that of independent contractor. Contractor agrees to make use of the space, if any, as an accommodation to Sherman and only to conduct business in accordance with this Agreement.

22. Incorporation of Recitals. The representations, covenants and recitations set forth in the foregoing recitals of this Agreement are true and correct and are hereby incorporated into the body of this Agreement and adopted as findings of the authorized representatives of Sherman and Contractor.

23. Miscellaneous Drafting Provisions. This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply. Headings in this Agreement are for the convenience of the parties and are not intended to be used in construing this document.

24. No Waiver of Immunity. The parties acknowledge and agree that, in executing and performing this Agreement, Sherman has not waived, nor shall be deemed to have waived, any defense or immunity, including governmental, sovereign and official immunity, that would otherwise be available to it against claims arising in the exercise of governmental

powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied, other than those set forth herein

25. Chapter 2270 Certification. In accordance with Chapter 2270 of the Texas Government Code, Contractor hereby certifies that Contractor (a) does not boycott Israel; and (b) will not boycott Israel during the term of any contract with Sherman, including during the term of this Agreement.

26. Multiple Counterparts. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. An electronic mail and/or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other party.

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective when all the parties have signed it. The date this Agreement is signed by the last party to sign it (as indicated by the date associated with that party's signature below) will be deemed the effective date of this Agreement ("Effective Date").

CITY OF SHERMAN, TEXAS

By: _____
Printed Name: _____
Title: _____
Date: _____

_____

By: _____
Printed Name: Scott Smith
Date: June 12, 2023

MUNICIPAL COURT JUDICIAL SERVICES AGREEMENT

The **City of Sherman, Texas**, a home-rule municipality ("Sherman"), and **Holly Fox** ("Contractor") hereby enter into this Municipal Court Judicial Services Agreement ("Agreement"). Sherman and Contractor are sometimes referred to collectively as the "parties" or individually as a "party."

WHEREAS, the City Council of the City of Sherman, Texas ("Sherman") has established and maintains the Sherman Municipal Court and appoints judges as may be necessary to serve the Court pursuant to Article IV, § 4 of Sherman City Charter; and

WHEREAS, Contractor desires to contract with Sherman to provide such judicial services as alternate judge for the Sherman Municipal Court under the terms and conditions of this Agreement; and

WHEREAS, Contractor represents and warrants that through education and experience, Contractor possesses the requisite skills to provide such judicial services in a professional and competent manner; and

WHEREAS, Sherman and Contractor acknowledge and agree that this Agreement is not an employment agreement and does not establish a relationship of employer and employee between Sherman and Contractor, but defines a relationship between the parties wherein the Contractor is in fact an independent contractor of Sherman; and

WHEREAS, Contractor reserves independence to act within the limits imposed by law and professional obligations such that Sherman's objectives during the term of this Agreement will be furthered through means the Contractor considers appropriate in accordance with Contractor's professional obligations and as may be required by the Texas Code of Judicial Conduct and other applicable rules and regulations.

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Scope of Services. Contractor shall provide judicial services as the alternate judge in Sherman Municipal Court and shall furnish all labor, equipment, supplies and all other items necessary to provide the services and deliverables as specified by the terms and conditions of this Agreement (collectively, "Services"). The Services include, but are not limited to, the following:

   (a) Hearing and consideration of civil cases and other matters scheduled and assigned to Contractor in the Sherman Municipal Court;

   (b) Presiding over Sherman Municipal Court civil dockets, including pretrial conferences, pretrial hearings, plea and arraignments proceedings, trials and other proceedings scheduled and assigned to Contractor in the Sherman Municipal

Court;

(c) Issuing appropriate rulings and orders in civil cases and other matters scheduled and assigned to Contractor in the Sherman Municipal Court;

(d) Communicating with Sherman Municipal Court staff, judges, prosecuting and defending attorneys, defendants and other participants in cases and other matters scheduled and assigned to Contractor in the Sherman Municipal Court;

(e) Establishing the times and days for the court dockets;

(f) Performing such other functions within Sherman Municipal Court normally required of a municipal court alternate judge; and

(g) Providing Sherman timely updates regarding changes in the scope and nature of the Services provided hereunder that may affect operations, policies or activities of Sherman Municipal Court and making recommendations on improving the quality and efficiency of the Services provided hereunder.

Contractor shall perform the Services at the dockets to which he/she may be scheduled

2. Term; Termination. The term of this Agreement shall commence on the Effective Date (hereinafter defined) of this Agreement and shall continue in effect until August 6, 2025 unless terminated earlier in accordance with this Agreement or the City Charter. Sherman shall have the option to extend this Agreement for additional terms of two (2) years each on the same terms and conditions by giving Contractor written notice of its intent to extend prior to the expiration of the then-current two (2) year term, provided that the City Council has re-appointed Contractor as the alternate judge in accordance with Article IV, Section 44 of the City Charter. Sherman is entitled to terminate this Agreement at any time for any reason or for no reason by giving Contractor written notice of termination, removal or non-appointment. Contractor is entitled to terminate this Agreement at any time for any reason or for no reason by giving Sherman at least thirty (30) days' prior written notice of the termination date.

3. Compensation; Billing. In exchange for Contractor's provision of the Services as described in this Agreement, Sherman agrees to pay Contractor at the rate of $175.00 per hour for a minimum of two (2) hours of work actually performed by Contractor under this Agreement. In addition, Sherman agrees to pay Contractor for travel time to the Sherman Municipal Court at the rate of $250 per roundtrip. No additional compensation shall be due to Contractor.

Contractor shall submit monthly invoices to Sherman for Services actually provided by Contractor in accordance with this Agreement. The invoices shall include the length of time spent performing the work recorded in increments equal to the tenth of an hour. All invoices shall be submitted as soon as possible after the end of each calendar month, but in no event later than the fifth (5^{th}) day of the next calendar month. Invoices are payable

by Sherman within thirty (30) business days of Sherman's receipt of each such invoice, unless a dispute arises as to any charge contained in the invoice, in which case Sherman shall pay the undisputed amount of the invoice as provided above and shall pay the remaining amount, if any, after resolution of the dispute as soon after resolution as is reasonable provided. Notwithstanding anything to the contrary herein, Sherman shall not be required to pay any invoice submitted by Contractor if Contractor is in breach of this Agreement.

As an appointed official, Contractor agrees to perform the service required by the position of alternate judge and is not limited to or guaranteed a preset number of hours per week or per month to perform such services. Contractor is expected to engage in those hours of work which are necessary to fulfill the obligations of Contractor's position. Contractor acknowledges that the proper performance of duties as alternate judge will often require the performance of necessary services at times and for extended periods other than as scheduled. Contractor agrees to devote such additional time as is necessary for the full and proper performance of duties and that the compensation herein provided for includes compensation for the performance of all such Services.

4. Cooperation. Contractor acknowledges that Sherman is entitled, in its sole discretion, to contract with and/or assign other judges to provide the same or similar judicial services for Sherman Municipal Court, and Contractor agrees to fully cooperate with Sherman and any such other judges in this regard, including but not limited to, coordinating the scheduling and coverage of the dockets and other needs of Sherman Municipal Court.

5. Conflicts. Sherman recognizes that Contractor may represent clients as an attorney. During the term of this Agreement, Contractor shall not represent any person or entity or otherwise engage in the practice of law in a matter directly adverse to Sherman, in an adversarial capacity before the Sherman City Council or any of its courts, agencies, boards or commissions, or in a matter that Sherman determines is adverse to the interests of Sherman. Further, Contractor represents that Contractor does not have any personal, business or financial interests or relationships which would cause a reasonable individual with knowledge of the relevant facts to question the integrity or impartiality of Contractor in performing the Services. Contractor shall evaluate on an ongoing basis whether, in Contractor's professional judgment, a conflict may become apparent or imminent. In the event that Contractor believes a conflict may develop or has developed, Contractor shall immediately communicate with Sherman about the perceived potential conflict.

6. Professional Obligations. Contractor must complete the minimum number of hours of instruction annually in the performance of the duties of a municipal court alternate judge as required by the laws of the State of Texas and any applicable rule or statute. Contractor shall ensure that official copies of records documenting such training shall be kept and maintained at all times. The Contractor shall provide upon request proof of current certification from the State Bar of Texas - during the term of this Agreement.

7. Entire Agreement. This Agreement contains all representations, understandings, contracts and agreements between the parties regarding the subject matter of this

Agreement. This Agreement supersedes all oral or written previous and contemporaneous agreements, writings, understandings, representations or contracts between the parties regarding the subject matter of this Agreement. No amendment to this Agreement shall be made except on the written agreement of the parties, which shall not be construed to release either party from any obligation of this Agreement except as specifically provided for in such amendment.

8. No Supervisory Capacity. Contractor acknowledges that the clerks of the Sherman Municipal Court are supervised by the City Manager as administrative employees and that Municipal Court prosecutors are supervised by the City Attorney. Contractor does not serve in a supervisory role as to any of these or other employees of Sherman except with regard to judicial procedures of the court. However, he/she shall consult with the appropriate department head or City Manager concerning needed improvements or problems that come to his/her attention through his/her service under this Agreement.

9. No Prohibited Interest. Contractor acknowledges and agrees that it is aware of, and will abide by, the no prohibited interest requirement of Sherman City Charter. Contractor acknowledges and agrees that the existence of a prohibited interest during the term of this Agreement will render this Agreement voidable.

10. Liability. To the fullest extent permitted by law, Contractor shall be fully and solely responsible and liable for Contractor's own acts - and for any and all intentional damage to Contractor's equipment and other property. Sherman assumes no such responsibility or liability. Sherman shall have no such responsibility or liability to Contractor.

11. Compliance with Laws. Contractor shall comply with all federal, state and local laws, statutes, ordinances, regulations and policies, as they exist, may be amended or in the future arising, applicable to Contractor and its work under this Agreement. If Contractor observes or is notified that the work under this Agreement is at variance with applicable laws, statutes, ordinances, regulations and policies, Contractor shall immediately notify Sherman in writing.

12. Assignment. Contractor agrees that neither this Agreement nor the work to be performed hereunder will be assigned or sublet without the prior written consent of Sherman.

13. Savings/Severability. In the event that a term, condition or provision of this Agreement is determined to be invalid, illegal, void, unenforceable or unlawful by a court of competent jurisdiction, then that term, condition or provision shall be deleted and the remainder of the Agreement shall remain in full force and effect as if such invalid, illegal, void, unenforceable or unlawful provision had never been included in this Agreement.

14. Consideration. This Agreement is executed by the parties without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

15. Attorneys' Fees. If either party files any action or brings any proceeding against the other arising from this Agreement, then as between Sherman and Contractor, the

prevailing party shall be entitled to recover as an element of its costs of suit, and not as damages, reasonable and necessary attorneys' fees and litigation expenses both at trial and on appeal.

16. Governing Law; Venue. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement, without regard to conflict of law principles. This Agreement is performable in Grayson County, Texas, and the exclusive venue for any action arising out of this Agreement shall be a court of appropriate jurisdiction in - Texas.

17. No Waiver. Waiver by either party of any breach of this Agreement, or the failure of either party to enforce any of the provisions of this Agreement, at any time, shall not in any way affect, limit, or waive such party's right thereafter to enforce and compel strict compliance.

18. Headings. The headings of the various sections of this Agreement are included solely for convenience of reference and are not to be full or accurate descriptions of the content thereof.

19. Notice. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by depositing the same in the United States Mail, addressed to the party to be notified, postage pre-paid and registered or certified with return receipt requested; by electronic mail, with documentation evidencing the addressee's receipt thereof; or by delivering the same in person to such party a via hand-delivery service, or to any courier service that provides a return receipt showing the date of actual delivery of the same to the addressee thereof. Notice given in accordance herewith shall be effective on receipt at the address of the addressee. For purposes of notification, the addresses of the parties shall be as follows:

If to Contractor, to: Holly Fox
3905 Sonoma Bend
Flower Mound, TX 75022
Telephone: _214-924-1007_____
Email: holly.henson.fox@gmail.com

If to Sherman, to: City of Sherman
Attn: City Manager_____
Sherman, Texas
Email: robbyh@cityofsherman.comWith a copy to: Abernathy, Roeder, Boyd & Hullett, P.C.
Attn.: Ryan D. Pittman
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
Telephone: (214) 544-4000
Facsimile: (214) 544-4054
Email: rpittman@abernathy-law.com

20. Representations. Each party states that it has carefully read this Agreement, knows the contents hereof, has consulted with an attorney of its choice regarding the meaning and effect hereof and is signing the same solely of its own judgment.

21. Independent Contractor. Contractor covenants and agrees that Contractor is an independent contractor and not an officer, agent, servant or employee of Sherman; that Contractor shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing the same; that the doctrine of respondent superior shall not apply as between Sherman and Contractor; and that nothing herein shall be construed as creating a partnership or joint enterprise between Sherman and Contractor. Neither Contractor nor his agents or employees shall be deemed to be an employee of Sherman for any purpose whatsoever. Contractor shall not be eligible to participate in any benefit program provided by Sherman for its employees. Contractor shall be exclusively responsible for the payment of his/her own taxes, withholding payments, penalties, fees, fringe benefits, contributions to insurance and pension or other deferred compensation plans, including but not limited to worker's compensation and Social Security obligations, professional fees or dues. Sherman may arrange to provide space for Contractor to use to facilitate access to the Municipal Court staff and others. The provision of space is not compensation, nor does it change the nature of the relationship from that of independent contractor. Contractor agrees to make use of the space, if any, as an accommodation to Sherman and only to conduct business in accordance with this Agreement.

22. Incorporation of Recitals. The representations, covenants and recitations set forth in the foregoing recitals of this Agreement are true and correct and are hereby incorporated into the body of this Agreement and adopted as findings of the authorized representatives of Sherman and Contractor.

23. Miscellaneous Drafting Provisions. This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply. Headings in this Agreement are for the convenience of the parties and are not intended to be used in construing this document.

24. No Waiver of Immunity. The parties acknowledge and agree that, in executing and performing this Agreement, Sherman and Contractor have not waived, nor shall be deemed to have waived, any defense or immunity, including governmental, sovereign and official immunity, that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied, other than those set forth herein.

25. Chapter 2270 Certification. In accordance with Chapter 2270 of the Texas Government Code, Contractor hereby certifies that Contractor (a) does not boycott Israel; and (b) will

not boycott Israel during the term of any contract with Sherman, including during the term of this Agreement.

26. Multiple Counterparts. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. An electronic mail and/or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other party.

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective when all the parties have signed it. The date this Agreement is signed by the last party to sign it (as indicated by the date associated with that party's signature below) will be deemed the effective date of this Agreement ("Effective Date").

CITY OF SHERMAN, TEXAS

By: Holly E. Fox
Printed Name: Holly E. Fox
Title: Alternate Muncipal Court Judge
Date: July 7, 2023

By: _____
Printed Name: _____
Date: _____

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 12.**

Meeting Date: 08/07/2023

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers 6620, 6621, 6622, 6623, 6624, 6625, 6626, 6627, 6628 and 6629.

Issue:

E. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6620**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 26.598 acres in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 2400-2500 Blocks South East Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District, (City of Sherman, Owner; Rob Rae Representative; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6621**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 49.496 acres in the Preston Kitchens Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, Located in the 300-400 Blocks East Sherman Street, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning and Placing the Tract in the R-5 (Single-Family Residential) District, (Kirk Allen, Owner; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6622**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, and Granting a Specific Use Permit to Allow a Mini-warehouse in the C-1 (Retail Business) District/F.M. 1417 Overlay District, Located at 1300 South FM 1417 (Heritage Parkway), consisting of 4.9167 acres, being all of Lot 2, 3, 4, 5 and 6, Block 6, Heritage Farms Estates, City of Sherman, Grayson County, Texas (Michael Postar, Owner; Joseph Gonzalez, Representative; and Centerline Engineering & Consulting, LLC, Surveyor); Prescribing Conditions to the Specific Use Permit; Providing A Penalty Not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6623**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 67.891 acres, being a part of S. Inman Survey, Abstract No. 621, City of Sherman, Grayson County, Texas, Located in the 2800 Block Blue Flame Road, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the R-5 (Single Family Residential) District Zoning Classification (Chad McDuffie, MD, Owners; D2 Investments, Inc., Representative; and Underwood Drafting & Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6624**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land Consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, City of Sherman, Grayson County, Texas, Located at 516-518 East Cherry Street, Heretofore Zoned R-6 (Single-Family Residential) District; Rezoning and Placing the Tract in the C-2 (General Commercial) District Zoning Classification (Chemtica USA, LLC, Owners; and Burns Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6625**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 29.278 acres, contained in Tract One, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Located in the 2700-3100 Blocks North Travis Street, Heretofore Zoned an R-6 (Single Family Residential) District; Rezoning and Placing the Tract in the R-4 (Single Family Residential) District Classification, (TBJB1, LLC, Owner; Ben McKay, Representative; and Preston Trail Land Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6626**

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, to Rezone a Tract of Land, Consisting of 2.993 acres, being in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, Located in the 700 Block North FM 1417 (Heritage Parkway), Heretofore Zoned C-1 (Retail Business) District; Rezoning and Placing the Tract in the C-N (Neighborhood Commercial) District Zoning Classification (Wyldewood Homes, LLC, Owner; Bryan Blagg, Representative; and Preston Trail Land Surveying, Surveyor); Providing for a Penalty not to Exceed $2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E. 9. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6627**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2023, for the Purpose of Electing Two (2) District 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

E. 10. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6628**

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 7th day of November, 2023, 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

E. 11. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6629**

Re-appointing a Presiding Municipal Court of Record Judge and an Alternate Municipal Court of Record Judge for the City of Sherman, Grayson County, Texas

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 1.**

Meeting Date: 08/07/2023

Prepared By: Clint Philpott, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 7109

Determining a Public Necessity to Acquire by Eminent Domain Certain Property Interests for Public Use, Including Permanent Water Easement and Temporary Construction Easements for the Construction, Expansion, Access, Repair and Maintenance of Public Water and Other Utility Improvements Consisting of Two Tracts of Land Comprising +/- 1.953 acres (Permanent Water Easement) and a +/- 1.6956 acres for a Temporary Construction Easement owned by Nuo Yang, Recorded Under Volume 5411, Page 544 of the Official Public Records of Grayson County, Texas, Within the Pleasant Thompson Survey, Abstract No. 1208, City of Sherman, Grayson County, Texas, as Deemed Necessary by the City Manager or His Designee; Giving Notice of an Official Determination to Acquire the Permanent Water Easement and Temporary Construction Easement for Public Use by Eminent Domain for Such Uses; Authorizing the City Manager of the City of Sherman, Texas, to Establish Procedures for Acquiring the Easements, Offering to Acquire the Easements, Voluntarily, from the Landowner Through the Making of Bona Fide Offers; Appropriating Funds; Providing for Repealing, Savings and Severability Clauses; and Providing for an Effective Date

Issue:

To consider granting authority to negotiate for property rights for public use, including the construction, expansion, access, repair and maintenance of the 36" West Sherman Water Main project, and to complete condemnation proceedings.

Background:

It is the intent of the City to acquire the necessary easements for the purpose of, among other things, the construction, access, repair and maintenance of the public 36-inch West Water Extension Project. The project is over 14 miles long, along the west side of Sherman near FM 691 south to Shepherd Rd. The project includes numerous easements along the alignment shown. In order to keep the land acquisition process on schedule, staff is asking City Council to give authority to the City Manager to make Bona Fide Offers, work toward the voluntary conveyance of the necessary easements and, only if required, to move forward with the eminent domain process. We will work diligently with property owners to ensure eminent domain is only used as a last resort in acquiring any easement for this project.

City Council motion must be made as follows: **"I move that the City Council of the City of Sherman authorize the use of the power of eminent domain to acquire two tracts of land comprising +/- 1.953 acres and a +/- 1.6956 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement."**

Origination:

City Manager's Office

Financial Consideration:

Easement acquisition costs, along with costs for appraisals, surveys, maps and photos.

Staff Recommendation:

Staff recommends approval.

Alternatives:

As may be directed by the Council.

Attachments

Resolution No. 7109
Exhibit A Parcel 42
Location Map

RESOLUTION NO. 7109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTEREST FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, CONSISTING OF TWO TRACTS OF LAND COMPRISING OF +/- 1.953 ACRES (PERMANENT WATER EASEMENT) AND A +/- 1.6956 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY NUO YANG, RECORDED UNDER VOLUME 5411, PAGE 544 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE PLEASANT THOMPSON SURVEY, ABSTRACT NO. 1208, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") finds that there is a public necessity for the acquisition, by eminent domain, of a Permanent Water Easement and a Temporary Construction Easement, as described and depicted in Exhibit A, attached hereto and incorporated herein for all purposes (collectively, the "Easements"), as deemed necessary by the City Manager or his designee for the Project (hereinafter defined); and

WHEREAS, it is the intent of the City of Sherman, Texas ("Sherman") to acquire the necessary Easements for the purposes of, among other things, the construction, access, repair and maintenance of public wastewater, including the Northwest Southwest Transmission Pipeline Project (collectively, the "Project"); and

WHEREAS, the City Council finds that the description of the Easements to be acquired by eminent domain for the Project complies with Chapter 2206 of the Texas Government Code, as amended ("Chapter 2206"), in that the same provides property owner(s) in and around the area

reasonable notice that the owners' property may be subject to condemnation proceedings during the planning or construction of the Project; and

WHEREAS, the City Council finds that the Project is necessary for public use; and

WHEREAS, it is necessary to establish procedures for determining the establishment and approval of just compensation for the Easements to be acquired by eminent domain for the Project; and

WHEREAS, the City Manager, or his designee ("City Manager"), is authorized to make a bona fide offer, as defined by and in compliance with Section 21.0113 of the Texas Property Code ("Bona Fide Offer"), to acquire the Easements for public use, voluntarily, from the subject landowner prior to moving forward with acquisition by eminent domain; and

WHEREAS, the City Council has investigated and determined that the passage of this Resolution complies with Chapter 2206 and other applicable laws.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Acquisition of Easements. The City Council hereby determines that there is a public necessity for, and the public welfare and convenience will be served by, the acquisition, by eminent domain, of the Easements, and it is Sherman's intent to acquire the Easements for public use as described and depicted herein, specifically for the purpose of, among other things, the construction, access, repair and maintenance of public wastewater improvements necessary for the Project.

SECTION 3: Authority of City Manager/Bona Fide Offer. The City Manager is hereby authorized to contract, on behalf of the City Council, with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed by Sherman from time to time in connection with the acquisition of the Easements. The City Council hereby ratifies any contracts entered into, prior to the effective date of this Resolution, by the City Manager with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed for the acquisition of the Easements. The City Manager shall first make a Bona Fide Offer to acquire the Easements from the subject landowner, voluntarily. Should the landowner fail to provide the Easements, voluntarily, through said Bona Fide Offer, the City Manager is authorized to move forward with acquiring the Easements by eminent domain.

SECTION 4: Determination of Just Compensation. The City Manager is hereby authorized and directed to examine and rely on independent appraisal reports and other information to make a determination as to the establishment and approval of a fair market value offer and the just compensation for the Easements for the purpose of making the Bona Fide Offer. After such consideration, the City Manager shall establish and approve the amount determined to be just

compensation for acquisition of said Easements and shall have the authority to execute any and all documents necessary to complete the acquisition of same.

SECTION 5: Authority to Make an Offer. Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of the Easements, the City Manager is authorized to send a written Bona Fide Offer to the landowner of said Easement Property at the full amount determined and established to be just compensation therefore, and to negotiate with said landowner(s) on behalf of Sherman to acquire the Easements voluntarily.

SECTION 6: Authority to Execute Documents. The City Manager is hereby authorized to execute all documents necessary to acquire the Easements needed for the Project, on behalf of Sherman, whether by purchase or eminent domain. The City Council hereby ratifies any documents executed, prior to the effective date of this Resolution, by the City Manager which were necessary for the acquisition of the Easements for the Project.

SECTION 7: Disposal of Improvements. The City Manager is hereby authorized to remove improvements, if any, located on the Easement Property acquired in connection with this Project, should they interfere with the intended use and enjoyment of said Easements.

SECTION 8: Eminent Domain Authorized. Should the City Manager be unable to acquire the Easements, voluntarily, from the landowner(s), through the making of the Bona Fide Offer, the City Manager is authorized to instruct the law firm of Abernathy, Roeder, Boyd & Hullett, P.C., to commence eminent domain proceedings for the acquisition of the Easements for the Project.

SECTION 9: Source of Funds. The amount to be paid, if any, for acquiring the Easements for the Project will be appropriated from any lawful source.

SECTION 10: Savings/Repealing. All provisions of any resolution in conflict with this Resolution are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting resolutions shall remain in full force and effect.

SECTION 11: Severability. Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City Council hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 12: Public Notice. The City Council finds that the meeting at which this Resolution was introduced and passed was open to the public and that public notice of the time, place and purpose of said meeting was given all as required by law.

SECTION 13: Effective Date. This Resolution shall take effect immediately from and after its passage.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

EXHIBIT "A"

OWNER: NUO YANG
45' WIDTH PERMANENT WATERLINE EASEMENT
PLEASANT THOMPSON SURVEY ABSTRACT NO. 1208 &
ELIJAH N. DEAVER SURVEY, ABSTRACT NO. 358
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

Being a 1.953 acre tract of land situated within the Pleasant Thompson Survey Abstract Number 1208 & the Elijah N. Deaver Survey, Abstract No. 358, City of Sherman, Grayson County, Texas, being a portion of a called 60.678 acre tract of land as described in the General Warranty Deed to Nuo Yang recorded in Volume 5411, Page 544 of the Deed Records of Grayson County, Texas. Said 1.953 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a nail with shiner found at the southwest corner of said called 60.678 acre tract of land, being the northwest corner of a called 20.58 acre tract of land as described in the Warranty Deed to Gabu Madhavi recorded in Volume 5609, Page 96 of said Deed Records, being in Riddles Road, a generally recognized public road;

THENCE NORTH 89 degrees 27 minutes 09 seconds EAST, 55.81 feet with the south line of said called 60.678 acre tract of land and north line of said called 20.58 acre tract of land to its intersection with the east line of a 40-foot Grayson Pipeline, LLC Easement as described in the Right of Way Agreements recorded in Volume 4706, Page 417, and Volume 4672, Page 338 both of said Deed Records, being the **POINT OF BEGINNING**, having a surface coordinate of N:7,276,422.75 feet and E:2,525,621.23 feet;

THENCE the following seven (7) calls coincident with the east line of said 40-foot Grayson Pipeline, LLC Easement:

1. NORTH 01 degree 07 minutes 58 seconds WEST, 599.77 feet;
2. NORTH 01 degree 07 minutes 48 seconds WEST, 365.74 feet;
3. NORTH 01 degree 34 minutes 56 seconds WEST, 222.91 feet;
4. NORTH 43 degrees 25 minutes 04 seconds WEST, 74.58 feet;
5. NORTH 01 degree 34 minutes 56 seconds WEST, 37.42 feet;
6. NORTH 46 degrees 34 minutes 56 seconds WEST, 74.58 feet;
7. NORTH 01 degree 34 minutes 56 seconds WEST, 515.49 feet to a point on the north line of said called 60.678 acre tract of land, being the south line of a called 6.25 acre tract of land as described in the General Warranty Deed to S.H. 56/Riddels Joint Venture recorded in Volume 3961, Page 944 of said Deed Records, from which a nail found at the northwest corner of said called 60.678 acre tract of land bears SOUTH 88 degrees 34 minutes 08 seconds WEST, 60.97 feet;

THENCE NORTH 88 degrees 34 minutes 08 seconds EAST, 45.00 feet with the north line of said called 0.678 acre tract of land, being the south line of said called 6.25 acre tract of land;

THENCE the following seven (7) calls parallel with and 45.00 feet east of the east line of said 40-foot Grayson Pipeline, LLC Easement:

1. SOUTH 01 degree 34 minutes 56 seconds EAST, 496.73 feet;
2. SOUTH 46 degrees 34 minutes 56 seconds EAST, 74.58 feet;
3. SOUTH 01 degree 34 minutes 56 seconds EAST, 74.70 feet;
4. SOUTH 43 degrees 25 minutes 04 seconds WEST, 74.58 feet;
5. SOUTH 01 degree 34 minutes 56 seconds EAST, 203.56 feet;
6. SOUTH 01 degree 07 minutes 52 seconds EAST, 366.81 feet;
7. SOUTH 01 degree 08 minutes 04 seconds EAST, 600.23 feet to the south line of said called 60.678 acre tract of land, being the north line of said called 20.58 acre tract of land and;

THENCE SOUTH 89 degrees 27 minutes 09 seconds WEST, 45.02 feet with the south line of said called 60.678 acre tract of land, being the north line of said called 20.58 acre tract of land and to the **POINT OF BEGINNING**, containing 1.953 acres.

TEMPORARY CONSTRUCTION EASEMENT

The above-described permanent waterline easement is also subject to a temporary construction easement as shown on the accompanying survey plat. Said temporary construction easement shall expire as noted in the easement agreement.

NOTES:

1. Bearings are based on the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone (4202). Coordinates and distances are surface values and can be converted to grid by using the scale factor of 1.00012 (0,0 base point).

2. A plat of same date accompanies this legal description.

3. This survey was performed with the benefit of a title report. There may be easements and/or covenants affecting this property not shown hereon.

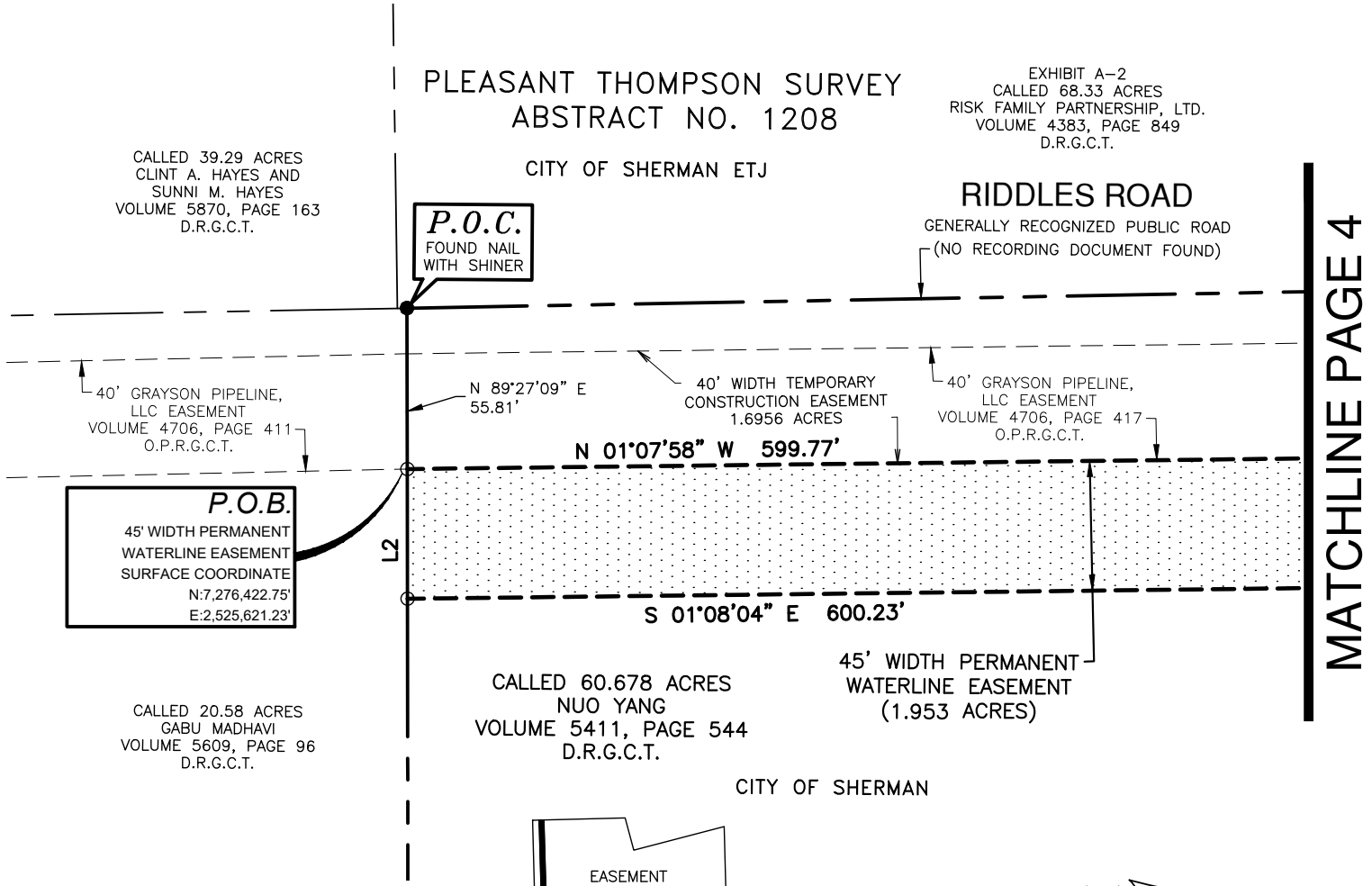
* SURVEYOR'S CERTIFICATE *

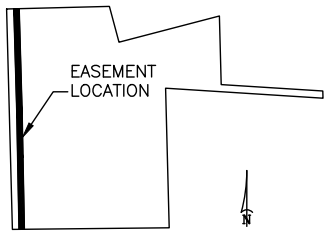
TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT.

Company Name: **Bowman Consulting Group, Ltd.**

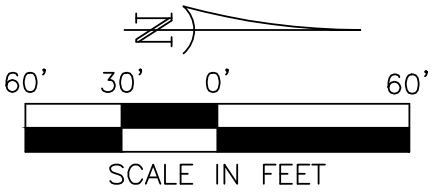
By:_____
Surveyor's Name: Robert A. Hansen
LSLS & Registered Professional Land Surveyor
Texas No. 6439
Date: 2023-03-07
Texas Firm No. 10120600

PLAT OF EXHIBIT "A"





SUBJECT TRACT &
LOCATION OF EASEMENT



SCALE IN FEET

LINE TABLE		
LINE	BEARING	DISTANCE
L2	S 89°27'09" W	45.02'

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
– – – –	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

Bowman

© 2022 Bowman Consulting Group, Ltd.

1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com

45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: PLEASANT THOMPSON SURVEY ABSTRACT NO. 1208			
LOCATION: CITY OF SHERMAN, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 60.678 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: IAW	CAD FILE: PARCEL 42 NUO YANG	
DATE: 2023-03-07	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 3 OF 6

PLAT OF EXHIBIT "A"

PLEASANT THOMPSON SURVEY
ABSTRACT NO. 1208

RIDDLES ROAD
GENERALLY RECOGNIZED PUBLIC ROAD
(NO RECORDING DOCUMENT FOUND)

EXHIBIT A-2
CALLED 68.33 ACRES
RISK FAMILY PARTNERSHIP, LTD.
VOLUME 4383, PAGE 849
D.R.G.C.T.

CITY OF SHERMAN ETJ

MATCHLINE PAGE 3

MATCHLINE PAGE 5

40' GRAYSON PIPELINE, LLC EASEMENT
VOLUME 4706, PAGE 417
O.P.R.G.C.T.

40' WIDTH TEMPORARY CONSTRUCTION EASEMENT
1.6956 ACRES

VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
1.6956 ACRES

40' GRAYSON PIPELINE, LLC EASEMENT
VOLUME 4672, PAGE 338
O.P.R.G.C.T.

N 01°07'58" W 599.77'

N 01°07'48" W 365.74'

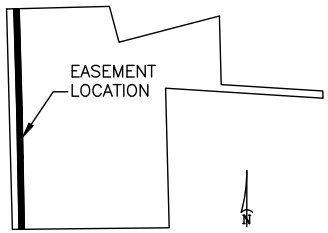
S 01°08'04" E 600.23'

S 01°07'52" E 366.81'

45' WIDTH PERMANENT WATERLINE EASEMENT
(1.953 ACRES)

CITY OF SHERMAN

CALLED 60.678 ACRES
NUO YANG
VOLUME 5411, PAGE 544
D.R.G.C.T.



SUBJECT TRACT &
LOCATION OF EASEMENT

60' 30' 0' 60'

SCALE IN FEET

NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
– – – –	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

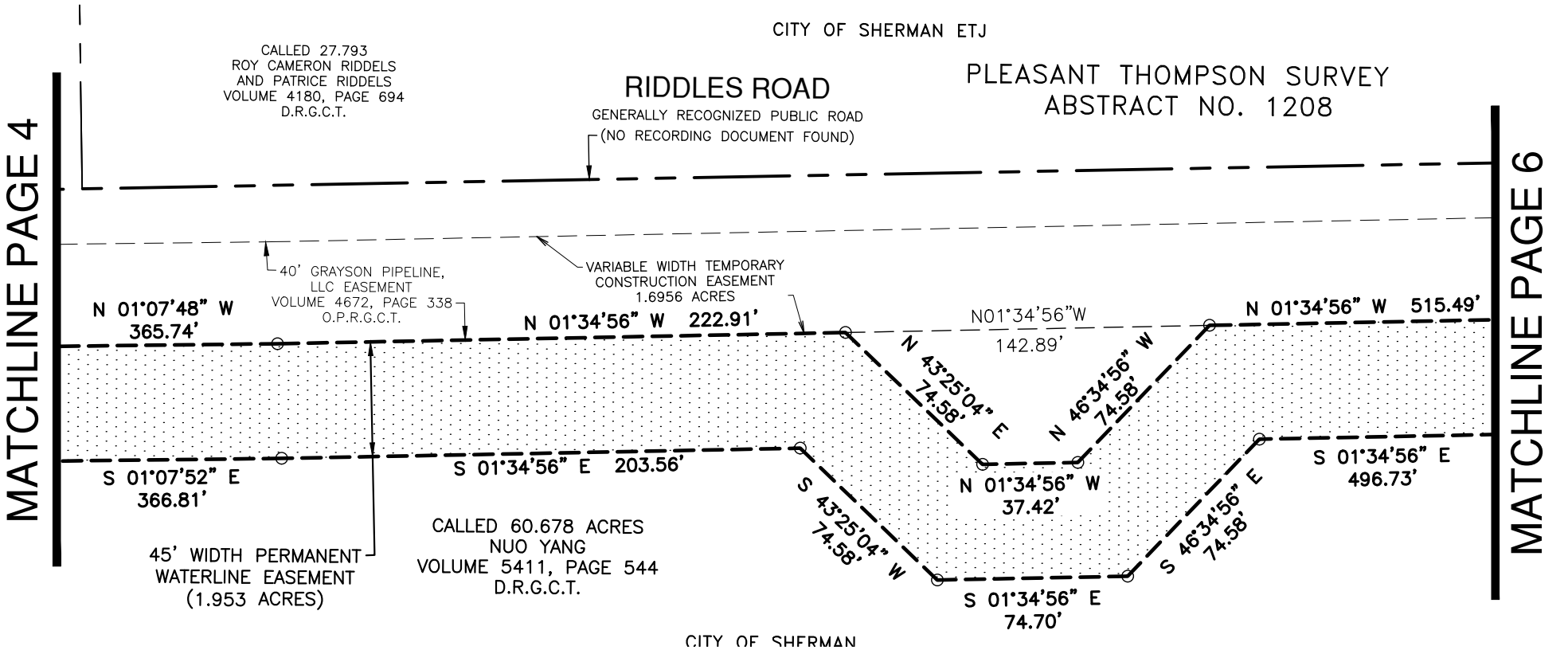
Bowman

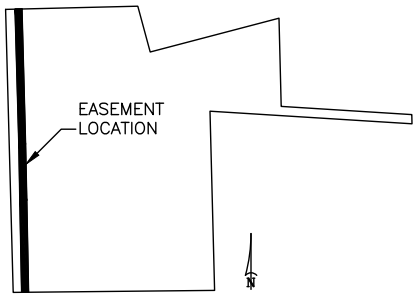
© 2022 Bowman Consulting Group, Ltd.

1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com

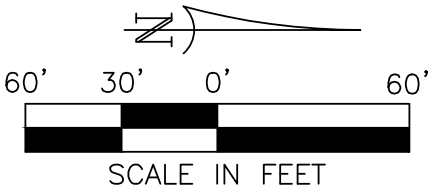
45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: PLEASANT THOMPSON SURVEY ABSTRACT NO. 1208			
LOCATION: CITY OF SHERMAN, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 60.678 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: IAW	CAD FILE: PARCEL 42 NUO YANG	
DATE: 2023-03-07	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 4 OF 6

PLAT OF EXHIBIT "A"





SUBJECT TRACT &
LOCATION OF EASEMENT



SCALE IN FEET

NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
– – – –	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

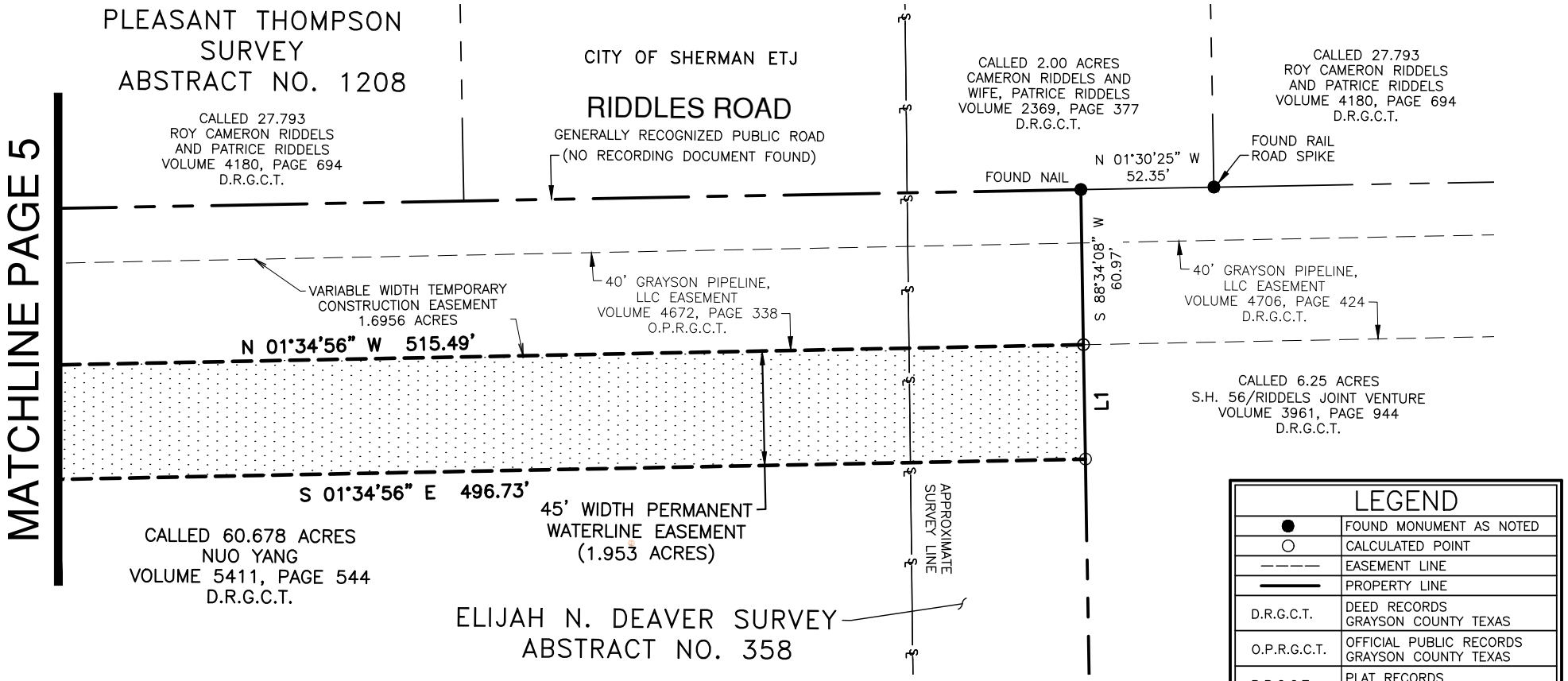
Bowman

© 2022 Bowman Consulting Group, Ltd.

1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com

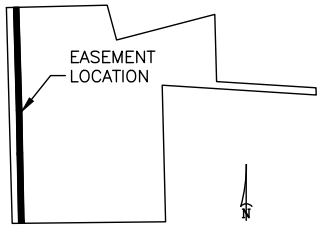
45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: PLEASANT THOMPSON SURVEY ABSTRACT NO. 1208			
LOCATION: CITY OF SHERMAN, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 60.678 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: IAW	CAD FILE: PARCEL 42 NUO YANG	
DATE: 2023-03-07	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 5 OF 6

PLAT OF EXHIBIT "A"

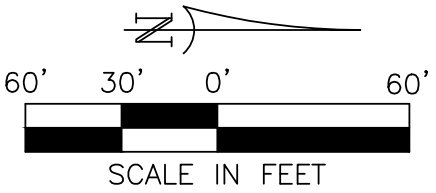


LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
– – – –	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°34'08" E	45.00'



SUBJECT TRACT & LOCATION OF EASEMENT



SCALE IN FEET

NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

Bowman

© 2022 Bowman Consulting Group, Ltd.

1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com

ROBERT A. HANSEN
LSLS & REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6439

45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: PLEASANT THOMPSON SURVEY ABSTRACT NO. 1208			
LOCATION: CITY OF SHERMAN, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 60.678 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: IAW	CAD FILE: PARCEL 42 NUO YANG	
DATE: 2023-03-07	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 6 OF 6

Sherman
ENGINEERING DEPT.

Nuo Yang (prop ID 350554)

NORTH
1" = 1200'

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 2.**

Meeting Date: 08/07/2023

Prepared By: Clint Philpott, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 7110

Determining a Public Necessity to Acquire by Eminent Domain Certain Property Interests for Public Use, Including Permanent Water Easement and Temporary Construction Easements for the Construction, Expansion, Access, Repair and Maintenance of Public Water and Other Utility Improvements Consisting of Two Tracts of Land Comprising +/-1.697 acres (Permanent Water Easement) and a +/- 1.508 acres for a Temporary Construction Easement owned by Nuo Yang, Recorded Under Volume 5409, Page 210 of the Official Public Records of Grayson County, Texas, Within the William A. Deaver Survey Abstract No. 347, Extraterritorial Jurisdiction of the City of Sherman, Grayson County, Texas, as Deemed Necessary by the City Manager or His Designee; Giving Notice of an Official Determination to Acquire the Permanent Water Easement and Temporary Construction Easement for Public Use by Eminent Domain for Such Uses; Authorizing the City Manager of the City of Sherman, Texas, to Establish Procedures for Acquiring the Easements, Offering to Acquire the Easements, Voluntarily, from the Landowner Through the Making of Bona Fide Offers; Appropriating Funds; Providing for Repealing, Savings and Severability Clauses; and Providing for an Effective Date

Issue:

To consider granting authority to negotiate for property rights for public use, including the construction, expansion, access, repair and maintenance of the 36" West Sherman Water Main project, and to complete condemnation proceedings.

Background:

It is the intent of the City to acquire the necessary easements for the purpose of, among other things, the construction, access, repair and maintenance of the public 36-inch West Water Extension Project. The project is over 14 miles long, along the west side of Sherman near FM 691 south to Shepherd Rd. The project includes numerous easements along the alignment shown. In order to keep the land acquisition process on schedule, staff is asking City Council to give authority to the City Manager to make Bona Fide Offers, work toward the voluntary conveyance of the necessary easements and, only if required, to move forward with the eminent domain process. We will work diligently with property owners to ensure eminent domain is only used as a last resort in acquiring any easement for this project.

City Council motion must be made as follows: **"I move that the City Council of the City of Sherman authorize the use of the power of eminent domain to acquire two tracts of land comprising +/- 1.697 acres and a +/- 1.508 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement."**

Origination:

City Manager's Office

Financial Consideration:

Easement acquisition costs, along with costs for appraisals, surveys, maps and photos.

Staff Recommendation:

Staff recommends approval.

Alternatives:

As may be directed by the Council.

Attachments

Resolution No. 7110
Exhibit A Parcel 51
Location Map

RESOLUTION NO. 7110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTEREST FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, CONSISTING OF TWO TRACTS OF LAND COMPRISING OF +/- 1.697 ACRES (PERMANENT WATER EASEMENT) AND A +/- 1.508 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY NUO YANG RECORDED UNDER VOLUME 5409, PAGE 210 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM A. DEAVER SURVEY, ABSTRACT NO. 347, EXTRATERRITORIAL JURISDICTION OF THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") finds that there is a public necessity for the acquisition, by eminent domain, of a Permanent Water Easement and a Temporary Construction Easement, as described and depicted in Exhibit A, attached hereto and incorporated herein for all purposes (collectively, the "Easements"), as deemed necessary by the City Manager or his designee for the Project (hereinafter defined); and

WHEREAS, it is the intent of the City of Sherman, Texas ("Sherman") to acquire the necessary Easements for the purposes of, among other things, the construction, access, repair and maintenance of public wastewater, including the Northwest Southwest Transmission Pipeline Project (collectively, the "Project"); and

WHEREAS, the City Council finds that the description of the Easements to be acquired by eminent domain for the Project complies with Chapter 2206 of the Texas Government Code, as amended ("Chapter 2206"), in that the same provides property owner(s) in and around the area

reasonable notice that the owners' property may be subject to condemnation proceedings during the planning or construction of the Project; and

WHEREAS, the City Council finds that the Project is necessary for public use; and

WHEREAS, it is necessary to establish procedures for determining the establishment and approval of just compensation for the Easements to be acquired by eminent domain for the Project; and

WHEREAS, the City Manager, or his designee ("City Manager"), is authorized to make a bona fide offer, as defined by and in compliance with Section 21.0113 of the Texas Property Code ("Bona Fide Offer"), to acquire the Easements for public use, voluntarily, from the subject landowner prior to moving forward with acquisition by eminent domain; and

WHEREAS, the City Council has investigated and determined that the passage of this Resolution complies with Chapter 2206 and other applicable laws.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Acquisition of Easements. The City Council hereby determines that there is a public necessity for, and the public welfare and convenience will be served by, the acquisition, by eminent domain, of the Easements, and it is Sherman's intent to acquire the Easements for public use as described and depicted herein, specifically for the purpose of, among other things, the construction, access, repair and maintenance of public wastewater improvements necessary for the Project.

SECTION 3: Authority of City Manager/Bona Fide Offer. The City Manager is hereby authorized to contract, on behalf of the City Council, with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed by Sherman from time to time in connection with the acquisition of the Easements. The City Council hereby ratifies any contracts entered into, prior to the effective date of this Resolution, by the City Manager with professional appraisers for appraisal services and with attorneys for preparation of title opinion(s) needed for the acquisition of the Easements. The City Manager shall first make a Bona Fide Offer to acquire the Easements from the subject landowner, voluntarily. Should the landowner fail to provide the Easements, voluntarily, through said Bona Fide Offer, the City Manager is authorized to move forward with acquiring the Easements by eminent domain.

SECTION 4: Determination of Just Compensation. The City Manager is hereby authorized and directed to examine and rely on independent appraisal reports and other information to make a determination as to the establishment and approval of a fair market value offer and the just compensation for the Easements for the purpose of making the Bona Fide Offer. After such consideration, the City Manager shall establish and approve the amount determined to be just

compensation for acquisition of said Easements and shall have the authority to execute any and all documents necessary to complete the acquisition of same.

SECTION 5: Authority to Make an Offer. Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of the Easements, the City Manager is authorized to send a written Bona Fide Offer to the landowner of said Easement Property at the full amount determined and established to be just compensation therefore, and to negotiate with said landowner(s) on behalf of Sherman to acquire the Easements voluntarily.

SECTION 6: Authority to Execute Documents. The City Manager is hereby authorized to execute all documents necessary to acquire the Easements needed for the Project, on behalf of Sherman, whether by purchase or eminent domain. The City Council hereby ratifies any documents executed, prior to the effective date of this Resolution, by the City Manager which were necessary for the acquisition of the Easements for the Project.

SECTION 7: Disposal of Improvements. The City Manager is hereby authorized to remove improvements, if any, located on the Easement Property acquired in connection with this Project, should they interfere with the intended use and enjoyment of said Easements.

SECTION 8: Eminent Domain Authorized. Should the City Manager be unable to acquire the Easements, voluntarily, from the landowner(s), through the making of the Bona Fide Offer, the City Manager is authorized to instruct the law firm of Abernathy, Roeder, Boyd & Hullett, P.C., to commence eminent domain proceedings for the acquisition of the Easements for the Project.

SECTION 9: Source of Funds. The amount to be paid, if any, for acquiring the Easements for the Project will be appropriated from any lawful source.

SECTION 10: Savings/Repealing. All provisions of any resolution in conflict with this Resolution are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting resolutions shall remain in full force and effect.

SECTION 11: Severability. Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City Council hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 12: Public Notice. The City Council finds that the meeting at which this Resolution was introduced and passed was open to the public and that public notice of the time, place and purpose of said meeting was given all as required by law.

SECTION 13: Effective Date. This Resolution shall take effect immediately from and after its passage.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

EXHIBIT "A-1"

OWNER: NUO YANG
45' WIDTH PERMANENT WATERLINE EASEMENT
WILLIAM A. DEAVER SURVEY ABSTRACT NO. 347
CITY OF SHERMAN ETJ, GRAYSON COUNTY, TEXAS

Being a 1.697 acre tract of land situated within the William A. Deaver Survey Abstract Number 347, City of Sherman Extraterritorial Jurisdiction, Grayson County, Texas, being a portion a called 95.00 acre tract of land as described in the General Warranty Deed to Nuo Yang in Volume 5409, Page 210 of the Deed Records of Grayson County, Texas. Said 1.697 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron rod found at the southwest corner of said called 95.00 acre tract of land, being a re-entrant corner of a called 40.26 acre tract of land as described in the Special Warranty Deed to Connie Purdom et al recorded in Volume 4034, Page 21 of said Deed Records and being in Riddels Road, a generally recognized public road, no recording document found;

THENCE NORTH 88 degrees 37 minutes 07 seconds EAST, 40.00 feet with the south line of said called 95.00 acre tract of land, being the north line of said called 40.26 acre tract of land to its intersection with the east line of a 40-foot Grayson Pipeline, LLC Easement as described in the Right of Way Agreement recorded in Volume 4672, Page 328 of said Deed Records, being the **POINT OF BEGINNING**, having a surface coordinate of N:7,270,886.89 feet and E:2,525,734.97 feet;

THENCE NORTH 01 degree 16 minutes 30 seconds WEST, 1,642.83 feet with the east line of said 40-foot Grayson Pipeline, LLC Easement to the north line of said called 95.00 acre tract of land, being the south line of a called 101.217 acre tract of land as described in the Special Warranty Deed to M&R Friendship Road LLC recorded in Volume 4647, Page 936 of said Deed Records;

THENCE NORTH 88 degrees 38 minutes 02 seconds EAST, 45.00 feet the north line of said called 95.00 acre tract of land, being the south line of said called 101.217 acre tract of land to a point from which a 1/2-inch iron rod with a blue illegible cap found at the northeast corner of said called 95.00 acre tract of land bears NORTH 88 degrees 38 minutes 02 seconds EAST, 1,853.31 feet;

THENCE SOUTH 01 degree 08 minutes 55 seconds EAST, 0.12 feet parallel with and 45.00 feet east of the east line of said 40-foot Grayson Pipeline, LLC Easement;

THENCE SOUTH 01 degree 16 minutes 30 seconds EAST, 1,642.70 feet parallel with and 45.00 feet east of the east line of said 40-foot Grayson Pipeline, LLC Easement to a point on the south line of said called 95.00 acre tract of land, being the north line of said called 40.28 acre tract of land, from which a 1/2-inch iron rod found at the southeast corner of said called 95.00 acre tract of land bears NORTH 88 degrees 37 minutes 07 seconds EAST, 2,578.69 feet;

THENCE SOUTH 88 degrees 37 minutes 07 seconds WEST, 45.00 feet with the south line of said called 95.00 acre tract of land, being the north line of said called 40.28 acre tract of land to the **POINT OF BEGINNING**, containing 1.697 acres.

TEMPORARY CONSTRUCTION EASEMENT

The above-described permanent waterline easement is also subject to a temporary construction easement as shown on the accompanying survey plat. Said temporary construction easement shall expire as noted in the easement agreement.

NOTES:

1. Bearings are based on the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone (4202). Coordinates and distances are surface values and can be converted to grid by using the scale factor of 1.00012 (0,0 base point).

2. A plat of same date accompanies this legal description.

3. This survey was performed with the benefit of a title report. There may be easements and/or covenants affecting this property not shown hereon.

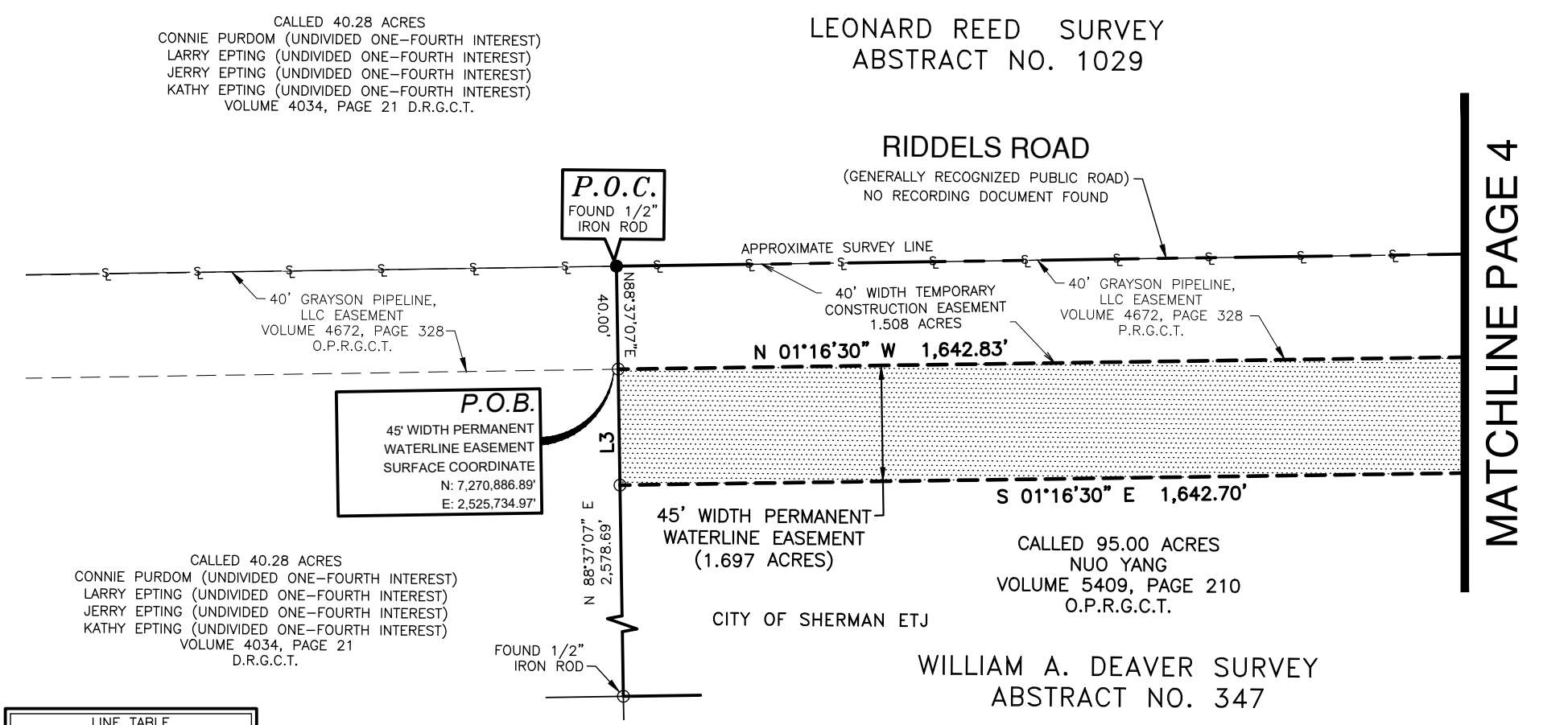
* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT.

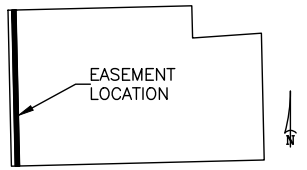
Company Name: **Bowman Consulting Group, Ltd.**

By:_____
Surveyor's Name: Robert A. Hansen
LSLS & Registered Professional
Land Surveyor No. 6439
Date: 2023-05-10
Texas Firm No. 10120600

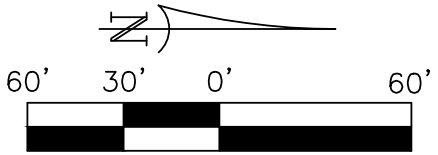
PLAT OF EXHIBIT "A-1"



LINE TABLE		
LINE	BEARING	DISTANCE
L3	S 88°37'07" W	45.00'



SUBJECT TRACT & LOCATION OF EASEMENT



SCALE IN FEET

NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
-----	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

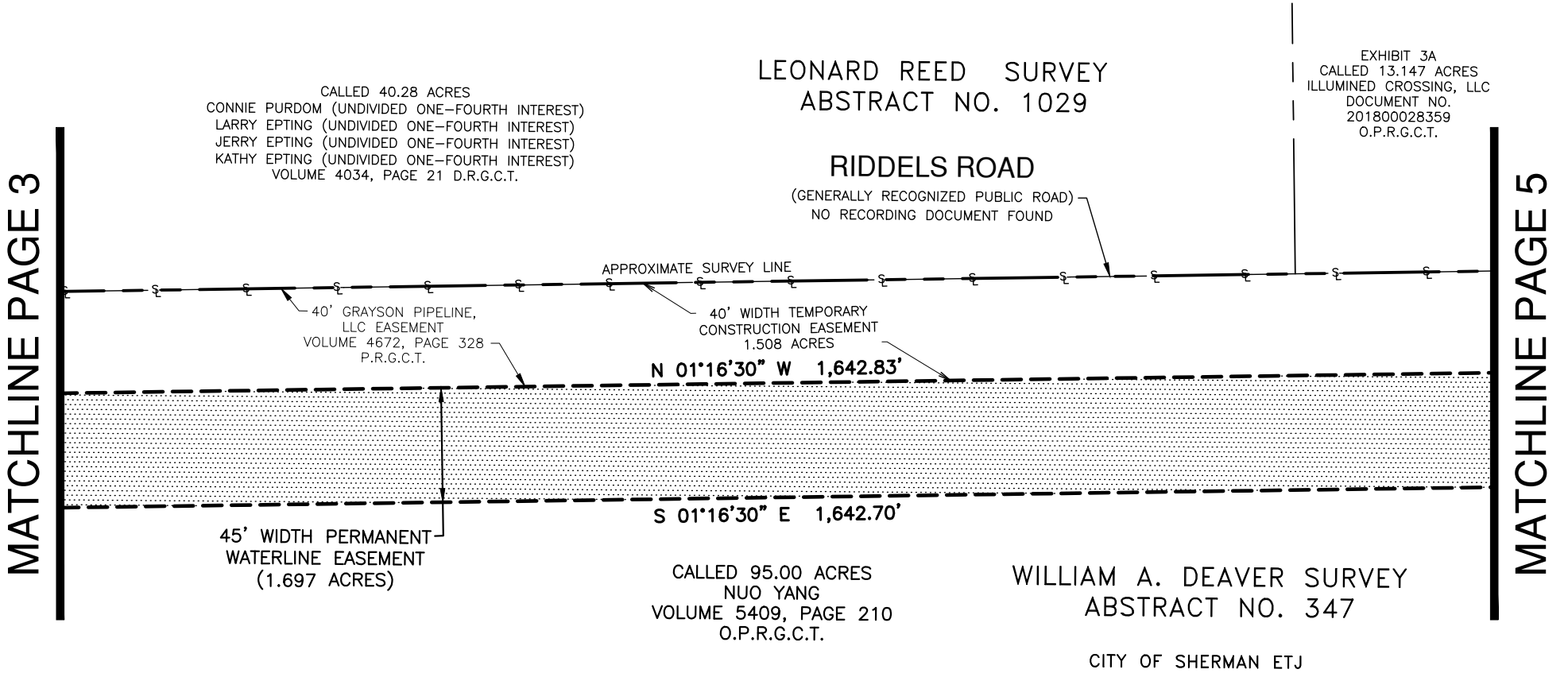
Bowman

© 2022 Bowman Consulting Group, Ltd.

1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com

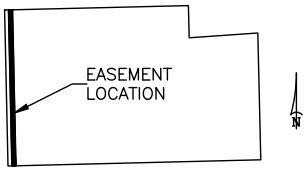
45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: WILLIAM A. DEAVER SURVEY ABSTRACT NO. 347			
LOCATION: CITY OF SHERMAN ETJ, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 4.998 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: MRG	CAD FILE: PARCEL 51 YANG	
DATE: 2023-05-10	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 3 OF 6

PLAT OF EXHIBIT "A-1"

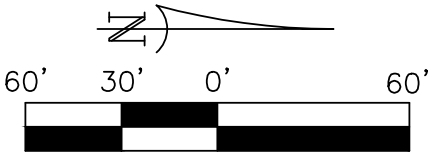


Bowman

© 2022 Bowman Consulting Group, Ltd.
1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com



SUBJECT TRACT & LOCATION OF EASEMENT



SCALE IN FEET

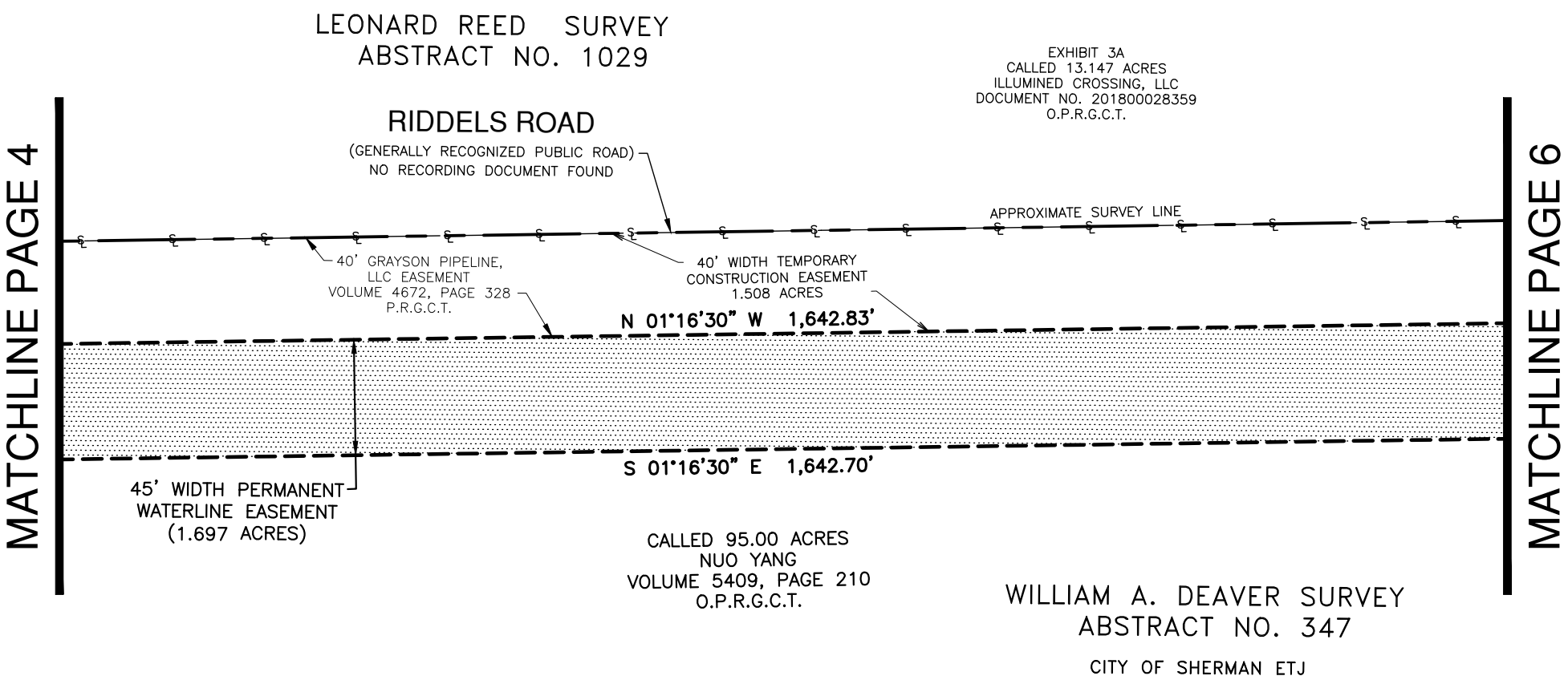
NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
----	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

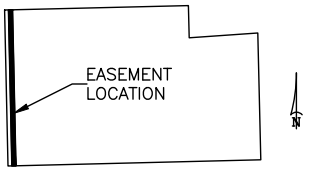
45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: WILLIAM A. DEAVER SURVEY ABSTRACT NO. 347			
LOCATION: CITY OF SHERMAN ETJ, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 4.998 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: MRG	CAD FILE: PARCEL 51 YANG	
DATE: 2023-05-10	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 4 OF 6

PLAT OF EXHIBIT "A-1"

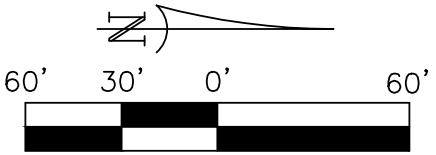


Bowman

© 2022 Bowman Consulting Group, Ltd.
1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com



SUBJECT TRACT & LOCATION OF EASEMENT



SCALE IN FEET

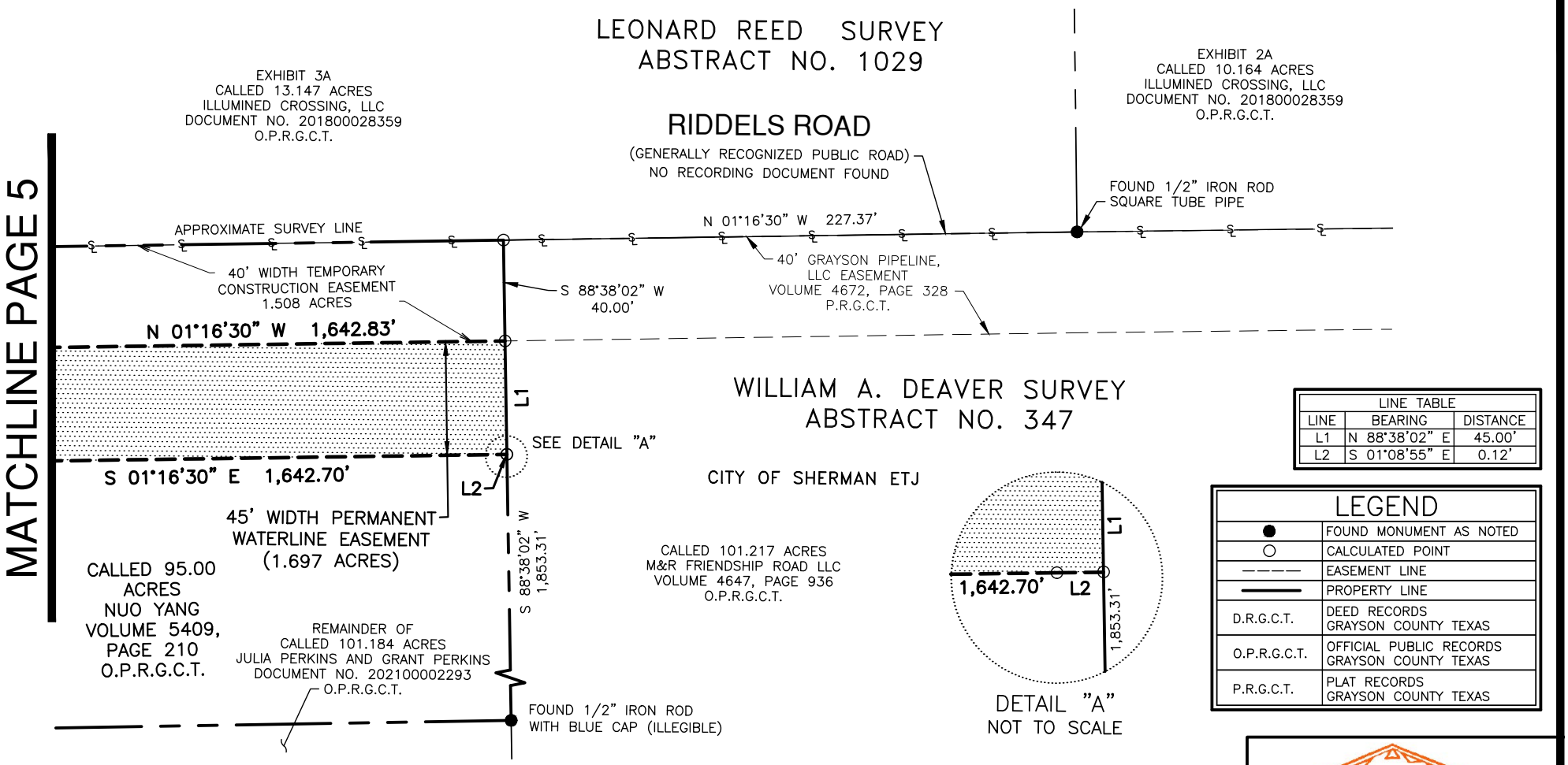
NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
----	EASEMENT LINE
———	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS

45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: WILLIAM A. DEAVER SURVEY ABSTRACT NO. 347			
LOCATION: CITY OF SHERMAN ETJ, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 4.998 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: MRG	CAD FILE: PARCEL 51 YANG	
DATE: 2023-05-10	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 5 OF 6

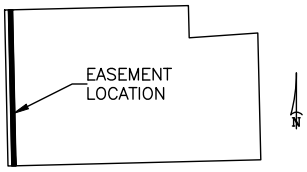
PLAT OF EXHIBIT "A-1"



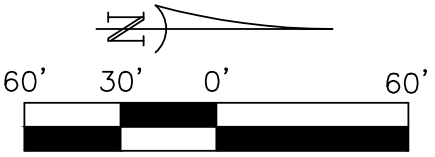
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°38'02" E	45.00'
L2	S 01°08'55" E	0.12'

DETAIL "A"
NOT TO SCALE

LEGEND	
●	FOUND MONUMENT AS NOTED
○	CALCULATED POINT
————	EASEMENT LINE
————	PROPERTY LINE
D.R.G.C.T.	DEED RECORDS GRAYSON COUNTY TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY TEXAS
P.R.G.C.T.	PLAT RECORDS GRAYSON COUNTY TEXAS



SUBJECT TRACT &
LOCATION OF EASEMENT



SCALE IN FEET

NOTES:
(1) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH CENTRAL ZONE (4202). COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID BY USING THE SCALE FACTOR OF 1.00012 (0,0 BASE POINT).

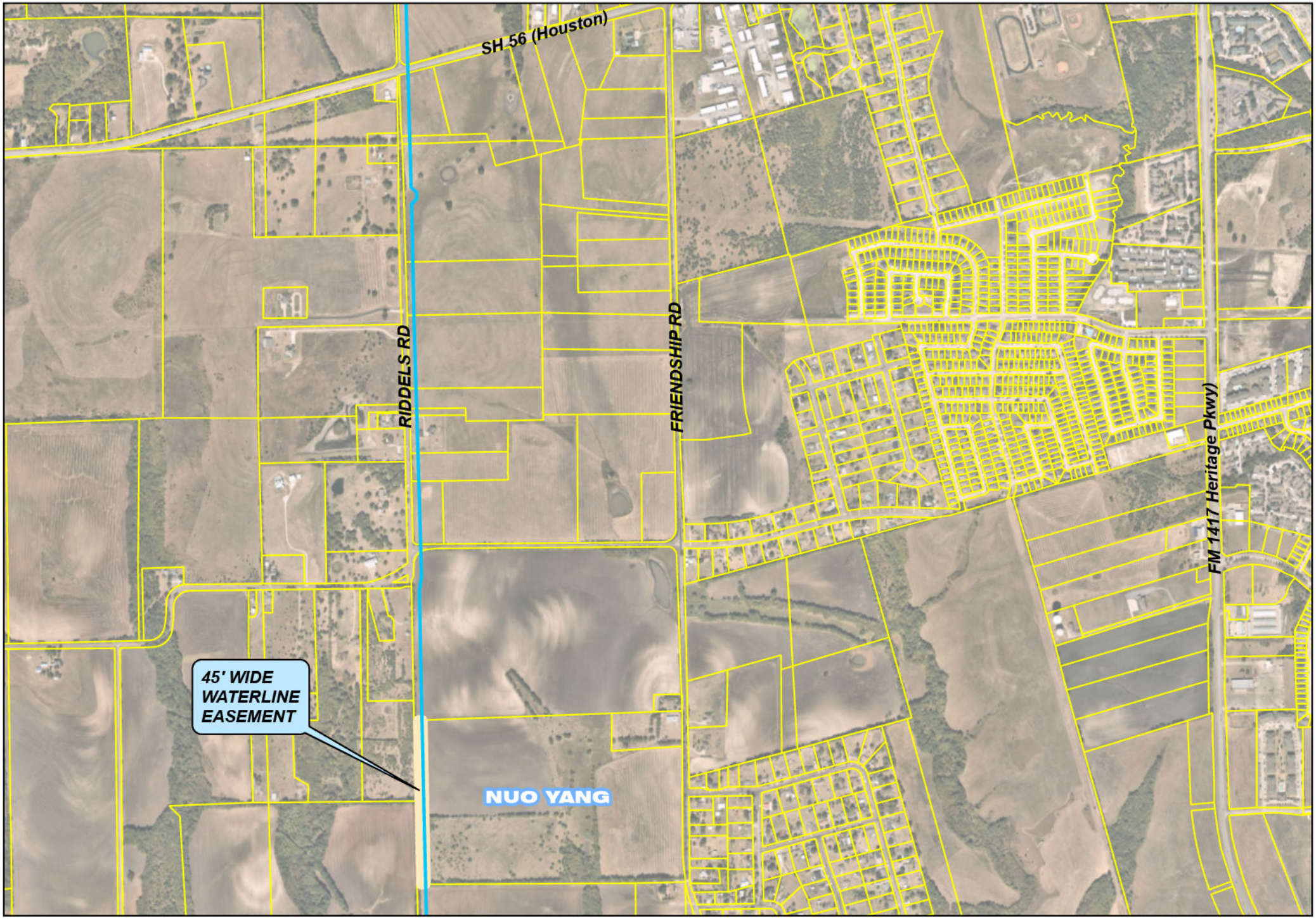
(2) A LEGAL DESCRIPTION OF SAME DATE ACCOMPANIES THIS PLAT.

Bowman

© 2022 Bowman Consulting Group, Ltd.
1200 West Magnolia Blvd., Suite 300
Fort Worth, TX 76104
TBPELS #10120600
Phone: (214) 484-8586
www.bowman.com

ROBERT A. HANSEN
LSLS & REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6439

45' WIDTH PERMANENT WATERLINE EASEMENT			
SURVEY: WILLIAM A. DEAVER SURVEY ABSTRACT NO. 347			
LOCATION: CITY OF SHERMAN ETJ, GRAYSON COUNTY, TEXAS			
SUBJECT TRACT ACREAGE: 4.998 ACRES (DEEDS)			
JOB NO. 210185	DRAWN BY: MRG	CAD FILE: PARCEL 51 YANG	
DATE: 2023-05-10	CHECK BY: RAH	SCALE: 1"= 60'	PAGE 6 OF 6



Sherman
ENGINEERING DEPT.

Nuo Yang (prop ID 372858)

NORTH
1" = 1200'

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 3.**

Meeting Date: 08/07/2023

Prepared By: Nate Strauch, Community & Support Services Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 7111

Establishing the Main Street Reimbursement Program and Declaring the City of Sherman's Eligibility and Intention to Participate in the Program to Promote Economic Development in Certain Areas of the City in Accordance with Chapter 380 of the Texas Local Government Code

Issue:

To adopt guidelines and criteria for the City of Sherman's Main Street Reimbursement Program

Background:

Chapter 380 of the Texas Local Government Code permits the City to establish and administer one or more programs to promote state or local economic development and to stimulate business and commercial activity within its city limits. The proposed program, the City of Sherman's Main Street Refund Program, is intended to promote development that will enhance the quality of life for our citizens and other stakeholders. The program provides for a series of cash grants in the form of local sales tax reimbursements to qualifying businesses.

Applicants must have operated, or propose to operate, a sales-tax-producing business within Sherman's Downtown Overlay District. Businesses that existed in the district as of 10/31/2021 - and continue to operate in the city of Sherman - are eligible for rebates for the calendar years 2022-2026. New businesses are eligible for five years of reimbursements beginning in the year they receive their certificate of occupancy. Approved applicants are eligible for reimbursements equal to the City's annual net receipts from the State of Texas' collection of the one percent (1%) general sales and use tax generated by the business.

Origination:

City Manager Robby Hefton

Financial Consideration:

Costs to the City of Sherman are estimated to be no more than $140,000 in the first year of the program. Costs for subsequent years will vary depending on the number of eligible businesses. Costs will likely peak during the 2026 calendar year.

Staff Recommendation:

The staff recommends that the City Council approve the resolution creating the City of Sherman's Main Street Reimbursement Program.

Alternatives:

The Council could decide not to participate in this program.

Attachments

Resolution No. 7111

Agreement

Application

RESOLUTION NO. 7111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING THE MAIN STREET REIMBURSEMENT PROGRAM AND DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO PARTICIPATE IN THE PROGRAM TO PROMOTE ECONOMIC DEVELOPMENT IN CERTAIN AREAS OF THE CITY IN ACCORDANCE WITH CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE; PRESCRIBING ELIGIBILITY, GUIDELINES AND PROCEDURES FOR THE PROGRAM; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") finds that it is in the best interest of the City of Sherman, Texas ("City") and its citizens to encourage programs, including programs for making grants of public money, to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380 of the Texas Local Government Code, as amended ("Chapter 380"); and

WHEREAS, the City Council desires to establish the Main Street Reimbursement Program to promote economic development in certain areas of the City pursuant to Chapter 380 and wishes to adopt Guidelines and Criteria for use in administering the City's Main Street Reimbursement Program; and

WHEREAS, the City Council must renew the Guidelines and Criteria adopted for this program every two years; and

WHEREAS, the City Council finds that the program substantially advances a legitimate interest of the City by promoting economic development, attracting new consumers to the City, expanding the sales tax base of the City, increasing employment and generating new tax revenue for jurisdictions in Grayson County, which will help stimulate the overall local economy.

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

SECTION 1. That the City Council hereby approves and adopts the following Guidelines and Criteria for use in administering the City's Main Street Reimbursement Program:

CITY OF SHERMAN'S
MAIN STREET REIMBURSEMENT PROGRAM
GUIDELINES AND CRITERIA

1. Persons wishing to participate in the program must submit a complete application on the form provided by the City. The City Council will approve or deny an application (Exhibit A) based upon the subjective evaluation of the following guidelines and criteria:

- **Eligibility**

  Any business that (1) legally operated on October 31, 2021 within the area now subject to the Downtown Overlay District as set forth in Ordinance No. 6618 (the "Downtown Overlay District"), and (2) continues to legally operate within the city limits of the City as of the date of reimbursement.

  Any business that (1) legally began operations after October 31, 2021 within the area now subject to the Downtown Overlay District, and (2) continues to legally operate within the District as of the date of application.

  Any business (1) established within the Downtown Overlay District after the passage of this Resolution, and (2) continues to legally operate within the city limits of the City as of the date of application.

  Approved applicants' continued eligibility during the five-year program window will be judged by the business' operating status on January 1st of each year. Partial-year reimbursements will not be issued to businesses that cease operation prior to the expiration of their eligibility.

  Businesses or persons that operate within or near the Downtown Overlay District but lack a permanent, physical location within the District will have their eligibility judged on a case-by-case basis, as determined solely by the discretion of the Sherman City Manager.

- **Amount eligible for reimbursement**

  Approved applicants may receive up to five successive grants over the course of five calendar years, each of which are in an amount equal to the City's annual net receipts from the State of Texas' collection of the one percent (1%) general sales and use tax imposed by the City pursuant to Chapter 321 of the Texas Tax Code for Taxable Items sold in the City.

  For eligible businesses that were in legal operation on October 31, 2021, and continue to legally operate within the city limits of the City, calendar years 2022-2026 will be eligible for reimbursement.

  For eligible businesses that receive a Certificate of Occupancy from the City dated after October 31, 2021, the month-of-issuance of the Certificate will be used to determine the opening and closing of the five-year reimbursement window, with partial payments made in years one and five so long as the business is still in operation at the expiration of the window.

2. Approved applicants must at all times comply with all applicable program guidelines, including those set forth in the application form and the Chapter 380 Grant Agreement, as prescribed by the City.

SECTION 2. That this Resolution and these Main Street Reimbursement Program Guidelines and Criteria shall be effective immediately upon the passage of this resolution.

SECTION 3. That it is 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 the meeting was given as required by law.

INTRODUCED on this the 7th day of August 2023.

ADOPTED on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

CHAPTER 380 GRANT AGREEMENT

This CHAPTER 380 GRANT AGREEMENT ("Agreement") is entered into by and between _____, and the CITY OF SHERMAN, TEXAS ("City"), a home-rule municipality. City and Company are each referred to herein as a "party" or collectively as the "parties."

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") has found that it is in the best interest of the City and its citizens to encourage programs, including programs for making loans and grants of public money to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380 of the Texas Local Government Code, as amended ("Chapter 380");

WHEREAS, the Company owns a business operating under the name _____, on real property located at _____, Sherman, Texas (the "Property") under Texas Taxpayer ID No. _____, in compliance with this Agreement and applicable ordinances of the City and as approved by the City;

WHEREAS, the City Council finds that the Company meets the criteria for providing the Grant (hereinafter defined) under Chapter 380 and the City's Main Street Reimbursement Program;

WHEREAS, the Company agrees that the City's obligation to perform or take any action under this Agreement is strictly contingent on the Company's compliance with this Agreement, including completion of the Performance Requirements as defined in this Agreement;

WHEREAS, the City is willing to provide the Company with economic assistance on the terms and subject to the conditions as stated herein, and the Company is willing to accept the same subject to all terms and conditions contained in this Agreement;

WHEREAS, the City Council finds that this Agreement substantially advances a legitimate interest of the City by promoting economic development, attracting new consumers to the City, expanding the sales tax base of the City, increasing employment and generating new tax revenue for jurisdictions in Grayson County, which will help stimulate the overall local economy.

NOW, THEREFORE, in consideration of the covenants and conditions contained in this Agreement, the City and the Company agree as follows:

1. Findings Incorporated. The findings set forth above are made a part of this Agreement as if set forth herein verbatim.

2. Chapter 380 Grant; Grant Term.

a. Subject to the terms of this Agreement and provided that the Company has complied and continues to comply with all of the Performance Requirements set forth in Section 3 below, the City will, pursuant to Chapter 380, provide to the Company an economic development grant in the form of a reimbursement payable to the Company each year of an amount equal to the one percent of sales tax actually collected and received by the City on sales generated in or by the Company on the Property that are taxable by the City for a five (5) year period commencing _____ (the "Grant Term") in a combined total amount not to exceed two hundred fifty thousand and 00/100 Dollars ($250,00.00) (the "Grant").

b. If, after all of the Performance Requirements set forth below have been initially satisfied, any of the Performance Requirements are thereafter not satisfied during any period of time for which a Grant is calculated, then if such failure of a condition is not cured within thirty (30) days after written notice from the City to the Company of such failure, the City, in addition to any other remedies, will be relieved of its obligation to pay the portion of the Grant related to such calendar year and the City shall also have the right to give the Company a notice that this Agreement shall immediately terminate without further action by either party. In the case of such failure, the Company shall not be required to return to the City any portion of the Grant that has been previously distributed.

c. The Company acknowledges and agrees that the City is not certifying or otherwise encumbering any funds for the payment of the Grant due under this Agreement and does not have any monies budgeted for the same. The Company agrees not to make any claims against the City for any monies other than those from the sales tax revenues collected on the Property, and nothing in this Agreement shall require City to make payment from revenue sources other than the same. The basis for any Grant due to the Company under this Agreement shall never include any monies the Company pays or owes to the State of Texas or the City for any penalties for late payments, failures to report in a timely manner, and the like, related to the sales taxes or ad valorem taxes due on the Property.

3. Performance Requirements. The following conditions must be satisfied by the Company during the Grant Term in order for the Company to qualify for the Grant (collectively, the "Performance Requirements"):

a. The Company shall obtain and maintain a permanent Certificate of Occupancy from the City and, and shall maintain continuous operation of the Company's facilities on the Property during all portions of the Grant Term; and

b. No later than thirty (30) days after the close of each calendar year during the term of this Agreement, the Company shall provide the City with a copy of the Texas Sales and Use Tax Return that the Company submits to the Comptroller of the State of Texas relating to the Company's remission of City Sales and Use Tax Collected on the Property as a result of the operation of the Company ("Sales Tax Report").

In the event the City is unable to obtain the necessary sales tax information from the Sales Tax Report or in the event the City is unable to obtain the Sales Tax Report for any period of time during the Grant Term, the Company, in order to obtain payment of the Grant, shall have the obligation to provide, or cause to be provided, to the City a current list of each person doing business within the Property together with a waiver of confidentiality and permission to obtain tax information from the State Comptroller relating to such person (collectively, the "Personal Information") in such form as is required by the Texas Comptroller in order to release the tax information, an example of which is attached hereto as Exhibit C (the "Waiver of Sales Tax Confidentiality") relating to such person to the City. The Company's failure to provide the City with the Personal Information shall not constitute a default under this Agreement but shall relieve the City permanently of the obligation to pay that portion of the Grant that relates to such person prior to the date that the Personal Information is provided to the City. Subject to the terms and conditions of this Agreement, the City will pay the Grant to the Company on a yearly basis beginning on _____ following the date the Company first meets the Performance Requirements and, if applicable, within sixty (60) days after the Company provides the City the Personal Information set forth in this section, and continuing each year thereafter during the Grant Term, provided that the Company each year meets the Performance Requirements, until the earlier of (i) the end of the Grant Term; (ii) the Grant is paid in full; or (iii) this Agreement is terminated. The City and the Company designate this Agreement as a revenue sharing agreement, thereby entitling the City to request Sales and Use Tax Revenue information from the State Comptroller pursuant to Section 321.3022 of the Texas Tax Code, as amended; and

c. All property taxes and other governmental assessments for the Property, including business personal property, shall be paid when due.

d. The Company shall continuously comply with this Agreement during the Grant Term.

The Company shall provide to the City documentation satisfactory to the City that the Company has satisfied all of the Performance Requirements set forth above.

4. Confidentiality. The City acknowledges that the Company contends that the information regarding sales taxes generated by the Company on the Property is commercial or financial information which is proprietary and confidential, the disclosure of which could cause competitive harm to the Company and the owners, tenants and/or occupants of the Property. To the extent permitted by law, and subject to the requirements of the Texas Public Information Act, the City shall maintain the confidentiality of the Personal Information and the information contained in the Comptroller's Sales Tax Reports obtained by the City (collectively, the "Sales Information"), but shall be permitted to disclose the Sales Information to such City employees and agents as the City, in its reasonable discretion, deems appropriate in furtherance of the purposes herein set forth.

5. The Company Representations. The Company makes the following representations and warranties to the City, and agrees to timely and fully perform the following obligations and duties:

a. The Company is authorized to do business and is in good standing in the State of Texas and shall remain in good standing in the State of Texas during the term of this Agreement. As used herein, the term "good standing" means the status of the Company with the Comptroller of the State of Texas shall be "Active."

b. No litigation or governmental proceeding is pending or, to the knowledge of the Company, threatened against or affecting the Company that may result in any material adverse change in the Company's business or operation.

c. No bankruptcy proceedings or other similar proceedings are currently pending or contemplated against the Company, and the Company has not been informed of any potential involuntary bankruptcy proceedings against the Company.

d. The Company shall remain current and in good standing with all sales taxes, ad valorem taxes, fees and other recurring charges of the City, the State of Texas and Collin County taxing jurisdictions throughout the term of this Agreement.

e. The Company represents and certifies that the Company does not and will not knowingly employ any undocumented worker at the Company or on the Property who is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in the United States. If, after receiving any public subsidy from the City under this Agreement, the Company is convicted of a violation under 8 U.S.C. § 1324a(f), the Company shall repay to the City an amount equal to all Grant payments tendered to the Company under this Agreement and any other funds received by the Company from the City under this Agreement plus interest, at the rate of four percent (4%), not later than the 120th day after the date the public agency, state or local taxing jurisdiction notifies the Company of the violation.

6. Default.

a. The following shall constitute an "Event of Default" under this Agreement:

(i) Upon the expiration of the notice and cure period set forth in the first sentence of Section 6(b) below, the City's failure to process any portion of the Grant payments owing to the Company in accordance with this Agreement.

(ii) A failure of the Company to comply with and satisfy the Performance Requirements set forth in Section 3 of this Agreement.

(iii) A breach of a representation under this Agreement by Company.

b. In the event of the occurrence of an Event of Default described under Section 6(a) above, the non-defaulting party may give written notice to the other party of such Event of Default, and the defaulting party shall have thirty (30) days thereafter to cure said Event of Default. Should said Event of Default remain uncured after such cure period and the non-defaulting party is not otherwise in default hereunder, then the non-defaulting party shall have the right to give the defaulting party a notice that this Agreement shall immediately terminate without further action by either party. In addition and without terminating this Agreement, the Company shall further have the power to enforce specific performance or bring an action to collect amounts owing upon an Event of Default by the City. No action shall lie for damages against the City beyond the foregoing amounts owed by the City arising from an Event of Default by the City, and no party shall seek or be entitled to recover punitive, special or consequential damages arising out of, or relating to, any Event of Default under this Agreement.

c. This Agreement shall terminate upon the occurrence of any one of the following:

(i) the execution by both parties of a written agreement terminating this Agreement;

(ii) the expiration of the Grant Term; or

(iii) at the option of the non-defaulting party (subject to the notice and cure and other provisions of Section 6(b) above), after an Event of Default.

d. The prevailing party in any action to enforce this Agreement shall be entitled to receive reasonable attorneys' fees from the non-prevailing party.

e. The Company's sole and exclusive remedies for a breach by the City under this Agreement shall be those expressly provided for in this Section 6, and the Company hereby waives any other remedies under law or in equity.

7. Notices. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by depositing same in the United States mail, addressed to the party to be notified, postage pre-paid and registered or certified with return receipt requested, or by delivering the same in person to such party via facsimile or a hand-delivery service, Federal Express or any courier service that provides a return receipt showing the date of actual delivery of same to the addressee thereof. Notice given in accordance herewith shall be effective upon receipt at the address of the addressee. For purposes of notice, the addresses of the parties shall be as follows:

If to the City: City of Sherman
405 N Rusk Street
Sherman, Texas 75090
Attn: Nate Strauch

With a copy to: Abernathy, Roeder, Boyd & Hullett, P.C.
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
Attn: Ryan D. Pittman

If to the Company: _____

8. Verification and Compliance. The Company shall allow the City to audit all of the Company's records (other than individual employee files), documents, agreements and other instruments in furtherance of the following purposes: (a) to ensure the Company's compliance with the affirmative covenants set forth in this Agreement; (b) to determine the existence of an event of default under the terms of this Agreement; and (c) to ensure compliance with any other terms and conditions set forth herein or any related documents, including, but not limited to, either of the Performance Agreements. The City will provide the Company with written notice of any request for an audit and shall cooperate with the Company to schedule audit activities during the Company's normal business hours so as to minimize disruption to the Company's normal business operations.

9. Company Representations Required by Texas Law. Company hereby represents that a completed Certificate of Interested Parties Form 1295 ("Form 1295") generated by the Texas Ethics Commission (the "TEC") was submitted by Company in accordance with the provisions of Section 2252.908 of the Texas Government Code and the rules promulgated by the TEC, in connection with this Agreement. Company represents that, to the extent this Agreement constitutes a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, solely for purposes of compliance with Chapter 2252 of the Texas Government Code, and except to the extent otherwise required by applicable federal law, neither the Company nor any wholly owned subsidiary, majority owned subsidiary, parent company or affiliate of the Company is a company listed by the Texas Comptroller under Sections 2270.0201 or 2252.153 of the Texas Government Code. In accordance with Chapter 2270 of the Texas Government Code (to the extent applicable), Company hereby certifies that Company does not boycott Israel and will not boycott Israel during the term of any contract with City, including during the term of this Agreement. In accordance with Chapter 809 of the Texas Government Code (to the extent applicable), Company hereby certifies that Company does not boycott energy companies and will not boycott energy companies during the term of any contract with City, including during the term of this Agreement. In accordance with Chapter 2274 of the Texas Government Code (to the extent applicable), Company hereby certifies that Company does not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade

association and will not discriminate against a firearm entity or firearm trade association during the term of any contract with City, including during the term of this Agreement. The foregoing terms have the meanings ascribed to them in the referenced statutes if defined therein.

10. Miscellaneous.

a. Binding Agreement. This Agreement shall constitute a valid and binding agreement by and between the City and the Company.

b. Savings/Severability. If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances, or affect any other provision hereof. It is the intention and agreement of the parties to this Agreement that each such illegal, invalid or unenforceable provision shall be amended by the parties hereto to the extent necessary to make it legal, valid and enforceable while achieving the same objective of such provision, or, if that is not possible, by substituting therefore another provision that is legal, valid and enforceable and achieves the same objectives (or, if such provision cannot be amended or a provision substituted therefore in a manner that is legal, valid and enforceable and achieves the same objectives, then such provision shall be amended or a new provision substituted therefore that achieves as closely as possible the same objectives or economic position as the illegal, invalid or unenforceable provision, irrespective of whether such amendment or substituted provision is materially different than the illegal, invalid or unenforceable provision).

c. Entire Agreement. This Agreement contains the entire agreement of the parties with respect to the matters contained herein and may not be modified or terminated except upon the provisions hereof or by the mutual written agreement of the parties hereto.

d. Governing Law; Venue. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement, without regard to conflict of law principles. This Agreement is performable in Collin County, Texas, and the exclusive venue for any action arising out of this Agreement shall be a court of appropriate jurisdiction in Collin County, Texas.

e. Vested Rights/Chapter 245 Waiver. This Agreement shall confer no vested rights on the Property, or any portion thereof. In addition, nothing contained in this Agreement shall constitute a "permit" as defined in Chapter 245 of the Texas Local Government Code, as amended, and nothing in this Agreement provides City with fair notice of any project of the Company. The Company waives any statutory claim under Chapter 245 of the Texas Local Government Code, as amended, arising

out of any acts or omissions under this Agreement. This section shall survive the termination of this Agreement.

f. Consideration. This Agreement is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

g. Counterparts. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. An electronic mail or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other party.

h. Representations. Each signatory represents this Agreement has been read by the party for which this Agreement is executed and that such party has had an opportunity to confer with its counsel.

i. Authority to Execute. The individuals executing this Agreement on behalf of the respective parties below represent to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing this Agreement to do so for and on behalf of the party for which his or her signature appears, that there are no other parties or entities required to execute this Agreement in order for the same to be an authorized and binding agreement on the party for whom the individual is signing this Agreement and that each individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the date of this Agreement.

j. No Third Party Beneficiaries. Nothing in this Agreement shall be construed to create any right in any third party not a signatory to this Agreement, and the parties do not intend to create any third party beneficiaries by entering into this Agreement.

k. Waiver. Waiver by either party of any breach of this Agreement, or the failure of either party to enforce any of the provisions of this Agreement, at any time, shall not in any way affect, limit or waive such party's right thereafter to enforce and compel strict compliance.

l. Miscellaneous Drafting Provisions. This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply. Headings in this Agreement are for the convenience of the parties and are not intended to be used in construing this document.

m. Immunity. It is expressly understood and agreed that, in the execution and performance of this Agreement, City has not waived, nor shall be deemed hereby

to have waived, any defense or immunity, including governmental, sovereign and official immunity, that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied, other than those set forth herein.

n. Assignment. This Agreement or any part thereof shall not be assigned or transferred by any party without the prior written consent of the other party, which may be withheld in the other party's sole discretion.

[*Signature page follows*.]

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective when all the parties have signed it. The date this Agreement is signed by the last party to sign it (as indicated by the date associated with that party's signature below) will be deemed the effective date of this Agreement ("Effective Date").

CITY OF SHERMAN, TEXAS**,**
a home-rule municipality

By: _____
Robby Hefton, City Manager
Date executed: _____

_____

By:_____
Name: _____
Title: _____
Date executed: _____

STATE OF _____ §
§
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this ____ day of _____, 2023, personally appeared _____, as _____ and duly authorized representative of _____, a _____, known to me to be one of the persons whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated on behalf thereof.

_____
Notary Public, State of _____

Exhibit C
Waiver of Sales Tax Confidentiality

Date: _____

I authorize the Comptroller of Public Accounts to release sales and use tax information pertaining to the taxpayer indicated below to the City of Sherman. I understand that this waiver applies only to our retail store located in the _____ _____.

Please print or type the following information as shown on your Texas Sales and Use Tax permit:

_____
Name of Taxpayer Listed on Texas Sales Tax Permit

_____
Name under Which Taxpayer is Doing Business (d/b/a or Outlet Name)

_____
Taxpayer Mailing Address

_____
Physical Location of Business Permitted for Sales Tax in Sherman, Texas

_____
Texas Taxpayer ID Number

_____
Authorized Signature*

_____
Printed Name of Authorized Signature

_____
Position of Authorized Signature

_____
Phone Number of Authorized Signature

*The authorized signature must be an owner, officer, director, partner, or agent authorized to sign a Texas Sales Tax Return. If you have any questions concerning this waiver of confidentiality, please contact the Texas Comptroller of Public Accounts at 1 (800) 531-5441.

My Forms

Main Street Reimbursement Program

Save Progress

Main Street Reimbursement Program Application

This application is to enroll an eligible business into the City of Sherman's Main Street Reimbursement Program, designed to elevate and assist those businesses which choose to locate within the City's Downtown Overlay District.

Approved applicants are eligible for up to 5 yearly grants equal to the City's annual net receipts from the State of Texas' collection of the one percent (1%) general sales and use tax generated by the business.

New businesses are eligible to receive annual stipends beginning with the month-of-issuance of the business's Certificate of Occupancy. The 60 months (5 years) after the certificate is issued are eligible for rebate, so long as the business remains in legal operation as of January 1st of each year. Partial-year reimbursements will not be issued to businesses that cease operation prior to the expiration of their eligibility.

Existing businesses may apply to receive reimbursements retroactive to January 1st, 2022 - or the date of issuance of the Certificate, if it is later - and continuing for 5 years thereafter.

Name of Business*

Name of Company (if different than business name)

Business Address*

Name of Person Applying*

Telephone Number*

Select Lang
Google Translate

Business Square Footage

Own or lease?

- [ ] Own
- [ ] Lease

If leased, when does the lease come up for renewal?

mm/dd/yyyy

Date Certificate of Occupancy Was Granted*

mm/dd/yyyy

If certificate has not yet been obtained, please estimate a future date you expect to obtain it.

If this is an existing business, was the business in legal operation in Downtown Sherman on October 31, 2021?*

- [ ] Yes
- [ ] No
- [ ] Not Applicable

Business description

Please provide a brief description of what the business is, and what type of economic activity it will generate.

protected by reCAPTCHA
Privacy - Terms

* indicates a required field

Government Websites by CivicPlus®

Google Translate

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 4.**

Meeting Date: 08/07/2023

Prepared By: Nate Strauch, Community & Support Services Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 7112

Authorizing Execution of an Agreement with David Downtain, d/b/a RP Sherman Properties II, LLC under the City of Sherman's Downtown Building Improvement Grant Program for Renovations at 219 W Houston Street

Issue:

An agreement with David Downtain, d/b/a RP Sherman Properties II, LLC for a Downtown Building Improvement Grant for renovations to a historically significant property in the downtown Tax Increment Reinvestment Zone, located at 219 West Houston Street

Background:

The Downtown Building Improvement Grant is designed to stimulate substantial, visible, and permanent improvements to historically significant buildings and to spur interest in vacant and underutilized buildings of historical value in the downtown TIRZ. Grants under the program are awarded at the City Council's sole discretion, in the maximum amount of $50,000 per project, per year.

This application is the eighth received under the new program. The project is to add an ADA-compliant elevator to the building located at 219 West Houston Steet, otherwise known as the "Kreager Building." This property received a $25,000 grant from the City in 2022, but is eligible for a second grant under the new program guidelines. The qualified costs for the proposed renovation work are approximately $221,000. The project qualifies for a matching grant of $50,000

Origination:

Community and Support Services Manager Nate Strauch

Financial Consideration:

The project is eligible for a DBIG grant in the amount of $50,000.

Staff Recommendation:

As the application meets the requirements of the program, it is recommended that the City Council consider an award to David Downtain, d/b/a RP Sherman Properties II, LLC, in the amount of $50,000.

Alternatives:

As directed by Council

Attachments

Resolution No. 7112

Application Packet

RESOLUTION NO. 7112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH DAVID DOWNTAIN, D/B/A RP SHERMAN PROPERTIES II, LLC UNDER THE CITY OF SHERMAN'S DOWNTOWN BUILDING IMPROVEMENT GRANT PROGRAM FOR RENOVATIONS TO 219 W. HOUSTON 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 all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with David Downtain, d/b/a RP Sherman Properties II, LLC for improvements to 219 W. Houston Street under the City of Sherman's Downtown Building Improvement Grant Program, 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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Downtown Building Improvement Grant Application and Agreement

The information requested below will be used to process your application under the terms and conditions of the City of Sherman's Downtown Building Improvement Grant. All grant applications must include pictures of the current building, designs or renderings of the finished product, and historical pictures, if available.

I. Applicant Information

1. Applicant(s) name: RP Sherman Properties II, LLC

   Mailing address: 1200 N East St

   City: Sherman State: Texas Zip: 75090

2. Applicant's daytime telephone number: 972-832-8011

   E-mail address: ddowntain@risenproperties.com

3. Status of applicant (please check one)
   - _x_ Property owner with vacant facility
   - ____ Property owner with tenant business
   - ____ Property owner/operator of existing business on property
   - ____ Property tenant with property owner consent
   - ____ Property deed, lease, or other document evidencing applicant's status

5. Length of ownership/ lease: 2 Years
   Date purchased/ leased: August 3, 2021

II. Property Information

1. Address of property to be improved: 219 W Houston St

2. Legal description of subject property:
   OTP SHERMAN, BLOCK 1, LOT 1, 50X100 5000 SF 50X100 5000 SF and
   ALLEN S B ADDN, BLOCK W, LOT E 37, 37X140 5250 SF

3. Grayson County Tax Assessor Parcel Number(s):
   161829 AND 161738

4. Year built: early 1900's Square footage: 13, 680 sf
   (Eligible buildings must be at least 50 years of age.)

6. What are the current types of businesses or other uses occupying the building?
   None, this property has been vacant for 30+ years

7. Name and phone number of tenant(s), if applicable: N/A

(Attach additional names/numbers, if needed)

8. Use of building after construction: Multi-Tenant mixed use - retail, restaurant, office

9. Number of parking spaces provided: _____ Proposed:_____ Total: 10

10. Current zoning: Central Business District

11. Is a zoning amendment required? Yes___ No_x_

III. Project Description

1. Description of Proposed Improvements. Please provide a detailed description of your proposed improvements. Attach a copy of your architectural or design plans.

Description:

This is Phase II which includes the addition of an elevator to this property. These improvements will allow the 7,500 2nd floor to be utilized to it's full potential. The elevator is fully compliant with Texas regulations, Moderately sized for 3,000 lb. capacity operating at an efficient speed. Additional costs are required for fire suppression, alarm and monitoring - these costs are not included in the attached budget.

☒ **Designs Attached** ☐ **"Before" Picture(s) Attached**

2. How many jobs will be **retained** once the project is completed?

_____ Full-time positions _____ Part-time positions

3. How many **new positions** will result from this project?

10-14 Full-time positions _____ Part-time positions

IV. Work Estimates

Please attach a minimum of two (2) independent contractor estimates for the proposed improvements. Please note that grant funding shall be based on the lowest bid. Eligible costs shall be the cost of materials, equipment, and contracted labor to complete eligible improvements.

1. Name/Company and Phone Number of Preferred Contractor:
Joshua Downtain, d2Built.com 940-289-0202

Amount: 221,200

2. Name/Company and Phone Number of Second Contractor:
Joe Tully, PintrailRestoration.com 469-642-9910

Amount: 243,500

3. Additional Estimates/Comments: (Please attach additional quotes, as required)

4. Total estimated costs of your improvements: 221,200

5. Estimated completion date for your improvements? October 31, 2023

VI. Agreement of Applicant and Property Owner

I/We, RP Sherman Properties II, LLC, of the City of Sherman, County of Grayson, State of Texas, declare under penalty of perjury that the information contained in this application is true and correct and that the information contained in the documents that accompany this application is true, correct, and complete. I/We certify and warrant that the proposed work described in this Application meets the eligibility requirements of the City of Sherman Downtown Building Improvement Grant Program. In exchange for the City of Sherman's consideration of this application, I/We hereby agree to the following:

I/We hereby authorize City of Sherman employees and agents to perform inspections of my/our property if granted funds under the City of Sherman Downtown Building Improvement Grant Program, both before and during the work for which funds are granted under this Program and after completion of the work to ensure compliance with the terms and conditions of the Program and all other applicable ordinances and other laws.

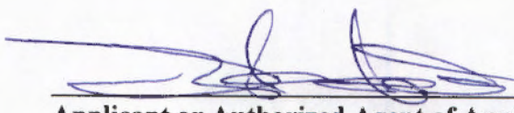
I/We acknowledge that any work carried out prior to written confirmation of grant approval may not be eligible for reimbursement.

I/We acknowledge receiving, understanding, and accepting the terms and conditions of the City of Sherman Downtown Building Improvement Grant Program, and agree to fully comply with the same along with all other applicable ordinances and other laws, all of which are incorporated herein by reference, if granted funds under the Program. I agree that the City of Sherman is entitled to the immediate return or reimbursement of any and all funds paid to the Applicant or other persons under the Program, plus interest and collection costs, in the event the Applicant fails to complete the work for which the grant was approved or otherwise fails to comply with all applicable Program guidelines and requirements, ordinances and other laws. I/We Applicants further acknowledge and agree that, if funds provided by the City to the Applicant under the Program are determined at any time not to comply with applicable state laws relating to the authorized uses of such funds, all funds paid to the Applicant or other persons under the Program shall be immediately returned or reimbursed to the City.

Chapter 2264 Certification: Pursuant to Chapter 2264 of the Texas Local Government Code, I/We hereby certifies that the Applicant's business, or a branch, division, or department of the Applicant's business, does not and will not knowingly employ an undocumented worker. An undocumented worker means an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under the law to be employed in that manner in the United States. If after receiving this grant from the City of Sherman, Applicant, or a branch, division, or department of Applicant's business, is convicted of a violation under 8 U.S.C. Section 1324a(f), Applicant shall repay the amount of the grant with interest, at the rate and according to the terms provided by this Agreement under Section 2264.053 of the Texas Local Government Code, not later than the 120th day after the date

the Applicant is notified of the violation. I/We agree that this document serves as an agreement under Chapter 380 of the Texas Local Government Code.

I/We agree to indemnify, release, defend and hold harmless the City of Sherman and its officers, employees and agents, from and against all claims, losses, liabilities, damages, suits, actions, or proceedings asserted or brought by any person, including Applicant and the property owner and their respective officers, employees, agents, contractors, and subcontractors, arising out of personal injury, death or property damage from any cause whatsoever in whole or in part arising out of this Agreement or the activities completed hereunder.



Applicant or Authorized Agent of Applicant

Property Owner (if different from Applicant)
or Authorized Agent of Property Owner

VII. Consent of the Owner to the Use and Disclosure of Information

I/We, RP Sherman Properties II, LLC, am the owner of the land that is the subject of this Application, and I/we authorize and consent to the use by or the disclosure to any person or public body, including the City of Sherman, of any personal or other information that is collected for the purposes of processing this application and administering the grant program. (*Note: Information provided in this application will become a public record, subject to disclosure under the Texas Public Information Act and/or Texas Open Meetings Act.)*

7/27/2023

Date

Signature of Owner(s)

WORK BY TRADES OTHER THAN THE ELEVATOR CONTRACTOR

THE FOLLOWING ITEMS ARE NOT INCLUDED IN THE ELEVATOR INSTALLATION CONTRACT, AND MUST BE PROVIDED BY OTHERS. IN ACCORDANCE WITH ASME A17.1 SAFETY CODE FOR ELEVATORS AND ESCALATORS, AND ANY LOCAL CODES WHICH MAY APPLY:

HOISTWAY:

1. PROVIDE A CLEAR AND LEGALLY CONSTRUCTED PLUMB HOISTWAY WITH VARIATION NOT TO EXCEED 1" FOR ENTIRE HEIGHT OF HOISTWAY.
2. PROVIDE HOISTWAY VENTING AS REQUIRED BY LOCAL CODE.
3. PROVIDE 75° BEVEL GUARDS ON ALL PROJECTIONS, RECESSES AND SETBACKS OVER 4", EXCEPT ON SIDES USED FOR LOADING OR UNLOADING.
4. PROVIDE STRUCTURAL SUPPORTS FOR GUIDE RAIL BRACKETS AT LOCATIONS SHOWN BY ELEVATOR CONTRACTOR. SUPPORTS MUST BE DESIGNED TO SUPPORT AND SUSTAIN THE REQUIRED LOADS. FOR DUPLEX HOISTWAY INSTALLATIONS, PROVIDE DIVIDER BEAMS BETWEEN HOISTWAYS, IN LOCATIONS AS REQUIRED, WITH SAME LOAD CARRYING CAPABILITIES.
5. IF REQUIRED, PROVIDE FIREPROOFING AT LOCATIONS WHERE RAIL BRACKETS ARE ATTACHED TO EXPOSED STEEL, AFTER INSTALLATION OF RAILS AND BRACKETS.
6. IF INSERTS ARE TO BE USED FOR RAIL BRACKET ATTACHMENT, THE INSERTS WILL BE FURNISHED BY THE ELEVATOR CONTRACTOR AND INSTALLED BY OTHERS AS WALLS ARE ERECTED. INSERTS MUST BE INSTALLED TO ASSURE THAT SUPPORT REQUIREMENTS ARE MAINTAINED.
7. PROVIDE A HOISTING BEAM OR HOOK AT TOP OF HOISTWAY, LOCATED ON CENTERLINE GUIDES, OF SUFFICIENT STRENGTH TO SUPPORT THE WEIGHT OF THE CAR AND PLUNGER. 5,000
8. A DRY PIT OF PROPER DEPTH, DESIGNED TO SUPPORT AND SUSTAIN THE VERTICAL FORCES FROM THE JACK UNIT AND BUFFERS, MUST BE PROVIDED.
9. PROVIDE A VERTICAL LADDER OF NON COMBUSTIBLE MATERIAL, EXTENDING FROM PIT FLOOR TO MIN. OF 48" ABOVE LOWEST LANDING. THIS LADDER MUST BE 16" CLEAR INSIDE WIDTH AND 4 1/2" MIN FROM CENTER OF RUNG TO WALL, AND 12" CENTER TO CENTER.
10. FOR SYSTEMS WITH "IN-GROUND" JACK UNITS, A 30" SQUARE HOLE IS TO BE LEFT IN THE PIT FLOOR, CENTERED AT THE JACK LOCATION, AND TO BE GROUTED IN BY OTHERS AFTER JACK UNIT (OR CASING) HAS BEEN INSTALLED.
    IF "HOLELESS" SYSTEM IS PROVIDED, IT MAY SOMETIMES BE NECESSARY TO PROVIDE PARTIAL HOLES FOR JACK UNITS. THESE HOLES MAY NOT BE GROUTED IN AFTER INSTALLATION OF JACK UNITS (SEE CONTRACT AND LAYOUTS FOR PARTICULARS).
11. PROVIDE ANY REQUIRED HOLES, SLEEVES, OR TRENCHES WITH FILLING OR GROUTING IN THE HOISTWAY AND MACHINE ROOM WALLS, CEILING, OR FLOOR FOR INSTALLATION OF OIL LINE AND WIRING MATERIALS.
12. PROVIDE ANY RECESSES, CUTTING OR PATCHING OF THE BUILDING CONSTRUCTION NECESSARY THEREBY.
13. PROVIDE AND INSTALL ANY NECESSARY BARRICADES OR PARTITIONS.
14. PROVIDE PROPER SILL SUPPORTS AND RECESSES AS SHOWN ON LAYOUTS, AND GROUT IN AS REQUIRED AFTER INSTALLATION OF SILLS.
15. ENTRANCE WALLS AND FINISHED FLOOR ARE NOT TO BE ERECTED OR INSTALLED UNTIL AFTER DOOR FRAMES ARE COMPLETELY INSTALLED AND ALIGNED (SEE LAYOUTS FOR PERMISSIBLE ROUGH OPENING SIZES).
16. DOOR FRAMES ARE TO BE PROPERLY GROUTED AFTER INSTALLATION TO ASSURE LEGAL FIRE RATING.
17. PROVIDE SUITABLE STRUCTURAL DOOR FRAMES AND SILLS FOR FREIGHT OR SERVICE ELEVATORS WITH VERTICAL BI-PARTING DOORS. DOOR FRAMES AND SILLS MUST BE DESIGNED AND INSTALLED TO SUPPORT THE IMPOSED LOADS. JAMBS MUST RETURN ON HATCH SIDE AND EXTEND ABOVE OPENING AS PER FREIGHT ELEVATOR DOOR DRAWINGS.

17A. ACCESS DOOR FOR GOVERNOR RESET. (IF REQUIRED)

ELEVATOR MACHINE ROOM:

18. PROVIDE A LEGALLY CONSTRUCTED AND ENCLOSED MACHINE ROOM, ADEQUATELY LIGHTED, AND CONDITIONED TO MAINTAIN TEMPERATURE BETWEEN 65° TO 95° FAHRENHEIT, RELATIVE HUMIDITY IS NOT TO EXCEED 95% NON-CONDENSING.
19. MACHINE ROOM DOOR TO BE SIZED FOR ACCESS OF ELEVATOR POWER UNIT, ABLE TO OPEN FROM INSIDE WITHOUT USE OF KEY AND MUST BE SELF CLOSING AND LOCKING.
20. MACHINE ROOM MUST BE OF ADEQUATE SIZE TO PROVIDE CLEARANCES AROUND AND BETWEEN EQUIPMENT AS REQUIRED BY CODE.
21. PROVIDE A ABC FIRE EXTINGUISHER IN THE MACHINE ROOM MOUNTED ON THE DOOR STRIKE WALL.

ELECTRICAL: (ALL ELECTRICAL TO BE IN ACCORDANCE WITH REQUIREMENTS OF ANSI/NFPA 70.)

22. PROVIDE 110 VAC SERVICE FOR ELEVATOR LIGHT AND ACCESSORIES CONNECTED TO THE CAR LIGHT SERVICE TERMINAL ON THE ELEVATOR CONTROLLER IN THE MACHINE ROOM. A SINGLE DISCONNECTING MEANS FOR THE CAR LIGHT AND ACCESSORIES SHALL BE LOCATED IN THE MACHINE ROOM AND ARRANGED TO BE LOCKED IN THE OPEN POSITION.
23. PROVIDE A 110 VAC OUTLET IN THE ELEVATOR PIT.
24. PROVIDE A GUARDED LIGHT AND SWITCH IN THE ELEVATOR PIT. LIGHT FIXTURE MUST BE LOCATED TO CLEAR THE ELEVATOR CAR AND SWITCH MUST BE ACCESSIBLE FROM THE LOWEST LANDING.
25. PROVIDE LIGHT, SWITCH AND 110 VAC GFI OUTLET IN THE MACHINE ROOM, WITH SWITCH LOCATED ADJACENT TO THE MACHINE ROOM.
26. IF ELEVATOR SYSTEM IS MULTIPLE OPERATION, SUPPLY ADDITIONAL SEPARATE 110 VAC POWER SOURCE IN THE ELEVATOR MACHINE ROOM.
27. PROVIDE A FUSED DISCONNECT SWITCH FOR EACH ELEVATOR IN THE MACHINE ROOM, LOCATED IN A POSITION BASED ON LOCAL CODE AND WITHIN SIGHT OF ELEVATOR EQUIPMENT, AND ARRANGED TO BE LOCKED IN THE OFF POSITION. THE DISCONNECT SWITCH AND WIRING SHALL BE OF AMPLE CAPACITY FOR THE ELEVATOR MOTOR AND EQUIPMENT AND WIRING SHALL BE EXTENDED FROM THIS SWITCH TO THE TERMINALS ON THE ELEVATOR MOTOR STARTER PANEL. IF THE ELEVATOR POWER UNIT INCLUDES A MULTIPLE MOTOR ARRANGEMENT, SEPARATE FUSING MUST BE PROVIDED FOR EACH MOTOR, BUT ALL MOTORS MUST BE DISCONNECTED BY A SINGLE SWITCH LEVER.
28. IF ELEVATOR IS TO OPERATE FROM AN EMERGENCY POWER GENERATOR (PROVIDED BY OTHERS), PROVIDE AN ISOLATED CONTACT IN THE DISCONNECT SWITCH TO SIGNAL WHEN SYSTEM IS OPERATING ON EMERGENCY POWER WITH A SINGLE LEVER.
29. IF ELEVATOR IS TO OPERATE FROM A BATTERY POWERED EMERGENCY LOWERING DEVICE, PROVIDE AN AUXILIARY DRY CONTACT TO THE ELEVATOR CONTROLER IN THE DISCONNECT SWITCH AND THE SHUNT TRIP BREAKER TO THE ELEVATOR CONTROLER.
30. WHEN FIRE SERVICE IS INCLUDED, PROVIDE SMOKE SENSING DEVICES IN EACH ELEVATOR LOBBY AND OTHER LOCATIONS AS REQUIRED BY CODE. HEAT SENSORS MUST BE WITHIN 24" OF ANY SPRINKLERS AND MUST BE ARRANGED TO INTERFACE WITH ELEVATOR CONTROL EQUIPMENT AND WIRING FROM THESE DEVICES IS TO BE EXTENDED TO THE TERMINALS OR THE ELEVATOR CONTROLLER IN THE MACHINE ROOM.
31. PROVIDE A DEDICATED LINE FOR TELEPHONE TO TERMINALS ON THE ELEVATOR CONTROL PANEL IN THE MACHINE ROOM. PROVIDE TELEPHONE INSTRUMENT IF NOT SPECIFIED AS BEING PROVIDED BY THE ELEVATOR CONTRACTOR. TELEPHONE MUST BE ANSWERED 24 HOURS A DAY-7 DAYS A WEEK. BY A PROVIDED SERVICE.
32. PROVIDE ANY INTERCOM, PAGING, TELEVISION OR MONITORING SYSTEMS, AND ALL WIRING TO THE ELEVATOR MACHINE ROOM CONTROL PANEL FOR DEVICES THAT ARE REQUIRED, BUT NOT SPECIFIED AS FURNISHED BY ELEVATOR CONTRACTOR.

GENERAL:

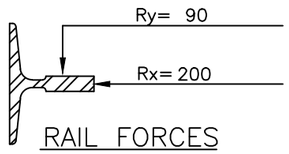
33. PROVIDE NECESSARY POWER AT ELEVATOR LOCATION, FOR INSTALLING AND ADJUSTING, WITHOUT CHARGE.
34. PROVIDE A SECURE, DRY SPACE FOR STORAGE OF ELEVATOR EQUIPMENT AND TOOLS AND SUPPLIES. SPACE SHALL BE AVAILABLE AT TIME OF RECEIPT OF EQUIPMENT AT THE JOB SITE AND DURING INSTALLATION.
35. PROVIDE ANY ITEM OR DETAIL REQUIRED, FOR THE INSTALLATION BUT NOT SPECIFICALLY SPECIFIED AS BEING FURNISHED BY THE ELEVATOR CONTRACTOR.
36. PROVIDE SUMP PIT AND PUMP AS PER APPLICABLE ASME A17.1 CODE FOR ELEVATORS, SECTION 2.2.2.5. HOLDING TANK TO BE IN ACCORDANCE WITH LOCAL BUILDING CODES.

SPECIFICATIONS AND DATA

CAR NO.	PE-1
CLASSIFICATION	PASSENGER
TYPE	TWIN JACK SINGLE STAGE HOLELESS
CAPACITY	3,000 LBS
RATED SPEED	100 F.P.M.
TRAVEL	14'-0" (A)
NO. LANDINGS	2
NO. OF OPENINGS	3
FRONT OPENINGS	2 (A)
REAR OPENINGS	1 (A)
DOOR TYPE	SINGLE SPEED (RIGHT HAND FRONT, LEFT HAND REAR)
DOOR SIZE	3'-6"W x 7'-0"H
PLATFORM SIZE	7'-0"W x 5'-11"D
RECESS FOR FLOORING	1/4"
DOOR OPERATOR	GAL MOVFR
CAR DOOR PROTECTION	INFRARED LIGHT CURTAIN
GUIDE RAILS	12 LBS/FT.
GUIDE SHOES	ELPRO 816SSC SWIVEL GUIDES
STILES	8" CHANNEL
OPERATION	SELECTIVE / COLLECTIVE
FIRE SERVICE	PHASE I & II w/ALTERNATE
LOBBY / ALTERNATE FLOOR	*1 / 2
SIGNALS / VOLTAGE	SEE FIXTURE PRINTS
CONTROL VALVE / COILS	MAXTON UC4M / 120 VAC
CONTROLLER	SMARTRISE
SEISMIC ZONE	ZONE 1
ELEVATOR CODE AND YR	ASME-A17.1 2016

TECHNICAL DATA

CAR NO.	PE-1
POWER SUPPLY	208V / 3PH / 60Hz
POWER UNIT	SUBMERSIBLE
PUMP	IMO
MOTOR HP/STARTS PER HR	30 HP (80 ST/HR)
FL / LR AMPS	FLA = 90 / LRA = 471 DELTA, 157 WYE
WORKING/STATIC PRESSURE	388 / 186 PSI
FLOW RATE	104 GPM
JACK MANUFACTURER	DL MARTIN
PLUNGER O.D.	3.50"
PLUNGER WALL	.216"
PLUNGER STROKE	15'-0" (A)
CYLINDER O.D.	5.00"
CYLINDER WALL	.250"
CYLINDER LENGTH	15'-5 7/8" (A)
CYLINDER PROTECTION	N/A
CAR WEIGHT	3,569 LBS
PLUNGER WEIGHT	226 LBS
GROSS LOAD	6,795 LBS
ASTM PIPE GRADE	SCHEDULE 40
OIL LINE SIZE	2" VICTAULIC
OIL TO FILL SYSTEM	105 GALLONS
BUFFER STROKE	2 1/2"
TOP/BOTTOM OVERTRAVEL	5" TOP / 7" BOTTOM (A)
INCLUDED OPTIONS	
LOW PRESSURE SWITCH	
VISCOSITY TEMP SWITCH	
SHUT OFF BALL VALVES	



RAIL FORCES
PER RAIL

	LBS.
GROSS LOAD	6,795
LOAD ON JACK ASSEMBLY	14,490
LOAD ON BUFFER SPRINGS	18,280

NOTE: ALL ELEVATOR EQUIPMENT IS BUILT PER ASME A17.1 CODE. IT IS THE ELEVATOR CONTRACTORS RESPONSIBILITY TO INFORM THE MANUFACTURER OF ANY STATE AND/OR LOCAL CODE REQUIREMENTS THAT DEVIATE FROM ASME A17.1.

FINAL

REVISION RECORD

REV	DATE	BY	CHKD	DESCRIPTION
	09/14/22	MCA		PRELIMINARY FOR APPROVAL
A	10/06/22	MCA		FINAL LAYOUT - RELEASE TO PRODUCTION
				(TRAVEL UPDATE TO 14'-0")

ELEVATOR LAYOUT PE-1

HIGH TECH ELEVATOR
802 EASY STREET
GARLAND, TX 75042
PHONE: (469) 562-4739

PROJECT
219 WASHINGTON

DALLAS, TX

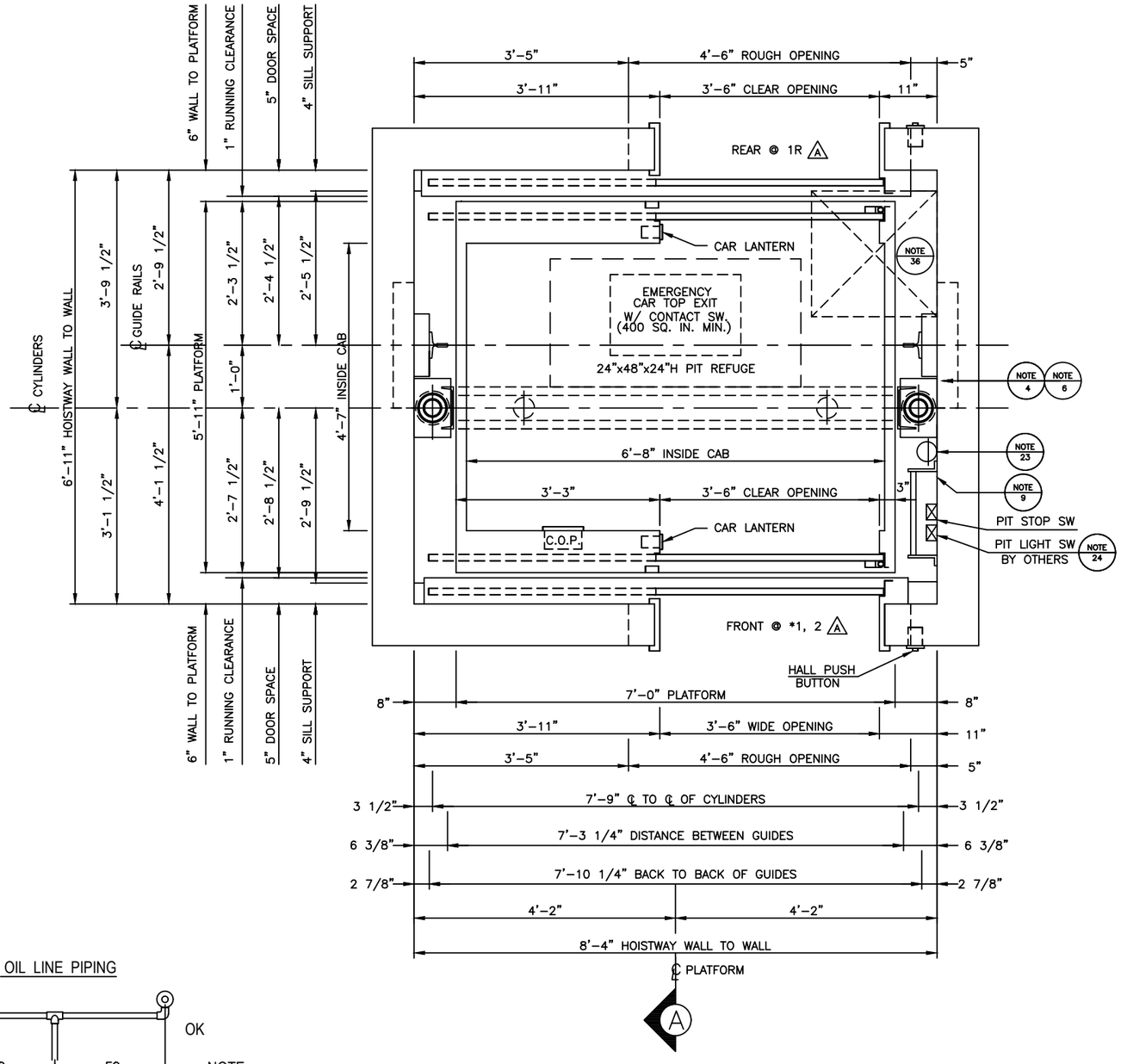
ARCHITECT

GENERAL CONTRACTOR

CONTRACT NO. 1222

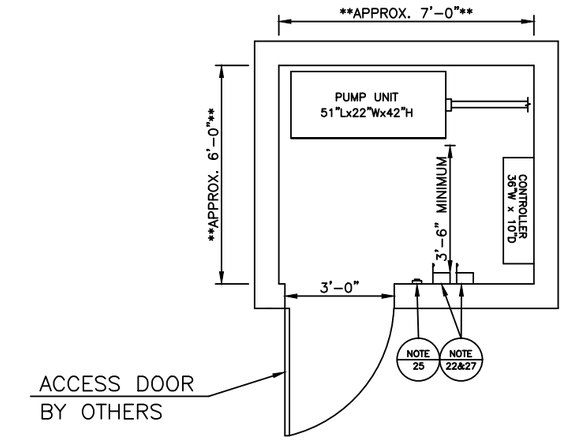
SHEET 1 OF 3

REV A



HOISTWAY PLAN

SCALE: 1/2" = 1'-0"

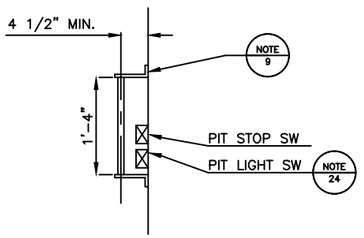


MACHINE ROOM NOTES:

NOTE: MACHINE ROOM LOCATED ADJACENT TO HOISTWAY AT LOWEST LANDING

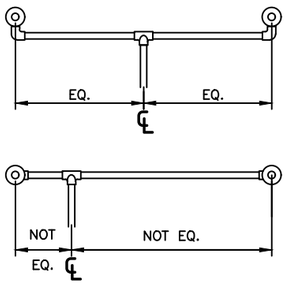
HEAT RELEASE: 11,880 BTU/HR PER ELEVATOR (SEE NOTES 18-21)

NOTE: MACHINE ROOM CLIMATE CONTROL EQUIPMENT AND/OR ANY RELATED CONDENSATION DRAINS FROM SAID EQUIPMENT SHALL NOT BE LOCATED ABOVE ANY ELECTRICAL OR ELEVATOR EQUIPMENT (ASME A17.1-2.8.5).



PIT LADDER DETAIL

OIL LINE PIPING



NOTE:
1. IF THREADED - UNIONS MAY BE REQUIRED.
2. TEE MUST BE ON CENTER.

FINAL

ELEVATOR LAYOUT PE-1

HIGH TECH ELEVATOR

802 EASY STREET
GARLAND, TX 75042
PHONE: (469) 562-4739

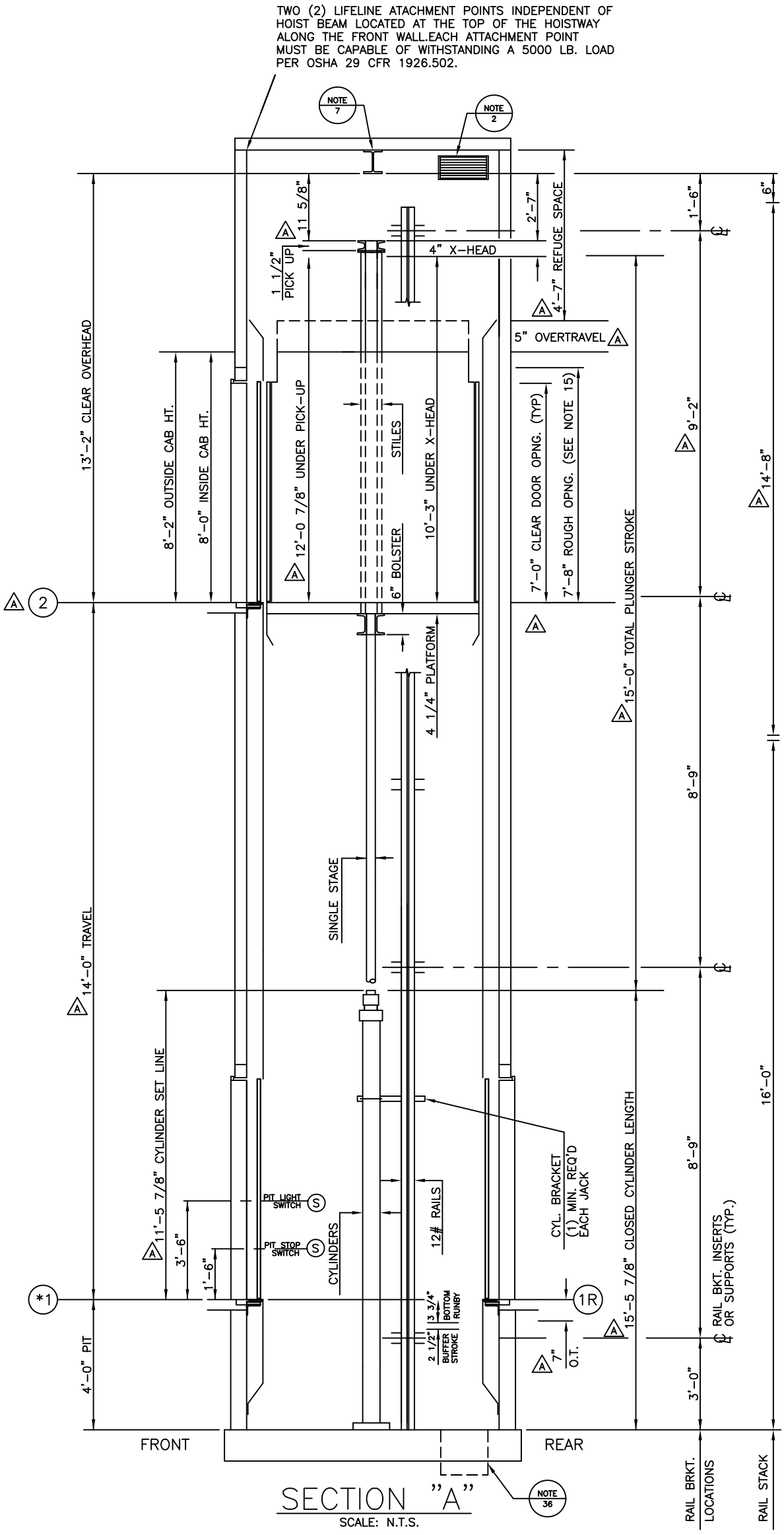
PROJECT
219 WASHINGTON

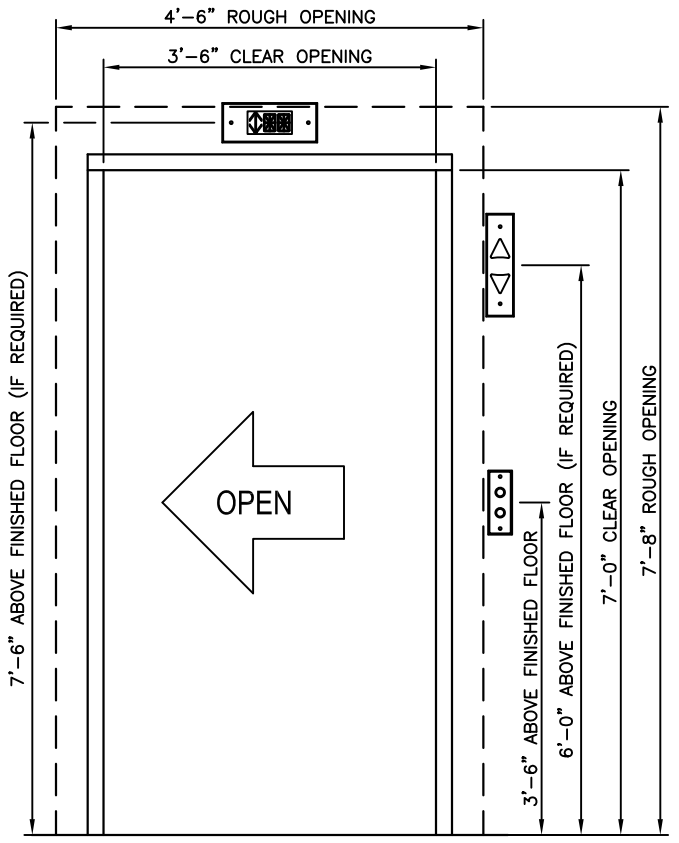
DALLAS, TX

ARCHITECT

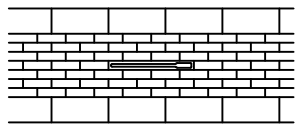
GENERAL CONTRACTOR

CONTRACT NO.	SHEET	REV
1222	2 OF 3	A

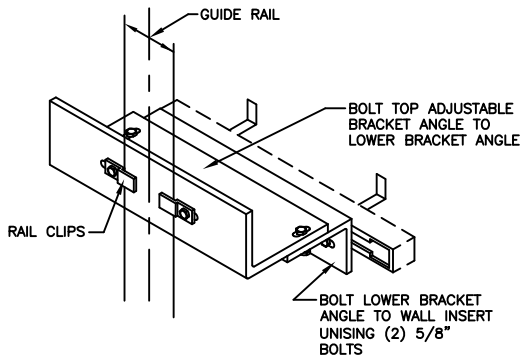




ROUGH OPENING REQUIREMENTS
RIGHT-HAND (FRONT) REAR OPPOSITE



RAIL BRACKET INSERT INSTALLATION DETAILS
INSERT OCCURING IN BLOCK WALL TO BE SET IN COURSES OF BRICK BY GEN. CONTR.



ARRANGEMENT OF ATTACHING RAIL BRACKET TO MASONRY INSERT IN CMU WALL

NOTE: THE MAXIMUM VERTICAL RAIL BRACKET AND SUPPORT SPACING NOT TO EXCEED 12'-0" UNDER ANY CIRCUMSTANCES.

NOTE: BOTH CYLINDERS MUST BE SET EQUALLY SO WHEN FULLY EXTENDED BOTH STOP RINGS IMPACT AT THE SAME TIME.

NOTE: OVER TRAVELS PLAY A MAJOR ROLE IN KEEPING THE PISTONS SYNCHRONIZED. IF THE ACTUAL BUILDING TRAVEL IS NOT WITHIN 1" OF THE TRAVEL SHOWN, THE CYLINDERS WILL NOT OPERATE PROPERLY. THE OVER TRAVELS CANNOT BE USED TO MAKE UP FOR ANY BUILDING TRAVEL ERRORS.

FINAL

ELEVATOR LAYOUT PE-1

HIGH TECH ELEVATOR
802 EASY STREET
GARLAND, TX 75042
PHONE: (469) 562-4739

PROJECT
219 WASHINGTON

DALLAS, TX

ARCHITECT

GENERAL CONTRACTOR

CONTRACT NO. 1222

SHEET 3 OF 3

REV A

219-221 W. Houston PHASE TWO Improvements

Phase TWO includes an elevator for the Kreager Building,
Complete exterior weatherproofing and repairs and façade updates.

	d2Built	Pintrail Restoration
Demilition	6,000	7,000
Elevator Pit - Excavation, Concrete, Rough Plumb	11,400	13,000
Elevator Shaft - Block Material And Labor	24,800	26,500
Elevator Material and Labor	146,000	155,000
Misc - Permits, Fees, Other	19,000	25,800
Electrical - Elevator	14,000	16,200
Complete Elevator Installation	221,200	243,500

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 5.**

Meeting Date: 08/07/2023
Prepared By: Jana Garner, Grants Coordinator
Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 7113***
Authorizing Delegation of Certifying Officer for HUD-Administered Community Development Block Grant and Other HUD-Administered Grants in Accordance with 24CFR Part 58

Issue:

Authorizing Delegation of responsibility of Certifying Officer related to administration of the City's community development assisted programs to the Director of Finance.

Background:

The mayor is designated as the Certifying Officer to carry out the environmental responsibilities related to the City's community development block grant program. The mayor may designate this responsibility to a member of the City staff. This resolution delegates that authority to the Director of Finance.

Origination:

U.S. Department of Housing and Urban Development (HUD)

Financial Consideration:

There is no cost to delegating the responsibility.

Staff Recommendation:

Staff recommends the approval of the resolution

Alternatives:

The Mayor could retain the responsibility as Certifying Officer for the environmental reviews performed under HUD.

Attachments

Resolution No. 7113

RESOLUTION NO. 7113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING DELEGATION OF CERTIFIYING OFFICER FOR HUD-ADMINISTERED COMMUNITY DEVELOPMENT BLOCK GRANT AND OTHER HUD-ADMINISTERED GRANTS IN ACCORDANCE WITH 24 CFR PART 58

WHEREAS, the City of Sherman, as responsible entity, is a recipient of funds from the U.S. Department of Housing and Urban Development, including but not limited to CDBG and COVID-19 Relief Grants (CDBG-CV); and

WHEREAS, these funds are subject to environmental review, decision-making and action responsibilities under the National Environmental Policy Act (NEPA) and 24 CFR 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities"; and

WHEREAS, the certifying officer may review, comment, provide signature approval, and environmental clearance memoranda for documents associated with the City of Sherman's community development assisted programs as listed above; and

WHEREAS, all documents approved and issued by the certifying officer must be archived in the Program's Environmental Review Record in accordance with the National Environmental Policy Act and HUD regulations 24 CFR 58.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS: after due consideration, authorizes the Mayor of the City of Sherman to delegate responsibility of Certifying Officer to the Director of Finance to carry out the responsibilities of certifying officer as provided in 24 CFR 58, its related Federal authorities listed in Sections 58.5 and 58.6, as well as Section 102 of NEPA and its related provision in 40 CFR Parts 1500 through 1508.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 6.**

Meeting Date: 08/07/2023

Prepared By: Jason Jeffcoat, Assistant Police Chief

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 7114***

Awarding a Bid to and Authorizing Execution of a Contract with Southwest CDJR, LLC for the Purchase of Two Ford Explorers for the Sherman Police Department

Issue:

To consider awarding a bid to and authorizing execution of a contract for the purchase of two (2) Ford Explorers from Southwest CDJR, LLC of Cleburne, Texas, based upon a request for public bids for the CID division of the Sherman Police Department.

Background:

At the June 9, 2023 meeting, the City Council approved a request for public bids for the purchase of two vehicles. On July 13, 2023, one (1) bidder responded to the request for bids. City staff recommends awarding the bid to the one responsive bidder in the amount of $88,595.00, for two (2) Ford Explorers, submitted by Southwest CDJR, LLC of Cleburne, Texas.

Origination:

Police Department

Financial Consideration:

The total cost of the vehicles is $88,595.00.

Staff Recommendation:

It is recommended the City Council approve this request

Alternatives:

As may be directed by the City Council.

Attachments

Resolution No. 7114
Invitation to Bid
Bid Tabulation
Exhibit B_Bid Submittal
Exhibits C through E

RESOLUTION NO. 7114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOUTHWEST CDJR, LLC FOR THE PURCHASE OF TWO FORD EXPLORERS FOR THE SHERMAN POLICE DEPARTMENT; 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 Southwest CDJR, LLC of Cleburne, Texas, is hereby awarded the bid for the purchase of two (2) Ford Explorers in the amount of Eighty-Eight Thousand Five Hundred Ninety-Five Dollars and No Cents ($88,595.00)**;** and that the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract with Southwest CDJR, LLC for the purchase two Ford Explorers, in accordance with all contract documents attached hereto and made a part hereof for all purposes. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2022-2023 budget.

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A
Invitation to Bid

City of Sherman
PO Box 1106
Sherman, TX 75091-1106

Invitation to Bid

For

PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT
ITB No. 2023-18

Publication Dates: **Sunday June 25, 2023**
Sunday July 2, 2023

TABLE OF CONTENTS

Document	Page #
Instructions to Bidders	3
Notice to Bidders	4
General Conditions	6
Exhibit B: Specifications / Bid Certification / Bid Form	12
Contract References	14
Exhibit C: City's Insurance Requirements	15
Exhibit D: Affidavit of No Prohibited Interest	17
Exhibit E: Conflict of Interest Questionnaire	18
Texas Ethics Commission Form 1295 & Verification Form 2290	20

CITY OF SHERMAN, TEXAS

FINANCE DEPARTMENT

INVITATION TO BID - BID NO. 2023-18; **PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT**

The enclosed **INVITATION TO BID** (ITB) and accompanying **SPECIFICATIONS** are for your convenience in bidding the enclosed referenced **PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT** for the City of Sherman.

Questions may be addressed to the Finance Department at the address listed below. The bids will be opened at **2:00 p.m. on Thursday, July 13, 2023,** at the following address:

City of Sherman – Finance Department
Municipal Building
405 N. Rusk Street
Sherman, TX
903-892-7215
craigl@cityofsherman.com

Bids may be submitted by mail to the following address:

City of Sherman
Finance Dept. – ITB for PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT - No. 2023-18

P.O. Box 1106
Sherman, TX 75091-1106

OR

Electronically at www.publicpurchase.com

OR

By delivery at the Municipal Building address listed above.

NOTICE TO BIDDERS

Bids will be received by the City of Sherman, Sherman, Texas, at the Finance Department, Attention: Craig Long, Sherman Municipal Building, 405 N. Rusk, Sherman, Texas 75091 until the hour **2:00 PM on the 13th day of July, 2023,** at which time bids duly delivered and submitted will be considered for supplying the following:

BID NO. 2023-18 – PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT

The award is intended to be included on the agenda of a regularly scheduled meeting of the City Council at the following address:

City Council Chambers
City Hall
220 W. Mulberry
Sherman, TX

Each bid delivered to the City shall be sealed and clearly marked "PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT 2023-18" on the exterior of the bid. Electronic submittals may only be made through Public Purchase at https://www.publicpurchase.com. No email or faxed bids will be accepted. Each bid shall be **manually signed and dated by a person having the authority to bind the firm in a contract. Bids that are not signed and dated will be rejected.**

Please note that all bids **must be received at the designated location or through Public Purchase by the deadline shown**. Bids received after the deadline will not be considered for the award of the contract, and shall be considered void and unacceptable. The Opening is scheduled for **2:00 p.m., Thursday, July 13, 2023,** at which time the sealed bids will be opened.

Any bid received after stated closing time will be returned unopened. If bids are sent by mail to the Finance Department, the bidder shall be responsible for actual delivery of the bid before the advertised date and hour for opening of bids. If the mail is delayed by the postal service, courier service, or an ISP (Internet Service Provider), beyond the date and hour set for the bid opening, bids thus delayed will not be considered.

The City of Sherman will receive sealed bids for: **PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT.**

Bidders should carefully examine all terms, conditions, specifications and related documents. Should a bidder find discrepancies in or omissions from the specifications or related documents, or should there be doubt as to their meaning, the City of Sherman Finance Department should be notified immediately for clarification prior to submitting the bid. In the event of any conflict

between the terms and conditions of these requirements and the specifications, the specifications shall govern. In the event of any conflict of interpretation of any part of this overall document, the City of Sherman's interpretation shall govern.

Information concerning the bid specifications or bid process/procedures may be submitted in writing to Craig Long, Budget Analyst at craigl@cityofsherman.com, or via phone at (903) 892-7215.

Until the final awarding by the City of Sherman, said City reserves the right to reject any and/or all bids, to waive technicalities, to re-advertise, and proceed otherwise when the best interests of said City will be realized hereby.

[Rest of Page Intentionally Left Blank]

CITY OF SHERMAN
GENERAL CONDITIONS

ADDENDA

It is the responsibility of the vendor to check for addenda. Addenda will be posted to: www.ci.sherman.tx.us and to www.publicpurchase.com.

ANNUAL CONTRACT FUNDING

The city operates on a fiscal year that ends on September 30th. Because state law mandates that a municipality may not commit funds beyond a fiscal year, this bid is subject to cancellation if funds for this commodity are not approved in the next fiscal year.

ASSIGNMENT OF BID/CONTRACT

The successful bidder may not assign their rights and duties under and award without the written consent of the City. Such consent shall not relieve the assignor of liability in event of default by their assignee.

BID CONSIDERATION / TABULATION

Until final award of the Contract, the city reserves the right to reject any or all bids, to waive technicalities, and to re-advertise for new bids, or proposed to do the work otherwise in the best interests of the City.

BID SUBMISSION

Bids may be submitted in person, by mail, or electronically at www.publicpurchase.com.

- Submit bids via mail to PO Box 1106, Sherman, TX 75091-1106.
- To submit a bid via mail, all documents must be returned and an original signature provided on the proposal to bidders sheet.
- Bids will not be accepted without a signature.
- Bids submitted by email or fax will not be accepted.
- The City is not responsible for mail service. See page 4, paragraph 2 of the Notice to Bidders.

BRAND NAMES

If items for which bids have been called for have been identified by a "brand name or equal" description, such identification is intended to be descriptive, but not restrictive, and is to indicate the quality and characteristics of products that will be satisfactory. Bids offering "equal" products will be considered for award if such products are clearly identified in the bids and are determined by the City to be equal in all material respects to the brand name products referenced. **Unless the bidder clearly indicates in their bid that they are offering an "equal product", their bid shall be considered as offering a brand name product referenced in the Proposal Schedule.**

CHANGES OR ALTERATIONS

No part of this bid may be changed/altered in any way. Vendors must submit written requests to change any specifications/conditions with their proposal. ***Changes made without submission of a written request to this bid will result in disqualification.***

COMPLETING INFORMATION

Bidder must fill in all information asked for in the blanks provided under each item. Failure to comply may result in rejection of the Bid at the City's option.

CONTRACT CLAUSE

All bidders understand and agree that the vendor's bid response will become a legally binding contract upon acceptance in writing by the City. This contract may be superseded only if replaced with a more extensive contract that is agreed to by both parties.

TERMINATION

City is entitled to terminate this contract at any time for any reason or for no reason by giving the Contractor at least thirty (30) days' prior written notice of the termination date.

City is entitled to terminate this contract immediately on breach of any term or provision of the contract documents by Contractor. If at any time during the term of this contract the Contractor shall fail to commence the work in accordance with the provisions of the contract documents or fail to diligently perform the Services in an efficient, timely and careful manner and in strict accordance with the provisions of the contract documents, then the City shall have the right to terminate this contract and complete the work in any manner it deems desirable, including engaging the services of other parties, if the Contractor does not cure any such default after five (5) days written notice thereof. Any such act by the City shall not be deemed a waiver of any other right or remedy of the City.

DELIVERY

The City reserves the right to demand bond or penalty to guarantee delivery by the date indicated. If order is given and the Bidder fails to furnish the materials by the guaranteed date, the City reserves the right to cancel the order without liability on its part. All prices are to be F.O.B. Sherman, Texas all freight prepaid.

DELIVERY DATE

Delivery date is an important factor to the City and may be required to be a part of each bid. The city of Sherman considers delivery time to be that period elapsing from the time the individual order is placed until that order or work thereunder is received by the City at the specified delivery location. The delivery date indicates a guaranteed delivery at Sherman, Texas. Failure of the bidder to meet guaranteed delivery dates or service performance could affect future City orders.

Whenever the Contractor encounters any difficulty which is delaying or threatens to delay timely performance (including actual or potential labor disputes), the Contractor shall immediately give notice thereof in writing to the City, stating all relevant information with respect thereto. Such notice shall not in any way constitute a basis for an extension of the delivery or performance schedule or be construed as a waiver by the City of any rights or remedies to which it is entitled by law or pursuant to

provisions herein. Failure to give such notice, however, may be grounds for denial of any request for an extension of the delivery or performance schedule because of such delivery.

INDEMNIFICATION

In case any action in court is brought against the Owner, or any officer or agent of the Owner, for the failure, omission, or neglect of the vendor to perform any of the covenants, acts, matters, or things by this contract undertaken; or for injury or damage caused by the alleged negligence of the vendor or his subcontractors or his or their agents, or in connection with any claim based on lawful demands of subcontractors, workmen, materialmen, or suppliers the vendor shall indemnify and save harmless the Owner and his officers and agents, from all losses, damages, costs, expenses, judgments, or decrees arising out of such action.

INSURANCE

Deductibles, of any type, are the responsibility of the vendor/contractor.

MISCELLANEOUS

Except as to any supplies or components which the specifications provide need not be new, all supplies and components to be provided under this contract shall be new (not used or reconditioned, and not of such age or so deteriorated as to impair their usefulness or safety), of current production and of the most suitable grade for the purpose intended. If at any time during the performance of this contract the Contractor believes that the furnishing of supplies or components which are not new is necessary or desirable, they shall notify the City immediately, in writing, including the reasons therefore and proposing any consideration which will flow to the City if authorization to use supplies or components is granted.

The city of Sherman supports a recycling program. Recycled materials are acceptable and will be considered for award. The City desires to use recycled products when a comparable material/product is available. If your company distributes products made of recycled materials please submit an alternate bid for the items requested. All recycled products should meet the minimum standards established in the bid specifications provided. State any exceptions: costs, warranties and percentage of recycle materials used in the manufacture of the material/product. The City will determine the acceptability of the materials/product bid as an alternate.

Successful bidder(s) agrees to extend prices to all entities that have entered into or will enter into joint purchasing inter-local cooperation agreements with the city of Sherman. As such, the city of Sherman has executed an inter-local agreement with certain other governmental entities authorizing participation in a cooperative purchasing program. The successful vendor may be asked to provide product/services, based upon the bid price, to any other participant in the forum.

The City operates on a fiscal year that ends on September 30th. State law mandates that a municipality may not commit funds beyond a fiscal year; this bid is subject to cancellation if funds for this commodity are not approved in the next fiscal year.

PAYMENT TERMS & CONDITIONS

All bids shall specify terms and conditions of payment, which will be considered as part of, but not

control, the award of bid. City review, inspection, and processing procedures ordinarily require thirty (30) days after receipt of invoice, materials or service. Bids which call for payment before 30 days from receipt of invoice, or cash discounts given on such payment, will be considered only if in the opinion of the City the review, inspection and processing procedures can be completed as to the specific purchases within the specified time. It is the intention of the city of Sherman to make payment on completed orders within thirty (30) days of receiving invoicing unless unusual circumstances arise. Invoices shall be fully documented as to labor, materials and equipment provided.

PROVISIONAL CLAUSES

The city of Sherman will not enter into any contract where the cost is provisional upon such clauses as are known as "escalator" or "cost-plus" clauses.

REJECTION OF BIDS

The City reserves the right to reject any or all bids or to waive technicalities at its option when in the best interests of said City. Bids will be considered irregular if they show any omissions, alteration of form, additions, or conditions not called for, unauthorized alternate bids or irregularities of any kind. However, the City reserves the right to waive any irregularities and to make the award in the best interests of the City.

The City reserves the right to reject any or all bids, and all bids submitted are subject to this reservation. Bids may be rejected, among other reasons, for any of the following specific reasons:

- Bids received after the time limit for receiving bids as stated in the advertisement.
- Proposal containing any irregularities.
- Bids submitted via fax or email.
- Unbalanced value of any items.

Bidders may be disqualified and their bids not considered, among other reasons, for any of the following specific reasons:

- Reason for believing collusion exists among the Bidders.
- Reasonable grounds for believing that any Bidder is interested in more than one Proposal for the work contemplated.
- The Bidder being interested in any litigation against the City.
- The Bidder being in arrears on any existing contract or having defaulted on a previous contract.
- Lack of competency as revealed by a financial statement, experience and equipment, questionnaires, etc.
- Uncompleted work, which in the judgment of the City will prevent or hinder the prompt completion of additional work if awarded.

REQUEST FOR NON-CONSIDERATION

Bids deposited with the City cannot be withdrawn prior to the time set for opening bids. Request for non-consideration of bids must be made in writing to the Finance Department and received by the City prior to the time set for opening bids. After other bids are opened and publicly read, the Proposal for

which non-consideration is properly requested may be returned unopened. The Proposal may not be withdrawn after the bids have been opened, and the Bidder, in submitting the same, warrants and guarantees that this bid has been carefully reviewed and checked and that it is in all things true and accurate and free of mistakes and that such bid will not and cannot be withdrawn because of any mistake committed by the Bidder.

SALES TAX

The total for each bid submitted must include any applicable taxes. Although the City is exempt from most City, State, or Federal taxes, this is not true in all cases. It is suggested that taxes, if any, be separately identified, itemized, and stated on each bid. The City cannot determine for the bidder whether or not the bid is taxable to the City. The bidder through the bidder's attorney or tax consultant must make such determination. Bills submitted for taxes after the bids are awarded will not be honored.

PROPOSAL DEFINITIONS:

"City" is the City of Sherman, Texas.
"Bidder" is an individual or business submitting a bid or proposal to the City of Sherman.
"Independent contractor" or "contractor" is one who contracts to perform work or furnish materials in accordance with a contract.

I. PROPOSAL TERMS

A. The City of Sherman reserves the right to reject any and all proposals received as a result of this ITB. If a proposal is selected, it will be the most advantageous regarding price, quality of service, the independent contractor's qualifications and capabilities to provide the specified service, and other factors which the City of Sherman may consider. The City does not intend to award a contract fully on the basis of any response made to the proposal: the City reserves the right to consider proposals for modifications at any time before a contract would be awarded; and negotiations would be undertaken with the independent contractor whose proposal is deemed to best meet the City's specifications and needs.
B. Proposals must be signed by an official authorized to bind the independent contractor to its provisions for a period of at least ninety (90) days. Failure of the successful bidder to accept the obligation of the contract may result in the cancellation of any award.
C. In the event it becomes necessary to revise any part of the ITB, addenda will be provided. The deadline for submission of proposals may be adjusted to allow for revisions. To be considered, the entire proposal document, with any amendments, should be returned by the specified date, time and method identified on page 2 of this document.
D. Proposals should be prepared simply and economically providing a straightforward, concise description of the independent contractor's ability to meet the requirements

of the ITB. Proposals shall be written in ink or typewritten. No erasures are permitted. Mistakes may be crossed out and corrected and must be initialed in ink by the person signing the proposal.

E. The price quotations from the contractor stated in this proposal will not be subject to any price increase from the closing date of this ITB to the mutually agreed to date of contract.
F. The City of Sherman reserves the right to award a separate contract to separate vendors for each item/group or to award one contract for the entire ITB.

[REST OF THIS PAGE INTENTIONALLY LEFT BLANK]

SPECIFICATIONS

- Two (2) new SUVs; Used will not be accepted
- Two-wheel drive
- Four-door models only
- Exterior colors must be black, dark grey, or grey
- Make must be Chevy, Ford, or Dodge, with minimum trim packages as follows:
    a. Chevrolet Blazer 2LT or higher model
    b. Ford Explorer XLT or higher model
    c. Dodge Durango SXT or higher model

BIDDERS CERTIFICATION:

I, the undersigned, by signing the following statement agree that I have read and understand all of the terms and conditions, specifications, and requirements contained on each page of this Invitation to Bid. I also understand that if this bid is accepted by the City of Sherman that all of the terms and conditions, specifications, and requirements submitted in my bid and any additions, changes, or deletions made during negotiations will be made a part of this bid under a binding contract between my company and the City of Sherman, Texas. I also certify that this bid is made without previous understanding, agreement, or connection with any person, firm, or corporation making a bid for the same materials, and is in all fair and without collusion or fraud:

OUR company is a (Check One):

___ Corporation (The bid MUST be signed by an Officer of the company)
___ Partnership (The bid MUST be signed by a General Partner)
___ Joint Venture (The bid MUST be signed by an Officer of the company)
___ Sole Proprietor (The bid MUST be signed by the Owner)

Company Name: _____

Address of Principal Place of Business:

_____

_____

Mailing Address (if different):

_____

_____

Phone: _____

Fax: _____

Email: _____

Authorized Representative: _____

Signature: _____

Date: _____

Acknowledgement of Addenda (if any): #1 ____ #2 ____ #3 ____

BID FORM

Bidder accepts all of the terms and conditions set forth in the Advertisement for Bid and the Bid Specification Package.

Price for One (1) New SUV INCLUDING all fees: ***$ _____***

Price for One (1) New SUV INCLUDING all fees: ***$ _____***

Total Bid Price for Two (2) New SUVs INCLUDING all fees: ***$ _____***

****Note****
If two vehicles are not available, a bidder may submit only one SUV, provided it meets specifications listed within this Invitation to Bid.

Signature of Bidder _____

Bidder (print name) _____

Contractor References

Customer Name: _____

Address: _____

Contact: _____ Telephone #: _____

Scope of work performed: _____

Length of Service: _____

Customer Name: _____

Address: _____

Contact: _____ Telephone #: _____

Scope of work performed: _____

Length of Service: _____

Customer Name: _____

Address: _____

Contact: _____ Telephone #: _____

Scope of work performed: _____

Length of Service: _____

Exhibit C
City's Insurance Requirements

I. GENERAL INSURANCE REQUIREMENTS –

A. All policies shall name the City of Sherman, its officers, agents, representatives and employees as additional insureds as to all applicable coverages with the exception of workers compensation insurance.

B. Such policies shall require the provision of written notice to City at least thirty (30) days prior to cancellation, non-renewal or material modification of any policies, evidenced by return receipt or United States Certified Mail.

C. Such policies shall provide for a waiver of subrogation against City for injuries, including death, property damage or any other loss to the extent the same is covered by the proceeds of the insurance.

II. INSURANCE COMPANY QUALIFICATION – All insurance companies providing the required insurance shall be authorized to transact business in the State of Texas, and shall have a minimum rating of "A" by A.M. Best's Key Rating Guide, or other equivalent rating service(s).

III. CERTIFICATE OF INSURANCE – A Certificate of Insurance and all applicable endorsement(s) evidencing the required insurance shall be submitted prior to commencing work under this Agreement. If the Agreement is renewed or extended by City, a Certificate of Insurance and all applicable endorsement(s) shall also be provided to City prior to the date the Agreement is renewed or extended.

IV. INSURANCE CHECKLIST – "X" means that the following coverage is required for this Agreement.

Coverage Required		Limits
_X_	1. Worker's Compensation & Employer's Liability	▪ Statutory Limits of the State of Texas
_X_	2. General Liability	▪ Minimum $1,000,000.00 each occurrence; ▪ Minimum $2,000,000.00 in the aggregate.
___	3. XCU Coverage	▪ Minimum $1,000,000.00 each occurrence; ▪ Minimum $2,000,000.00 in the aggregate.
___	4. Professional Liability	▪ Minimum $1,000,000.00 each claim; ▪ Minimum $2,000,000.00 in the aggregate.
___	5. Umbrella Coverage or Excess Liability Coverage	▪ An amount of $ 2,000,000.00.

_X_ 6. City and its officers, agents, representatives and employees named as additional insured on General Liability Policy, as provided above. This coverage is primary to all other coverage City may possess.

_X_ 7. General Liability Insurance provides for a Waiver of Subrogation against City for injuries, including death, property damage, or any other loss to the extent that same is covered by the proceeds of the insurance. All insurance policies that are required to name City as an additional insured must be endorsed to read as primary and non-contributory coverage regardless of the application of other insurance.

_X_ 8. Thirty (30) days' notice of cancellation, non-renewal, or material change required. The words "endeavor to" and "but failure" (to end of sentence) are to be eliminated from the Notice of Cancellation provision on standard ACORD certificates.

_X_ 9. Insurance company has a minimum rating of "A" by A.M. Best's Key Rating Guide, or other equivalent rating service(s).

_X_ 10. The Certificate of Insurance must state the project title.

___ 11. Other Insurance Requirements (State Below):

Exhibit D

Affidavit of No Prohibited Interest

THE STATE OF _____ §

THE COUNTY OF _____ §

I, _____, an authorized agent of Contractor, make this affidavit and hereby under oath state the following:

I, and/or a person or persons related to me, have the following interest in a business entity that would be affected by the work or decision under this Agreement (Check all that apply):

_____ Ownership of ten percent (10%) or more of the voting shares of the business entity.

_____ Ownership of Twenty-Five Thousand and 00/100 Dollars ($25,000) or more of the fair market value of the business entity.

_____ Funds received from the business entity exceed ten percent (10%) of my income for the previous year.

_____ Real property is involved, and I have an equitable or legal ownership with a fair market value of at least Twenty-Five Thousand and 00/100 Dollars ($25,000).

_____ A relative of mine has a substantial interest in the business entity or property that would be affected by my business decision of the public body which I am a member.

_____ Other:_____.

_____ None of the Above.

Upon filing this affidavit with the City of Sherman, Texas, I further affirm that no relative of mine, in the first degree by consanguinity or affinity, as defined in Chapter 573, TEX. GOV'T CODE, as amended, is a member of a public body which took action on the agreement.

Signed this ___ day of _____, 202_.

_____
Signature of Official/Title

BEFORE ME, the undersigned authority, this day personally appeared _____, and on oath stated that the facts hereinabove stated are true to the best of his/her knowledge or belief.

Sworn to and subscribed before me on this _____ day of _____, 202_.

_____
Notary Public in and for the State of _____
My commission expires: _____

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

_____

Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

_____ _____

Signature of vendor doing business with the governmental entity Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

TEXAS ETHICS FORM 1295 & VERIFICATION FORM 2270

NOTE: TEC Form 1295 will not be required for all submitting contractors, but, will be required from the recommended contractor prior to award. Verification Form 2270 is required with all proposal submittals. See next page for forms.

INSTRUCTIONS for
State Law Mandated Certificate of Interested Parties Form (Form 1295)

1. Pursuant to House Bill 1295 passed by the 84th Texas Legislature (Section 2252.908, Texas Government Code, as amended) and formal rules released by the Texas Ethics Commission (TEC), all contracts with private business entities requiring approval by the Sherman City Council must be accompanied by an original signature unsworn declaration, Certificate of Interested Parties, Form 1295.

2. Form 1295 must be completed in accordance with the TEC Rules: (https://www.ethics.state.tx.us/legal/ch46.html) and Section 2252.908 of the Texas Government Code, as amended: (http://www.legis.state.tx.us/tlodocs/84R/billtext/html/HB01295F.htm).

3. For questions or issues regarding the TEC rules and state law provisions and how Form 1295 should be completed, please consult with your own legal counsel.

4. In order to fill out and submit Form 1295, you will need to log in as directed on the TEC website: https://www.ethics.state.tx.us/whatsnew/elf info form1295.htm

   Tutorials for creating an account and for creating and submitting Form 1295 may also be found on this web page.

5. Please provide the bolded information exactly as it appears below when creating your certificate:

   Who is the contract with? Click the button for **Other**

   Governmental Entity

   Agency/Entity Name: **City of Sherman**

   Contract ID Number: **2023-18**

   Description of Goods and Services to be provided: **Purchase of Two New Vehicles for the Sherman Police Department**

6. All other fields as required or as applicable to the individual vendor must be completed as explained in the tutorial video.

7. Vendors must provide a signed, original signature copy of this form along with four signed, notarized, original signature copies of the contract no later than 14 days after Notice of Recommendation for Award is received. All documents shall be signed by an Officer, Director or other Authorized Agent of the company. If the individual signing as Authorized Agent is not an officer or director of the company, appropriate documentation must be included with these documents to confirm that the individual has the authority to bind the company contractually.

VERIFICATION REQUIRED BY TEXAS GOVERNMENT CODE CHAPTER 2270

By signing below, the signatory hereby verifies that the firm it represents:

1. Does not boycott Israel; and,

2. Will not boycott Israel during the term of the contract.

SIGNED BY: _____

Print Name & Title: _____

Firm Name: _____

Date Signed: _____

NOTARIZATION

THE STATE OF _____)
)
COUNTY OF _____)

BEFORE ME, the undersigned notary public on this day personally appeared _____, on behalf of _____ (Company), who, being duly sworn, stated under oath that he/she has read the foregoing verification required by Texas Government Code Section 2270.002 and said statements contained therein are true and correct.

SWORN TO AND SUBSCRIBED before me on the_____day of _____, 202__.

_____
NOTARY PUBLIC IN AND
FOR THE STATE OF _____

The following definitions apply to Texas Government Code Section 2270.001:

(1) "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and

(2) "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

State law requires any firm entering into an agreement or contract with the Authority to complete the foregoing verification. TEX. GOV'T CODE § 2270.002.

CITY OF SHERMAN
BID TABULATION
Requirements for Purchase of Two New Vehicles for Sherman Police Department ITB
BID OPENING Thursday, July 13, 2023; 2:00 PM

Vendor	Lump Sum Pricing for Two New Vehicles for SPD	NOTES
Southwest CDJR, LLC	Option 1 - one 2023 Dodge Durango - $42,853.50	Only one vehicle
Southwest CDJR, LLC	Option 2 - two 2024 Dodge Durango - $91,980.00	Two vehicles - Will not be delivered until late 2023.
Southwest CDJR, LLC	Option 3 - two 2023 Ford Explorers - $88,595.00	Two vehicles - Available for delivery upon awarding

Sherman
CLASSIC TOWN. BROAD HORIZON.

Public | Purchase

City of Sherman (TX)

Tabulation Report ITB #2023-18 - INVITATION TO BID - PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT

Vendor: Southwest CDJR LLC

General Comments:

General Attachments:
5 GILCHRIST AUTOMOTIVE GROUP REFERENCES.pdf
CITY_OF_SHERMAN_-_Form_1295_Certificate_101076184.pdf
CITY_OF_SHERMAN___ITB-Purchase-of-Two-New-Vehicles-for-SPD.pdf
COI - Southwest CDJR, LLC - OUO - 2023.pdf
SHERMAN POLICE VEHICLE IN_STOCK 2023 DURANGO SXT RWD MSRP.pdf.jpg
SHERMAN POLICE VEHICLES - GOVT FLEET ORDER 2024 DURANGO POLICE PURSUIT PACKAGE RWD MSRP.pdf.jpg
SOUTHWEST CDJR - FORD EXPLORE BID FOR CITY OF SHERMAN POLICE VEHICLES.pdf
SOUTHWEST_CDJR_SIGNED W-9 FORM.pdf

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

Exhibit A
Invitation to Bid

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman
PO Box 1106
Sherman, TX 75091-1106

Invitation to Bid

For

PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT

ITB No. 2023-18

Publication Dates: Sunday June 25, 2023
Sunday July 2, 2023

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

TABLE OF CONTENTS

Document	Page #
Instructions to Bidders	3
Notice to Bidders	4
General Conditions	6
Exhibit B: Specifications / Bid Certification / Bid Form	12
Contract References	14
Exhibit C: City's Insurance Requirements	15
Exhibit D: Affidavit of No Prohibited Interest	17
Exhibit E: Conflict of Interest Questionnaire	18
Texas Ethics Commission Form 1295 & Verification Form 2290	20

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

CITY OF SHERMAN, TEXAS

FINANCE DEPARTMENT

INVITATION TO BID - BID NO. 2023-18; PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT

The enclosed **INVITATION TO BID** (ITB) and accompanying **SPECIFICATIONS** are for your convenience in bidding the enclosed referenced **PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT** for the City of Sherman.

Questions may be addressed to the Finance Department at the address listed below. The bids will be opened at **2:00 p.m. on Thursday, July 13, 2023,** at the following address:

City of Sherman – Finance Department
Municipal Building
405 N. Rusk Street
Sherman, TX
903-892-7215
craigl@cityofsherman.com

Bids may be submitted by mail to the following address:

City of Sherman
Finance Dept. – ITB for PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT - No. 2023-18

P.O. Box 1106
Sherman, TX 75091-1106

OR

Electronically at www.publicpurchase.com

OR

By delivery at the Municipal Building address listed above.

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

NOTICE TO BIDDERS

Bids will be received by the City of Sherman, Sherman, Texas, at the Finance Department, Attention: Craig Long, Sherman Municipal Building, 405 N. Rusk, Sherman, Texas 75091 until the hour **2:00 PM on the 13th day of July, 2023,** at which time bids duly delivered and submitted will be considered for supplying the following:

BID NO. 2023-18 – PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT

The award is intended to be included on the agenda of a regularly scheduled meeting of the City Council at the following address:

City Council Chambers
City Hall
220 W. Mulberry
Sherman, TX

Each bid delivered to the City shall be sealed and clearly marked "PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT 2023-18" on the exterior of the bid. Electronic submittals may only be made through Public Purchase at https://www.publicpurchase.com. No email or faxed bids will be accepted. Each bid shall be **manually signed and dated by a person having the authority to bind the firm in a contract. Bids that are not signed and dated will be rejected.**

Please note that all bids **must be received at the designated location or through Public Purchase by the deadline shown.** Bids received after the deadline will not be considered for the award of the contract, and shall be considered void and unacceptable. The Opening is scheduled for **2:00 p.m., Thursday, July 13, 2023,** at which time the sealed bids will be opened.

Any bid received after stated closing time will be returned unopened. If bids are sent by mail to the Finance Department, the bidder shall be responsible for actual delivery of the bid before the advertised date and hour for opening of bids. If the mail is delayed by the postal service, courier service, or an ISP (Internet Service Provider), beyond the date and hour set for the bid opening, bids thus delayed will not be considered.

The City of Sherman will receive sealed bids for: **PURCHASE OF TWO NEW VEHICLES FOR THE SHERMAN POLICE DEPARTMENT.**

Bidders should carefully examine all terms, conditions, specifications and related documents. Should a bidder find discrepancies in or omissions from the specifications or related documents, or should there be doubt as to their meaning, the City of Sherman Finance Department should be notified immediately for clarification prior to submitting the bid. In the event of any conflict

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

between the terms and conditions of these requirements and the specifications, the specifications shall govern. In the event of any conflict of interpretation of any part of this overall document, the City of Sherman's interpretation shall govern.

Information concerning the bid specifications or bid process/procedures may be submitted in writing to Craig Long, Budget Analyst at craigl@cityofsherman.com, or via phone at (903) 892-7215.

Until the final awarding by the City of Sherman, said City reserves the right to reject any and/or all bids, to waive technicalities, to re-advertise, and proceed otherwise when the best interests of said City will be realized hereby.

[Rest of Page Intentionally Left Blank]

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

CITY OF SHERMAN
GENERAL CONDITIONS

ADDENDA

It is the responsibility of the vendor to check for addenda. Addenda will be posted to: www.ci.sherman.tx.us and to www.publicpurchase.com.

ANNUAL CONTRACT FUNDING

The city operates on a fiscal year that ends on September 30th. Because state law mandates that a municipality may not commit funds beyond a fiscal year, this bid is subject to cancellation if funds for this commodity are not approved in the next fiscal year.

ASSIGNMENT OF BID/CONTRACT

The successful bidder may not assign their rights and duties under and award without the written consent of the City. Such consent shall not relieve the assignor of liability in event of default by their assignee.

BID CONSIDERATION / TABULATION

Until final award of the Contract, the city reserves the right to reject any or all bids, to waive technicalities, and to re-advertise for new bids, or proposed to do the work otherwise in the best interests of the City.

BID SUBMISSION

Bids may be submitted in person, by mail, or electronically at www.publicpurchase.com.

- Submit bids via mail to PO Box 1106, Sherman, TX 75091-1106.
- To submit a bid via mail, all documents must be returned and an original signature provided on the proposal to bidders sheet.
- Bids will not be accepted without a signature.
- Bids submitted by email or fax will not be accepted.
- The City is not responsible for mail service. See page 4, paragraph 2 of the Notice to Bidders.

BRAND NAMES

If items for which bids have been called for have been identified by a "brand name or equal" description, such identification is intended to be descriptive, but not restrictive, and is to indicate the quality and characteristics of products that will be satisfactory. Bids offering "equal" products will be considered for award if such products are clearly identified in the bids and are determined by the City to be equal in all material respects to the brand name products referenced. **Unless the bidder clearly indicates in their bid that they are offering an "equal product", their bid shall be considered as offering a brand name product referenced in the Proposal Schedule.**

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

CHANGES OR ALTERATIONS

No part of this bid may be changed/altered in any way. Vendors must submit written requests to change any specifications/conditions with their proposal. ***Changes made without submission of a written request to this bid will result in disqualification.***

COMPLETING INFORMATION

Bidder must fill in all information asked for in the blanks provided under each item. Failure to comply may result in rejection of the Bid at the City's option.

CONTRACT CLAUSE

All bidders understand and agree that the vendor's bid response will become a legally binding contract upon acceptance in writing by the City. This contract may be superseded only if replaced with a more extensive contract that is agreed to by both parties.

TERMINATION

City is entitled to terminate this contract at any time for any reason or for no reason by giving the Contractor at least thirty (30) days' prior written notice of the termination date.

City is entitled to terminate this contract immediately on breach of any term or provision of the contract documents by Contractor. If at any time during the term of this contract the Contractor shall fail to commence the work in accordance with the provisions of the contract documents or fail to diligently perform the Services in an efficient, timely and careful manner and in strict accordance with the provisions of the contract documents, then the City shall have the right to terminate this contract and complete the work in any manner it deems desirable, including engaging the services of other parties, if the Contractor does not cure any such default after five (5) days written notice thereof. Any such act by the City shall not be deemed a waiver of any other right or remedy of the City.

DELIVERY

The City reserves the right to demand bond or penalty to guarantee delivery by the date indicated. If order is given and the Bidder fails to furnish the materials by the guaranteed date, the City reserves the right to cancel the order without liability on its part. All prices are to be F.O.B. Sherman, Texas all freight prepaid.

DELIVERY DATE

Delivery date is an important factor to the City and may be required to be a part of each bid. The city of Sherman considers delivery time to be that period elapsing from the time the individual order is placed until that order or work thereunder is received by the City at the specified delivery location. The delivery date indicates a guaranteed delivery at Sherman, Texas. Failure of the bidder to meet guaranteed delivery dates or service performance could affect future City orders.

Whenever the Contractor encounters any difficulty which is delaying or threatens to delay timely performance (including actual or potential labor disputes), the Contractor shall immediately give notice thereof in writing to the City, stating all relevant information with respect thereto. Such notice shall not in any way constitute a basis for an extension of the delivery or performance schedule or be construed as a waiver by the City of any rights or remedies to which it is entitled by law or pursuant to

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

provisions herein. Failure to give such notice, however, may be grounds for denial of any request for an extension of the delivery or performance schedule because of such delivery.

INDEMNIFICATION

In case any action in court is brought against the Owner, or any officer or agent of the Owner, for the failure, omission, or neglect of the vendor to perform any of the covenants, acts, matters, or things by this contract undertaken; or for injury or damage caused by the alleged negligence of the vendor or his subcontractors or his or their agents, or in connection with any claim based on lawful demands of subcontractors, workmen, materialmen, or suppliers the vendor shall indemnify and save harmless the Owner and his officers and agents, from all losses, damages, costs, expenses, judgments, or decrees arising out of such action.

INSURANCE

Deductibles, of any type, are the responsibility of the vendor/contractor.

MISCELLANEOUS

Except as to any supplies or components which the specifications provide need not be new, all supplies and components to be provided under this contract shall be new (not used or reconditioned, and not of such age or so deteriorated as to impair their usefulness or safety), of current production and of the most suitable grade for the purpose intended. If at any time during the performance of this contract the Contractor believes that the furnishing of supplies or components which are not new is necessary or desirable, they shall notify the City immediately, in writing, including the reasons therefore and proposing any consideration which will flow to the City if authorization to use supplies or components is granted.

The city of Sherman supports a recycling program. Recycled materials are acceptable and will be considered for award. The City desires to use recycled products when a comparable material/product is available. If your company distributes products made of recycled materials please submit an alternate bid for the items requested. All recycled products should meet the minimum standards established in the bid specifications provided. State any exceptions: costs, warranties and percentage of recycle materials used in the manufacture of the material/product. The City will determine the acceptability of the materials/product bid as an alternate.

Successful bidder(s) agrees to extend prices to all entities that have entered into or will enter into joint purchasing inter-local cooperation agreements with the city of Sherman. As such, the city of Sherman has executed an inter-local agreement with certain other governmental entities authorizing participation in a cooperative purchasing program. The successful vendor may be asked to provide product/services, based upon the bid price, to any other participant in the forum.

The City operates on a fiscal year that ends on September 30th. State law mandates that a municipality may not commit funds beyond a fiscal year; this bid is subject to cancellation if funds for this commodity are not approved in the next fiscal year.

PAYMENT TERMS & CONDITIONS

All bids shall specify terms and conditions of payment, which will be considered as part of, but not

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

control, the award of bid. City review, inspection, and processing procedures ordinarily require thirty (30) days after receipt of invoice, materials or service. Bids which call for payment before 30 days from receipt of invoice, or cash discounts given on such payment, will be considered only if in the opinion of the City the review, inspection and processing procedures can be completed as to the specific purchases within the specified time. It is the intention of the city of Sherman to make payment on completed orders within thirty (30) days of receiving invoicing unless unusual circumstances arise. Invoices shall be fully documented as to labor, materials and equipment provided.

PROVISIONAL CLAUSES

The city of Sherman will not enter into any contract where the cost is provisional upon such clauses as are known as "escalator" or "cost-plus" clauses.

REJECTION OF BIDS

The City reserves the right to reject any or all bids or to waive technicalities at its option when in the best interests of said City. Bids will be considered irregular if they show any omissions, alteration of form, additions, or conditions not called for, unauthorized alternate bids or irregularities of any kind. However, the City reserves the right to waive any irregularities and to make the award in the best interests of the City.

The City reserves the right to reject any or all bids, and all bids submitted are subject to this reservation. Bids may be rejected, among other reasons, for any of the following specific reasons:

- Bids received after the time limit for receiving bids as stated in the advertisement.
- Proposal containing any irregularities.
- Bids submitted via fax or email.
- Unbalanced value of any items.

Bidders may be disqualified and their bids not considered, among other reasons, for any of the following specific reasons:

- Reason for believing collusion exists among the Bidders.
- Reasonable grounds for believing that any Bidder is interested in more than one Proposal for the work contemplated.
- The Bidder being interested in any litigation against the City.
- The Bidder being in arrears on any existing contract or having defaulted on a previous contract.
- Lack of competency as revealed by a financial statement, experience and equipment, questionnaires, etc.
- Uncompleted work, which in the judgment of the City will prevent or hinder the prompt completion of additional work if awarded.

REQUEST FOR NON-CONSIDERATION

Bids deposited with the City cannot be withdrawn prior to the time set for opening bids. Request for non-consideration of bids must be made in writing to the Finance Department and received by the City prior to the time set for opening bids. After other bids are opened and publicly read, the Proposal for

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

which non-consideration is properly requested may be returned unopened. The Proposal may not be withdrawn after the bids have been opened, and the Bidder, in submitting the same, warrants and guarantees that this bid has been carefully reviewed and checked and that it is in all things true and accurate and free of mistakes and that such bid will not and cannot be withdrawn because of any mistake committed by the Bidder.

SALES TAX

The total for each bid submitted must include any applicable taxes. Although the City is exempt from most City, State, or Federal taxes, this is not true in all cases. It is suggested that taxes, if any, be separately identified, itemized, and stated on each bid. The City cannot determine for the bidder whether or not the bid is taxable to the City. The bidder through the bidder's attorney or tax consultant must make such determination. Bills submitted for taxes after the bids are awarded will not be honored.

PROPOSAL DEFINITIONS:

"City" is the City of Sherman, Texas.
"Bidder" is an individual or business submitting a bid or proposal to the City of Sherman.
"Independent contractor" or "contractor" is one who contracts to perform work or furnish materials in accordance with a contract.

I. PROPOSAL TERMS

A. The City of Sherman reserves the right to reject any and all proposals received as a result of this ITB. If a proposal is selected, it will be the most advantageous regarding price, quality of service, the independent contractor's qualifications and capabilities to provide the specified service, and other factors which the City of Sherman may consider. The City does not intend to award a contract fully on the basis of any response made to the proposal: the City reserves the right to consider proposals for modifications at any time before a contract would be awarded; and negotiations would be undertaken with the independent contractor whose proposal is deemed to best meet the City's specifications and needs.

B. Proposals must be signed by an official authorized to bind the independent contractor to its provisions for a period of at least ninety (90) days. Failure of the successful bidder to accept the obligation of the contract may result in the cancellation of any award.

C. In the event it becomes necessary to revise any part of the ITB, addenda will be provided. The deadline for submission of proposals may be adjusted to allow for revisions. To be considered, the entire proposal document, with any amendments, should be returned by the specified date, time and method identified on page 2 of this document.

D. Proposals should be prepared simply and economically providing a straightforward, concise description of the independent contractor's ability to meet the requirements

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

of the ITB. Proposals shall be written in ink or typewritten. No erasures are permitted. Mistakes may be crossed out and corrected and must be initialed in ink by the person signing the proposal.

E. The price quotations from the contractor stated in this proposal will not be subject to any price increase from the closing date of this ITB to the mutually agreed to date of contract.
F. The City of Sherman reserves the right to award a separate contract to separate vendors for each item/group or to award one contract for the entire ITB.

[REST OF THIS PAGE INTENTIONALLY LEFT BLANK]

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

SPECIFICATIONS

- Two (2) new SUVs; Used will not be accepted
- Two-wheel drive
- Four-door models only
- Exterior colors must be black, dark grey, or grey
- Make must be Chevy, Ford, or Dodge, with minimum trim packages as follows:
    a. Chevrolet Blazer 2LT or higher model
    b. Ford Explorer XLT or higher model
    c. Dodge Durango SXT or higher model

BIDDERS CERTIFICATION:

I, the undersigned, by signing the following statement agree that I have read and understand all of the terms and conditions, specifications, and requirements contained on each page of this Invitation to Bid. I also understand that if this bid is accepted by the City of Sherman that all of the terms and conditions, specifications, and requirements submitted in my bid and any additions, changes, or deletions made during negotiations will be made a part of this bid under a binding contract between my company and the City of Sherman, Texas. I also certify that this bid is made without previous understanding, agreement, or connection with any person, firm, or corporation making a bid for the same materials, and is in all fair and without collusion or fraud:

OUR company is a (Check One):

__X__ Corporation (The bid MUST be signed by an Officer of the company)
___ Partnership (The bid MUST be signed by a General Partner)
___ Joint Venture (The bid MUST be signed by an Officer of the company)
___ Sole Proprietor (The bid MUST be signed by the Owner)

Company Name: SOUTHWEST CDJR LLC

Address of Principal Place of Business:

2235 N. MAIN ST.

CLEBURNE TEXAS 76033

Mailing Address (if different):

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

Phone: 713-444-0378

Fax: _____

Email: VSCOTT@GILCHRISTAUTOMOTIVE.COM

Authorized Representative: VERNON SCOTT

Signature: DocuSigned by: Vernon Scott E5DDE71B8F1D41E...

Date: 07/12/2023

Acknowledgement of Addenda (if any): #1 X #2 X #3 X

BID FORM

Bidder accepts all of the terms and conditions set forth in the Advertisement for Bid and the Bid Specification Package.

	OPTION 1_ IN-STOCK UNIT 2023 DODGE DURANGO SXT RWD VIN: 1C4RDHAG3PC636202 Stock #: J230630 Destroyer Gray Clear-Coat Paint Exterior Color Black Interior Color Interior Color	OR	OPTION 2 GOVT FLEET ORDER UNIT 2024 DODGE DURANGO POLICE PURSUIT RWD BUILDS IN DEC 23 - DELIVERS IN JAN 2024
Price for One (1) New SUV INCLUDING all fees:	$ $42,853.50		$45,990.00
Price for One (1) New SUV INCLUDING all fees:	$ _____		$45,990.00
Total Bid Price for Two (2) New SUVs INCLUDING all fees:	$ $42,853.50		$91,980.00

****Note****

If two vehicles are not available, a bidder may submit only one SUV, provided it meets specifications listed within this Invitation to Bid.

Signature of Bidder DocuSigned by: Vernon Scott E5DDE71B8F1D41E...

Bidder (print name) VERNON SCOTT

OPTION 3

44 photos

New 2023
Ford Explorer
XLT RWD

STOCK NUMBER: S230302

MSRP $47,720
Dealer Price $45,220
See Important Disclosures Here

Quick View

44 photos

New 2023
Ford Explorer
XLT 4WD

STOCK NUMBER: S230179

MSRP $48,375
Dealer Price $43,375
See Important Disclosures Here

Quick View

Bid Number: TB4092

Sold to:
SOUTHWEST CHRYSLER DODGE JEEP RAM (45768)
2235 N MAIN ST
CLEBURNE, TX 760335034

Ship to: **PO Number:**
SOUTHWEST CHRYSLER DODGE JEEP RAM (45768)
2235 N MAIN ST
CLEBURNE, TX 760335034

Vehicle: **2024 (WDEE75)**

	Sales Code	Description	MSRP(USD)
Model:	WDEE75		43,075
Package:	2BZ	Customer Preferred Package 2BZ	0
	ERC	3.6L V6 24V VVT Engine Upg I w/ESS	0
	DFT	8-Spd Auto 850RE Trans (Make)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	150
	-X9	Black	0
Options:	4ES	Delivery Allowance Credit	0
	MAF	Fleet Purchase Incentive	0
	ADG	Technology Group	2,790
	YEP	Manuf Statement of Origin	0
	LNF	Black Left LED Spot Lamp	640
	CUG	Police Floor Console	990
	4DH	Prepaid Holdback	0
	5N6	Easy Order	0
	4FM	Fleet Option Editor	0
	4FT	Fleet Sales Order	0
	163	Zone 63-Dallas	0
	4EA	Sold Vehicle	0
Non Equipment:	4FA	Special Bid-Ineligible For Incentive	0
Discounts:	YG1	7.5 Additional Gallons of Gas	0
Destination Fees:			1,595

Total Price: 49,240

Bid Number: TB4092

Sold to:
SOUTHWEST CHRYSLER DODGE JEEP RAM (45768)
2235 N MAIN ST
CLEBURNE, TX 760335034

Ship to: **PO Number:**
SOUTHWEST CHRYSLER DODGE JEEP RAM (45768)
2235 N MAIN ST
CLEBURNE, TX 760335034

Vehicle: **2024 (WDEE75)**

	Sales Code	Description	MSRP(USD)
Model:	WDEE75		43,075
Package:	2BZ	Customer Preferred Package 2BZ	0
	ERC	3.6L V6 24V VVT Engine Upg I w/ESS	0
	DFT	8-Spd Auto 850RE Trans (Make)	0
Paint/Seat/Trim:	PXJ	DB Black Clear Coat	0
	APA	Monotone Paint	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	150
	-X9	Black	0
Options:	4ES	Delivery Allowance Credit	0
	MAF	Fleet Purchase Incentive	0
	ADG	Technology Group	2,790
	YEP	Manuf Statement of Origin	0
	LNF	Black Left LED Spot Lamp	640
	CUG	Police Floor Console	990
	4DH	Prepaid Holdback	0
	5N6	Easy Order	0
	4FM	Fleet Option Editor	0
	4FT	Fleet Sales Order	0
	163	Zone 63-Dallas	0
	4EA	Sold Vehicle	0
Non Equipment:	4FA	Special Bid-Ineligible For Incentive	0
Discounts:	YG1	7.5 Additional Gallons of Gas	0
Destination Fees:			1,595

Total Price: 49,240

SOUTHWEST CHRYSLER DODGE JEEP RAM (45768)
2235 N MAIN ST
CLEBURNE, TX 760335034

SOUTHWEST CHRYSLER DODGE JEEP RAM (45768)
2235 N MAIN ST
CLEBURNE, TX 760335034

Vehicle: **2023 DURANGO SXT RWD (WDDL75)**

	Sales Code	Description	MSRP(USD)
Model:	WDDL75	DURANGO SXT RWD	40,140
Package:	2BK	Customer Preferred Package 2BK	1,595
	ERC	3.6L V6 24V VVT Engine Upg I w/ESS	0
	DFT	8-Spd Auto 850RE Trans (Make)	0
Paint/Seat/Trim:	PDN	Destroyer Grey Clear Coat	395
	APA	Monotone Paint	0
	*C5	Cloth Bucket Seats w/ Shift Insert	0
	-X9	Black	0
Options:	NAS	50 State Emissions	0
	AMM	3rd Row Seating Group	450
	ADJ	SXT Blacktop Group	1,995
	4UQ	T3AC	0
	4NU	Fuel Fill / Battery Charge	0
	YG1	7.5 Additional Gallons of Gas	0
	5N6	Easy Order	0
	4EX	Sales Tracking	0
Destination Fees:			1,595

HB: 1,338 **Total Price:** **46,170**

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 02/01/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		
817-538-8324	817-203-2184	
Cornhill Insurance Programs P.O. Box 895 Aledo, Texas 76008		

CONTACT NAME:	Larry Volmert	
PHONE (A/C, No, Ext):	817-538-8324	FAX (A/C, No): 817-203-2184
E-MAIL ADDRESS:	certs@cornhillins.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Midvale Indemnity Company	27138
INSURER B : Texas Mutual Insurance Company	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

Southwest CDJR, LLC
2235 N Main St.
Cleburne, TX 76033

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	✔ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ✔ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:	✔	✔	ADMP000208-01	09/01/2022	09/01/2023	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 1,000,000 $ 100,000 $ 5,0000 $ 1,000,000 $ 3,000,000 $ NA $
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ✔ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY ✔ Garage	✔	✔	ADMP000208-01	09/01/2022	09/01/2023	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 1,000,000 $ $ $ $
A	☐ UMBRELLA LIAB ☐ OCCUR ✔ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $	✔	✔	ADMP000208-01	09/01/2022	09/01/2023	EACH OCCURRENCE AGGREGATE $	$ 10,000,000 $ 10,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N ☐ If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		0002033737	01/01/2023	01/01/2024	☐ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Office Use Only

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2023-1045806

Date Filed:
07/13/2023

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Southwest CDJR LLC
Cleburne, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Sherman

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
ITB No. 2023-18
fleet vehicle sales

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party. [X]

6 UNSWORN DECLARATION

My name is VERNON SCOTT, and my date of birth is 11/02/1963.

My address is 317 N. LAMBERT RD. (street), WEATHERFORD (city), TX (state), 76088 (zip code), PARKER (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in PARKER County, State of TEXAS, on the 12 day of JULY (month), 2023 (year).

DocuSigned by:
Vernon Scott
E5DDE71B8F1D41E...

Signature of authorized agent of contracting business entity
(Declarant)

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

Contractor References

Customer Name: SEE ATTACHED REFERENCES

Address: AND WE HAVE DONE BUSINESS WITH THE CITY OF SHERMAN

Contact: _____ Telephone #: _____

Scope of work performed: _____

Length of Service: _____

Customer Name: _____

Address: _____

Contact: _____ Telephone #: _____

Scope of work performed: _____

Length of Service: _____

Customer Name: _____

Address: _____

Contact: _____ Telephone #: _____

Scope of work performed: _____

Length of Service: _____

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

Exhibit C
City's Insurance Requirements

I. GENERAL INSURANCE REQUIREMENTS –

A. All policies shall name the City of Sherman, its officers, agents, representatives and employees as additional insureds as to all applicable coverages with the exception of workers compensation insurance.

B. Such policies shall require the provision of written notice to City at least thirty (30) days prior to cancellation, non-renewal or material modification of any policies, evidenced by return receipt or United States Certified Mail.

C. Such policies shall provide for a waiver of subrogation against City for injuries, including death, property damage or any other loss to the extent the same is covered by the proceeds of the insurance.

II. INSURANCE COMPANY QUALIFICATION – All insurance companies providing the required insurance shall be authorized to transact business in the State of Texas, and shall have a minimum rating of "A" by A.M. Best's Key Rating Guide, or other equivalent rating service(s).

III. CERTIFICATE OF INSURANCE – A Certificate of Insurance and all applicable endorsement(s) evidencing the required insurance shall be submitted prior to commencing work under this Agreement. If the Agreement is renewed or extended by City, a Certificate of Insurance and all applicable endorsement(s) shall also be provided to City prior to the date the Agreement is renewed or extended.

IV. INSURANCE CHECKLIST – "X" means that the following coverage is required for this Agreement.

	Coverage Required	Limits
X	1. Worker's Compensation & Employer's Liability	▪ Statutory Limits of the State of Texas
X	2. General Liability	▪ Minimum $1,000,000.00 each occurrence; ▪ Minimum $2,000,000.00 in the aggregate.
	3. XCU Coverage	▪ Minimum $1,000,000.00 each occurrence; ▪ Minimum $2,000,000.00 in the aggregate.
	4. Professional Liability	▪ Minimum $1,000,000.00 each claim; ▪ Minimum $2,000,000.00 in the aggregate.
	5. Umbrella Coverage or Excess Liability Coverage	▪ An amount of $ 2,000,000.00.
X	6. City and its officers, agents, representatives and employees named as additional insured on General Liability Policy, as provided above. This coverage is primary to all other coverage City may possess.	
X	7. General Liability Insurance provides for a Waiver of Subrogation against City for injuries, including death, property damage, or any other loss to the extent that same is covered by the proceeds of the insurance. All insurance policies that are required to name City as an additional insured must be endorsed to read as primary and non-contributory coverage regardless of the application of other insurance.	

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

_X_ 8. Thirty (30) days' notice of cancellation, non-renewal, or material change required. The words "endeavor to" and "but failure" (to end of sentence) are to be eliminated from the Notice of Cancellation provision on standard ACORD certificates.

_X_ 9. Insurance company has a minimum rating of "A" by A.M. Best's Key Rating Guide, or other equivalent rating service(s).

_X_ 10. The Certificate of Insurance must state the project title.

___ 11. Other Insurance Requirements (State Below):

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

Exhibit D

Affidavit of No Prohibited Interest

THE STATE OF TEXAS §

THE COUNTY OF PARKER §

I, VERNON SCOTT, an authorized agent of Contractor, make this affidavit and hereby under oath state the following:

I, and/or a person or persons related to me, have the following interest in a business entity that would be affected by the work or decision under this Agreement (Check all that apply):

_____ Ownership of ten percent (10%) or more of the voting shares of the business entity.

_____ Ownership of Twenty-Five Thousand and 00/100 Dollars ($25,000) or more of the fair market value of the business entity.

_____ Funds received from the business entity exceed ten percent (10%) of my income for the previous year.

_____ Real property is involved, and I have an equitable or legal ownership with a fair market value of at least Twenty-Five Thousand and 00/100 Dollars ($25,000).

_____ A relative of mine has a substantial interest in the business entity or property that would be affected by my business decision of the public body which I am a member.

_____ Other:_____.

__X__ None of the Above.

Upon filing this affidavit with the City of Sherman, Texas, I further affirm that no relative of mine, in the first degree by consanguinity or affinity, as defined in Chapter 573, TEX. GOV'T CODE, as amended, is a member of a public body which took action on the agreement.

Signed this 12 day of JULY, 2023.

DocuSigned by:
Vernon Scott
Signature of Official/Title

BEFORE ME, the undersigned authority, this day personally appeared VERNON SCOTT, and on oath stated that the facts hereinabove stated are true to the best of his/her knowledge or belief.

Sworn to and subscribed before me on this 12 day of JULY, 2023.

Notary Public in and for the State of TEXAS
My commission expires: _____

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

SOTHWEST CDJR LLC

2 [X] **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

N/A

Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

[ ] Yes [X] No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

[ ] Yes [X] No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

N/A

6 [ ] Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 DocuSigned by: Vernon Scott E5DDE71B8F1D41E...

Signature of vendor doing business with the governmental entity

07/12/2023

Date

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

TEXAS ETHICS FORM 1295 & VERIFICATION FORM 2270

NOTE: TEC Form 1295 will not be required for all submitting contractors, but, will be required from the recommended contractor prior to award. Verification Form 2270 is required with all proposal submittals. See next page for forms.

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

INSTRUCTIONS for
State Law Mandated Certificate of Interested Parties Form (Form 1295)

1. Pursuant to House Bill 1295 passed by the 84th Texas Legislature (Section 2252.908, Texas Government Code, as amended) and formal rules released by the Texas Ethics Commission (TEC), all contracts with private business entities requiring approval by the Sherman City Council must be accompanied by an original signature unsworn declaration, Certificate of Interested Parties, Form 1295.

2. Form 1295 must be completed in accordance with the TEC Rules: (https://www.ethics.state.tx.us/legal/ch46.html) and Section 2252.908 of the Texas Government Code, as amended: (http://www.legis.state.tx.us/tlodocs/84R/billtext/html/HB01295F.htm).

3. For questions or issues regarding the TEC rules and state law provisions and how Form 1295 should be completed, please consult with your own legal counsel.

4. In order to fill out and submit Form 1295, you will need to log in as directed on the TEC website: https://www.ethics.state.tx.us/whatsnew/elf info form1295.htm

   Tutorials for creating an account and for creating and submitting Form 1295 may also be found on this web page.

5. Please provide the bolded information exactly as it appears below when creating your certificate:

   Who is the contract with? Click the button for **Other**

   Governmental Entity

   Agency/Entity Name: **City of Sherman**

   Contract ID Number: **2023-18**

   Description of Goods and Services to be provided: **Purchase of Two New Vehicles for the Sherman Police Department**

6. All other fields as required or as applicable to the individual vendor must be completed as explained in the tutorial video.

7. Vendors must provide a signed, original signature copy of this form along with four signed, notarized, original signature copies of the contract no later than 14 days after Notice of Recommendation for Award is received. All documents shall be signed by an Officer, Director or other Authorized Agent of the company. If the individual signing as Authorized Agent is not an officer or director of the company, appropriate documentation must be included with these documents to confirm that the individual has the authority to bind the company contractually.

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

VERIFICATION REQUIRED BY TEXAS GOVERNMENT CODE CHAPTER 2270

By signing below, the signatory hereby verifies that the firm it represents:

1. Does not boycott Israel; and,

2. Will not boycott Israel during the term of the contract.

SIGNED BY: DocuSigned by: Vernon Scott E5DDE71B8F1D41E...

Print Name & Title: VERNON SCOTT - GOVERNMENT FLEET DIRECTOR

Firm Name: SOUTHWEST CDJR LLC

Date Signed: 07/12/2023

NOTARIZATION

THE STATE OF TEXAS)
)
COUNTY OF PARKER)

BEFORE ME, the undersigned notary public on this day personally appeared VERNON SCOTT, on behalf of SOUTHWEST CDJR LLC (Company), who, being duly sworn, stated under oath that he/she has read the foregoing verification required by Texas Government Code Section 2270.002 and said statements contained therein are true and correct.

SWORN TO AND SUBSCRIBED before me on the 12 day of JULY, 2023.

NOTARY PUBLIC IN AND
FOR THE STATE OF TEXAS

The following definitions apply to Texas Government Code Section 2270.001:

(1) "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and

(2) "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

State law requires any firm entering into an agreement or contract with the Authority to complete the foregoing verification. TEX. GOV'T CODE § 2270.002.

References for the Gilchrist Automotive Group

Our group of dealerships are owned & operated by Charlie Gilchrist & Stephen Gilchrist. Our group Headquarters are located inside the Southwest Ford location in Weatherford Texas.

At this time, we have 20 Dealership Locations in Texas & Oklahoma featuring 16 different franchises.

Reference #1

Reeder Distributors Inc

5450 Wilbarger St., Fort Worth Texas 76119

President: Ned Reeder – 817-429-5957

Company is a Wholesale Distributor of Diesel Fuel and purchases trucks from Charlie Gilchrist and the Gilchrist Automotive Group.

Reference #2

Texas State Utilities

3112 Wichita Ct., Fort Worth Texas 76140

President: Justin Keller

Email: TSU1@COM, Phone: 817-665-9000

Company is providing street light maintenance and Underground Contracting for the City of Fort Worth. They purchase their Bucket & Work trucks from Charlie Gilchrist and the Gilchrist Automotive Group.

Reference #3

Ledwell & Son Enterprises Inc.

3000 Waco Street, Texarkana Texas 75501

President: Steve Ledwell Phone: 903-888-6531

Company is a Custom Dump Truck bed, Tank Builder and Commercial Trailer Manufacturer. They purchase their Cab & Chassis Medium Duty Work trucks from Charlie Gilchrist and the Gilchrist Automotive Group.

Reference #4

Reynolds Asphalt & Construction Inc.

617 E. College St. Lewisville Texas 75057

President: Gary Reynolds, Phone: 972-434-2004

Company is an Asphalt Paving & Construction Company. They purchase their Cab & Chassis Medium Duty Work trucks from Charlie Gilchrist and the Gilchrist Automotive Group.

Reference #5

Lightfoot Mechanical – Plumbing, Electrical & HVAC

1026 Fort Worth Highway, Weatherford Texas 76086

Office Phone: 817-618-4595

This company specializes in Electrical, Plumbing and HVAC Contracting Business. They purchase their Van and Work trucks from Charlie Gilchrist and the Gilchrist Automotive Group.

DocuSign Envelope ID: 39FE5730-D0C1-4B5F-A664-58065486CDD9

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

SOUTHWEST CDJR LLC

2 Business name/disregarded entity name, if different from above

SOUTHWEST CHRYSLER DODGE JEEP RAM

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☑ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ C

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

2235 NORTH MAIN STREET

Requester's name and address (optional)

6 City, state, and ZIP code

CLEBURNE, TEXAS 76033

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–			–				

or

Employer identification number

8	4	–	1	9	9	3	8	3	2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here | **Signature of U.S. person ▶** DocuSigned by: Vernon Scott E5DDE71B8F1D41E... | **Date ▶** 6/28/2023

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

DocuSign Envelope ID: 39FE5730-D0C1-4B5F-A664-58065486CDD9

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting,* later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,

2. You do not certify your TIN when required (see the instructions for Part II for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code,* later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships,* earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code,* later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

DocuSign Envelope ID: 39FE5730-D0C1-4B5F-A664-58065486CDD9

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

DocuSign Envelope ID: 39FE5730-D0C1-4B5F-A664-58065486CDD9

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over $600 required to be reported and direct sales over $5,000[1]	Generally, exempt payees 1 through 5[2]
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

[1] See Form 1099-MISC, Miscellaneous Income, and its instructions.

[2] However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester,* later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at *www.SSA.gov*. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at *www.irs.gov/Businesses* and clicking on Employer Identification Number (EIN) under Starting a Business. Go to *www.irs.gov/Forms* to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to *www.irs.gov/OrderForms* to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code,* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

DocuSign Envelope ID: 39FE5730-D0C1-4B5F-A664-58065486CDD9

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account[1]
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor[2]
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee[1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner[1]
6. Sole proprietorship or disregarded entity owned by an individual	The owner[3]
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	**Give name and EIN of:**
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity[4]
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

[4] List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships,* earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

DocuSign Envelope ID: 39FE5730-D0C1-4B5F-A664-58065486CDD9

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov*. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at *spam@uce.gov* or report them at *www.ftc.gov/complaint*. You can contact the FTC at *www.ftc.gov/idtheft* or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see *www.IdentityTheft.gov* and Pub. 5027.

Visit *www.irs.gov/IdentityTheft* to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

Exhibit C
City's Insurance Requirements

I. GENERAL INSURANCE REQUIREMENTS –

A. All policies shall name the City of Sherman, its officers, agents, representatives and employees as additional insureds as to all applicable coverages with the exception of workers compensation insurance.

B. Such policies shall require the provision of written notice to City at least thirty (30) days prior to cancellation, non-renewal or material modification of any policies, evidenced by return receipt or United States Certified Mail.

C. Such policies shall provide for a waiver of subrogation against City for injuries, including death, property damage or any other loss to the extent the same is covered by the proceeds of the insurance.

II. INSURANCE COMPANY QUALIFICATION – All insurance companies providing the required insurance shall be authorized to transact business in the State of Texas, and shall have a minimum rating of "A" by A.M. Best's Key Rating Guide, or other equivalent rating service(s).

III. CERTIFICATE OF INSURANCE – A Certificate of Insurance and all applicable endorsement(s) evidencing the required insurance shall be submitted prior to commencing work under this Agreement. If the Agreement is renewed or extended by City, a Certificate of Insurance and all applicable endorsement(s) shall also be provided to City prior to the date the Agreement is renewed or extended.

IV. INSURANCE CHECKLIST – "X" means that the following coverage is required for this Agreement.

	Coverage Required	Limits
X	1. Worker's Compensation & Employer's Liability	▪ Statutory Limits of the State of Texas
X	2. General Liability	▪ Minimum $1,000,000.00 each occurrence; ▪ Minimum $2,000,000.00 in the aggregate.
	3. XCU Coverage	▪ Minimum $1,000,000.00 each occurrence; ▪ Minimum $2,000,000.00 in the aggregate.
	4. Professional Liability	▪ Minimum $1,000,000.00 each claim; ▪ Minimum $2,000,000.00 in the aggregate.
	5. Umbrella Coverage or Excess Liability Coverage	▪ An amount of $ 2,000,000.00.
X	6. City and its officers, agents, representatives and employees named as additional insured on General Liability Policy, as provided above. This coverage is primary to all other coverage City may possess.	
X	7. General Liability Insurance provides for a Waiver of Subrogation against City for injuries, including death, property damage, or any other loss to the extent that same is covered by the proceeds of the insurance. All insurance policies that are required to name City as an additional insured must be endorsed to read as primary and non-contributory coverage regardless of the application of other insurance.	

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

_X_ 8. Thirty (30) days' notice of cancellation, non-renewal, or material change required. The words "endeavor to" and "but failure" (to end of sentence) are to be eliminated from the Notice of Cancellation provision on standard ACORD certificates.

_X_ 9. Insurance company has a minimum rating of "A" by A.M. Best's Key Rating Guide, or other equivalent rating service(s).

_X_ 10. The Certificate of Insurance must state the project title.

___ 11. Other Insurance Requirements (State Below):

Exhibit D

Affidavit of No Prohibited Interest

THE STATE OF TEXAS §

THE COUNTY OF PARKER §

I, VERNON SCOTT, an authorized agent of Contractor, make this affidavit and hereby under oath state the following:

I, and/or a person or persons related to me, have the following interest in a business entity that would be affected by the work or decision under this Agreement (Check all that apply):

_____ Ownership of ten percent (10%) or more of the voting shares of the business entity.

_____ Ownership of Twenty-Five Thousand and 00/100 Dollars ($25,000) or more of the fair market value of the business entity.

_____ Funds received from the business entity exceed ten percent (10%) of my income for the previous year.

_____ Real property is involved, and I have an equitable or legal ownership with a fair market value of at least Twenty-Five Thousand and 00/100 Dollars ($25,000).

_____ A relative of mine has a substantial interest in the business entity or property that would be affected by my business decision of the public body which I am a member.

_____ Other: _____.

__X__ None of the Above.

Upon filing this affidavit with the City of Sherman, Texas, I further affirm that no relative of mine, in the first degree by consanguinity or affinity, as defined in Chapter 573, TEX. GOV'T CODE, as amended, is a member of a public body which took action on the agreement.

Signed this 31 day of July, 2023

Signature of Official/Title

BEFORE ME, the undersigned authority, this day personally appeared VERNON SCOTT, and on oath stated that the facts hereinabove stated are true to the best of his/her knowledge or belief.

Sworn to and subscribed before me on this 31st day of July, 2023.

Emily Pair
NOTARY PUBLIC
STATE OF TEXAS
ID 129052601
EXP. 07/13/2024

Notary Public in and for the State of TEXAS
My commission expires: July 13, 2024

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

SOTHWEST CDJR LLC

2 [X] **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

N/A

Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

[ ] Yes [X] No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

[ ] Yes [X] No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

N/A

6 [ ] Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 DocuSigned by: Vernon Scott E5DDE71B8F1D41E...

Signature of vendor doing business with the governmental entity

07/12/2023

Date

DocuSign Envelope ID: 444E6A9E-0669-4BC0-9BE8-86F67F3A17BB

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 7.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 7115***

Authorizing Execution of an Agreement with EarnhartBuilt, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1013 South First Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1013 South First Street situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

On June 5, 2023, City Council renewed the residential tax abatement program to encourage the redevelopment within the City of Sherman's Reinvestment Zone, Number Ten (#10). This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

EarnhartBuilt, LLC, Owner

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 $733.50 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. 7115
Residential Tax Abatement Agreement
Exhibit A - DEED
Application
Building Permit
Site Plan
Location Map
Photo
Reinvestment Zone Map

RESOLUTION NO. 7115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH EARNHARTBUILT, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1013 SOUTH FIRST STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); 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 Earnhartbuilt, 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 Earnhartbuilt, 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 1013 South First Street, lying within City of Sherman Reinvestment Zone, Number Ten (#10), 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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, 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 **EARNHARTBUILT, LLC** hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 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, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, on the 9th day of June, 2023, the City Council of Sherman, Texas adopted Ordinance No. 6598 and renewed the designation of the Residential Reinvesment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (Resolution No. 7085) 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, 2016;

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, 2023, and continuing for tax years 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032, 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 2022, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2023	100%
2024	100%
2025	100%
2026	100%
2027	100%
2028	100%
2029	80%
2030	60%
2031	40%
2032	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 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032, 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 1013 South First Street, Sherman, Texas, and as more particularly described by metes and bounds as to hereafter include the property described in **Exhibit A**:

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
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

2903 S. Woodlawn Blvd
Denison, TX 75020
(903) 462-0014

EarnhartBuilt, LLc

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 _____, _____.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON

OWNER:
EARNHARTBUILT, LLC

BY: _____
JASON EARNHART

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

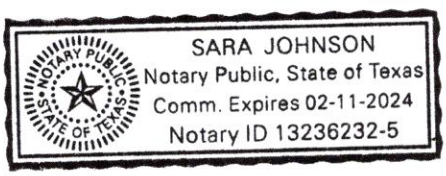
APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **JASON EARNHART** 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 14th day of June, 2023 A.D.



Sara Johnson

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

EXHIBIT A

2022 - 16738

VG-286-2022-16738

Grayson County
Deana Patterson
County Clerk
Sherman, TX 75090

Instrument Number: 2022 - 16738

Real Property Recordings

Recorded On: May 13, 2022 08:36 AM

Number of Pages: 3

Parties: WOOD JANET EXECUTRIX ETAL

" Examined and Charged as Follows: "

Total Recording: $20.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described Document because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	16738
Receipt Number:	20220513000022
Recorded Date/Time:	May 13, 2022 08:36 AM
User:	Rachelle C
Station:	CLERK06

Record and Return To:

GRAYSON COUNTY TITLE
1001 WEST MAIN
DENISON TX 75020

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 Records of Grayson County, Texas.

Deana Patterson
County Clerk
Grayson County, TX

2022 - 16738

47718

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 YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS

COUNTY OF GRAYSON KNOW ALL MEN BY THESE PRESENTS:

DATE: MAY 11 , 2020

THAT **JANET WOOD, INDEPENDENT EXECUTRIX OF THE ESTATE OF PAUL EUGENE KRANNING, DECEASED**

(Hereinafter called "GRANTORS" whether one or more), for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations cash in hand paid by

EARNHARTBUILT, LLC a Texas Limited Liability Company

whose address is 305 S. Houston Ave., Denison, TX 75021

(hereinafter called "GRANTEES" whether one or more), the receipt and sufficiency of which are hereby acknowledged and confessed.

Have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto the said Grantees herein, the following described property, together with all improvements thereon, to-wit:

BEING THE SOUTH 25 FEET OF LOT 3 AND THE NORTH 27.5 FEED OF LOT 4, IN BLOCK 2, OF W.D. FITCH ADDITION, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS RECORDED IN VOLUME 35, PAGE 555, DEED RECORDS OF GRAYSON COUNTY, TEXAS.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in any wise belonging, unto the said Grantees, their heirs and assigns forever. And Grantors do hereby bind themselves, their heirs, executors and administrators, to warrant and forever defend all and singular, the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Taxes for the current year have been prorated and are assumed by Grantee.

This conveyance is made and accepted subject to (i) any and all outstanding minerals, mineral leases, restrictions, covenants, conditions and easements, to the extent that they are in force and effect; (ii) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, to the extent that they are applicable and enforceable; (iii) any and all easements, rights of way and encroachments that are apparent, including any utilities buried beneath the surface of the ground; and (iv) all rights of parties in possession of any part of the Property.

When this deed is executed by one person, or when the Grantee is one person, the instrument shall read as though pertinent verbs and pronouns were changed to correspond, and when executed by or to a corporation the words "heirs, executors or administrators" or "heirs and assigns" shall be construed to mean "Successors and assigns".

THE ESTATE OF PAUL EUGENE KRANNING, DECEASED

BY: _____
JANET WOOD, INDEPENDENT EXECUTRIX

THE STATE OF TEXAS

COUNTY OF GRAYSON

This instrument was acknowledged before me this 11 day of MAY, 2022, by JANET WOOD, INDEPENDENT EXECUTRIX OF THE ESTATE OF PAUL EUGENE KRANNING, DECEASED.

EMILY P. RODGERS
Notary Public, State of Texas
Comm. Expires 10-23-2024
Notary ID 132745001

Emily Rodgers
NOTARY PUBLIC - STATE OF TEXAS

PREPARED IN THE OFFICE OF:

BROWN RIDDELS PLLC
1001 W MAIN ST.
DENISON, TX 75020

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: EarnhartBuilt, LLC

Mailing Address: 2903 S Woodlawn Blvd Denison, Texas 75020

Telephone Number: 903-462-0014

Contact (if different than owner):

Name: _____

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 1013 S First Street Sherman, Texas 75090

Summary Legal Description: Lot: Lot S 25' of 3 and N 27.5' of 4 Block: 2 Addition: Fitch W D ADDN

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

***Recently submitted a final play calling the new addition "Earnhartbuilts 12th ADDN

Improvements:

Type of Improvements (please check one). New Construction: X Remodeling: _____

Estimated Value of Improvements: $150,000.00

Estimated Date of Start of Construction: January 12, 2023

Estimated Date of Completion of Project: August 2023

Description of Project: New Construction - Single Family Residential

Applicant(s): Jonathan Earnhart Date: 06/05/2023

_____ Date: _____

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN

New Residential Building Permit

#22-004016 | Issued on: 12/16/2022 at 3:29 PM

Project Description: New construction of a single family home.

ADDRESS
1013 S FIRST St
Sherman, TX

LEGAL
Fitch W D Addn, Block 2, Lot S 25' Of 3 & N 27.5 Of 4

PERMIT HOLDER
JASON EARNHART
EARNHART BUILT
(903) 487-9102

COLLABORATORS
- ALL SEASONS HVAC SERVICES LLC
  JASON DANIEL PEARSON
  (903) 449-6040
- ATK ELECTRIC LLC
  AARON TIGER HASBELL
  (214) 856-9757
- JASON EARNHART
  EARNHART BUILT
  (903) 487-9102

OWNERS
- Paul Kranning

ELECTRICAL NOTE:
ALL ELECTRICAL WORK & MATERIAL TO COMPLY W/2020 NEC

INFORMATION FIELDS

Subcontractor	Earnhartbuilt, LLC.	Square Feet	1536
Bedrooms	3	Bathrooms	2
Number of Stories	1	Number of Acres	0.1687
Type of Construction List	Wood Frame	Off Street Parking	2
Sewer Disposal	Public Sewer	Water Supply	Public
Heating	Electric	Permit Certification	Yes
Proposed Use	Single Family Home	Former Use	N/A
Firm Name	Earnhartbuilt, LLC.		

FEE	TOTAL	PAID	DUE
Building Permit Fee (R)	$ 460.80	$ 460.80	$ 460.80
Storm Water Fee	$ 25.00	$ 25.00	$ 25.00
Impact Fee Zone 3	$ 250.00	$ 250.00	$ 250.00
Impact Fee - Water	$ 250.00	$ 250.00	$ 250.00
Impact Fee - Sewer	$ 125.00	$ 125.00	$ 125.00
TOTALS	$ 1,110.80	$ 1,110.80	$ 0.00

NOTICE

This permit becomes null and void if work or constructions authorized is not commenced within 6 months, or if construction or work is suspended of abandoned for a period of 6 months at any time after work is started. This permit is for the Permit Holder only. Repermitting will be required if Contractor changes.

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.

It shall be the duty of the holder of this permit to notify the Building Department when work is ready for inspection. It shall be the duty of the Permit Holder to provide access to and means for inspections of such work required by the adopted codes.

Permit not valid until signed by all parties.

Jason Earnhart — (Signature of Contractor or Authorized Agent)

12/16/2022 — Date

(Approved By) Flood Plain Administrator

12-20-2022 — Date

(Approved By) Building Official or Authorized Representative

12-20-22 — Date

MARKED PLANS IN MYGOV

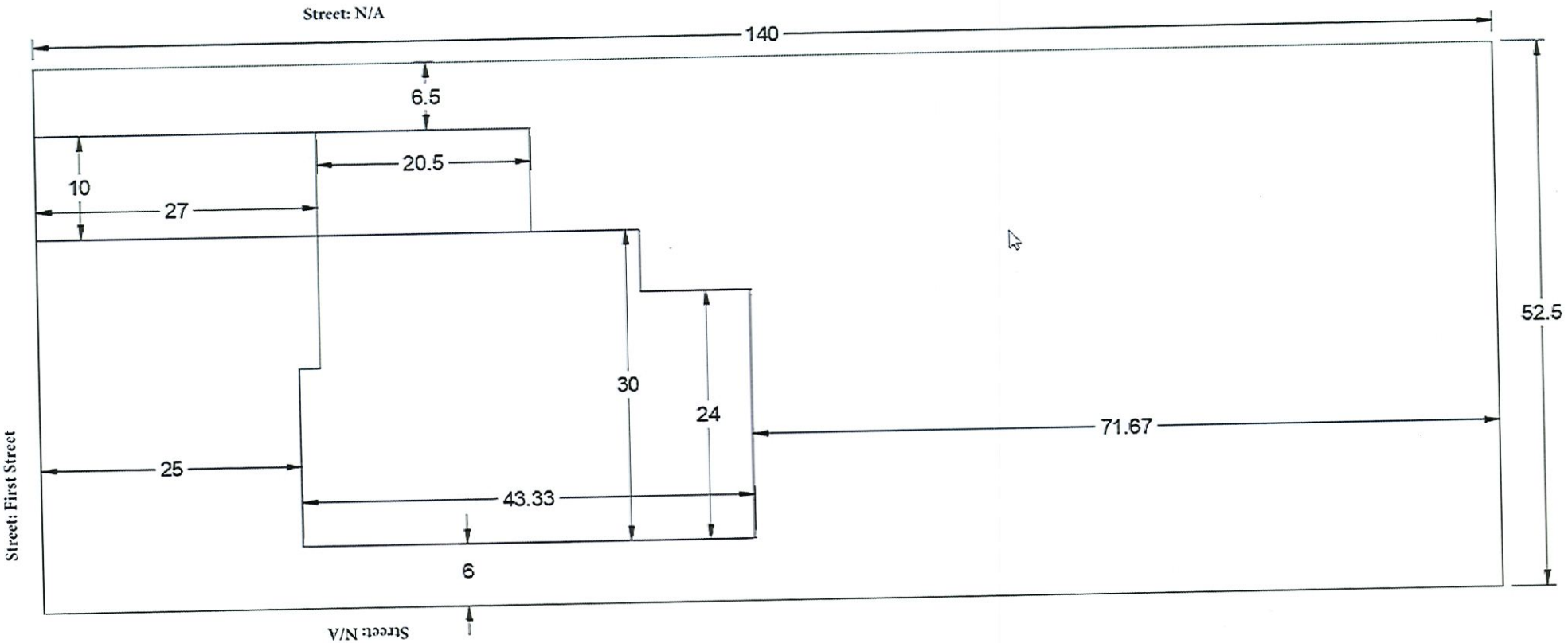
ALL WORK AND MATERIAL TO COMPLY WITH 2018 IRC AND 2018 IECC

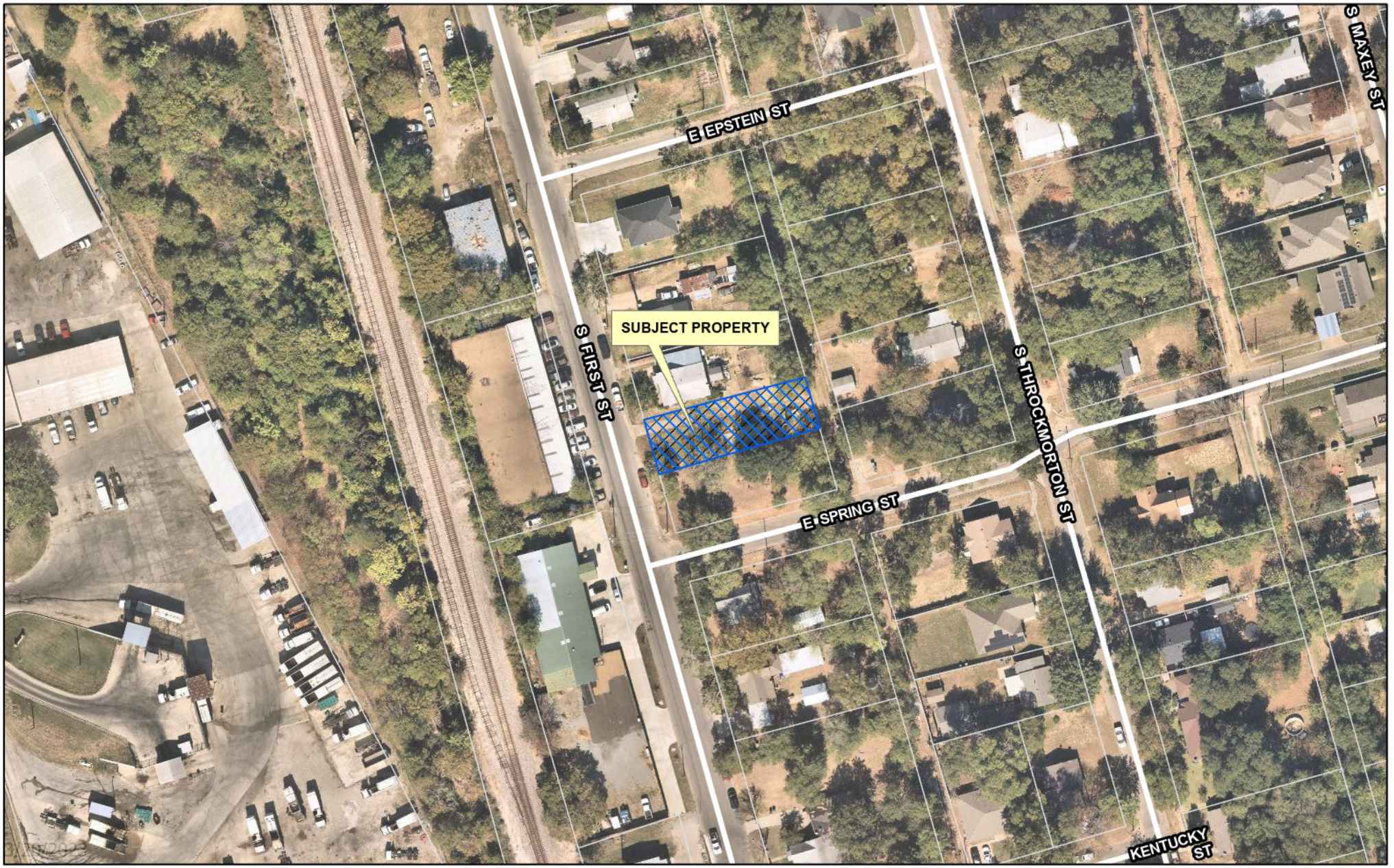
Note: This permit is not approved or valid until signed by the Building Official or his Designee.

All setbacks must comply with the city requirments.

SITE PLAN

1013 S First St. Sherman, Texas 75090





dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

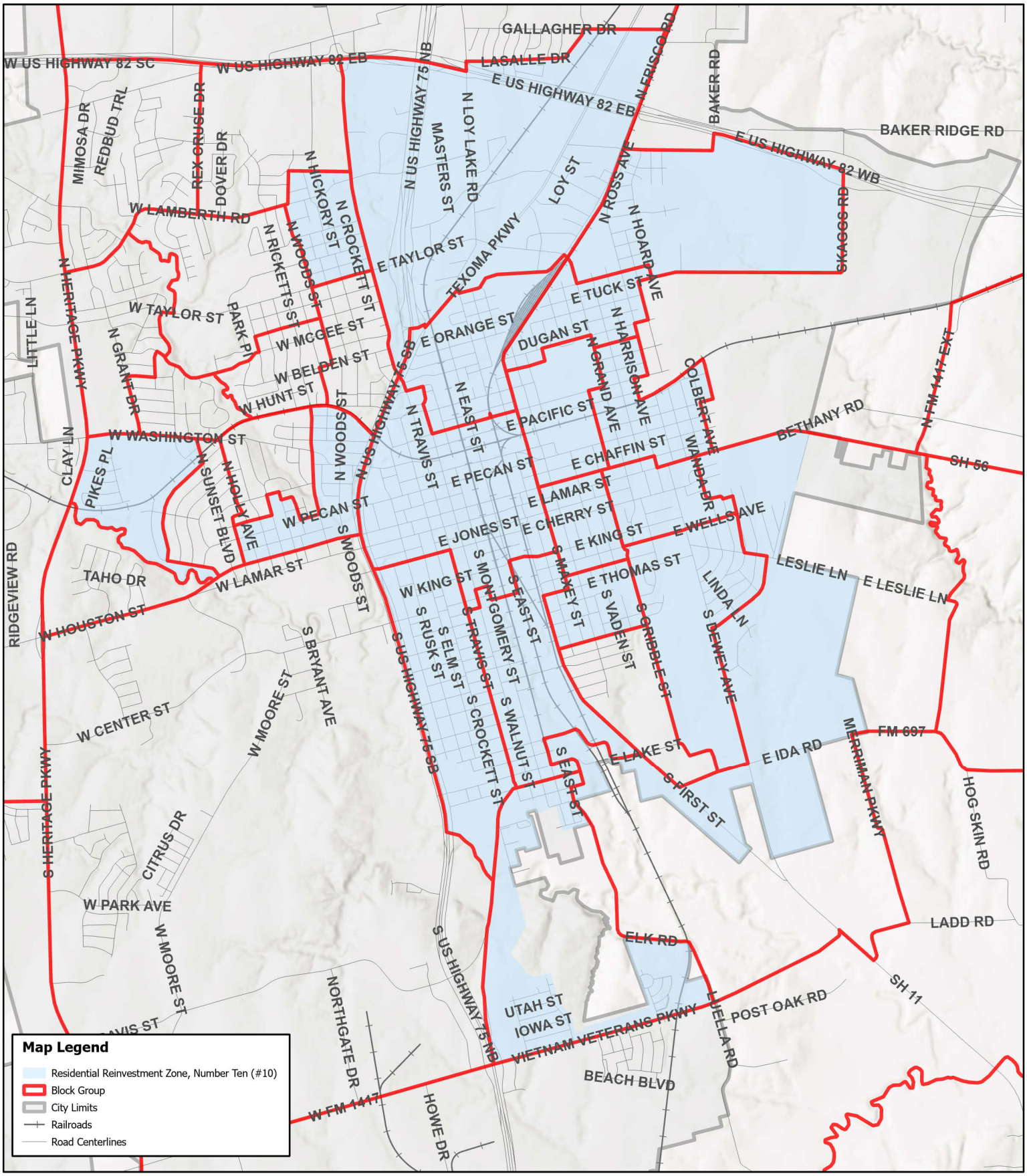
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1013 S FIRST ST

N
W E
S

Date: 3/20/2023 11:06 AM

1013 S FIRST



dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Finance\TIRZ Maps.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

Sherman, Texas

Exhibit A:
Residential Reinvestment Zone,
Number Ten (#10)

N
W E
S

0 500 1,000 2,000
US Feet

Date: 5/30/2023

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 8.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 7116***

Authorizing Execution of an Agreement with Habitat For Humanity for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1017 South First Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1017 South First Street situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

On June 5, 2023, City Council renewed the residential tax abatement program to encourage the redevelopment within the City of Sherman's Reinvestment Zone, Number Ten (#10). This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Habitat for Humanity, Owner

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 $586.80 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. 7116
Residential Tax Abatement Agreement
Exhibit A - DEED
Application
Building Permit
Site Plan
Location Map
Photo
Reinvestment Zone Map

RESOLUTION NO. 7116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1017 SOUTH FIRST STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); 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 Habitat For Humanity 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 Habitat For Humanity 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 1017 South First Street, lying within City of Sherman Reinvestment Zone, Number Ten (#10), 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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, on this the 7th day of August 2023

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, 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 **HABITAT FOR HUMANITY** hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 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, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, on the 9th day of June, 2023, the City Council of Sherman, Texas adopted Ordinance No. 6598 and renewed the designation of the Residential Reinvesment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (Resolution No. 7085) 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, 2016;

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, 2023, and continuing for tax years 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032, 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 2022, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2023	100%
2024	100%
2025	100%
2026	100%
2027	100%
2028	100%
2029	80%
2030	60%
2031	40%
2032	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 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032, 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 1017 South First Street, Sherman, Texas, and as more particularly described by metes and bounds as to hereafter include the property described in **Exhibit A**:

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
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

Habitat For Humanity
PO Box 910293
Sherman, TX 75090
(903) 819-0243

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 _____, _____.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON

OWNER:
HABITAT FOR HUMANITY

BY: _____
GREG BENTON

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

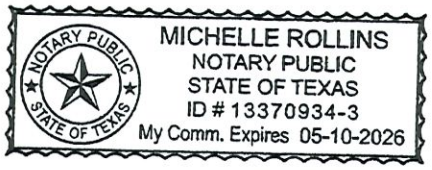
APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **GREG BENTON** 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 14th day of June, 2023 A.D.



M. Rollins

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

EXHIBIT A

Grayson County
Wilma Bush
County Clerk
Sherman, TX 75090

Instrument Number: 2020 - 7972

ERecordings-RP

Recorded On: March 31, 2020 11:43 AM

Number of Pages: 4

Parties: EARNHARTBUILT LLC

" Examined and Charged as Follows: "

Total Recording: $24.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described Document because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	7972
Receipt Number:	20200331000038
Recorded Date/Time:	March 31, 2020 11:43 AM
User:	Hailee A
Station:	CLERK05

Record and Return To:

Simplifile

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 Records of Grayson County, Texas.

Wilma Bush
County Clerk
Grayson County, TX

316430

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 YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: March 31st, 2020

Grantor: EARNHARTBUILT, LLC, a Texas limited liability company

Grantor's Mailing Address:

110 S. Houston Avenue
Denison, Texas 75021

Grantee: HABITAT FOR HUMANITY OF GRAYSON COUNTY

Grantee's Mailing Address:

P.O. Box 2725
Sherman, Texas 75091-2725

Consideration:

TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Being the South 47.5 feet of Lot 4, Block 2, of W.D. FITCH ADDITION, an Addition to the City of Sherman, Texas, as shown by Plat of record in Volume 35, Page 555, Deed Records, Grayson County, Texas.

Reservations from Conveyance:

The herein described tract of land is also being conveyed subject to all, or a portion of the oil, gas and other minerals in, under, or that may be produced from the herein described tract of land, all, or a portion of same having been reserved by prior grantors, together with all outstanding oil and gas leases appearing of record in the Deed Records and/or Official Records of the County of the property described herein, all of which are excepted from the WARRANTY hereinafter given.

Special Provision:

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties.

Exceptions to Conveyance and Warranty:

All recorded and existing restrictions, reservations, and, covenants affecting the land described herein. All existing easements, rights-of-way, and prescriptive rights, whether of record or not. All taxes for the year 2020, which Grantee assumes and agrees to pay, and subsequent assessments for that year and prior years due to the change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

EARNHARTBUILT, LLC, a Texas limited liability company

By: _____
~~Jennifer Davis, Manager~~
Jonathan Earnhart, Manager

STATE OF TEXAS)

COUNTY OF GRAYSON)

Before me on this day personally appeared JONATHAN EARNHART, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same as the act of EARNHARTBUILT, LLC, a Texas limited liability company, as its Manager, for the purposes and consideration therein expressed.

Given under my hand and seal of office this 31st day of March, 2020.

Tamara Noyes

Notary Public, State of Texas
My commission expires: 8/10/21

PREPARED IN THE OFFICE OF:

ADAMS BENNETT DUNCAN & HENLEY
2745 Wind River Lane
Denton, TX 76210
Tel: (940) 566-6221
Fax: (940) 566-4977

TAMARA NOYES
My Notary ID # 125392993
Expires August 10, 2021

AFTER RECORDING RETURN TO:

_____

_____

_____

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Habitat For Humanity

Mailing Address: PO Box 910293 Sherman TX 75091

Telephone Number: 903-819-0243

Contact (if different than owner):

Name: Greg Benton

Mailing Address: same

Telephone Number: same

Property:

Physical Address: 1017 S. First St.

Summary Legal Description: Lot: _____ Block: _____ 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: $120,000

Estimated Date of Start of Construction: ASAP

Estimated Date of Completion of Project: approx 6 months

Description of Project: Build new home

Applicant(s): _____ Date: 3/25/2023

_____ Date: _____

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN

New Residential Building Permit

#23-000436 | Issued on: 05/25/2023 at 4:08 PM

Project Description: Building a home with 1151 sq ft with an 8x8 shed.

ADDRESS
1017 S FIRST St
Sherman, TX

PERMIT HOLDER
Greg Benton
Greg Benton
(903) 819-0243

COLLABORATORS
- GREG BENTON
  (903) 819-0243
- Greg Benton
  Greg Benton
  (903) 819-0243
- KING JULIAN ELECTRIC
  JULIAN BORREGO
  (903) 819-5079

INFORMATION FIELDS

Subcontractor	Greg Benton	Square Feet	1241
Bedrooms	3	Bathrooms	2
Number of Stories	1	Type of Construction List	Wood Frame
Off Street Parking	2	Sewer Disposal	Public Sewer
Water Supply	Public	Heating	Gas
Permit Certification	Yes	Proposed Use	SINGLE FAMILY RESIDENTIAL
Former Use	NONE	Firm Name	Greg Benton

FEE	TOTAL	PAID	DUE
Impact Fee Zone 3	$ 440.00	$ 440.00	$ 440.00
Impact Fee - Water	$ 1,021.00	$ 1,021.00	$ 1,021.00
Impact Fee - Sewer	$ 322.00	$ 322.00	$ 322.00
Building Permit Fee (R)	$ 372.30	$ 372.30	$ 372.30
Storm Water Fee	$ 25.00	$ 25.00	$ 25.00
TOTALS	$ 2,180.30	$ 2,180.30	$ 0.00

NOTICE

This permit becomes null and void if work or constructions authorized is not commenced within 6 months, or if construction or work is suspended of abandoned for a period of 6 months at any time after work is started. This permit is for the Permit Holder only. Repermitting will be required if Contractor changes.

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.

It shall be the duty of the holder of this permit to notify the Building Department when work is ready for inspection. It shall be the duty of the Permit Holder to provide access to and means for inspections of such work required by the adopted codes.

Permit not valid until signed by all parties.

(Signature of Contractor or Authorized Agent) — 6-2-23 (Date)

(Approved By) Flood Plain Administrator — 5-26-2023 (Date)

(Approved By) Building Official or his Designee — 5.25.23 (Date)

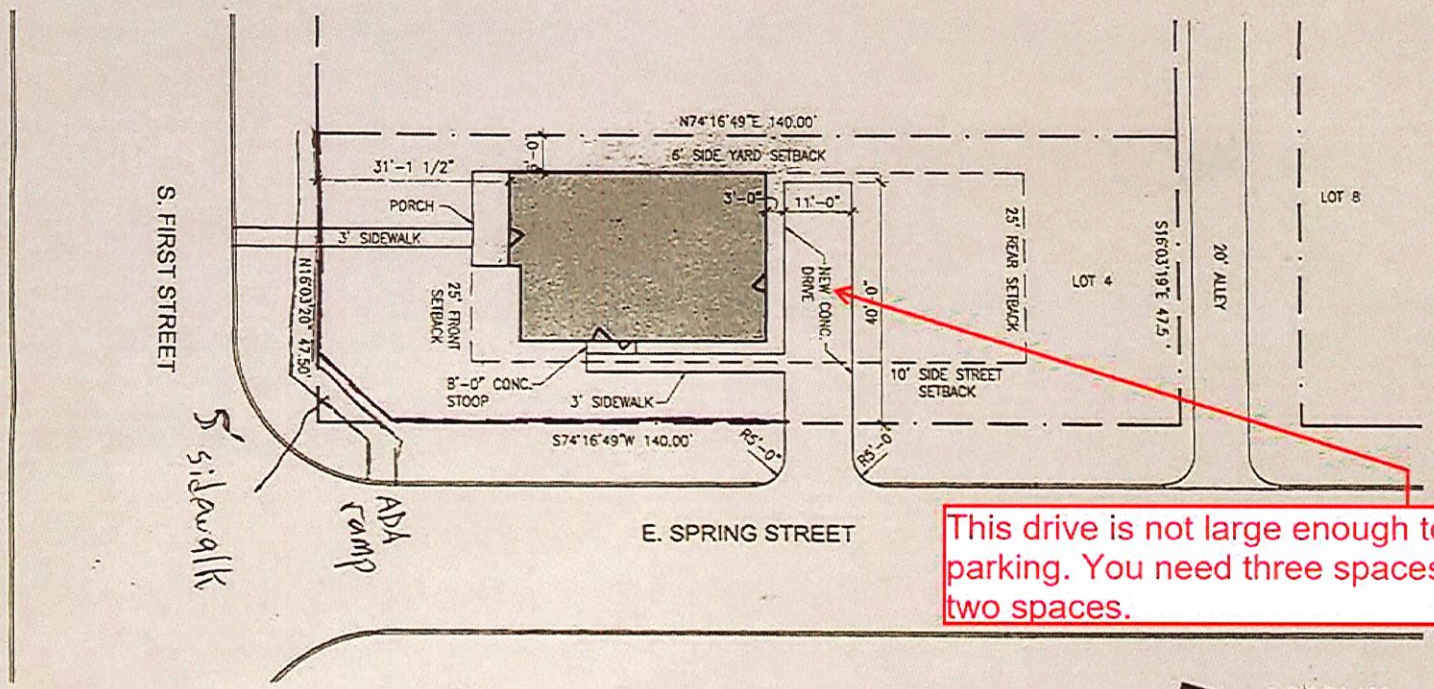
Note: This permit is not approved or valid until signed by the Building Official or his Designee.

ALL WORK AND MATERIAL
TO COMPLY WITH
2018 IRC, 2018 IECC
AND 2020 NEC

MARKED PLANS IN MYGOV

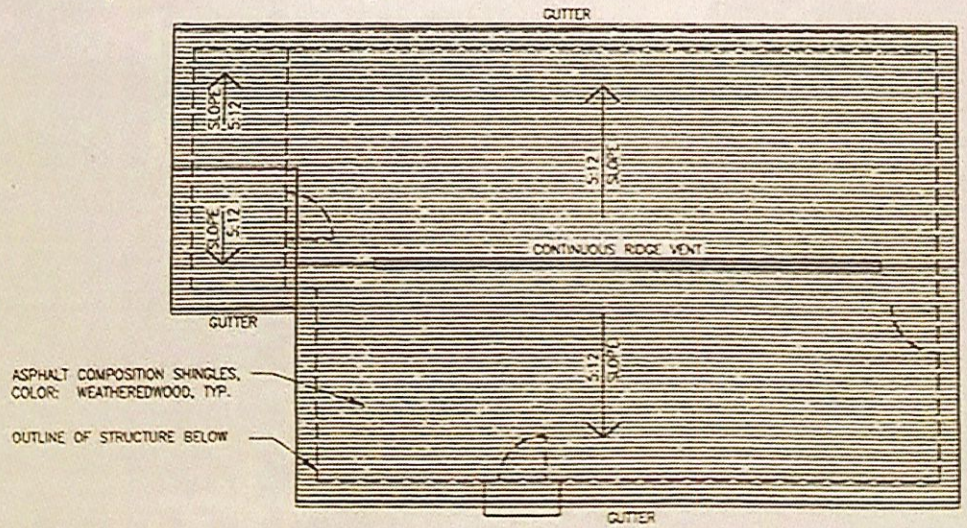
All work must comply with the 2018 IRC, IECC and the 2020 NEC.

A 9x20 off street parking space is required for each bedroom. the sidewalk and approach is considered the right of way and cannot be calculated as part of the required parking. Side by side parking must be at least 18x20.



This drive is not large enough to meet the requirement for parking. You need three spaces, this drive will only support two spaces.

1 LOT PLAN
SCALE: 1" = 20'-0"



2 ROOF PLAN
SCALE: 1/8" = 1'-0"

Purple = platted property line

LIST OF DRAWINGS	
A1.0	LOT & ROOF PLAN
A2.0	FLOOR PLAN & DETAILS
A3.0	EXTERIOR ELEVATIONS & DETAILS
A3.1	EXTERIOR ELEVATIONS & DETAILS
E1.0	POWER & PLUMBING PLAN
E2.0	LIGHTING PLAN

BACA
100 NORTH TRAVIS STREET
SUITE NO.500
SHERMAN, TEXAS 75090
903.893.5800
www.BACA.com

SCHEMATIC DESIGN REVIEW

THE BURGOS RESIDENCE
South First St. and East Spring St.
Sherman, TX 75090

PROJECT NUMBER
HFH-13
DATE
08.10.22
SHEET NUMBER
A1.0

lot & roof plan

dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

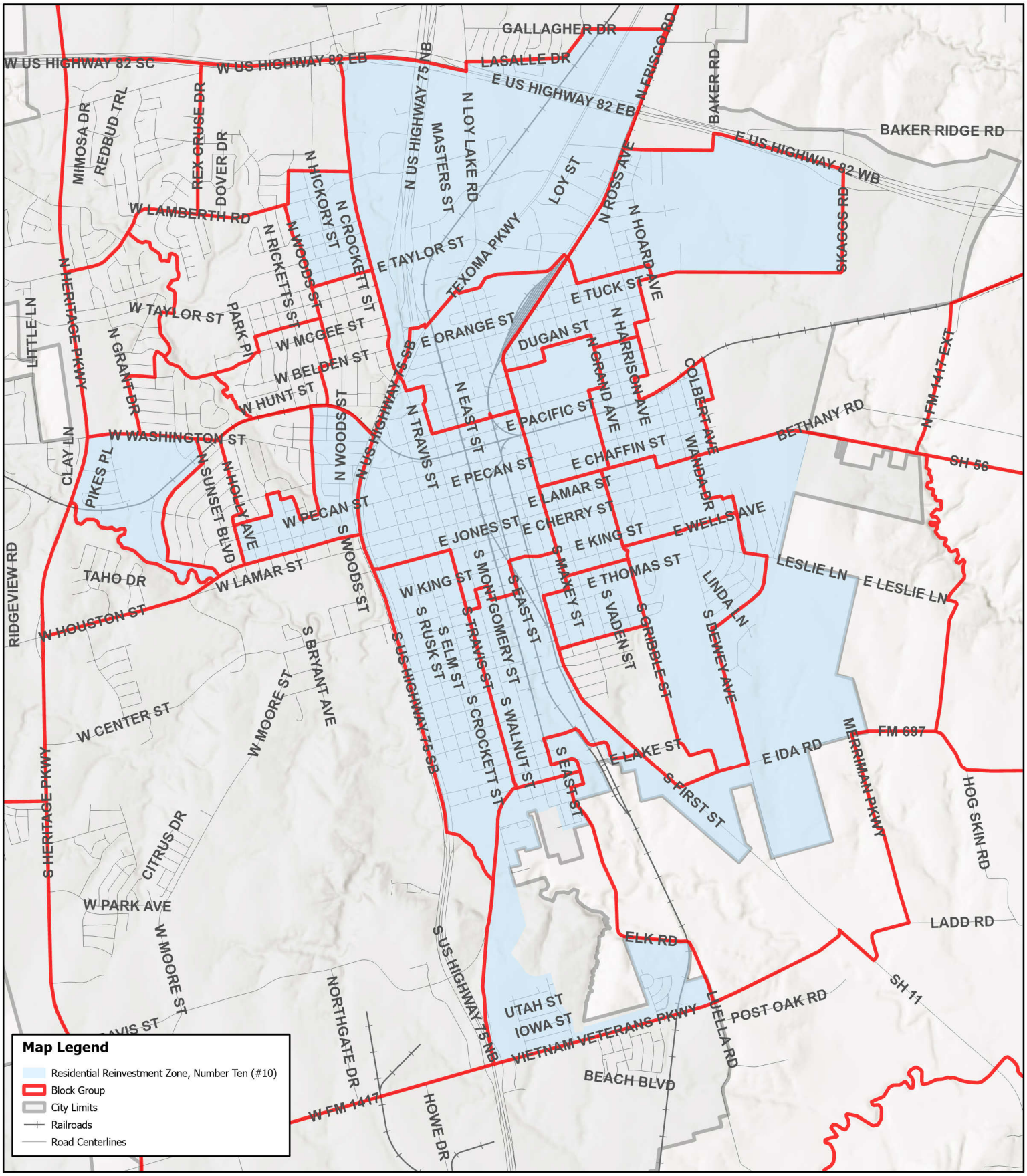
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1017 S FIRST ST

N
W E
S

Date: 6/3/2023 12:29 AM

1017 S. First



dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Finance\TIRZ Maps.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

Sherman, Texas

Exhibit A:
Residential Reinvestment Zone,
Number Ten (#10)

N
W E
S

0 500 1,000 2,000
US Feet

Date: 5/30/2023

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 9.**

Meeting Date: 08/07/2023
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 7117***

Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 7, 2023

Issue:

To approve an agreement for a Joint Election between the City of Sherman and Grayson County on November 7, 2023, for both the Regular City Council Members and the Reauthorization of the Street Sales Tax.

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:

Cost for the Election is usually around $15,000.

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. 7117
Joint Election Agreement

RESOLUTION NO. 7117

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 7, 2023; 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 7, 2023, 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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN TEXAS on this the 7th day of August 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, 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

The CITY and COUNTY hereby contract and agree to hold a joint election on the 7th day of November 2023, and thereby reduce their costs, expenses and work force requirements.

DESIGNATION OF VOTE CENTERS

The CITY and COUNTY shall designate, secure, and share common countywide polling places as required pursuant to Texas Election Codes 42.002, 43.004 and 43.007(e).

COMMON BALLOT

The CITY and COUNTY shall share a common ballot and equipment. Equipment that will be used in this election will include Election Systems and Software ExpressVote ballot marking devices and DS200 tabulating scanners. VOTEC electronic poll book equipment will be used to qualify voters to vote.

The CITY shall provide ballot language and ballot order to COUNTY in English and Spanish on or before August 31, 2023. The CITY will proof, in a timely manner, all ballot language. Proofs will be submitted prior to ballots being printed and equipment tested.

SUPPLIES, EQUIPMENT AND PAYMENT OF WORKERS

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 their portion of the election, in accordance with Section 31.100, Texas Election Code. Expenses include, without limitation, the costs 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.

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

Election Judges and members of the ballot board receive $12.00 per hour for services rendered. Alternate election judges receive $11.00 per hour for services rendered. Election clerks receive $10.00 per hour for services rendered. Each ENTITY will incur a pro rata share of worker expenses.

For the performance of duties and services and the providing of equipment and supplies under Paragraph 1 above, the ENTITY 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.

EARLY VOTING

Early Voting shall be held during the period of October 23, 2023 through November 3, 2023. The Grayson County Elections Administrator (EA) shall serve as Early Voting Clerk for the joint election and oversee all aspects of early voting by personal appearance and by mail.

The Joint Early Voting Clerk shall conduct and supervise the early voting procedures of those individuals voting by personal appearance. The main early voting location is 115 W. Houston St., Sherman, Texas, 75090.

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.

Applications for ballot by mail shall be submitted to: Early Voting Clerk, Grayson County Elections, 115 W. Houston St., Sherman, Texas, 75090. The deadline for the early voting clerk to receive an application to vote by mail is October 27, 2023.

ELECTION RECORDS

Each ENTITY will be custodian of individual records for their particular entity. Forms and records for the joint election will be combined wherever possible and stored for the mandated length of 22 months at Grayson County Elections Administration, 115 W. Houston St., Sherman, Texas, 75090.

LEGAL NOTICES

COUNTY shall publish all legal notices required by law for the joint election. The CITY will publish additional required notices at their own expense.

CANVASSING THE RETURNS

The CITY and COUNTY shall be responsible for canvassing their own returns at their own expense. The COUNTY will provide canvassing reports to all entities no later than November 20, 2023.

BINDING AUTHORITY

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

GENERAL PROVISIONS

In the event of a contested election, the CITY agrees to provide competent legal counsel representation for the EA and staff, covering any and all legal fees and costs as a result of this elections process.

In the event of a recount, CITY agrees to reimburse any expenses incurred by the EA's office not covered by the charges assessed to the person requesting the recount. This would include, but not be limited to the compensation costs of any Grayson County Election personnel required to work beyond regular office hours in order to conduct said recount of this election. The recount shall take place at the EA's office and the EA's office shall assist the Recount Supervisor and/or Recount Coordinator in the completion of the recount.

The CITY agrees to save and hold harmless the COUNTY from any and all claims arising out of the failure or omission of the CITY to perform its obligations under this contract.

The COUNTY agrees to save and hold harmless the CITY from any and all claims arising out of the failure or omission of the COUNTY to perform their obligations under this contract.

Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the November 7, 2023 Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

Upon request, the EA shall provide copies of all invoices, cost reports and other charges incurred in the process of administering said election for the CITY.

The EA shall file copies of this contract with the County Auditor and the County Treasurer of Grayson County, Texas.

If CITY cancels their election pursuant to Section 2.05 of the Texas Election Code, they will not be liable for any further costs incurred by the COUNTY in conducting the November 7, 2023 Election.

EFFECTIVE DATE

This agreement shall become effective upon its signing and approval of all respective City Council, School Board and County Commissioners Court.

LAST SIGNED this the _____ day of _____, 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER
MAYOR

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN PITMANN

GRAYSON COUNTY, TEXAS

BY: _____
BRUCE DAWSEY
COUNTY JUDGE

ATTEST:

BY: _____
DEANA PATTERSON
COUNTY CLERK

APPROVED:

BY: _____
ART CLAYTON
ASST. DISTRICT ATTORNEY

EXHIBIT "A"

JOINT ELECTION –ENTITIES NOVEMBER 7, 2023

Grayson County-Conducting Constitutional Amendment Election
City of Sherman
*Subject to change if additional entities order election in November

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 1.**

Meeting Date: 08/07/2023
Prepared By: Rob Rae, Director of Development Services
Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS
Receive a presentation from Halff Associates on Updates to the Zoning and/or Subdivision Ordinances.

Issue:

Receive a presentation from Halff Associates on Updates to the Zoning and/or Subdivision Ordinances.

Background:

In June 2023, City Council approved Resolution No. 7086 executing a professional services agreement with Halff Associates for the Update of the City of Sherman's Subdivision Ordinance and to Create a Development Process Guide. This presentation will provide an update to that project and discuss other potential changes to include in the subdivision and zoning ordinances.

Origination:

Director of Development Services Rob Rae, AICP
Halff Associates

Financial Consideration:

This presentation is for informational purposes only and has no impact on the City's revenues or expenses.

Staff Recommendation:

No action is required of the City Council.

Alternatives:

None recommended.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 2.**

Meeting Date: 08/07/2023

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Review of the Draft Capital Improvement Program (CIP) 2023-2028 and Set a Public Hearing for Monday, August 21, 2023

Issue:

To review the draft CIP 2023-2028 and set the public hearing on such for Monday, August 21, 2023

Background:

Article V, Section 10 of the City Charter requires that the City Council, by resolution, adopt a capital program. As required, before consideration of the resolution, the City will publish a summary of the program on the City of Sherman website. Prior to public notice, the City Council is given an opportunity to review the draft of the CIP. The public hearing is on the agenda for the regularly scheduled City Council meeting of August 21, 2023.

This CIP is merely a planning tool. Only the projects reflected as FY2024 projects are being considered for funding; and the approval for funding is contained in the separate FY2024 budget, not in this CIP. Also, the budget process only authorizes appropriating the funds for these first year projects. The Council will approve actual spending of budgeted funds as contracts for each project are brought to the Council for their consideration.

City Staff discussed this CIP in detail with the Council during the budget process. This CIP summarizes the projects discussed during that meeting, the Budget Workshop, and subsequent Council meetings.

Origination:

Finance Department

Financial Consideration:

There are no financial considerations for setting a public hearing or reviewing the Capital Improvement Program.

Staff Recommendation:

It is recommended that the City Council review the City's 2023-2028 Capital Improvement Program and set the public hearing on such for the August 21st regular City Council meeting.

Alternatives:

The Council may amend the program.

Attachments

Resolution No. DRAFT

CIP DRAFT FY 2023-2028

RESOLUTION NO.

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

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

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

WHEREAS, the City Council met to review said plan on the 7th day of August, 2023, at a regular City Council meeting;

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

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

SECTION 2. That the effective date of this resolution shall be the 21st day of August, 2023.

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the _____ day of _____, 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Capital Improvement Plan for the City of Sherman

October 1, 2023 – September 30, 2028

CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF SHERMAN

OCTOBER 1, 2023 - SEPTEMBER 30, 2028

CITY COUNCIL

David Plyler, Mayor
Josh Stevenson, Deputy Mayor

Council Members

Pamela L. Howeth
Daron Holland
Shawn Teamann
Justin Dobbs
Henry Marroquin

Robby Hefton, City Manager

TABLE OF CONTENTS

October 1, 2023 - September 30, 2028
Capital Improvement Program
City of Sherman, Texas

Cover 1

Inside Cover 2

Table of Contents 3

Management Letter 4

Program Summaries by Year 5-10

Capital Improvement Program Resolution 11-12

Capital Budget 13

General Services 14-15

General Programs
- **2023-2024** 16-32
- **2024-2025** 33-45
- **2025-2026** 46-52
- **2026-2027** 53-57
- **2027-2028** 58-59

Utility Services 60-61

Utility Programs
- **2023-2024** 62-76
- **2024-2025** 77-90
- **2025-2026** 91-101
- **2026-2027** 102-108
- **2027-2028** 109-116

Stormwater Services 117-118

Stormwater Programs
- **2023-2024** 119-120
- **2024-2025** 121-123
- **2025-2026** 124-126
- **2026-2027** 127-128
- **2027-2028** 129-130

Capital Financing 131-132
- **Table I** 133
  - **Analysis Assessed Valuation/Analysis of Property**
  - **Analysis of Property Tax Levies and Collections**
- **Table II** 134-135
  - **Revenue Debt Service Fund – Statement of Bonded Indebtedness**
  - **Revenue Debt Service Fund – Schedule of Requirements to Maturity**
- **Table III** 136
  - **Contractual Debt Schedule of Requirements**

MAYOR DAVID PLYLER
DEPUTY MAYOR JOSH STEVENSON
CITY COUNCIL PAMELA L. HOWETH, DARON HOLLAND, SHAWN TEAMANN, JUSTON DOBBS, HENRY MARROQUIN
CITY MANAGER ROBBY HEFTON

The Honorable David Plyler, Mayor, and Members of the City Council

Subject: 2023-2024/2027-2028 Five-Year Capital Improvement Program

The Capital Improvement Program for the City of Sherman is submitted to you in compliance with Article V, Section IX of our Charter. This Five-Year Capital Improvement Program covers the planning period beginning October 1, 2023 through September 30, 2028.

Our community continues to experience growth and potential for growth and, in order to meet the needs of the future, we must plan. The Capital Improvement Program forecasts our major capital improvement needs on a yearly priority basis. The plan requires annual revision in order to ensure that it meets the public safety, health and welfare needs of the citizens of Sherman, as well as our ability to finance those needs.

The Capital Improvement Program provides you with a comprehensive planning forecast of Capital Improvement needs. It outlines the recommended projects by fiscal year and estimates cost and funding sources. Each project is described by a brief narrative. The process of reviewing and approving this document requires that you concentrate on the priorities of the projects, due to funding limitations.

The Capital Improvement Program is separated into two functions, that of governmental and of proprietary. The governmental function is accounted for in the General Fund services; and the Capital Improvement Projects under this section are associated with general government and financed by taxation, grants and other General Fund sources. These projects are in the nature of streets, parks, drainage, flood control, refuse, and public safety improvements. The proprietary function is accounted for in the Utility Services section. Projects under this section are primarily for water and sewer improvements. Summaries by fiscal year for General Services and Utility Services are for years one through five.

This Capital Improvement Program has been reviewed and is hereby respectfully submitted for your consideration.

Very truly yours,

Robby Hefton
City Manager

GENERAL SERVICES

PROJECT	FY 2024 Budgeted	FY 2025 Proposed	FY 2026 Proposed	FY 2027 Proposed	FY 2028 Proposed
ENGINEERING SERVICES					
Phased Construction of Flanary Road - FM 1417 to Progress Drive	$ 900,000	$ 4,500,000	$ -	$ -	$ -
Phased Design & Construction of OB Groner - West of FM 1417	$ 1,000,000	$ 1,500,000	$ -	$ -	$ -
Extend Moore Street - Park Avenue to Center Street	$ 2,200,000	$ 3,000,000	$ -	$ -	$ -
Construct Bel Air Boulevard South to Creek and Beach Boulevard - London Lane	$ 5,600,000	$ -	$ -	$ -	$ -
Phased Design & Construction of Lamberth Road & Friendship Road Thru Hickory Hill	$ 3,500,000	$ -	$ -	$ -	$ -
Allocation for 75% Right-of-Way for Capital Projects	$ 50,516	$ -	$ -	$ -	$ -
Design & Land Acquisition for City Hall Facility	$ 5,000,000	$ -	$ -	$ -	$ -
Construct Road Connecting Progress Drive to Industrial Park Location	$ 700,000	$ -	$ -	$ -	$ -
Construction & Extension of Progress Drive	$ 2,200,000	$ -	$ -	$ -	$ -
Construction of Shepherd Drive	$ 3,070,000	$ -	$ -	$ -	$ -
Engineering of Ramps at Heritage Ranch	$ 1,000,000	$ -	$ -	$ -	$ -
Drainage Improvements for Hills of Sherman	$ 500,000	$ -	$ -	$ -	$ -
TIF #2 - Downtown General Improvements	$ 270,000	$ -	$ -	$ -	$ -
FM 1417 Design & ROW Acquisitions - SH 56 to Travis Street	$ -	$ 3,300,000	$ -	$ -	$ -
FM 1417 Design & ROW Acquisitions - US 75 to RR	$ -	$ 550,000	$ -	$ -	$ -
Improve Sherman Street to a 31-ft Road - Montgomery Street to East Street	$ -	$ 1,200,000	$ -	$ -	$ -
Construct Street Connecting Loy Lake Road to US 75 Frontage Road and Fallon Drive Overpass	$ -	$ 600,000	$ -	$ -	$ -
Engineering & Design for Future Construction of McGee/Washington Street - Washington to SH 289	$ -	$ 1,200,000	$ -	$ -	$ -
Engineering & Construction of McGee Street Bridge Across Sand Creek	$ -	$ 600,000	$ -	$ -	$ -
Design & Construction of Park Street - Lake Street to SH 11	$ -	$ -	$ 360,000	$ 2,100,000	$ -
Final Engineering East of Dripping Springs to Construct 800 LF Adjacent to Development	$ -	$ -	$ 120,000	$ 1,200,000	$ -
Phased Design & Construction of Interurban Parkway - Progress Drive to Shepherd	$ -	$ -	$ 5,000,000	$ 5,800,000	$ 23,000,000
Total Engineering Services	$ 25,990,516	$ 16,450,000	$ 5,480,000	$ 9,100,000	$ 23,000,000
FIRE DEPARTMENT					
Improve Drainage and Replace Defective Concrete at Central Fire Station	$ 250,000	$ -	$ -	$ -	$ -
Combine Fire Stations No. 1 and No. 2	$ 5,000,000	$ -	$ -	$ -	$ -
Breathing Air Compressor for Replenishing SCBA Bottles	$ -	$ 50,000	$ -	$ -	$ -
Total Fire Department	$ 5,250,000	$ 50,000	$ -	$ -	$ -

GENERAL SERVICES

PROJECT	FY 2024 Budgeted	FY 2025 Proposed	FY 2026 Proposed	FY 2027 Proposed	FY 2028 Proposed
INFORMATION TECHNOLOGY					
Replace Existing Radio System with Trunking Radio System	$ 3,000,000	$ -	$ -	$ -	$ -
Replace Public Safety CAD and RMS Software	$ -	$ 2,500,000	$ -	$ -	$ -
Total Information Technology	$ 3,000,000	$ 2,500,000	$ -	$ -	$ -
PARKS AND RECREATION					
Replace Ballfield Lighting and Add Sidewalks at Old Settlers Park	$ 1,500,000	$ 1,500,000	$ -	$ -	$ -
Creek Erosion Control at West Hill Cemetery	$ 1,000,000	$ -	$ -	$ -	$ -
Install Inclusive Playground and Expand Parking Lot at Pecan Grove East Park	$ 800,000	$ -	$ -	$ -	$ -
Upgrade Fairview Tennis Courts - Resurface and Replace Fencing/Lighting	$ 100,000	$ -	$ -	$ -	$ -
Replace Large Playground at Fairview Park	$ 1,500,000	$ -	$ -	$ -	$ -
Replace Pavilions No. 2 and No. 4 with Large Pavilion at Fairview Park	$ 200,000	$ -	$ -	$ -	$ -
Design & Construct Southwest Trail Per Trails Master Plan	$ 5,746,167	$ -	$ -	$ -	$ -
Replace Large Playground at Hawn Park	$ 1,000,000	$ -	$ -	$ -	$ -
Replace Pavilion at Hawn Park	$ 200,000	$ -	$ -	$ -	$ -
Install Splash Pad at Pecan Grove West Park	$ 1,000,000	$ -	$ -	$ -	$ -
Install Fishing Pier and Kayak Drop at Herman Baker Park	$ 700,000	$ -	$ -	$ -	$ -
Install Turf Athletic Field at a City Park Location	$ 2,000,000	$ -	$ -	$ -	$ -
Design & Install Disc Golf Course at Herman Baker Park	$ 100,000	$ -	$ -	$ -	$ -
Replace Softball Field Lighting at Fairview Park	$ 800,000	$ -	$ -	$ -	$ -
Replace Splash Pad at Hawn Park	$ 800,000	$ -	$ -	$ -	$ -
Acquire Land for Future Park Development	$ -	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ -
Install Splash Pad at Old Settlers Park	$ -	$ 750,000	$ -	$ -	$ -
Install Restroom at Binkley Park	$ -	$ 350,000	$ -	$ -	$ -
Install Splash Pad at Martin Luther King Jr. Park	$ -	$ 750,000	$ -	$ -	$ -
Install Fishing Pier and Kayak Drop at Pecan Grove East Park	$ -	$ 700,000	$ -	$ -	$ -
Construct "Shark Tooth Park" at Post Oak Creek	$ -	$ 4,500,000	$ -	$ -	$ -
Install Outdoor Workout Equipment at Fairview Park	$ -	$ 350,000	$ -	$ -	$ -
Expand Existing Skatepark at Hawn Park	$ -	$ 400,000	$ -	$ -	$ -
Construct Food Truck Park	$ -	$ 500,000	$ -	$ -	$ -
Upgrade Building and Expand Parking at Taylor Street Gym	$ -	$ 400,000	$ -	$ -	$ -
Install Second Dog Park	$ -	$ 200,000	$ -	$ -	$ -
Install Branded Signage Throughout Park System	$ -	$ 150,000	$ -	$ -	$ -
Design & Construct New Outdoor Acquatics Center	$ -	$ -	$ 400,000	$ 40,000,000	$ -
Design & Construct Multi-Generational Recreation Center	$ -	$ -	$ 200,000	$ -	$ 7,000,000
Develop Parks Master Plan for 2027-2037	$ -	$ -	$ 125,000	$ -	$ -

GENERAL SERVICES

PROJECT	FY 2024 Budgeted	FY 2025 Proposed	FY 2026 Proposed	FY 2027 Proposed	FY 2028 Proposed
Update Veterans Baseball Field	$ -	$ -	$ 500,000	$ -	$ -
Expand Parking Lot at Center Street Sports Complex	$ -	$ -	$ 2,500,000	$ -	$ -
Install Shading at Fairview Dog Park	$ -	$ -	$ 70,000	$ -	$ -
Install Pavilion at Herman Baker Park	$ -	$ -	$ 100,000	$ -	$ -
Install Covering for Outdoor Basketball Courts at Old Settlers & Pecan Grove West Parks	$ -	$ -	$ 2,000,000	$ -	$ -
Design & Construct Sandy Creek Pedestrian Bridge	$ -	$ -	$ -	$ 250,000	$ -
Design Large Outdoor Athletic Complex	$ -	$ -	$ -	$ 400,000	$ -
Total Parks & Recreation	$ 17,446,167	$ 12,550,000	$ 7,895,000	$ 42,650,000	$ 7,000,000
Total General Services	$51,686,683	$31,550,000	$13,375,000	$51,750,000	$30,000,000

UTILITY SERVICES

PROJECT	FY 2024 Budgeted	FY 2025 Proposed	FY 2026 Proposed	FY 2027 Proposed	FY 2028 Proposed
Oversizing Costs for Annual Water & Sewer Projects	$ 250,000	$ 300,000	$ 300,000	$ 300,000	$ 500,000
Continue High Country Estates Water System Upgrades	$ 70,000	$ 70,000	$ 75,000	$ -	$ -
Add Water Line Across US 75 for Elevated Tank Level Stabilization	$ 73,500	$ 490,000	$ -	$ -	$ -
Increase Existing 6-Inch Water Line Across SH 289 to 12-Inch Line	$ 82,700	$ 551,000	$ -	$ -	$ -
Remove Buildup in Sludge Ponds at WTP	$ 400,000	$ -	$ 420,000	$ -	$ 440,000
Design & Construct Major WWTP Expansion to Treat Industrial Waste	$ 155,000,000	$ -	$ 200,000,000	$ -	$ -
Design & Construct WTP Expansion to 30 MGD UF/RO & Install Components for Additional 15 MGD	$ 14,300,000	$ -	$ 245,000,000	$ -	$ -
Increase UF/RO Capacity by 15 MGD at WTP	$ 7,040,000	$ -	$ -	$ -	$ 30,000,000
Procure & Install Lake Texoma Pump Station Backup Generator & Switchgear for Electrical Upgrades	$ 5,200,000	$ -	$ -	$ -	$ -
Conduct City Lift Station Assessment Study	$ 300,000	$ -	$ -	$ -	$ -
Abandon Preston Club Wastewater Treatment Plant & Old Lift Stations	$ 175,000	$ -	$ -	$ -	$ -
Expand WTP North by 5 MGD	$ 4,500,000	$ -	$ -	$ -	$ -
Design & Construct 36-Inch Water Line West to WTP	$ 23,000,000	$ -	$ -	$ -	$ -
Abandon South Crockett Lift Station & Install Gravity Sewer Connecting to Existing Line	$ 150,000	$ -	$ -	$ -	$ -
WTP Rehabilitation - Flocculation/Sedimentation Units, Filters, EDR Units	$ 20,000,000	$ -	$ -	$ -	$ -
Engineering Management	$ 9,255,000	$ -	$ -	$ -	$ -
Design for Backup Generators for WTP & Lake Texoma	$ 500,000	$ -	$ -	$ -	$ -
Increase Raw Water Pump No. 1 & No. 4 Capacity at Lake Texoma Pump Station	$ 9,200,000	$ -	$ -	$ -	$ -
Construct Emergency Storage Water Reservoir at WTP	$ 31,400,000	$ -	$ -	$ -	$ -
Construct Concentrate Pump Station & Discharge Line at WTP	$ 7,422,000	$ -	$ -	$ -	$ -
Bel Air Construction - Phase III - 20-Inch Surface Water Line	$ 2,220,000	$ -	$ -	$ -	$ -
Relocate New Elevated Tank & Abandon Old Elevated Tank on Shepherd Drive	$ 17,000,000	$ -	$ -	$ -	$ -
Complete Replacement of Deteriorated Southside Industrial Sewer	$ 1,350,000	$ -	$ -	$ -	$ -
Remove & Replace Post Oak Sewer Lines A and B	$ 5,091,000	$ -	$ -	$ -	$ -
Replace Inverted Siphon Sewer Line	$ 500,000	$ -	$ -	$ -	$ -
Improve Safety & Operability of WWTP Electrical System	$ 9,271,208	$ -	$ -	$ -	$ -
Conduct Post Oak WWTP Master Plan/Feasibility Study	$ 11,400,000	$ -	$ -	$ -	$ -
Hickory Hill Utility Improvements	$ 1,820,000	$ -	$ -	$ -	$ -
Increase Size of Post Oak Creek Sewer Lines to WWTP	$ -	$ 3,000,000	$ 4,600,000	$ 9,400,000	$ 3,800,000
Annual Sewer Line Replacement - West Side of Post Oak Creek	$ -	$ 1,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000
Lead & Copper Rule Revision - Phases 3 Through 6	$ -	$ 490,000	$ 270,000	$ 219,000	$ 210,000
Annual Water Line Replacements	$ -	$ 1,900,000	$ 2,000,000	$ 2,000,000	$ 2,000,000
Filtration & Re-Lift Pump Station for WWTP	$ -	$ 1,200,000	$ 12,000,000	$ -	$ -
Design & Replace Downtown Sewer Lines - Phase II	$ -	$ 800,000	$ 4,200,000	$ -	$ -
Upsize 42-Inch Sanitary Sewer Line to 60-Inch Line - Post Oak Road	$ -	$ 1,300,000	$ 8,700,000	$ -	$ -
Upgrade WWTP From 10 MGD to 14 MGD	$ -	$ 10,000,000	$ 80,000,000	$ -	$ -
Rehabilitate & Replace Sludge Digester Complex at WWTP	$ -	$ 550,000	$ 7,300,000	$ -	$ -
Clarifier #3 Rehabilitation at WWTP	$ -	$ 120,000	$ 1,000,000	$ -	$ -
NFPA Upgrades to Grit Building at WWTP	$ -	$ 30,000	$ 290,000	$ -	$ -
Miscellaneous WWTP Improvements	$ -	$ 50,000	$ 170,000	$ -	$ -

UTILITY SERVICES

PROJECT	FY 2024 Budgeted	FY 2025 Proposed	FY 2026 Proposed	FY 2027 Proposed	FY 2028 Proposed
Construction Phase of Equalization Basin Blower Rehabilitation at WWTP	$ -	$ 1,810,000	$ -	$ -	$ -
Remodel & Upgrade Laboratory at WWTP	$ -	$ 3,200,000	$ -	$ -	$ -
Complete Repainting of Rex Cruse Elevated Tank	$ -	$ 500,000	$ -	$ -	$ -
Replace Exposed Water Line - Center Street Bridge Rehabilitation	$ -	$ 650,000	$ -	$ -	$ -
Engineering & Construction of Shepherd Utilities	$ -	$ 550,000	$ -	$ -	$ -
Replace Downtown Sewer Lines - Phase I	$ -	$ 1,500,000	$ -	$ -	$ -
Install Collection System Sewer Line - Heritage Ranch	$ -	$ 900,000	$ -	$ -	$ -
Replace Sewer Line in Southeast Sherman - Rosedale to First Street	$ -	$ 900,000	$ -	$ -	$ -
Replace Base & Apply New Surface Course for WWTP Road	$ -	$ 40,000	$ -	$ -	$ -
Upsize 21-Inch Sanitary Sewer Line to 60-Inch Line - Choctaw	$ -	$ -	$ 2,200,000	$ 14,500,000	$ -
Expand Northeast Sewer Expansion Project to Address Northwest Sherman Development	$ -	$ -	$ 1,000,000	$ 500,000	$ -
Demolish Old Sludge Drying Beds	$ -	$ -	$ 250,000	$ -	$ -
Install 36-Inch Medium Pressure Line to Service Southern Sherman	$ -	$ -	$ -	$ 5,000,000	$ 60,000,000
Convert Wastewater to Re-Use and Send to Lake Texoma	$ -	$ -	$ -	$ 60,000,000	$ -
Sample & Investigate WWTP Pond System	$ -	$ -	$ -	$ 20,000	$ 350,000
Rehabilitation & Safety Improvements to Decant Lift Station at WWTP	$ -	$ -	$ -	$ 50,000	$ 430,000
Construct 84-Inch Water Line from Lake Texoma to WTP	$ -	$ -	$ -	$ -	$ 56,600,000
Construct New Water Line to Service Southern Sherman and Mustang MUD	$ -	$ -	$ -	$ -	$ 2,000,000
Upsize 15-Inch Sanitary Sewer Line to 60-Inch Line - Shepherd Drive	$ -	$ -	$ -	$ -	$ 3,400,000
Total Utility Services	$ 336,970,408	$ 31,901,000	$ 571,775,000	$ 93,989,000	$ 161,730,000

STORMWATER SERVICES

PROJECT	FY 2024 Budgeted	FY 2025 Proposed	FY 2026 Proposed	FY 2027 Proposed	FY 2028 Proposed
McGee Street Bridge at Post Oak Creek - Erosion Damage Repair and Deck Overlay	$ -	$ 175,000	$ 1,000,000	$ -	$ -
Lambert Road Bridges - Erosion Damage Repair and Deck Overlay	$ -	$ 130,000	$ -	$ -	$ -
Hillcrest/North Woods Bridges - Erosion Damage Repair and Deck Overlay	$ -	$ 110,000	$ -	$ -	$ -
Design & Construct Storm Drainage System - Birge Street to McGee Street	$ -	$ 2,500,000	$ -	$ -	$ -
Taylor-Washington Bridges - Erosion Damage Repair and Deck Overlay	$ -	$ -	$ 135,000	$ -	$ -
Pecan/Ricketts/Centennial Bridges - Erosion Damage Repair and Deck Overlay	$ -	$ -	$ 95,000	$ -	$ -
Increase Culvert Capacity Under Gribble Street	$ -	$ -	$ -	$ 385,000	$ -
Construct Regional Storm Water Detention Facility in Town Center	$ -	$ -	$ -	$ -	$ 580,000
Total Stormwater Services	$ -	$ 2,915,000	$ 1,230,000	$ 385,000	$ 580,000

DRAFT

RESOLUTION NO.

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

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

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

WHEREAS, the City Council met to review said plan on the 7th day of August, 2023, at a regular City Council meeting;

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

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

SECTION 2. That the effective date of this resolution shall be the 21st day of August, 2023.

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the _____ day of _____, 2023.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

CAPITAL BUDGET
2023 - 2028

GENERAL SERVICES
2023 - 2028

GENERAL SERVICES

CAPITAL BUDGET: 2023-2028

Within the Five-year Capital Improvement Program, the first year is considered the Capital Budget. The appropriation ordinance will give initial authorization for the staff to prepare and execute all projects listed for the coming year. City Council will consider the projects in subsequent years for approval and funding during the budget process for each year. These projects listed are for information and planning purposes and do not obligate the Council to approve or fund beyond the current approved appropriations ordinance.

2023-2024

PROJECT YEAR: 2023 - 2024

PHASED CONSTRUCTION OF FLANARY ROAD - FM 1417 TO PROGRESS DRIVE

DESCRIPTION:	**Phased construction of Flanary Road between FM 1417 and Progress Road.**
ESTIMATED COST:	**$900,000**
PROPOSED FINANCING:	**SEDCO**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan has identified this project to address growth in the area.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PHASED DESIGN & CONSTRUCTION OF OB GRONER - WEST OF FM 1417

DESCRIPTION:	**Phased design and construction of OB Groner Road, west of FM 1417, including full intersection and two-lane road.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan has identified this project to address growth in the area.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2023 - 2024

EXTEND MOORE STREET - PARK AVENUE TO CENTER STREET

DESCRIPTION:	**Construction will extend Moore Street north between Park Avenue to Center Street and will only include two of the four lanes. Future development will determine additional phases.**
ESTIMATED COST:	**$2,200,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**Project is part of a minor thoroughfare, recommended by the the 2020 Grayson County Thoroughfare Plan, to connect FM 1417 to Park Street.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

CONSTRUCT BEL AIR BOULEVARD SOUTH TO CREEK & BEACH BOULEVARD

DESCRIPTION:	**Continue construction to extend four-lane boulevard south to creek and to construct Beach Boulevard - London Lane.**
ESTIMATED COST:	**$5,600,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Project is included in the master development agreement, as well as recommended by the 2020 Grayson County Thoroughfare Plan.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2023 - 2024

PHASED DESIGN & CONSTRUCTION OF LAMBERTH ROAD AND FRIENDSHIP ROAD

DESCRIPTION:	Project for phased design and construction of Lamberth Road and Friendship Road through Hickory Hill.
ESTIMATED COST:	$3,500,000
PROPOSED FINANCING:	Certificates of Obligation / Impact Fees
PROJECT NECESSITY:	This project will assist in areas of development in West Sherman. The 2020 updated Grayson County Thoroughfare Plan recommended a major thoroughfare between FM 1417 and SH 289.
DEPARTMENT/DIRECTOR:	Director of Engineering, Wayne Lee

ALLOCATION FOR 75% RIGHT-OF-WAY AGENT FOR CAPITAL PROJECTS

DESCRIPTION:	Allocation for 75% of a right-of-way agent to oversee the acquisition of right-of-way property relating to future capital projects.
ESTIMATED COST:	$50,516
PROPOSED FINANCING:	Certificates of Obligation
PROJECT NECESSITY:	A dedicated employee is required to efficiently facilitate the acquisitions of right-of-way properties required for an increasing volume of capital projects.
DEPARTMENT/DIRECTOR:	Director of Engineering, Wayne Lee

PROJECT YEAR: 2023 - 2024

DESIGN & LAND ACQUISITION FOR CITY HALL FACILITY

DESCRIPTION:	**Design and land acquisitions to construct a new City Hall facility on the current City Hall site.**
ESTIMATED COST:	**$5,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**The current City Hall facility has reached staffing capacity and requires a larger footprint to address current and new future staffing needs.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

CONSTRUCT ROAD CONNECTING PROGRESS DRIVE TO INDUSTRIAL PARK

DESCRIPTION:	**Construct road connecting Progress Drive to location of Industrial Park.**
ESTIMATED COST:	**$700,000**
PROPOSED FINANCING:	**SEDCO**
PROJECT NECESSITY:	**A north-south road is required to for traffic from Progress Drive to reach the Industrial Park.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2023 - 2024

CONSTRUCTION & EXTENSION OF PROGRESS DRIVE

DESCRIPTION:	**Phased construction of Progress Drive between Progress Rail and Flanary Road**
ESTIMATED COST:	**$2,200,000**
PROPOSED FINANCING:	**SEDCO**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan has identified this project to address growth in the industrial park.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

CONSTRUCTION OF SHEPHERD DRIVE

DESCRIPTION:	**Construction of two lanes of ultimately a six-lane boulevard, adjacent to Shepherd Place development.**
ESTIMATED COST:	**$3,070,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**Shepherd Drive is included in the Sherman Master Thoroughfare Plan, in order to ultimately upgrade to a six-lane boulevard. This funding assists with the construction of two of the six lanes.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2023 - 2024

ENGINEERING OF RAMPS AT HERITAGE RANCH

DESCRIPTION:	**Engineering phase to design ramps off of US 82 at the Heritage Ranch development.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increasing traffic at Travis Street and FM 1417 requires the construction of ramps to better address the flow of traffic in the area of Heritage Ranch.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

DRAINAGE IMPROVEMENTS FOR HILLS OF SHERMAN

DESCRIPTION:	**City contribution for an oversized detention reservoir for the Hills of Sherman area.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**A detention reservoir is required to address drainage issues caused by existing downstream flooding.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2023 - 2024

DOWNTOWN GENERAL IMPROVEMENTS

DESCRIPTION:	**General improvements in the downtown Sherman area.**
ESTIMATED COST:	**$270,000**
PROPOSED FINANCING:	**TIRZ #2 Construction Fund**
PROJECT NECESSITY:	**Council has requested TIRZ #2 revenue and fund balance to be used for infrastructure improvements in Downtown Sherman.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

IMPROVE DRAINAGE & REPLACE CONCRETE AT CENTRAL FIRE STATION

DESCRIPTION:	**Replace area of defective concrete and improve site drainage at Central Fire Station.**
ESTIMATED COST:	**$250,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**This project will address damaged areas of concrete and drainage issues, which have resulted in site damages at Central Fire Station, thereby prolonging the life of the property.**
DEPARTMENT/DIRECTOR:	**Fire Chief, Billy Hartsfield**

PROJECT YEAR: 2023 - 2024

COMBINE FIRE STATIONS NO. 1 & NO. 2

DESCRIPTION:	**Combining fire station No. 2 with fire station No. 1 (Central Fire Station); Includes some multi-station updates.**
ESTIMATED COST:	**$5,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Moving fire station No. 2 personnel to Central Fire Station will increase personnel per apparatus, increasing safety and efficiency on scene. Multi-station updates necessary to accommodate increasing staff and City growth.**
DEPARTMENT/DIRECTOR:	**Fire Chief, Billy Hartsfield**

REPLACE EXISTING RADIO SYSTEM WITH TRUNK RADIO SYSTEM

DESCRIPTION:	**Replace the City radio system with a trunk radio system.**
ESTIMATED COST:	**$3,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Replacement of existing radio system with a trunk radio system will allow for inter-agency collaboration. The new system includes support for TI plant operability, along with advanced features and security.**
DEPARTMENT/DIRECTOR:	**Executive Director of Public Safety, Zachary Flores**

PROJECT YEAR: 2023 - 2024

REPLACE BALLFIELD LIGHTING & ADD SIDEWALKS AT OLD SETTLERS PARK

DESCRIPTION:	**Replace existing sports field lights with LED lights at Old Settlers Park. Additionally, install sidewalks at the park.**
ESTIMATED COST:	**$1,500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Current Halite lighting used at older sports fields are no longer available from manufacturers. LED light installation is therefore required and more energy efficient. Addition of sidewalks will improve pedestrian navigation at the park.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

CREEK EROSION CONTROL AT WEST HILL CEMETERY

DESCRIPTION:	**Address creek erosion control issues at West Hill Cemetery.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Sand Creek has eroded a portion of the cemetery grounds. Creek banks need securing to prevent burial plots falling into the creek.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

INSTALL PLAYGROUND & EXPAND PARKING LOT AT PECAN GROVE EAST PARK

DESCRIPTION:	**Design & install a large, all-inclusive playground, as well as expand the parking lot, at Pecan Grove East Park.**
ESTIMATED COST:	**$800,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Expansion of current park infrastructure is necessary to address increased usage of park facilities and public safety.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

UPGRADE TENNIS COURTS AT FAIRVIEW PARK

DESCRIPTION:	**Upgrades to the tennis courts at Fairview Park include court resurfacing, replacing fencing, and replacing lighting.**
ESTIMATED COST:	**$100,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Upgrades are necessary to improve aging park amenities essential for increase park usage. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

REPLACE LARGE PLAYGROUND AT FAIRVIEW PARK

DESCRIPTION:	**Replace the large playground located at Fairview Park.**
ESTIMATED COST:	**$1,500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Replacement of current park infrastructure is necessary to address increased usage of park facilities and public safety, as the existing playground is at end of useful life.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

REPLACE SMALLER PAVILIONS WITH LARGE PAVILION AT FAIRVIEW PARK

DESCRIPTION:	**Replace pavilions No. 2 and No. 4 with a large pavilion structure at Fairview Park.**
ESTIMATED COST:	**$200,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increase public activities at Fairview Park suggest the need for more improvements. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

DESIGN & CONSTRUCT SOUTHWEST TRAIL

DESCRIPTION:	**Design and construct a trail connecting Sherman High School, Herman Baker Park, Sory Elementary, Center Street Park, Binkley Park, and several additional neighborhoods in southwest Sherman.**
ESTIMATED COST:	**$5,746,167**
PROPOSED FINANCING:	**90% TxDOT Grant Funds/10% Certificates of Obligation**
PROJECT NECESSITY:	**The 2022 Trails Master Plan identified the Southwest Trail as a desirable alignment for connectivity from schools to the surrounding neighborhoods, creating safe routes to school.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

REPLACE LARGE PLAYGROUND AT HAWN PARK

DESCRIPTION:	**Replace the large playground located at Hawn Park.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Replacement of current park infrastructure is necessary to address increased usage of park facilities and public safety, as the existing playground is at end of useful life.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

REPLACE PAVILION AT HAWN PARK

DESCRIPTION:	**Replace large pavilion structure located Hawn Park.**
ESTIMATED COST:	**$200,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increase public activities at Hawn Park suggest the need for more improvements. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL SPLASH PAD AT PECAN GROVE WEST PARK

DESCRIPTION:	**Design and install a splash pad at Pecan Grove West Park.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Additional amenities are recommended for increasing park usage. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

INSTALL FISHING PIER & KAYAK DROP AT HERMAN BAKER PARK

DESCRIPTION:	**Install a fishing pier, along with a kayak drop, at Herman Baker Park.**
ESTIMATED COST:	**$700,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities at Herman Baker Lake suggest the need for more improvements. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL TURF ATHLETIC FIELD AT CITY PARK LOCATION

DESCRIPTION:	**Install a turf athletic field at a TBD City Park Location.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities within the City parks system necessitate expansion of available athletic fields. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

DESIGN & INSTALL DISC GOLF COURSE AT HERMAN BAKER PARK

DESCRIPTION:	**Design and install a disc golf course to expand amenities Baker Park.**
ESTIMATED COST:	**$100,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities at Herman Baker Park suggest the need for more improvements. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

REPLACE SOFTBALL FIELD LIGHTING AT FAIRVIEW PARK

DESCRIPTION:	**Replace existing sports field lights with LED lights at Fairview Park. Additionally, install sidewalks at the park.**
ESTIMATED COST:	**$800,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Current Halite lighting used at older sports fields are no longer available from manufacturers. LED light installation is therefore required and more energy efficient. Addition of sidewalks will improve pedestrian navigation at the park.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2023 - 2024

REPLACE SPLASH PAD AT HAWN PARK

DESCRIPTION:	**Design and install a splash pad at Hawn Park.**
ESTIMATED COST:	**$800,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Additional amenities are recommended for increasing park usage. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

2024-2025

PROJECT YEAR: 2024 - 2025

PHASED CONSTRUCTION OF FLANARY ROAD - FM 1417 TO PROGRESS DRIVE

DESCRIPTION:	**Phased construction of Flanary Road between FM 1417 and Progress Road.**
ESTIMATED COST:	**$4,500,000**
PROPOSED FINANCING:	**SEDCO**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan has identified this project to address growth in the area.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PHASED DESIGN & CONSTRUCTION OF OB GRONER - WEST OF FM 1417

DESCRIPTION:	**Phased design and construction of OB Groner Road, west of FM 1417, including full intersection and two-lane road.**
ESTIMATED COST:	**$1,500,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan has identified this project to address growth in the area.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2024 - 2025

EXTEND MOORE STREET - PARK AVENUE TO CENTER STREET

DESCRIPTION:	**Construction will extend Moore Street north between Park Avenue to Center Street and will only include two of the four lanes. Future development will determine additional phases.**
ESTIMATED COST:	**$3,000,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**Project is part of a minor thoroughfare, recommended by the the 2020 Grayson County Thoroughfare Plan, to connect FM 1417 to Park Street.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

FM 1417 DESIGN & ROW ACQUISITIONS - SH 56 TO TRAVIS STREET

DESCRIPTION:	**Design & right-of-way acquisitions necessary for TxDOT funding on this thoroughfare.**
ESTIMATED COST:	**$3,300,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Traffic volume on the thoroughfare has significantly increased and planning for improvements is required to account for growth.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2024 - 2025

FM 1417 DESIGN & ROW ACQUISITIONS - US 75 TO RAILROAD

DESCRIPTION:	**Design & right-of-way acquisitions necessary for TxDOT funding on this thoroughfare.**
ESTIMATED COST:	**$550,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Traffic volume on the thoroughfare has significantly increased and planning for improvements is required to account for growth.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

IMPROVE SHERMAN STREET TO 31-FT ROAD - MONTGOMERY STREET TO EAST STREET

DESCRIPTION:	**Project to improve Sherman Street to a 31-foot back-to-back road, between Montgomery Street and East Street.**
ESTIMATED COST:	**$1,200,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**With the development of the Three Oaks subdivision to the south, Sherman Street requires expansion to a standard size City street.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2024 - 2025

FALLON DRIVE CONSTRUCTION - LOY LAKE WEST TO US 75

DESCRIPTION:	**Construction of a street to connect Loy Lake Road to the US 75 southbound frontage road and the overpass at Fallon Drive.**
ESTIMATED COST:	**$600,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**With increasing traffic at Loy Lake Road and US 75, a new street is needed to provide circulation to this developing area in Sherman.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

ENGINEER & DESIGN MCGEE/WASHINGTON STREET - WASHINGTON TO SH 289

DESCRIPTION:	**Engineering and design phase for future construction of McGee/Washington Street, from Washington Street to SH 289.**
ESTIMATED COST:	**$1,200,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**This design will assist in the areas of development in West Sherman. The 2020 Grayson County Thoroughfare Plan recommends a major thoroughfare between FM 1417 and SH 289.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2024 - 2025

ENGINEER & CONSTRUCT MCGEE STREET BRIDGE ACROSS SAND CREEK

DESCRIPTION:	**Engineer and construct a bridge across Sand Creek on McGee Street.**
ESTIMATED COST:	**$600,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**This design will assist in the areas of development in West Sherman. The 2020 Grayson County Thoroughfare Plan recommends a major thoroughfare between FM 1417 and SH 289.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

BREATHING AIR COMPRESSOR TO REPLENISH SCBA BOTTLES

DESCRIPTION:	**The air compressor is used to replenish the air in SCBA bottles as part of the firefighter breathing apparatus.**
ESTIMATED COST:	**$50,000**
PROPOSED FINANCING:	**General Fund Revenue**
PROJECT NECESSITY:	**The current air compressor is twenty years old and at the end of its useful life, requiring a complete replacement.**
DEPARTMENT/DIRECTOR:	**Fire Chief, Billy Hartsfield**

PROJECT YEAR: 2024 - 2025

REPLACE PUBLIC SAFETY CAD & RMS SOFTWARE

DESCRIPTION:	**Replace CAD and records management service software for public safety departmental use.**
ESTIMATED COST:	**$2,500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Current software is being phased out by vendor and will be limited in future functionality. Replacing software will be necessary for City growth and needs.**
DEPARTMENT/DIRECTOR:	**Executive Director of Public Safety, Zachary Flores**

REPLACE BALLFIELD LIGHTING & ADD SIDEWALKS AT OLD SETTLERS PARK

DESCRIPTION:	**Complete the replacement of existing sports field lights with LED lights at Old Settlers Park. Additionally, install sidewalks at the park.**
ESTIMATED COST:	**$1,500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Current Halite lighting used at older sports fields are no longer available from manufacturers. LED light installation is therefore required and more energy efficient. Addition of sidewalks will improve pedestrian navigation at the park.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2024 - 2025

ACQUIRE LAND FOR FUTURE PARK DEVELOPMENT

DESCRIPTION:	**Acquire land for the development of a large regional City park.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Trends in residential development suggest the need for an increase in park locations. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL SPLASH PAD AT OLD SETTLERS PARK

DESCRIPTION:	**Design and install a splash pad at Old Settlers Park.**
ESTIMATED COST:	**$750,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Additional amenities are recommended for increasing park usage. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2024 - 2025

INSTALL RESTROOM AT BINKLEY PARK

DESCRIPTION:	**Install a restroom facility at Binkley Park.**
ESTIMATED COST:	**$350,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**A restroom facility is needed to accommodate increasing usage at the Binkley Park Mountain Bike Trail.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL SPLASH PAD AT MARTIN LUTHER KING JR. PARK

DESCRIPTION:	**Design and install a splash pad at Martin Luther King Jr. Park.**
ESTIMATED COST:	**$750,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Additional amenities are recommended for increasing park usage. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2024 - 2025

INSTALL FISHING PIER & KAYAK DROP AT PECAN GROVE EAST PARK

DESCRIPTION:	**Install a fishing pier, along with a kayak drop, at Pecan Grove East Park.**
ESTIMATED COST:	**$700,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities at Pecan Grove East Park suggest the need for more improvements. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

CONSTRUCT SHARK TOOTH PARK AT POST OAK CREEK

DESCRIPTION:	**Construction phase of a design-build for Shark Tooth Park, to be located on Post Oak Creek east of South Travis Street.**
ESTIMATED COST:	**$4,500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Expansion of current park infrastructure to meet increasing growth and demand. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2024 - 2025

INSTALL OUTDOOR WORKOUT EQUIPMENT AT FAIRVIEW PARK

DESCRIPTION:	**Install outdoor workout equipment at Fairview Park.**
ESTIMATED COST:	**$350,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities at Fairview Park suggests the need for additional park amenities. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

EXPAND EXISTING SKATEPARK AT HAWN PARK

DESCRIPTION:	**Continue expansion of the existing skatepark located at Hawn Park.**
ESTIMATED COST:	**$400,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities at the Hawn Park skatepark suggest the need for area expansion. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2024 - 2025

CONSTRUCT FOOD TRUCK PARK

DESCRIPTION:	**Construct a food truck park, complete with electrical components, picnic table seating and a side stage for musical entertainment.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increasing public activity across the City park system suggests the need to expand amenity options. This project is consistent with the Parks Marster Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

UPGRADE BUILDING & EXPAND PARKING AT TAYLOR STREET GYM

DESCRIPTION:	**Upgrade Taylor Street Gym building, including flooring and walls, and expand parking lot.**
ESTIMATED COST:	**$400,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Updates are necessary due to wear-and-tear, as well as water damage. Parking expansion is necessary to accommodate increase facility usage.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2024 - 2025

INSTALL ADDITIONAL DOG PARK

DESCRIPTION:	**Install a second dog park within the City parks system.**
ESTIMATED COST:	**$200,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**This project is consistent with the Trails Master Plan and will address increasing park amenities demand.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL BRANDED SIGNAGE THROUGHOUT CITY PARK SYSTEM

DESCRIPTION:	**Install signage with City branding throughout the City park system.**
ESTIMATED COST:	**$150,000**
PROPOSED FINANCING:	**General Fund Revenue**
PROJECT NECESSITY:	**This project would provide connectivity of park locations and label City parks to be more identifiable as City property.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

2025-2026

PROJECT YEAR: 2025 - 2026

PHASED DESIGN & CONSTRUCTION OF INTERURBAN PARKWAY

DESCRIPTION:	**Project for the phased design and construction of the Interurban Parkway, between Progress Drive and Shepherd Drive.**
ESTIMATED COST:	**$5,000,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**This project is included in the 2020 Grayson County Thoroughfare Plan.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

DESIGN & CONSTRUCTION OF PARK STREET - LAKE STREET TO SH 11

DESCRIPTION:	**Design phase to connect Park Street from Lake Street to SH 11.**
ESTIMATED COST:	**$360,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan recommends expansion of East Park Street.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2025 - 2026

FINAL ENGINEERING TO CONSTRUCT ROAD EXTENSION EAST OF DRIPPING SPRINGS

DESCRIPTION:	**Final engineering to construct 800 linear feet of road adjacent to current warehouse development, located east of Dripping Springs.**
ESTIMATED COST:	**$120,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**This project is included in the 2020 Grayson County Thoroughfare Plan.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

ACQUIRE LAND FOR FUTURE PARK DEVELOPMENT

DESCRIPTION:	**Acquire land for the development of a large regional City park.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Trends in residential development suggest the need for an increase in park locations. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2025 - 2026

DESIGN & CONSTRUCT NEW OUTDOOR AQUATICS CENTER

DESCRIPTION:	**Design phase to construct a new outdoor aquatics center.**
ESTIMATED COST:	**$400,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**The Splash is twenty years old. Growing demands will necessitate expansion of aquatic amenties within the city. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

DESIGN & CONSTRUCT MULTI-GENERATIONAL RECREATION CENTER

DESCRIPTION:	**Design phase to build a multi-generational recreation center.**
ESTIMATED COST:	**$200,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Addition of a recreation center will address current and future public needs relating to recreational facilities expansion.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2025 - 2026

DEVELOP PARKS MASTER PLAN

DESCRIPTION:	**Develop the Parks Master Plan for 2027-2037.**
ESTIMATED COST:	**$125,000**
PROPOSED FINANCING:	**General Fund Revenue**
PROJECT NECESSITY:	**Texas Parks and Wildlife require a ten-year master plan be in place for a City to apply for grant funding. Additionally, the Master Plan assists the City with strategic planning.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

UPDATE VETERANS BASEBALL FIELD

DESCRIPTION:	**Update Veterans Baseball Field at Fairview Park.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Replacing and updating existing park amenities is necessary as the existing amenities are nearing end of useful life.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2025 - 2026

EXPAND PARKING LOT AT CENTER STREET SPORTS COMPLEX

DESCRIPTION:	**Expand the parking lot located at the Center Street Sports Complex.**
ESTIMATED COST:	**$2,500,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Expansion of the existing parking lot is required to accommodate increased facility usage.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL SHADING AT FAIRVIEW DOG PARK

DESCRIPTION:	**Install shade structures at the Fairview Dog Park.**
ESTIMATED COST:	**$70,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Shade structures would provide cover from the elements for patrons of the park.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2025 - 2026

INSTALL PAVILION AT HERMAN BAKER PARK

DESCRIPTION:	**Install a new pavilion for Herman Baker Lake, located at Herman Baker Park.**
ESTIMATED COST:	**$100,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increased public activities at Herman Baker Lake suggest the need for more improvements. This project is consistent with the Comprehensive Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

INSTALL COVERING FOR OUTDOOR BASKETBALL COURTS AT MULTIPLE PARKS

DESCRIPTION:	**Install covering for outdoor basketball courts at Old Settlers & Pecan Grove West Parks.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**This project will provide shade and shelter from inclemental weather during sporting events at the various basketball courts. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

2026-2027

PROJECT YEAR: 2026 - 2027

PHASED DESIGN & CONSTRUCTION OF INTERURBAN PARKWAY

DESCRIPTION:	**Project for the phased design and construction of the Interurban Parkway, between Progress Drive and Shepherd Drive.**
ESTIMATED COST:	**$5,800,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**This project is included in the 2020 Grayson County Thoroughfare Plan.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

DESIGN & CONSTRUCTION OF PARK STREET TO SH 11

DESCRIPTION:	**Construction phase to connect Park Street from Lake Street to SH 11.**
ESTIMATED COST:	**$2,100,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**The 2020 Grayson County Thoroughfare Plan recommends expansion of East Park Street.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2026 - 2027

CONSTRUCTION OF ROAD EXTENSION EAST OF DRIPPING SPRINGS

DESCRIPTION:	**Construction of 800 linear feet of road adjacent to current warehouse development, located east of Dripping Springs.**
ESTIMATED COST:	**$1,200,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**This project is included in the 2020 Grayson County Thoroughfare Plan.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

ACQUIRE LAND FOR FUTURE PARK DEVELOPMENT

DESCRIPTION:	**Acquire land for the development of a large regional City park.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Trends in residential development suggest the need for an increase in park locations. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2026 - 2027

DESIGN & CONSTRUCT NEW OUTDOOR AQUATICS CENTER

DESCRIPTION:	**Design phase to construct a new outdoor aquatics center.**
ESTIMATED COST:	**$40,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Increasing growth requires expansion of amenities and the current aquatics center is nearing the end of useful life. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

DESIGN & CONSTRUCT SANDY CREEK PEDESTRIAN BRIDGE

DESCRIPTION:	**Design and construct a pedestrian bridge across Sandy Creek.**
ESTIMATED COST:	**$250,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**This project would provide connectivity from Binkley Park to the Lamar Greenspace.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

PROJECT YEAR: 2026 - 2027

DESIGN LARGE OUTDOOR ATHLETIC COMPLEX

DESCRIPTION:	**Design a large outdoor athletic complex for the City of Sherman.**
ESTIMATED COST:	**$400,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Additional outdoor athletic complex locations are required to accommodate recent and future City growth. This project is consistent with the Parks Master Plan.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

2027-2028

PROJECT YEAR: 2027 - 2028

PHASED DESIGN & CONSTRUCTION OF INTERURBAN PARKWAY

DESCRIPTION:	**Project for the phased design and construction of the Interurban Parkway, between Progress Drive and Shepherd Drive.**
ESTIMATED COST:	**$23,000,000**
PROPOSED FINANCING:	**Certificates of Obligation / Impact Fees**
PROJECT NECESSITY:	**This project is included in the 2020 Grayson County Thoroughfare Plan.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

DESIGN & CONSTRUCT MULTI-GENERATIONAL RECREATION CENTER

DESCRIPTION:	**Design phase to build a multi-generational recreation center.**
ESTIMATED COST:	**$7,000,000**
PROPOSED FINANCING:	**Certificates of Obligation**
PROJECT NECESSITY:	**Addition of a recreation center will address current and future public needs relating to recreational facilities expansion.**
DEPARTMENT/DIRECTOR:	**Assistant City Manager, Terrence Steele**

UTILITY SERVICES
2023 - 2028

UTILITY SERVICES

CAPITAL BUDGET: 2023-2028

Within the Five-year Capital Improvement Program, the first year is considered the Capital Budget. The appropriation ordinance will give initial authorization for the staff to prepare and execute all projects listed for the coming year. City Council will consider the projects in subsequent years for approval and funding during the budget process for each year. These projects listed are for information and planning purposes and do not obligate the Council to approve or fund beyond the current approved appropriations ordinance.

These are Utility Services Projects, being specifically related to the operation of a Water and Sewer System and having certain types of financing requirements different from those typically used for General Services.

2023-2024

PROJECT YEAR: 2023 - 2024

OVERSIZING COSTS FOR ANNUAL WATER & SEWER PROJECTS

DESCRIPTION:	**Includes oversizing for annual water and sewer projects, as well as line replacements.**
ESTIMATED COST:	**$250,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Required to meet costs of oversizing and line replacement to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

CONTINUE HIGH COUNTRY ESTATES WATER SYSTEM UPGRADES

DESCRIPTION:	**Continue to upgrade the water system at the High Country Estates subdivision, approximately 9,000 linear feet, annually, over a four-year period.**
ESTIMATED COST:	**$70,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

DESIGN & CONSTRUCT MAJOR WWTP EXPANSION TO TREAT INDUSTRIAL WASTE

DESCRIPTION:	**Design and construction to expand the Wastewater Treatment Plant to treat industrial waste.**
ESTIMATED COST:	**$155,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**This project is a major piece of the wastewater treatment component to treat industrial waste. The specific piece of equipment will be determined by the treatability study being conducted for the City.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

ADD WATER LINE ACROSS US 75 FOR ELEVATED TANK LEVEL STABILIZATION

DESCRIPTION:	**Project will add a water line across US 75 for water levels of the Fairview and Harrison elevated tanks.**
ESTIMATED COST:	**$73,500**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Water line addition is necessary to stabilize water tank levels.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

INCREASE EXISTING 6-INCH WATER LINE ACROSS SH 289

DESCRIPTION:	**Increase water line across SH 289 from a 6-inch line to a 12-inch line.**
ESTIMATED COST:	**$82,700**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Increasing the size of the water line is necessary to address increased growth and usage in surrounding areas.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REMOVE BUILDUP IN SLUDGE PONDS AT WATER TREATMENT PLANT

DESCRIPTION:	**Dredge out Water Treatment Plant ponds and haul accumulated sludge to the landfill.**
ESTIMATED COST:	**$400,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Recurring project, every 2-3 years, to remove sediment build up from Texoma Lake raw water, which is slowly deposited in WTP sludge ponds.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

DESIGN & CONSTRUCT WTP EXPANSION & INSTALL ADDITIONAL COMPONENTS

DESCRIPTION:	**Addition of a new building to house up to 30-MGD UF/RO and install 15-MGD additional UF/RO capacity, chemical feed, pumps, etc. at the Water Treatment Plant.**
ESTIMATED COST:	**$14,300,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**UF/RO expansion at the Water Treatment Plant (WTP) is critical to meet rapidly increasing demand.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INCREASE UF/RO CAPACITY BY 15-MGD AT WTP

DESCRIPTION:	**Design phase to increase the UF/RO capacity at the Water Treatment Plant (WTP).**
ESTIMATED COST:	**$7,040,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Increasing the capacity of the UF/RO facility will be required to meet expected future industrial growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

PROCURE & INSTALL LTPS BACKUP GENERATOR & SWITCHGEAR

DESCRIPTION:	**Procure generator and switchgear for installation at Lake Texoma Pump Station (LTPS).**
ESTIMATED COST:	**$5,200,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Procurement is necessary to mitigate lead time delays. Installation will provide up to 25-MGD capacity in the event of power outages at the Water Treatment Plant.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

CONDUCT CITY LIFT STATION ASSESSMENT STUDY

DESCRIPTION:	**Conduct study to assess City lift station system.**
ESTIMATED COST:	**$300,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Necessary to facilitate migration of all lift stations and to develop a comprehensive study of station conditions.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

ABANDON PRESTON CLUB WASTEWATER TREATMENT PLANT & LIFT STATION

DESCRIPTION:	**Abandon Preston Club wastewater treatment plant and old lift stations.**
ESTIMATED COST:	**$175,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Preston Club residents have been moved to the City sewer system. TCEQ requires proper abandonment of old lift stations and wastewater treatment plant.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

EXPAND WASTEWATER TREATMENT PLANT NORTH BY 5 MGD

DESCRIPTION:	**This project will center on a major piece of wastewater treatment component that will treat industrial waste.**
ESTIMATED COST:	**$4,500,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Installation of new filtration units that are better able to treat certain industrial wastes, as recommended by Mead & Hunt and included in the Post Oak WWTP Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

DESIGN & CONSTRUCT 36-INCH WATER LINE WEST TO WTP

DESCRIPTION:	**Design and construct a 36-inch water line west to the Water Treatment Plant (WTP).**
ESTIMATED COST:	**$23,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**New distribution main will carry treated water from the Water Treatment Plant to Shepherd Drive & serve new developments to the west and south sides of Sherman.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

ABANDON SOUTH CROCKETT LIFT STATION & INSTALL GRAVITY SEWER

DESCRIPTION:	**Abandon the South Crockett lift station and install a gravity sewer connecting to the existing line.**
ESTIMATED COST:	**$150,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Area was previously annexed as it stands, but, now is a good candidate to remove the lift station and tie into the existing sewer line with a gravity sewer.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

WATER TREATMENT REHABILITATION

DESCRIPTION:	**Rehabilitate the Water Treatment Plant, including flocculation/sedimentation units, filters, and EDR units.**
ESTIMATED COST:	**$20,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**This rehabilitation project is necessary to bring the conventional plant back to 10-MGD capacity.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

ENGINEERING MANAGEMENT

DESCRIPTION:	**Two-year contract with Pape-Dawson as a city advocate for multiple projects.**
ESTIMATED COST:	**$9,255,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**This project is required for the management of multiple engineering projects across the City. Projects include the expansion of the south Water Treatment Plant campus, the south Wastewater Treatment Plant campus, and the new 36-inch water main project.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

DESIGN FOR BACKUP GENERATORS FOR WTP AND LAKE TEXOMA

DESCRIPTION:	**Design for backup generator installation for the Water Treatment Plant (WTP) and Lake Texoma Pump Station.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Backup generators are necessary to provide power in the event of an outage at the Water Treatment Plant.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INCREASE RAW WATER PUMP CAPACITY AT LTPS

DESCRIPTION:	**Increase raw water pump No. 1 and No. 4 capacity at the Lake Texoma Pump Station (LTPS).**
ESTIMATED COST:	**$9,200,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Necessary to increase raw water capacity by 32 MGD at the Lake Texoma Pump Station.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

CONSTRUCT EMERGENCY STORAGE WATER RESERVOIR AT WTP

DESCRIPTION:	**Construct an emergency storage water reservoir just south of the Water Treatment Plant (WTP).**
ESTIMATED COST:	**$31,400,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**100-million gallon capacity reservoir will provide emergency water storage until the North Texas Municipal Water District installs a new 84-inch raw water line.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

CONSTRUCT CONCENTRATE PUMP STATION & DISCHARGE LINE AT WTP

DESCRIPTION:	**Construct a concentrate pump station and brine disposal line at the Water Treatment Plant (WTP).**
ESTIMATED COST:	**$7,422,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Brine line discharge from the Water Treatment Plant to creek is needed to convey concentrate from RO process back to Lake Texoma.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

BEL AIR CONSTRUCTION - PHASE III - 20-INCH SURFACE LINE

DESCRIPTION:	**Construct 20-inch surface water line for Legacy Boulevard area, from creek crossing to end of Phase I line. Includes relocating existing ground water line to follow creek, as well as constructing a new pressure vault at FM 1417.**
ESTIMATED COST:	**$2,220,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Necessary infrastructure to service Bel Air development and tie into the new Legacy water line.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

RELOCATE NEW SHEPHERD ELEVATED TANK & ABANDON OLD ELEVATED TANK

DESCRIPTION:	**Abandon old .75-MG elevated tank; Relocate new 2-MG elevated tank on Shepherd Drive to connect to new 36-inch water line.**
ESTIMATED COST:	**$17,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Project is necessary to move new elevated tank in order to connect to the new water line on Shepherd Drive.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

COMPLETE DETERIORATED SOUTHSIDE INDUSTRIAL SEWER REPLACEMENT

DESCRIPTION:	**Complete replacement of the deteriorated Southside Industrial Sewer, behind the Wastewater Treatment Plant, extending to Bel Air.**
ESTIMATED COST:	**$1,350,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Current portion of the industrial sewer has deteriorated and is in need of replacement to maintain pipe integrity.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REMOVE & REPLACE POST OAK SEWER LINES A & B

DESCRIPTION:	**Remove existing Post Oak sewer lines to replace in the street.**
ESTIMATED COST:	**$5,091,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**The location of the existing sewer lines, Line A and Line B, severely limits crew access for repairs or replacement.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

REPLACE INVERTED SIPHON SEWER LINE

DESCRIPTION:	**Replace the inverted siphon sewer line currently serving the Center Street Basin.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Current line is undersized, likely requiring new aerial crossing and an area-wide upsized system.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

SAFETY & OPERABILITY IMPROVEMENTS TO WWTP ELECTRICAL SYSTEM

DESCRIPTION:	**Install safety and operability improvements to the Wastewater Treatment Plant electrical system.**
ESTIMATED COST:	**$9,271,208**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Critical electrical improvements are required to ensure the operability and safety of the WWTP system. The new system upgrades also set the groundwork for the new emergency backup generator.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2023 - 2024

CONDUCT POST OAK WWTP MASTER PLAN / FEASIBILITY STUDY

DESCRIPTION:	**Conduct master plan/feasibility study at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$11,400,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**The industrial treatability study of wastewater influent stream is required to determine the City's future method of treatment componenents, both physical and chemical.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

HICKORY HILL UTILITY IMPROVEMENTS

DESCRIPTION:	**Improvements to the utilities for Hickory Hill.**
ESTIMATED COST:	**$1,820,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Improvements are necessary to extend water and wastewater to serve the Hickory Hill development and existing customers in the area.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

2024-2025

PROJECT YEAR: 2024 - 2025

OVERSIZING COSTS FOR ANNUAL WATER & SEWER PROJECTS

DESCRIPTION:	**Includes oversizing for annual water and sewer projects, as well as line replacements.**
ESTIMATED COST:	**$300,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Required to meet costs of oversizing and line replacement to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

CONTINUE HIGH COUNTRY ESTATES WATER SYSTEM UPGRADES

DESCRIPTION:	**Continue to upgrade the water system at the High Country Estates subdivision, approximately 9,000 linear feet, annually, over a four-year period.**
ESTIMATED COST:	**$70,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

ADD WATER LINE ACROSS US 75 FOR ELEVATED TANK LEVEL STABILIZATION

DESCRIPTION:	**Project will add a water line across US 75 for water levels of the Fairview and Harrison elevated tanks.**
ESTIMATED COST:	**$490,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Water line addition is necessary to stabilize water tank levels.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INCREASE EXISTING 6-INCH WATER LINE ACROSS SH 289

DESCRIPTION:	**Increase water line across SH 289 from a 6-inch line to a 12-inch line.**
ESTIMATED COST:	**$551,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Increasing the size of the water line is necessary to address increased growth and usage in surrounding areas.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

INCREASE SIZE OF POST OAK CREEK SEWER LINES TO WWTP

DESCRIPTION:	**Replace existing 27-inch, 39-inch, and 42-inch Post Oak Creek sewer lines with 48-inch, 60-inch, and 72-inch lines, respectively.**
ESTIMATED COST:	**$3,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Increasing size of creek sewer lines running to the Wastewater Treatment Plant (WWTP) is necessary to accommodate increasing sewer demands tied to recent and future growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

ANNUAL SEWER LINE REPLACEMENT - WEST SIDE OF POST OAK CREEK

DESCRIPTION:	**This fiscal year annual sewer line replacement will focus on the west side of Post Oak Creek.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Annual sewer line replacements are necessary to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

LEAD & COPPER RULE REVISION - PHASES III THROUGH VI

DESCRIPTION:	**Application of USEPA and TCEQ Lead and Copper Rule Revision (LCRR) and sampling & reporting program - Phase III - service line inventory completion.**
ESTIMATED COST:	**$490,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

ANNUAL WATER LINE REPLACEMENTS

DESCRIPTION:	**Annual water line replacements to address water quality improvements.**
ESTIMATED COST:	**$1,900,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Replacing aging water lines is crucial to maintain water quality and meet increasing demand due to City growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

FILTRATION & RE-LIFT PUMP STATION FOR WWTP

DESCRIPTION:	**Engineering phase for filtration and re-lift pump station for industrial discharge to the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$1,200,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**This project was identified in the WWTP Condition Assessment as a critical necessity, and is based on the South Industrial Discharge Technical Memorandum.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

DESIGN & REPLACE DOWNTOWN SEWER LINES - PHASE II

DESCRIPTION:	**Design of phase II for a multi-phase replacement of sewer lines in downtown Sherman.**
ESTIMATED COST:	**$800,000**
PROPOSED FINANCING:	**GTUA - paid by the Dowtown Tax Increment Reinvestment Zone**
PROJECT NECESSITY:	**The downtown sewer line system is deteriorating and reaching the end of its useful life.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

UPSIZE 42-INCH SANITARY SEWER LINE TO 60-INCH LINE - POST OAK ROAD

DESCRIPTION:	**Upsize the Post Oak Road sanitary sewer line from a 42-inch line to a 60-inch line.**
ESTIMATED COST:	**$1,300,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Recent City growth requires increasing the size of the sanitary sewer system, in order to effectively meet wastewater collection and treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

UPGRADE WWTP FROM 10-MGD TO 14-MGD

DESCRIPTION:	**Upgrade the daily treatment capacity at the Wastewater Treatment Plant (WWTP) from 10-MGD to 14-MGD.**
ESTIMATED COST:	**$10,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Critical upgrade required to meet current wastewater treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

REHABILITATE & REPLACE SLUDGE DIGESTER COMPLEX AT WWTP

DESCRIPTION:	**Engineering phase to rehabilitate the digester electric switchgear and components, ventilation systems, boilers, etc. at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$550,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Due to age and corrosion issues, rehabilitation is necessary to prevent equipment failure and to address safety hazards at the Wastewater Treatment Plant (WWTP).**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

CLARIFIER #3 REHABILITATION AT WWTP

DESCRIPTION:	**Engineering phase for the rehabilitation of the clarifier #3 at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$120,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Clarifier #3 is aging and in need of rehabilitation to remain in service, as recommended by the WWTP Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

NFPA UPGRADES TO GRIT BUILDING AT WWTP

DESCRIPTION:	**Perform NFPA upgrades to the grit building at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$30,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**NFPA upgrades are needed to ensure operator safety and continued operation of the grit building at the Wastewater Treatment Plant (WWTP), as recommended by the WWTP Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

MISCELLANEOUS WWTP IMPROVEMENTS

DESCRIPTION:	**Miscellaneous improvements to the Wastewater Treatment Plant (WWTP) include sludge dewatering building corrosion, outfall access safety elements, LED lighting, and sealing seams in the EQ basin.**
ESTIMATED COST:	**$50,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Addressing multiple immediate and near-term improvements as recommended in the Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

EQUALIZATION BASIN BLOWER REHABILITATION AT WWTP

DESCRIPTION:	**Construction phase to replace worn electrical systems, switchgear, control systems, piping components, and blowers in the equalization basin blower building.**
ESTIMATED COST:	**$1,810,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Due to age and corrosion, it is necessary to replace worn components to prevent equipment failure and safety hazards at the Wastewater Treatment Plant (WWTP).**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REMODEL & UPGRADE LABORATORY AT WWTP

DESCRIPTION:	**Construction to expand and upgrade the current laboratory facility for field testing and backup generator samples.**
ESTIMATED COST:	**$3,200,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Expansion and upgrades are necessary to meet space and TCEQ requirements for an on-site certified laboratory at the Wastewater Treatment Plant (WWTP).**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

COMPLETE REPAINTING OF REX CRUSE ELEVATED STORAGE TANK

DESCRIPTION:	**Complete the rehabilitation of the elevated water storage tank on Rex Cruse Drive.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Repainting and repairing the tank on the interior and exterior is necessary to extend the useful life of the tank.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REPLACE EXPOSED WATER LINE - CENTER STREET BRIDGE REHABILITATION

DESCRIPTION:	**As part of the rehabilitation of the Center Street Bridge, this project will replace the exposed water line.**
ESTIMATED COST:	**$650,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**The water line is exposed and in need of replacement.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

ENGINEER & CONSTRUCT SHEPHERD PLACE UTILITIES

DESCRIPTION:	**City contribution to the design and construction of Shepherd Place utilities.**
ESTIMATED COST:	**$550,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Project is necessary for utilities, as required in major City streets not undertaken by the developer.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REPLACE DOWNTOWN SEWER LINES - PHASE I

DESCRIPTION:	**Construction of phase I of a multi-phase replacement of sewer lines in downtown Sherman.**
ESTIMATED COST:	**$1,500,000**
PROPOSED FINANCING:	**GTUA - paid by the Dowtown Tax Increment Reinvestment Zone**
PROJECT NECESSITY:	**The downtown sewer line system is deteriorating and reaching the end of its useful life.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

INSTALL COLLECTION SYSTEM SEWER LINE - HERITAGE RANCH

DESCRIPTION:	**Installation of a collection system sewer line for the Heritage Ranch Development.**
ESTIMATED COST:	**$900,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Project is necessary for utilities, as required in major City streets not undertaken by the developer.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REPLACE SEWER LINE IN SOUTHEAST SHERMAN - ROSEDALE TO FIRST STREET

DESCRIPTION:	**Replacement of the sewer line from Rosedale to First Street in southeast Sherman.**
ESTIMATED COST:	**$900,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Existing sewer line is worn out and reached the end of its useful life.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2024 - 2025

REPLACE BASE & APPLY NEW SURFACE COURSE FOR WWTP ROAD

DESCRIPTION:	**Replace base material and install new surface course on the Wastewater Treatment Plant (WWTP) access road.**
ESTIMATED COST:	**$40,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Plant access road has deteriorated due to heavy construction activities and solid waste equipment use.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

2025-2026

PROJECT YEAR: 2025 - 2026

OVERSIZING COSTS FOR ANNUAL WATER & SEWER PROJECTS

DESCRIPTION:	**Includes oversizing for annual water and sewer projects, as well as line replacements.**
ESTIMATED COST:	**$300,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Required to meet costs of oversizing and line replacement to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

COMPLETE HIGH COUNTRY ESTATES WATER SYSTEM UPGRADES

DESCRIPTION:	**Complete the upgrade of the water system at the High Country Estates subdivision, approximately 9,000 linear feet, annually, over a four-year period.**
ESTIMATED COST:	**$75,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

DESIGN & CONSTRUCT MAJOR WWTP EXPANSION TO TREAT INDUSTRIAL WASTE

DESCRIPTION:	**Design and construction to expand the Wastewater Treatment Plant (WWTP) to treat industrial waste.**
ESTIMATED COST:	**$200,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**This project is a major piece of the wastewater treatment component to treat industrial waste. The specific piece of equipment will be determined by the treatability study being conducted for the City.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REMOVE BUILDUP IN SLUDGE PONDS AT WTP

DESCRIPTION:	**Dredge out Water Treatment Plant (WTP) ponds and haul accumulated sludge to the landfill.**
ESTIMATED COST:	**$420,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Recurring project, every 2-3 years, to remove sediment build up from Texoma Lake raw water, which is slowly deposited in WTP sludge ponds.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

DESIGN & CONSTRUCT WTP EXPANSION & INSTALL ADDITIONAL COMPONENTS

DESCRIPTION:	**Addition of a new building to house up to 30-MGD UF/RO and install 15-MGD additional UF/RO capacity, chemical feed, pumps, etc. at the Water Treatment Plant.**
ESTIMATED COST:	**$245,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**UF/RO expansion at the Water Treatment Plant (WTP) is critical to meet rapidly increasing demand.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INCREASE SIZE OF POST OAK CREEK SEWER LINES AT WWTP

DESCRIPTION:	**Replace existing 27-inch, 39-inch, and 42-inch Post Oak Creek sewer lines with 48-inch, 60-inch, and 72-inch lines, respectively.**
ESTIMATED COST:	**$4,600,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Increasing size of creek sewer lines running to the Wastewater Treatment Plant (WWTP) is necessary to accommodate increasing sewer demands tied to recent and future growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

ANNUAL SEWER LINE REPLACEMENT - WEST SIDE OF POST OAK CREEK

DESCRIPTION:	**This fiscal year annual sewer line replacement will focus on the west side of Post Oak Creek.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Annual sewer line replacements are necessary to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

LEAD & COPPER RULE REVISION - PHASES III THROUGH VI

DESCRIPTION:	**Application of USEPA and TCEQ Lead and Copper Rule Revision (LCRR) and sampling & reporting program - Phase IV - single plan update and complete preperation.**
ESTIMATED COST:	**$270,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

ANNUAL WATER LINE REPLACEMENTS

DESCRIPTION:	**Annual water line replacements to address water quality improvements.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Replacing aging water lines is crucial to maintain water quality and meet increasing demand due to City growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

FILTRATION & RE-LIFT PUMP STATION FOR WWTP

DESCRIPTION:	**Construction phase for filtration and re-lift pump station for industrial discharge to the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$12,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**This project was identified in the WWTP Condition Assessment as a critical necessity, and is based on the South Industrial Discharge Technical Memorandum.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

DESIGN & REPLACE DOWNTOWN SEWER LINES - PHASE II

DESCRIPTION:	**Construction of phase II for a multi-phase replacement of sewer lines in downtown Sherman.**
ESTIMATED COST:	**$4,200,000**
PROPOSED FINANCING:	**GTUA - paid by the Dowtown Tax Increment Reinvestment Zone**
PROJECT NECESSITY:	**The downtown sewer line system is deteriorating and reaching the end of its useful life.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

UPSIZE 42-INCH SANITARY SEWER LINE TO 60-INCH LINE - POST OAK ROAD

DESCRIPTION:	**Upsize the Post Oak Road sanitary sewer line from a 42-inch line to a 60-inch line.**
ESTIMATED COST:	**$8,700,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Recent City growth requires increasing the size of the sanitary sewer system, in order to effectively meet wastewater collection and treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

UPGRADE WWTP FROM 10-MGD TO 14-MGD

DESCRIPTION:	**Upgrade the daily treatment capacity at the Wastewater Treatment Plant (WWTP) from 10-MGD to 14-MGD.**
ESTIMATED COST:	**$80,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Critical upgrade required to meet current wastewater treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REHABILITATE & REPLACE SLUDGE DIGESTER COMPLEX AT WWTP

DESCRIPTION:	**Construction phase to rehabilitate the digester electric switchgear and components, ventilation systems, boilers, etc. at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$7,300,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Due to age and corrosion issues, rehabilitation is necessary to prevent equipment failure and to address safety hazards at the Wastewater Treatment Plant (WWTP).**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

CLARIFIER #3 REHABILITATION AT WWTP

DESCRIPTION:	**Construction phase for the rehabilitation of the clarifier #3 at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Clarifier #3 is aging and in need of rehabilitation to remain in service, as recommended by the WWTP Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

NFPA UPGRADES TO GRIT BUILDING AT WWTP

DESCRIPTION:	**Perform NFPA upgrades to the grit building at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$290,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**NFPA upgrades are needed to ensure operator safety and continued operation of the grit building at the Wastewater Treatment Plant (WWTP), as recommended by the WWTP Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

MISCELLANEOUS WWTP IMPROVEMENTS

DESCRIPTION:	**Miscellaneous improvements to the Wastewater Treatment Plant (WWTP) include sludge dewatering building corrosion, outfall access safety elements, LED lighting, and sealing seams in the EQ basin.**
ESTIMATED COST:	**$170,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Addressing multiple immediate and near-term improvements as recommended in the Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

UPSIZE 21-INCH SANITARY SEWER LINE TO 60-INCH LINE - CHOCTAW

DESCRIPTION:	**Upsize the Choctaw sanitary sewer line from a 21-inch line to a 60-inch line to address flow from The Village.**
ESTIMATED COST:	**$2,200,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Recent City growth requires increasing the size of the sanitary sewer system, in order to effectively meet wastewater collection and treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2025 - 2026

EXPAND NORTHEAST SEWER PROJECT TO ADDRESS DEVELOPMENT

DESCRIPTION:	**Expand the Northeast Sewer Expansion project to address development in northwest Sherman.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Expansion of the Northwest Sewer Expansion project to pick up additional areas of possible development in Northwest Sherman.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

DEMOLISH OLD SLUDGE DRYING BEDS

DESCRIPTION:	**At the Wastewater Treatment Plant, remove sludge drying beds that are no longer involved in the treatment process.**
ESTIMATED COST:	**$250,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Removal of these drying beds would allow for future expansions of the wastewater treatment process.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

2026-2027

PROJECT YEAR: 2026 - 2027

OVERSIZING COSTS FOR ANNUAL WATER & SEWER PROJECTS

DESCRIPTION:	**Includes oversizing for annual water and sewer projects, as well as line replacements.**
ESTIMATED COST:	**$300,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Required to meet costs of oversizing and line replacement to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INCREASE SIZE OF POST OAK CREEK SEWER LINES AT WWTP

DESCRIPTION:	**Replace existing 27-inch, 39-inch, and 42-inch Post Oak Creek sewer lines with 48-inch, 60-inch, and 72-inch lines, respectively.**
ESTIMATED COST:	**$9,400,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Increasing size of creek sewer lines running to the Wastewater Treatment Plant (WWTP) is necessary to accommodate increasing sewer demands tied to recent and future growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2026 - 2027

ANNUAL SEWER LINE REPLACEMENT - WEST SIDE OF POST OAK CREEK

DESCRIPTION:	**This fiscal year annual sewer line replacement will focus on the west side of Post Oak Creek.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Annual sewer line replacements are necessary to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

LEAD & COPPER RULE REVISION - PHASES III THROUGH VI

DESCRIPTION:	**Application of USEPA and TCEQ Lead and Copper Rule Revision (LCRR) and sampling & reporting program - Phase V - lead service line replacement planning and mitigation.**
ESTIMATED COST:	**$219,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2026 - 2027

ANNUAL WATER LINE REPLACEMENTS

DESCRIPTION:	**Annual water line replacements to address water quality improvements.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Replacing aging water lines is crucial to maintain water quality and meet increasing demand due to City growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

UPSIZE 21-INCH SANITARY SEWER LINE TO 60-INCH LINE - CHOCTAW

DESCRIPTION:	**Upsize the Choctaw sanitary sewer line from a 21-inch line to a 60-inch line to address flow from The Village.**
ESTIMATED COST:	**$14,500,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Recent City growth requires increasing the size of the sanitary sewer system, in order to effectively meet wastewater collection and treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2026 - 2027

EXPAND NORTHEAST SEWER PROJECT TO ADDRESS DEVELOPMENT

DESCRIPTION:	**Expand the Northeast Sewer Expansion project to address development in northwest Sherman.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Expansion of the Northwest Sewer Expansion project to pick up additional areas of possible development in Northwest Sherman.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INSTALL 36-INCH MEDIUM PRESSURE LINE TO SERVICE SOUTHERN SHERMAN

DESCRIPTION:	**Engineering phase to install a 36-inch medium pressure water main from the Water Treatment Plant (WTP) to southern Sherman.**
ESTIMATED COST:	**$5,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Installation of the line will provide the main transmission line serving the south side of Sherman.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2026 - 2027

CONVERT WASTEWATER TO RE-USE & SEND TO LAKE TEXOMA

DESCRIPTION:	**Convert wastewater to re-use and send to creek to Lake Texoma.**
ESTIMATED COST:	**$60,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Indirect Potable ReUse (IPR) system required to put treated wastewater back into Lake Texoma, resulting in additional water rights use.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

SAMPLE & INVESTIGATE WWTP POND SYSTEM

DESCRIPTION:	**Pond sampling to investigate the geotechnical status of the pond liner at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$20,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Prior to major upgrades to the Wastewater Treatment Plant (WWTP) pond system, a thorough geotechnical investigation of the pond liner is recommended by the Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2026 - 2027

REHAB & SAFETY IMPROVEMENTS TO DECANT LIFT STATION AT WWTP

DESCRIPTION:	**Rehabilitate and implement safety improvements to the decant lift station at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$50,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**The decant lift station allows pumping out of the sludge holding ponds. The Condition Assessment determined the station is in need of rehabilitation and missing various safety measures.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

2027-2028

PROJECT YEAR: 2027 - 2028

OVERSIZING COSTS FOR ANNUAL WATER & SEWER PROJECTS

DESCRIPTION:	**Includes oversizing for annual water and sewer projects, as well as line replacements.**
ESTIMATED COST:	**$500,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Required to meet costs of oversizing and line replacement to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REMOVE BUILDUP IN SLUDGE PONDS AT WTP

DESCRIPTION:	**Dredge out Water Treatment Plant (WTP) ponds and haul accumulated sludge to the landfill.**
ESTIMATED COST:	**$440,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Recurring project, every 2-3 years, to remove sediment build up from Texoma Lake raw water, which is slowly deposited in WTP sludge ponds.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2027 - 2028

INCREASE UF/RO FACILITY CAPACITY BY 15-MGD AT WTP

DESCRIPTION:	**Construction phase to increase the UF/RO capacity at the Water Treatment Plant (WTP).**
ESTIMATED COST:	**$30,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Increasing the capacity of the UF/RO facility will be required to meet expected future industrial growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INCREASE SIZE OF POST OAK CREEK SEWER LINES AT WWTP

DESCRIPTION:	**Replace existing 27-inch, 39-inch, and 42-inch Post Oak Creek sewer lines with 48-inch, 60-inch, and 72-inch lines, respectively.**
ESTIMATED COST:	**$3,800,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Increasing size of creek sewer lines running to the Wastewater Treatment Plant (WWTP) is necessary to accommodate increasing sewer demands tied to recent and future growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2027 - 2028

ANNUAL SEWER LINE REPLACEMENT - WEST SIDE OF POST OAK CREEK

DESCRIPTION:	**This fiscal year annual sewer line replacement will focus on the west side of Post Oak Creek.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Annual sewer line replacements are necessary to address annual wear and tear & development demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

LEAD & COPPER RULE REVISION - PHASES III THROUGH VI

DESCRIPTION:	**Application of USEPA and TCEQ Lead and Copper Rule Revision (LCRR) and sampling & reporting program - Phase VI - citizen yard line replacement assistance.**
ESTIMATED COST:	**$210,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**This project is required to meet TCEQ implementation deadlines.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2027 - 2028

ANNUAL WATER LINE REPLACEMENTS

DESCRIPTION:	**Annual water line replacements to address water quality improvements.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Replacing aging water lines is crucial to maintain water quality and meet increasing demand due to City growth.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

INSTALL 36-INCH MEDIUM PRESSURE LINE TO SERVICE SOUTHERN SHERMAN

DESCRIPTION:	**Construction phase to install a 36-inch medium pressure water main from the Water Treatment Plant (WTP) to southern Sherman.**
ESTIMATED COST:	**$60,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Installation of the line will provide the main transmission line serving the south side of Sherman.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2027 - 2028

SAMPLE & INVESTIGATE WWTP POND SYSTEM

DESCRIPTION:	**Pond sampling to investigate the geotechnical status of the pond liner at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$350,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**Prior to major upgrades to the Wastewater Treatment Plant (WWTP) pond system, a thorough geotechnical investigation of the pond liner is recommended by the Condition Assessment.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

REHAB & SAFETY IMPROVEMENTS TO DECANT LIFT STATION AT WWTP

DESCRIPTION:	**Rehabilitate and implement safety improvements to the decant lift station at the Wastewater Treatment Plant (WWTP).**
ESTIMATED COST:	**$430,000**
PROPOSED FINANCING:	**Utility Improvement Fund**
PROJECT NECESSITY:	**The decant lift station allows pumping out of the sludge holding ponds. The Condition Assessment determined the station is in need of rehabilitation and missing various safety measures.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2027 - 2028

CONSTRUCT 84-INCH WATER LINE FROM LAKE TEXOMA TO WTP

DESCRIPTION:	**Construction phase for a new 84-inch raw water line, parallel to existing 72-inch line, from Lake Texoma to the Sherman Water Treatment Plant (WTP).**
ESTIMATED COST:	**$56,600,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Required City contribution by the North Texas Municipal Water District (NTMWD) for an additional raw water pipeline from the Lake Texoma Pump Station to the Sherman Water Treatment Plant.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

CONSTRUCT NEW WATER LINE TO SERVICE SOUTHERN SHERMAN & MUSTAND MUD

DESCRIPTION:	**Construct a new 18-inch/36-inch water line to service Mustang MUD and southern Sherman.**
ESTIMATED COST:	**$2,000,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Water line is necessary to supply Mustang MUD (formerly Marilee SUD) and areas on the south side of Sherman.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

PROJECT YEAR: 2027 - 2028

UPSIZE 15-INCH SANITARY SEWER LINE TO 60-INCH LINE - SHEPHERD DRIVE

DESCRIPTION:	**Upsize the sanitary sewer line along Shepherd Drive from a 15-inch line to a 60-inch line to address flow.**
ESTIMATED COST:	**$3,400,000**
PROPOSED FINANCING:	**GTUA**
PROJECT NECESSITY:	**Recent City growth requires increasing the size of the sanitary sewer system, in order to effectively meet wastewater collection and treatment demands.**
DEPARTMENT/DIRECTOR:	**Utilities Engineer P.E., Tom Pruitt**

STORMWATER SERVICES
2023 - 2028

STORMWATER SERVICES

CAPITAL BUDGET: 2023-2028

Within the Five-year Capital Improvement Program, the first year is considered the Capital Budget. The appropriation ordinance will give initial authorization for the staff to prepare and execute all projects listed for the coming year. City Council will consider the projects in subsequent years for approval and funding during the budget process for each year. These projects listed are for information and planning purposes and do not obligate the Council to approve or fund beyond the current approved appropriations ordinance.

These are Stormwater Services Projects, being specifically related to the operation of the Municipal Drainage Utility System and having certain types of financing requirements different from those typically used for General Services.

2023-2024

NO STORMWATER CIP PROJECTS IN FY 2024 BUDGET

2024-2025

PROJECT YEAR: 2024 - 2025

MCGEE STREET BRIDGE - EROSION & BRIDGE DECK OVERLAY REPAIRS

DESCRIPTION:	**Repair erosion damage and overlay the bridge deck on the McGee Street Bridge at Post Oak Creek.**
ESTIMATED COST:	**$175,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**These bridges were identified in the 2016 Bridge Inventory, Inspection, and Appraisal Program as in need of repair, due to safety and expanding growth needs.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

LAMBERTH ROAD BRIDGES - EROSION & BRIDGE DECK OVERLAY REPAIRS

DESCRIPTION:	**Repair erosion damage and overlay the bridge deck on the Lamberth Road bridges at Post Oak Creek.**
ESTIMATED COST:	**$130,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**These bridges were identified in the 2016 Bridge Inventory, Inspection, and Appraisal Program as in need of repair.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2024 - 2025

HILLCREST/WOODS BRIDGES - EROSION & BRIDGE DECK OVERLAY REPAIRS

DESCRIPTION:	**Repair erosion damage and overlay the bridge deck on the Hillcrest Street bridge and North Woods bridge at Post Oak Creek.**
ESTIMATED COST:	**$110,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**These bridges were identified in the 2016 Bridge Inventory, Inspection, and Appraisal Program as in need of repair.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

DESIGN & CONSTRUCT STORM DRAINAGE SYSTEM - BIRGE TO MCGEE

DESCRIPTION:	**Design and construct a storm drainage system under Blanton Drive from Birge Street to McGee Street.**
ESTIMATED COST:	**$2,500,000**
PROPOSED FINANCING:	**Stormwater Fund / Certificates of Obligation**
PROJECT NECESSITY:	**Drainage system is necessary to convey large weather event drainage at Post Oak Creek.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

2025-2026

PROJECT YEAR: 2025 - 2026

MCGEE STREET BRIDGE - EROSION & BRIDGE DECK OVERLAY REPAIRS

DESCRIPTION:	**Repair erosion damage and overlay the bridge deck on the McGee Street Bridge at Post Oak Creek.**
ESTIMATED COST:	**$1,000,000**
PROPOSED FINANCING:	**Stormwater Fund / Certificates of Obligation**
PROJECT NECESSITY:	**These bridges were identified in the 2016 Bridge Inventory, Inspection, and Appraisal Program as in need of repair, due to safety and expanding growth needs.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

TAYLOR/WASHINGTON BRIDGES - EROSION & BRIDGE DECK OVERLAY REPAIRS

DESCRIPTION:	**Repair erosion damage and overlay the bridge deck on the West Taylor Street Bridge and West Washington Bridge at Post Oak Creek Bridge.**
ESTIMATED COST:	**$135,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**These bridges were identified in the 2016 Bridge Inventory, Inspection, and Appraisal Program as in need of repair.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

PROJECT YEAR: 2025 - 2026

PECAN/RICKETTS/CENTENNIAL BRIDGES - EROSION REPAIRS & DECK OVERLAY

DESCRIPTION:	**Repair erosion damage and overlay the bridge deck on the North Ricketts Street, Centennial Street, West Pecan Street, and Blue Flame Road bridges.**
ESTIMATED COST:	**$95,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**These bridges were identified in the 2016 Bridge Inventory, Inspection, and Appraisal Program as in need of repair.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

2026-2027

PROJECT YEAR: 2026 - 2027

INCREASE CULVERT CAPACITY UNDER GRIBBLE ROAD

DESCRIPTION:	**Increase the capacity of the Stream G box culvert under Gribble Street.**
ESTIMATED COST:	**$385,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**This project is identified in the Post Oak Creek Flood Protection Plan as necessary to mitigate flood damage and decrease road closures during 100-year storms.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

2027-2028

PROJECT YEAR: 2027 - 2028

CONSTRUCT REGIONAL STORMWATER DETENTION FACILITY IN TOWN CENTER

DESCRIPTION:	**Construct a regional stormwater detention facility in the Town Center.**
ESTIMATED COST:	**$580,000**
PROPOSED FINANCING:	**Stormwater Fund**
PROJECT NECESSITY:	**The construction of this detention facility was identified in the Post Oak Creek Flood Protection Plan as needed in order to mitigate flooding.**
DEPARTMENT/DIRECTOR:	**Director of Engineering, Wayne Lee**

CAPITAL FINANCING

CAPITAL FINANCING

In preparing a capital improvement program, care must be exercised to keep the proposed program within the financial capabilities of the City. To do this requires that consideration be given to existing revenue funds, as well as existing and proposed debt requirement. The main sources of revenue available to the City of Sherman for Capital Improvements at present are: Ad Valorem Taxes, General Fund Revenues, segregated capital funds, Texas Department of Transportation funds, other governmental grants, private funds, the Stormwater Utility Fee, and Impact Fees.

Ad Valorem Taxes: The form of revenue typically used for General Services Capital Financing is the Ad Valorem Tax. Most often this is used as a covenant of Debt Financing, and the tax is used to pay Debt Service requirements. Other uses of Ad Valorem Tax include the setting aside of a certain percent or amount of tax for "pay-as-you-go" capital financing. The City of Sherman does not currently do this. A history of property taxes for the City of Sherman is noted in Table I.

Debt Service: The City issues General Debt for General Services and Stormwater Services projects and issues debt through the Greater Texoma Utility Authority for Utility Services projects. General Debt is supported by Property Taxes and/or Sales Taxes. Table II shows the General Debt Service Requirements and the bonded debt for Lake Texoma Water Rights, which is attributable to Utility Services. Utility revenues support the contractual debt issued through the Greater Texoma Utility Authority. Table II shows the Debt Service Requirements for this obligation. Possible future debt issues must be considered in light of existing obligations in order to minimize potential tax or utility rate increases.

Private Funds: Funding from developers.

Stormwater Utility Fee: The stormwater utility fee funds drainage-related projects such as flood plain planning, property acquisition, and construction projects.

Impact Fees: - Impact Fees are a mechanism for funding the public infrastructure necessitated by new development. Impact Fees are meant to recover the incremental cost of the impact of each new unit of development towards new infrastructure needs. Impact Fees are a mathematical calculation that determines a maximum fee that would be equivalent to growth paying for growth.

TABLE I

ANALYSIS OF ASSESSED VALUATION
FIVE YEAR PERIOD

FISCAL YEAR ENDED	REAL PROPERTY ASSESSED VALUE	PERSONAL PROPERTY ASSESSED VALUE	TOTAL
2019	$2,432,947,486	$692,401,974	$3,125,349,460
2020	$2,641,162,657	$839,573,445	$3,480,736,102
2021	$2,878,715,276	$941,125,157	$3,819,840,433
2022	$3,247,497,789	$876,451,153	$4,123,948,942
2023	$3,907,168,033	$930,694,928	$4,837,862,961

ANALYSIS OF PROPERTY TAX LEVIES AND COLLECTIONS
FIVE YEAR PERIOD

FISCAL YEAR ENDED	TAX LEVY	CURRENT COLLECTIONS	PERCENT COLLECTIONS	PRIOR YEAR COLLECTIONS	TOTAL COLLECTIONS
2019	$13,354,618	$12,489,427	93.52%	$99,894	$12,589,322
2020	$17,020,800	$15,882,649	93.31%	$100,117	$15,982,766
2021	$18,679,020	$17,505,842	93.72%	$123,474	$17,629,315
2022	$20,166,110	$18,879,386	93.62%	$107,996	$18,987,381
2023	$22,734,666	$21,561,191	94.84%	$0	$21,561,191

NOTE: 2023 COLLECTIONS ARE ESTIMATES AT 6-30-2023

TABLE II

BOND DEBT SERVICE FUNDS
STATEMENT OF BONDED INDEBTEDNESS: 2022-2023

DATE	TITLE & PURPOSE	TERM (YEARS)	ORIGINAL ISSUE AMOUNT	RETIRED IN PREVIOUS YEARS	DEBT BALANCE 09/30/2022
2004	COMBINATION TAX AND TAX INCREMENT REVENUE CERTIFICATES OF OBLIGATION FOR TAX INCREMENT FINANCING ZONE #1 IMPROVEMENTS	20	$2,840,000	$2,600,000	$240,000
2006	LAKE TEXOMA WATER RIGHTS	40	$3,727,060	$1,654,922	$2,072,138
2016	TAX AND WATERWORKS AND SEWER SYSTEM (LIMITED PLEDGE) REVENUE CERTIFICATES OF OBLIGATION FOR STREET AND PARK DEVELOPMENT AND CITY FACILITIES	20	$6,970,000	$1,515,000	$5,455,000
2017	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017	13	$9,360,000	$3,295,000	$6,065,000
2017	TAX AND WATERWORKS AND SEWER SYSTEM (LIMITED PLEDGE) REVENUE CERTIFICATES OF OBLIGATION FOR PUBLIC WORKS PROJECTS	20	$18,110,000	$2,700,000	$15,410,000
2017A	TAX AND MUNICIPAL DRAINAGE UTILITY SYSTEM REVENUE FOR PUBLIC WORKS PROJECTS	20	$3,900,000	$725,000	$3,175,000
2018	COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION FOR PUBLIC WORKS PROJECTS	25	$18,980,000	$1,485,000	$17,495,000
2019	COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION FOR STREET IMPROVEMENTS	25	$19,130,000	$1,370,000	$17,760,000
2021	LIMITED TAX NOTES SERIES 2021	5	$1,980,000	$650,000	$1,330,000

TABLE II - CONTINUED

DATE	TITLE & PURPOSE	TERM (YEARS)	ORIGINAL ISSUE AMOUNT	RETIRED IN PREVIOUS YEARS	DEBT BALANCE 09/30/2022
2021	COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION FOR PUBLIC FACILITY AND STREET IMPROVEMENTS	30	$29,025,000	$390,000	$28,635,000
2022	LIMITED TAX NOTES SERIES 2022	5	$2,100,000	$385,000	$1,715,000

BOND DEBT SERVICE FUND
SCHEDULE OF REQUIREMENTS: 2023 - 2053

FISCAL YEAR ENDING 09/30	PRINCIPAL	INTEREST	TOTAL
2023	$4,950,106	$3,338,239	$8,288,345
2024	$4,851,428	$3,186,640	$8,038,069
2025	$5,055,515	$2,976,154	$8,031,669
2026	$5,299,724	$2,747,395	$8,047,119
2027	$5,064,724	$2,515,345	$7,580,069
2028	$5,284,724	$2,300,495	$7,585,219
2029-2033	$21,814,423	$8,811,315	$30,625,738
2034-2038	$21,462,026	$5,375,705	$26,837,731
2039-2043	$15,915,000	$2,687,088	$18,602,088
2044-2048	$7,100,000	$869,006	$7,969,006
2049-2053	$3,910,000	$177,188	$4,087,188
TOTAL	$100,707,672	$34,984,568	$135,692,240

TABLE III

CONTRACTUAL DEBT SCHEDULE OF REQUIREMENTS
2023 - 2053

YEAR	PRINCIPAL	INTEREST	TOTAL
2023	$4,988,000	$1,722,250	$6,710,250
2024	$5,444,480	$1,671,993	$7,116,473
2025	$5,575,960	$4,381,986	$9,957,946
2026	$5,707,440	$10,563,481	$16,270,921
2027	$6,488,920	$10,409,989	$16,898,909
2028	$6,950,400	$10,221,962	$17,172,362
2029-2033	$40,102,840	$47,530,125	$87,632,965
2034-2038	$46,210,000	$39,776,555	$85,986,555
2039-2043	$46,360,000	$30,417,638	$76,777,638
2044-2048	$53,920,000	$20,193,375	$74,113,375
2049-2053	$60,360,000	$7,388,950	$67,748,950
TOTAL	$282,108,040	$184,278,303	$466,386,343

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 3.**

Meeting Date: 08/07/2023
Prepared By: Mary Lawrence, Director of Finance
Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS
Record Vote on Proposal to Consider Tax Increase

Issue:

To Record a Vote on the Proposal to Consider a Tax Increase

Background:

If a proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate, the governing body must show how each member of the governing body voted on the proposal to consider the tax increase. The property tax rate of $.508000/$100 exceeds the no-new revenue rate of $.431328/$100 and is lower than the voter-approval rate of $.529258. This is not a vote on the adoption of the tax rate. The tax rate adoption will be considered at the August 21, 2023 meeting. This vote is required by the Texas Tax Code to record the members of the governing body who vote for the proposal to consider the tax increase resulting from a proposed tax rate greater than the no-new-revenue rate.

Origination:

Director of Finance

Financial Consideration:

There is no cost to voting on the proposal to consider the tax increase.

Staff Recommendation:

A record vote is required using the motion in the following form:

"I move the City Council consider the proposal for the tax increase."

Alternatives:

No alternatives are available for the form or the calculations since both are prescribed by state law.

Attachments

Notice About Tax Rates 2024

Notice About 2023 Tax Rates

Property Tax Rates in the City of Sherman

This notice concerns the 2023 property tax rates for the City of Sherman.

This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per $100 of property value.

This year's no-new-revenue tax rate……$0.431328/$100

This year's voter-approval tax rate……$0.529258/$100

To see the full calculations, please visit www.ci.sherman.tx.us for a copy of the Tax Rate Calculation Worksheet.

Unencumbered Fund Balances

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

Type of Fund	Balance
Debt Service	$ 763,556
General	$ 15,551,158

Current Year Debt Service

The following amounts are for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues or additional sales tax revenues.

Description of Debt	Principal or Contract Payment to be Paid From Property Taxes	Interest to be Paid From Property Taxes	Other Amounts to be Paid	Total Payment
2016 Certificate of Obligation	$ 340,000	$ 129,513	$ 487	$ 470,000
2017 Refunding Bond	$ 736,342	$ 165,103	$ 1,555	$ 903,000
2017 Certificate of Obligation	$ 386,969	$ 261,331	$ 700	$ 649,000
2018 Certificate of Obligation	$ 570,000	$ 622,756	$ 244	$ 1,193,000
2019 Certificate of Obligation	$ 530,000	$ 634,113	$ 887	$ 1,165,000
2021 Tax Notes	$ 325,000	$ 40,600	$ 400	$ 366,000
2021 Certificate of Obligation	$ 630,000	$ 731,969	$ 1,031	$ 1,363,000
2022 Tax Notes	$ 325,000	$ 70,250	$ 750	$ 396,000
2023 Certificate of Obligation	$ 1,270,345	$ 3,487,500	$ 42,155	$ 4,800,000
2023 Tax Notes	$ 470,000	$ 129,500	$ 1,230	$ 600,730
2024 Tax Notes	$ 668,117	$ 68,709	$ 1,174	$ 738,000
2024 Certificate of Obligation		$ 175,000		$ 175,000

Total required for 2023 debt service	$ 12,818,730
- Amount paid from funds listed in unencumbered funds	$ 760,000
- Amount paid from other resources	$ -
- Excess collections last year	$ 19,436
= Total to be paid from taxes in 2022	$ 12,039,294
' + Amount added in anticipation that the taxing unit will collect only 97.6% of its taxes in 2023	97.6%
= Total Debt Levy	$ 12,335,342

This notice contains a summary of the no-new-revenue and voter-approval calculations as certified by

Mary Lawrence,

Director of Finance

July 31, 2023

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 4.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Replat of Lots 2, 3, 4 in Block A of G.W. Bond's Third Addition, consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, and is currently zoned M-2 (Heavy Manufacturing) District; Chemtica USA, LLC (Owner) and Burns Surveying (Surveyor) (516-518 East Cherry Street)

Issue:

To consider the Replat of Lots 2, 3, 4 in Block A of G.W. Bond's Third Addition, consisting of 0.482 acres, being in the G.W. Bond's Third Addition, Block A, Lots 2, 3 and 4, and is currently zoned M-2 (Heavy Manufacturing) District; Chemtica USA, LLC (Owner) and Burns Surveying (Surveyor) (516-518 East Cherry Street)

Background:

The property is located at 516-518 East Cherry Street between South East Street and South First Street. The owner would like to plat the property into three lots for commercial development.

Origination:

Chemtica USA, LLC (Owner)
Burns Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

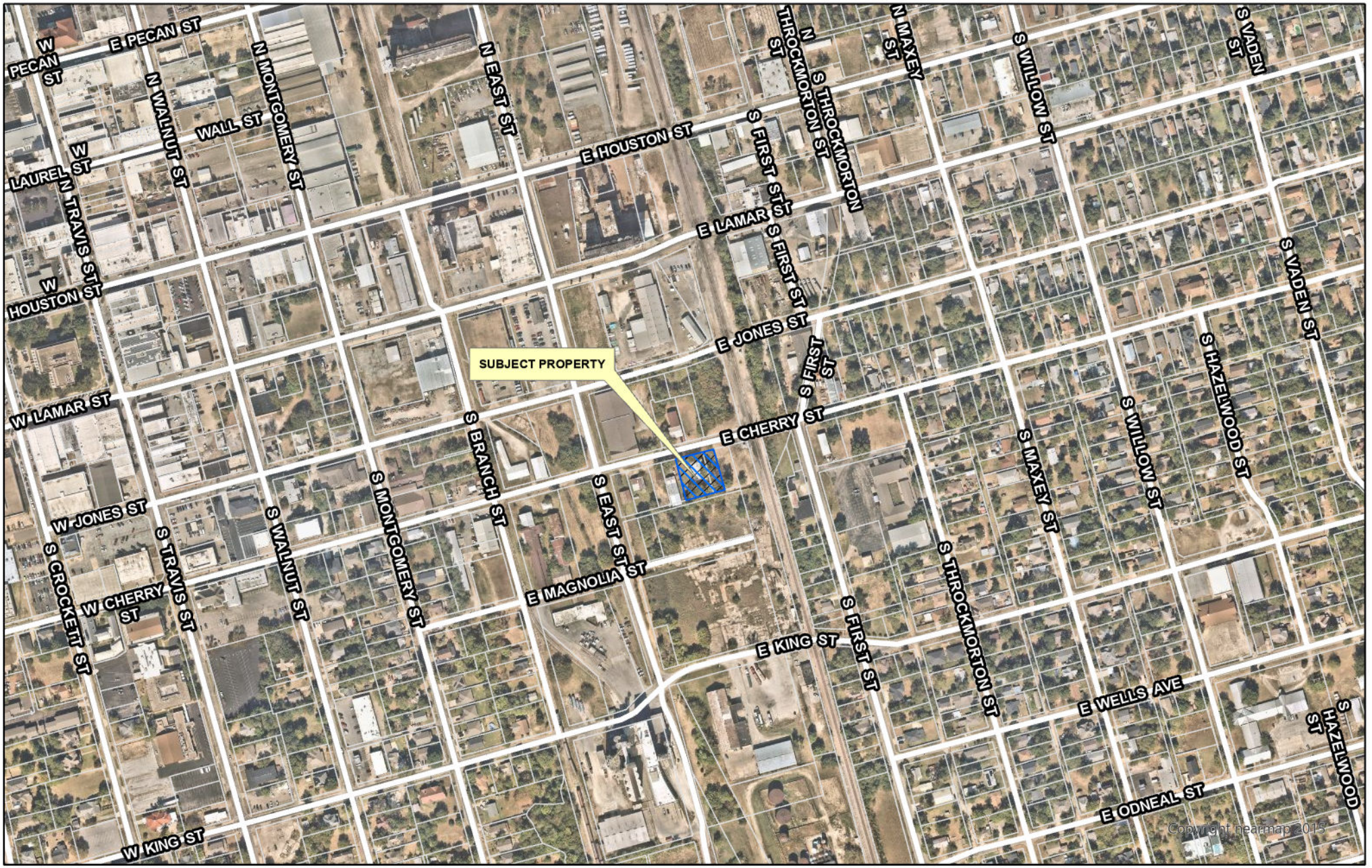
At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Replat
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

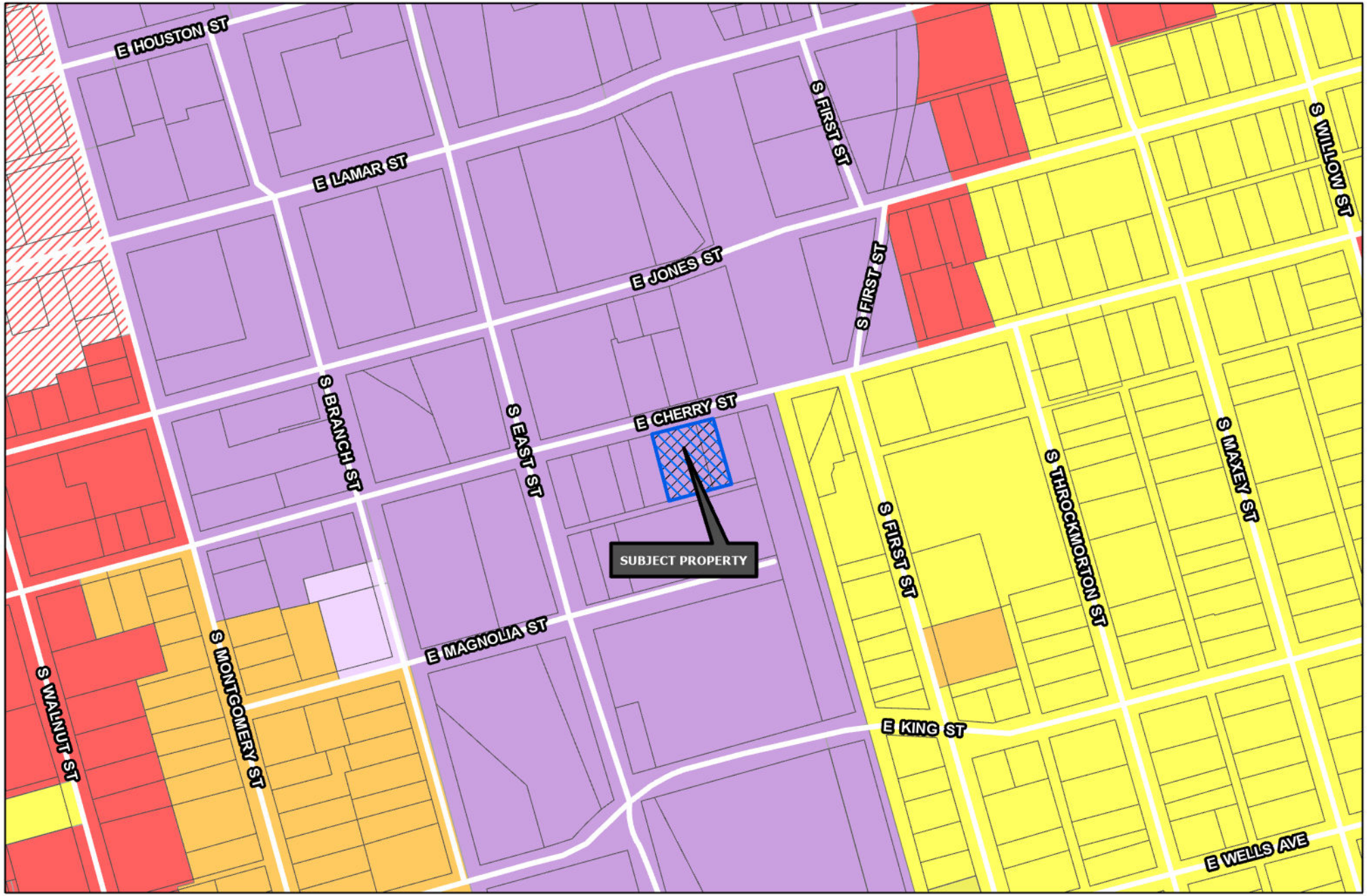
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
516 E CHERRY ST

N
W E
S

Date: 6/19/2023 11:23 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

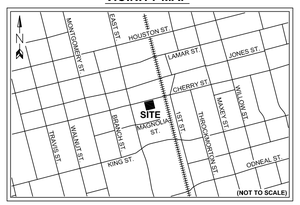
Road Names All

CITY OF SHERMAN
ZONING MAP
516 E CHERRY ST

N
W E
S

Date: 6/19/2023 11:26 AM

VICINITY MAP



(NO RECORD FOUND)

N

0' 20'

GRAPHIC SCALE
1-INCH = 20 FEET

BLOCK 27
ORIGINAL TOWN OF SHERMAN,
VOL. B, PG. 1,
D.R.G.C.T.

MARK GRIFFIN,
INST. NO. 2012-25706,
O.P.R.G.C.T.

ZOLTAN POCZA AND PHYLLIS POCZA,
VOL. 2248, PG. 659,
D.R.G.C.T.

E. CHERRY STREET
50' RIGHT-OF-WAY

25.0'
50.0'
25.0'

1/2" IRF YC

N 75°00'00" E 150.00'

PLACE OF BEGINNING
1/2" IRF (C.M.)

LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7

S 15°54'46" E 140.00'

BLOCK A
G.W. BOND'S THIRD ADDITION,
VOL. 35, PG. 506,
D.R.G.C.T.

N 15°54'46" W 140.00'

LOT 3A
BLOCK A
20,997 SQUARE FEET
0.482 OF AN ACRE (NET)

BURLINGTON NORTHERN
SANTA FE RAIL ROAD
VARIABLE WIDTH RIGHT-OF-WAY

HERIBERTO GARCIA,
INST. NO. 2020-24830,
O.P.R.G.C.T.

HERIBERTO GARCIA,
INST. NO. 2016-00000424,
O.P.R.G.C.T.

C SQUARED AUTOMOTIVE, INC.,
INST. NO. 2008-00013763,
O.P.R.G.C.T.

BLOCK A
G.W. BOND'S THIRD ADDITION,
VOL. 35, PG. 506,
D.R.G.C.T.

1/2" IRF (C.M.)

S 75°00'00" W 150.00'

20' ALLEY RIGHT-OF-WAY

R.R.S.F.

20.0'

BLOCK A
G.W. BOND'S THIRD ADDITION,
VOL. 35, PG. 506,
D.R.G.C.T.

THE HAMILTON FOUNDRY & MACHINE CO.,
VOL. 2784, PG. 362,
D.R.G.C.T.

LOT 16
LOT 15
LOT 14
LOT 13
LOT 12
LOT 11

PROPERTY ADDRESS: 516 EAST CHERRY ST., SHERMAN, TX 75090
OWNER: CHEM TICA USA, L.L.C.
ADDRESS: PO BOX 025331, MIAMI, FLORIDA 33102
PHONE: 407-414-9260

SURVEYOR'S NOTES

1. ALL CORNERS ARE SET WITH A 1/2" IRON RODS SET WITH A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691" UNLESS OTHERWISE NOTED.

2. BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).

3. THE PURPOSE OF THIS REPLAT IS TO REPLAT THREE (3) LOTS INTO ONE (1) LOT.

4. NO PORTION OF THE SUBJECT PROPERTY IS LOCATED IN A 100-YEAR FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATER MAP (FIRM) MAP NO. 48181C0290G DATED 09/01/2022, PREPARED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR GRAYSON COUNTY, TEXAS, THIS PROPERTY IS WITHIN ZONE X.

LEGEND

P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
CAB.	CABINET
SLD.	SLIDE
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IRS	IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "RPLS 3691"
R.R.S.F.	RAIL ROAD SPIKE FOUND

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF GRAYSON

WHEREAS Chem Tica USA, L.L.C., Is the sole owner of Lots 2, 3, and 4, Block A, of G.W. Bond's Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 35, Page 506, Deed Records, Grayson County, Texas, and being the same tract of land described in deed to Chem Tica USA, L.L.C., recorded in Instrument No. 2022-31493, Official Public Records, Tarrant County, Texas, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod found in the Southeast line of E. Cherry Street, at the common Northerly corner of Lot 5 and said Lot 4, Block A, same being the Northeast corner of a tract of land described in deed to Heriberto Garcia, recorded in Instrument No. 2020-24830, Official Public Records, Grayson County, Texas;

Thence North 75 deg. 00 min. 00 sec. East, along said Southeast line, a distance of 150.00 feet to a 1/2 inch iron rod with a yellow plastic cap found at the common Northerly corner of Lot 1 and said Lot 2, Block A, and being the Northwest corner of a tract of land described in deed to The Hamilton Foundry & Machine Co., recorded in Volume 2784, Page 362, Deed Records, Grayson County, Texas;

Thence South 15 deg. 54 min. 46 sec. East, a distance of 140.00 feet to a 1/2 inch iron rod found in the Northwest line of a 20 foot alley right-of-way, at the common Southerly corner of said Lots 1 and 2, Block A, and being the Northerly Southwest corner of said The Hamilton Foundry & Machine Co. tract;

Thence South 75 deg. 00 min. 00 sec. West, along said Northwest line, a distance of 150.00 feet to a 1/2 inch iron rod found at the common Southerly corner of said Lots 4 and 5, Block A, and being the Southeast corner of said Garcia tract;

Thence North 15 deg. 54 min. 46 sec. West, a distance of 140.00 feet to tge PLACE OF BEGINNING and containing 20,997 square feet or 0.482 of an acre of land.

OWNER'S CERTIFICATE OF DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Chem Tica USA, L.L.C., acting by and through its duly authorized agent, does hereby adopt this Replat designating the herein described real property as **LOT 2A, BLOCK A, G.W. BOND'S THIRD ADDITION**, an addition to the City of Sherman, Grayson County, Texas, Being 0.482 acres situated in and being a portion of the J. B. McANAIR SURVEY, Abstract No. 763, City of Sherman, Grayson County, Texas and does hereby dedicate to the public's use forever, the streets, alleys, parks, right-of-ways, school sites and other public places, easements shown thereon

Witness my hand at _____ County, Texas, This _____ day of _____, 20___.

_____
Name:
Title: Owner

STATE OF TEXAS
COUNTY OF _____
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas
My commission expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Barry S. Rhodes, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual survey of the land and that the corner monuments shown thereon were found and/or properly placed under my supervision in accordance with the platting rules and regulations of the City of Sherman, Texas.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 20___.

PRELIMINARY NOT FOR RECORDING PURPOSES
Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691

STATE OF TEXAS
COUNTY OF DALLAS
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas
My commission expires:

CERTIFICATE OF APPROVAL

STATE OF TEXAS
COUNTY OF GRAYSON

Approved this _____ day of _____, 20___, 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 Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of G.W. BOND'S THIRD ADDITION to the City of Sherman was submitted to the City Council on the _____ day of _____, 20___, 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 _____, A.D. 20 ___.

_____
City Clerk, City of Sherman, Texas

BURNS SURVEYING
PROFESSIONAL LAND SURVEYORS
1529 EAST INTERSTATE 30, GARLAND, TX 75043
BARRY S. RHODES - RPLS NO. 3691 - FIRM NO. 10194366 -
WEBSITE: WWW.BURNSSURVEY.COM
PHONE: (214) 326-1090
JOB NO.: 202209857-01 PREPARATION DATE: 11/30/2022 DRAWN BY: TD

REPLAT
LOT 3A, BLOCK A, G.W. BOND'S THIRD ADDITION

BEING A REPLAT OF LOTS 2, 3, & 4, BLOCK A,
OF G.W. BOND'S THIRD ADDITION, AN ADDITION TO THE
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS,
AS RECORDED IN VOLUME 35, PAGE 506, D.R.G.C.T.

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

CHEM TICA USA, LLC
P.O. Box 025331
Miami, FL 33102

Burns Surveying
1529 E. Interstate 30
Garland, TX 75043

Dear Applicants,

The request for approval of the Replat of Lot 3A, Block A, G.W. Bond's Third Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. Simplify Plat Name. Plat name must not exceed 20 characters in length. Sub-labels, i.e. "being a replat of…" do not count in the total character limit. *Code of Ordinances Chapter 10, Exhibit A, Sec.5(B)(3)*
2. Graphically show edge of pavement on drawing. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(7)*
3. Dedicate a 10' Utility Easement along Cherry Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Remove direction (East) from Cherry Street on drawing and metes and bounds description. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
5. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
6. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*

9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 5.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat of Neu Addition, Lot 1R, consisting of 6.500 acres, being in the Garrett Pangburn Survey, Abstract No. 945 also being Lot 1, Neu Addition, and is currently located in the ETJ (Extra Territorial Jurisdiction); Kevin and Julia Woods and Shu Feei Wang (Owners), Kevin Woods (Representative) and Underwood Drafting & Surveying, Inc. (Surveyor) (100 Jim Lamb Road)

Issue:

To consider the Replat of Neu Addition, Lot 1R, consisting of 6.500 acres, being in the Garrett Pangburn Survey, Abstract No. 945 also being Lot 1, Neu Addition, and is currently located in the ETJ (Extra Territorial Jurisdiction); Kevin and Julia Woods and Shu Feei Wang (Owners), Kevin Woods (Representative) and Underwood Drafting & Surveying, Inc. (Surveyor) (100 Jim Lamb Road)

Background:

The property is located at 100 Jim Lamb Road between Whitney Road and Calf Creek Lane and is located in the ETJ (Extra Territorial Jurisdiction). The owner would like to plat the property into one lot for residential development.

Origination:

Kevin and Julia Woods and Shu Feei Wang (Owners)
Kevin Woods (Representative)
Underwood Drafting & Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Replat
STAFF REVIEW LETTER - Engineering

dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
100 JIM LAMB RD

N
W E
S

Date: 6/21/2023 9:39 AM

JOB NO. 23050549
FW: ASU – DFT: EB

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

GRAPHIC SCALE

100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

OWNERS/DEVELOPER
KEVIN WOODS
JULIA WOODS
100 JIM LAMB ROAD
SHERMAN, TX 75090
SHU FEEI WANG
801 RAYWOOD CIRCLE
PLANO, TX 75075

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

~ GENERAL NOTES ~

1. Water Supply to be provided by the Southwest Water Company.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.
11. The subject property does not lie within a Federal Emergency Management Agency (FEMA) designated flood plain as shown by Firm Map No. 48181C0295F, effective date September 1, 2022.

LEGEND

●	1/2" STEEL ROD SET
◎	1/2" STEEL ROD FOUND
▲	RAILROAD SPIKE FOUND
	BOUNDARY LINE
	PROPERTY LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 76°15'06" E	30.87'
L2	N 00°05'45" E	30.87'
L3	S 76°24'28" E	73.55'

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Garrett Pangburn Survey, Abstract No. 945 and being all of Lot 1 of the Neu Addition, an addition to Grayson County, Texas, as shown by plat of record in Document Number 2019-162, Plat Records, Grayson County, Texas, and being part of a 12.092 acre tract of land conveyed to Shu Feei Wang as recorded in Document Number 2020-21925, Official Public Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod set for the northern-most northwest corner of said Lot 1;

Thence South 76°15'06" East, with the northerly line of said Lot 1, and with the southerly Right-of-Way line of Jim Lamb Road, a distance of 30.87 feet to a 1/2" steel rod set for the northeast corner of said Lot 1;

Thence North 00°05'45" East, with the westerly line of said 12.092 acre tract, a distance of 30.87 feet to a point, said point being the northwest corner of said 12.092 acre tract and in Jim Lamb Road;

Thence South 76°15'27" East, with the northerly line of said 12.092 acre tract, and with the center of said Jim Lamb Road, a distance of 25.17 feet to a point, said point being in Jim Lamb Road;

Thence South 00°05'45" West, over and across said 12.092 acre tract, a distance of 862.01 feet to a set 1/2" steel rod;

Thence South 76°14'11" East, with the northerly line of said Lot 1, and over and across said 12.092 acre tract, passing en route at a distance of 331.79 feet a found 1/2" steel rod, and continuing on said course a total distance of 544.56 feet to a set 1/2" steel rod;

Thence South 06°37'26" West, with the easterly line of said 12.092 acre tract, and with the easterly line of said Lot 1, passing en route at a distance of 213.09 feet a found 1/2" steel rod, and continuing on said course a total distance of 306.63 feet to a set 1/2" steel rod;

Thence with the southerly line of said Lot 1, the following five courses:

1. *North 76°09'32" West, a distance of 216.82 feet to a found 1/2" steel rod;*
2. *South 13°52'48" West, a distance of 190.13 feet to a set 1/2" steel rod;*
3. *North 76°18'34" West, a distance of 224.90 feet to a found 1/2" steel rod;*
4. *North 13°44'27" East, a distance of 160.23 feet to a found 1/2" steel rod;*
5. *North 42°23'52" West, a distance of 323.13 feet to a found 1/2" steel rod;*

Thence North 13°07'58" East, a distance of 154.00 feet to a 1/2" steel rod found for the southern-most northwest corner of said Lot 1;

Thence South 76°24'28" East, a distance of 73.55 feet to a set 1/2" steel rod;

Thence North 00°05'45" East, with the westerly line of said Lot 1, a distance of 831.11 feet to the Point of Beginning and containing 6.500 acres of land.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, REPLAT OF LOT 1 NEU ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2023, 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 herein above subscribed.

Witness my hand this_____day of _____, 2023.

Clerk, City of Sherman, Texas

ACCEPTANCE

Approved this _____ day of _____, 2023, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas *Date*

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

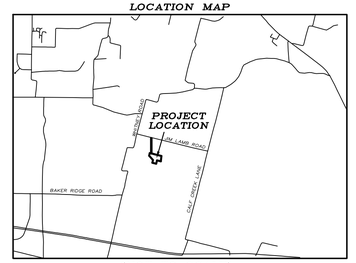
That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

Date

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, KEVIN WOODS, JULIA WOODS, and SHU FEEI WANG, do hereby adopt this plat designating the hereinabove property as the REPLAT OF LOT 1 NEU ADDITION, an addition to the City of Sherman, 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 _____, 2023.

KEVIN WOODS

JULIA WOODS

SHU FEEI WANG

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, KEVIN WOODS 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_____, 2023.

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, JULIA WOODS 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_____, 2023.

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, SHU FEEI WANG 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_____, 2023.

Notary Public in and for
the State of Texas
Commission Expires: _____

REPLAT OF
LOT 1
NEU ADDITION

Document Number 2019-162, P.R.G.C.T.
Being a part of the Garrett Pangburn Survey, Abstract Number 945.
Being in the City of Sherman, Grayson County, Texas.
Containing 6.500 acres of land
06-05-2023

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 1 OF 1

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

Kevin & Julia Woods
100 Jim Lamb Road
Sherman, TX 75090

Shu Feei Wang
801 Raywood Circle
Plano, TX 75075

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Replat of Lot 1 Neu Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. Metes and bounds must match drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
2. No City of Sherman water available to site. Property lies within Starr Water CCN.
3. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
4. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 6.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat of COHO Moore Addition, Lot 4R-A, consisting of 0.214 acres, being a part of the Samuel Blagg Survey, Abstract No. 56, and being the West 49 foot of Lot 4, Block 7 of B.H. Moore Heirs Addition and is currently zoned R-6 (Single Family Residential) District; Corby Hosea (Owner) and Helvey Wagner Surveying (Surveyor) (300 West Moore Street)

Issue:

To consider the Replat of COHO Moore Addition, Lot 4R-A, consisting of 0.214 acres, being a part of the Samuel Blagg Survey, Abstract No. 56, and being the West 49 foot of Lot 4, Block 7 of B.H. Moore Heirs Addition and is currently zoned R-6 (Single Family Residential) District; Corby Hosea (Owner) and Helvey Wagner Surveying (Surveyor) (300 West Moore Street)

Background:

The property is located at 300 West Moore Street at the corner of South Elm Street and West Moore Street. The property owner would like to plat the property into one lot for residential development.

Origination:

Corby Hosea (Owner)
Helvey Wagner Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Replat
STAFF REVIEW LETTER - Engineering

dlagrone H:\PLANNING\Public Notification KT.aprx

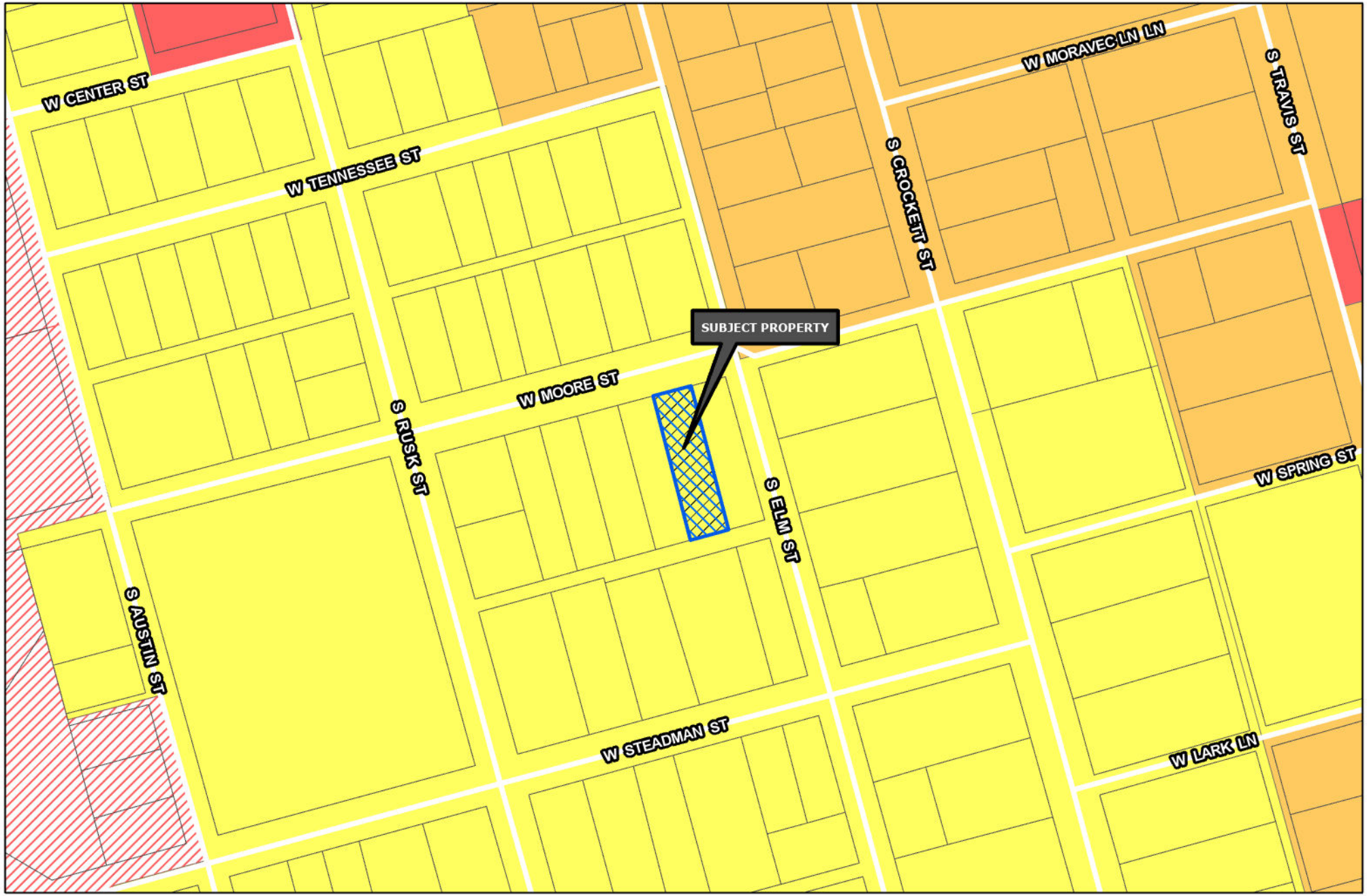
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
300 W MOORE ST

N
W E
S

Date: 6/21/2023 9:58 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

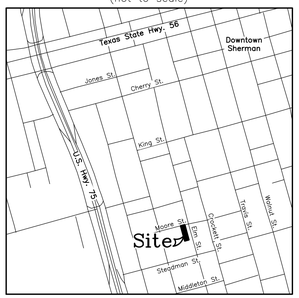
- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 300 W MOORE ST

N
W E
S

Date: 6/21/2023 9:58 AM

Vicinity Map
(not to scale)



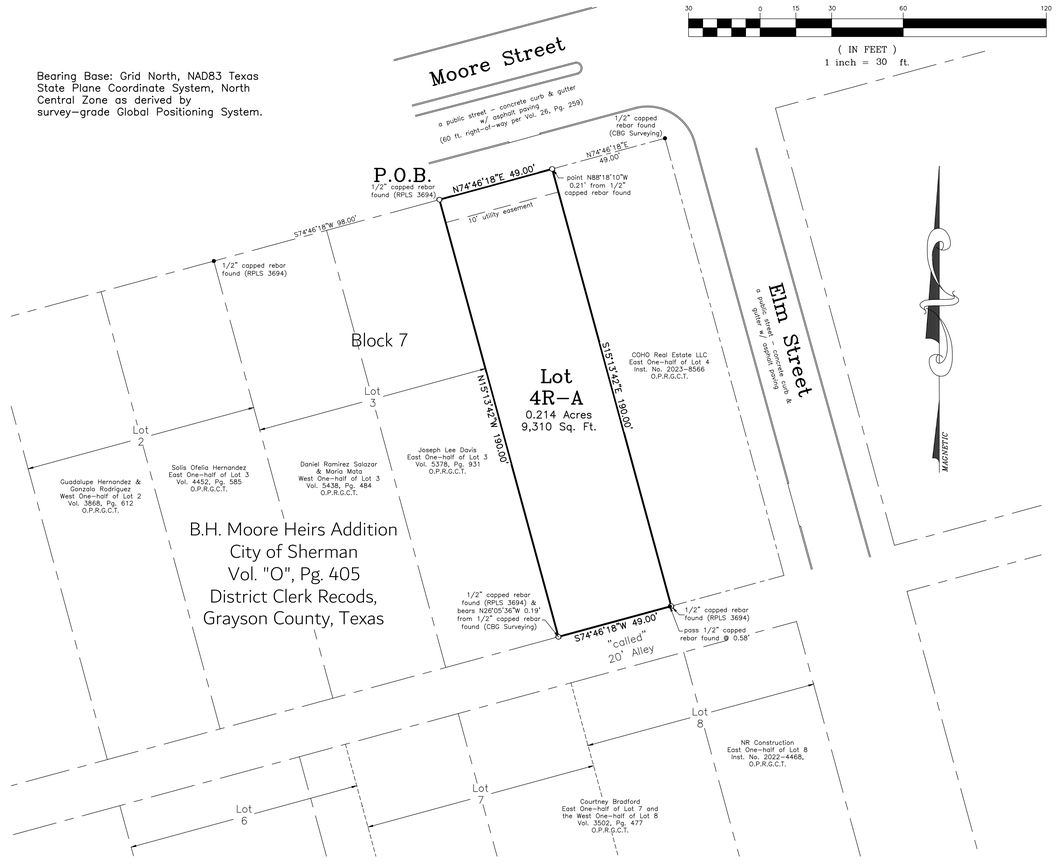
General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Grayson–Collin Electric Cooperative.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500–year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0280 G, Revised Date: September 1, 2022.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.



LEGAL DESCRIPTION

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the Samuel Blagg Survey, Abstract No. 56, and being the West 49 Ft. of Lot 4, Block 7 of B.H. Moore Heirs Addition to the City of Sherman, Texas as per plat of record in Volume "O", Page 405, District Clerk Records, Grayson County, Texas, being the same Tract 2 conveyed by Correction Instrument from Westoplex Renewal Co, LLC to COHO Real Estate, LLC on September 19, 2022, as recorded in Inst. No. 2023–8566, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to–wit:

BEGINNING at a 1/2 inch capped rebar found (RPLS 3694) lying in the South line of Moore Street, a public street, being the Northeast corner of Lot 3, Block 7 of said B.H. Moore Heirs Addition and being the Northwest corner of both said Lot 4 and COHO Real Estate, LLC Tract 2;

THENCE North 74 deg. 46 min. 18 sec. East, with the South line of said Moore Street and the North line of said Lot 4, a distance of 49.00 ft. to the Northeast corner of said COHO Real Estate, LLC Tract 2, from which point bears point N88°18'10"W 0.21' from 1/2" capped rebar found;

THENCE South 15 deg. 13 min. 42 sec. East, with the West line of the (Tract 1) East 49 ft. of Lot 4 conveyed to COHO Real Estate, LLC as recorded in Inst. No. 2023–8566, said Official Public Records, a distance of 190.00 ft. to 1/2 inch capped rebar found (RPLS 3694);

THENCE South 74 deg. 46 min. 18 sec. East, with the South line of said Lot 4 and the North line of a 20 ft. platted alley, **PASSING** a 1/2 inch capped rebar found at 0.58 ft. and continuing for a **TOTAL** distance of 49.00 ft. to a 1/2 inch capped rebar found (RPLS 3694) at the Southeast corner of said Lot 3 and the Southwest corner of said Lot 4, from which point bears North 26 deg. 05 min. 36 sec. West, 0.19 ft. from a 1/2 inch capped rebar found (CBG Surveying);

THENCE North 15 deg. 13 min. 42 sec. West, with the East line of said Lot 3 and the West line of said Lot 4, a distance of 190.00 ft. to the **PLACE OF BEGINNING** and containing **0.214 ACRES** of land.

Job No. CGS390623

Helvey–Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463–6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
COHO Real Estate, LLC
12 Vaughn Drive
Denison, Texas 75020

P:\Land Projects R2\300–W–Moore–Street\Civil3D\Replat West 49 Ft.Lot 4.dwg 6/15/2023 3:46 PM

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS — REGISTERED — KATE A. WAGNER — 6578 — PROFESSIONAL LAND SURVEYOR

I, Corby Hosea, Authorized Representative for COHO Real Estate, LLC, sole owner of COHO Moore Addition (being a replat of the West 49 Ft. of Lot 4, Block 7 of B.H. Moore Heirs Addition) to the City of Sherman, Grayson County, Texas, do hereby dedicate the streets, easements, alleys, rights–of–way, parks, school sites and other public places shown hereon to the public use forever.

_____
Corby Hosea, Authorized Representative for COHO Real Estate, LLC

AVIGATION RELEASE

WHEREAS, COHO Real Estate, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as COHO Moore Addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at COHO Moore Addition to the City of Sherman, Grayson County, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this _____ day of _____, 2023.

By: _____

By: Corby Hosea, Authorized Representative for COHO Real Estate, LLC, Owner

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Corby Hosea, 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 expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Final Plat of the COHO Moore Addition to the City of Sherman, Grayson County, Texas is hereby approved this _____ day of _____, 2023, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the Final plat of COHO Moore Addition to the City of Sherman, Grayson County, Texas is hereby approved this _____ day of _____, 2023, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Final plat of COHO Moore Addition to the City of Sherman, Grayson County, Texas was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2023, 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 _____, 2023, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

COHO Moore Addition
(being a Replat of West 49 Ft. of Lot 4, Block 7 of B.H. Moore Heirs Addition)
to the
City of Sherman
Grayson County, Texas
0.214 Acres
in the
Samuel Blagg Survey
Abstract No. 56
Date of Preparation: June 20, 2023

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

COHO Real Estate, LLC
12 Vaughn Drive
Denison, TX 75020

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

Dear Applicants,

The request for approval of the Plat of COHO Moore Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. All of Lot 4 to be replatted. Plat must include property East of proposed Lot 4R-A. *Texas Local Government Code, Title 7, Subtitle B, Chapter 232, Subchapter A, Sec. 232.023*
2. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
3. The width of the pavement for streets shall be shown on the plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
4. Metes and bounds must match drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
5. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
6. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*

9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 7.**

Meeting Date: 08/07/2023
Prepared By: Rob Rae, Director of Development Services
Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat of Menjivar High Country Addition, Lot 1, Block A, consisting of 2.255 acres, being in the Alfred Hume Survey, Abstract No. 522, and is currently located in the ETJ (Extra Territorial Jurisdiction); Jose Menjivar (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) (50 High Country Road)

Issue:

To consider Final Plat of Menjivar High Country Addition, Lot 1, Block A, consisting of 2.255 acres, being in the Alfred Hume Survey, Abstract No. 522, and is currently located in the ETJ (Extra Territorial Jurisdiction); Jose Menjivar (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) (50 High Country Road)

Background:

The property is located at 50 High Country Road between Plainview Road and Mountain Climb Road and is located in the ETJ (Extra Territorial Jurisdiction. The owner would like to plat the property into one lot for residential development.

The following has been approved for this location:

- 5/16/2023 - Preliminary Plat of Menjivar High Country Addition, Lot 1, Block A

Origination:

Jose Menjivar (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Final Plat
STAFF REVIEW LETTER - Engineering

5/3/2023

dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

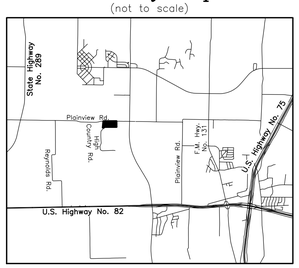
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
50 HIGH COUNTRY RD

N
W E
S

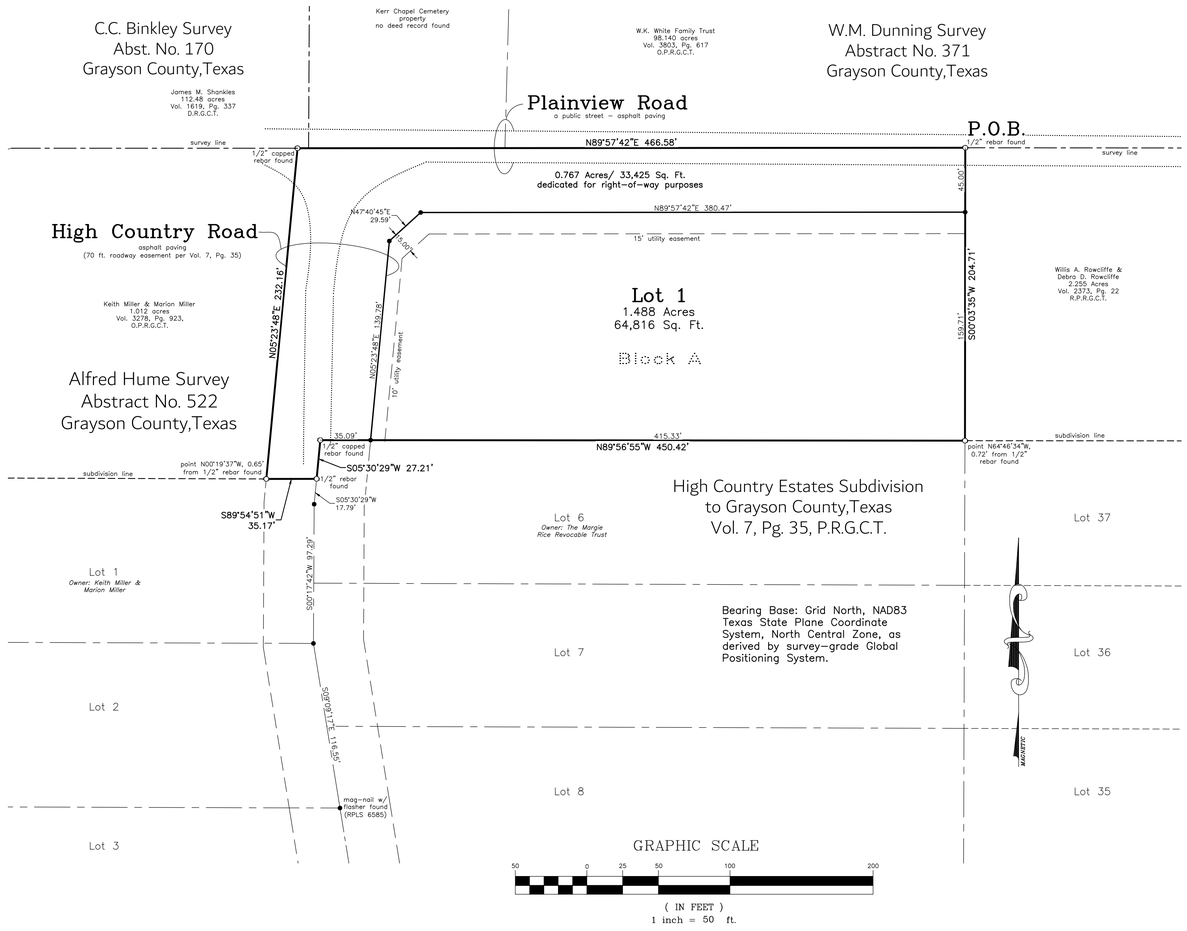
Date: 5/3/2023 3:10 PM

Vicinity Map
(not to scale)



General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by on–site sewage facility.
3. Electrical service is provided by Grayson–Collin Electric.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500–year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0275 G, Revised Date: September 1, 2022.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.



LEGAL DESCRIPTION

SITUATED in the County of Grayson, State of Texas, being a part of the Alfred Hume Survey, Abstract No. 522, being all of the 2.256 acres conveyed by General Warranty Deed from Willis A. Rowcliffe and Debra Rowcliffe to Jose Menjivar on September 15, 2022, and being more particularly described by metes and bounds as follows, to–wit:

BEGINNING at a 1/2 inch rebar found lying in or near the centerline of Plainview Road, a public street, in the South line of the W.M. Dunning Survey, Abstract No. 371 and the North line of said Alfred Hume Survey, being the Northwest corner of 2.255 acres conveyed to Willis A. Rowcliffe and Debra Rowcliffe, as recorded in Vol. 2373, Pg. 22, Real Property Records, Grayson County, Texas and being the Northeast corner of said Menjivar 2.256 ac.;

THENCE South 00 deg. 03 min. 35 sec. West, with the West line of said Rowcliffe 2.255 ac. and the East line of said Menjivar 2.256 ac., a distance of 204.71 ft. to the Southwest corner of said Rowcliffe 2.255 ac., the Northwest corner of Lot 37 of High Country Estates Subdivision to Grayson County, Texas, as per plat of record in Vol. 7, Pg. 35, Plat Records, Grayson County, Texas, being the Northeast corner of Lot 6 of said High Country Estates Subdivision and being the most Easterly Southeast corner of said Menjivar 2.256 ac.;

THENCE North 89 deg. 56 min. 55 sec. West, with the North line of said Lot 6 and the South lien of said Menjivar 2.256 ac., a distance of 450.42 ft. to a 1/2 inch capped rebar found lying in or near the centerline of High Country Road, a 70 ft. roadway easement per Vol. 7, Pg. 35, at the Northwest corner of said Lot 6 and being an Ell corner of said Menjivar 2.256 ac.;

THENCE South 05 deg. 30 min. 29 sec. West, with or near the centerline of said High Country Road, along the West line of said Lot 6, a distance of 27.21 ft. to a 1/2 inch rebar found at the Northeast corner of Lot 1 of said High Country Estates Subdivision and being the most Southerly Southeast corner of said Menjivar 2.256;

THENCE South 89 deg. 54 min. 51 sec. West, with the North line of said Lot 1 and the South line of said Menjivar 2.256 ac., a distance of 35.17 ft. to a point in the West line of said High Country Road, at the Southeast corner of 1.012 ac. conveyed to Keith Miller and Marion Miller, as recorded in Vol. 3278, Pg. 923, said Official Public Records, and being the Southwest corner of said Menjivar 2.256 ac., from which point bears North 00 deg. 19 min. 37 sec. West, 0.65 ft. from a 1/2 inch rebar found;

THENCE North 05 deg. 23 min. 48 sec. East, with the East line of both said High Country Road and Miller 1.012 ac. and the West line of said Menjivar 2.256 ac., a distance of 232.16 ft. to a 1/2 inch capped rebar found in or near the centerline of said Plainview Road, in the South line of said W.M. Dunning Survey and the North line of said Alfred Hume Survey, and being the Northwest corner of said Menjivar 2.256 ac.

THENCE North 89 deg. 57 min. 42 sec. East, with or near the centerline of said Plainview Road, along the South line of said W.M. Dunning Survey and the North line of both said Menjivar 2.256 ac. and Alfred Hume Survey, a distance of 466.58 ft. to the **PLACE OF BEGINNING** and containing **2.255 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS · REGISTERED · KATE A. WAGER · 6578 · PROFESSIONAL LAND SURVEYOR

I, Jose Menjivar, sole owner of Menjivar High Country Addition to Grayson County, Texas do hereby dedicate the streets, easements, alleys, rights–of–way, parks, school sites and other public places shown hereon to the public use forever.

_____
Jose Menjivar

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Jose Menjivar, 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 expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Final plat of Menjivar High Country Addition to Grayson County, Texas is hereby approved this _____ day of _____, 2023, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the Final plat of Menjivar High Country Addition to Grayson County, Texas, is hereby approved this _____ day of _____, 2023, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Final plat of Menjivar High Country Addition to Grayson County, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2023, 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 _____, 2023, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Final Plat
Lot 1, Block A
Menjivar High Country Addition
to
Grayson County, Texas
City of Sherman ETJ
2.255 Acres
in the
Alfred Hume Survey
Abstract No. 522

Date of Revision: June 20, 2023

Job No. CGS380623
Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463–6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
Jose Menjivar
PO Box 272
Sherman, Texas, 75091

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

Jose Menjivar
P.O. Box 272
Sherman, TX 75091

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

Dear Applicants,

The request for approval of the Final Plat of Menjivar High Country Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. The width of the right-of-way and pavement for Plainview Road shall be shown on the plat. If no ROW is documented, existing ROW shall be determined by found monuments and shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
2. Dedicate a 15' Utility, Landscape, & Sidewalk Easement along Plainview Road in lieu of the provided 15' Utility Easement. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. New residential drive approaches will not be permitted off of Minor Thoroughfare roads. Plainview Road is a Minor Arterial on the City of Sherman Master Thoroughfare Plan. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154; Chapter 3, Division 5, Sec. 3.10.156(b)*
4. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
5. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
6. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*

7. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 8.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat of Estates at Baker Park, Phase 1, consisting of 31.687 acres in the E. Jones Survey, Abstract No. 625, and currently zoned R-6 (Single Family Residential) District/ F.M. 1417 Overlay District; Stonehollow Homes (Owner) and Spiars Engineering Inc. (Civil Engineer/Surveyor) (200 Block South FM 1417 (Heritage Parkway))

Issue:

To consider Final Plat of Estates at Baker Park, Phase 1, consisting of 31.687 acres in the E. Jones Survey, Abstract No. 625, and currently zoned R-6 (Single Family Residential) District/ F.M. 1417 Overlay District; Stonehollow Homes (Owner) and Spiars Engineering Inc. (Civil Engineer/Surveyor) (200 Block South FM 1417 (Heritage Parkway))

Background:

The property is located in the 200 Block South FM 1417 (Heritage Parkway) between West Houston Street and West Center Street. The owner would like to plat the property into 79 lots for residential development.

The following has been approved for this location:

- 11/17/2020 - Zone Change from C-1 (Retail Business) District to R-1 (One-Family Residential) District
- 11/17/2020 – Exceptions to allow the following lots widths in lieu of the required 60’ lot width for a residential dwelling for the proposed Estates at Baker Park Addition:

  Lot 9, Block A – 50.87’
  Lot 10, Block A – 41.58’
  Lot 24, Block A – 41.90’
  Lot 25, Block A – 45.58’

- 9/20/2022 - Temporary Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (4) to allow a Concrete Batch Plant in an R-1 (One-Family Residential) District/ O-1.1 (F.M. Highway 1417) Overlay District.

Origination:

Stonehollow Homes (Owner)
Spiars Engineering Inc. (Civil Engineer/Surveyor)

Financial Consideration:

None

Staff Recommendation:

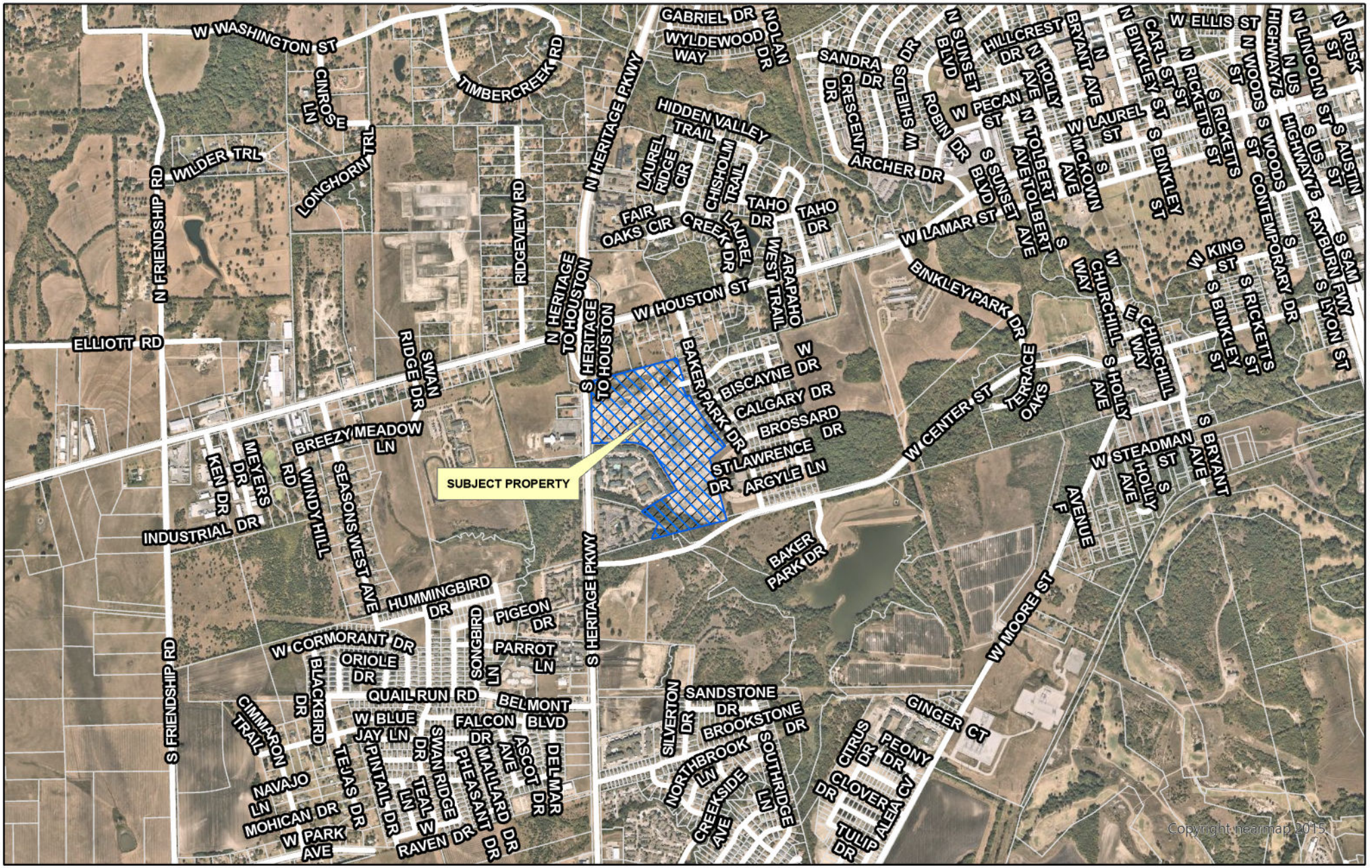
At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

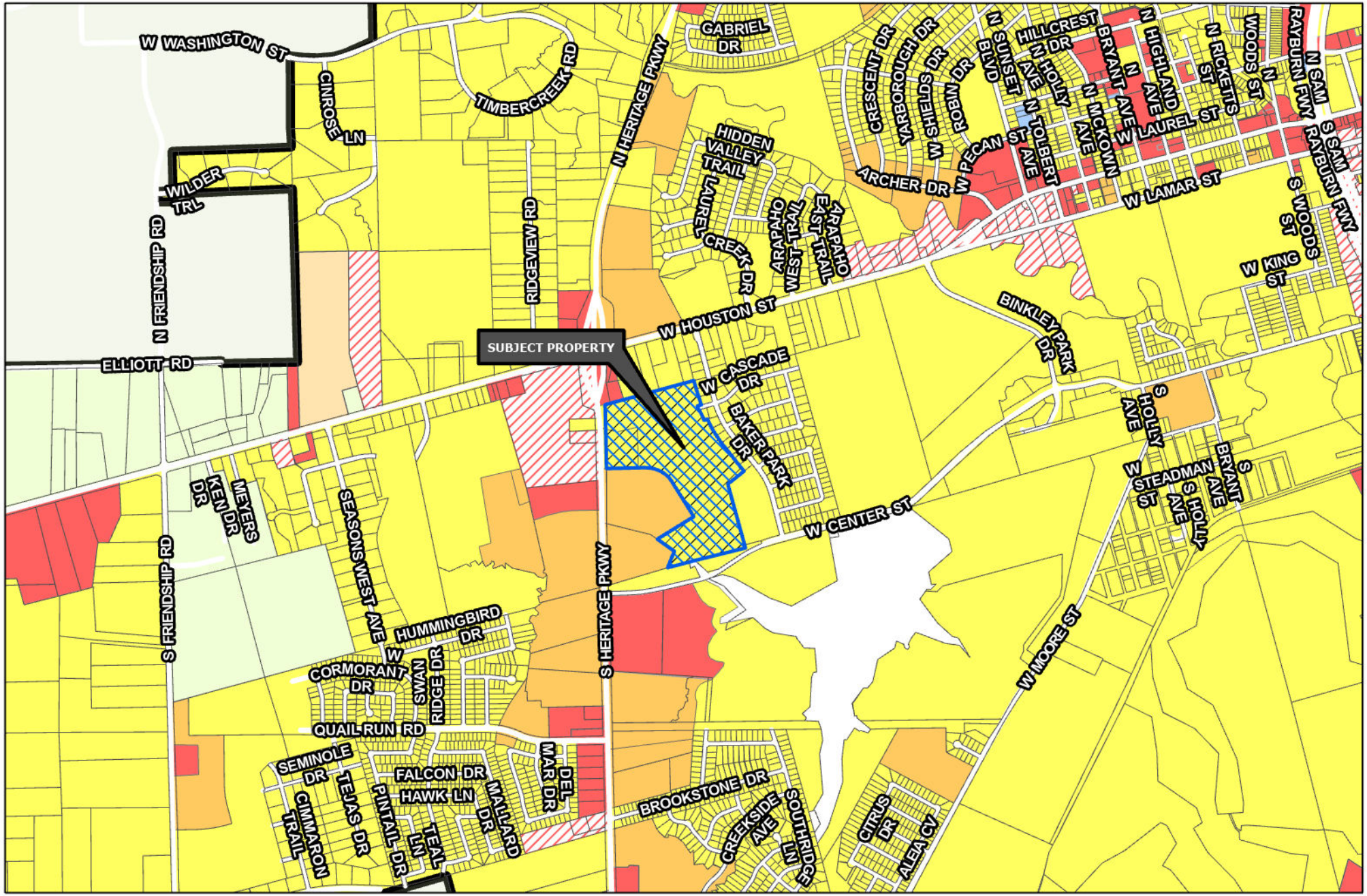
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
200 BLK S FM 1417 (HERITAGE PKWY)

N
W E
S

Date: 6/22/2023 3:12 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

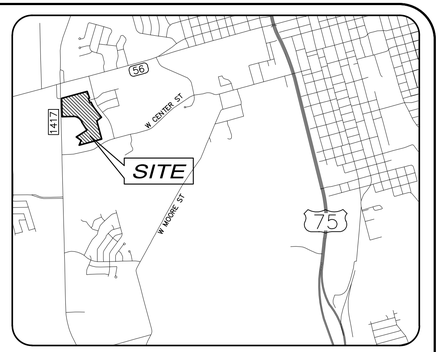
CITY OF SHERMAN
ZONING MAP
200 BLK S FM 1417 (HERITAGE PKWY)

N W E S

Date: 6/22/2023 3:12 PM

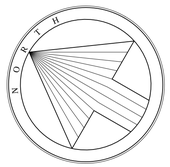
Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
BC1	15.92'	433.01'	15.91'	N 76°29'56" E	2°06'21"
BC2	24.59'	375.00'	24.58'	N 75°41'36" E	3°45'25"
BC3	35.27'	205.00'	35.23'	N 70°00'40" E	9°51'29"

Line Table		
Line #	Length	Direction
BL1	14.14'	N 43°39'25" E
BL2	95.22'	N 01°20'35" W
BL3	50.00'	N 88°39'25" E
BL4	14.01'	N 26°31'07" E
BL5	29.75'	S 19°01'45" E
BL6	14.26'	S 61°48'05" E
BL7	6.82'	N 77°34'19" E
BL8	13.33'	N 73°48'54" E
BL9	3.16'	N 74°56'25" E



LOCATION MAP / KEY MAP
N.T.S.

100 0 50 100 200
1 inch = 100 ft.



LEGEND (Not all items may be applicable)	
○	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPIARSENG" SET, UNLESS OTHERWISE NOTED
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
IPF	IRON PIPE FOUND
AMF	ALUMINUM MONUMENT FOUND
CM	CONTROL MONUMENT
Esmt.	EASEMENT
Util.	UTILITY
DE	DRAINAGE EASEMENT
PDE	PRIVATE DRAINAGE EASEMENT
DUE	DRAINAGE AND UTILITY EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
SE	SIDEWALK EASEMENT
STE	STREET EASEMENT
WME	WALL MAINTENANCE EASEMENT
PWME	PRIVATE WALL MAINTENANCE EASEMENT
HBE	HIKE & BIKE TRAIL EASEMENT
VAM	VISIBILITY, ACCESS & MAINTENANCE EASEMENT
(BTP)	BY THIS PLAT
R.O.W.	RIGHT-OF-WAY
Min. FF	MINIMUM FINISH FLOOR ELEVATION
BL	BUILDING LINE
	STREET NAME CHANGE
Ⓐ	BLOCK DESIGNATION
Cab.	CABINET
Vol.	VOLUME
Pg.	PAGE
No.	NUMBER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FIRM	FLOOD INSURANCE RATE MAP
Inst./Doc.	INSTRUMENT OR DOCUMENT

FLOODPLAIN NOTE

100-Year Floodplain Delineation Per Cardinal Strategies Report Titled Estates at Baker Park Flood Study, Dated May 12, 2021.

NOTES:
1. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.
2. Bearings are based on the State Plan Coordinate System, Texas North Central Zone (4202), north American Datum of 1983 (NAD'83).
3. All development will comply with City of Sherman Requirements.
4. All open space areas, Lots 1–4, Block X, Detention Pond, and Median to be owned and maintained by the H.O.A.
5. This plat is subject to the additional residential zoning standards outlined in the City Ordinance, Chapter 14, Section 6.2 (R–1 Zoning).
6. Finished floor elevation shall be at least 2 feet above the 100–year floodplain.
7. No part of the subject tract is located in a 100 year FEMA Floodplain or in an identified "flood prone area" as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel (FIRM) Map No. 48181C0400F dated September 29, 2010 prepared by the Federal Emergency Management Agency (FEMA) for Grayson County, TX.
8. Back of curb is shown for reference only. See civil improvement plans for Estates of Baker Park for construction purposes.
9. This replat was prepared without the benefit of a commitment for title insurance. No research was performed for any easements other than that shown on the record plat of this property. Therefore, easements, agreements, and other documents may exist that affect the subject property that are not shown on this replat.

Lot Summary	Phase 1	Phase 2	Total
62.5' LOT TYPE	79	64	143

FINAL PLAT

ESTATES AT BAKER PARK, PHASE 1

79 LOTS & 4 COMMON AREAS
31.687 GROSS ACRES OUT OF THE
E. JONES SURVEY, ABSTRACT No. 625
IN THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OWNER / APPLICANT
GOW PROPERTIES, LLC
205 W. Louisiana Street , Suite #201
McKinney, TX 75069
Telephone: (214) 872-0346
Contact: Ryan Hayes

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: Brendan Ochoa

Scale: 1"=100' June, 2023 SEI Job No. 20-173

Plotted by: bochoa Plot Date: 6/26/2023 8:16 AM
Drawing: G:\2020 JOBS\20-173 Estates at Baker Park\CAD\20-173 Final Plat.dwg Saved By: Bochoa Save Time: 6/22/2023 8:06:44 AM

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, GOW PROPERTIES, LLC, is the owner of a tract of land situated in the E. Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, the subject tract being a portion of a tract conveyed to said GOW Properties, LLC, according to the deed recorded Document Number 2020-30707 of the Real Property Records, Grayson County, Texas (RPRGCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" found on the east line of Farm to Market Road 1417 for the northwest corner of a tract conveyed to Villas of Parkhaven, Ltd., recorded in Volume 3174, Page 35 RPRGCT;

THENCE N 01°20'35" W, 110.15 feet along the east line of said road to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set, from which a TxDOT concrete monument found on the east line of Farm to Market Road 1417, a variable width right-of-way, for the southwest corner of a tract conveyed to Michael D. Daniel, et al, recorded in Volume 4982, Page 331 RPRGCT bears N04°09'40" E, 684.15 feet ;

THENCE S 88°39'25" E, 135.00 feet;

THENCE N 43°39'25" E, 14.14 feet;

THENCE N 01°20'35" E, 92.22 feet;

THENCE N 88°39'25" E, 50.00 feet;

THENCE N 84°06'31" E, 62.04 feet;

THENCE N 74°50'44" E, 625.00 feet;

THENCE N 77°52'40" E, 111.87 feet;

THENCE around a non-tangent curve to the right having a central angle of 06°34'54", a radius of 225.00 feet, a chord of S 85°41'49" E – 25.83 feet, an arc length of 25.85 feet;

THENCE around a reverse curve having a central angle of 23°32'26", a radius of 175.00 feet, a chord of N 85°49'25" W – 71.40 feet, an arc length of 71.90 feet;

THENCE N 26°31'07" W, 14.01 feet;
THENCE N 19°01'45" W, 179.60 feet;

THENCE N 70°58'15" E, 50.00 feet;

THENCE S 19°01'45" W, 29.75 feet;

THENCE S 61°48'05" E, 14.26 feet;

THENCE around a non-tangent curve to the left having a central angle of 02°06'21", a radius of 433.01 feet, a chord of N 76°29'56" E – 15.91 feet, an arc length of 15.92 feet;

THENCE S 77°34'19" E, 6.82 feet;

THENCE around a reverse curve having a central angle of 05°13'01", a radius of 395.00 feet, a chord of N 62°28'25" E – 35.95 feet, an arc length of 35.97 feet to point being the on the west right-of-way line of Cascade Drive (a 50' R.O.W.), same point being on the west addition property line of Parkhaven Addition Phase Two, an addition recorded in Volume 8, Page 63, Plat Records, Grayson County, Texas (PRGCT);

THENCE S 73°48'54" E, 13.33 feet;

THENCE S 24°55'04" E, 189.98 feet along the west line of said right-of-way and Lot 21, Block 15, to a point for southwest corner thereof;

THENCE along the south line of Lot 21, Block 15, around a non-tangent curve to the right having a central angle of 09°51'29", a radius of 205.00 feet, a chord of N 70°00'40" E – 35.23 feet, an arc length of 35.27 feet;

THENCE N 74°56'25" E, 3.16 feet continuing along the south line of Lot 21, Block 15, to the northwest corner of Lot 1, Block 14, Parkhaven Addition Section Four, an addition recorded in Volume 9, Page 46 PRGCT same point being ;

THENCE along the southwest line of Parkhaven Addition Section Four, around a non-tangent curve to the left having a central angle of 15°18'45", a radius of 1271.44 feet, a chord of S 30°46'09" E – 338.79 feet, an arc length of 339.80 feet;

THENCE S 38°25'32" E, 434.18 feet continuing along the southwest line of Parkhaven Addition Section Four to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the north line of Lot 1, Block 1, Parkhaven Addition Phase Three, an addition recorded in Volume 8, Page 135 PRGCT;

THENCE S 51°34'28" W, 248.83 feet along the north line thereof;

THENCE S 14°48'54" E, along the west line of Lot 1, passing at 760.00 feet the southwest corner of Lot 1 and the northwest corner of a right-of-way dedication per plat, and continuing along the west line thereof a total distance of 800.08 feet to a 1/2" iron rod found for the southwest corner thereof, and being on the north line of a tract conveyed to the City of Sherman, recorded in Volume 1288, Page 650 RPRGCT;

THENCE S 75°10'03" W, 618.46 feet along the north line thereof;

THENCE S 74°54'15" W, 367.51 feet continuing along the north line thereof to a 1/2" iron rod found for the southeast corner of a tract conveyed to 303 S. FM 1417, LLC, recorded in Volume 5548, Page 836 RPRGCT;

THENCE N 23°43'54" E, 217.05 feet along the lower east line thereof to a 5/8" iron rod found;

THENCE N 54°55'09" W, 257.60 feet along the upper east line thereof to a 1/2" iron rod found for the most southerly corner of a tract conveyed to Villas of Parkhaven, Ltd., recorded in Volume 3174, Page 35 RPRGCT;

THENCE N 57°47'32" E, 536.69 feet along the easterly south line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE N 32°17'35" W, 488.01 feet along the east line thereof;

THENCE along the northeast line thereof, around a tangent curve to the left having a central angle of 58°44'21", a radius of 371.93 feet, a chord of N 61°49'52" W – 364.82 feet, an arc length of 381.50 feet;

THENCE S 88°47'58" W, 471.72 feet along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" found on the east line of Farm to Market Road 1417 to the POINT OF BEGINNING with the subject tract containing 1,380,297 square feet or 31.687 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, GOW PROPERTIES, LLC, do hereby adopt this plat designating the hereinabove described property as **ESTATES AT BAKER PARK, PHASE 1,** an Addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strip for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

Witness our hands at _____ County, Texas, this _____ day of _____, 2023.

GOW PROPERTIES, LLC,

By: _____
Name, Title

STATE OF TEXAS §
COUNTY OF xxxxx §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2023

_____
Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Sherman, Texas.

Dated this the _____ day of _____, 2023.

PRELIMINARY, THIS DOCUMENT
SHALL NOT BE RECORDED
FOR ANY PURPOSE
_____
DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

darren.brown@
spiarsengineering.com

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2023.

_____
Notary Public, State of Texas

CITY ACCEPTANCE

Approved this _____ day of _____, 2023, by the City Planning Commission to 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, ESTATES AT BAKER PARK, PHASE 1, an addition to the City of Sherman, Texas, was submitted to the City Council on the_____day of_____, 2022, 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 herein above subscribed.

Witness my hand this_____day of _____, 2023.

_____
Clerk, City of Sherman, Texas

Line Table		
Line #	Length	Direction
L1	88.84'	S 88°39'25" W
L2	148.51'	N 88°47'58" E
L3	11.25'	S 21°20'06" E
L4	14.87'	S 43°18'52" E
L5	14.48'	N 61°32'00" W
L6	13.70'	S 28°04'22" W
L7	16.12'	S 60°21'22" E
L8	13.32'	S 09°24'17" W
L9	14.13'	N 77°19'43" W
L10	14.15'	N 12°40'17" E
L11	14.14'	N 77°17'35" W

Line Table		
Line #	Length	Direction
L12	14.14'	S 12°42'25" W
L13	14.14'	S 77°17'35" E
L14	14.14'	S 12°42'25" W
L15	14.14'	S 06°34'28" W
L16	14.85'	S 06°34'26" W
L17	14.85'	S 83°25'34" E
L18	14.56'	S 65°14'42" E
L19	22.18'	S 69°33'48" W
L20	6.82'	N 77°34'19" E
L21	17.17'	N 73°48'54" E

Curve Table					
Curve #	Length	Radius	Chord	Chord Bearing	Delta
C1	65.29'	190.00'	64.97'	S 81°29'54" E	19°41'22"
C2	125.71'	215.00'	123.93'	N 88°24'14" W	33°30'03"
C3	75.45'	313.00'	75.27'	N 81°45'05" E	13°48'41"
C4	102.86'	700.00'	102.77'	N 79°03'19" E	8°25'10"
C5	145.58'	206.01'	142.57'	S 30°51'13" E	40°29'16"
C6	132.94'	410.34'	132.36'	S 41°48'59" E	18°33'44"
C7	76.17'	249.03'	75.88'	S 30°03'49" E	17°31'32"
C8	50.73'	60.01'	49.24'	N 68°11'58" W	48°26'32"
C9	200.59'	60.00'	119.39'	N 09°24'17" E	191°33'14"
C10	279.53'	59.50'	84.74'	N 12°17'51" E	269°10'49"
C11	16.34'	10.50'	14.74'	N 77°42'09" W	89°10'53"
C12	16.34'	10.50'	14.74'	S 13°06'58" W	89°10'53"
C13	279.54'	59.50'	84.74'	S 76°53'02" E	269°10'53"
C14	53.51'	500.00'	53.49'	N 54°38'26" E	6°07'56"
C15	374.05'	1200.00'	372.54'	S 29°29'44" E	17°51'35"
C16	97.85'	200.00'	96.87'	N 83°34'43" E	28°01'50"
C17	22.97'	200.00'	22.96'	S 85°41'49" E	6°34'54"
C18	47.75'	400.95'	47.72'	N 74°09'21" E	6°49'26"
C19	26.23'	400.00'	26.22'	N 75°41'36" E	3°45'25"
C20	61.95'	177.50'	61.63'	S 81°20'42" E	19°59'45"
C21	8.39'	3.00'	5.91'	S 08°43'34" W	160°08'47"

Lot Area Table		
Lot #	Block #	Square Feet
13	C	10,470
14	C	9,075
15	C	8,702
16	C	8,636
17	C	8,530
24	C	9,218
25	C	9,993
26	C	8,875
27	C	8,875
28	C	11,608
29	C	8,895
30	C	7,669
31	C	18,281
32	C	13,021
33	C	7,982
34	C	8,101
35	C	8,962
36	C	11,680
37	C	15,380
38	C	7,487
39	C	7,871
40	C	7,812
41	C	7,812
42	C	7,812
43	C	7,812
44	C	7,812
45	C	7,812
46	C	7,812
47	C	7,812
48	C	9,831

Lot Area Table		
Lot #	Block #	Square Feet
1	D	14,629
2	D	10,551
3	D	9,401
4	D	9,125
5	D	9,029
6	D	7,994
7	D	7,813
8	D	7,813
9	D	7,813
10	D	7,813
11	D	7,813
12	D	7,813
13	D	7,813
14	D	9,357
15	D	8,711
16	D	8,087
17	D	10,839
18	D	8,040
19	D	7,812
20	D	8,375
21	D	7,812
22	D	8,053
23	D	8,898
24	D	7,813
25	D	7,813
26	D	8,387
27	D	8,875
28	D	8,375
29	D	8,375
30	D	8,375
31	D	10,835

Lot Area Table		
Lot #	Block #	Square Feet
1	E	8,309
2	E	7,812
3	E	7,812

Lot Area Table		
Lot #	Block #	Square Feet
1	F	11,750
2	F	9,906
3	F	8,731
4	F	8,726
5	F	8,676
6	F	8,465
7	F	8,250
8	F	8,250
9	F	8,695

Lot Area Table		
Lot #	Block #	Square Feet
1	X	39,318
2	X	31,938
3	X	340,473
4	X	2,237

FINAL PLAT

ESTATES AT BAKER PARK, PHASE 1

79 LOTS & 3 COMMON AREAS
31.687 GROSS ACRES OUT OF THE
E. JONES SURVEY, ABSTRACT No. 625
IN THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OWNER / APPLICANT
GOW PROPERTIES, LLC
205 W. Louisiana Street , Suite #201
McKinney, TX 75069
Telephone: (214) 872-0346
Contact: Ryan Hayes

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: Brendan Ochoa

June, 2023 SEI Job No. 20-173

Plotted by: bochoa Plot Date: 6/26/2023 8:16 AM
Drawing: C:\2020 JOBS\20-173 Estates at Baker Park\CAD\20-173 Final Plat.dwg Saved By: bochoa Save Time: 6/22/2023 8:06:44 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

GOW Properties, LLC
205 W. Louisiana St., Ste. 201
McKinney, TX 75069

Spiars Engineering, Inc.
Attn: Brandan Ochoa
765 Custer Road, Ste. 100
Plano, TX 75075

Dear Applicants,

The request for approval of the Final Plat of Estates at Baker Park, Phase 1 has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
2. The width of the right-of-way for FM 1417 shall be shown on the plat. If no ROW is documented, existing ROW shall be determined by found monuments and shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
3. Metes and bounds must match drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
4. Graphically show TxDOT concrete monument at point of beginning. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(10)*
5. Graphically show all found monuments and set monuments on drawing. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(10)*
6. Show beginning and ends of curves as set or found. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(7)*
7. Call along FM 1417 is not clearly shown. Halo if necessary. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)*
8. Lot 4, Block X to be removed from plat drawing, metes and bounds description, and General Notes section. This area to be dedicated as Right of Way.
9. Show Street name for North/South street off of Gabbro Way just East of FM 1417.
10. Indicate Lot and Block Numbers for Median and Detention Pond in Notes number 4.
11. Graphically show Private Drainage Easement, with dimensions, of private detention pond in Lot 3, Block X. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)(8)*

12. Proposed Detention Easement shall be shown as Private Detention Easement, owned and operated by HOA.
13. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
14. Add Note to plat: "Maintenance of Detention area is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said detention area."
15. FEMA Floodplain shall reflect Map No. 48181C0275 G, Revised Date: September 1, 2022. *Code of Ordinances Chapter 3, Article 3.12*
16. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*
17. Water main must be extended in accordance with City criteria to serve proposed development. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
18. Wastewater main must be extended in accordance with City criteria to serve proposed development. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
19. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
20. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
21. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 9.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat of Willow Branch Subdivision, Phase 1, consisting of 2.197 acres in the J.B. McAnair Survey, Abstract No. 763, and currently zoned R-6 (Single Family Residential) District; TBJB1, LLC (Owner) and Preston Trail Land Surveying (Surveyor) (3000 Block North Hickory Street)

Issue:

To consider Final Plat of Willow Branch Subdivision, Phase 1, consisting of 2.197 acres in the J.B. McAnair Survey, Abstract No. 763, and currently zoned R-6 (Single Family Residential) District; TBJB1, LLC (Owner) and Preston Trail Land Surveying (Surveyor) (3000 Block North Hickory Street)

Background:

The property is located in the 3000 Block North Hickory Street between West McLain Drive and West Highway 82. The owner would like to plat the property into 14 lots for residential development.

Origination:

TBJB1, LLC (Owner)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering

dlagrone H:\PLANNING\Public Notification KT.aprx

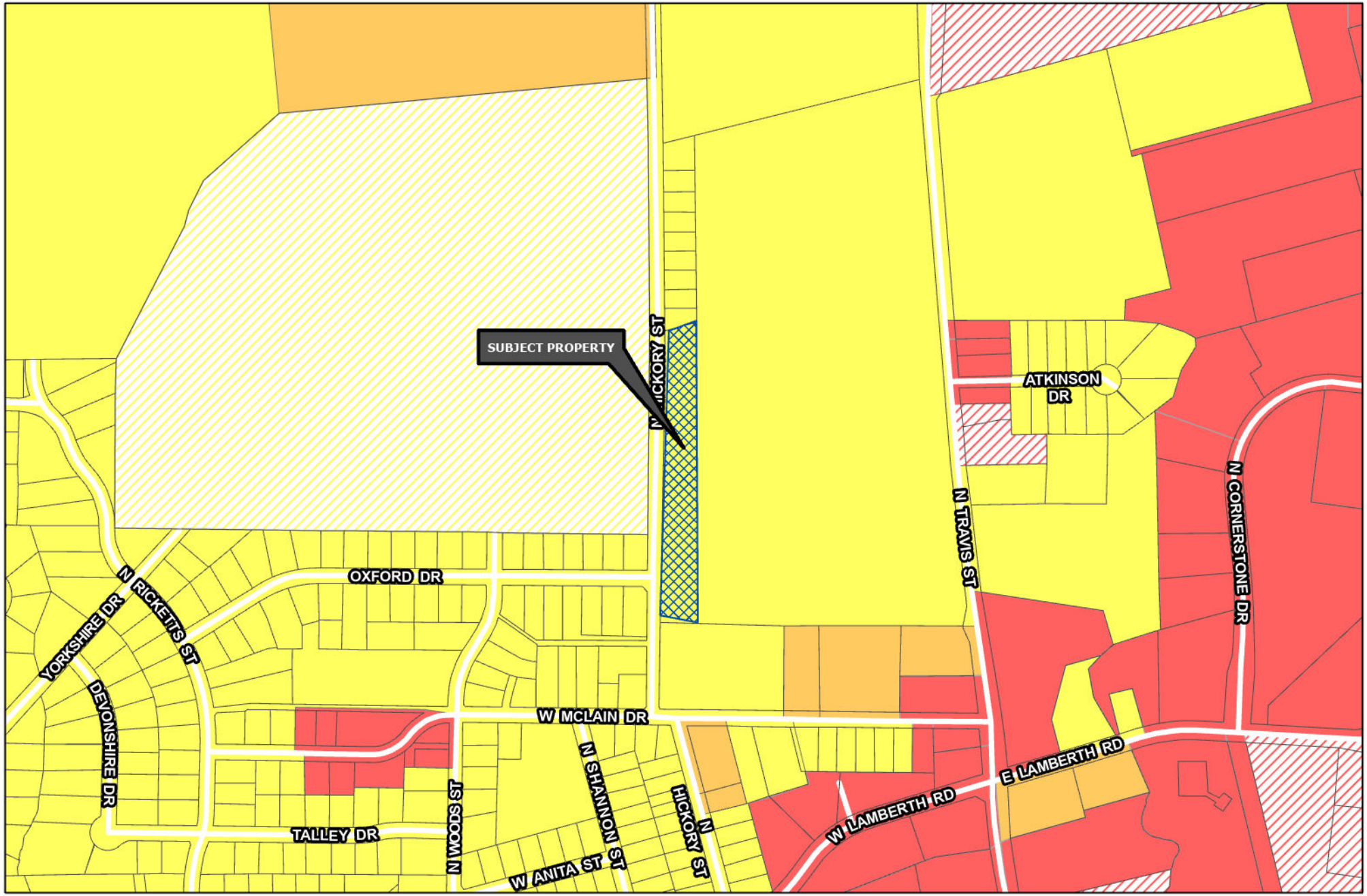
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
3000 BLK HICKORY ST

N
W E
S

Date: 6/22/2023 3:12 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

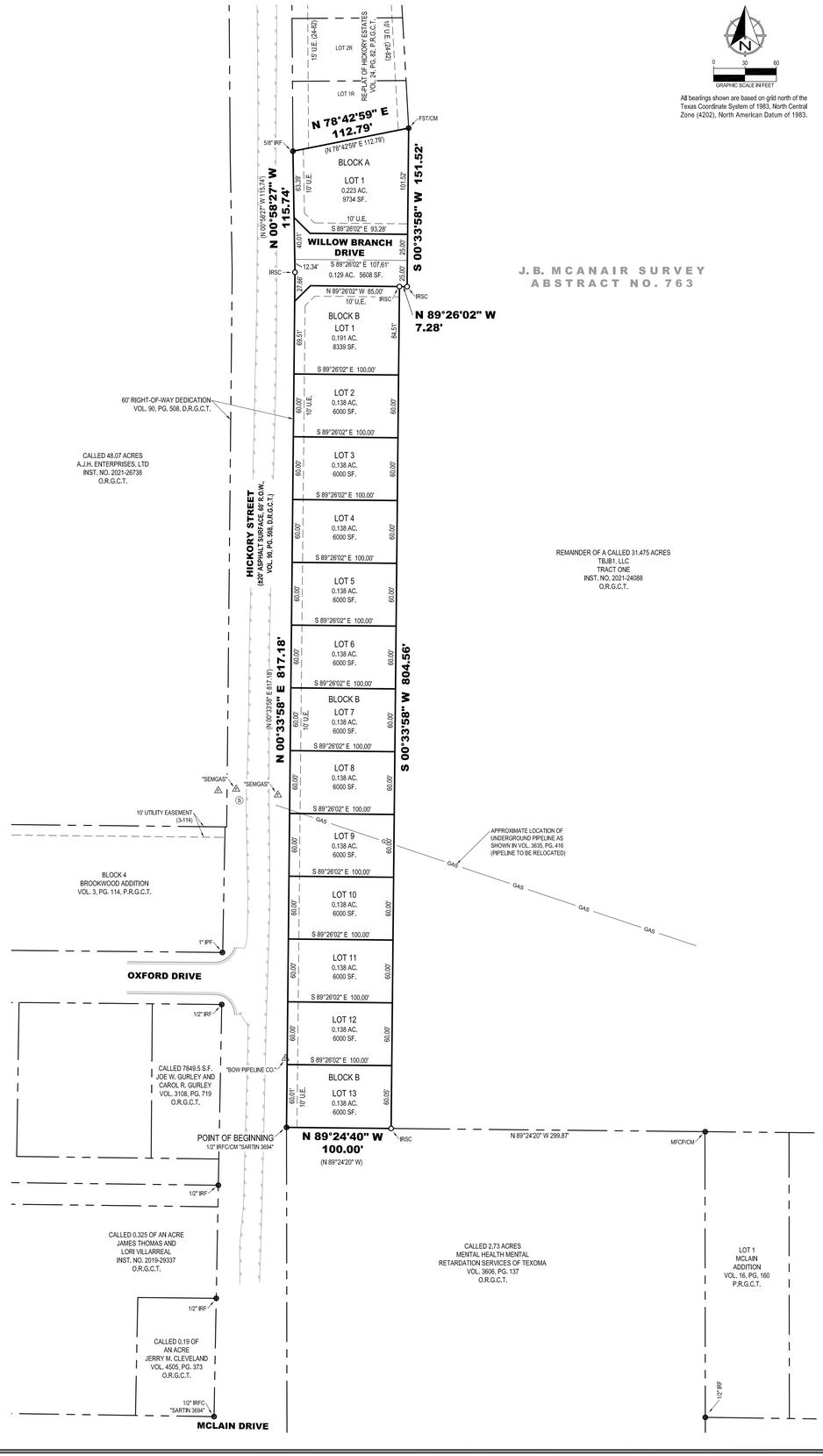
- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN
ZONING MAP
3000 BLK HICKORY ST

N
W E
S

Date: 6/22/2023 3:12 PM



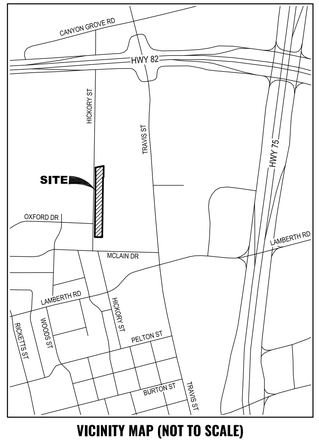
All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

J. B. MCANAIR SURVEY
ABSTRACT NO. 763

REMAINDER OF A CALLED 31.475 ACRES
TBJB1, LLC
TRACT ONE
INST. NO. 2021-24088
O.R.G.C.T.

LEGEND

●	FOUND MONUMENT
○	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
IPF	IRON PIPE FOUND
MFCP	METAL FENCE CORNER POST
CM	CONTROLLING MONUMENT
( )	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
U.E.	UTILITY EASEMENT
⚠	BURIED PIPELINE MARKER
Ⓢ	SANITARY SEWER MANHOLE
———	BOUNDARY LINE
—— — ——	ADJOINER LINE
- - - - -	EASEMENT
///	ASPHALT



VICINITY MAP (NOT TO SCALE)

GENERAL NOTES:

1. Water supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damages, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state, and federal regulations regarding developments of this type.
9. The City of Sherman reserves the right to require submission of development plat based on proposed uses of each lot.

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/01/2022 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 G of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS TBJB1, LLC, is the owner of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being part of a called 31.475 acre tract of land described as Tract One in the deed to TBJB1, LLC, recorded in Instrument No. 2021-24088, Official Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2- inch iron rod with plastic cap stamped "SARTIN 3694" found for the southwest corner of 31.475 acre tract, common to the northwest corner of a called 2.73 acre tract of land described in the deed to Mental Health Mental Retardation Services of Texoma, recorded in Volume 3606, Page 137, said Official Records, and on the easterly right-of-way line of Hickory Street according to the deed recorded in Volume 90, Page 508, Deed Records of Grayson County, Texas;

THENCE North 00°33'58" East, with the westerly line of said 31.475 acre tract, and with the easterly right-of-way line of said Hickory Street, a distance of 817.18 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (hereinafter referred to as Capped Iron Rod) set for corner;

THENCE North 00°58'27" West, continuing with the westerly line of said 31.475 acre tract, and the easterly right-of-way line of said North Hickory Street, a distance of 115.74 feet to a 5/8-inch iron rod found for the northwest corner of the herein described tract of land, common to the southwest corner of the Re-plat of Hickory Estates according to the plat threreof recorded in Volume 24, Page 82, Plat Records of Grayson County, Texas;

THENCE North 78°42'59" East, with a northerly line of said 31.475 acre tract, and with southerly line of said Hickory Estates, a distance of 112.79 feet to a four South Corner Tube for the northeast corner of the herein described tract of land, common to the southeast corner of said Hickory Estates;

THENCE in a southerly direction, crossing said 31.475 acre tract, the following Three (3) courses:

1. South 00°33'58" West, a distance of 151.52 feet to a Capped Iron Rod set for corner;
2. North 89°26'02" West, a distance of 7.28 feet to a Capped Iron Rod set for corner;
3. South 00°33'58" West, a distance of 804.56 feet to a Capped Iron Rod set for the southeast corner of the herein described tract of land, on the southerly line of said 31.475 acre tract, and on the northerly line of aforesaid 2.73 acre tract;

THENCE North 89°24'40" West, with the southerly line of said 31.475 acre tract, and with the northerly line of said 2.73 acre tract, a distance of 100.00 feet to the POINT OF BEGINNING and enclosing 2.197 acres (95,683 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **TBJB1, LLC**, does hereby adopt this plat designating the hereinbefore described property as **WILLOW BRANCH SUBDIVISION PHASE 1**, an Addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone, This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY: **TBJB1, LLC**

BY: _____
Jay Mauck, Managing Member

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Jay Mauck, 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 considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **WILLOW BRANCH SUBDIVISION PHASE 1,** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20____, 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 _____, A.D. 20___.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

AVIGATION RELEASE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, **TBJB1, LLC**, hereinafter called OWNERS (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as **WILLOW BRANCH SUBDIVISION PHASE 1**, an addition to the City of Sherman, Grayson County, Texas.

OWNERS do hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNERS may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNERS does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNERS, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at **WILLOW BRANCH SUBDIVISION PHASE 1**, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 20___.

BY: **TBJB1, LLC**

BY: _____
Jay Mauck, Managing Member

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____ _____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

FINAL PLAT
WILLOW BRANCH SUBDIVISION
PHASE 1
2.197 ACRES
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman
Grayson County, Texas

ENGINEER:
Ashley Bice, PE
PO Box 26634
Little Rock, AR 72221
Ph: 501-593-1298

OWNER/DEVELOPER:
TBJB1, LLC
721 US-70
Kingston, OK 73439
Ph: 405-213-2991

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-786-6029

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: MIA Checked by: CRN	Scale: 1"=60' Date: 06/01/2023	Project No. 21-0097.1 Sheet No. 1 of 1

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

TBJB1, LLC
721 US-70
Kingston, OK 73439

Ashley Bice, PE
P.O. Box 26634
Little Rock, AR 72221

Preston Trail Land Surveying, LLC
787 W FM 996
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat of Willow Branch Subdivision, Phase 1 has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. Improvement of Willow Branch Drive to City standard is required prior to the plat being filed of record in the Plat Records, Grayson County, Texas. *Code of Ordinances Chapter 10, Exhibit A, Secs. 12(B)(k)(1); 12(B)(k)(5); 13(A)(1)*
2. Improvements to Hickory Street to create a minimum of 24' asphalt road is required. *Code of Ordinances Chapter 10, Exhibit A, Secs. 12(B)(k)(1); 12(B)(k)(5); 13(A)(1)*
3. Show Gas Line Easement with dimensions on Lots 8 & 9 to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(9)*
4. Show Sanitary Sewer Easement on Lot 13, Block B on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(9)*
5. Show dimensions of corner clips on Lot 1, Block A and Lot 1, Block B. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(9)*
6. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
7. Water and Sewer Pro-Rata will be due at the time of development. *Code of Ordinances Chapter 13, Sec. 13.07.282*
8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
10. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
11. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 10.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat of Howe Substation Addition, consisting of 6.00 acres, being in the William Martin Survey, Abstract No. 765, and currently zoned Blalock Industrial Park PD (Planned Development) District; Sherman Economic Development Corporation, Kent Sharp (Owner) and Underwood Drafting & Surveying (Surveyor) (5000 Block Howe Drive)

Issue:

To consider Final Plat of Howe Substation Addition, consisting of 6.00 acres, being in the William Martin Survey, Abstract No. 765, and currently zoned Blalock Industrial Park PD (Planned Development) District; Sherman Economic Development Corporation, Kent Sharp (Owner) and Underwood Drafting & Surveying (Surveyor) (5000 Block Howe Drive)

Background:

The property is located in the 5000 Block Howe Drive between Flanary Road and Howe Drive. The owner would like to plat the property into one lot for commercial development.

Origination:

Sherman Economic Development Corporation, Kent Sharp (Owner)
Underwood Drafting & Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering

dlagrone H:\PLANNING\Public Notification KT.aprx

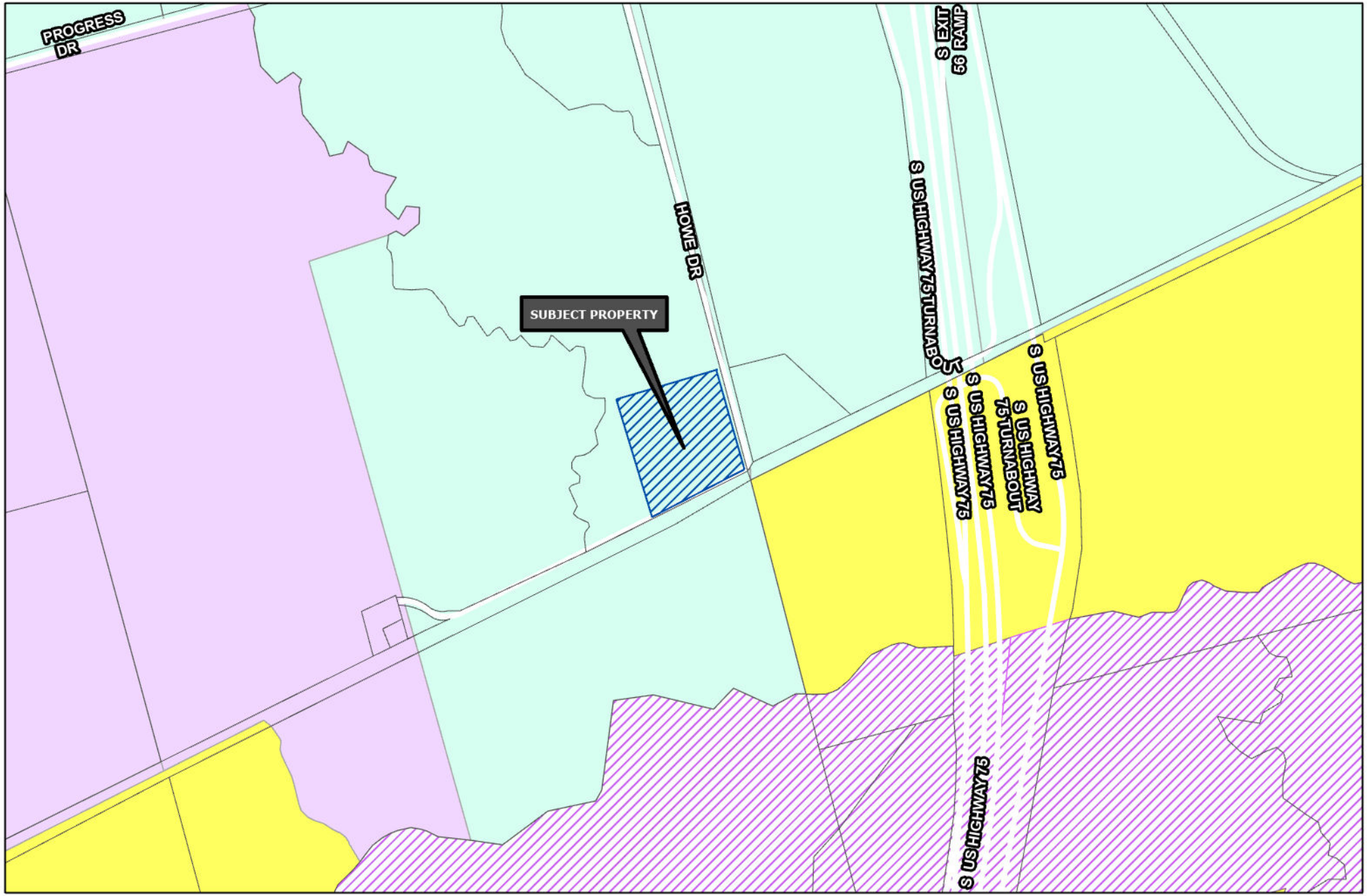
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
5000 BLK HOWE DR

N
W E
S

Date: 6/21/2023 10:46 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development

Road Names All

CITY OF SHERMAN ZONING MAP 5000 BLK HOWE DR

N W E S

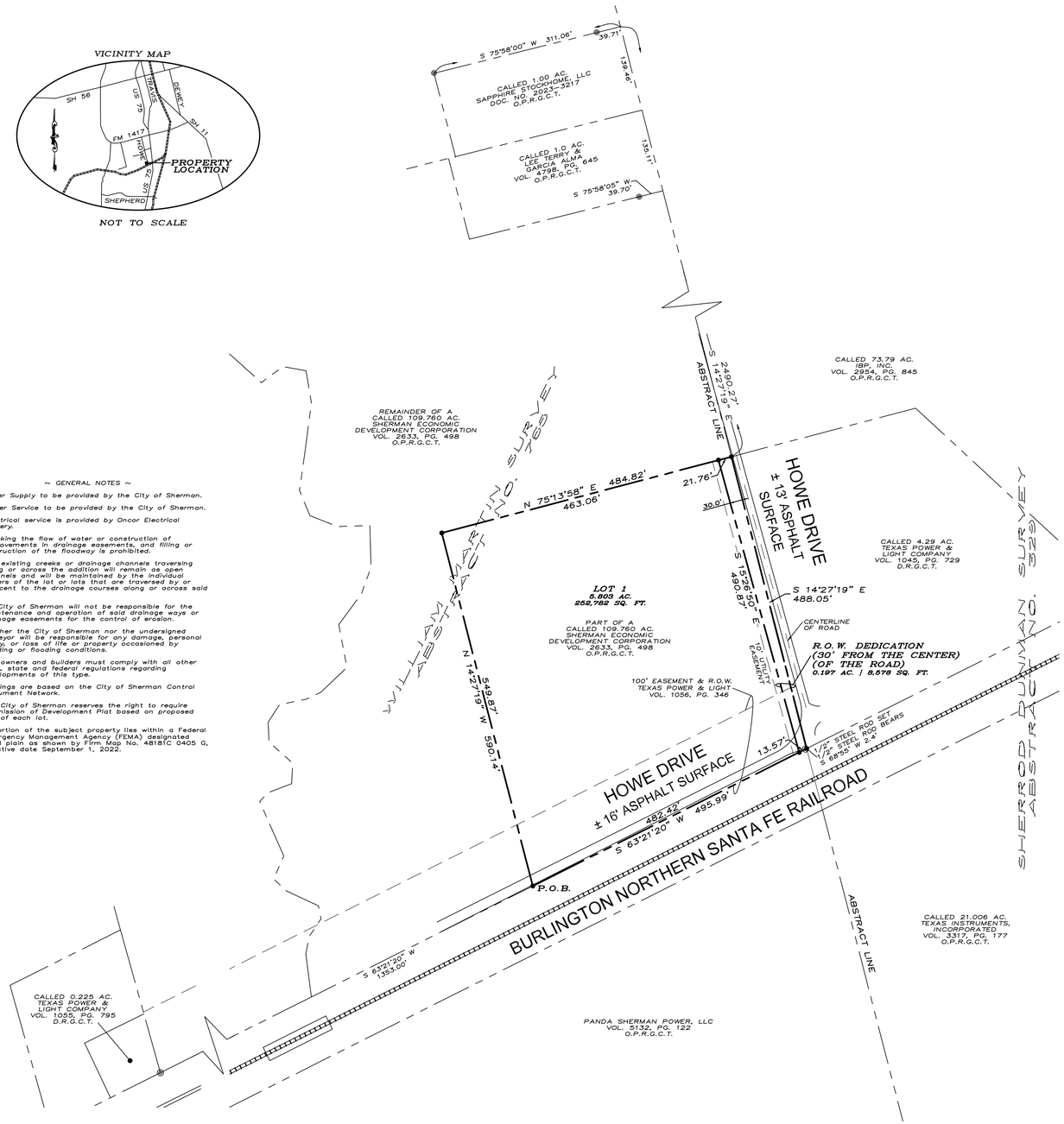
Date: 6/21/2023 10:53 AM

JOB NO. 23050571
FW: ASU – DFT: BH

NOT TO SCALE

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.
11. A portion of the subject property lies within a Federal Emergency Management Agency (FEMA) designated flood plain as shown by Firm Map No. 48181C 0405 G, effective date September 1, 2022.



LEGEND

●	1/2" STEEL ROD SET
◎	1/2" STEEL ROD FOUND
	BOUNDARY LINE
	PROPERTY LINE
	EASEMENT LINE

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of William Martin Survey, Abstract No. 765, and being a part of a called 109.760 acre tract of land described in the deed to Sherman Economic Development Corporation, recorded in Volume 2633, Page 498, Official Public Records, Grayson County, Texas, and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod set for the southwest corner of the herein described tract of land, and on the southerly line of said 109.760 acre tract, and on the northerly right-of-way line of Burlington Northern Santa Fe Railroad, and from which a 1/2" steel rod found for the southeast corner of a called 0.225 acre tract of land described in the deed to Texas Power & Light Company, recorded in Volume 1055, Page 795, Deed Records, Grayson County, Texas, bears South 63°21'20" West, a distance of 1353.00 feet;

Thence North 14°27'19" West, crossing said 109.760 acre tract, a distance of 590.14 feet to a 1/2" steel rod set for the northwest corenr of the herein described tract of land;

Thence North 75°13'58" East, continuing across said 109.760 acre tract, a distance of 484.82 feet to a 1/2" steel rod set for the northeast corner of the herein described tract of land, common to the northwest corner of a called 4.29 acre tract of land described in the deed to Texas Power & Light Company, recorded in Volume 1045, Page 729, said Deed Records, and common to the western-most southwest corner of a called 73.79 acre tract of land described in the deed to IBP, Inc., recorded in Volume 2954, Page 845, said Official Public Records, and on the easterly line of said 109.760 acre tract, and on the westerly side of Howe Drive;

Thence South 14°27'19" East, with the easterly line of said 109.760 acre tract, and with the westerly line of said 4.29 acre tract, and on the westerly side of said Howe Road, a distance of 488.05 feet to a 1/2" steel rod set for the southeast corner of said 109.760 acre tract, common to the southwest corner of said 4.29 acre tract, and on the northerly right-of-way line of aforesaid Burlington Northern Santa Fe Railroad, and on the southerly side of said Howe Drive, and from which a 1/2" steel rod bears South 68°55' West, a distance of 2.4 feet;

Thence South 63°21'20" West, with the southerly line of said 109.760 acre tract, and on the northerly right-of-way line of said Burlington Northern Santa Fe Railroad, and on the southerly side of said Howe Drive, a distance of 495.99 feet to the Point of Beginning and containing 6.00 acres (261,360 square feet) of land, more or less.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, SHERMAN ECONOMIC DEVELOPMENT CORPORATION, do hereby adopt this plat designating the hereinabove property as the HOWE SUBSTATION ADDITION, an addition to the City of Sherman, 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 _____, 2023.

KENT SHARP
SHERMAN ECONOMIC DEVELOPMENT CORPORATION

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, KENT SHARP 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_____, 2023.

Notary Public in and for
the State of Texas
Commission Expires: _____

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, 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.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

Date

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, HOWE SUBSTATION ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the____day of _____, 2023, 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 herein above subscribed.

Witness my hand this_____day of _____, 2023.

Clerk, City of Sherman, Texas

ACCEPTANCE

Approved this _____ day of _____, 2023, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas *Date*

FINAL PLAT
HOWE SUBSTATION ADDITION

Being a part of the William Martin Survey, Abstract Number 765. Being in the City of Sherman, Grayson County, Texas. Containing 6.00 acres of land.

06-16-2023

OWNERS/DEVELOPER
SHERMAN ECONOMIC DEVELOPMENT CORPORATION
307 W. WASHINGTON, SUITE 102
SHERMAN, TEXAS 75092

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 1 OF 1

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

Sherman Economic Development Corporation
307 W. Washington, Ste. 102
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Howe Substation Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
2. Improvements to Howe Drive to create a minimum of 24' asphalt road is required. *Code of Ordinances Chapter 10, Exhibit A, Secs. 12(B)(k)(1); 12(B)(k)(5); 13(A)(1)*
3. Dedicate a 30' Mutual Access and Water Line Easement across proposed Lot 1 to access properties to the west of subject property. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12*
4. East-west portion of Howe Drive is not a public Right of Way. Remove right of way indication from drawing and show as 16' Asphalt driveway in lieu of Right of Way.
5. Subject property does not have direct access to potable water. Water main must be extended in accordance with City criteria to serve proposed Lot. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
6. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.

8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 11.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat of Vein Center of North Texas Addition, consisting of 0.626 acres, being in the J.B. McAnair Survey, Abstract No. 763, and currently zoned C-O (Office) District/Sam Rayburn Overlay; Vein Center of North Texas Properties, LLC (Owner) and Underwood Drafting & Surveying (Surveyor) (1325 North Travis Street)

Issue:

To consider Final Plat of Vein Center of North Texas Addition, consisting of 0.626 acres, being in the J.B. McAnair Survey, Abstract No. 763, and currently zoned C-O (Office) District/Sam Rayburn Overlay; Vein Center of North Texas Properties, LLC (Owner) and Underwood Drafting & Surveying (Surveyor) (1325 North Travis Street)

Background:

The property is located at 1325 North Travis Street at the intersection of West Belden Street and North Travis Street. The property owner would like to plat the property into one lot for commercial development.

The following has been approved for this location:

- 5/16/2023 - Public Hearing and Variance under Section 14.03.003(5)(a) to allow a 11’4” side yard setback for the existing structure line in lieu of the required 15’.
- 5/16/2023 - Site Plan for Vein Center of North Texas
- 6/20/2023 - Preliminary Plat of Vein Center of North Texas Addition

Origination:

Vein Center of North Texas Properties, LLC (Owner)
Underwood Drafting & Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering

---

dlagrone H:\PLANNING\Public Notification KT.aprx

5/3/2023

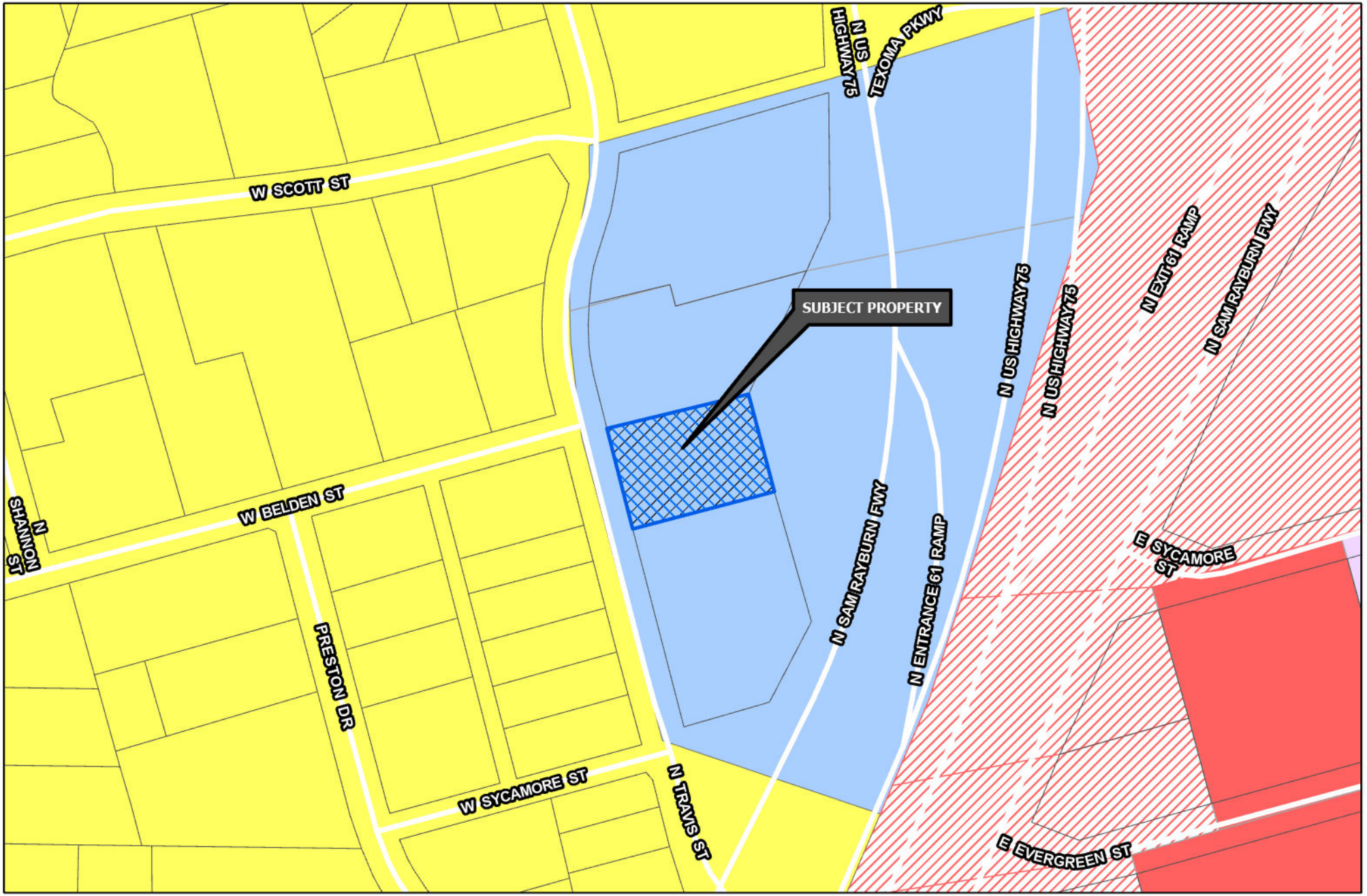
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1325 N TRAVIS ST

N
W E
S

Date: 5/3/2023 4:23 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

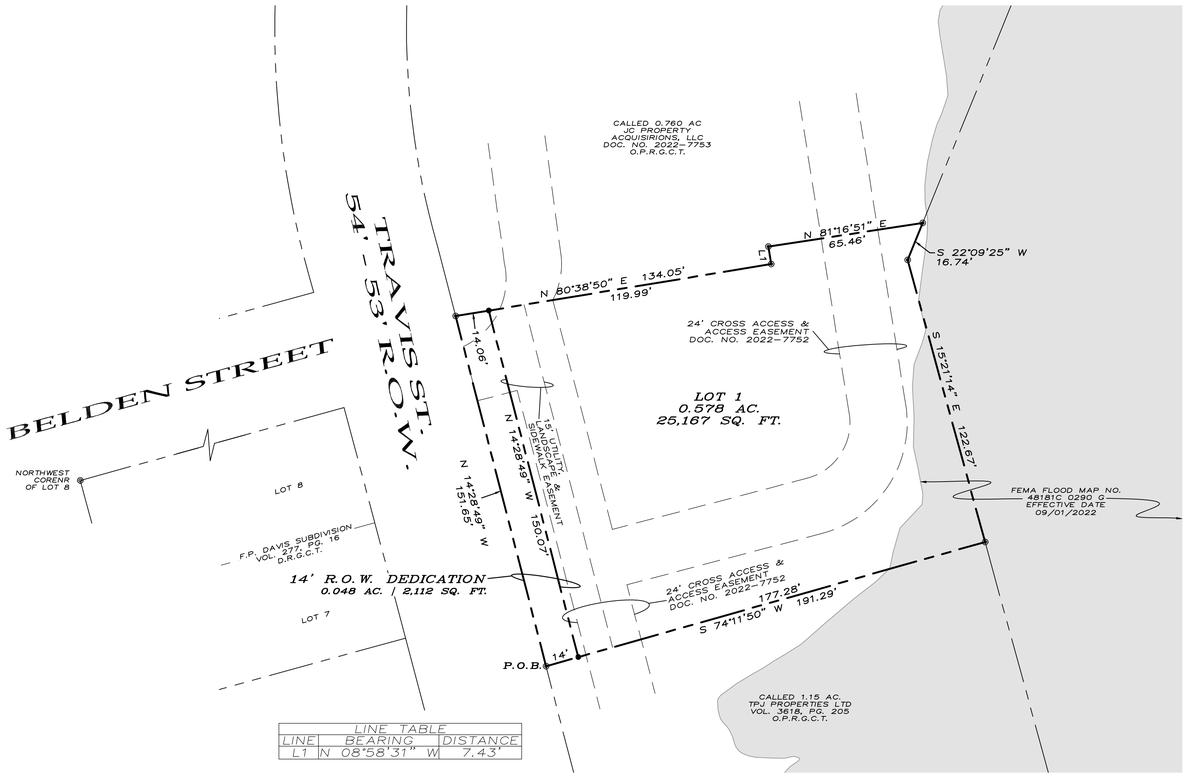
- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 1325 N TRAVIS ST

N
W E
S

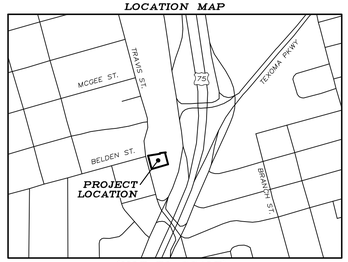
Date: 5/3/2023 4:25 PM

JOB NO. 23050483
FW: HC – DFT: BH



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 08°58'31" W	7.43'

LOCATION MAP



(NOT TO SCALE)

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.
11. The subject property does lie within a Federal Emergency Management Agency (FEMA) designated flood plain as shown by Firm Map No. 48181C 0290 G, effective date September 1, 2022.

OWNERS/DEVELOPER
VCNT PROPERTIES, LLC
497 RIDDELS ROAD
SHERMAN, TX 75092-7936

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

SHEET 1 OF 1

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of J.B. McAnair Survey, Abstract No. 763 and being a part of that 1.39 acre tract of land conveyed to TPJ Properties LTD as recorded in Volume 3618, Page 198, Official Public Records, Grayson County, Texas, and being the same 0.626 acre tract of land described in the deed to VCNT Properties, LLC, recorded in Document No. 2022-20708, said Official Public Records, and being described by metes and bounds as follows:

Beginning at a set 1/2" steel rod at the southwest corner of said 1.39 acre tract in the east Right-of-Way of Travis Street;

Thence North 14°28'49" West, with the east Right-of-Way line of said Travis Street a distance of 151.65 feet to a set 1/2" steel rod;

Thence over and across said 1.39 acre tract the following calls and distances:

North 80°38'50" East, a distance of 134.05 feet to a set 1/2" steel rod;

North 08°58'31" West, a distance of 7.43 feet to a set 1/2" steel rod;

North 81°16'51" East, a distance of 65.46 feet to a set 1/2" steel rod;

Thence South 22°09'25" West, with the east line of said 1.39 acre tract a distance of 16.74 feet to a set 1/2" steel rod;

Thence South 15°21'14" East, with the east line of said 1.39 acre tract a distance of 122.67 feet to a found 1/2" steel rod at the southeast corner of said 1.39 acre tract;

Thence South 74°11'50" West, a distance of 191.29 feet to the Point-of-Beginning and containing 0.626 acres (27,279 square feet) of land, more or less.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, VEIN CENTER OF NORTH TEXAS ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the____day of _____, 2023, 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 herein above subscribed.

Witness my hand this_____day of _____, 2023.

_____
Clerk, City of Sherman, Texas

ACCEPTANCE

Approved this _____ day of _____, 2023, by the City Planning Commission to the City of Sherman, Texas.

_____ Chairman

_____ Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

_____ Mayor, City of Sherman, Texas

_____ Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, 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.

_____ Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

_____ Date

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, VCNT PROPERTIES, LLC, do hereby adopt this plat designating the hereinabove property as the VEIN CENTER OF NORTH TEXAS ADDITION, an addition to the City of Sherman, 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 _____, 2023.

_____
CLINT HAYES
VCNT PROPERTIES, LLC

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, CLINT HAYES 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_____, 2023.

_____
Notary Public in and for
the State of Texas
Commission Expires: _____

AVIGATION RELEASE

THE STATE OF TEXAS
COUNTY OF GRAYSON

WHEREAS, VCNT PROPERTIES, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as VEIN CENTER OF NORTH TEXAS ADDITION, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at VEIN CENTER OF NORTH TEXAS ADDITION, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

EXECUTED THIS _____DAY OF_____, 2023

BY: VCNT PROPERTIES, LLC

_____
CLINT HAYES

FINAL PLAT
VEIN CENTER OF NORTH TEXAS ADDITION

Being a part of the J.B. McAnair Survey, Abstract Number 764 (Map #23). Being in the City of Sherman, Grayson County, Texas. Containing 0.626 acres of land

05-17-2023

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

VCNT Properties, LLC
497 Riddels Road
Sherman, TX 75092-7936

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Vein Center of North Texas Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
2. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*
3. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
4. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
5. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 12.**

Meeting Date: 08/07/2023

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat of Earnhartbuilt's 14th, consisting of 0.131 acres in the Samuel Blagg Survey, Abstract No. 56; Jason Earnhart, Earnhartbuilt, LLC (Owner) and Copley Land Surveying (Surveyor) (419 South Montgomery Street)

Issue:

To consider Final Plat of Earnhartbuilt's 14th, consisting of 0.131 acres in the Samuel Blagg Survey, Abstract No. 56; Jason Earnhart, Earnhartbuilt, LLC (Owner) and Copley Land Surveying (Surveyor) (419 South Montgomery Street)

Background:

The property is located at 419 South Montgomery Street between East Cherry Street and East Magnolia Street. The owner would like to plat the property into one lot for residential development.

The following has been approved for this location:

- 6/20/2023 - Public Hearing and Zone Change from an R-6 (Single Family Residential) District to a R-5 (Single Family Residential) District
- 6/20/2023 - Preliminary Plat of Earnhartbuilt's 11th

Origination:

Jason Earnhart, Earnhartbuilt, LLC (Owner)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the July 18, 2023 regular meeting, the Planning and Zoning Commission voted 6/0 to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering

dlagrone H:\PLANNING\Public Notification KT.aprx

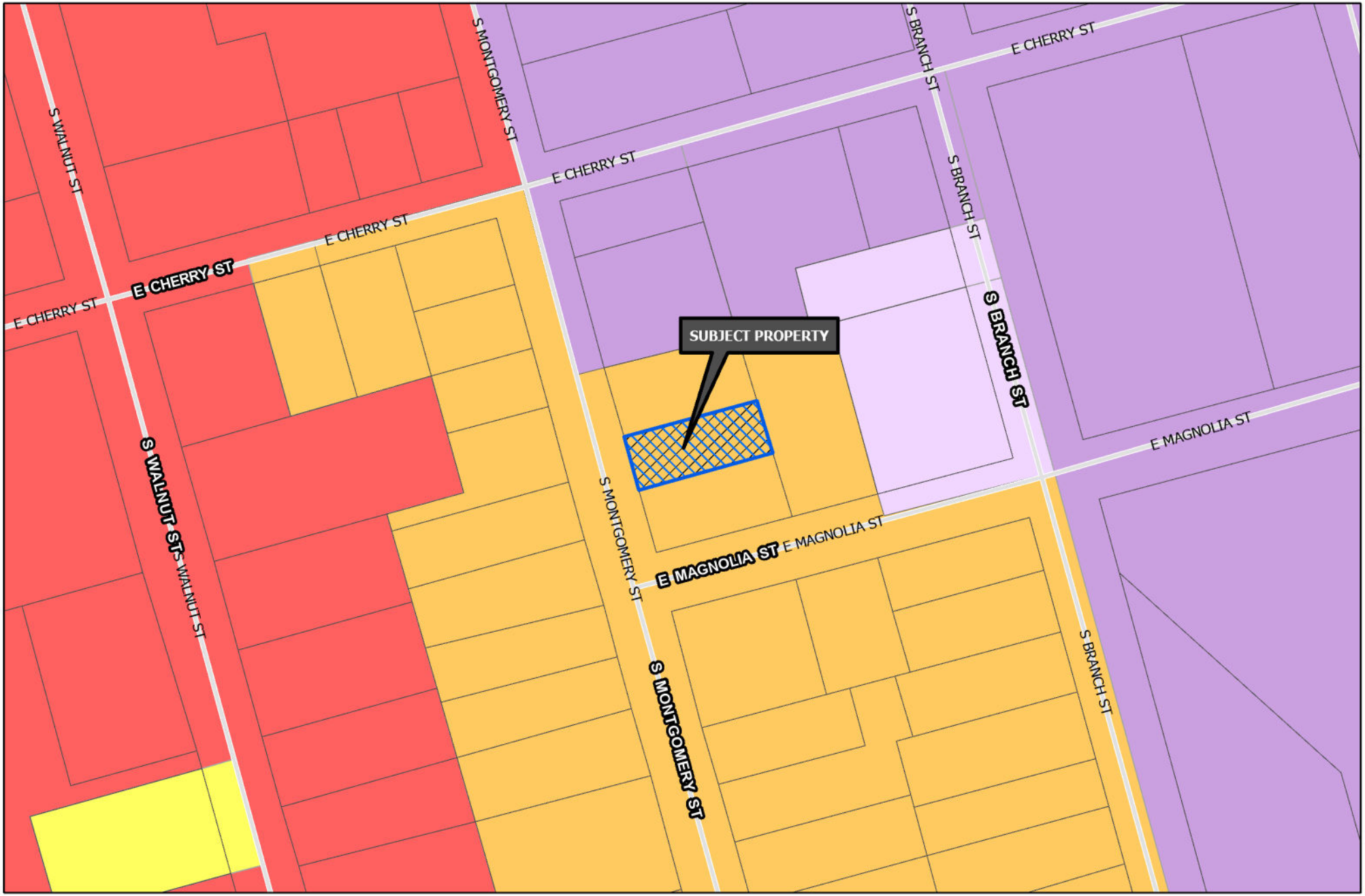
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
419 S MONTGOMERY ST

N
W E
S

Date: 3/20/2023 11:37 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

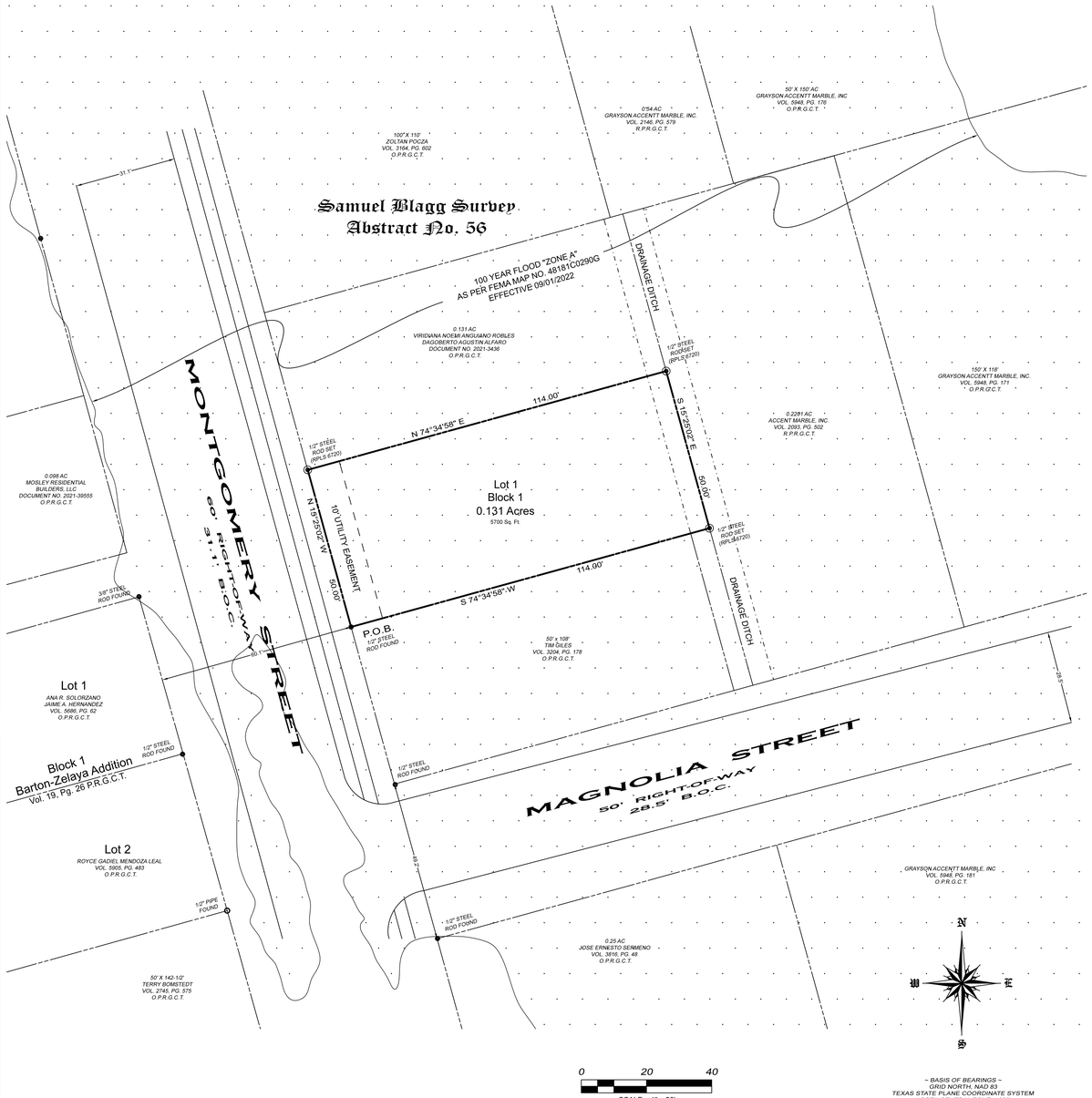
Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

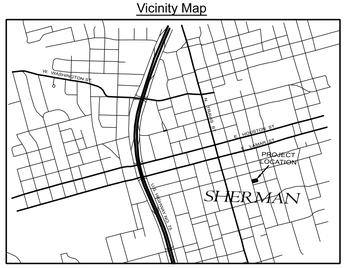
CITY OF SHERMAN
ZONING MAP
419 S MONTGOMERY ST

N
W E
S

Date: 3/20/2023 11:37 AM



Vicinity Map



Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
EARNHARTBUILT, LLC
2903 WOODLAWN BLVD.
DENISON, TEXAS 75020

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS 75090

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.
11. The subject tract lies within Zone "A" Designation, as shown by FEMA Flood Insurance Rate Map No. 48181C0290G, Map Revised September 1, 2022.

Purpose:
The purpose of this is to Plat this 0.131 acre tract.

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas being a part of the Samuel Blagg Survey, Abstract No. 56, and being the same 0.131 acre tract of land conveyed to Earnhartbuilt, LLC by deed of record in Document No. 2021-10717, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at 1/2" steel rod found in the east line of a Montgomery Street maintaining the southwest corner of said 0.131 acre Earnhart Tractand the northwest corner of a 50' x 108' tract conveyed to Tim Giles by deed of record in Volume 3204, Page 178, Official Public Records, Grayson County, Texas;*

Thence ***North 15°25'02" West****, along the east line of said Montgomery Street and the west line of said 0.131 acre tract, a distance of* ***50.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northwest corner of the herein described tract and the southwest corner of a 0.131 acre tract conveyed to Viridiana Noemi Anguiano Robles and Dagoberto Agustin Alfaro, by deed of record in Document No. 2021-3436 of said Official Public Records;*

Thence ***North 74°34'58" East****, along the north line of said 0.131 acre Earnhartbuilt Tract and the south line of said 0.131 acre Robles Tract, a distance of* ***114.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in a drainage ditch for the northeast corner of said 0.131 acre Earnhartbuilt Tract the southeast corner of said 0.131 acre Robles Tract and the west line of a 0.2201 acre tract of land conveyed to Accent Marble, INC by deed of record in Volume 2093, Page 502, of said Official Public Records;*

Thence ***South 15°25'02" East****, along said drainage ditch, the east line of said 0.131 acre Earnhartbuilt Tract and the west line of said 0.2201 acre tract, a distance of* ***50.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the drainage ditch for the southeast corner of said 0.131 acre Earnhartbuilt Tract;*

Thence ***South 74°34'58" West****, along the south line of said 0.131 acre Earnhartbuilt Tract and the north line of said 50' x 108' tract a distance of* ***114.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.131 acres*** *of land.*

KNOWN ALL MEN BY THESE PRESENTS:

That I, John C. Copley, Registered Professional Land Surveyor, 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.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

Date

AVIGATION RELEASE

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, EARNHARTBUILT, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as Earnhartbuilt's 14TH, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at Earnhartbuilt's 14TH, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 2023.

By: EARNHARTBUILT, LLC

By:_____
JONATHAN EARNHART

By:_____
JASON EARNHART

Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

That We, EARNHARTBUILT, LLC, Owner and Developer, do hereby adopt this plat designating the hereinabove property as the Final Plat of EARNHARTBUILT'S 14TH, an addition to the City of Sherman, 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 _____ _____, 2023.

JONATHAN EARNHART

JASON EARNHART

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 JONATHAN EARNHART 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_____, 2023.

Notary Public in and for
the State of Texas

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 JASON EARNHART 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_____, 2023.

Notary Public in and for
the State of Texas

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Final Plat of EARNHARTBUILT'S 14TH, an addition to the City of Sherman, Texas, was submitted to the City Council on the_ ____day of _____, 2023, 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 herein above subscribed.

Witness my hand this____ day of _____, _____ ,2023.

Clerk, City of Sherman, Texas

Approved this _____ day of _____,2023, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

Accepted by the City Council of the City Sherman.

Mayor, City of Sherman, Texas *Date*

Final Plat of
Earnhartbuilt's 14th
an addition to the City of Sherman Grayson County, Texas

6/21/2023

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 10, 2023

Earnhartbuilt, LLC
2903 Woodlawn Blvd.
Denison, TX 75020

Copley Land Surveying
1702 Verdi Lane
Sherman, TX 75090

Dear Applicants,

The request for approval of the Final Plat of Earnhartbuilt's 14th has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, July 18, 2023 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. All requirements of the Floodplain Ordinance shall be followed. H&H Study required to create Base Flood Elevation from FEMA Flood zone prior to filing of plat. *Code of Ordinances Chapter 3, Article 3.12*
2. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
3. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
4. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
5. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **H. 1.**

Meeting Date: 08/07/2023
Prepared By: Linda Ashby, City Clerk
Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Main Street Advisory Board (2)

Issue:

David Downtain's term on the Main Street Advisory Board expired on June 8, 2023. He is eligible and does wish to be reappointed. There is also one vacancy on the Board. Applications are on file from Janie Bates, Deron McCraw, and Stuart Holcomb for the Main Street Advisory Board.

Background:

The City Council created the Main Street Advisory Board by Resolution No. 6063, approved on March 7, 2016. The purpose of the Board is to encourage participation in the Main Street Downtown Revitalization Program, to establish and evaluate goals and priorities for the Main Street Program, to review design appropriateness for the purpose of participation in the Main Street Low Interest Loan Program and Incentive Grant Projects, to design and coordinate activities coinciding with the Main Street Program, to assist with the Main Street Program Annual Report, and to advise and support the Main Street Manager to further the goals and priorities of the Main Street Program.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is the staff recommendation that the City Council reappoint Mr. Downtain,and appoint Stuart Holcomb to the Main Street Advisory Board.

Alternatives:

The alternative is to delay appointments to the Board.

Attachments

Roster
Fact Sheet
Applicant List
David Downtain Reappointment Letter
Janie Bates Application
Deron McCraw Application
Stuart Holcomb Application

MEMBERSHIP ROSTER

MAIN STREET ADVISORY BOARD

LENGTH OF TERMS: 2 Years
Consecutive Term Limit 3 Terms

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Downtain	1	A 6/8/2021	6/8/2023	1	
Preston Davis	1	A 9/7/2022	9/7/2024	1	
Aaron Jason Bucy	4	A 2/8/2022	2/8/2024	1	
Tommi Sue Homuth	n/a	U 1/22/2020 R 3/31/2020 R 3/31/2022	3/31/2020 3/31/2022 3/31/2024	0 1 2	
Vacant				1	
Lucas Ridley	n/a	A 7/7/2022	7/7/2024	1	
Lindsey Manley	1	A 9/5/2018 R 9/5/2020 R 9/5/2022	9/5/2020 9/5/2022 9/5/2024	1 2 3	
Angela Wilson	n/a	A 7/7/2022	7/7/2024	1	
Courtney Mitchell Christman	1	A 9/5/2018 R 9/5/2020 R 9/5/2022	9/5/2020 9/5/2022 9/5/2024	1 2 3	
Joey Morneau	4	A 3/7/2023	3/7/2025	1	
Ex-Officio Members					
Daron Holland					Council Member
Karen Tooley					DSP&R President

Ex-Officio Members: City Council Member
Downtown Sherman Preservation & Revitalization President

Chair:
Vice Chair:

Resolution 6063, approved Sept. 4, 2018
Increased membership from 6 to 10

CITY STAFF:
Revised 3/21/2023

FACT SHEET

MAIN STREET ADVISORY BOARD

Established by RESOLUTION 6063 – MARCH 7, 2016

1. **Number of Members: SIX**
2. **Term of Appointment: 2 YEARS**
3. **Consecutive Term Rule: THREE TERMS – ORDINANCE 4223 (10/21/91)**
4. **Qualifications for Membership: PRESERVE AND GROW DOWNTOWN AS A BUSINESS CENTER FOR SHERMAN**
5.
6. **Appointed by: MAYOR AND CITY COUNCIL**
7. **Board Organization**

CHAIRPERSON E VICE CHAIRPERSON ____ SECRETARY E

ELECTED E APPOINTED ___

8. **Departmental Responsibility: DIRECTOR OF COMMUNITY AND SUPPORT SERVICES**
9. **Meeting Date: NO RULE – AS SET BY BOARD BY-LAWS**
10. **Attendance Requirements: NO RULE – AS SET BY BOARD BY-LAWS**

==========

Ex-Officio Members:
City Council Member
Downtown Sherman Preservation & Revitalization President

PURPOSE:

- Encourage participation in the Sherman Main Street Downtown Revitalization Program
- Establish and evaluate goals and priorities for the Main Street Program
- Review design appropriateness for the purpose of participation in the Main Street Low Interest Loan Program and Incentive Grant Projects
- Design and coordinate activities coinciding with the Main Street Program
- Assist with the Main Street Program Annual Report
- Advise and support the Main Street Manager to further the goals and priorities of the Main Street Program.

RESPONSIBILITIES:

Said Board shall work with the Main Street Manager and other City officials to publicize the Main Street Program and shall recommend projects and activities to include marketing, advertising, promotion, design, organization, economic restructuring as related to the Main Street Program. The Board will also review any commercial construction or reconstruction plans proposed within the Main Street Program Target Area.

APPLICANT LIST

Main Street Advisory Board **Positions Vacant 2**

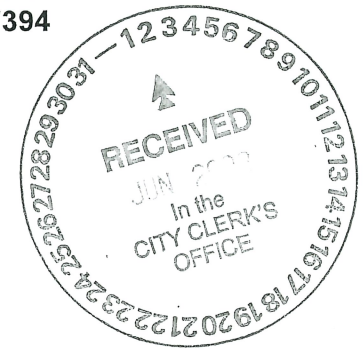
Applicant	Address	District	Qualifications
David Downtain	1612 W. Washington	1	Current Member; Wishes to be Reappointed
Janie Bates	210 Chisholm Trail	4	Workforce Solutions of Texoma
Deron McCraw	4993 E. FM 120, Denison	n/a	n/a
Stuart Holcomb	1524 E. Magnolia	3	The Sherman Museum

COMMENTS:

Sherman
CLASSIC TOWN. BROAD HORIZON

City Clerk's Office

PUBLIC RECORDS DEPARTMENT
Phone No. (903) 892-7204
Fax No. (903) 892-7394



May 24, 2023

David Downtain
1612 W. Washington Street
Sherman, Texas 75092

RE: Main Street Advisory Board

Dear Mr. Downtain:

Your term on the Main Street Advisory Board expires on June 8, 2023. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

Linda Ashby

Linda Ashby
City Clerk

cc: Nate Strauch, Community and Support Services Manager
Sarah McRae, Tourism/Main Street Manager

✓ I do wish to be considered for reappointment to this board

____ I do not wish to be considered for reappointment to this board

Signature

6/1/23
Date

Please return to: City of Sherman
City Clerk's Office
P.O. Box 1106
Sherman, Texas 75091-1106

CITY OF SHERMAN APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

Return completed application to:
City Clerk's Office
220 W. Mulberry
P.O. Box 1106
Sherman, TX 75091
Fax: (903) 892-7394

Please type or use black ink
Please complete one application for each board or commission membership
Please limit attachments to two pages
For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name: Janie Bates
(Please print legal name and your name as you wish it to appear, if different.)

Name of Board or Commission: Sherman Main Street Board

☒ Yes, I would be interested in serving on subcommittees that may be formed.

Personal Information

Home Address: 210 Chisholm Trail
Mailing Address: Same
Telephone: 903-821-0820 Fax: _____
E-Mail: janie.bates@wfstexoma.org
Sherman Resident for 45 years County: Grayson
Drivers License No.: 07627571
Voter Registration No.: VIUD-1024895569 ✓

Occupational Information

Business Name: Workforce Solutions Texoma
Occupation: Executive Director
Address: 5904 Texoma Pkwy
Telephone: 903-957-7408 Fax: 903-957-7413
E-Mail: janie.bates@wfstexoma.org

Which Council District do you live in? *(see attached map)* #4 ✓

Prior work experience: *(please include dates)*
Private business owner before joining Workforce—45 years with Workforce.

Owner of downtown business since January 2022 (Designs by Janie)

Educational Achievement:

High School Graduate? ☒ Yes ☐ No Year Graduated/Left School? 1973 SOSU
Business College, Correspondence School, Adult Education, Other? _____
Name of College/University: SOSU ☒ Bachelor's ☐ Master's ☐ PhD

Volunteer Work: *(please include dates)*
See attached

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Taxes - None

Application held for 12 months from date received

Are you presently serving on a City board or commission? X Yes ☐ No

If so, which one? SEDCO/Sherman Housing Authority

Why do you want to become a member of this particular board or commission *(how would you use this experience to benefit the City)*?
I am interested in building a vibrant downtown for Sherman.

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue

1) Attracting more diversity in types of downtown businesses.
Create a friendly environment for downtown business. Increase marketing for downtown to make it a destination.

2)Public restrooms or lack thereof

Need to raise funds/write grants to provide restrooms which would benefit activities and festivals.

3) Downtown Infrastructure/Business needs
To advocate for City to continue to provide façade grants. Survey downtown merchants to create assessment of pressing issues.

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission. Grant writing, partnerships with local agencies, networking

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:
None

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☐X Yes ☐
No
Comments:

Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

Signature: Janice Bates *Date:* 7-16-22

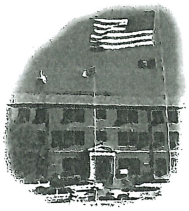
In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Janie Bates

Volunteer Service

- Sherman Band Boosters--1992-2000
- United Way (served 15 years, 2 terms as chair)
- North Texas Enterprise Facilitation, Fannin County (founded by Workforce--served 3 years)
- Fannin Literacy Council (founder, first chair--served 7 years)
- Workforce Executive Directors' Council (chair 2 years, member for 27 years)
- Sherman Boys and Girls Club 26 years—Served as chair and Capital Campaign Chair
- Center for Workplace Learning—Founding Member
- Sherman Chamber (served 3 terms including 1 ½ terms as chair)
- SEDCO (current chair)
- Texoma Family Shelter—2 years (current VP)



RECEIVED
FEB 17 2023
City Clerk's Office

CITY OF SHERMAN
APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

Return completed application to:
City Clerk's Office
220 W. Mulberry
P.O. Box 1106
Sherman, TX 75091
Fax: (903) 892-7394

Please type or use black ink
Please complete one application for each board or commission membership
Please limit attachments to two pages
For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name: Deron McCraw
(Please print legal name and your name as you wish it to appear, if different.)

Name of Board or Commission: Main Street

☒ Yes, I would be interested in serving on subcommittees that may be formed.

Personal Information	Occupational Information
Home Address: 4993 E. FM 120 Denison 7502	Business Name:
Mailing Address: SAME	Occupation: N/A
Telephone: 903-624-7421 Fax:	Address:
E-Mail: dhmccraw@ms1.com	Telephone: Fax:
Sherman Resident for — years County: 25+	E-Mail:
Drivers License No.: 12858057	
Voter Registration No.:	

Which Council District do you live in? *(see attached map)* N/A

Prior work experience: *(please include dates)*
Executive Director Downtown Sherman P&R 2004-2008

Educational Achievement:

High School Graduate? ☐ Yes ☐ No Year Graduated/Left School?
Business College, Correspondence School, Adult Education, Other?
Name of College/University: UNT ☒ Bachelor's ☐ Master's ☐ PhD

Volunteer Work: *(please include dates)*
United Way Board 2022 – Present, Sherman Cultural District Volunteer 2022
North Texas Youth Connection Board 2014-2018, Sherman Arts & Ent.
Sherman Preservation League Board, Sherman Tourism 2004
Sherman Christmas Parade 2000-2009

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Application held for 12 months from date received

Are you presently serving on a City board or commission? ☐ Yes ☒ No

If so, which one? _____

Why do you want to become a member of this particular board or commission *(how would you use this experience to benefit the City)*?
To continue to help downtown grow and offer
exciting events and activities to citizens
& visitors.

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) Promotion of Downtown/Central business district
& its assets. Downtown is rich with not only
businesses, but with cultural activities that
need to be promoted both to citizens & potential
visitors.

2) Preservation of the historic nature of the
downtown area so it retains its unique charm
as the city continues to grow.

3) Revitalization/Restoration of the central business
district to attract & invest in programs
to rehab existing downtown properties.

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:
Previous experience as Downtown Director/Tourism Office

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:
None

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☐ Yes ☐ No
Comments: No

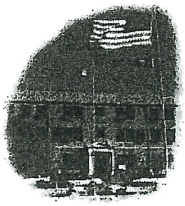
Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

Signature: _____ *Date:* 2/16/2023

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

Sherman
CLASSIC TOWN. BROAD HORIZON.



CITY OF SHERMAN
APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

Return completed application to:
City Clerk's Office
220 W. Mulberry
P.O. Box 1106
Sherman, TX 75091
Fax: (903) 892-7394

Please type or use black ink
Please complete one application for each board or commission membership
Please limit attachments to two pages
For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name: STUART HOLCOMB
(Please print legal name and your name as you wish it to appear, if different.)

Name of Board or Commission: SHERMAN MAIN STREET

☒ Yes, I would be interested in serving on subcommittees that may be formed.

Personal Information	Occupational Information
Home Address: 1524 E. MAGNOLIA, SHERMAN	Business Name: THE SHERMAN MUSEUM
Mailing Address: SAME	Occupation: DIRECTOR
Telephone: 9038210655 Fax:	Address: 301 S. WALNUT SHERMAN TX
E-Mail: sholcomb@hotmail.com	Telephone: 903 893 7623 Fax:
Sherman Resident for 47 years County: GRAYSON	E-Mail: thesherman museum@verizon.net
Drivers License No.: TX 04688941	
Voter Registration No.: 1025299376 ✓	

Which Council District do you live in? *(see attached map)* DISTRICT 3 ✓

Prior work experience: *(please include dates)*
THE SHERMAN MUSEUM - MAY 2020 →
PLANO STAR COURIER MAY 1996 - MAY 2020

Educational Achievement:
High School Graduate? ☒ Yes ☐ No Year Graduated/Left School? 1992
Business College, Correspondence School, Adult Education, Other?
Name of College/University: SMU ☒ Bachelor's ☐ Master's ☐ PhD

Volunteer Work: *(please include dates)*
FRONTIER VILLAGE - 1990-1992 2020
SHERMAN COMMUNITY PLAYERS - 1990-1992

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Application held for 12 months from date received

Taxes - None

Are you presently serving on a City board or commission? ☐ Yes ☒ No

If so, which one? _____

Why do you want to become a member of this particular board or commission *(how would you use this experience to benefit the City)*?
WITH THE COMING GROWTH I WANT TO MAKE SURE THE DOWN TOWN AREA IS STILL A VIABLE COMMUNITY IN THE FUTURE.

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) REVITALIZATION
FOR ME THIS IS THE ONLY ISSUE. IF WE CAN DO THIS, ALL OTHER ISSUES FIX THEMSELVES. IF THE DOWNTOWN AREA CAN HAVE NEW LIFE, A NEW LOOK, THEN MORE BUSINESSES WILL COME - AND STAY. AND IF BUSINESSES STAY THEN PEOPLE WILL STAY DOWN TOWN AS WELL. HOW TO ADDRESS THIS IS THE PROBLEM. A QUICK FIX IS TO

2) JUST BRING MORE EVENTS DOWN TOWN. BUT LONG TERM WE NEED TO STABILIZE WHAT IS ALREADY THERE. AESTHETIC MAKEOVERS WILL NOT KEEP TENANTS FOREVER. WE HAVE TO MAKE PROSPECTIVE OWNERS/RENTERS AWARE OF WHAT WE CAN OFFER LONG TERM. WE HAVE TO MAKE DOWN TOWN A DESTINATION FOR EVERY BODY. THEN PEOPLE WILL WANT TO PRESERVE OUR HERITAGE - AND STAY DOWN TOWN.

3) _____

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:
I HAVE ALWAYS HAD A DESIRE TO LEARN MORE ABOUT SHERMAN, AND THROUGH THE MUSEUM THAT HAS GROWN.

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☒ Yes ☐ No
Comments: _____

Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

Signature: _____ *Date:* 6/22/2023

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

Sherman
CLASSIC TOWN. BROAD HORIZON.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting

Meeting Date: 08/07/2023

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2023 Council Calendar

2023
Council Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
11	12	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	6	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

	Holiday
	Holiday for Firefighters/Police Only
	City Council Regular Meeting
	Special Called Meeting
	Budget Workshop
	Cancelled City Council Meeting

CALLED MEETINGS	
4/20/20223	Budget Planning Meeting
5/25/2023	CIP Work Session
6/15/2023	Budget Workshop Day 1
7/5/2023	Called City Council Meeting (Rescheduled)
6/9/2023	Called City Council Meeting
6/15/2023	Called City Council Meeting
6/26/2023	Called City Council Meeting
9/12/2023	SEDCO Joint Meeting