

STATE OF TEXAS

§

July 5, 2023

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Called 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 5, 2023.

MEMBERS PRESENT:

MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON.
COUNCIL MEMBERS DOBBS, HOLLAND, HOWETH, MARROQUIN,
TEAMANN.

MEMBERS ABSENT:

NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were led by Deputy Mayor Josh Stevenson.

CALL TO ORDER

PROCLAMATIONS

"PARKS AND RECREATION MONTH" - JULY 2023

Mayor Plyler presented a proclamation to Theresa Hutchinson, Parks and Recreation Manager, proclaiming July 2023, as "Parks and Recreation Month."

PARKS & REC
MONTH

Ms. Hutchinson highlighted activities that are being held during July to celebrate "Parks and Recreation Month." She thanked the City Council for the proclamation and said they plan on adding additional activities.

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZEN'S COMMENTS

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.

CONSENT AGENDA

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

RESOLUTION NO. 7097 - 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 +/- 3.392 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.762 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY SHERMAN VENTURES, LLC RECORDED UNDER DOCUMENT NO. 2019-29426 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE THOMAS JONES SURVEY, ABSTRACT NO. 635, EXTRATERRITORIAL

RES 7097
36" WEST SHERMAN
WATER MAIN
EMINENT DOMAIN

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMING 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 +/- 3.392 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.762 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY SHERMAN VENTURES, LLC RECORDED UNDER DOCUMENT NO. 2019-29426 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE THOMAS JONES SURVEY, ABSTRACT NO. 635, 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.

Clint Philpott, Assistant City Manager, explained that these two parcels are off of OB Groner Road and Bradley Road, and the initial offer was over \$50,000, which is the threshold to bring back to the Council for consideration. The City has made initial and final offers on these parcels, but some of their requirements are pretty aggressive, and abnormal from usual requests for easements.

The staff is still working through the process with them, but they don't want the acquisition of the property to hold the project up. They are proceeding with Eminent Domain, with hopes it doesn't have to go that far, and that the negotiations don't fall apart.

Council Member Howeth said there is an easement and a construction easement, and she asked if, once construction is over, could the property owner use the construction easement.

Ryan Pittman, City Attorney, said the temporary construction easement will expire after a certain timeline after completion of the construction. At that point, the owner could use that property without being subject to that easement. The permanent water line easement will stay in place.

Council Member Teamann said he had questions and comments that would be better taken to Executive Session. He asked if Council could discuss Resolution Nos. 7097, 7098, and 7099 in Executive Session.

Mr. Pittman said those could be discussed in Executive Session, but each Resolution would still need to have a public hearing. Deputy Mayor Stevenson said he also had some questions that would be better suited for Executive Session.

Mayor Plyler called for a public hearing on Resolution 7097. No citizens appeared before the City Council to discuss Resolution 7097.

RESOLUTION NO. 7098 - DETERMING 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 +/- 1.454 ACRES (PERMANENT WATER EASEMENT) AND +/- 1.699 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY 6401 SKILLMAN I, LTD, AS DESCRIBED IN THE SPECIAL CASH WARRANTY DEED, IN VOLUME 4008, PAGE 808 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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

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RES 7098
36" WEST SHERMAN
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CONSTRUCTION EASEMENT OWNED BY 6401 SKILLMAN I, LTD, AS DESCRIBED IN THE SPECIAL CASH WARRANTY DEED, IN VOLUME 4008, PAGE 808 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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.

Mr. Philpott said these two tracts are close to the same area, but off of Old Dorchester Road, just west of Farmington Road.

Mayor Plyler called for a public hearing on Resolution 7098. No citizens appeared before the City Council to discuss Resolution 7098.

RESOLUTION NO. 7099 - DETERMING 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 +/- 2.594 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.524 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY RONALD A. SCHACHAR AND KATHY SCHACHAR, TRUSTEES OF THE SCHACHAR FAMILY TRUST, RECORDED UNDER DOCUMENT NO. 201900024353 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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

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RES 7099
36" WEST SHERMAN
WATER MAIN
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MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, CONSISTING OF TWO TRACTS OF LAND COMPRISING OF +/- 2.594 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.524 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY RONALD A. SCHACHAR AND KATHY SCHACHAR, TRUSTEES OF THE SCHACHAR FAMILY TRUST, RECORDED UNDER DOCUMENT NO. 201900024353 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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.

Mr. Philpott said these two tracts are on the east side of Farmington Road, along Dorchester Road, and follow the exterior of the property.

Mayor Plyler called for a public hearing on Resolution 7099. No citizens appeared before the City Council to discuss Resolution 7099.

The Public Hearing was closed.

RESOLUTION NO. 7100 - AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH NEMA 3 ELECTRIC, INC. FOR THE PURCHASE AND INSTALLATION OF SPORTS FIELD - HIKE & BIKE LIGHTING AT PECAN GROVE WEST ATHLETIC COMPLEX
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH NEMA 3 ELECTRIC, INC. FOR THE PURCHASE AND INSTALLATION OF SPORTS FIELD - HIKE & BIKE LIGHTING AT PECAN GROVE WEST ATHLETIC COMPLEX.

RES 7100
SPORTS FIELD &
LIGHTING AT
PECAN GROVE WEST
ATHLETIC COMPLEX

Ms. Hutchinson said Nema 3 was the original installer of the other lights at Pecan Grove West. These lights will be for the four baseball/softball fields and the one-mile walking trail. There was one responsive bid for a total of \$1.14 million for all the lighting.

ACTION TAKEN.

Motion by Council Member Teamann to approve Resolution No. 7100, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 7101 - AUTHORIZING EXECUTION OF A CONTRACT WITH VEOLIA WTS SOLUTIONS USA, INC. A TEXAS CORPORATION FOR EDR STACK REPLACEMENTS MATERIALS AND SERVICES

RES 7101
EDR REPLACEMENT
AT WATER
TREATMENT PLANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH VEOLIA WTS SOLUTIONS USA, INC, A TEXAS CORPORATION FOR EDR STACK REPLACEMENTS MATERIALS AND SERVICES.

Mr. Philpott said this request was to purchase materials specific to the EDR that the City currently has. The EDR was installed in the early 1990's, and the parts are hard to find. They have used parts from some units to repair other units. The conventional plant is down, being able to produce 5 to 6 mgd versus the original 10 mgd.

One option was to construct a new RO Treatment Facility, however the costs were higher than the City wanted to pay. Staff looked at the EDR technology to determine if there were more modern ways to handle this, and use the same facility and infrastructure.

This contract is with the original company that built the EDRs in the 1990's, even though the name has changed. This proposal is a procurement of their services and the materials to replace the stacks to regain the ability to treat the full amount of water.

Mr. Philpott said internal staff will be used to complete most of the rehabilitation, and will serve as the general contractor, so there will be several more procurement packages for materials. There is also lead time on this procurement. The next procurement package will be for the SCADA technology.

Deputy Mayor Stevenson asked how much more efficient the new EDRs would be. Mr. Philpott said probably not more efficient, but maybe smaller stacks. He said it would probably be about the same.

Council Member Howeth asked how long these would work. Mr. Philpott said they would probably last 15 to 20 years.

Council Member Teamann confirmed that the funding for the project was from the bond issue that was already approved.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7101, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7102 - APPOINTING AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH FORVIS TO PERFORM THE FISCAL YEAR 2023 AUDIT

RES 7012
ANNUAL AUDIT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE CITY

MANAGER TO NEGOTIATE AN AGREEMENT WITH FORVIS TO PERFORM THE FISCAL YEAR 2023 AUDIT.
CONSENT AGENDA.

RESOLUTION NO. 7013 - AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE MODIFICATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF FM 1417 AND QUAIL RUN ROAD

RES 7103
FM 1417 & QUAIL
RUN ROAD TRAFFIC
SIGNAL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE MODIFICATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF FM 1417 AND QUAIL RUN ROAD, IN THE CITY OF SHERMAN.

CONSENT AGENDA.

OTHER BUSINESS

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR 12:00 P.M. ON TUESDAY, SEPTEMBER 12, 2023, TO REVIEW AND APPROVE SEDCO'S ANNUAL BUDGET AND WORK PLAN

SET JOINT MEETING
WITH SEDCO

Mr. Hefton said this was the annual work plan meeting for the Sherman Economic Development Corporation.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to schedule a Joint Meeting of the City Council and the Sherman Economic Development Corporation Board of Directors for September 12, 2023, at 12:00 p.m., as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

LIGHTS ON THE LAKE

Council Member Howeth thanked the staff for their hard work for Lights on the Lake, even though the event was cut extremely short because of weather. She also thanked the Police Officers and Firefighters who helped get everyone out of the park area safely, during the very heavy rain.

LIGHTS ON THE LAKE

LIGHTS ON THE LAKE

Council Member Teamann agreed about the hard work for Lights on the Lake. He said the fireworks were still good, since they crammed a 20-minute show into about five minutes.

LIGHTS ON THE LAKE

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Thanked the City staff for their hard work for Lights on the Lake, even though it was canceled due to weather. A concert by Cheap Trick and the fireworks show were both canceled.
- There's no Hot Summer Nights this week, but next week Randall King will perform and Texas legend Pat Green the week after. The Gin Blossoms will also perform in October for the "Not" Summer Nights concert this fall.
- Coffee With the Mayor will be held on July 7, 2023, at 8:00 a.m., at First United Bank. There will be some great drone footage this week, as well as the usual networking and community engagement.

ANNOUNCEMENTS

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

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

EXECUTIVE SESSION

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

Mayor Plyler said the Council would also discuss the items covered by Public Hearing, earlier in the meeting.

As clarification, Mr. Pittman said the Mayor was referring to Items E-1, E-2, and E-3, and those would be covered under Section 551.071, of the Texas Government Code, involving a conversation, related to legal issues for which the City Attorney is being asked to render advice.

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

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) Hospital Project

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 5:22 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:06 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

RESOLUTION NO. 7097 - DETERMING 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 +/- 3.392 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.762 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY SHERMAN VENTURES, LLC RECORDED UNDER DOCUMENT NO. 2019-29426 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE THOMAS JONES SURVEY, ABSTRACT NO. 635, EXTRATERRITORIAL

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ACTION TAKEN.

Motion by Deputy Mayor Stevenson 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 +/- 3.392 acres and a +/- 3.762 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement, for Resolution No. 7097. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RES 7098
36" WEST SHERMAN
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RESOLUTION NO. 7098 - DETERMING 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 +/- 1.454 ACRES (PERMANENT WATER EASEMENT) AND +/- 1.699 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY 6401 SKILLMAN I, LTD, AS DESCRIBED IN THE SPECIAL CASH WARRANTY DEED, IN VOLUME 4008, PAGE 808 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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

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ACTION TAKEN.

Motion by Deputy Mayor Stevenson 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 +/- 1.454 acres

and a +/- 1.699 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement, for Resolution No. 7098. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7099 - DETERMING 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 +/- 2.594 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.524 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY RONALD A. SCHACHAR AND KATHY SCHACHAR, TRUSTEES OF THE SCHACHAR FAMILY TRUST, RECORDED UNDER DOCUMENT NO. 201900024353 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMING 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 +/- 2.594 ACRES (PERMANENT WATER EASEMENT) AND A +/- 3.524 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY RONALD A. SCHACHAR AND KATHY SCHACHAR, TRUSTEES OF THE SCHACHAR FAMILY TRUST, RECORDED UNDER DOCUMENT NO. 201900024353 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, 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

RES 7099
36" WEST SHERMAN
WATER MAIN
EMINENT DOMAIN

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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.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson 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 +/- 2.594 acres and a +/- 3.524 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement, for Resolution No. 7099. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

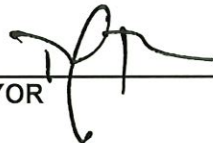
MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:09 p.m.

ADJOURNMENT


CITY CLERK


MAYOR